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

Title 1—General Provisions

CHAPTER I—ADMINISTRATIVE COMMITTEE OF THE FEDERAL REGISTER

CFR CHECKLIST

1974 Issuances

This checklist, prepared by the Office of the Federal Register, is published in the first issue of each month. It is arranged in the order of CFR titles, and shows the revision date and price of the volumes of the Code of Federal Regulations issued to date for 1974. New units issued during the month are announced on the back cover of the daily FEDERAL REGISTER as they become available.

The rate for subscription service to all revised volumes issued for 1974 is $350 domestic, $75 additional for foreign mailing.

Order from Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

CFR Unit (Rev. as of Jan. 1, 1974):

Title	Price
1	$1.10
2 [Reserved]	
3	3.15
4	1.75
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14 Parts:	
1–59	4.80
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CFR Unit (Rev. as of April 1, 1974):

Title	Price
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1–149	$3.80
20 Parts:	
01–399	1.95
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1973 CFR volumes previously announced are available from the Superintendent of Documents at the prices listed below:

CFR Unit (Rev. as of July 1, 1973):

Title	Price
28 (Rev. July 10, 1973)	$1.70
29 Parts:	
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31	4.75
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1–8	5.45
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Title 7—Agriculture

CHAPTER II—FOOD AND NUTRITION SERVICE DEPARTMENT OF AGRICULTURE

SUBCHAPTER A—SCHOOL LUNCH PROGRAM

[Amendment No. 3]

PART 246—SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN

Continuation of Program

The regulations governing the operation of the Special Supplemental Food Program for Women, Infants and Children (WIC Program) indicate that the program will operate through June 30, 1974. On April 11, a proposed revision of the regulations was published in the FEDERAL REGISTER (39 FR 13166). One of the proposals was to revise the regulations to extend this pilot program to permit operations during Federal Fiscal Year 1975 as required by Pub. L. 93–150.

There were many other proposals contained in that notice. Many interested parties have commented on these proposals. These comments require detailed analysis and policy decisions. As a result, the Department will be unable to issue the final regulations for these proposals prior to the current expiration date of June 30, 1974.

In the interim, the present regulations are continued until such time as the revision is completed.

Accordingly, it is hereby determined that proposed rulemaking with respect to this amendment is impractical, unnecessary, and contrary to the public interest.

§ 246.1 [Amended]

In § 246.1(a), the last sentence is amended to delete the date "June 30, 1974" and to insert in lieu thereof the date "June 30, 1975."

Effective date. This amendment shall become effective on July 1, 1974.

Signed at Washington, D.C. on June 25, 1974.

RICHARD L. FELTNER,
Assistant Secretary.

[FR Doc.74-14946 Filed 6-28-74;8:45 am]

CHAPTER IV—FEDERAL CROP INSURANCE CORPORATION, DEPARTMENT OF AGRICULTURE

[Amendment No. 53]

PART 401—FEDERAL CROP INSURANCE

Corn Endorsement (Grain and Silage)

Correction

In FR Doc. 74-14017 appearing at page 21118 in the issue of Wednesday, June 19, 1974, make the following changes in numbered paragraph 1:

1. The fifth line reading "year by changing the first sentence of" should read "year by (1) changing the first sentence of".

2. The seventh sentence reading "as set forth below and deleting the third" should read "as set forth below; and (2) deleting the third".

CHAPTER VI—SOIL CONSERVATION SERVICE, DEPARTMENT OF AGRICULTURE

PART 631—GREAT PLAINS CONSERVATION PROGRAM

Policies and Procedures; Correction

In FR Doc. 74-26655, appearing at page 34644, in the issue for Monday, December 17, 1973, the following changes should be made:

1. In § 631.2(a)(24), 11th line following "experiment" insert "station".

2. In § 631.11(f), third line following "time", insert "by".

3. In § 631.13(a), third line from the bottom of the paragraph preceding "in" delete "rights set off" and insert "setoff rights".

4. In § 631.29, 12th line following "be", delete "setoff" and insert "set off".

Dated: June 21, 1974.

KENNETH E. GRANT,
Administrator.

[FR Doc.74-14934 Filed 6-28-74;8:45 am]

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

PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

Change in Reporting Requirements on Disposition of Raisins to Canada

Notice was published in the June 5, 1974, issue of the FEDERAL REGISTER (39 FR 19946), regarding a proposal to require handlers to report disposition of free tonnage raisins to Canada in the same manner as they now report other export shipments of free tonnage raisins. The proposal was unanimously recommended by the Raisin Administrative Committee, hereinafter referred to as the "Committee".

This action would amend § 989.173 of the Subpart—Administrative Rules and Regulations (7 CFR 989.101-989.176) and is in accordance with the marketing agreement, as amended, and Order No. 989, as amended (7 CFR Part 989), hereinafter referred to collectively as the "order", regulating the handling of raisins produced from grapes grown in California. The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The notice afforded interested persons opportunity to submit written data, views, or arguments on the proposal. None were received.

Section 989.73(c) of the order authorizes the Committee, with the approval of the Secretary, to request each handler to furnish to the Committee information as may be necessary to enable it to exercise its powers and perform its duties.

Section 989.173(c)(1) of Subpart—Administrative Rules and Regulations requires, in part, each handler who is not a processor to report monthly the aggregate quantity of each varietal type of free tonnage raisins which were shipped or otherwise disposed of by him during the preceding month, segregated according to domestic and export outlets. The last sentence of subdivision (v) of § 989.173(c)(1) provides that Canada shall be considered as a domestic outlet and not an export outlet for purposes of the required reports. Thus, the quantities of free tonnage raisins shipped by handlers to Canada are included in those quantities reported as shipments to domestic outlets. Separate reporting of free tonnage raisin shipments to Canada will provide the Committee with better information on raisin shipments and consumption patterns in both Canada and the United States. The Committee will also be better able to analyze usage of California raisins in Canada in competition with raisins from the other producing countries of the world. This information will be of value to the Committee in establishing marketing policy. Hence, the reporting of free tonnage shipments to Canada as a separate figure would enable the Committee to better exercise its powers and perform its duties. Therefore, the Committee recommended that § 989.173(c)(1) be amended by deleting the last sentence of subdivision (v). After such deletion, Canada would be considered to be an export outlet for the reporting purposes of § 989.173(c) and thereafter, disposition of free tonnage raisins to Canada by handlers would be reported to the Committee as a separate figure. To conform other reporting requirements in § 989.173 with this change, the Committee also recommended deletion of other references to Canada in this section, i.e., deletion of the words ", including Canada" in § 989.173(f)(4)(i), and by deletion of the parenthetical phrase "(including Canada)" in the first sentence in § 989.173(f)(5).

After consideration of all relevant matter presented, including that in the notice, the information and recommendation of the Committee, and other available information, the amendment of § 989.173 of Subpart—Administrative Rules and Regulations (7 CFR 989.101-989.176) as hereinafter set forth is approved.

Therefore, § 989.173 of that subpart is amended as follows:

§ 989.173 [Amended]

1. Subdivision (v) of § 989.173(c)(1) is amended by deleting the last sentence of that subdivision.

2. Subdivision (i) of § 989.173(f)(4) is amended by deleting the words ", including Canada".

3. Subparagraph (5) of § 989.173(f) is amended by deleting the parenthetical phrase "(including Canada)" from the first sentence thereof.

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

Dated June 26, 1974, to become effective September 1, 1974.

CHARLES R. BRADER,
Deputy Director,
Fruit and Vegetable Division.

[FR Doc.74-15015 Filed 6-28-74;8:45 am]

CHAPTER XVIII—FARMERS HOME ADMINISTRATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—LOANS AND GRANTS PRIMARILY FOR REAL ESTATE PURPOSES

[FmHA Instruction 444.4]

PART 1822—RURAL HOUSING LOANS AND GRANTS

Farm Labor Housing Loan Policies, Procedures and Authorizations

Section 1822.73(a) of Chapter XVIII of Title 7, Code of Federal Regulations (31 FR 14148) is amended by deleting subparagraphs (2) and (3) and adding a new subparagraph (2) providing that a State Director may approve farm labor housing loans to individual farmers for any amount not in excess of $150,000, with no limitation on the amount of other liens on the borrowers real estate.

It is the general policy of the Department of Agriculture to allow time for interested parties to take part in the rulemaking process. However, inasmuch as this amendment involves only Agency internal procedure and authority, the public rulemaking process is unnecessary.

As amended § 1822.73(a) reads as follows:

§ 1822.73 Loan approval.

(a) * * *

(1) * * *

(2) The loan is to an individual farmer and together with the unpaid principal of any other LH loans of the applicant would exceed $150,000.

* * * * *

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

Effective date. This amendment becomes effective July 1, 1974.

Dated: June 21, 1974.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.74-14948 Filed 6-28-74;8:45 am]

Title 8—Aliens and Nationality

CHAPTER I—IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE

PART 214—NONIMMIGRANT CLASSES

Nonimmigrant Visa Petitions; Effect of Labor Dispute

Reference is made to the notice of proposed rulemaking which was published in the FEDERAL REGISTER on April 25, 1974 (39 FR 14610) pursuant to section 553 of Title 5 of the United States Code (80 Stat. 383) and in which there were set forth the proposed amendments to 8 CFR 214.2 (h) and (l) pertaining to the effect of a labor dispute on the approval of nonimmigrant visa petitions filed on behalf of temporary workers, trainees, and intra-company transferees.

The representations which were received concerning the proposed rules of April 25, 1974, have been considered. No change has been made in the proposed rules. The proposed rules, as set out below, are hereby adopted:

In § 214.2, paragraph (h)(10) is revised and a new paragraph (l)(3a) is added, to read as follows:

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

* * * * *

(h) *Temporary employees.* * * *

(10) *Effect of labor dispute involving a work stoppage or layoff of employees.* A petition shall be denied if a strike or other labor dispute involving a work stoppage or layoff of employees is in progress in the occupation and at the place the beneficiary is to be employed or trained; if the petition has already been approved, the approval of the beneficiary's employment or training is automatically suspended while such strike or other labor dispute is in progress.

* * * * *

(l) *Intra-company transferees.* * * *

(3a) *Effect of labor dispute involving a work stoppage or layoff of employees.* A petition shall be denied if a strike or other labor dispute involving a work stoppage or layoff of employees is in progress in the occupation and at the place the beneficiary is to be employed; if the petition has already been approved, the approval of the beneficiary's employment is automatically suspended while such strike or other labor dispute is in progress.

* * * * *

(Sec. 103, 66 Stat. 173; (8 U.S.C. 1103))

The basis and purpose of the above-prescribed rules are to provide for the denial of a visa petition filed to accord nonimmigrant classification as an intra-company transferee, temporary worker or trainee and for the automatic suspension of prior approval of employment of an intra-company transferee while a strike or labor dispute involving a work stoppage or layoff of employees is in progress in the occupation and at the place such intra-company transferee, temporary worker, or trainee is, or is to be, employed.

Effective date. This order shall become effective July 31, 1974.

Dated: June 25, 1974.

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

[FR Doc.74-14999 Filed 6-28-74;8:45 am]

Title 10—Energy

CHAPTER I—ATOMIC ENERGY COMMISSION

PART 2—RULES OF PRACTICE

Delegation of Certain Authority to the Secretary of the Commission

The Atomic Energy Commission's statement of Organization and General Information (10 CFR 1.13), describes in general terms the duties and authority of the Secretary of the Commission. The Secretary's responsibilities include assisting the Commission in the scheduling and conduct of its business. Pursuant to this authority, the Secretary occasionally acts for the Commission on procedural matters arising in connection with the Commission's role in adjudicatory and rulemaking proceedings.

Because clarification of the Secretary's authority with respect to procedural matters is desirable, the Commission has amended its Rules of Practice to specify in greater detail the Secretary's authority to act on procedural aspects of various matters arising in connection with adjudicatory and rulemaking proceedings after consulting with the General Counsel or, where appropriate, with the Solicitor. The Secretary's authority includes, but is not limited to, establishment of schedules for filing of briefs, motions, responses or other pleadings, where such schedules differ from those presented elsewhere in the rules of practice; ruling on motions for extension of time; and issuance of orders concerning oral arguments in any proceeding where the Commission has determined that an oral argument will be held.

Since the amendments which follow concern rules of agency procedure and practice, the Commission has found that general notice of proposed rulemaking and public procedure thereon are unnecessary, and that good cause exists to make the amendments effective July 1, 1974.

Pursuant to the Atomic Energy Act of 1954, as amended, and sections 552 and 553 of Title 5 of the United States Code, the following amendments to Title 10, Chapter 1, Code of Federal Regulations, Part 2, are published as a document subject to codification.

1. A new § 2.772 is added to Subpart G to read as follows:

§ 2.772 **Authority of the Secretary to Rule on Procedural Matters.**

When briefs, motions or other papers listed herein are submitted to the Commission itself, as opposed to officers who have been delegated authority to act for the Commission, the Secretary or the Assistant Secretary are authorized to:

(a) Prescribe schedules for the filing of briefs, motions, or other pleadings, where such schedules may differ from those elsewhere prescribed in these rules or where these rules do not prescribe a schedule;

(b) Rule on motions for extensions of time;

(c) Reject motions, briefs, pleadings, and other documents filed with the Commission later than the time prescribed by the Secretary or the Assistant Secretary or established by an order, rule, or regulation of the Commission unless good cause is shown for the late filing; and

(d) Prescribe all procedural arrangements relating to any oral argument to be held before the Commission.

§ 2.730 **[Amended]**

2. (a) The third sentence of paragraph (a) of § 2.730 reading, "During the time when a proceeding is before the Commission, a motion for an extension of time which would ordinarily be granted as of course, and to which all parties consent, may be acted upon by the Chief Administrative Law Judge," is deleted; and

(b) Paragraph (c) of § 2.730 is amended by substitution the words "Secretary or the Assistant Secretary" in each instance where the word "Commission" appears.

3. A new § 2.808 is added to Subpart H to read as follows:

§ 2.808 **Authority of the Secretary to Rule on Procedural Matters.**

When briefs, motions or other papers listed herein are submitted to the Commission itself, as opposed to officers who have been delegated authority to act for the Commission, the Secretary or the Assistant Secretary are authorized to:

(a) Prescribe schedules for the filing of statements, information, briefs, motions, responses or other pleadings, where such schedules may differ from those elsewhere prescribed in these rules or where these rules do not prescribe a schedule.

(b) Rule on motions for extensions of time;

(c) Reject motions, briefs, pleadings, and other documents filed with the Commission later than the time prescribed by the Secretary or the Assistant Secretary or established by an order, rule, or regulation of the Commission unless good cause is shown for the late filing; and

(d) Prescribe all procedural arrangements relating to any oral argument to be held before the Commission.

Effective date. The foregoing amendments are effective on July 1, 1974.

(Sec. 161, Pub. L. 83-703, 68 Stat. 948; Sec. 102 Pub. L. 91-190, 83 Stat. 853; (42 U.S.C. 2201, 4332))

Dated at Germantown, Md. this 25th day of June 1974.

For the Atomic Energy Commission.

GORDON M. GRANT,
Acting Secretary of the Commission.

[FR Doc.74-14992 Filed 6-28-74;8:45 am]

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Regulation Y]

PART 225—BANK HOLDING COMPANIES

Nonbanking Activities

On May 24, 1974, (39 FR 19774), the Board of Governors announced an amendment to § 225.4(a)(4) of Regulation Y that clarified the boundaries upon deposit-taking and investing activities that are properly incidental to trust company activities which the Board has determined to be so closely related to banking or managing or controlling banks as to be a proper incident thereto.

The amended regulation permits trust company subsidiaries of bank holding companies increased latitude in their deposit-taking activity but prohibits such trust companies from making loans or investments except the sale of federal funds, the making of call loans to securities dealers or the purchase of money market instruments such as certificates of deposit, commercial paper, government or municipal securities, and bankers acceptances. Such limitations on permissible loans and investments are intended to insure that bank holding companies do not, in contravention of section 3(d) of the Act, engage in the business of accepting demand deposits and making commercial loans outside of the State in which a bank holding company has its principal banking operations. However, the enumeration in the regulation of the "sale of federal funds" is not intended to supersede previous Board interpretations to the effect that the sales of funds by trust companies to member banks are subject (under Regulations D and Q) to reserve requirements and interest rate ceilings. Accordingly, to resolve any ambiguity concerning trust companies' participation in the federal funds market, the phrase "sale of federal funds" contained in § 225.4(a)(4)(iii) is hereby deleted.

The text of the amendment to § 225.4(a)(4), as modified, reads as follows:

§ 225.4 Nonbanking activities.

(a) *Activities closely related to banking or managing or controlling banks.* * * * The following activities have been determined by the Board to be so closely related to banking or managing or controlling banks as to be a proper incident thereto:

* * * * *

(4) performing or carrying on any one or more of the functions or activities that may be performed or carried on by a trust company (including activities of a fiduciary, agency, or custodian nature), in the manner authorized by Federal or State law, so long as the institution does not make loans or investments or accept deposits other than (i) deposits that are generated from trust funds not currently invested and are properly secured to the extent required by law, or (ii) deposits representing funds received for a special use in the capacity of managing agent or custodian for an owner of, or investor in, real property, securities, or other personal property, or for such owner or investor as agent or custodian of funds held for investment or escrow agent, or for an issuer of, or broker or dealer in securities, in a capacity such as paying agent, dividend disbursing agent, or securities clearing agent, and not employed by or for the account of the customer in the manner of a general purpose checking account or bearing interest, or (iii) making of call loans to securities dealers or purchase of money market instruments such as certificates of deposit, commercial paper, government or municipal securities, and bankers acceptances (such authorized loans and investments, however, may not be used as a method of channeling funds to nonbanking affiliates of the trust company). * * *"

* * * * *

Effective date: June 24, 1974.

By order of the Board of Governors of the Federal Reserve System, June 21, 1974.

[SEAL] CHESTER B. FELDBERG, *Secretary of the Board.*

[FR Doc.74-14938 Filed 6-28-74;8:45 am]

[Regs. G, T, and U]

PARTS 207, 220, AND 221—SECURITIES CREDIT TRANSACTIONS

Requirements for Inclusion and Continued Inclusion on the List of OTC Margin Stocks

By notice of proposed rulemaking published in the FEDERAL REGISTER on April 23, 1974 (39 FR 14360), the Board of Governors proposed, pursuant to the authority of section 7 of the Securities and Exchange Act of 1934 (15 U.S.C. § 78g (1970)), amending Parts 207, 220, and 221 with respect to the requirements for a stock's inclusion and continued inclusion on the List of OTC Margin Stocks. The purpose of the proposed amendments is to modify the requirements for inclusion and continued inclusion on the List of OTC Margin Stocks in the light of significant changes which have occurred in the over-the-counter (OTC) market, particularly the development of the National Association of Securities Dealers Automated Quotation System (NASDAQ). Some superfluous language is also deleted and some clarifying language added.

Following consideration of all comments received, the amendments as so proposed are hereby adopted, subject to the following changes:

1. Subparagraph (4) of § 207.2(f); subparagraph (4) of § 220.2(e); and subparagraph (4) of § 221.3(d), are changed to read as follows: [1]

"(4) The foregoing notwithstanding, the Board may omit or remove any stock that is not traded on a national securities exchange from or add any such stock to such list of OTC margin stocks, if in the judgment of the Board, such action is necessary or appropriate in the public interest."

[1] This amendment was not part of the original proposed rule.

2. Subparagraph (3) of § 207.5(d); subparagraph (3) of § 220.8(h); and subparagraph (3) of § 221.4(d), are changed to read as follows:

"(3) There are 1,200 or more holders of record, as defined in SEC Rule 12g5-1 (17 CFR § 240.12g5-1), of the stock who are not officers, directors, or beneficial owners of 10 per cent or more of the stock,"

3. Subparagraph (1) of § 207.5(e); subparagraph (1) of § 220.8(i); and subparagraph (1) of § 221.4(e), are changed as follows:

"(1) The stock continues to be subject to registration under section 12(g)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78*l*(g)(1)), or if issued by an insurance company such issuer continues to be subject to section 12(g)(2)(G) (15 U.S.C. 78*l*(g)(2)(G)) and to have at least $1 million of capital and surplus, or if issued by a closed-end investment management company such issuer continues to be subject to registration pursuant to section 8 of the Investment Company Act of 1940 (15 U.S.C. § 80a-8)."

4. Subparagraph (3) of § 207.5(e); subparagraph (3) of § 220.8(i); and subparagraph (3) of § 221.4(e), are changed as follows:

"(3) There continue to be 800 or more holders of record, as defined in SEC Rule 12g5-1 (17 CFR § 240.12g5-1), of the stock who are not officers, directors, or beneficial owners of 10 per cent or more of the stock,"

By order of the Board of Governors, June 24, 1974, to be effective July 25, 1974.

[SEAL] CHESTER B. FELDBERG, *Secretary of the Board.*

PART 207—SECURITIES CREDIT BY PERSONS OTHER THAN BANKS, BROKERS, OR DEALERS

1. Section 207.2(f)(4) is revised as follows.

§ 207.2 Definition.

* * * * *

(f) * * *

(4) The foregoing notwithstanding, the Board may omit or remove any stock that is not traded on a national securities exchange from or add any such stock to such list of OTC margin stocks, if in the judgment of the Board, such action is necessary or appropriate in the public interest.

* * * * *

2. Paragraphs (d) and (e) of § 207.5 are amended as set forth below:

§ 207.5 Supplement.

* * * * *

(d) *Requirements for inclusion on list of OTC margin stock.* Except as provided in paragraph (f)(4) of § 207.2, such stock shall meet the requirements that:

(1) The stock is subject to registration under section 12(g)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78*l*(g)(1)), is issued by an insurance company subject to section 12(g)(2)(G) (15 U.S.C. 78*l*(g)(2)(G)) that has at least $1 million of capital and surplus, or is issued by a closed-end investment management company subject to registration pursuant to section 8 of the Investment Company Act of 1940 (15 U.S.C. § 80a-8),

(2) Five or more dealers stand willing to, and do in fact, make a market in such stock including making regularly published *bona fide* bids and offers for such stock for their own accounts, or the stock is registered on a securities exchange that is exempted by the Securities and Exchange Commission from registration as a national securities exchange pursuant to section 5 of the Securities Exchange Act of 1934 (15 U.S.C. 78e),

(3) There are 1,200 or more holders of record, as defined in SEC Rule 12g5–1 (17 CFR § 240.12g5–1), of the stock who are not officers, directors, or beneficial owners of 10 percent or more of the stock.

(4) The issuer is organized under the laws of the United States or a State* and it, or a predecessor in interest, has been in existence for at least 3 years,

(5) The stock has been publicly traded for at least 6 months,

(6) Daily quotations for both bid and asked prices for the stock are continuously available to the general public, and

(7) There are 500,000 or more shares of such stock outstanding in addition to shares held beneficially by officers, directors, or beneficial owners of more than 10 percent of the stock; and shall meet two of the three additional requirements that:

(8) The shares described in paragraph (d)(7) of this section have a market value of at least $5 million,

(9) The minimum average bid price of such stock, as determined by the Board, is at least $10 per share, and

(10) The issuer had at least $5 million of capital, surplus, and undivided profits.

(e) *Requirements for continued inclusion on list of OTC margin stock.* Except as provided in paragraph (f)(4) of § 207.2, such stock shall meet the requirements that:

(1) The stock continues to be subject to registration under section 12(g)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78*l*(g)(1)), or if issued by an insurance company such issuer continues to be subject to section 12(g)(2)(G) (15 U.S.C. 78*l*(g)(2)(G)) and to have at least $1 million of capital and surplus, or if issued by a closed-end investment management company such issuer continues to be subject to registration pursuant to section 8 of the Investment Company Act of 1940 (15 U.S.C. § 80a–8).

(2) Three or more dealers stand willing to, and do in fact, make a market in such stock including making regularly published bona fide bids and offers for such stock for their own accounts, or the stock is registered on a securities exchange that is exempted by the Securities and Exchange Commission from registration as a national securities exchange pursuant to section 5 of the Securities Exchange Act of 1934 (15 U.S.C. 78e),

(3) There continue to be 800 or more holders of record as defined in SEC Rule 12g5–1 (17 CFR § 240.12g5–1), of the stock who are not officers, directors, or beneficial owners of 10 percent or more of the stock,

(4) The issuer continues to be a U.S. Corporation,

(5) Daily quotations for both bid and asked prices for the stock are continuously available to the general public, and

(6) There are 300,000 or more shares of such stock outstanding in addition to shares held beneficially by officers, directors, or beneficial owners of more than 10 percent of the stock; and shall meet two of the three additional requirements that:

(7) The shares described in paragraph (e)(6) of this section continue to have a market value of at least $2.5 million,

(8) The minimum average bid price of such stock, as determined by the Board, is at least $5 per share, and

(9) The issuer continues to have at least $2.5 million of capital, surplus, and undivided profits.

PART 220—CREDIT BY BROKERS AND DEALERS

3. Section 220.2(e)(4) is revised as follows.

§ 220.2 Definitions.

* * * * *

(e) * * *

(4) The foregoing notwithstanding, the Board may omit or remove any stock that is not traded on a national securities exchange from or add any such stock to such list of OTC margin stocks, if in the judgment of the Board, such action is necessary or appropriate in the public interest.

* * * * *

4. Paragraphs (h) and (i) of § 220.8 are revised as follows.

§ 220.8 Supplement.

* * * * *

(h) *Requirements for inclusion on list of OTC margin stock.* Except as provided in paragraph (e)(4) of § 220.2, OTC margin stock shall meet the requirements that:

(1) The stock is subject to registration under section 12(g)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78*l*(g)(1)), is issued by an insurance company subject to section 12(g)(2)(G) (15 U.S.C. 78*l*(g)(2)(G)) that has at least $1 million of capital and surplus, or is issued by a closed-end investment management company subject to registration pursuant to section 8 of the Investment Company Act of 1940 (15 U.S.C. § 80a–8),

(2) Five or more dealers stand willing to, and do in fact, make a market in such stock including making regularly published bona fide bids and offers for such stock for their own accounts, or the stock is registered on a securities exchange that is exempted by the Securities and Exchange Commission from registration as a national securities exchange pursuant to section 5 of the Securities Exchange Act of 1934 (15 U.S.C. 78e),

(3) There are 1,200 or more holders of record, as defined in SEC Rule 12g5–1 (17 CFR § 240.12g5–1), of the stock who are not officers, directors, or beneficial owners of 10 percent or more of the stock,

(4) The issuer is organized under the laws of the United States or a State* and it, or a predecessor in interest, has been in existence for at least 3 years,

(5) The stock has been publicly traded for at least 6 months,

(6) Daily quotations for both bid and asked prices for the stock are continuously available to the general public, and

(7) There are 500,000 or more shares of such stock outstanding in addition to shares held beneficially by officers, directors, or beneficial owners of more than 10 per cent of the stock; and shall meet two of the three additional requirements that:

(8) The shares described in paragraph (h)(7) of this section have a market value of at least $5 million,

(9) The minimum average bid price of such stock, as determined by the Board, is at least $10 per share, and

(10) The issuer had at least $5 million of capital, surplus, and undivided profits.

(i) *Requirements for continued inclusion on list of OTC margin stock.* Except as provided in paragraph (e)(4) of § 220.2, OTC margin stock shall meet the requirements that:

(1) The stock continues to be subject to registration under section 12(g)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78*l*(g)(1)), or if issued by an insurance company such issuer continues to be subject to section 12(g)(2)(G) (15 U.S.C. 78*l*(g)(2)(G)) and to have at least $1 million of capital and surplus, or if issued by a closed-end investment management company such issuer continues to be subject to registration pursuant to section 8 of the Investment Company Act of 1940 (15 U.S.C. § 80a–8).

(2) Three or more dealers stand willing to, and do in fact, make a market in such stock including making regularly published bona fide bids and offers for such stock for their own accounts, or the stock is registered on a securities exchange that is exempted by the Securities and Exchange Commission from registration as a national securities exchange pursuant to section 5 of the Securities Exchange Act of 1934 (15 U.S.C. 78e),

(3) There continue to be 800 or more holders of record, as defined in SEC Rule 12g5–1 (17 CFR § 240.12g5–1), of the stock who are not officers, directors, or beneficial owners of 10 percent or more of the stock,

(4) The issuer continues to be a U.S. Corporation,

(5) Daily quotations for both bid and asked prices for the stock are continuously available to the general public, and

(6) There are 300,000 or more shares of such stock outstanding in addition to shares held beneficially by officers, directors, or beneficial owners of more than 10 per cent of the stock; and shall meet two of the three additional requirements that:

(7) The shares described in paragraph (i)(6) of this section continue to have a market value of at least $2.5 million.

(8) The minimum average bid price of such stock, as determined by the Board, is at least $5 per share, and

* As defined in 15 U.S.C. 78c(a)(16).

(9) The issuer continues to have at least $2.5 million of capital, surplus, and undivided profits.

PART 221—CREDIT BY BANKS FOR THE PURPOSE OF PURCHASING OR CARRYING MARGIN STOCKS

5. Section 221.3(d)(4) is revised as follows:

§ 221.3 Miscellaneous Provisions.

* * * * *

(d) * * *

(4) The foregoing notwithstanding, the Board may omit or remove any stock that is not traded on a national securities exchange from or add any such stock to such list of OTC margin stocks, if in the judgment of the Board, such action is necessary or appropriate in the public interest.

* * * * *

6. Paragraphs (d) and (e) of § 221.4 are amended as set forth below:

§ 221.4 Supplement.

* * * * *

(d) *Requirements for inclusion on list of OTC margin stock.* Except as provided in paragraph (d)(4) of § 221.3, OTC margin stock shall meet the requirements that:

(1) The stock is subject to registration under section 12(g)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78*l*(g)(1)), is issued by an insurance company subject to section 12(g)(2)(G) (15 U.S.C. 78*l*(g)(2)(G)) that has at least $1 million of capital and surplus, or is issued by a closed-end investment management company subject to registration pursuant to section 8 of the Investment Company Act of 1940 (15 U.S.C. § 80a–8),

(2) Five or more dealers stand willing to, and do in fact, make a market in such stock including making regularly published bona fide bids and offers for such stock for their own accounts, or the stock is registered on a securities exchange that is exempted by the Securities and Exchange Commission from registration as a national securities exchange pursuant to section 5 of the Securities Exchange Act of 1934 (15 U.S.C. 78e),

(3) There are 1,200 or more holders of record, as defined in SEC Rule 12g5–1 (17 CFR § 240.12g5–1), of the stock who are not officers, directors, or beneficial owners of 10 percent or more of the stock,

(4) The issuer is organized under the laws of the United States or a State[*] and it, or a predecessor in interest, has been in existence for at least 3 years,

(5) The stock has been publicly traded for at least 6 months,

(6) Daily quotations for both bid and asked prices for the stock are continuously available to the general public, and

(7) There are 500,000 or more shares of such stock outstanding in addition to shares held beneficially by officers, directors, or beneficial owners of more than 10 percent of the stock; and shall meet two of the three additional requirements that:

(8) The shares described in paragraph (d)(7) of this section have a market value of at least $5 million,

(9) The minimum average bid price of such stock, as determined by the Board, is at least $10 per share, and

(10) The issuer had at least $5 million of capital, surplus, and undivided profits.

(e) *Requirements for continued inclusion on list of OTC margin stock.* Except as provided in paragraph (d)(4) of § 221.3, OTC margin stock shall meet the requirements that:

(1) The stock continues to be subject to registration under section 12(g)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78*l*(g)(1)), or if issued by an insurance company such issuer continues to be subject to section 12(g)(2)(G) (15 U.S.C. 78*l*(g)(2)(G)) and to have at least $1 million of capital and surplus, or if issued by a closed-end investment management company such issuer continues to be subject to registration pursuant to section 8 of the Investment Company Act of 1940 (15 U.S.C. § 80a–8).

(2) Three or more dealers stand willing to, and do in fact, make a market in such stock including making regularly published bona fide bids and offers for such stock for their own accounts, or the stock is registered on a securities exchange that is exempted by the Securities and Exchange Commission from registration as a national securities exchange pursuant to section 5 of the Securities Exchange Act of 1934 (15 U.S.C. 78e),

(3) There continue to be 800 or more holders of record, as defined in SEC Rule 12g5–1 (17 CFR § 240.12g5–1), of the stock who are not officers, directors, or beneficial owners of 10 percent or more of the stock,

(4) The issuer continues to be a U.S. Corporation,

(5) Daily quotations for both bid and asked prices for the stock are continuously available to the general public, and

(6) There are 300,000 or more shares of such stock outstanding in addition to shares held beneficially by officers, directors, or beneficial owners of more than 10 per cent of the stock; and shall meet two of the three additional requirements that:

(7) The shares described in paragraph (e)(6) of this section continue to have a market value of at least $2.5 million,

(8) The minimum average bid price of such stock, as determined by the Board, is at least $5 per share, and

(9) The issuer continues to have at least $2.5 million of capital, surplus, and undivided profits.

Interested persons are invited to submit relevant data, views, or arguments concerning this proposal. Any such material should be submitted in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than May 20, 1974. Such material will be made available for inspection and copying upon request, except as provided in § 261.6(a) of the Board's rules regarding availability of information.

(Section 553(b) of Title 5, United States Code, and § 262.2(a) of the Rules of procedure of the Board of Governors of the Federal Reserve System (12 CFR 262.2(a)).

[FR Doc.74–14943 Filed 6–28–74;8:45 am]

[*] As defined in 15 U.S.C. 78c(a)(16).

CHAPTER V—FEDERAL HOME LOAN BANK BOARD

SUBCHAPTER D—RULES AND REGULATIONS FOR INSURANCE OF ACCOUNTS

[No. 74–543]

PART 563c—ACCOUNTING REQUIREMENTS

PART 572—ACCOUNTING STATEMENTS OF POLICY

Accounting for Investment in Service Corporations

JUNE 12, 1974.

The Federal Home Loan Bank Board, by Resolution No. 73–1825, dated December 14, 1973, proposed to amend Part 572 of the rules and regulations for Insurance of Accounts (12 CFR Part 572), entitled "Accounting Statements of Policy", by adding a new § 572.4 to require that an insured institution calculate its investment in a service corporation and report it to the Board as though the service corporation applied the provisions of § 563.23–1 (12 CFR 563.23–1) to its earnings. The resolution further proposed to reclassify the entire group of accounting statements of policy in Part 572 as regulations within Part 563c, which is entitled "Accounting Requirements" (12 CFR Part 563c). Notice of such proposed rulemaking was duly published in the FEDERAL REGISTER on January 14, 1974 (39 FR 1782), and allowed until February 15, 1974, for submission of comments by interested persons. On the basis of its consideration of all relevant material presented by interested persons and otherwise available, the Board considers it desirable to adopt the proposed amendments with one modification, as described herein.

Section 563.23–3 of the rules and regulations for Insurance of Accounts (12 CFR 563.23–3), relating to accounting principles and procedures for insured institutions, provides in part that, "for purposes of examination by and reports to the Corporation * * * each insured institution and service corporation shall: (a) Employ such specific principles or procedures on particular accounting or reporting matters as the Corporation may require by regulation or otherwise * * *" Pursuant to this provision, the Board, as the operating head of the Federal Savings and Loan Insurance Corporation, requires that an insured institution's investment in a service corporation be calculated and reported as though the service corporation applied the provisions of § 563.23–1 (12 CFR 563.23–1) to the calculation of its earnings. (The amendment does not require service corporations themselves to calculate their income under the provisions of § 563.23–1; accordingly, service corporations may continue to use generaly accepted accounting principles or whatever accounting principles are customarily used in the line of commerce in which they are engaged.)

The regulation is designed to require that the same profit recognition test be applied to all earnings reported to the Federal Savings and Loan Insurance Corporation by the insured institution. The Board believes that this requirement will impart uniformity to the reporting of income to the Corporation and will prevent distortion caused in such reports as a result of recording profits prematurely.

Paragraph 563.23–1(f) provides that when an insured institution makes a profit by selling real estate owned by it, any part of the profit not received in cash at the time of sale is required to be recorded as deferred profit. The applicability of § 563.23–1(f) to insured institutions' reporting of service corporation earnings under the instant amendment means that the reports of insured institutions are now required similarly to show deferred profits from their service corporations' credit sales of real estate owned by the service corporations. The amendment as adopted by the Board modified the proposed in guage by adding a new paragraph in order to express explicitly the Board's continuing policy with regard to real estate owned, whether owned by the insured institution or by its service corporation, of treating a cash sale of such property as a credit sale for accounting purposes to the extent that the sale is financed by or the loan is subsequently purchased by the insured institution. Under new § 563c.5(b), therefore, an insured institution must treat as deferred profits any service corporation profits in excess of the cash down payment which profits are derived from cash sales of real estate owned, if the sales were financed by or the loan was subsequently acquired by the insured institution or a company in which it has an investment.

Accordingly, the Board hereby amends Parts 563c and 572 by deleting Part 572 and reclassifying the provisions therein as new §§ 563c.2, 563c.3, 563c.4 and 563c.5, to read as set forth below, effective July 29, 1974.

§ 563c.2 Use of accrual basis of accounting.

(a) *Definition.* As used herein, the term "accrual basis of accounting" refers to that accounting method in which expenses are recorded when incurred, whether paid or unpaid, and income is recorded when earned, whether or not received.

(b) *General rule.* Insured institutions shall use the accrual basis of accounting to prepare and maintain their accounting records and/or to prepare their financial statements and reports to the Corporation, except that this requirement shall not apply to insured institutions whose total assets do not exceed $10,000,000.

(c) *Preparation and maintenance of books and records.* For the purpose of examinations by the Corporation, insured institutions which elect or are required to use the accrual basis of accounting for the preparation of financial statements and reports to the Corporation and which prepare and maintain books and records on a basis other than the accrual basis of accounting shall also prepare and maintain such records and reconciliations as will properly support such statements and reports.

(d) *Initial accrual basis adjustments.* (1) An insured institution which elects or is required to use the accrual basis of accounting shall make initial adjustments to convert to such basis of accounting as of the beginning of the annual accounting period to which such election or requirement is applicable, and such initial adjustments shall be recorded no later than the close of business of the sixth month of such annual accounting period.

(2) The net amount of the initial adjustments may be recorded as a nonoperating income or expense item, as the case may be, or may be recorded as a direct charge or credit to appropriate net worth accounts.

§ 563c.3 Accounting for uncollectible income.

(a) *General rule.* An institution which uses the accrual basis of accounting to prepare its financial statements and reports to the Corporation shall, at least quarterly, review all earned but uncollected income and make a determination of the portion thereof that is considered to be uncollectible. In making such a determination, institutions shall employ generally accepted accounting principles for determining estimated losses.

(b) *Uncollectible interest on loans.* In determining the uncollectibility of income on loans, contracts, and similar investments, an insured institution shall employ generally accepted accounting principles. However, as a minimum, the following shall be classified as uncollectible: (1) All earned but uncollected interest on any conventional loan if any portion thereof is due but uncollected for a period in excess of 90 days; (2) all earned but uncollected interest on any conventional loan on which an institution has commenced a legal action to acquire title to or secure possession of the underlying security or to enforce performance by the borrower; and (3) all earned but uncollected interest on any other conventional loan which, because of substantial or chronic delinquency or any other material reason, is of doubtful collectibility. Earned but uncollected interest on loans other than conventional loans shall be classified as uncollectible on the same basis, after allowance for any interest which may be expected to be received in connection with any existing insurance or guaranty.

(c) *Adjustment for uncollectible income.* At least quarterly, appropriate income accounts shall be charged with the amount of uncollectible income and a corresponding amount shall be credited to an account or accounts descriptive of uncollectible income.

(d) *Definition.* As used herein, the term "conventional loan" refers to any investment by an insured institution in any loan, contract, or similar investment which is not an insured loan, a guaranteed loan, or a guaranteed obligation, as defined in §§ 561.20, 561.21 and 561.21a, respectively, of this subchapter.

§ 563c.4 Accounting for net income.

(a) *Definition of net income.* The term "net income" means gross income of all kinds from all sources less all expenses, including interest on Federal Home Loan Bank advances and borrowed money, interest or dividends on withdrawable or nonwithdrawable accounts (except capital stock), Federal, state or local income taxes, if any, and losses of every kind and nature.

(b) *Reporting of net income.* All reports submitted to the Corporation by or for an insured institution (including reports of audit) which include therein data relating to net income for any quarterly period ending on or after October 31, 1971, shall report net income in accordance with the definition contained in paragraph (a) of this section.

§ 563c.5 Accounting for investment in service corporation.

(a) For purposes of examination by and reports to the Corporation and of compliance with this subchapter, each service corporation shall be prepared to show its earnings under the provisions of § 563.23–1 of this chapter, and each insured institution shall calculate and report the outstanding book value of its investment in any service corporation as though such service corporation applied the provisions of § 563.23–1 of this chapter to the calculation of its earnings.

(b) For purposes of this section, an insured institution shall treat as deferred profits under § 563.23–1(f) of this chapter any service corporation profits which are derived from the cash sale of real estate owned, to the extent that such profits exceed the amount of the cash down payment, if any, where (1) the sale is financed by the insured institution or any corporation in which the insured institution has an investment, or (2) such insured institution or corporation has subsequently acquired the loan; in these cases, the income shall be calculated as though the service corporation were the mortgagee or owner, respectively, of the security property: *Provided,* That this paragraph shall not apply to such profits if not more than 10 percent of the stock of such service corporation is owned by the insured institution which is providing the financing or has subsequently acquired the mortgage or security property.

(Secs. 402, 403, 407, 48 Stat. 1256, 1257, 1260, as amended; (12 U.S.C. 1725, 1726, 1730). Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR 1943–48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] GREENVILLE L. MILLARD, Jr.,
Assistant Secretary.

[FR Doc.74–15012 Filed 6–28–74;8:45 am]

Title 14—Aeronautics and Space

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER D—SPECIAL REGULATIONS

[Reg. SPR-75, Amdt. 5]

PART 373—STUDY GROUP CHARTERS BY DIRECT AIR CARRIERS AND STUDY GROUP CHARTERERS

Adoption of a Waiting Period for Marketing Study Group Charters

Correction

In FR Doc. 74-14059, appearing at page 21124 in the issue of Wednesday, June 19, 1974, the heading for Part 373 should read as set forth above.

Title 32A—National Defense Appendix

CHAPTER XVIII—NATIONAL SHIPPING AUTHORITY, MARITIME ADMINISTRATION, DEPARTMENT OF COMMERCE

OPR-4—AUTHORITY AND RESPONSIBILITY OF THE OPERATOR TO UNDERTAKE TO DECOMMISSION AND DELIVER SHIPS TO RESERVE FLEETS

Revision of Order

Pursuant to its authority to administer the National Defense Reserve Fleet (NDRF) established by section 11 of the Merchant Ship Sales Act of 1946, as amended, 50 U.S.C. App. 1744, the National Shipping Authority of the Maritime Administration is revising OPR-4, which sets forth the responsibilities of an operator for the stripping and deactivation of a MARAD-owned ship preparatory to placing it in the NDRF for permanent lay-up. This revision updates the requirements for such preparation, including dehumidification, and for conformity and brevity consolidates the similar requirements set forth in OPR-6 with respect to tankers. Henceforth, OPR-4 shall apply to all ships being prepared for placement in the NDRF.

Rulemaking with respect to the NDRF involves a military function of the United States and is therefore exempt from the requirements of 5 U.S.C. 553. Accordingly, OPR-4 is hereby revised as set forth below.

Effective date: This order is effective on July 1, 1974.

By order of the Director, National Shipping Authority.

JOHN J. NACHTSHEIM,
Assistant Administrator for Operations, Maritime Administration.

Sec.

AUTHORITY: Secs. 11(a) and 12(d), Merchant Ship Sales Act of 1946, as amended, (50 U.S.C. App. 1744(a), 1745(d)); sec. 204(b), Merchant Marine Act, 1936, as amended, (46 U.S.C. 1114(b)); Reorganization Plans No. 21 of 1950, 64 Stat. 1273, and No. 7 of 1961, 75 Stat. 840, as amended by Pub. L. 91-469, 84 Stat. 1036; Department of Commerce Organization Order 10-8, 38 FR 19707, July 23, 1973.

Section 1. Purpose.

The purpose of this order is to set forth the responsibilities of an operator for the stripping and deactivation of a MARAD-owned ship preparatory to placing it in the National Defense Reserve Fleet for permanent lay-up.

Sec. 2. Definitions.

(a) *Stripping.* The removal of specified items from the ship or their stowage aboard in designated locations.

(b) *Deactivation.* Work done on both repair and non-repair nature, intended to restore the ship to a state of good repair and to ready it for long term lay-up.

(c) *Operator.* Any individual or organization responsible for the stripping and deactivation of a ship which is slated for permanent lay-up in the National Defense Reserve Fleet.

(d) NDRF—National Defense Reserve Fleet.

(e) D/H—Dehumidification.

(f) C/P—Cathodic Protection.

Sec. 3. Administration of work.

(a) *Specifications.* The Operator shall prepare specifications for the work to be done under this Order.

(b) *Approvals.* The specifications must be approved by the Region Director before work begins, or if bidding is involved, before the bids are solicited.

(c) *Supervision.* The Operator shall properly supervise the work to insure that it meets the requirements of this Order in every respect. Final acceptance of the work by the Region Director shall be required.

(d) *Repairs.* All repairs shall be accomplished unless deferment is approved by Chief, Division of Ship Management.

Sec. 4. Sequence of work.

The operator shall schedule the performance of the various items of work in such way as to achieve an orderly and efficient deactivation with a minimum need for re-performing any item in whole or in part as the work progresses.

Sec. 5. Condition survey.

On completion of all work, a condition survey report shall be prepared reflecting the condition of all parts of the ship, its equipment and appurtenances. Such survey shall be made jointly by the Maritime Administration and the Operator. Deferred items which will require corrective action upon reactivation shall be listed along with the estimated cost of taking each in hand. The survey shall also include all outstanding American Bureau of Shipping and/or U.S. Coast Guard reports and recommendations as well as all notes of protest. One copy of the survey shall be sent to Office of Domestic Shipping, Washington, D.C., one copy to Operator, one copy to N.D.R.F. Superintendent, and one copy to the Maritime Administration Region Office.

Sec. 6. Drydocking.

The Operator shall have the ship drydocked for the following purposes:

(a) *Bottom Survey.* Bottoms shall be sandwashed to permit complete and detailed inspection. Plates and welds which are wasted, pitted, set in, etc., shall be repaired as necessary to meet regulatory body requirements. Thickness of bottom plating shall be measured by use of ultrasonic measuring apparatus to determine its true condition.

(b) *Cleaning and Painting.* (1) *Bottom Coatings.* Prime and/or pre-treatment coating and anti-corrosive paints shall be applied over cleaned bottom in accordance with paint manufacturer's instructions.

(2) *Flotation Band.* A six (6) foot band of shell plating from stem to stern including rudder, from four (4) feet above to two (2) feet below line of flotation, shall be sandblasted to bare metal. A coal tar epoxy coating system of not less than 14 mils thickness shall be applied in accordance with manufacturer's instructions (the above work shall not be done unless circumstances warrant, which shall be determined on a ship to ship basis). If the condition of the flotation area is such that it does not require sandblasting, the two coats of anti-corrosive paint referred to above shall be brought up to four (4) feet above line of flotation.

(c) *Anchor Chains.* Anchor chains shall be ranged, washed and gauged. The chain locker and hand pump system shall be drained and thoroughly cleaned. Chains and chain locker shall be coated with approved metal conditioning compound, before the chains are restowed. For ships entering the James River Fleet site, the second and third shots of chain from both port and starboard anchor chains shall be removed and as one length (2 shots) shall be placed on each side of forecastle deck. The anchor and chains shall then be re-connected, less the two shots respectively, and housed as originally.

(d) *Sea chest blanks.* The sea injections and overboard discharge pipes below the flotation line shall be blanked offi externally by fitting and welding a steel plate over all such openings. Minimum thickness of plates shall be ½ inch. If strainer plates are required to be removed for installation of blanks, they shall be stowed in a hold designed by the Region Director. All sea chests and overboard discharge pipes shall be thoroughly cleaned and coated internally with metal conditioning compound.

(e) *Stern tube.* For ships going to the James River Reserve Fleet each ligum vitae stern tube shall be filled with approximately 400 pounds of approved sea cock grease. The grease shall be injected into the stern tube through the water service line at after peak bulkhead, after which the line shall be reconnected and inlet valve left shut. Care shall be taken to ensure that the water service pipe in

way of after peak tank is in good condition. The injection of the grease must be witnessed by the Maritime Administration representative, after which a tag shall be attached to the stern gland showing type of grease used, quantity and date. For all ships fitted with oil lubricated stern tube bearings, the oil reservoirs shall be filled with approved lubricant.

(f) *Tanks.* Peaks, voids and double-bottom tanks which have been used for storing fresh or salt water shall have bleeder plugs removed and shall be thoroughly drained and cleaned. All residual standing water remaining after draining or flushing shall be dried. Where salt water has been stored, the tank shall be thoroughly flushed out with fresh water. Only clean fresh water shall be used if any of these tanks are to be ballasted for stability purposes and this water shall not be added until completion of the foregoing steps.

(g) *Sea Valves.* After the sea chests have been blanked off, any sea valve or steaming out valve that is installed in such manner that it may hold water in the body of the valve shall be drained by slacking off the bonnet or by other suitable means. In addition, all sea valves shall be coated internally with metal conditioning compound, after which they shall be left tightly closed. Connecting lines shall be broken at the valve flange to promote better diffusion of air throughout the line.

(h) *Rudder—Upper Pintle.* One 3/8" diameter hole shall be drilled through gudgeon and composition bushing to pintle. The hole shall be cleaned thoroughly and tapped for fittings in order to install standard type grease fitting. The upper pintle shall be pumped up with approved type lubricant, using high pressure lube outfit while rudder is in motion.

Sec. 7. Items to be removed from ship.

The Operator shall remove the following items from the ship and shall dispose of those which are government-owned or government-controlled in a manner to be prescribed by the Region Dirtector.

Acids
Aids, navigation (Charts and Publications)
Ballast, liquid and loose aggregate (Unrequired for stability)
Batteries, dry cell
Batteries, alkaline (except Nicad)
Batteries, lead acid
Books, bell
Books, library
Books, log
Chemicals, water testing
Compounds, boiler
Cordage, scrap
Cylinder, gas (except CO^2)
Dunnage
Equipment, rented
Firearms, including ammunition
Fire hose, remove if old
Greases
Inflammables
Lifeboat rations, water, etc.
Life Rafts
Medicines
Narcotics
Paints
Pyrotechnics, all
Stock, bar (steward's dept.)
Stores, slop chest
Stores, subsistence
Supplies medical
Typewriters, old

Material removed from the ship to another Maritime Administration activity shall be covered by a Property Transfer Notice. All other material removed from the ship for disposition must be covered by a listing and as directed by the Region Director. Rented equipment shall be removed before the vessel departs for the NDRF.

Sec. 8. Items to be left aboard ship.

The operator shall leave aboard all items which have not been listed under section 7 and have been judged serviceable by the Region Director. These items include, but are not limited to, the following:

Antenna, radio
Ballast, poured concrete
Barometers
Batteries, nickel-cadmium
Binnacles
Binoculars
Blocks, portable
Blueprints
Books, instruction
Boxes, storage
Canvas
Chronometers
Clocks
Clinometers
Clothing (steward's dept.)
Compass, magnetic
Cordage
Correspondence, ship's
Davits, small goose-neck
Equipment, galley
Equipment, medical (instruments, litters, etc.)
Equipment, office
Equipment, painting
Equipment, pantry
Equipment, safety
Falls, boat
Fans, room
Floodlights, detachable
Flags
Fire Extinguishers
Fire hose—leave aboard if new
Fuel, bunker "C" (between 500–1000 bbls. in settling tanks only)
Fuel—diesel
Furnishings, room
Gangways, brow
Gratings, weather-deck
Guards, pipe
Hoods, binnacle
Instruments, electrical
Ladders, accommodation
Lashings, chain
Lifeboats, complete with outfitting gear
Lights, debarkation (detachable)
Lights, cargo
Linens
Lining, grain and ammunition
Lyle gun
Machines, washing
Machines, ice-making
Mattresses
Meters, portable electric
Micrometers
Name Boards, detachable
Pillows
Radio, crew entertainment
Radio telephones
Reels, wire (including wire)
Refrigerators, domestic type
Repeaters, gyro compass
Scanner, radar
Screening, weather-deck ventilating and duct
Searchlights, detachable
Sextants
Signal lights
Sounding machines
Spare parts, direction finder
Spare parts, electrical
Spare parts, fathometer
Spare parts, gyro compass
Spare parts, loran
Spare parts, machinery
Spare parts, radar
Spare parts, radio
Stores,[1] consumable (engine dept)
Stores,[1] consumable (deck dept)
Stores,[1] consumable (stwds dept)
Tableware
Tachometers
Telephone assemblies, sound-powered weather-deck
Tools, hand
Tools, electric
Tools, pneumatic
Typewriters, new
Watches
Wrenches, propeller and rudder

Openings created by the removal of any of the above items for stowage elsewhere shall be made weather-tight. All items left aboard shall be tagged and stored as directed by the Region Director.

Sec. 9. Inventory.

An inventory shall be effected in accordance with contractual provisions. The inventory shall accurately reflect the number of each item left aboard and its location. Storerooms shall be sealed promptly upon completion of the inventory, and all storerooms and areas containing pilferable materials shall be welded shut prior to departure of the ship to the NDRF.

Sec. 10. Limiting drafts.

The draft limits for the several fleet sites are as follows:

Fleet site	*Draft limit (feet)*
James River, Va	24
Beaumont, Tex	16
Suisun Bay, Calif	18

The foregoing are maximum drafts and are not mean drafts. If the ship's draft when ready for delivery to a fleet site exceeds the maximum listed for that site, the operator shall immediately contact the Region Director for further instructions.

Sec. 11. Housekeeping measures.

(a) *Weather Decks.* All foreign materials shall be removed from all decks which shall then be swept thoroughly clean.

(b) *Dry Cargo Spaces.* (1) *Holds.* All surfaces within the holds shall be thoroughly broom cleaned, including, but not limited to, beams, overheads, frames, trunks, decks, tanktops, stringers, pipes, ladders, etc., and the sweeping shall be removed from the ship.

(2) *Deep tanks.* Dry cargo residue and loose scale shall be removed from all surfaces and tank covers shall then be replaced and bolted down on good gaskets. Tanks used for ballasting shall be drained, dried and cleaned. Manhole plates above the outside water level shall be wedged in a partly open position. Man-

[1] Except items listed in Section 7.

hole plates below the outside water level shall be closed watertight.

(3) *Bilges.* Bilges, bilge wells, bilge bays and pipe tunnels shall be thoroughly cleaned and dried. Strainer plates shall be stowed adjacent to the openings from which removed. Covers removed from bilges and bilge bays for the cleaning operation shall be marked and stowed as directed. Missing studs and screws shall be replaced as required.

(c) *Cargo Tanks, pipe lines, pumps and pump rooms.* (1) All cargo tanks, cargo pipe lines, pumps, pump rooms, etc. shall be thoroughly stripped, cleaned and gas freed. All cofferdams, steam smothering lines, heating lines and cargo vent lines in their entirety shall be drained, cleaned and gas freed. All loose rust and all scale, exclusive of bonded scale, shall be removed by means of scrapers, hand tools or other methods, from interior surfaces of all cargo tanks and cofferdams, including all fittings contained within these spaces, and interior surfaces of all covers. All dogs and hinges on tank covers and ullage openings shall be freed and perservative applied to the threads.

(2) *Rose boxes and strainers.* All rose boxes and strainers shall be sealed, cleaned and dried.

(3) *Internal tank valves and reach rods.* Internal tank valves and reach rods shall be freed up, coated with preservative and left in operable condition. Valves shall be opened, then backed off one turn.

(4) *Gas Free Certificate.* After the pertinent spaces and equipment have been cleaned and gas freed, contractor shall obtain a gas free certificate and deliver same to Master of the vessel. It shall be the responsibility of the operator to notify the local Maritime Administration office that the Master has a gas free certificate in force prior to the departure of the ship for the reserve fleet. Gas free certificates are to be turned over by the Master to the fleet superintendent or his representative on arrival of the ship at the NDRF.

(5) *Dehumidification—Cargo Tanks.* In general, it is not intended to place cargo tanks and cargo pump rooms under D/H protection; therefore, deactivation measures performed in these spaces should be geared accordingly. Exceptions to the foregoing, designed to permit the application of D/H to selected cargo tanks and/or cargo pump rooms, will be determined by local Maritime Administration representative with the approval of the Region Director.

(6) *Preservation of Cargo Tanks.* All tank interior surfaces, including bulkheads, overheads, bottom, sides, expansion trunks and covers, etc., shall be liberally coated with preservation oil. External surfaces of cargo pipe lines, cargo valves, remote control apparatus and other appurtenances located inside cargo tanks shall also be coated in a similar manner. The mechanical atomization spray method of application shall be utilized.

NOTE: Where special paint coating system has been used in cargo tanks, they shall not be coated with preservation oil. In areas where break down of paint system has occurred, all loose rust and scale shall be removed and surfaces coated with preservation oil.

(7) *Preservation of Cargo Pipe and Tank Vent Lines.* Cargo pipe lines and tank vent lines shall be preserved by flooding all cargo lines and tank vent lines with preservation oil. This shall be accomplished before vessel is towed to the NDRF.

(d) *Machinery spaces.* (1) *Rooms.* Storerooms, fan-rooms, adjacent passageways, etc. shall be swept clean and left free of debris. All supplies and equipment in storerooms shall be neatly stored at least 4'' clear of deck and ship sides. Spare parts boxes weighing over 50 pounds shall not be tiered.

(2) *Bilges and Tank Tops.* All foreign materials including water shall be removed from the bilges and tank tops.

(3) *Other spaces.* The surfaces within the machinery space proper shall be thoroughly broom cleaned, including shaft alley and steering gear flat, all beams, overheads, frames, trunks, floor plates, gratings, ladders, stringers, pipes, external surfaces of boiler and turbine casing, etc.

(e) *Living spaces.* All staterooms, heads, washrooms, recreation rooms, adjacent passageways and locker space including areas beneath furniture shall be broom cleaned. All portlights shall be dogged down and ventilators and windows closed. Furniture shall be left in place.

(f) *Ship control spaces.* The pilot house, chartroom, gyro room, radio room, offices and adjacent passageways shall be broom cleaned in the manner required for living spaces.

(g) *Galley and pantry spaces.* (1) *Galley and pantries.* Galley equipment including range canopies, exhaust duct, and filters, shall be thoroughly cleaned of grease and foreign material. Any galley gear left in this space shall be cleaned and stowed. Deck and waterways shall be thoroughly cleaned and left in a dry condition.

(2) *Refrigerator boxes.* The refrigerator boxes shall be thoroughly cleaned and the wood gratings stacked on end in the respective boxes. The doors shall be left open and secured to prevent swinging and blocked up to prevent sagging.

(3) *Messrooms.* Messrooms and adjacent passageways shall be cleaned in the same manner as living spaces.

(h) *Bunker "C" and diesel fuel tank spaces.* All water and sludge shall be stripped from these fuel tanks and removed from the ship.

Sec. 12. Deck department work.

(a) *Pipes (sounding) and deck plugs.* Sounding pipes shall be proven clear. Deck fittings and plugs shall be in good condition. The threads of the deck fittings and plugs shall be coated with waterproof grease.

(b) *Hatch covers, 'tween deck.* 'Tween deck hatch beams shall be in place. Hatch boards shall be laid over beams, leaving a 3'' air space between boards. Wood strips shall be nailed crosswise to the boards to prevent shifting. Steel pontoons and folding-type hatch covers shall be securely wedged in a partially-open position. All 'tween deck hatch square areas shall have safety chain or wire and stanchions properly put in place.

(c) *Weather deck hatch covers.* After selected equipment, tools, materials, etc. have been stowed in the holds, the hatch covers shall be set in place. Metal pontoons shall have sheet metal strips 1/8'' x 8'', tack-welded over joints between pontoons and between pontoons and coamings. All surfaces shall be cleaned to bare metal and approved sealing compounds shall be applied at joints between pontoons, coaming and sheet metal strips. All weather deck hatches shall be sealed airtight. Wood hatch covers shall be completely covered with sheet metal of the above-described thickness, lapped 2'' and tack welded, sheet to sheet and sheet to coaming. Folding-type hatch covers shall be closed and dogged.

(d) *Scuppers and drains.* Scuppers and drains shall be cleared and cleaned. Drain pipes in poor condition shall be repaired.

(e) *Lifeboats.* (1) *Stripping and stowage.* Lifeboats shall be stripped, except tanks, ridge poles, spreaders, rudders, oars, SOLAS covers and masts and shall be stowed in a designated area on chocks in an upright position and secured or as otherwise directed. Boat deck in way of removed boats shall be roped off with two (2) tiers of wire rope.

(2) *Falls, span wires and manropes.* Lifeboat rigging shall be removed with blocks and marine hardware, coiled, tagged (plastic or metal) and stowed in a designated area.

(f) *Lifeboat davit arms.* Lifeboat davit arms, together with their associated fittings, shall be removed, tagged (plastic or metal) and stowed in a designated area.

(g) *Lifeboat winches, motors and controllers.* Lifeboat winches, motors and controllers shall be removed and stowed in a dehumidified area or as otherwise directed. All opening left by the removals shall be made watertight by blanking with 1/4'' steel plate. Cabling shall be disconnected (not cut) from the equipment and pulled back into the ship or safe ended.

(h) *Lifeboat motors.* Lifeboat motors shall be completely drained of all water, oil and gasoline.

(i) *Accommodation ladders and brow gangways.* All accommodation ladders and brow gangways including rigging and hardware shall be stowed as directed. All unguarded areas shall be protected by use of wire rope or chain.

(j) *Cargo Gear.* (1) *Booms and masts (Dry Cargo).* All booms shall be unshipped with goosenecks attached and stowed in a 'tween deck area (not in square of hatch) on blocks and secured. No burning of shackles or fittings is permitted. Goosenecks shall be coated with preservative compound. All wire shall be neatly coiled and wire and gear tagged and stowed in a D/H 'tween deck area.

(2) *Booms and Masts (Tanker).* All booms shall be lowered into the cradles, properly wedged to prevent them from

resting on the metal of the cradle, and properly wedged under the goosenecks to prevent them from freezing in sockets. Goosenecks are to be coated with preservative compound.

(3) *Telescope and other masts.* Telescopic top masts shall be lowered and housed. Signal and antenna masts where hinged shall be lowered in their cradles and secured.

(4) *Radio antenna.* Radio antennae and insulators shall be taken down and stowed.

(k) *Fire fighting equipment.* (1) Master CO^2 controls shall be disconnected, all CO^2 bottom stop valves tightly closed and CO^2 rooms locked and sealed.

(2) Portable extinguishers of foam and soda and acid type shall be emptied, washed out and stored as directed.

(3) All CO^2 portable extinguishers shall be left in place.

(4) Nozzles, spanners, spray nozzles and fire axes shall be placed in a sealed storeroom.

(5) All foamite extinguishers shall be emptied and chemicals removed and disposed of. Extinguishers shall be left dry and stowed with hose and nozzle in sealed storeroom.

(l) *Turnbuckles.* Turnbuckles on mast shrouds shall be slacked off about a dozen turns, the exposed threads heavily greased, tightened to former position and the whole assembly coated with a water-resistant grease.

(m) *Pipe guards.* Weather deck pipe guards shall be dismantled, numbered and stowed in adjacent tween decks.

(n) *Roller chocks and fairleads.* Roller chocks and fairleads shall be checked and repaired, thoroughly lubricated and left in a freely-rotating condition.

(o) *Radar scanner.* Radar scanner and motor assembly shall be removed and stowed as directed. Cap off and make watertight in way of removals.

(p) *Hull, superstructure and decks.* Hull, superstructure and weather decks shall be thoroughly examined. Defective areas shall be sand-blasted and a compatible primer and top coating applied. Audio-gauging and repairs to the hull, superstructure and weather decks shall be carried out to meet regulatory body requirements.

(q) *Weather deck gratings.* All wood and aluminum gratings shall be removed from all weather decks, tagged for identification and stowed in D/H area or as directed.

(r) *Coatings.* Coatings shall be intact and of such quality that during the ship's first two years in the NDRF, no exterior preservation will be required.

Sec. 13. Machinery department work.

(a) *Drainage.* (1) *Machinery drainage.* All machinery, including main engine and auxiliaries of all types, shall be thoroughly drained on the steam and water ends. Bonnets and plugs shall be wired adjacent to openings. Drains shall be cleared with a probe. All valve chest plates shall be slacked off. Where necessary drainage shall be accomplished by breaking of joints. Disturbed joints shall be marked.

(2) *Piping systems.* All piping systems throughout the ship shall be thoroughly drained by blowing out with air. Plugs and valve bonnets shall be wired adjacent to openings. All disturbed flanges shall be marked. All sanitary traps, toilet bowls, sinks and wash basins shall be dried out, trap plugs removed and attached to fixture where removed. Inaccessible shower traps shall be blown out with air. All toilet and washroom doors shall be locked after inspection of the vessel prior to departure for the fleet site.

(3) *Condensers, coolers, heaters.* All condensers, coolers and heaters shall be thoroughly drained on the steam, fresh and salt water sides. Water boxes shall be thoroughly scaled and cleaned. Tube sheets and interiors of tubes shall be cleaned. Access plates shall be left ajar for ventilation.

(4) *Evaporators and distillers.* The salt and contamination water evaporators and distillers shall be thoroughly cleaned, rinsed with fresh water, drained, dried and left open for air diffusion.

(5) *Feed water heaters.* All feed water heaters shall be thoroughly drained on the steam and water sides.

(6) *Tanks, potable, distilled water and service.* All water tanks shall be drained, opened up, cleaned and dried out. Manhole plates shall be wedged ajar for air circulation. Handhole plates shall be wired adjacent to openings.

(b) *Boilers Main.* (1) *Water sides.* (i) The water sides of boilers, including economizer and superheater tubes, shall be thoroughly flushed with fresh water and cleaned of all loose scale, mud and other foreign materials. After cleaning, all parts shall be drained and dried out. One access cover plate shall be removed from each of the following: steam drums, mud drums, water wall headers, superheaters and economizers. The removed handhole plates, together with dogs and nuts, shall be wired adjacent to their respective openings. Boiler casing doors and inspection plates shall be removed, stowed and secured adjacent to their respective boilers. Burners shall be removed, cleaned and stowed in the engine room storeroom.

(2) *Firesides.* The firesides of the boilers, including wind boxes, stack, uptakes, economizers (access opening to be provided if not already present), superheaters, air heaters, space between inner and outer stack, etc. shall be thoroughly cleaned of all deposits. Under no circumstances shall water or steam be used in cleaning the firesides of any boiler after final shut-down. The interior of the forced draft system and the air side of air heater shall also be thoroughly cleaned.

(3) *Special drainage requirements.* Immediately after boilers are shut down, all machinery on steam and water sides, all water, air, steam and exhaust lines throughout ship, radiators, heaters, D/B heating coils, toilets, traps, feed heaters, condensers, ejectors, evaporators, inspection tanks, service tanks, domestic tanks, coolers, loop seals, deaerators, line shaft bearings, emergency generator, etc. shall be drained. All valve bonnets, plugs, or their parts removed for drainage shall be wired to adjacent part or opening. All disconnected piping for drainage shall be reconnected with new gaskets as original. Any piping required to be left open shall be marked.

(4) *Refractory.* Refractory and insulating material shall be removed from the boilers as necessary to permit thorough inspection of all tubes, nipples, risers and headers and to insure their total exposure to the flow of dry air under D/H. All the debris created by this operation shall be removed from the ship.

(c) *Boilers, auxiliary.* Steam heat and waste heat boilers shall be cleaned on the water side and dried out. The fire and/or exhaust gas sides, including uptake and stack, shall be thoroughly cleaned of all soot and other residue. One manhole plate and one handhole plate shall be removed (if existing), and wired adjacent to their respective openings. Steam or water shall not be used for cleaning firesides of boilers.

(d) *Diesel engines, main and generator engines.* Water jackets, heat exchangers and associated water pumps and piping shall be thoroughly drained. All openings for drainage shall be left open. The exhaust manifolds and exhaust stack, including intake and exhaust silencers shall be opened, cleaned and left open. All lube oil shall be removed from the crank cases and sumps by pumping such oil into a settling tank. The sumps, crank cases, filters and strainers shall be thoroughly cleaned and closed up as before. Each sump tank shall be filled with sufficient clean lube oil which shall be circulated through the systems under pressure.

While the oil is being circulated, the engines shall be jacked over five complete revolutions. At the conclusion of this operation, the clean oil left in the sump tanks shall be pumped back to the reserve tanks. Line shaft bearing sumps shall be cleaned and the bearings flushed with clean lube oil. Selected access plates shall then be left ajar for ventilation. The daily-service fuel tanks shall be pumped out, thoroughly cleaned and closed up as before. Fuel oil injectors shall be removed, thoroughly drained and shall be properly stowed in the engineer's storeroom. Fuel lines shall also be drained. Injection openings shall be screened.

(e) *Lubricating oil systems.* All lubricating oil shall be transferred from the sump tanks of all machinery to a reserve tank. Sump tanks shall then be opened, thoroughly cleaned and re-closed as before. Sufficient clean lubricating oil shall be dropped to each sump tank and circulated through each respective system. While the oil is being circulated, each turbine unit, both main and auxiliary, shall be jacked over sufficiently to obtain at least one full revolution of the main shaft. After completion of jacking and oil circulation, the oil in the various sump tanks shall be pumped back to a reserve tank and sumps left empty.

Auxiliary machinery lube oil sumps (including sumps of line shaft bearings) shall also be drained, cleaned and bearings flushed with clean lube oil. Sumps shall be left dry and sump covers left ajar.

(f) *Centrifuges.* The lube oil, oily water and fuel oil centrifuges shall be opened and thoroughly cleaned. Sediment drain tanks shall be thoroughly cleaned and left open.

(g) *Deaerating feed water heater.* The deaerating feed water heater shall be opened, cleaned and the access plate replaced slightly ajar.

(h) *Refrigeration and Air Conditioning Systems.* The Freon systems (except domestic type) shall be tested for tightness and charged to capacity. Sufficient oil shall be added to the compressors to bring the oil level above the top of the shaft seal. The compressors are to be tagged with metal or plastic tags to show all of the precautions taken.

(i) *Valves.* Settling tanks valves and those affecting seaworthiness, shall be left closed; all other valves shall be left with their valve discs raised off the seat. Valves and their reach rods shall be left in good working order.

(j) *Carbon rotor packing.* The packing on main and auxiliary turbine rotors shall be removed, wrapped, tagged and placed in engine storeroom.

(k) *Soft packing.* The packing shall be removed from piston rods and valve stems of all reciprocating pumps (except liquid end of lube, hydraulic and fuel oil pumps) and from the shaft packing glands of all rotary and centrifugal pumps (except lube, hydraulic and fuel oil pumps).

(l) *Ship's Whistles.* The whistles shall be removed and stowed in the D/H area. The opening left in the stacks shall be blanked off by welding a plate over it.

(m) *Sewage disposal tanks.* All sewage disposal tanks shall be pumped out, opened up, washed down, thoroughly cleaned and dried. Covers shall be reinstalled in an ajar position and all remaining securements shall be packaged and wired to tanks.

(n) *Elevators and dumbwaiters.* Elevators and dumbwaiters shall be secured. Pits shall be cleaned. Counterweights shall be landed on blocks, cables removed and car lowered to bottom of well. Blocks shall be arranged to allow access beneath elevator.

(o) *Chlorinator and retention tanks.* Chlorination and retention tanks shall be cleaned and left open.

(p) *Tagging of removed equipment.* All equipment stored in D/H areas shall be properly tagged. Tags shall be of a permanent type attached by wire.

(q) *Motors and generators.* All motors and generators shall be cleaned of all dirt and excessive oil, and grease. Brushes shall be left in place with their spring tension released, clear of rotating element.

(r) *Cargo winches.* Cargo winches and pedestal controls shall be removed and stored in the lower D/H holds. Openings created by the removals shall be made watertight. Cabling within the pedestal foundation shall be pulled back into the ship.

(s) *Vent fans and motors.* All weather deck vent fans and motors shall be removed tagged and stowed below under D/H. All openings shall be sealed.

(t) *Electrical receptacles and lighting fixtures.* All weather exposed electrical receptacles and lighting fixtures shall be closed. Missing caps, covers, wire guards, and vapor globes shall be replaced.

(u) *Nickel-Cadmium batteries.* All battery feeder leads shall be disconnected and tagged. The tops of the batteries and the battery trays shall be cleaned and dried. All cells shall be filled with "Colloil" or other product recommended by the battery manufacturer. All vent caps shall be closed.

(v) *Megger readings.* Insulation resistance readings shall be taken of all generators and motors on vessel, except those of fractional horsepower. The results of these readings shall be included in the condition survey.

(w) *Main radio installation.* (1) All switches shall be opened.

(2) All spare tubes, spare parts, tools and loose equipment shall be placed in spare parts boxes and stowed in a sealed storeroom.

(x) *Speakers and amplifiers-open deck.* All speakers, amplifiers and talkback speakers shall be removed, tagged and stowed in D/H area.

(y) *Flooding and fire alarm systems.* Flooding and fire alarm systems shall be installed in the manner to meet the Maritime Administration's requirements.

Sec. 14. Dehumidification.

On ships selected for dehumidification, the following work shall be performed:

(a) *Dehumidification system.* (1) The dehumidification system shall consist of D/H machinery, duct work, piping (and other means of air transmission), zoning and auxiliary devices, with associated wiring such as hygrosensor units, switches, junction boxes, elapsed time indicators, circuit breakers, etc., as required to maintain the insides of the ship at an acceptable level of preservation through the use of dehumidified air. When zoning is required, the maximum area to be dehumidified shall be 400,000 cubic feet for each 500 CFM machine. The D/H machine shall be an approved type that has a moisture removing capacity (MRC) of seven (7) pounds per hour when the air to be dried (inside air) has a R/H of 35 percent at 70° F dry bulb with a pressure differential of 5" water gauge. Machines are to be new and include a supply of spare parts for two years' operation, and assured available spares from the manufacturer for an additional three years.

(2) Plans shall be furnished the Maritime Administration which clearly indicate the arrangement of the D/H system, including locations of the machine, directional flow distribution and modulation of dry air, location of hygrosensor stations, visual alarm panels, circuit breakers, main disconnect switch, power supply and control circuits.

(3) A D/H control-alarm system shall be installed that will continuously and automatically control the relative humidity (R/H) at a preset level, within a dehumidified zone, and at a central location to indicate whether the humidity factor high or low is being maintained at a prescribed level. This system must sense and control the R/H from four (4) individual stations within each zone.

(4) Power supply at the fleet sites are 3-phase, 460 volt AC. Shore power connection shall be provided topside to permit the distribution to the D/H machine(s). The electric source shall contain one 3 pole disconnect switch (unfused) located topside and an individual 3 pole circuit breaker for each machine. Cables shall be neatly triced overhead in such a manner as to prevent a safety hazard.

(5) Reactivation air inlet and outlet ducts shall be of a size recommended by the D/H machine manufacturer and shall be spaced a minimum of 4' apart or fitted with elbows to provide this distance between the two openings. All reactivation cycle ducting shall be of rigid galvanized steel or rigid aluminum, screened and inclined downward for proper drainage.

(6) In the installation of duct work, the female end of each section shall face the direction from which the air flows. Duct joints shall be secured together with metal screws and then taped to make airtight joint.

(7) The system shall be operated and tested to the satisfaction of MarAd representative to ensure proper installation and distribution of dry air from the dehumidifier to spaces and machinery and back to the dehumidifier.

(8) D/H machine(s) shall be installed within the D/H zone at a convenient location where it will be readily accessible from all sides for easy servicing. D/H machines shall be set level both fore and aft and athwartship.

(b) *Blanking and Sealing for D/H.* (1) *Access to the interior of the ship.* Access to the ship's interior shall be limited to one or two exterior doors. All other exterior openings shall be permanently closed, sealed and made airtight. The access doors shall be fitted with a hasp and bale or other suitable means of preventing unauthorized entry.

(2) *Main stack.* All stack openings to the atmosphere, including atmosphere escape pipes and other exhaust pipes through which air would enter the machinery spaces or boilers, shall be closed airtight with a welded steel plate cover or covers of suitable thickness to suit existing conditions. All access hatches or manholes in stack decks shall be dogged or bolted down airtight.

(3) *Inner stack openings.* Two openings, each approximately 6" in diameter, shall be cut about two feet (2') from top of inner stack on opposite sides of the circumference for air diffusion. Cut outs shall be tack welded at openings for future replacement.

(4) *Diesel Engine exhaust stacks.* Diesel exhaust stacks shall be removed at a convenient point. The removed sections of stacks shall be stowed and secured ad-

jacent to diesels. Welded steel plates shall be fabricated and installed over openings. Installation shall be tested and proved airtight. New work and disturbed areas shall be primed.

(5) *Galley stack.* The galley stack, if so fitted, shall be cropped off approximately 48" above deck and stack stowed in the 'tween deck. The stump shall be closed off airtight with a welded steel cover of suitable thickness.

(6) *Ventilators.* Cowl and mushroom type ventilators leading to machinery spaces and/or housing shall be removed and stowed in adjacent 'tween decks. The stumps shall be closed off airtight with welded steel plate covers, of suitable thickness or if stump is provided with a spider, the cover shall be secured by means of a rudder gasket and center bolt through spider.

(7) *Skylights.* All skylights serving machinery spaces and adjacent housing shall be closed off airtight by means of a welded steel plate over each opening or by other suitable means as determined by the local Maritime representative.

(8) *Ventilation openings.* All intake and exhaust openings in housing and king posts leading to machinery spaces and housing, that are not provided with a gasketed hinged metal cover, shall be made airtight with suitable steel or sheet metal covers. The type of covers and securements of same shall suit existing conditions.

(9) *Weather deck closures.* Portlights, windows, scuttles, weathertight metal doors, etc. shall provide for airtight closure. All gaskets are to be in good condition and shall be renewed where found necessary.

(10) *Exterior wood doors.* Doors, door closures and hinges shall be removed and stowed in D/H area. A galvanized sheet metal blank shall be installed over entire weather side of doors and associated frames, using wood screws and approved calking and sealing compounds to insure airtightness.

(11) *Deck scuppers.* Deck scuppers shall be flushed out and proven free and clear. Scuppers that pass through the interior of the ship shall be blanked at deck level with welded steel plate. All removed strainer plates and securements shall be tagged and put in convenient lockers. Half moon drain holes, approximate size 4" x 2" shall be cut on each side of blanked scuppers on coaming around the houses or the gunwale bar at shell. Removed sections shall be tack welded adjacent to the cut outs.

(12) *Overboard discharge openings above flotation lines.* Scupper extensions (guards) shall be removed as required to permit installation of blanks. All subject openings shall be blanked off with ½" mild steel plate.

(13) *Sealed storerooms.* Each storeroom designated by Region Director for the storage of highly pilferable and valuable items shall have its door welded shut with one inch increments every foot around the perimeter after storage has been completed. Ventilation shall be provided by an opening of one square foot or more suitably grilled to prevent entry. A humidity sensing device shall be installed in each storeroom that is to be permanently sealed, in a manner and location to be designated by the Region Director.

(c) *Air test requirements.* (1) *Overall D/H Envelope.* Using a 500 CFM fan, or other type of air mover of similar capacity sealed into the D/H boundary, air shall be steadily exhausted to the outside atmosphere. The resulting pressure differential created between the outside atmosphere and spaces within the envelope shall be measured with a manometer or other suitable air pressure guage. Upon obtaining a pressure difference equal to 3" of water, the air mover shall be secured and the opening blanked off at the weather side. The pressure differential shall not drop lower than a reading of 2" of water during a waiting period of 20 minutes.

(2) *Inner zones within a multi-zone ship.* Inner zones within a multi-zone ship shall be subjected to a pressure difference equal to 1¼" of water, the air mover secured and opening blanked at weather side. Pressure differential shall not drop lower than a reading of ¼" of water during a waiting period of 20 minutes.

(d) *Ventilation of Machinery.* (1) *Main and auxiliary turbines and reduction gears ventilation of.* Valve discs and springs shall be removed from relief valves on main and auxiliary turbines and secured to their respective bodies. One nozzle block valve bonnet on the H.P. turbine shall be blocked open. In addition, all inspection opening covers on both the main auxiliary turbine casings shall be blocked open. A minimum of eight inspection covers on each main propulsion gear casing shall be blocked open. On units with smaller gear trains, such as generators, two inspection covers, one as high as possible and the other as low down as practicable, shall be blocked open not less than one inch.

(2) *Main and auxiliary condensers, lube oil coolers and other heat exchangers.* Inspection opening covers shall be removed from the salt water box at each end of each condenser and one cover from the hot well of each condenser. Each cover shall be positioned on one of the stud bolts from which it was removed so that it will not obstruct diffusion of dry air through the condenser. The cover shall be positioned on the stud with one of the nuts which originally held the cover in place. The remaining nuts should be threaded on the stud's full thread. The same general procedure shall be followed for the ventilation of other heat exchangers (air ejectors, distillers, water heaters, air receivers, etc.). Where a unit is not provided with inspection openings, plugs and/or inlet and outlet valve bonnets shall be removed. Caution and good judgment should be exercised when this work is accomplished. Any valves, fittings or equipment which if tampered with might result in flooding of the ship or spilling of fuel oil should not be included. The intent of the foregoing is to provide the minimum number of openings which will be needed to ensure diffusion of dry air throughout each unit.

Sec. 15. Towing to fleet.

The operator shall:

(a) *Permit.* Obtain a U.S. Coast Guard permit, if such is needed, to tow the ship from the port of delivery and/or deactivation to the fleet site designated for permanent lay-up.

(b) *Riding crew and towage.* Arrange for tugs and riding crew to handle the movement of the ship.

(c) *Food.* Remove subsistence stores for the use of the riding crew before the crew departs from the ship at the fleet site.

(d) *Steering gear.* Secure the rudder in a midship position while ship is under tow.

(e) *Anchor windlass, steam.* Remove the section of steam line adjacent to the steam valve on the anchor windlass and secure with wire adjacent to the windlass. Install a flange on a steam valve with 1½" pipe connection for air hook-up; remove the exhaust valve on the anchor windlass and secure with wire to the exhaust line; blank off the steam and exhaust lines leading aft; open all drains and remove any condensate from throttles, cylinders and steam chests; coat exposed moving parts with preservative; test the steam and/or electric anchor windlasses and leave ready for service.

(f) *Navigation equipment.* Make available the necessary lights, signals and equipment for towing as directed by the Region Director. Upon delivery of the vessel at the fleet site, this equipment shall be removed.

(g) *Mooring wires.* Provide mooring wires for use at the NDRF as directed; remove insurance wires from reels and fake out on deck, one forward and one aft; neatly coil and tag all other wires and stow in D/H areas.

(h) *Shaft lock.* Secure the propulsion shafts on all ships by use of a keeper plate on tailshaft coupling. In no instance shall the jacking gear be left engaged to act as a brake.

(i) *Heaters.* Under no circumstances shall unvented heaters or stoves be used by riding crews.

(j) *Policing.* Immediately prior to the ship's arrival at the fleet site, police the areas of the ship used by the riding crew and leave in a clean and orderly condition.

(k) *Inspection.* Upon arrival of the ship at the fleet site, fleet officers will inspect the ship along with the riding Master to determine that satisfactory conditions exist relative to sanitation, security and safety.

(l) *Delivery.* The riding Master shall receive a copy of a receipt certifying to the satisfactory compliance with all of the provisions of this section and the delivery of the keys and the ship documents. A sample format of the receipt is set forth as Exhibit A.

Sec. 16. Reports.

(a) *Completion Report.* A completion report shall be filled out and signed by a responsible member of the operator's staff. A sample format is set forth as Exhibit B.

(b) *Cost Report.* A cost report shall be filled out, two copies forwarded to the Chief, Division of Ship Management, Washington, D.C. 20235, and two copies forwarded to the cognizant Region Director within a reasonable time after delivery of the ship to the NDRF. A sample format is set forth as Exhibit C.

(c) *Certificate of Redelivery.* An authorized "Certificate of Redelivery" furnished by the Maritime Administration shall be processed by the Region Director and forwarded to the operator for execution and return. Five copies of the executed certificate shall be forwarded by the Region Director to the Chief, Division of Ship Management, Washington, D.C. 20235. The disposition of the ship's Certificate of Registry or Enrollment shall be noted on the Certificate of Redelivery showing date and place of deposit.

Sec. 17. Miscellaneous requirements.

(a) *Certificate of Inspection.* This certificate shall be returned to the U.S. Coast Guard.

(b) *Certificate of Registry or Enrollment.* These certificates shall be deposited in the Office of the Collector of Customs in the district in the area where the ship is to be laid up. The place and date of deposit shall be noted on the certificate of redelivery.

(c) *Radio License.* This license shall be sent to the Federal Communications Commission, Washington, D.C.

(d) *Other papers and keys.* All other ship's papers, and documents shall be delivered by the riding Master to the NDRF representative, together with a list of these papers and documents in triplicate. Combination of ship's safe shall be left with ship's papers, keys tagged and locked in the ship's safe. The NDRF superintendent will give the riding Master a signed receipt for all papers and keys.

(e) *Log books and library.* Merchant Marine library books shall be removed by the Merchant Marine Library Association. All log books and bell books shall be assembled, packaged and forwarded to the Region Administrative Services Officer, with a list of the books in a covering letter. Copies of the covering letter shall in each case be sent to the Chief, Division of Office Services, Maritime Administration, Washington, D.C. and the cognizant Region Director, who shall check each list to ensure completion of submissions. These requirements shall be strictly observed.

EXHIBIT A

U.S. DEPARTMENT OF COMMERCE
MARITIME ADMINISTRATION
SHIP CONDITION RECEIPT

Date _____

To: _____ Operator/Owner of the S.S. _____

THIS WILL CERTIFY that the subject vessel arrived at _____ A.M./P.M. on _____ at the _____ fleet and was found to conform with the acceptance requirements, except as noted below.

1. Stability and watertight integrity
2. Cleanliness and sanitation.
3. Storerooms
4. Inventory of ship's documents
5. Keys
6. Remarks:

_____
Fleet Superintendent.

Note:
Original copy _____ Forward to Cognizant Region Director
Copy _____ To Riding Master

EXHIBIT B

U.S. DEPARTMENT OF COMMERCE—MARITIME ADMINISTRATION

SHIPOWNER/OPERATORS COMPLETION REPORT

Date _____

SS
or _____
MV
SHIPOWNER _____
Prepared for layup at _____
Delivered to Reserve Fleet at _____
Date of Delivery _____
The above vessel was prepared for layup in full accordance with USMA instructions.

Signed _____
Title _____
Representing _____

Note:
Original copy _____ To Fleet Superintendent
Copy _____ To Cognizant Region Director

EXHIBIT C

U.S. DEPARTMENT OF COMMERCE, MARITIME ADMINISTRATION

Cost of Preparing for Layup and Delivery to Fleet

Name of Ship _____ Operator _____
Date and Place Commenced Layup _____
Finished _____
Date Departed for R.F. _____
Date Entered R.F. _____
Name of Contractor _____
Was Work Negotiated or Bid _____

Expense Incurred from Start of Layup to Delivery at Fleet

Operator Account

Crew Wages	$_____
Subsistence	_____
Lodgings	_____
Fuel Consumed	_____
Insurance	_____
Wharfage	_____
Pilots (Shifting)	_____
Tugs (Shifting)	_____
Linemen (Shifting)	_____
Watchmen	_____
Stripping (Operators Material)	_____
Duty on Removals	_____
Total	$_____

Deactivation and Towage

Preparing for Layup	$_____
Towing Crew	_____
Towage to Fleet	_____
Assisting Tugs (Harbor)	_____
Pilotage	_____
Linemen	_____
Return Transportation	_____
Other Expenses	_____
Total	$_____
Grand Total	$_____

NOTE: Two copies to Chief, Division of Ship Management, Washington, D.C. Two copies to Cognizant Region Director.

[FR Doc.74-14772 Filed 6-28-74;8:45 am]

Title 36—Parks, Forests and Memorials

CHAPTER I—NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SERVICE

Andersonville National Historic Site, Georgia, Monuments and Memorials

A proposal was published at page 20071 of the FEDERAL REGISTER of July 27, 1973. to amend Part 7 of Title 36 of the "Code of Federal Regulations" by adding a new § 7.94. The purpose of the amendment is to ensure that all monuments and memorials erected at Andersonville be compatible with the intent and purpose of the establishment of the National Historic Site.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendments. No comments, suggestions, or objections have been received and the proposed amendment is hereby adopted without change and is set forth below. This amendment shall take effect July 31, 1974. (5 U.S.C. 553; 16 U.S.C. 3)

Part 7 is amended by adding a new § 7.94 to read as follows:

§ 7.94 Andersonville National Historic Site.

(a) Monuments and memorials. Approval must be obtained from the Director, Southeast Region, prior to the erection of a monument or memorial at Andersonville National Historic Site. The size, type, design, inscription, erection, and disposition of the monument or memorial shall be in accordance with guidelines established by the National Park Service. Such guidelines are obtainable from the Director, Southeast Regional Office, National Park Service, Atlanta, Georgia, and from the Superintendent, Andersonville National Historic Site, Andersonville, Georgia 31711.

* * * * *

JOHN E. JENSEN,
Superintendent, Andersonville National Historic Site.

[FR Doc.74-14980 Filed 6-28-74;8:45 am]

Title 39—Postal Service

CHAPTER III—POSTAL RATE COMMISSION

PART 3002—ORGANIZATION

Change in Office Hours of the Docket Section

JUNE 26, 1974.

The Postal Rate Commission has decided to change the closing time of its Docket Section from 5:15 p.m. to 5 p.m. Accordingly, paragraph (e) of § 3002.2 of Title 39, Code of Federal Regulations, is amended to read as follows:

§ 3002.2 The Commission and its offices.

* * * * *

(e) *Hours.* The offices of the Commission will be open from 8 a.m. to 4:30 p.m. with the Docket Section open from 8 a.m.

to 5 p.m. of each day except Saturdays, Sundays, and holidays, unless otherwise directed by Executive Order or officially declared, with appropriate notice.

* * * * *

Effective date. This amendment becomes effective on June 26, 1974.

By the Commission.

JOSEPH A. FISHER,
Secretary.

[FR Doc.74-15024 Filed 6-28-74;8:45 am]

Title 42—Public Health

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

SUBCHAPTER D—GRANTS

PART 52—GRANTS FOR RESEARCH PROJECTS

Emergency Medical Techniques

On March 29, 1974, a notice of proposed rulemaking was published in the FEDERAL REGISTER (39 FR 11560), proposing to amend Part 52 of Title 42, CFR, "Grants for Research Projects." The purpose of the proposed amendment was to implement section 1205 of the Public Health Service Act (42 U.S.C. 300d-4), which was added by section 2(a) of the Emergency Medical Services Systems Act of 1973, Pub. L. 93-154, and which authorizes the Secretary of Health, Education, and Welfare to make grants to public or private nonprofit entities for the support of research in emergency medical techniques, methods, devices, and delivery. Interested persons were given until April 29, 1974, to submit written comments or suggestions on the proposed amendment.

Since no comments or suggestions were received with regard to the notice of proposed rulemaking, the final regulations remain as proposed.

Accordingly, Part 52 of 42 CFR is amended as set forth below.

Effective date: These regulations are effective July 1, 1974.

Dated: June 17, 1974.

THEODORE COOPER,
Acting Assistant Secretary for Health.

Approved: June 24, 1974.

CASPAR W. WEINBERGER,
Secretary.

1. The citation of authority is amended by adding the words "sec. 1205, 87 Stat. 597; U.S.C. 300d-4." As amended, the citation of authority reads as follows:

AUTHORITY: The provisions of this Part 52 issued under secs. 215, 58 Stat. 690, as amended, 301, 81 Stat. 504 (42 U.S.C. 216, 1857g). Secs. 301, 58 Stat. 691, as amended; 303, 70 Stat. 929; 304, 81 Stat. 534; 396, 70 Stat. 1063; 103, 81 Stat. 486; 204, 70 Stat. 998; 42 U.S.C. 241, 242a, 242b, 280b-6, 1857b, 3253; sec. 1205, 87 Stat. 597 (42 U.S.C. 300d-4). Reorganization Plan No. 3 of 1966, 31 FR 8855, 80 Stat. 1610; 3 CFR 1966 Comp.; Reorganization Orders and Delegations of Mar. 13, Apr. 1, 1968 (33 FR 4894, 5426) and Jan. 17, 1969 (34 FR 1279).

2. Section 52.1 is amended by revoking the words "grants for studies in providing services outside hospitals." As amended, § 52.1 reads as follows:

§ 52.1 Applicability.

The regulations of this part apply to grants for the support of health related research projects as set forth in § 52.10. They do not apply to general research support grants, demonstration grants, or other grants as may be authorized by law, such as grants for the construction of research facilities (see Part 57 of this chapter), for the construction of hospital or other medical facilities (see Part 53 of this chapter), or the award of fellowships (see Part 61 of this chapter), traineeships (see Part 63 of this chapter), or training grants (see Part 64 of this chapter).

3. Section 52.10 is amended by deleting the period at the end of paragraph (e) and inserting in lieu thereof "; and", and by adding a new paragraph (f), to read as follows:

§ 52.10 Nature and purpose of research project grant.

* * * * *

(f) Emergency medical techniques, methods, devices, and delivery as authorized by section 1205 of the Public Health Service Act (42 U.S.C. 300d-4).

4. In § 52.13, paragraph (a) is amended by adding at the end of the second sentence the words "and in the case of applications for support of research in emergency medical services, special consideration shall be given to applications for grants for research relating to the delivery of emergency medical services in rural areas." As amended, § 52.13(a) reads as follows:

§ 52.13 Evaluation and disposition of applications.

(a) *Evaluation.* All applications filed in accordance with § 52.12 shall be evaluated by the Secretary through such officers and employees and such experts or consultants engaged for this purpose as he determines are specially qualified in the areas of research involved in the project, including review by an appropriate National Advisory Council or other body as may be required by law. The Secretary's evaluation shall take into account among other pertinent factors the scientific merit and significance of the project, the competency of the proposed staff in relation to the type of research involved, the feasibility of the project, the likelihood of its producing meaningful results, the proposed project period, and the adequacy of the applicant's resources available for the project and the amount of grant funds necessary for completion, and in the case of applications for support of research in emergency medical services, special consideration shall be given to applications for grants for research relating to the delivery of emergency medical services in rural areas.

* * * * *

[FR Doc.74-14928 Filed 6-28-74;8:45 am]

Title 24—Housing and Urban Development

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

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-300]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

§ 1914.4 Status of participating communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
*	*	*	*	*	*	
Arkansas	Craighead	Jonesboro, city of	June 20, 1974. Emergency	Oct. 26, 1973		
Do	Crittenden	Earle, city of	do	Oct. 12, 1973		
Indiana	Clark	Jeffersonville, city of	do	June 14, 1974		
Kansas	Dickinson	Abilene, city of	do	Jan. 9, 1974		
Louisiana	Caddo Parish	Oil City, town of	do			
Michigan	Gogebic	Bessemer, city of	do	Mar. 29, 1974		
Minnesota	Washington	Hugo, city of	do	May 17, 1974		
Mississippi	Rankin	Unincorporated areas	July 1, 1974. Emergency			
Missouri	Buchanan	Agency, village of	June 20, 1974. Emergency			
New York	Chautauque	Pomfret, town of	do			
Do	Steuben	Arkport, village of	do	May 17, 1974		
Do	do	Hornellsville, town of	do			
Pennsylvania	Chester	Malvern, borough of	do			
Do	Fayette	Dunbar, borough of	do	May 31, 1974		
Do	Lycoming	Eldred, township of	do			
Texas	Cass	Atlanta, city of	do			
Virginia	King and Queen	Unincorporated areas	do			
Washington	Benton	West Richland, town of	do	Mar. 22, 1974		

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

Issued: June 14, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74-14845 Filed 6-28-74;8:45 am]

[Docket No. FI-301]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

§ 1914.4 Status of participating communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
*	*	*	*	*	*	*
Colorado	Pueblo	Unincorporated areas	June 21, 1974. Emergency			
Florida	Gadsden	Chattahoochee, city of	do			
Kansas	Chase	Strong City, city of	do			
Michigan	Muskegon	White River, township of	do			
Missouri	Franklin	Unincorporated areas	do			
Ohio	do	Dublin, village of	do			
Oregon	Morrow	Heppner, city of	do	Nov. 23, 1973		
Do	Polk	Independence, city of	do	Dec. 28, 1973		
Do	Wasco	Dufur, city of	do	June 7, 1974		
Pennsylvania	Montgomery	Towamencin, township of	do			
Texas	Dallas	Cedar Hill, city of	do	Mar. 1, 1974		

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

Issued: June 14, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74-14846 Filed 6-28-74;8:45 am]

[Docket No. FI-302]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

§ 1914.4 Status of participating communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
*	*	*	*	*	*	*
Alabama	Talladega	Talladega, city of	June 27, 1974. Emergency	June 7, 1974		
New Jersey	Ocean	Eagleswood, township of	do			
New York	Suffolk	Port Jefferson, village of	do			
Do	Tioga	Waverly, village of	do			
Do	Ulster	New Paltz, town of	do	May 17, 1974		
North Carolina	Robeson	Red Springs, town of	do			
Oregon	Columbia	St. Helens, city of	do	Nov. 30, 1973		
Pennsylvania	Allegheny	Green Tree, borough of	do			
Do	Berks	Spring, township of	do			
Do	Crawford	Oil Creek, township of	do			
Texas	San Patricio	Odem, city of	do	Mar. 29, 1974		
Wisconsin	Dane	Middleton, city of	do	Dec. 17, 1973		
Do	Rusk	Hawkins, village of	do			

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

Issued: June 19, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74-14847 Filed 6-28-74;8:45 am]

proposed rules

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 946]

IRISH POTATOES GROWN IN WASHINGTON

Proposed Minimum Quality and Size Requirements

This proposal would require potatoes grown in the State of Washington 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.

Consideration is being given to the issuance of the handling regulation, hereinafter set forth, which was recommended by the State of Washington Potato Committee, established pursuant to Marketing Agreement No. 113 and Order No. 946, both as amended (7 CFR Part 946). This marketing order program regulates the handling of Irish potatoes grown in the State of Washington and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The recommendations of the committee reflect its appraisal of the composition of the 1974 crop of Washington potatoes and the marketing prospects for this season. The grade, size, cleanliness and maturity requirements provided herein, which are the same as those currently in effect (38 FR 19960) through July 31, 1974, are necessary to prevent potatoes of lesser maturities, low quality, or undesirable sizes from being distributed in fresh market channels. They will also provide consumers with good quality potatoes consistent with the overall quality of the crop.

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 minimum grade, size, cleanliness, and maturity requirements provided that safeguards are used to prevent such potatoes from reaching unauthorized outlets. Seed is so exempted because requirements for this outlet differ greatly from those for fresh market. Shipments for use as livestock feed are likewise exempt. Potatoes grown in the production area may be shipped without regard to the aforesaid requirements to specified locations in Morrow and Umatilla Counties, Oregon, for grading and storing. Since no purpose would be served by regulating potatoes used for charity purposes, such shipments are 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.

Export requirements differ materially, on occasion, from domestic market requirements. In commercial prepeeling, operators remove the surface defects from potatoes which would be undesirable for the tablestock market, and smaller sizes are acceptable. For these reasons potatoes for export and prepeeling are provided with different requirements.

All persons who desire to submit written data, views, or arguments in connection with this proposal may file the same, in duplicate, with the Hearing Clerk, Room 112-A, not later than July 16, 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:

§ 946.329 **Handling regulation.**

During the period August 1, 1974 through July 31, 1975, no person shall handle any lot of potatoes unless such potatoes meet the requirements of paragraphs (a), (b), (c), and (g) of this section or unless such potatoes are handled in accordance with paragraphs (d) through (f) of this section.

(a) *Minimum quality requirements*—(1) *Grade—All varieties.* U.S. No. 2, or better grade.

(2) *Size*—(i) *Round varieties.* 1⅞ inches minimum diameter.

(ii) *Long varieties.* 2 inches minimum diameter or 4 ounces minimum weight.

(3) *Cleanliness.* All varieties—at least "fairly clean."

(b) *Minimum maturity requirements*—(1) *Round and White Rose varieties.* Not more than "moderately skinned."

(2) *Other Long varieties (including but not limited to Russet Burbank and Norgold).* Not more than "slightly skinned."

(c) *Pack.* Potatoes packed in 50 pound cartons shall be U.S. No. 1, or better grade.

(d) *Special purpose shipments.* The minimum grade, size, cleanliness, maturity, and pack requirements set forth in paragraphs (a), (b), and (c) of this section shall not be applicable to shipments of potatoes for any of the following purposes.

(1) Livestock feed;
(2) Charity;
(3) Export;
(4) Seed;
(5) Prepeeling;
(6) Canning, freezing, and "other processing" as hereinafter defined; or
(7) Grading or storing at any specific location in Morrow and Umatilla Counties in the State of Oregon.

Shipments of potatoes for the purposes specified in subparagraphs (1), (2), (4), (5), (6), and (7) of this paragraph shall be exempt from inspection requirements specified in paragraph (g) of this section and shipments specified in subparagraphs (1), (2), (4), and (6) of this paragraph shall be exempt from assessment requirements specified in § 946.41. *Provided:* That shipments pursuant to subparagraph (d)(7) shall comply with inspection requirements of (e)(2) of this section.

(e) *Safeguards.* (1) Handlers desiring to make shipments of potatoes for export or prepeeling shall:

(i) Notify the committee of intent to ship potatoes by applying on forms furnished by the committee for a certificate applicable to such special purpose shipments;

(ii) Prepare on forms furnished by the committee a special purpose shipment report on each such shipment. The handler shall forward copies of each 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 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 cancellation of such handler's certificate applicable to such special purpose shipments and/or the receiver's eligibility to receive further shipments pursuant to such certificate. Upon cancellation of such certificate, the handler may appeal to the committee for reconsideration. Such appeal shall be in writing.

(iii) Before diverting any such special purpose shipment from the receiver of record as previously furnished to the committee by the handler such handler shall submit to the committee a revised special purpose shipment report.

(2) Handlers desiring to make shipments for grading or storing at any specified location in Morrow and Umatilla Counties in the State of Oregon shall:

(i) Notify the committee of intent to so ship potatoes by applying on forms furnished by the committee for a certificate

applicable to such special purpose shipment. Upon receiving such application, the committee shall supply to the handler the appropriate certificate after it has determined that adequate facilities exist to accommodate such shipments and that such potatoes will be used only for authorized purposes;

(ii) If reshipment is for any purpose other than as specified in paragraph (d) of this section, each handler desiring to make reshipment of potatoes which have been graded or stored shall, prior to reshipment, cause each such shipment to be inspected by an authorized representative of the Federal-State Inspection Service. Such shipments must comply with the minimum grade, size, cleanliness, maturity, and pack requirements specified in paragraphs (a), (b), and (c) of this section.

(iii) If reshipment is for any of the purposes specified in paragraph (d) of this section, each handler making reshipment of potatoes which have been graded or stored shall do so in accordance with the applicable safeguard requirements specified in paragraph (e) of this section.

(3) Each person desiring to transport potatoes for grading or storing to points in District No. 5 or to Spokane County in District No. 1 shall apply to the committee for and obtain a special purpose certificate authorizing such movement.

(4) Each handler making shipments of potatoes for canning, freezing, or "other processing" pursuant to paragraph (d) of this section shall:

(i) First apply to the committee for and obtain a Certificate of Privilege to make shipments for processing;

(ii) Make shipments only to those firms whose names appear on the committee's list of canners, freezers, or other processors of potato products maintained by the committee, or to persons not on the list provided the handler furnishes the committee, prior to such shipment, evidence that the receiver may reasonably be expected to use the potatoes only for camping, freezing, or other processing.

(iii) Upon request by the committee, furnish reports of each shipment pursuant to the applicable Certificate of Privilege;

(iv) Mail to the office of the committee a copy of the bill of lading for each Certificate of Privilege shipment promptly after the date of shipment.

(v) Bill each shipment directly to the applicable processor.

(5) Each receiver of potatoes for processing pursuant to paragraph (d) of this section shall:

(i) Complete and return an application form for consideration of approval as a canner, freezer, or other processor of potato products;

(ii) Certify to the committee and to the Secretary that potatoes received from the production area for processing will be used for such purpose and will not be placed in fresh market channels;

(iii) Report on shipments received as the committee may require and the Secretary approve.

(f) *Minimum quantity exception.* 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 shipment over 5 hundredweight of potatoes.

(g) *Inspection.* Except when relieved by paragraph (d) or (f) of this section, no handler may handle any potatoes regulated hereunder unless an appropriate inspection certificate has been issued by an authorized representative of the Federal-State Inspection Service with respect thereto and the certificate is valid at the time of shipment.

(h) *Definitions.* The terms "U.S. No. 2," "fairly clean," "slightly skinned" and "moderately skinned" shall have the same meaning as when used in the United States Standards for Grades of Potatoes (§§ 51.1540–51.1566 of this title (37 FR 2745)), including the tolerances set forth therein. The term "prepeeling" means potatoes which are clean, sound, fresh tubers prepared commercially in the prepeeling plant by washing, removal of the outer skin or peel, trimming, and sorting preparatory to sale in one or more of the styles of peeled potatoes described in § 52.2422 (United States Standards for Grades of Peeled Potatoes, §§ 51.2421–52.2433 of this title). The term "other processing" has the same meaning as the term appearing in the act and includes, but is not restricted to, potatoes for dehydration, chips, shoestrings, starch and flour. It includes 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." Other terms used in this section have the same meaning as when used in the marketing agreement, as amended and this part.

(i) *Applicability to imports.* Pursuant to section 8e of the act and § 980.1 "Import regulations" (7 CFR 980.1), Irish potatoes of the red skinned round type imported during the months of July and August in the effective period of this section shall meet the minimum grade, size, quality and maturity requirements for round varieties specified in paragraphs (a) and (b) of this section.

Dated: June 26, 1974.

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

[FR Doc.74-15017 Filed 6-28-74;8:45 am]

Commodity Exchange Authority

[17 CFR Part 1]

FUTURES COMMISSION MERCHANT STATEMENTS TO CUSTOMERS

Profit/Loss Statements

Notice is hereby given in accordance with the administrative procedure provisions of 5 U.S.C. 553 that the Secretary of Agriculture, pursuant to the authority of section 8a of the Commodity Exchange Act (7 U.S.C. 12a), is considering amending §§ 1.33 and 1.33a of Part 1 of the regulations under the Commodity Exchange Act (17 CFR Part 1) as set forth below. The purpose of the proposed amendments is to require all futures commission merchants to render every customer, with certain specified exceptions, a monthly statement which clearly shows the customer's net unrealized profit or loss in all open contracts figured to the market. At the present time, such a statement, which enables a trader to better appraise his market positions, is only required for controlled accounts. To ease the burden of the proposed requirement, especially for futures commission merchants using manual bookkeeping systems, it is proposed that the requirement to furnish such statements not apply to certain limited types of accounts. A survey of futures commission merchants revealed that almost three-fourths of those carrying customer accounts currently render such a statement to each customer at least once a month. The survey also revealed, however, that many thousands of customers currently are not receiving such statements.

PARAGRAPH 1. It is proposed to amend § 1.33 to insert after the first semicolon the following:

(b) a statement which clearly shows the net unrealized profit or loss in all open contracts figured to the market: *Provided, however,* That this requirement shall not apply to the following: (1) any account carried for a person who is a member of any contract market, (2) any omnibus account carried for another futures commission merchant, and (3) any account containing only hedge positions;

and change "(b)" to "(c)". Section 1.33, as amended, would read as follows:

§ 1.33 Monthly statement for customer and record of customer's position in each future.

Each futures commission merchant shall promptly furnish in writing directly to each customer, as of the close of the last business day of each calendar month or as of any regular monthly date selected:

(a) a statement which clearly shows the open contracts with prices at which acquired, and the ledger balance carried for the customer's account;

(b) a statement which clearly shows the net unrealized profit or loss in all open contracts figured to the market: *Provided, however,* That this requirement shall not apply to the following:

(1) any account carried for a person who is a member of any contract market,

(2) any omnibus account carried for another futures commission merchant, and

(3) any account containing only hedge positions; and

(c) a statement which clearly shows any securities or other property which the customer has deposited with the futures commission merchant to margin, guarantee, or secure the account. Copies of the statements prepared for customers shall be retained by the futures com-

mission merchant in accordance with the requirements of § 1.31.

PAR. 2. It is proposed to delete from § 1.33a the phrase "and the net unrealized profit or loss in all open contracts figured to the market" appearing in paragraph (a). Paragraph (a) of § 1.33a, as amended, would read as follows:

§ 1.33a Controlled Accounts.

(a) With respect to any account controlled by any person other than the customer for whom such account is carried, each futures commission merchant shall—

(1) promptly confirm in writing directly to the customer for whom such account is carried the execution of any trade originated by the controller of the account and retain a copy of such confirmation in accordance with the requirements of § 1.31; and

(2) clearly show on each monthly statement furnished as required by § 1.33, or on an accompanying supplemental statement, the net profit or loss on all contracts closed since the date of the previous statement: *Provided, however,* That the provisions of this paragraph shall not apply to an account controlled by the spouse, parent, or child of the customer for whom such account is carried.

* * * * *

If any interested person desires a hearing with reference to these proposed amendments, he should make a request to that effect stating the reasons therefor, addressed to the Administrator, Commodity Exchange Authority, U.S. Department of Agriculture, Washington, D.C. 20250, on or before August 12, 1974.

Written statements with reference to the subject matter of this proposal may be submitted by any interested person. Such statements should be mailed to the Administrator of the Commodity Exchange Authority prior to August 12, 1974.

The transcript of the proceedings at any hearing which may be held and all written submissions made pursuant to this notice will be made available for public inspection in the Office of the Administrator, Commodity Exchange Authority, during regular business hours.

Issued: June 24, 1974.

ALEX C. CALDWELL,
Administrator,
Commodity Exchange Authority.

[FR Doc.74-14947 Filed 6-28-74;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 21]

[Docket No. 13885; Notice No. 74-24]

PARTS MANUFACTURER APPROVALS

Fabrication Inspection Systems

The FAA is considering amending Part 21 of the Federal Aviation Regulations to revise the requirements for the issuance of Parts Manufacturer Approvals (PMA's), and to revise the requirements pertaining to holders of PMA's.

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 or notice 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 September 2, 1974, will be considered by the Administrator before taking action on the proposed rule. The proposals 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.

Section 21.303 of Subpart K of Part 21 contains the regulations applicable to the production of modification and replacement parts for sale for installation on type certificated products. Those regulations provide, in pertinent part, for the issuance of PMA's as one of the means of approving such production.

Under the present § 21.303, an applicant for a PMA must, among other things, have the design of the replacement or modification part approved by the FAA but need only certify that he has established a frabrication inspection system that ensures that each part conforms to the design data and is safe for installation on type certificated products. Moreover, in order to meet the present requirements, a PMA holder must perform some part of the manufacturing process involved in the production of the part. The regulations do not, however, prohibit the holder of a PMA from having a substantial portion of the manufacturing involved in the production of the part performed by subcontractors. Based on a recent survey of the operations of various PMA holders, the FAA has found that in some instances the actual manufacturing performed by the PMA holder is minimal and that these PMA holders use subcontractors extensively. There appears to be no reason in the interest of safety why a PMA holder should personally have to engage in any of the manufacturing involved in the production of the parts, provided that he assures that all persons performing that manufacturing comply with his fabrication inspection system. Moreover, the FAA believes that this standard should apply to all PMA holders having manufacturing performed by subcontractors regardless of the extent of that activity. The proposals would, thus assure that all manufacturing performed under a PMA is controlled by the PMA holder's fabrication inspection system. Furthermore, the FAA believes it is appropriate in the interest of safety that it approve all fabrication inspection systems under which PMA parts would be produced. This would make the PMA fabrication inspection provisions consistent with those applicable to the holders of other FAA production approvals. Accordingly, it is proposed to amend § 21.303 to require FAA approval of all PMA fabrication inspection systems, including the methods, techniques, equipment and procedures by which the PMA holder assures that all manufacturing involved in the production of a part, including any manufacturing preformed by subcontractors, is done in accordance with that approved system. Moreover, the FAA believes that its own periodic surveillance of the PMA holder and his subcontractors would provide continuing assurance that the parts are being produced in accordance with the approved inspection system. An amendment is proposed, therefore, that would set forth the PMA holder's responsibility with regard to the FAA's surveillance activities.

To implement the foregoing, the applicant for a PMA would be required to submit his fabrication inspection system for FAA approval with his application; and to include in the application the names and addresses of all his subcontractors. PMA holders would be required to keep this information current. All PMA holders would also be required to arrange for FAA access to and inspection of all manufacturing facilities upon request by the FAA. In addition, the holder of a PMA in effect on the effective date of any final rule based on this notice would have 90 days in which to apply for approval of his fabrication inspection system. However, once a request for approval had been submitted to the FAA, the holder would be permitted to operate until notified of final FAA action on his request.

In view of the fact that the proposed amendments would also require approval of amendments to fabrication inspection sytsems employed by PMA holders, procedures are also proposed that would provide for amendment of those systems.

Finally, procedures are proposed, similar to those applicable to the amendment of operations specifications issued under Part 121 of the FAR's, that would provide PMA holders with a right to review by the Administrator of unfavorable action on an approval or amendment of a fabrication inspection system.

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

In consideration of the foregoing, it is proposed to amend § 21.303 of Part 21 of the Federal Aviation Regulations as follows: (1) By amending paragraph (a); (2) By amending paragraph (c); (3) By amending paragraph (d)(2); (4) By amending paragraph (h); (5) By amending paragraph (j); (6) By amending paragraph (k); (7) By adding new paragraph (l); (8) By adding new paragraph (m); and (9) By adding new paragraph (n) to read as follows:

§ 21.303 Replacement and modification parts.

(a) Except as provided in paragraph (b) of this section, no modification or replacement part may be produced for sale for installation on a type certificated product unless all manufacturing involved in the production of the part is accomplished in accordance with a Parts Manufacturer Approval for the part.

* * * * *

(c) An application for a Parts Manufacturer Approval is made to the Regional Office of the region in which the applicant's headquarters is located, and must include the following:

(1) The identity of the product on which the part is to be installed.

(2) The name and address of each facility at which manufacturing involved in the production of the part is to be accomplished.

(3) The design of the part, which consists of—

(i) Drawings and specifications necessary to show the configuration of the part; and

(ii) Information on dimensions, materials, and processes necessary to define the structural strength of the part.

(4) Test reports and computations necessary to show that the design of the part meets the airworthiness requirements of the Federal Aviation Regulations applicable to the product on which the part is to be installed, unless the applicant shows that the part is identical to the design of a part that is covered under a type certificate. If the design of the part was obtained by a licensing agreement, evidence of that agreement must be furnished.

(5) A written description of the applicant's fabrication inspection system including the methods, techniques, equipment, and procedures used to ensure that—

(i) Incoming materials used in the finished part are as specified in the design data;

(ii) Incoming materials are properly identified if their physical and chemical properties cannot otherwise be readily and accurately determined;

(iii) Materials subject to damage and deterioration are suitably stored and adequately protected;

(iv) Processes affecting the quality and safety of the finished product are accomplished in accordance with acceptable specifications;

(v) Parts in process are inspected for conformity with the design data at points in production where accurate determination can be made. Statistical quality control procedures may be employed where it is shown that a satisfactory level of quality will be maintained for the particular part involved;

(vi) Current design drawings are readily available to manufacturing and inspection personnel, and are used when necessary;

(vii) Major changes to the basic design are adequately controlled and approved before being incorporated in the finished part;

(viii) Rejected materials and components are segregated and identified in such a manner as to preclude their use in the finished part;

(ix) Inspection records are maintained, identified with the completed part, where practicable, and retained in the manufacturer's file for a period of at least 2 years after the part has been completed; and

(x) That all manufacturing involved in the production of the part is done in accordance with the approved fabrication inspection system.

In complying with this paragraph, the applicant may refer to current fabrication inspection system data submitted to the FAA as part of a previous application or in compliance with paragraph (k) of this section.

* * * * *

(d) * * *

(2) The Administrator finds, upon examination of the fabrication inspection system and after completing any tests and inspections he deems necessary, that the system meets the requirements established in paragraph (c) of this section, and approves the system.

* * * * *

(h) Except as provided in paragraph (k) of this section, after (the effective date of this amendment) no holder of a Parts Manufacturer Approval may produce or have produced for him, parts covered by that Parts Manufacturer Approval unless he—

(1) Has an approved fabrication inspection system;

(2) Assures that all manufacturing involved in the production of the part is done in accordance with the approved fabrication inspection system; and

(3) Determines that each part conforms to the approved design data and is safe for installation on type certificated products.

* * * * *

(j) Each holder of a Parts Manufacturer Approval shall notify the FAA in writing within ten days from the date of any change in the location of manufacturing facilities involved in the production of the part.

(k) The holder of a PMA issued before (the effective date of this amendment) has until (90 days after the effective date of this amendment) to apply for approval of his fabrication inspection system.

If the holder has applied for approval before (90 days after the effective date of this amendment) he may continue to operate under the regulations in effect prior to (the effective date of this amendment) until his fabrication inspection system is approved or until the Regional Office of the region in which he is located notifies him that his request for approval is denied. At any time within 30 days after receiving from the appropriate FAA Regional Office a notice of denial of a request for approval of his fabrication inspection system, the Parts Manufacturer Approval holder may petition the Administrator personally to reconsider the denial. The denial becomes effective in not less than 30 days after notification by the appropriate Regional Office unless the holder petitions the Administrator personally to reconsider, in which case, its effectiveness is stayed pending a decision by the Administrator.

(l) The Administrator may amend any of the fabrication inspection system provisions of any Parts Manufacturer Approval issued under this section—

(1) Upon application by the holder of the Parts Manufacturer Approval, if the Administrator determines that the change will not have an adverse effect upon safety; or

(2) If the Administrator determines that the amendment is necessary in the interest of safety.

(m) The following procedures apply with respect to applications for amendments and amendments to fabrication inspection systems:

(1) A holder must file his application for amendment of the fabrication inspection system provisions of his Parts Manufacturer Approval with the FAA Regional Office that issued the approval, at least 15 days before the date that he proposes for the amendment to become effective, unless a shorter period is allowed by that office. Within 30 days after receiving from the Regional Office a notice of refusal to approve the application for amendment, the applicant may petition the Administrator personally to reconsider the refusal to amend.

(2) In the case of an amendment under paragraph (l)(2) of this section, the Administrator notifies the holder, in writing, of the proposed amendment, fixing a reasonable period (but not less than seven days) within which the holder may submit written information, views, and arguments on the proposed amendment. After considering all the relevant material presented, the Administrator notifies the holder of any amendment adopted, or rescinds the notice. The amendment becomes effective not less than 30 days after the holder receives notice of it, unless the holder petitions the Administrator personally to reconsider the amendment, in which case, its effectivity is stayed pending a decision by the Administrator.

(n) Each holder of a Parts Manufacturer Approval shall, upon request, allow the Administrator to make any inspections and tests, including inspections and tests at his subcontractors' facilities, that the Administrator deems necessary to determine compliance with the applicable regulations of this subchapter.

Issued in Washington, D.C., on June 25, 1974.

C. R. MELUGIN, Jr.,
Acting Director,
Flight Standards Service.

[FR Doc.74-14968 Filed 6-28-74;8:45 am]

[14 CFR Part 73]

[Airspace Docket No. 74-WE-14]

RESTRICTED AREAS

Proposed Alteration

The Federal Aviation Administration (FAA) is considering an amendment to Part 73 of the Federal Aviation regulations that would alter the time of designation for Restricted Areas R-4803 Fallon, Nev., R-4804 Twin Peaks, Nev., R-4810 Desert Mountains, Nev., R-4812 Sand Springs, Nev., and R-4813 Carson Sink, Nev.

Interested persons may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 1500 Aviation Boulevard, P.O. Box 92007, Worldway Postal Center, Los Angeles, Calif. 90009. All communications received on or before July 31, 1974 will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The proposed amendment would change the time of designation for Restricted Areas R-4803, R-4804, R-4810, R-4812, and R-4813 from 0600-2400 local time Monday through Saturday to 0600-2400 local time daily.

The extended time of designation will allow more effective use of the restricted areas by flight crews who are temporarily based at NAS Fallon for training. The crews deploy to NAS Fallon from five to thirty days. During their limited stay they often lose training time because of weather or other unforeseen circumstances. The capability to use the restricted areas on Sundays will permit more flexibility in scheduling and an overall savings in time and money.

As the areas will retain their joint use designation, they will be returned to the public when they are not required by the using agency. A recent survey showed that the areas are being returned to the public in this manner approximately forty percent of their designated time of use. The release time varies, of course, based on training requirements.

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

Issued in Washington, D.C. on June 25, 1974.

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

[FR Doc.74-14924 Filed 6-28-74;8:45 am]

[14 CFR Part 75]

[Airspace Docket No. 74-NW-11]

JET ROUTES

Proposed Alteration

The Federal Aviation Administration (FAA) is considering an amendment to Part 75 of the Federal Aviation Regulations that would alter three jet routes in the Olympia, Wash., area.

Interested persons may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Northwest Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, FAA Building, Boeing Field, Seattle, Wash. 98108. All communications received by July 31, 1974 will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The proposed amendment would:

1. Extend Jet Route No. 54 from Pendleton, Oreg., direct Olympia, Wash., direct to Neah Bay, Wash., NDB.
2. Realign Jet Route No. 34 from Helena, Mont., direct Moses Lake, Wash., direct Olympia, direct to Hoquiam, Wash.
3. Realign Jet Route No. 126 from Medford, Oreg., direct Eugene, Oreg., direct Newberg, Oreg., direct Olympia, direct to Vancouver, British Columbia, Canada.

The proposed realignment would provide more flexibility for air traffic control in the Seattle-Tacoma, Wash., terminal area and improve the en route traffic flow.

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

Issued in Washington, D.C., on June 25, 1974.

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

[FR Doc.74-14925 Filed 6-28-74;8:45 am]

Civil Aeronautics Board

[14 CFR 241]

[EDR 277; Docket No. 26819; dated: June 21, 1974]

UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED AIR CARRIERS

Reporting Fuel Inventories on a System Basis and Consumption by Type of Service and Specific Markets

Notice is hereby given that the Civil Aeronautics Board has under consideration a proposed amendment to Part 241 of the Economic Regulations (14 CFR Part 241) which would require the reporting of fuel inventories on a system basis and fuel consumption by type of service and specific markets.

The principal features of the proposed amendment are described in the attached Explanatory Statement and the proposed amendments are set forth in the proposed rule. The amendments are proposed under the authority of sections 204(a), 401(e)(6), and 407 of the Federal Aviation Act of 1958, as amended (72 Stat. 743, 754, and 766 (49 U.S.C. 1324, 1371, and 1377)).

Interested persons may participate in the proposed rule making through submission of twelve (12) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant material received on or before July 29, 1974, will be considered by the Board before taking final action on the proposed rule. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 710, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

EXPLANATORY STATEMENT

Regulation ER-840 [1] amended Part 241 of the Economic Regulations to include in the Form 41 reports fuel cost data with respect, primarily, to domestic operations. These data, which had been previously submitted by the carriers on an interim basis pursuant to a letter request, were needed so that the Board and its staff could evaluate on a current basis the impact of fuel price increases on the domestic air transportation system.

During the development of ER-840, an urgent need arose for fuel cost data related to international operations, and carriers were requested by letter to provide such additional fuel cost data by geographic rate area, so that we could evaluate the impact of fuel price in-

[1] Adopted by the Board on March 14, 1974, and effective for the reporting period beginning May 1, 1974.

creases on international rates and services and on operations performed for the Military Airlift Command (MAC). In addition, the Board believes that fuel consumption data should also be reported by the type of service, scheduled and nonscheduled, in which the fuel was consumed because regulatory needs differ between such types of services.

The Board has now tentatively determined to regularize its compilation of fuel data so the collection of all such data will be covered by a single uniform reporting regulation. This new regulation would enable us to conform the reported fuel data more fully with carriers' books, eliminate possible confusion from separate reports, better correlate the data with reported traffic and capacity statistics, and facilitate the evaluation of fuel price changes especially as they may affect a certain type of service and specific geographic rate areas. Accordingly, it is proposed herein to revise the CAB Form 41 report by deleting Schedule P–5(b) and by adding new schedules which would consolidate all fuel information reported to the Board.[2] However, in compiling information for these purposes, we have tentatively concluded that it would be sufficient to require carriers to compute their fuel inventories and consumption on a system basis rather than on the individual station basis currently required by Schedule P–5(b), thereby relieving carriers of a significant reporting burden.

The proposed amendment encompasses some of the concepts employed in ER–840, but the reporting will be done on two new formats in order to accommodate the requirements of this reporting. The proposed new Form 41 schedules are Schedule P–12, "Fuel Inventories and Consumption" and Schedule P–12(a) "Fuel Consumption by Type of Service and Specific Operational Markets."[3] On Schedule P–12, carriers would compute inventory and consumption by type of fuel ("bonded," "nonbonded," and "foreign," as defined in the proposed rule), for the overall or system operations of the carrier. The cost of fuel reported here would be determined on an inventory concept similar to that currently employed for Schedule P–5(b). However, we have clarified the provision concerning the exclusion of "through put" and "in to plane" fees from the cost of fuel. Under the proposal, such exclusion would be required only when "through put" and "in to plane" charges are billed as separate service fees.

We are also including the suggestion made by some carriers during the course of their compliance with our existing reporting requirements that provision be made for reporting retroactive price increases and decreases and shrinkage adjustments to conform the reported fuel data with the data on other Form 41 schedules and the carriers' books. Accordingly, we have proposed herein that such adjustments to either gallons and/or costs be reported on the line designated "Net Adjustments," with the nature of such adjustments and the gross quantities and amounts properly disclosed. In addition, we have proposed herein to establish a new account titled "Account 1320, Fuel Inventories," and three subaccounts thereunder for "bonded," "non-bonded," and "foreign" fuel inventories. These subaccounts would be reported on the revised CAB Form 41 Schedule B–1, "Balance Sheet," and agree with applicable "Ending Inventory" amounts reported on Schedule P–12.

Proposed Schedule P–12(a) would require carriers to summarize by type of service, scheduled and nonscheduled service (as those terms are defined in section 03 of Part 241), the fuel consumed in the specific operating markets listed. In reporting on this schedule, route carriers would complete Schedule P–12(a) for scheduled and nonscheduled service, as appropriate, while supplemental carriers would complete only the nonscheduled service portion of the schedule. We have also requested that fuel data reported for operations performed pursuant to "MAC" contracts be reflected on the line provided under domestic and international nonscheduled service as appropriate.

Due to the Board's urgent regulatory need for information with which to make analyses and evaluations of the effects of rising fuel costs, we have tentatively concluded that this rule making should be expedited, so that any rules which we adopt herein could be made effective for the reporting period beginning August 1, 1974. Since the actual filing of any new schedules for that period would not be due until September 15, 1974, affected carriers would have adequate time for achieving compliance with the rule, given the length of time between its date of publication and the prescribed reporting due date.

It is proposed to amend Part 241 of the Economic Regulations (14 CFR Part 241) as follows:

1. Amend Section 3—Chart of Balance Sheet Accounts—to add new accounts, the revised chart in pertinent part to read:

Section 3—Chart of Balance Sheet Accounts

Name of account	*General classification*
* * * * *	
Obsolescence and deterioration reserves—expendable parts	1311
Fuel inventories	1320
Bonded fuel	1320.*1*
Nonbonded fuel	1320.*2*
Foreign fuel	1320.*3*
Miscellaneous materials and supplies	1330
* * * * *	

2. Amend Section 6—Objective Classification of Balance Sheet Elements—as follows:

A. Add a new Account 1320, Fuel Inventories, immediately following Account 1311, Obsolescence and Deterioration Reserves—Expendable Parts, to read as follows:

1320 Fuel Inventories.

(a) Record here the cost of unissued fuel inventories that will later be used in the system operations of the carrier. Adjustments to this account due to shrinkage, overage, or shortage of fuel inventories shall also be charged or credited to profit and loss account 45.1, Aircraft Fuels. Adjustments for retroactive price increases and decreases shall not be recorded in this account but only in profit and loss account 45.1, Aircraft Fuels.

(b) This account shall be subdivided as follows by all carrier groups:

1320.*1* Bonded fuel
1320.*2* Nonbonded fuel
1320.*3* Foreign fuel

B. Amend paragraph (a) of Account 1330, "Miscellaneous Materials and Supplies," to read:

1330 Miscellaneous Materials and Supplies.

(a) Record here the cost of unissued and unapplied materials and supplies held in stock such as unissued shop materials, expendable tools, stationery and office supplies, passenger service supplies, and restaurant and food service supplies.

* * * * *

3. Amend Section 22—General Reporting Instructions—as follows:

A. By adding to the "List of Schedules in CAB Form 41 Report" in paragraph (a), new Schedules P–12, "Fuel Inventories and Consumption," and P–12(a), "Fuel Consumption by Type of Service and Specific Operational Markets"; and by deleting Schedule P–5(b), "Fuel Consumption and Inventories," the revised list in pertinent part to read:

Section 22—General Reporting Instructions

* * * * *

[2] However, since the fuel data with respect to "MAC" operations are required in more specific detail showing fuel cost and consumption by source of supply (commercial and military) and commercial fuel prices as at the first day of each month, for each station served in MAC operations; it will be necessary that this information continue to be forwarded under separate cover to the Bureau of Economics, Government Rates Division, pursuant to letters dated January 4 and February 21, 1974, from the Bureau.

[3] A slight revision of the Schedule B–1, "Balance Sheet" is also being proposed in order to reflect the new fuel data accounts.

List of schedules in CAB Form 41 Report

Schedule No.	Schedule title	Filing frequency
*	* * *	*
P-5(a)	Components of Flight Equipment Depreciation	Quarterly.
P-6	Maintenance; Passenger Service and General and Administrative Expense Functions—All Air Carrier Groups.	Do.
*	* * *	*
P-11(b)	Charges by Foreign Governments for Airport Facilities and Services	Quarterly.
P-12	Fuel Inventories and Consumption	Monthly.
P-12(a)	Fuel Consumption by Type of Service and Specific Operational Markets	Do.
P-41	Taxes	Annually.
*	* * *	*

B. By adding to the list of "Due Dates of Schedules in CAB Form 41 Report" in paragraph (a) new Schedules P–12 and P–12(a) and deleting Schedule P–5(b) as follows:

DUE DATES OF SCHEDULES IN CAB FORM 41 REPORT

Due date [1]	*Schedule No.*
Jan. 15	P–12, P–12(a)
Jan. 30	* * *
Feb. 10 [2]	* * *
Feb. 15	P–12, P–12(a)
Mar. 1	* * *
Mar. 15	P–12, P–12(a)
Mar. 30	* * *
Apr. 15	P–12, P–12(a)
Apr. 30	* * *
May 10	* * *
May 15	P–12, P–12(a)
May 30	* * *
June 15	P–12, P–12(a)
June 30	* * *
July 15	P–12, P–12(a)
July 30	* * *
Aug. 10	* * *
Aug. 15	P–12, P–12(a)
Aug. 30	* * *
Sept. 15	P–12, P–12(a)
Sept. 30	* * *
Oct. 15	P–12, P–12(a)
Oct. 30	* * *
Nov. 10	* * *
Nov. 15	P–12, P–12(a)
Nov. 30	* * *
Dec. 15	P–12, P–12(a)
Dec. 30	* * *

[1] Due dates falling on a Saturday, Sunday, or national holiday will become effective the first following working day.

[2] B and P reporting dates are extended to March 30, if preliminary schedules are filed at the Board by February 10.

4. Amend Section 24—Profit and Loss Elements—as follows:

A. By deleting the caption "Schedule P–5(b)—Fuel Consumption and Inventories" which follows paragraph (h) of Schedule P–5(a), as well as the entire text of paragraphs (a) through (h) inclusive set forth under said caption.

B. By inserting, following the reporting instructions for Schedule P–11(b), and preceding the reporting instructions for Schedule P–41, reporting instructions for new Schedules P–12 and P–12(a), to read as follows:

SCHEDULE P–12—FUEL INVENTORIES AND CONSUMPTION

(a) This schedule shall be filed monthly by all route air carriers.

(b) A single copy (original only) of this schedule shall be filed to report the inventory and consumption of bonded, nonbonded, and foreign fuel for the overall or system operations of the carrier.

(c) For the purposes of Schedules P–12 and P–12(a), "bonded fuel" is that fuel produced outside the customs limits of the United States, held in bond under continuous United States customs custody in accordance with Treasury Department regulations, and destined for use outside of the United States, its territories or possessions. "Nonbonded fuel" is that fuel issued from and consumed in the domestic operations of the reporting carrier. "Foreign fuel" is that fuel which is loaded at points outside the United States and consumed in the foreign operations of the carrier.

(d) The cost of fuel shall include shrinkage but shall exclude (1) "through put" and "in to plane" fees, i.e., service charges or gallonage levies assessed by or against the fuel vendor or concessionaire and passed on to the carrier in a segregated and identifiable form and (2) nonrefundable Federal and state excise taxes. However, "through-put" and "in to plane" service fees that cannot be identified or segregated from the cost of fuel shall remain part of the cost of fuel as reported on this schedule, provided the total cost and gallons so reported are properly annotated.

(e) The amounts reported on the lines designated "Purchases" and "Net Adjustments" shall be actual gallons and costs. All other costs shall be computed on the periodic average method. Under this method, a unit cost shall be computed by dividing total cost of fuel available (beginning inventory plus purchases) by the total gallons available. The resulting unit cost shall be used to extend the costs of the gallons in "Ending Inventory" and "Computed Consumption for the month."

(f) On the line designated "Net Adjustment," record the net effect of all adjustments necessary to reconcile computed consumption to total consumption reported. Adjustments to gallons and/or costs to be reported here would include retroactive price adjustments and other pricing discrepancies and temperature-related adjustments. In addition, adjustments for the cost of fuel sold to others shall also be reported here; however, any profit or loss resulting from such sales shall be reported separately in "Account 16—General Service Sales-Outside." Any amounts reported as a "net adjustment" shall be annotated to indicate the nature of each adjustment and gross quantities and/or amounts related thereto.

(g) The sum of the total gallons reported monthly in column (7) on the line designated "Total Consumption reported for the month" shall equal on a quarterly basis the sum of the gallons reported by each entity on Schedule T–2(b) under the caption "All Types," Code Z 921. The sum of the total costs reported monthly in column (8) on the line "Total Consumption reported for the month" shall equal on a quarterly basis the sum of the costs reported by each entity on Schedule P–5.2, under the caption "Total—All Aircraft Types," Account 45.1—Aircraft Fuels.

(h) Where the amounts reported for a fuel type include other than Jet A fuel, a footnote should be added indicating the number of gallons and applicable costs included in the amounts reported for that fuel type.

(i) The beginning inventory of this schedule shall be the ending inventory of the prior period. Differences shall be properly annotated and reconciled. In addition, the "Ending Inventory" reported for each fuel type shall correspond to amounts reported in Accounts 1320.*1*, 1320.2, and 1320.*3*, as applicable, on Schedule B–1.

SCHEDULE P–12(A)—FUEL CONSUMPTION BY TYPE OF SERVICE AND SPECIFIC OPERATIONAL MARKETS

(a) This schedule shall be filed monthly by all route air carriers.

(b) A single copy (original only) of this schedule shall be filed to report the bonded, nonbonded, and foreign fuel consumption data (as those terms are defined in Schedule P–12), by type of service and specific operational markets.

(c) For the purposes of this schedule, type of service shall be either scheduled service or nonscheduled service as those terms are defined in section 03.

(d) Operations performed pursuant to Military Airlift Command (MAC) operations shall be shown separately on the lines indicated as "MAC Operations."

(e) Where the amounts reported for the "Atlantic (excl. Bermuda)" market include amounts applicable to the intra-Germany market, a footnote shall be added indicating the gallons and costs reported for the intra-Germany market.

(f) Where the amounts reported for a specific market include other than Jet A fuel, a footnote shall be added indicating the number of gallons and applicable costs included in the amounts reported for that market.

(g) The amounts reported in columns (1) through (8) on the "Grand Total" line shall agree with the amounts reported in columns (1) through (8) on the "Total Consumption reported for the month" in line of Schedule P–12.

5. Amend Section 32—General Reporting Instructions—as follows:

A. By adding to the "List of Schedules in CAB Form 41 Report" in paragraph (a), new Schedules P–12, "Fuel Inventories and Consumption" and P–12(a), "Fuel Consumption by Type of Service and Specific Operational Markets"; and by deleting Schedule P–5(b), "Fuel Consumption and Inventories," the revised list in pertinent part to read:

Section 32—General Reporting Instructions

* * * * *

List of schedules in CAB Form 41 Report

Schedule No.	Schedule title	Filing frequency
*	*	*
P-5(a)	Components of Flight Equipment Depreciation	Quarterly.
P-6	Maintenance; Passenger Service and General and Administrative Expense Functions.	Do.
*	*	*
P-11(b)	Charges by Foreign Governments for Airport Facilities and Services	Quarterly
P-12	Fuel Inventories and Consumption	Monthly.
P-12(a)	Fuel Consumption by Type of Service and Specific Operational Markets	Do.
T-3.1	Statement of Traffic and Capacity Statistics	Do.
*	*	*

B. By adding to the list of "Due Dates of Schedules in CAB Form 41 Report" in paragraph (a) new Schedules P–12, and P–12(a); and deleting Schedule P–5(b) as follows:

DUE DATES OF SCHEDULES IN CAB FORM 41 REPORT

Due date[1]	*Schedule No.*
Jan. 15	P–12, P–12(a)
Jan. 30	* * *
Feb. 10[2]	* * *
Feb. 15	P–12, P–12(a)
Mar. 1	* * *
Mar. 15	P–12, P–12(a)
Mar. 30	* * *
Apr. 15	P–12, P–12(a)
Apr. 30	* * *
May 10	* * *
May 15	P–12, P–12(a)
May 30	* * *
June 15	P–12, P–12(a)
June 30	* * *
July 15	P–12, P–12(a)
July 30	* * *
Aug. 10	* * *
Aug. 15	P–12, P–12(a)
Aug. 30	* * *
Sept. 15	P–12, P–12(a)
Sept. 30	* * *
Oct. 15	P–12, P–12(a)
Oct. 30	* * *
Nov. 10	* * *
Nov. 15	P–12, P–12(a)
Nov. 30	* * *
Dec. 15	P–12, P–12(a)
Dec. 30	* * *

[1] Due dates falling on a Saturday, Sunday, or national holiday will become effective the first following working day.

[2] B and P reporting dates are extended to March 30, if preliminary schedules are filed at the Board by February 10.

6. Amend Section 34 Profit and Loss Elements—as follows:

A. By deleting the caption "Schedule P–5(b)—Fuel Consumption and Inventories" which follows paragraph (h) of Schedule B–5(a), as well as the entire text of paragraphs (a) through (h) inclusive set forth under said caption.

B. By inserting, following the reporting instructions for Schedule P–11(b), reporting instructions for new Schedules P–12 and P–12(a), to read as follows:

SCHEDULE P–12—FUEL INVENTORIES AND CONSUMPTION

(a) This schedule shall be filed monthly by each supplemental air carrier.

(b) A single copy (original only) of this schedule shall be filed to report the inventory and consumption of "bonded," "nonbonded," and "foreign" fuel for the overall or system operations of the carrier.

(c) For the purposes of Schedules P–12 and P–12(a), "bonded fuel" is that fuel produced outside the customs limits of the United States, held in bond under continuous United States customs custody in accordance with Treasury Department regulations, and destined for use outside of the United States, its territories or possessions. "Nonbonded fuel" is that fuel issued from and consumed in the domestic operations of the reporting carrier. "Foreign fuel" is that fuel which is loaded at points outside the United States and consumed in the foreign operations of the carrier.

(d) The cost of fuel shall include shrinkage but shall exclude (1) "through put" and "in to plane" fees, i.e., service charges or gallonage levies assessed by or against the fuel vendor or concessionaire and passed on to the carrier in a segregated and identifiable form and (2) nonrefundable Federal and state excise taxes. However, "through put" and "in to plane" service fees that cannot be identified or segregated from the cost of fuel shall remain part of the cost of fuel as reported on this schedule, provided the total cost and gallons so reported are properly annotated.

(e) The amounts reported on the line designated "Purchases" and "Net Adjustments" shall be actual gallons and costs. All other costs shall be computed on the periodic average method. Under this method, a unit cost shall be computed by dividing total cost of fuel available (beginning inventory plus purchases) by the total gallons available. The resulting unit cost shall be used to extend the costs of the gallons in "Ending Inventory" and "Computed Consumption for the month."

(f) On the line designated "Net Adjustments," record the net effect of all adjustments necessary to reconcile computed consumption to total consumption reported. Adjustments to gallons and/or costs to be reported here would include retroactive price adjustments and other pricing discrepancies and temperature-related adjustments. In addition, adjustments for the cost of fuel sold to others shall also be reported here; however, any profit or loss resulting from such sales shall be reported separately in Account 16—"General Service Sales—Outside." Any amounts reported as a "net adjustment" shall be annotated to indicate the nature of each adjustment and gross quantities and/or amounts related thereto.

(g) The sum of the total costs reported monthly in column (8) on the line "Total Consumption reported for the month" shall equal on a quarterly basis the sum of the costs reported by each entity on Schedule P–5.2, under the caption "Total—All Aircraft Types," Account 45.1—Aircraft Fuels.

(h) Where the amounts reported for a fuel type include other than Jet A fuel, a footnote should be added indicating the number of gallons and applicable costs included in the amounts reported for that fuel type.

(i) The beginning inventory of this schedule shall be the ending inventory of the prior period. Differences shall be properly annotated and reconciled. In addition, the "Ending Inventory" reported for each fuel type shall correspond to the amounts reported in Accounts 1320.*1*, 1320.*2*, and 1320.*3*, as applicable, on Schedule B–1.

SCHEDULE P–12(a)—FUEL CONSUMPTION BY TYPE OF SERVICE AND SPECIFIC OPERATIONAL MARKETS

(a) This schedule shall be filed monthly by each supplemental air carrier.

(b) A single copy (original only) of this schedule shall be filed to report for nonscheduled service the bonded, nonbonded, and foreign fuel (as those terms are defined in Schedule P–12) consumed in specific operational markets.

(c) For the purposes of this schedule, the definition of nonscheduled service as set forth in section 03 of Part 241 apply.

(d) Operations performed pursuant to Military Airlift Command (MAC) operations shall be shown separately on the lines indicated as "MAC Operations."

(e) Where the amounts reported for the "Atlantic (excl. Bermuda)" market include amounts applicable to the intra-Germany market, a footnote shall be added indicating the gallons and costs reported for the intra-Germany market.

(f) Where the amounts reported for a specific operational market include other than Jet A fuel, a footnote shall be added indicating the number of gallons and applicable costs included in the amounts reported for that market.

(g) The amounts reported in columns (1) through (8) on the "Grand Total" line shall agree with the amounts reported in columns (1) through (8) on the "Total Consumption reported for the month" line of Schedule P–12.

7. Amend CAB Form 41 by amending Schedule B–1 and adding new Schedules P–12 and P–12(a), as shown in Exhibits A,[1] B,[1] and C,[1] respectively, attached hereto and made a part hereof, and by deleting CAB Schedule P–5(b).

[FR Doc.74–14720 Filed 6–28–74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

VERMONT IMPLEMENTATION PLAN

Proposed Revision

On May 31, 1972 (37 FR 10842), the Administrator approved pursuant to section 110 of the Clean Air Act, certain por-

[1] Filed as part of the original document.

tions of the Vermont plan for implementing the national ambient air quality standards.

The State of Vermont has submitted three revisions to that plan in the form of variances from regulations for two emission sources and a regulatory revision to several air pollution control regulations. The variances were granted by the Air Quality Variance Board on the dates indicated below.

The first variance granted September 26, 1973, involves the Burlington Electric Power Generating Station. The variance allowed the Station to operate in violation of air pollution control emission regulations by allowing the use of coal with mechanical collectors at the plant. The variance expired in May of 1974 at which time the plant was to have complied with all applicable regulations.

The second variance was granted November 5, 1973 to the Swanton Lime Works. The plant is in violation of Vermont's fugitive dust regulations. Housekeeping efforts have improved conditions to some degree but more effective control methods are needed. The continued operation of the plant is contingent upon legislative action with regard to the support of a local railroad that services the plant. Without the railroad service the plant would be forced to close down. To preclude unnecessary expenditure of funds on control equipment should the railroad cease operation, the Vermont variance board granted a variance to Swanton Lime Works to continue to operate in violation of regulations until September 1974 or until such time as the fate of the railroad is decided by the legislature.

The regulatory revision involves changes in regulations governing combustion contaminants, particulate matter from incinerators, nuisance and odor provisions, and adoption of a new regulation governing complex sources. The regulatory changes were made to assure better enforcement of the applicable regulations. The complex source regulation was adopted pursuant to EPA requirements promulgated in the June 18, 1973 FEDERAL REGISTER (38 FR 15834).

The Administrator hereby issues this notice setting forth the Vermont revisions as proposed rulemaking and advises the public that comments may be submitted on whether these revisions should be approved or disapproved as required by section 110 of the Clean Air Act. Only comments received on or before July 31, 1974 will be considered. The Administrator's decision to approve or disapprove the revision is based on whether they meet the requirements of section 110(a)(2)(A)–(H) and EPA regulations in 40 CFR Part 51.

All comments should be submitted to the Regional Administrator EPA Region I, John F. Kennedy Federal Building, Boston, Massachusetts 02203. Copies of the proposed plan revision are available at the Office of Public Affairs, EPA Region I, John F. Kennedy Federal Building, Boston, Massachusetts 02203; and the State of Vermont Agency of Environmental Conservation, Division of Environmental Protection, Montpelier, Vermont 05602.

AUTHORITY: Sec. 110(a) of the Clean Air Act, as amended (42 U.S.C. 1857 c-5(a)).

Dated: June 25, 1974.

JOHN QUARLES,
Acting Administrator,
Environmental Protection Agency.

[FR Doc.74-15030 Filed 6-28-74;8:45 am]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Parts 541, 545]

[No. 74-514]

FARM LOANS

Expanding Authority

JUNE 5, 1974.

The Federal Home Loan Bank Board considers it desirable to propose amendments to §§ 541.12 and 545.6-1 (a) and (c) of the rules and regulations for the Federal Savings and Loan System (12 CFR Parts 541 and 545) for the purpose of expanding the authority of Federal savings and loan associations to make farm loans.

The proposed amendments would affect loans on farm residences, loans on other improved real estate properties which comprise commercial farming enterprises, and loans on combinations of farm residences and commercial farming enterprises. The term "commercial farming enterprise" is intended to exclude hobbyists and vacationers and to require that the farm be operational within a reasonable time and not consist of merely holding farm land.

Farm loans are generally repayable on other than a monthly installment basis. Section 545.6-1(a)(2) presently provides that non-insured and non-guaranteed loans on homes or combinations of homes and business properties which a Federal association may make on a monthly installment basis may also be made with interest payable at least semi-annually and with regular periodic principal installments payable at least annually in an amount sufficient to retire the debt, interest and principal, within 15 years. Section 541.11 defines "combination of home and business property" as "real property used in part for business purposes and in part for residence purposes for not more than 4 families". If, therefore, a farm loan is presently made on farm property which includes a residence, or on a farm property with 1 to 4 residences located on part of it, and such loan is sought on a non-monthly installment basis, § 545.6-1(a)(2) would be the applicable section and the loan would be limited to a 15 year-term and semi-annual interest payments. Under the proposal, a second proviso would be added to § 545.6-1(a)(2) to authorize such a loan be made for up to a 25-year term with annual interest payments.

The proposal would also amend § 545.6-1(c), pertaining to "other improved real estate", which term is defined under paragraph (a) of § 541.12 to mean: "Real estate * * * improved by (1) a permanent structure having a value of at least 25 percent of the value of the real estate as a whole, or (2) improvements which render the real estate usable by a business or industrial enterprise". Because it is unclear whether real estate which has been or will be rendered usable as a commercial farming enterprise could be classified as an "improvement" under the second part of the above definition, the proposal would add a new paragraph "(c)" to § 541.12 to provide explicitly that the term "other improved real estate" shall include real estate to be used for a commercial farming enterprise.

Section 545.6-1(c) presently provides that a loan on other improved real estate, which is not an insured or guaranteed loan or a construction loan and is not repayable on a monthly installment basis, is restricted to a 60 percent loan-to-value ratio and a 5-year term. The proposed amendment would authorize Federal associations to make such loans secured by real estate used for a commercial farming enterprise with up to an 80 percent loan-to-value ratio and a 25-year term, and annual principal and interest payments.

The proposal would also restate the present provisions of § 545.6-1(c) for purposes of clarification, without making any substantive changes thereto.

Accordingly, the Board hereby proposes to amend Parts 541 and 545 as set forth below.

Interested persons are invited to submit written data, views and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 101 Indiana Avenue, NW., Washington, D.C. 20552, by July 30, 1974, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the general regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

§ 541.12 **Other improved real estate.**

The term "other improved real estate" means either:

(a) Real estate other than that defined in § 541.10, § 541.10-1, § 541.10-2, § 541.10-3, § 541.11, or § 541.11-1 improved by (1) a permanent structure or structures having a value of at least 25 percent of the value of the real estate as a whole, or (2) improvements which render the real estate usable by a business or industrial enterprise;

(b) Building lots or sites which, by reason of installations and improvements that have been completed in keeping with applicable governmental requirements and with general practice in the community, are building lots or sites ready for the construction on each such building lot or site of a structure designed for residential use for one family; or

(c) Real estate which is used, or is to be used, for a commercial farming enterprise.

§ 545.6–1 Lending powers under sections 13 and 14 of Charter K.

* * * * *

(a) *Homes or combinations of homes and business property*— * * *

(2) *Other installment loans.* Loans that such an association may make on a monthly installment basis may also be made with interest payable at least semiannually and with regular periodic principal installments payable at least annually in an amount sufficient to retire the debt, interest and principal, within 15 years: *Provided,* That insured or guaranteed loans may be repayable upon such terms as are acceptable to the insuring or guaranteeing agency: *Provided further,* That loans made on farm residences or combinations of such residences and property used for commercial farming enterprises may be made with interest and principal payable at least annually in an amount sufficient to retire the debt, interest and principal, within 25 years.

* * * * *

(c) *Other improved real estate.* Subject to the limitations of § 545.6–7, a Federal association may, if permitted by the terms of its charter, make loans on other improved real estate, as defined in § 541.12 (a) and (c), to the extent authorized by this paragraph (c):

(1) A monthly installment loan, whether fully or partially amortized, may be made in an amount not exceeding 75 percent of the value of such real estate, and shall be repayable in not more than 25 years, except that it may be combined into a single loan with a loan for the purpose of construction which meets the requirements of subparagraph (5) of this paragraph, in which case the term of the monthly installment loan shall be considered to begin at the end of the term allowed for construction;

(2) A loan repayable on any other plan may be made in an amount not exceeding 60 percent of the value of such real estate, and shall be repayable in not more than 5 years but with interest payable at least semi-annually, except that a commercial farming enterprise loan may be made under this subparagraph in an amount not exceeding 80 percent of the value of such real estate and with interest and principal payable at least annually in an amount sufficient to retire the debt, interest and principal, within 25 years.

(3) Any insured loan may be made in such amount and may be repayable upon such terms and conditions as are acceptable to the insuring agency; and

(4) Any guaranteed loan at least 20 percent of which is guaranteed, and any guaranteed loan which does not exceed the amount that the association may otherwise lend plus the amount guaranteed, may be made and may be repayable upon such terms and conditions as are acceptable to the guaranteeing agency;

(5) A loan made for the purpose of construction may be made in an amount not exceeding 75 percent of the value of such real estate and for a term of not more than 36 months without regard to any requirement of this part for amortization of principal prior to the end of the term but with interest payable at least semiannually.

(6) Loans made under §§ 545.6–16 and 545.6–18 may be made in amounts provided for in those sections.

(Sec. 5, 48 Stat. 132, as amended; (12 U.S.C. 1464). Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR 1943–48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

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

[FR Doc.74–15011 Filed 6–28–74;8:45 am]

FEDERAL RESERVE SYSTEM

[12 CFR Part 204]

RESERVES OF MEMBER BANKS

Due Bills as Deposits

By notice published in the FEDERAL REGISTER of December 26, 1973 (38 FR 35236), the Board of Governors proposed to amend Regulations D and Q to classify as "deposits" (and thereby extend reserve requirements and interest rate limitations to) funds received by member banks through issuance of due bills that are uncollateralized. Pursuant to its authority under section 19 of the Federal Reserve Act to define the terms used in that section and prescribe regulations to effectuate the purpose and prevent evasions thereof, and for the reasons stated in its notice of December 26, 1973, the Board proposes an amendment to Regulation D which differs from the amendment proposed in December. The present proposal is in substantially the same form as previously published, but is limited to Regulation D, since upon further consideration of the effects of the collateralization requirement as originally proposed, it was believed that application of Regulation Q interest rate limitations to uncollateralized due bills under this proposal would not add significantly to the effectiveness of the collateralization requirement.

Since 1966 due bills that are issued by a member bank principally as a means of obtaining funds to be used in its banking business have been defined as deposits subject to reserve requirements and interest rate limitations under both Regulations D and Q. The proposal would not alter the regulatory stance adopted in 1966 but would add a provision under Regulation D to define as deposits funds received from the issuance of due bills in connection with sales of securities where the securities sold are not delivered to or for an account of the purchaser within three business days from the time of purchase and where, for any period thereafter, such due bills are not fully collateralized by securities similar to those that the due bill represents. In the proposal, due bills which remain uncollateralized for more than three business days are treated as demand deposits under Regulation D.

Deposit treatment is proposed to such due bill transactions whether funds are received from another bank or other customers and regardless of the method by which such transactions are evidenced or recorded—whether by issuance of an instrument, oral undertaking or understanding, record notation or other manner. The Board has proposed a three-day period of exemption from the collateralization requirement in part in recognition of the apparent role of due bills as a clearing vehicle and in general as a means of facilitating sales of government securities.

The proposed regulation requires due bills to be collateralized by securities "similar to" the securities which are subject to the member Bank's liability if the due bill is to be exempt from Regulation D. It would appear that under this proposal due bills in Treasury issues could be secured by appropriate amounts of any other marketable Treasury issues regardless of maturities and that due bills in Federal agency securities could be secured by either Treasury or agency issues, again regardless of maturities and still remain exempt. It also appears that the collateralization requirement may be satisfied by the pooling of appropriate collateral as well as by piece-by-piece collateralization using specific Treasury and Federal agencies securities.

To aid in the consideration of the matter by the Board, interested persons are invited to submit relevant data, views, and arguments. Any such material should be submitted in writing to the Secretary of the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than July 31, 1974. Such material will be made available for inspection and copying upon request, except as provided in § 261.6(a) of the Board's rules regarding availability of information.

To implement its proposal, the Board proposes to amend § 204.1(f) of Regulation D (12 CFR Part 204) by adding a new sentence at the end thereof to read as follows:

§ 204.1 Definitions.

* * * * *

(f) *Deposits as including certain promissory notes and other obligations.* * * *

In addition to the foregoing, the term "deposit" includes any liability or undertaking on the part of a member bank to sell or deliver securities to, or purchase securities for the account of any customer (including other banks), involving the receipt of funds by the member bank or a debit to an account of such customer before the securities are delivered, unless such securities are delivered to or for the account of the purchaser within three business days from the date of purchase

or, thereafter, such liability or undertaking is fully secured by collateral consisting of one or more securities "similar to" and with an aggregate market value at least equal to that of the securities which are the subject of the member Bank's liability or undertaking.

* * * * *

By order of the Board of Governors, June 25, 1974.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.74-14950 Filed 6-28-74;8:45 am]

POSTAL SERVICE

[39 CFR Parts 123, 124]

NONMAILABLE WRITINGS AND ARTICLES

Proposed Revision; Extension of Time for Comments

On June 5, 1974, a notice of proposed rulemaking was published at 39 FR 19958, in which the Postal Service announced that a revision of 39 CFR Parts 123 and 124—concerning matter the mailability of which is prohibited or conditioned by law—was under consideration. The notice stated that the revised provisions would be effective July 1, 1974, and invited comments on the revision up to June 20, 1974.

At the request of parties preparing comments on the proposed changes, the time provided for the receipt of comments is hereby extended to August 15, 1974, and the effective date of the revision is postponed until September 1, 1974.

ROGER P. CRAIG,
Deputy General Counsel.

[FR Doc.74-14922 Filed 6-28-74;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 DEFENSE

Defense Nuclear Agency

SCIENTIFIC ADVISORY GROUP ON EFFECTS

Notice of Meeting

The next meeting of the Scientific Advisory Group on Effects (SAGE), sponsored by the Defense Nuclear Agency (DNA), will be held during the period 23–24 July 1974. SAGE members will be asked to provide advice on ongoing and future DNA programs. The meeting will be closed to the public.

GRADY A. CULPEPPER,
LTC, USA,
Executive Secretary, SAGE.

[FR Doc.74–14937 Filed 6–28–74;8:45 am]

DEPARTMENT OF THE INTERIOR

Office of the Assistant Secretary

OIL SHALE ENVIRONMENTAL ADVISORY PANEL

Notice of Meeting

Notice is hereby given in accordance with Pub. L. 92–463 that a meeting of the Oil Shale Environmental Advisory Panel will be held on July 17, 1974 beginning at 8:30 a.m. at the Howard Johnson Motor Lodge, Powerhorn Room, Grand Junction, Colorado.

The Panel was established to assist the Department of the Interior in the performance of functions in connection with the supervision of oil shale leases issued under the Prototype Oil Shale Leasing Program.

The purpose of the meeting is to consider the Exploration Plan for the two prototype oil shale leases in Utah, adoption of policy guidelines, to receive reports from Department officials and other panel business.

The meeting is open to the public. It is expected that space will permit at least 100 persons to attend the session in addition to the panel members. Interested persons may make brief presentations to the panel or file written statements. Requests should be made to Mr. William L. Rogers, Chairman, Office of the Secretary, Department of the Interior, Room 688, Building 67, Denver Federal Center, Denver, Colorado 80225.

Further information concerning this meeting may be obtained from Mr. Henry O. Ash, Office of the Oil Shale Environmental Advisory Panel, Room 820–A, Building 67, Denver Federal Center, Denver, Colo. 80225, telephone No. (303) 234–3275. Minutes of the meeting will be available for public inspection thirty days after the meeting at the Panel office.

Dated: June 24, 1974.

JACK O. HORTON,
Assistant Secretary of the Interior.

[FR Doc.74–14933 Filed 6–28–74;8:45 am]

Geological Survey

PROPOSED OCS ORDERS

Extension of Time for Comments

The Geological Survey hereby extends the time to submit written comments, suggestions and objections on four proposed OCS Orders to August 1, 1974.

The following are the four proposed OCS Orders in question:

	Location
OCS Order No. 2, 39 FR 19511, June 3, 1974	Gulf Coast
OCS Order No. 8, 39 FR 19513, June 3, 1974	Gulf Coast
OCS Order No. 9, 39 FR 19786, June 4, 1974	Gulf Coast
OCS Order No. 12, 39 FR 19524, June 3, 1974	Pacific Coast

Interested persons may submit written comments concerning the proposed Orders to the Director, U.S. Geological Survey, National Center, Mail Stop 101, 12201 Sunrise Valley Drive, Reston, Virginia 22092.

W. A. RADLINSKI,
Acting Director.

[FR Doc.74–14975 Filed 6–28–74;8:45 am]

National Park Service

AMISTAD RECREATION AREA

Intention To Issue Concession Permits

Pursuant to the provisions of section 5, of the Act of October 9, 1965 (79 Stat. 969; (16 U.S.C. 20)), public notice is hereby given that on September 1, 1974, the Department of the Interior, through the Superintendent, Amistad Recreation Area, proposes to issue concession permits in the name of Leon Gay, Del Rio, Texas; in the name of Jack Harrington, Del Rio, Texas; in the name of Sammy Lane, Del Rio, Texas; and Eddie Marberry, Del Rio, Texas; authorizing them to provide fishing guide service for the public at Amistad Recreation Area for the period September 1, 1974 through August 31, 1977.

The foregoing concessioners have performed their obligations under existing permits to the satisfaction of the National Park Service, and therefore, pursuant to the Act cited above, are entitled to be given preference in the issuance of new permits. However, under the Act cited above, the National Park Service is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted on or before August 31, 1974.

Interested parties should contact the Superintendent, Amistad Recreation Area, Post Office Box 1463, Del Rio, Texas 78840, for information as to the requirements of the proposed permits.

Dated: May 7, 1974.

COLEMAN C. NEWMAN,
Superintendent,
Amistad Recreation Area.

[FR Doc.74–14981 Filed 6–28–74;8:45 am]

SLEEPING BEAR DUNES NATIONAL LAKESHORE ADVISORY COMMISSION

Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Sleeping Bear Dunes National Lakeshore Advisory Commission will be held between 1 p.m. and 5 p.m. e.d.t. on Friday, July 19, 1974, at the Reception Center, Leelanau Homestead, near Glen Arbor, Michigan.

The Commission was established by Pub. L. 91–479 to meet and consult with the Secretary of the Interior on general policies and specific matters related to the administration and development of the Sleeping Bear Dunes National Lakeshore.

The members are as follows:

Mr. John B. Daugherty (Chairman)
Mr. William B. Bolton
Mr. Verrol Conklin
Mr. Carl T. Johnson
Mr. Frank C. MacFarlane
Mr. John Stanz
Mr. Noble D. Travis
Mr. Louis Twardzik
Mrs. Charles R. Williams
Mr. Charles H. Yeates

The matters to be discussed at this meeting include:

1. Advisory Commission committee reports.
2. Status of land acquisition for Sleeping Bear Dunes National Lakeshore.
3. Review and discussion of the Wilderness Study and Environmental Impact Statement for areas identified as having wilderness potential in Sleeping Bear Dunes National Lakeshore.
4. Report of the Advisory Commission reactor panel relative to the April 26, 1974 planning conference.

5. Management report on Sleeping Bear Dunes National Lakeshore planning and operational activities.

6. Report on status of transfer of State-owned lands within the authorized boundaries of Sleeping Bear Dunes National Lakeshore to the National Park Service.

The meeting will be open to the public. However, space for accommodating members of the public is limited, and those wishing to attend will be accommodated on a first-come, first-served basis. Leelanau Homestead may be reached by driving 2 miles north of Glen Arbor on M22, turning left and following Homestead signs.

Any member of the public may file with the Commission a written statement concerning the matters to be discussed. Persons wishing further information concerning the meeting, or who wish to submit written statements, may contact J. A. Martinek, Superintendent, Sleeping Bear Dunes National Lakeshore, Frankfort, Michigan, at Area Code 616, 352-9611. Minutes of the meeting will be available for public inspection two weeks after the meeting in the office of the Superintendent, 400½ Main Street, Frankfort, Michigan.

Dated: June 20, 1974.

ROBERT L. GILES,
Acting Regional Director, Midwest Region, National Park Service.

[FR Doc.74-14979 Filed 6-28-74;8:45 am]

YELLOWSTONE NATIONAL PARK

Notice of Intention To Issue Concession Permits

Pursuant to the provisions of section 5, of the Act of October 9, 1965 (79 Stat. 969; (16 U.S.C. 20)), public notice is hereby given that the Department of the Interior, through the Superintendent, Yellowstone National Park, proposes to issue concession use permits in the name of A. W. Angell, St. Anthony, Idaho, in the name of Denny Becker, Jackson Hole, Wyoming; in the name of Vic Benson, Jr., Gallatin Gateway, Montana; in the name of Louise M. Bertschy, Jackson Hole, Wyoming; in the name of Vern Bressler, Jackson Hole, Wyoming; in the name of George N. Clover, Jackson Hole, Wyoming; in the name of Jim Danskin, West Yellowstone, Montana; in the name of Jack Dennis, Jackson Hole, Wyoming; in the name of Jerome C. Deveraux, Kelly, Wyoming; in the name of Glenn Fales, Cody, Wyoming; in the name of L. D. Frome, Afton, Wyoming; in the name of Will Godfrey, Island Park, Idaho; in the name of James G. Goodrich, Gallatin Gateway, Montana; in the name of Bob Hart, Livingston, Montana; in the name of P. Blaine Hawkes, St. Anthony, Idaho; in the name of Todd Horn, West Yellowstone, Montana; in the name of Ron Hymas, Bozeman, Montana; in the name of Robert Jacklin, West Yellowstone, Montana; in the name of Howard Kelsey, Gallatin Gateway, Montana; in the name of Walter M. Korn, Moran, Wyoming; in the name of Rod Lewis, Alpine, Wyoming; in the name of Henry Loble, Helena, Montana; in the name of Charles N. Monk, Lovell, Wyoming; in the name of Wells Morris, Jr., West Yellowstone, Montana; in the name of Duane Neal, Cooke City, Montana; in the name of John Nix, Jackson Hole, Wyoming; in the name of Richard C. Parks, Gardiner, Montana; in the name of Keith Rush, Butte, Montana; in the name of Bill Sommers, Cooke City, Montana; in the name of Kenn L. Sturzenegger, Salt Lake City, Utah; in the name of Richard Teer, West Yellowstone, Montana; in the name of Van Tribble, Jackson Hole, Wyoming; in the name of Lloyd W. Wortman, Ennis, Montana. All permits issued to the aforementioned permittees shall be for a period not to exceed one year.

The foregoing permittees have performed their obligations under existing permits to the satisfaction of the National Park Service, and are, therefore, entitled to be given consideration for issuance of new permits. However, under the Act cited above, the National Park Service is required to consider and evaluate all proposals received as a result of this notice.

Interested parties should contact the Superintendent, Yellowstone National Park, Yellowstone National Park, Wyoming 82190.

JACK K. ANDERSON,
Superintendent.

[FR Doc.74-14982 Filed 6-28-74;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

NEW YORK UNIVERSITY

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00355-34-43780. Applicant: New York University Post-Graduate Medical School, Department of Prosthetics and Orthotics, 317 East 34th Street, New York, New York 10016. Article: Component Elbow for upper limb prosthesis. Manufacturer: Variety Village Electro Limb Production Centre, Canada. Intended use of article: The article is intended to be used for comparison of currently available conventional elbows, to ascertain the best prosthetic device for the child amputee.

Comments: No comments have been received with repect 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 does not require body power to flex the prosthesis. The Department of Health, Education, and Welfare (HEW) advised in its memorandum dated June 6, 1974 that the capability described above is pertinent to the applicant's use in research to determine the suitability of an electric elbow for aiding the child amputee and to compare function of this design with other designs. HEW also advised that it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended use.

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.74-14931 Filed 6-28-74;8:45 am]

PURDUE UNIVERSITY

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 73-00302-01-77040. Applicant: Purdue University, Lafayette, IN 47907. Article: MS-9 magnet fitted with low voltage coils, magnet trolley, electrostatic analyzer, lower inner frame, with runner for the magnet trolley, three-part assembly, with isolation valve, stilts, and heater, MS-9 insertion lock with direct insertion probe, a length of bent analyzer tubing, assorted flanges and bolts, and source supply chassis including a d.c. converter, high voltage cable, and isolation transformer. Manufacturer: AEI Scientific Apparatus Ltd., United Kingdom. Intended use of article: The article is intended to be used in the construction of an Ion Kinetic Energy Spectrometer (KES) which is to be used in research for a better understanding of the energetics and kinetics of gas phase ionic reactions.

Comments: No comments have been received with respect to this application.

Decision: Application denied. An instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufac-

tured in the United States. A letter (postmarked February 20, 1973 from Nuclide Corporation (Nuclide)) is being treated as an offer to provide additional information under § 701.10(a) of the regulations (15 CFR 701).

Reasons: This application is a resubmission of Docket Number 71–00381–01–77040 which was denied without prejudice to resubmission for information deficiencies on September 14, 1972. In reply to Question 8 the applicant alleges a guaranteed mass resolution in excess of 100,000 provided by the article is pertinent to the intended purposes. The National Bureau of Standards (NBS) advises in its memorandum of March 20, 1974, that the requirement for maximum resolution was first introduced in this submission and was not supported by any of the intended purposes identified in the earlier application. Section 701.8 of the regulations specifies that a resubmission must cover "the same article for the same intended purposes to which the denied application relates." Thus, we do not consider a guaranteed mass resolution in excess of 100,000 as a pertinent specification for the purposes of this application. Moreover, NBS advises that "at the time of order Nuclide Corporation could supply items equivalent or superior to the foreign articles with respect to achieving the high resolution the applicant now identifies as a goal." Accordingly, NBS advises "that at the time of order articles were available from Nuclide scientifically equivalent to the foreign articles for the applicant's intended use."

For these reasons, we find that the domestic Nuclide mass spectrometer components are of equivalent scientific value to the foreign article for such purposes as the article is intended to be used.

(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.74–14930 Filed 6–28–74;8:45 am]

V.A. HOSPITAL, MADISON, WIS.

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: 74–00363–33–43780. Applicant: Veterans Administration Hospital, 2500 Overlook Terrace, Madison, Wisconsin 53705. Article: Cystoscopic Instruments. Manufacturer: Richard Wolf Medical Instruments, West Germany. Intended use of article: The article is intended to be used in the teaching of residents in urology during their rotation through the Veterans Administration Hospital residency program. The objective of the teaching is to make the residents familiar with the technique of transurethral prostatectomy, a technique which the residents slowly learn over a period of three years under very careful supervision.

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 Department of Health, Education, and Welfare (HEW) advised in its memorandum dated June 7, 1974 that the size of the visual field, improved clarity, and continuity of the image provided by the article are pertinent to the purposes for which the article is intended to be used. HEW also advised that it knows of no domestic instruments which provide the pertinent characteristics.

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.74–14932 Filed 6–28–74;8:45 am]

Maritime Administration

[Docket No. S–419]

LYKES BROS. STEAMSHIP CO., LTD.

Notice of Application

Notice is hereby given that Lykes Bros. Steamship Co., Inc., has applied for "an amendment to the service description of its subsidized Trade Route No. 21 service, so as to include the privilege of calling with breakbulk vessels between U.S. North and South Atlantic ports, on the one hand; and on the other hand, ports in Denmark, Norway, Sweden, Finland, and the South Coast of the Baltic Sea, including the Gulf of Finland."

Any person, firm, or corporation having any interest in such application and desiring a hearing on issues pertinent to section 605(c) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1175), should, by close of business on July 15, 1974, notify the Secretary, Maritime Subsidy Board, in writing, in triplicate, and file petition for leave to intervene in accordance with the rules of practice and procedure of the Maritime Subsidy Board.

In the event a section 605(c) hearing is ordered to be held, the purpose thereof will be to receive evidence relevant to (1) whether the application is one with respect to a vessel to be operated in an essential service, served by citizens of the United States which would be in addition to the existing service, or services, and if so, whether the service already provided by vessels of United States registry in such essential service is inadequate, and (2) whether in the accomplishment of the purposes and policy of the Act additional vessels should be operated thereon.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Maritime Subsidy Board determines that the petitions for leave to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board will take such action as may be deemed appropriate.

(Catalog of Federal Domestic Assistance Program No. 11.504 Operating-Differential Subsidies (ODS))

Dated: June 26, 1974.

By order of the Maritime Subsidy Board/Maritime Administration.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.74–15025 Filed 6–28–74;8:45 am]

Office of the Secretary

COMMERCE TECHNICAL ADVISORY BOARD

Notice of Meeting

A meeting of the Department of Commerce Technical Advisory Board will be held on Wednesday, July 17, 1974 from 9:30 a.m. to 5:00 p.m., and Thursday, July 18, 1974 from 9 a.m. to 12 Noon in Conference Room 1107, Radio Building, Boulder, Colorado.

The Board was established to study and evaluate the technical activities of the Department of Commerce and recommend measures to increase their value to the business community. Tentative agenda items include:

1. Overview of the Boulder Laboratories: National Bureau of Standards; Office of Telecommunications; National Oceanic and Atmospheric Administration.
2. Cost-Benefit Approach to Pollution Control.
3. Progress Reports on Potential Panel Studies.
4. Progress Report of Panel on Project Independence Blueprint.

A limited number of seats will be available to the press and to the public. The public will be permitted to file written statements or inquiries with the Chairman before or after the meeting.

Persons desiring to obtain further information concerning the Board should contact Mrs. Florence S. Feinberg, Room 3877, U.S. Department of Commerce, 14th

and Constitution Avenue, NW., Washington, D.C. 20230; telephone (202) 967–5065.

BETSY ANCKER-JOHNSON,
Assistant Secretary for Science and Technology.

JUNE 25, 1974.

[FR Doc.74–14983 Filed 6–28–74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Assistant Secretary for Health

AGREEMENT DESIGNATING PROFESSIONAL STANDARDS REVIEW ORGANIZATION FOR THE STATE OF UTAH

Notice to Physicians

On May 7, 1974 Secretary of Health, Education, and Welfare published in the FEDERAL REGISTER a notice in which he announced his intention to enter into an agreement with the Utah Professional Standards Review Organization designating it as the Professional Standards Review Organization for the State of Utah, which area is designated a Professional Standards Review Organization Area in 42 CFR 101.49.

Such notice was also published in three consecutive issues of The Salt Lake Tribune and The Desert News on May 7, 8, 9, 1974. In addition, copies of the notice were mailed to organizations of practicing doctors of medicine and osteopathy, including the appropriate State and county medical and specialty societies, and hospitals and other health care facilities in the area, with a request that each such society or facility inform those doctors in its membership or in its staff who are engaged in active practice in the State of Utah of the contents of the notice.

The notice requested that any licensed doctor of medicine or osteopathy engaged in active practice in the State of Utah who objects to the Secretary entering into an agreement with the Utah Professional Standards Review Organization on the grounds that such organization is not representative of doctors in the State of Utah, mail such objection in writing to the Director, Office of Professional Standards Review, Department of Health, Education, and Welfare, P.O. Box 2111, Rockville, Maryland, 20852, on or before June 6, 1974.

After reviewing the final tabulation of objections from doctors of medicine or osteopathy in the State of Utah, the Secretary has determined, pursuant to 42 CFR 101.5, that not more than 10 per centum of the doctors engaged in the active practice of medicine or osteopathy in the State of Utah have expressed timely objection to entering into an agreement with the Utah Professional Standards Review Organization. Therefore, the Secretary has entered into an agreement with the Utah Professional Standards Review Organization designating it as the Professional Standards Review Organization for the State of Utah.

Dated: June 26, 1974.

HENRY E. SIMMONS,
Deputy Assistant Secretary for Health; Director, Office of Professional Standards Review.

[FR Doc.74–15009 Filed 6–28–74;8 45 am]

POLL OF PHYSICIANS IN PSRO AREA IV OF THE STATE OF CALIFORNIA

Notice to Physicians

On May 23, 1974 the Secretary of Health, Education, and Welfare published in the FEDERAL REGISTER a notice in which he announced his intention to enter into an agreement with the Greater Sacramento Professional Standards Review Organization designating it as the Professional Standards Review Organization for PSRO Area IV located in the State of California, which area is designated a Professional Standards Review Organization Area in 42 CFR 101.7.

Such notice was also published in three consecutive issues of The Sacramento Bee on May 23, 24, 25, 1974. In addition, copies of the notice were mailed to organizations of practicing doctors of medicine or osteopathy, including the appropriate State and county medical and specialty societies, and hospitals and other health care facilities in the area, with a request that each such society or facility inform those doctors in its membership or on its staff who are engaged in active practice in PSRO Area IV of the contents of the notice.

The notice requested that any licensed doctor of medicine or osteopathy engaged in active practice in PSRO Area IV who objects to the Secretary entering into an agreement with the Greater Sacramento Professional Standards Review Organization on the grounds that such organization is not representative of doctors in PSRO Area IV, mail such objection in writing to the Director, Office of Professional Standards Review, Department of Health, Education, and Welfare, P.O. Box 2111, Rockville, Maryland 20852, on or before June 22, 1974.

After reviewing the final tabulation of objections from doctors of medicine or osteopathy in PSRO Area IV, the Secretary has determined, pursuant to 42 CFR 101.105, that more than 10 percentum of the doctors engaged in the active practice of medicine or osteopathy in PSRO Area IV have expressed timely objection to entering into an agreement with the Greater Sacramento Professional Standards Review Organization. Therefore, on July 1, 1974, the Secretary will, in accordance with 42 CFR 101.106, begin to conduct a poll of all doctors of medicine or osteopathy who are engaged in active practice in PSRO Area IV to determine whether the Greater Sacramento Professional Standards Review Organization is representative of such doctors in the area.

Each such doctor will receive a ballot on which he shall indicate whether in his opinion the Greater Sacramento Professional Standards Review Organization is or is not representative of the doctors of medicine or osteopathy engaged in active practice in PSRO Area IV. Any licensed doctor of medicine or osteopathy engaged in active practice in PSRO Area IV who has not received a ballot by July 6, 1974, may request in writing a ballot from the Secretary of Health, Education, and Welfare, P.O. Box 1538, FDR Station, New York, New York 10022. Only those ballots postmarked no later than July 31, 1974 and returned in the stamped self-addressed envelope provided to each individual doctor will be considered valid.

Dated: June 26, 1974.

HENRY E. SIMMONS,
Deputy Assistant Secretary for Health; Director, Office of Professional Standards Review.

[FR Doc.74–15007 Filed 6–28–74;8:45 am]

POLL OF PHYSICIANS IN THE STATE OF NEW MEXICO

Notice to Physicians

On May 23, 1974 the Secretary of Health, Education, and Welfare published in the FEDERAL REGISTER a notice in which he announced his intention to enter into an agreement with the New Mexico Professional Standards Review Organization designating it as the Professional Standards Review Organization for the State of New Mexico, which area is designated a Professional Standards Review Organization Area in 42 CFR 101.35.

Such notice was also published in three consecutive issues of The Albuquerque Journal on May 29, 30, 31, 1974. In addition, copies of the notice were mailed to organizations of practicing doctors of medicine or osteopathy, including the appropriate State and county medical and specialty societies, and hospitals and other health care facilities in the area, with a request that each such society or facility inform those doctors in its membership or on its staff who are engaged in active practice in New Mexico of the contents of the notice.

The notice requested that any licensed doctor of medicine or osteopathy engaged in active practice in New Mexico who objects to the Secretary entering into an agreement with the New Mexico Professional Standards Review Organization on the grounds that such organization is not representative of doctors in New Mexico, mail such objection in writing to the Director, Office of Professional Standards Review, Department of Health, Education, and Welfare, P.O. Box 2111, Rockville, Maryland, 20852, on or before June 22, 1974.

After reviewing the final tabulation of objections from doctors of medicine or osteopathy in New Mexico, the Secretary has determined, pursuant to 42 CFR 101.105, that more than 10 percentum of the doctors engaged in the active practice of medicine or osteopathy in New Mexico have expressed timely objection to entering into an agreement with the New Mexico Professional Standards Review Organization. Therefore, on July 1, 1974, the Secretary will, in accordance with 42 CFR 101.106, begin to conduct a poll of all doctors of medicine or osteopathy who are engaged in active practice in New Mexico to determine whether the New Mexico Professional Standards Review Organization is representative of such doctors in the area.

Each such doctor will receive a ballot on which he shall indicate whether in his opinion the New Mexico PSRO is or is not representative of the doctors of medicine or osteopathy engaged in active practice in New Mexico. Any licensed doctor of medicine or osteopathy engaged in active practice in New Mexico who has not received a ballot by July 6, 1974, may request in writing a ballot from the Secretary of Health, Education, and Welfare, P.O. Box 1588, FDR Station, New York, New York 10022. Only those ballots postmarked no later than July 31, 1974 and returned in the stamped self addressed envelope provided to each individual doctor will be considered valid.

Dated: June 26, 1974.

HENRY E. SIMMONS,
Deputy Assistant Secretary for Health, Director, Office of Professional Standards Review.

[FR Doc.74-15008 Filed 6-28-74;8:45 am]

Alcohol, Drug Abuse, and Mental Health Administration

URBAN AND RURAL POVERTY AREAS

Designation for Community Mental Health Centers

Pursuant to sections 220(b)(2), 224(b), 241(b), 242(b)(2), 243(d), 251(b), 251(c), 256(b)(2)(B), 271(b)(3), 401(h)(3), and 410 of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, as amended, and 42 CFR, Part 54, Subpart B of the implementing regulations, the Secretary of Health, Education, and Welfare has designated the following community mental health center catchment areas as urban and rural poverty areas eligible for higher levels of Federal funding for mental health, alcohol abuse, and drug abuse staffing grants and construction grants under the Community Mental Health Centers Act. These designations are based on the primary method set forth in regulations. They supersede prior designations and are therefore the only catchment areas eligible for poverty rate funding under the primary method for new grants made under the Community Mental Health Centers Act. As set forth in regulations, an applicant for a grant who wishes to serve a catchment area not designated as a poverty area under the primary method may apply to the Secretary to have such area designated as a poverty area under the secondary method and the Secretary, if he determines that an applicant for a grant under any program authorized by the Community Mental Health Centers Act contains the necessary supportive information to qualify under § 54.103 of the regulations, may designate such area as an additional poverty area.

Dated: June 3, 1974.

ROGER O. EGEBERG,
Interim Administrator, Alcohol, Drug Abuse, and Mental Health Administration.

REGION IV.—*Alabama*

Catchment areas	25
Primary method	10

Rank	Areas	Counties
1	M-10	Choctaw, Greene, Hale, Marengo, Sumter.
2	M-13	Dallas, Perry, Wilcox.
3	M-17	Clarke, Conecuh, Escambia, Monroe.
4	M-19	Barbour, Geneva, Henry, Houston.
5	M-18	Butler, Coffee, Covington, Crenshaw.
6	M-16C	Baldwin, Mobile (part).
7	M-4	Fayette, Lamar, Marion, Walker, Winston.
8	M-9	Clay, Randolph, Talladega.
9	M-8	Bibb, Pickens, Tuscaloosa.
10	M-11	Autauga, Chilton, Coosa, Elmore, Shelby.

REGION X.—*Alaska*

Catchment areas	7
Primary method	1

Rank	Areas	Counties
1	Bethel No. 5	

REGION IX.—*Arizona*

Catchment areas	14
Primary method	4

Rank	Areas	Counties
1	Ambos Nogales	Santa Cruz.
2	Northern Arizona	
3	Phoenix South	
4	Gila-Pinal	

REGION VI.—*Arkansas*

Catchment areas	14
Primary method	6

Rank	Areas	Counties
1	9—Helena	Crittenden, Cross, Lee, Monroe, Phillips, St. Francis, Woodruff.
2	2—Mountain Home	Baxter, Boone, Fulton, Marion, Newton, Searcy.
3	14—Monticello	Ashley, Bradley, Chicot, Desha, Drew.
4	3—Batesville	Cleburne, Independence, Izard, Jackson, Lawrence, Randolph, Sharp, Stone, White.
5	4—Jonesboro	Clay, Craighead, Greene, Mississippi, Poinsett.
6.5	6—Russellville	Conway, Faulkner, Johnson, Perry, Pope, Van Buren, Yell.
6.5	11—Pine Bluff	Arkansas, Cleveland, Grant, Jefferson, Lincoln.

REGION IX.—*California*

Catchment areas	151
Primary method	25

Rank	Areas	Counties
1	97—Avalon	Los Angeles.
2	110—Green Meadows	Do.
3	98—Boyle Heights	Do.
4	94—South Vermont	Do.
5	59—Coalings	Fresno.
6	95—Central	Los Angeles.
7	92—Exposition	Do.
8	61—Porterville	Tulare.
9	114—Compton	Los Angeles.
10	53—South Stockton	San Joaquin.
11	60—Visalia	Kings/Tulare.
12	121—Long Beach	Los Angeles.
13	56—Mariposa and Merced	Mariposa and Merced.
14	147—National City	San Diego.
15	54—Tulrock	Stanislaus.
16	58—Fresno	Fresno.
17	146—Central San Diego	San Diego.
18	64—East Kern	Kern.
19	20—East Oakland	Alameda.
20	100—East Los Angeles	Los Angeles.
21	125—San Bernardino	San Bernardino.
22	40—Bayview-Hunters Point	San Francisco.
23	5—Ukiah	Lake, Mendocino.
24	138—Palm Springs	Riverside.
25	26—San Jose	Santa Clara.

REGION VIII.—*Colorado*

Catchment areas 15
Primary method 5

Rank	Areas	Counties
1	6	Alamosa, Conejes, Costilla, Mineral, Rio Grande, Saquache.
2	9	Baca, Bent, Crowley, Kiowa, Otero, Prowers.
3	1–A	Delta, Gunnison, Hinsdale, Montrose, Ouray, San Miguel.
4	2	Archuleta, Dolores, La Plata, Montezuma, San Juan.
5	7	Logan, Morgan, Phillips, Sedgwick, Washington, Yuma.

REGION I.—*Connecticut*

Catchment areas 22
Primary method 3

Rank	Areas	Counties
1	11—Southeast	
2	6—South Central	
3	17—Capitol	

REGION III.—*Delaware*

Catchment area 4
Primary method 1

Rank	Areas	Counties
1	IV	Sussex.

REGION III.—*District of Columbia*

Catchment areas 4
Primary method 1

Rank	Area	Counties
1	C	Census tracts.

REGION IV.—*Florida*

Catchment areas 43
Primary method 13

Rank	Areas	Counties
1	Panama City Service District	Bay, Calhoun, Gulf, Holmes, Jackson, Washington.
2	Dade Service District No. 4	Dade (part).
3	Tallahassee Service District	Gadsden, Franklin, Jefferson, Leon, Madison, Taylor, Wakulla.
4	St. Augustine Service District	Flagler, Putnam, St. Johns.
5	Ocala Service District	Citrus, Marion.
6	Gainesville Service District	Alachua, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Lafayette, Levy, Suwannee, Union.
7	Eustis Service District	Lake, Sumter.
8	Fort Pierce Service District	Indian River, Martin, Okeechobee, St. Lucie.
9	South Tampa Service District	Hillsborough (part).
10	Lakeland Service District	Polk (part), Hardee.
11	Winterhaven Service District	Polk (part), Highlands.
12	West Orlando Service District	Orange (part).
13	Escambia Service District	Escambia.

REGION IV.—*Georgia*

Catchment areas 34
Primary method 12

Rank	Areas	Counties
1	24—Waynesboro	Burke, Emanuel, Galscock, Jefferson, Jenkins, Screven.
2	26—Americus	Crisp, Dooly, Macon, Marion, Schley, Sumter, Taylor, Webster.
3	9—South Central Fulton	Census tract 44, 45, 46, 47, 48, 49, 50, 52, 53, 55.01, 55.02, 56, 57, 58, 63, 64, 67, 68, 69, 71.
4	27—Dublin	Bleckley, Dodge, Laurens, Montgomery, Pulaski, Telfair, Treutlen, Wheeler, Wilcox.
5	29—Thomasville	Colquitt, Decatur, Grady, Mitchell, Seminole, Thomas.
6	21—Milledgeville	Baldwin, Hancock, Jasper, Johnson, Putnam, Washington, Wilkinson.
7	32—Statesboro	Appling, Bulloch, Candler, Evans, Jeff Davis, Tattnall, Toombs, Wayne.
8	31—Waycross	Atkinson, Bacon, Brantley, Charlton, Clinch, Coffee, Pierce, Ware.
9	30—Valdosta	Ben Hill, Berrien, Brooks, Cook, Echols, Irwin, Lanier, Lowndes, Tift, Turner.
10	28—Albany	Baker, Calhoun, Dougherty, Early, Lee, Miller, Terrell, Worth.
11	8—Central Fulton	Census tract 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 39, 40, 41, 42, 43, 59, 92.
12	18—LaGrange, Carrollton	Carroll, Coweta, Heard, Meriwether, Troup.

REGION IX.—*Hawaii*

Catchment areas	8
Primary method	2

Rank	Areas	Counties
1	Kalihi-Palama	Oahu (part).
2	Leeward	Do.

REGION X.—*Idaho*

Catchment areas	7
Primary method	2

Rank	Areas	Counties
1	Region III	Caldwell.
2	Region V	Twin Falls.

REGION V.—*Illinois*

Catchment areas	82
Primary method	14

Rank	Areas	Counties
1	36811—Greater Grand Boulevard, Chicago.	Chicago Community Areas 37, 38, 40.
2	36511—Near South Chicago	Community/areas 33, 34, 35, 36.
3	36204—Near West Chicago	Community area 28 (part).
4	36309—Lawndale, Chicago	Community area 29.
5	36104—Garfield Park, Chicago	Community areas 26, 27.
6	80400—Cairo	Union, Pope, Hardin, Johnson, Alexander, Pulaski, Massac.
7	70403 East St. Louis	Townships (5) of St. Clair County.
8	35904 West Town, Chicago	Community area 24.
9	36911 Woodlawn, Chicago	Community areas 39, 41, 42.
10	37010 Englewood, Chicago	Community areas 67, 68.
11	80300 Harrisburg	Saline, Gallatin, Hamilton, White, Wayne, Edwards, Wabash.
12	36415—Lower West, Chicago	Community areas 30, 31, South Part of 28.
13	80200—Marion	Williamson, Jackson, Perry, Franklin, Jefferson.
14	36003—Near North Chicago	Community areas 7, 8, 32.

REGION V.—*Indiana*

Catchment areas	32
Primary method	8

Rank	Areas	Counties
1	Jasper-Huntingburg Center	DuBois, Crawford, Pike, Perry, Spencer, Orange.
2	Vincennes Center	Knox, Daviess, Martin.
3	Lake County Gary Center	Metropolitan Gary.
4	Marion County General	63 center township census tracts (portion of Marion).
5	Lawrenceburg-Aurora Center	Franklin, Ripley, Dearborn, Ohio, Switzerland.
6	Terre Haute Center	Vigo, Vermillion, Parke, Sullivan, Greene, Clay.
7	Southwestern Center	Vanderburgh, Warrick, Posey, Gibson.
8	Jeffersonville (Southeastern) Center	Clark, Scott, Jefferson, Floyd, Harrison, Washington.

REGION VII.—*Iowa*

Catchment areas	23
Primary method	6

Rank	Areas	Counties
1	14	Adair, Adams, Clarke, Decatur, Ringgold, Taylor, Union.
2	1	Allamakee, Clayton, Howard, Winneshick.
3	15	Appanoose, Davis, Jefferson, Keokuk, Lucos, Mauhaska, Monroe, Van Buren, Wapello, Wayne.
4	7A	Bremer, Butler, Chickasaw, Fayette.
5	12	Audubon, Carroll, Crawford, Greene, Guthrie, Sac.
6	3	Buena Vista, Clay, Dickinson, Emmet, O,Brien, Osceola, Palo Alto.

REGION VII.—*Kansas*

Catchment areas	16
Primary method	4

Rank	Areas	Counties
1	7	Allen, Bourbon, Chautauqua, Cherokee, Crawford, Elk, Labette, Montgomery, Neosho, Wilson, Woodson.
2	6A	Atchison, Brown, Doniphan, Jackson, Jefferson, Leavenworth, Nemaha.
3	1	Cheyenne, Decatur, Ellis, Gove, Graham, Logan, Ness, Norton, Osborne, Phillips, Rawlins, Rooks, Rush, Russell, Sheridan, Sherman, Smith, Thomas, Trego, Wallace.
4	3A	Cloud, Dickinson, Ellsworth, Jewell, Lincoln, Mitchell, Ottawa, Republic, Saline, Washington.

REGION IV.—*Kentucky*

Catchment areas 22
Primary method 9

Rank	Areas	Counties
1	120—Hazard	Breathitt, Knott, Lee, Leslie, Letcher, Perry, Owsley, Wolfe.
2	131—Corbin	Clay, Jackson, Knox, Laurel, Rockcastle, Whitley.
3	132—Harlan	Bell, Harlan.
4	110—Prestonsberg	Floyd, Johnston, Magoffin, Martin, Pike.
5	140—Somerset	Adair, Casey, Clinton, Cumberland, Green, McCreary, Pulaski, Russell, Taylor, Wayne.
6	090—Morehead	Bath, Menifee, Montgomery, Morgan, Rowan.
7	040—Glasgow	Allen, Barren, Butler, Edmonson, Hart, Logan, Metcalfe, Monroe, Simpson, Warren.
8.5	080—Maysville	Bracken, Fleming, Lewis, Mason, Robertson.
8.5	061—West Central	Jefferson (part).

REGION VI.—*Louisiana*

Catchment areas 33
Primary method 12

Rank	Areas	Counties
1	8	West Carroll, East Carroll, Madison, Tensas.
2	15	Evangeline, St. Landry.
3	7	Richland, Caldwell, Franklin.
4	31	Orleans, census tracts, 17.01, 17.02, 25.01, 25.02, 25.03, 25.04, 33.01, 33.02, 33.04, 33.05, 33.06, 33.07, 33.08, 37.01, 37.02, 46, 55, 56.01, 56.02, 56.03, 56.04, 76.01, 133.01, 133.02.
5	9	Red River, Winn, Natchitoches, Sabine.
6	29	Orleans, census tracts 41, 45, 48–50, 54, 58–60, 63–65, 67–69, 71, 80, 85–86, 93–94.
7	23	St. Helena, Tangipahoa, Livingston.
8	11	Concordia, Grant, La Salle, Catahoula, Avoyelles, Rapides, (wards 9–11).
9	6	Jackson, Lincoln, Union.
10	4	Webster, Claiborne, Bienville.
11	32	Orleans, census tracts, 1–4, 6.01, 6.02, 6.03, 6.04, 6.05, 26–28, 34–36, 38–40, 42–44, 47, 57, 77–79, 84, 91–92.
12	13	Vermilion, Jefferson Davis, Acadia.

REGION I.—*Maine*

Catchment areas 8
Primary method 3

Rank	Areas	Counties
1	I—Aroostook	Aroostook.
2	II—Eastern Maine	Piscataquis, Penobscot, Washington, Hancock.
3	VIII—Pen-Bay	Waldo, Knox.

REGION III.—*Maryland*

Catchment areas 30
Primary method 6

Rank	Areas	Counties
1	Baltimore City V	Johns Hopkins Hospital.
2	Baltimore City II	Provident Hospital.
3	Eastern Shore II	Dorchester, Wicomico, Worcester, Somerset.
4	Baltimore City I	Inner City.
5	Eastern Shore I	Kent, QA, Talbot, Caroline.
6	Western Maryland I	Garrett, Allegany.

REGION I.—*Massachusetts*

Catchment areas 39
Primary method 7

Rank	Areas	Counties
1	Boston University	
2	Tufts MH Center	
3	New Bedford	
4	Fall River	
5	Harbor	
6	Cape Cod and islands	
7	Massachusetts MH Center	

REGION V.—*Michigan*

Catchment areas	58
Primary method	15

Rank	Areas	Counties
1	43—Model Cities	Wayne (part).
2	49—Central Detroit	Do.
3	44—Eastside Detroit	Do.
4	1—Houghton	Baraga, Houghton, Keweenaw, Ontonagon.
5	2—Ironwood (Michigan only)	Gogebic.
6	10—Mount Pleasant	Clare, Isabella, Mecosta, Osceola.
7	3—Menominee (Michigan only)	Iron, Dickinson, Menominee.
8	9—Ludington	Lake, Mason, Newaygo, Oceana.
9	19—Caro	Huron, Tuscola, Sanilac.
10	8—Alpena	Presque Is., Alpena, Alcona, Iosco, Montmorency, Oscoda, Ogemaw.
11	5—Newberry	Schoolcraft, Luce, Mackinac, Chippewa.
12	17—Alma	Gratiot, Montcalm, Ionia.
13	6-7—Traverse City, Petoskey	Antrim, Kalkaska, Gr. Traverse, Manistee, Benzie, Leelanau, Wexford, Missaukee, Crawford, Roscommon, Emmet, Cheboygan, Otsego, Charlevoix.
14	29—Port Huron	St. Clair.
15	42—SW Detroit	Wayne (part).

REGION V.—*Minnesota*

Catchment areas	34
Primary method	10

Rank	Areas	Counties
1	Upper Mississippi	Beltrami, Cass, Clearwater, Hubbard, Lake of the Woods, Roseau.
2	Northern Pines	Crow Wing, Morrison, Todd, Wadena.
3	Northwestern	Kittson, Mahnomen, Marshall, Norman, Pennington, Polk, Red Lake.
4	Western	Lincoln, Lyon, Murray, Redwood, Yellow Medicine.
5	Lakeland	Becker, Clay, Douglas, Grant, Otter Tail, Pope, Stevens, Traverse, Wilkin.
6	West Central	Big Stone, Chippewa, Kandiyohi, Lac Qui Parle, McLeod, Meeker, Renville, Swift.
7	Northland	Aitkin, Itasca, Koochiching.
8	Southwestern	Cottonwood, Jackson, Nobles, Pipestone, Rock.
9	Five County	Chisago, Isanti, Kanabec, Mille Lacs, Pine.
10	Central Minnesota	Benton, Sherburne, Stearns, Wright.

REGION IV.—*Mississippi*

Catchment areas	14
Primary method	6

Rank	Areas	Counties
1	1—Clarksdale	Coahoma, Quitman, Tallahatchie, Tunica.
2	6—Greenwood	Attala, Carroll, Grenada, Holmes, Humphreys, Leflore, Montgomery, Sunflower.
3	5—Greenville	Bolivar, Issaquena, Sharkey, Washington.
4	11—Natchez-McComb	Adams, Amite, Claiborne, Franklin, Jefferson, Lawrence, Lincoln, Pike, Walthall, Wilkinson.
5	2—Oxford	Calhoun, De Sota, Lafayette, Marshall, Panola, Tate, Yalobusha.
6	10—Meridian	Clarke, Jasper, Kemper, Lauderdale, Leake, Neshoba, Newton, Scott, Smith.

REGION VII.—*Missouri*

Catchment areas	35
Primary method	10

Rank	Areas	Counties
1	34	Dunklin, New Madrid, Pemiscot.
2	30	Butler, Carter, Oregon, Reynolds, Ripley, Shannon, Wayne.
3	17	St. Louis City (part), census tracts 1076, 1077, 1081, 1082, 1083, 1084, 1085, 1091, 1092, 1093, 1094, 1095, 1101, 1102, 1103, 1104, 1105, 1111, 1112, 1113, 1114, 1115, 1192.
4	31	Mississippi, Scott, Stoddard.
5	33	Camden, Douglas, Howell, Laclede, Ozard, Pulaski, Texas, Wright.
6	2	Jackson (part), census tracts 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 25, 26, 27, 28.01, 28.02, 29, 30, 31, 32, 33, 36, 36.01, 36.02, 37, 38, 39, 40, 41, 42, 43, 44, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56.01, 56.02, 57, 62, 64, 65, 66, 67, 68, 69.
7	35	Barry, Christian, Greene (part), Lawrence, Stone, Taney.
8	8	Bates, Benton, Cedar, Henry, Hickory, St. Clair, Vernon.
9	36	Crawford, Dent, Iron, St. Francois, Washington.
10	16	St. Louis City (part), census tracts 1067, 1076, 1077, 1081, 1082, 1083, 1084, 1085, 1091, 1092, 1093, 1094, 1095, 1101, 1102, 1103, 1104, 1105, 1111, 1112, 1113, 1114, 1115, 1192.

REGION VIII.—*Montana*

Catchment areas 5
Primary method 2

Rank	Areas	Counties
1	Montana Region 5	Phillips, Valley, Daniels, Sheridan, Roosevelt, Richland, Wibaux, Fallon, Carter, Powder River, Custer, Prairie, McCone, Garfield, Rosebud, Dawson.
2	Montana Region 3	Lewis and Clark, Meagher, Gallatin, Madison, Beaverhead, Deer Lodge, Granite, Powell, Townsend, Jefferson, Silver Bow.

REGION VII.—*Nebraska*

Catchment areas 11
Primary method 3

Rank	Areas	Counties
1	5	Antelope, Boone, Boyd, Brown, Burt, Cedar, Cherry, Colfax, Cuming, Dakota, Dixon, Holt, Keya Paha, Knox, Madison, Nance, Pierce, Platte, Rock, Stanton, Thurston, Wayne.
2	1	Banner, Box Butte, Cheyenne, Dawes, Deuel, Garden, Kimball, Morrill, Scotts Bluff, Sheridan, Sioux.
3	3	Blaine, Custer, Garfield, Greeley, Hall, Hamilton, Howard, Loup, Merrick, Sherman, Valley, Wheeler.

REGION IX.—*Nevada*

Catchment areas 4
Primary method 1

Rank	Areas	Counties
1	IV—15 Rural counties	Churchill, Douglas, Elko, Esmeralda, Eureka, Humboldt, Lander, Lincoln, Lyon, Mineral, Nye, Pershing, Storey, White Pine, Carson.

REGION I.—*New Hampshire*

Catchment areas 9
Primary method 2

Rank	Areas	Counties
1	1—White Mountain Region	Carroll, Coos, Grafton.
2	2—West Central Region	Sullivan, Grafton.

REGION II.—*New Jersey*

Catchment areas 49
Primary method 8

Rank	Areas	Counties
1	Service area 4	Essex.
2	Service area 5	Do.
3	Service area 24	Mercer.
4	Service area 15	Atlantic.
5	Service area 40	Hudson
6	Service area 17	Camden.
7	Service area 14	Cape May.
8	Service area 43	Hudson.

REGION VI.—*New Mexico*

Catchment areas 9
Primary method 3

Rank	Areas	Counties
1	III	San Miguel, Union, Mora, Harding, Colfax, Guadalupe.
2	I	San Juan, McKinley.
3	II	Sante Fe, Rio Arriba, Taos, Los Alamos, Torrance.

REGION II.—*New York*

Catchment areas 122
Primary method 18

Rank	Areas	Counties
1	Hunts Point	Bronx.
2	Lincoln A	Do.
3	Brookdale	Kings.
4	Lincoln B	Bronx.
5	Central Park North	New York.
6	Crotona Park	Bronx.
7	Bedford-Stuyvesant	Kings.
8	Cumberland	Do.
9.5	Greenpoint II	Do.
9.5	Harlem	New York.
11	Greenpoint I	Kings.
12	Fordham	Bronx.
13.5	Lower Manhattan	New York.
13.5	Orange County	Orange County.
15	Red Hook-Prospect	Kings.
16	Canarsie-East New York	Do.
17	Metropolitan	New York.
18	Kings County	Kings.

REGION IV.—*North Carolina*

Catchment areas 41
Primary method 15

Rank	Areas	Counties
1	4-10	Bertie, Gates, Hertford, Northampton.
2	4-6	Halifax.
3	3-4	Bladen, Columbus, Robeson, Scotland.
4	4-9	Pitt.
5	4-11	Beaufort, Hyde, Martin, Tyrrell, Washington.
6	2-8	Franklin, Granville, Vance, Warren
7	4-5	Edgecombe, Nash.
8	4-4	Greene, Wilson.
9	3-7	Johnston.
10	4-8	Lenoir.
11	1-3	Alleghany, Ashe, Avery, Watauga, Wilkes.
12	4-3	Wayne.
13	4-2	Duplin, Onslow.
14	1-1	Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain.
15	4-12	Camden, Chowan, Currituck, Dare, Pasquotank, Perquimans.

REGION VIII.—*North Dakota*

Catchment areas 8
Primary method 3

Rank	Areas	Counties
1	Region III	6.
2	Region VIII	8.
3	Region VII	10.

REGION V.—*Ohio*

Catchment areas 79
Primary method 19

Rank	Areas	Counties
1	16—Cuyahoga F	Cuyahoga (part).
2	72—Cincinnati Central	Hamilton (part).
3	34—Gallipolis	Gallia, Jackson, Meigs.
4	63—Dayton Central	Montgomery (part).
5	50—Portsmouth	Adams, Scioto, Lawrence.
6	49—Chillicothe	Fayette, Highland, Pickaway, Pike Ross.
7	77—Georgetown	Brown, Clermont (part).
8	21—Cuyahoga K	Cuyahoga (part).
9	44B—Franklin, North Central	Franklin (part).
10	17—Cuyahoga G	Cuyahoga (part).
11	33—Athens	Athens, Hocking, Vinton, Washington.
12	52—Toledo-Central	Lucas (part).
13	44A—Franklin, East Central	Franklin (part).
14	32—Zanesville	Coshocton, Guernsey, Morgan, Muskingum, Moble, Perry.
15	8—Bellaire-Martins Ferry	Harrison, Monroe, Belmont.
16	15—Cuyahoga E	Cuyahoga (part).
17	31—Tuscarawas Valley	Tuscarawas, Carroll.
18	7—Steubenville	Jefferson.
19	40—Lancaster	Fairfield.

REGION VI.—*Oklahoma*

Catchment areas 15
Primary method 5

Rank	Areas	Counties
1	II—Muskogee	Muskogee, Wagoner, Cherokee, Adair, Sequoyah, McIntosh.
2	III—McAlester	Hughes, Pittsburg, Haskell, Le Flore, Latimer, Coal, Atoka, Pushmataha, McCurtain, Choctaw.
3	IV—Ada-Ardmore	Seminole, Pontotoc, Garvin, Murray, Johnston, Carter, Love, Marshall, Bryan.
4	VI—Clinton	Blaine, Dewey, Custer, Roger Mills, Beckham, Washita, Greer, Kiowa, Hobart.
5	I-A—Tulsa	Rogers, Mayes, Craig, Ottawa, Delaware.

REGION X.—*Oregon*

Catchment areas 16
Primary method 4

Rank	Areas	Counties
1	VIII	Douglas.
2	X	Jackson, Josephine.
3	XIII	Hood River, Wasco, Sherman, Gilliam, Grant, Morrow, Umatilla, Wheeler, Baker, Union, Wallowa, Harney, Malheur.
4	XI	Crook, Deschutes, Jefferson.

REGION III.—*Pennsylvania*

Catchment areas 85
Primary method 21

Rank	Areas	Counties
1	800	Philadelphia.
2	850	Do.
3	261	Fayette.
4	820	Philadelphia.
5	632, 302	Washington, Greene.
6	840	Philadelphia.
7	810	Do.
8	171, 331	Clearfield, Jefferson.
9	860	Philadelphia.
10	161, 611	Clarion, Venago.
11	740	Allegheny.
12	561, 051	Somerset, Bedford.
13	081, 591, 571	Bradford, Tioga, Sullivan.
14	031, 321	Armstrong, Indiana.
15	311, 441, 341	Huntington, Mifflin, Juniata.
16	541	Schuykill.
17	234	Delaware.
18	830	Philadelphia.
19	631	Washington-Greene.
20	201	Crawford.
21	352, 582, 642	Wayne, Lackawanna, Susquehanna.

REGION I.—*Rhode Island*

Catchment areas 8
Primary method 2

Rank	Areas	Counties
1	III—Providence	
2	VIII—Newport	

REGION IV.—*South Carolina*

Catchment areas 15
Primary method 6

Rank	Areas	Counties
1	14	Bamberg, Calhoun, Orangeburg.
2	13	Georgetown, Horry, Williamsburg.
3	12	Chesterfield, Dillon, Marlboro.
4	9	Clarendon, Kershaw, Lee, Sumter.
5	7	Darlington, Florence, Marion.
6	11	Allendale, Beaufort, Colleton, Hampton, Jasper.

REGION VIII.—*South Dakota*

Catchment areas 6
Primary method 2

Rank	Areas	Counties
1	Region V	18.
2	Region III	12.

REGION IV.—*Tennessee*

Catchment areas	30
Primary method	11

Rank		Areas	Counties
1	25		Fayette, Tipton, Lauderdale.
2	24		Hardeman, McNairy, Hardin, Chester, Decatur.
3	29		Shelby (part), census tract 31-52, 54, 58-59, 61-64.
4	9		Macon, Clay, Pickett, Jackson, Overton, Pentress, Putnam, DeKalb, White, Cumberland, Warren, Van Buren, Cannon, Smith.
5	4		Hancock, Hawkins, Greene.
6	5		Claiborne, Union, Grainger, Hamblen, Jefferson, Cocke.
7	23		Haywood, Madison, Henderson.
8	6		Scott, Campbell, Morgan, Roane, Anderson.
9	22		Obion, Lake, Dyer, Crockett, Weakley.
10	20		Perry, Hickman, Lewis, Maury, Marshall, Wayne, Giles, Lawrence.
11	19		Bedford, Coffee, Moore, Lincoln, Franklin.

REGION VI.—*Texas*

Catchment areas	80
Primary method	25

Rank		Areas	Counties
1	13-1		Jim Hogg, Starr, Webb, Zapata.
2	14-1		Hidalgo.
3	14-2		Cameron, Willacy.
4	9-1		Dimmit, Edwards, Kinney, La Salle, Maverick, Real, Uvalde, Val Verde, Zavala.
5	4-3		Brewster, Culberson, Hudspeth, Jeff Davis, Presidio.
6	11-1		Brazos, Burleson, Grimes, Leon, Madison, Robertson, Washington.
7	19-2		Nacogdoches, Sabine, San Augustine, Shelby.
8	10-3		Bosque, Coryell, Falls, Freestone, Hamilton, Hill, Lampasas, Limestone, Milam.
9	20-1		Anderson, Cherokee, Henderson, Panola, Rusk.
10	15-1		Brooks, Duval, Jim Wells, Kenedy, Kleberg.
11	21-1		Cass, Delta, Franklin, Hopkins, Lamar, Morris, Red River, Titus.
12	17-1		Austin, Colorado, Matagorda, Wharton.
13	19-1		Angelina, Hardin, Houston, Jasper, Newton, Polk, San Jacinto, Trinity, Tyler.
14	5-1		Fisher, Haskell, Jones, Kent, Knox, Mitchell, Nolan, Runnels, Scurry, Shackelford, Stephens, Stonewall, Throckmorton.
15	16-1		Calhoun, Dewitt, Goliad, Gonzales, Jackson, Lavaca, Refugio, Victoria.
16	17-13		Harris, census tracts 201, 202, 202.99, 203, 204, 206, 207, 208, 209, 210, 214, 215, 216, 217, 218, 219, 501, 502.
17	15-2		Aransas, Bee, Karnes, Live Oak, McMullen, San Patricio.
18	12-1		Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano.
19	7-1		Archer, Baylor, Childress, Clay, Cottle, Foard, Hardeman, Jack, Montague, Wilbarger, Young.
20	6-1		Coke, Concho, Crockett, Irion, Kimble, Mason, Menard, Reagan, Schleigher, Sterling, Sutton.
21	8-3		Hunt, Kaufman, Rockwell.
22	9-2		Atascosa, Bandera, Comal, Frio, Gillespie, Guadalupe, Kendall, Kerr, Medina, Wilson.
23	4-1		El Paso (south part of city).
24	17-12		Harris, census tracts 126, 205, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 519, 520, 524, 525, 530, 531.
25	5-3		Brown, Callahan, Coleman, Comanche, Eastland, McCulloch, Mills, San Saba.

REGION VIII.—*Utah*

Catchment areas	11
Primary method	3

Rank	Areas	Counties
1	District 8	Carbon, Emery, Grand, San Juan.
2	District 7	Daggett, Duchesne, Uintah.
3	District 5	Millard, Piute, Sanpete, Sevier, Wayne.

REGION I.—*Vermont*

Catchment areas	5
Primary method	2

Rank	Areas	Counties
1	II—Northeast Kingdon	Caledonia, Essex, Orleans.
2	III—Central Vermont	Lamoille, Orange, Washington.

REGION III.—*Virginia*

Catchment areas 37
Primary method 11

Rank	Areas	Counties
1	MH-1—Norton	
2	MH-2—Richlands	
3	MH-13—South Boston	
4	MH-14—Farmville	
5	MH-17 and 18—Warsaw	
6	MH-20—Norfolk	
	B-1—Southern Norfolk City	
7	MH-20—Norfolk, East Suffolk	
8	MH-9—Warrenton	
9	MH-3—Marion	
10	MH-12—Danville, Martinsville	
	A—Danville	
11	MH-15—Richmond	
	A-1—South and East Richmond	

REGION X.—*Washington*

Catchment areas 26
Primary method 6

Rank	Areas	Counties
1	XXI	Ferry, Stevens, Pend Oreille.
2	XX	Kittitas, Yakima.
3	XXIV	Spokane, Metropolitan.
4	XXVI	Whitman, Walla Walla, Columbia, Garfield, Asotin.
5	XII	Pierce (Tacoma comprehensive).
6	VIII	King (Harborview).

REGION III.—*West Virginia*

Catchment areas 14
Primary method 5

Rank	Areas	Counties
1	Community area I—Regions 8-9	Logan-Mingo.
2	Community area II—Region 7	Braxton, Clay, Greenbrier, Nicholas, Webster.
3	Community area I—Region 7	Barbour, Upshur, Pocahontas, Tucker, Randolph.
4	Community area III—Regions 8-9	Fayette, Monroe, Raleigh, Summers.
5	Community area II—Regions 8-9	Mercer, McDowell, Wyoming.

REGION V.—*Wisconsin*

Catchment areas 37
Primary method 9

Rank	Areas	Counties
1	Community area 34	Milwaukee (part).
2	Community area 3	Ashland, Bayfield, Iron, Price, Sawyer, Gogebic (Mich.).
3	Community area 9	Buffalo, Jackson, Trempelean.
4	Community area 2	Barron, Burnett, Polk, Rusk, Washburn.
5	Community area 4	Forest, Oneida, Vilas.
6	Community area 6	Dickinson (Mich.), Florence, Iron (Mich.), Marinette, Menominee (Mich.).
7	Community area 21	Crawford, Grant, Green, Iowa, Lafayette.
8	Community area 11	Menominee, Shawano, Waupaca.
9	Community area 15	Juneau, Richland, Sauk.

REGION VIII.—*Wyoming*

Catchment areas 6
Primary method 2

Rank	Areas	Counties
1	Region III	Freemont.
2	Region I	Big Horn, Hot Springs, Park, Washakie.

REGION IX.—*American Samoa*

Catchment areas 1
Primary method 1

Rank	Areas	Counties
1	American Samoa	

REGION IX.—*Guam*

Catchment areas 1
Primary method 1

Rank	Areas	Counties
1	Guam	

REGION II.—*Puerto Rico*

Catchment areas 38
Primary method 8

Rank	Areas	Counties
1	Utuado	
2	Coamo	
3	Aguadilla	
4	Arecido	
5	Manati	
6	Humacao	
7	Yauco	
8	Guayamo	

REGION IX.—*Trust Territory of the Pacific Islands*

Catchment areas 1
Primary method 1

Rank	Areas	Counties
1	Trust Territory of the Pacific Islands.	

REGION II.—*Virgin Islands*

Catchment areas 1
Primary method 1

Rank	Areas	Counties
1	Virgin Islands	

[FR Doc.74–14562 Filed 6–28–74;8:45 am]

National Institutes of Health

BREAST CANCER EPIDEMIOLOGY COMMITTEE

Notice of Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Breast Cancer Epidemiology Committee, National Cancer Institute, July 25, 1974, National Institutes of Health, Bethesda, Maryland, Building 31, Conference Room 3.

This meeting will be open to the public on July 25, 1974 from 9:30 a.m. to 5 p.m. to discuss project plans and Requests for Proposals for Fiscal Year 1975. Attendance by the public will be limited to space available. The meeting will be closed to the public on July 25, 1974 from 9 a.m. to 9:30 a.m. to review and discuss a contract proposal in the field of epidemiology in accordance with the provisions set forth in section 552(b) 4 of Title 5, U.S. Code and section 10(d) of Pub. L. 92–463.

Mrs. Marjorie Early, Committee Management Officer, NCI, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496–6773) will furnish summaries of the meeting and rosters of committee members.

Dr. Bernice T. Radovich, Executive Secretary, Landow Building, Room B–404, National Institutes of Health, Bethesda, Maryland 20014 will furnish substantive program information.

(Catalog of Federal Assistance Program No. 13.825 National Institutes of Health)

Dated: June 21, 1974.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.74–14986 Filed 6–28–74;8:45 am]

THIRD NATIONAL CANCER SURVEY UTILIZATION ADVISORY COMMITTEE

Notice of Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Third National Cancer Survey Utilization Advisory Committee, National Cancer Institute, August 15–16, 1974, National Institutes of Health, Landow Building, Conference Room C418. This meeting will be open to the public on August 15, 1974, from 9:00 a.m. to 5 p.m., and on August 16, 1974, 9 a.m. until adjournment to discuss the limitation of staff available to analyze data collected in the Third National Cancer Survey, to discuss requests from independent researchers to assist in analysis of data collected in the Survey, and to identify other qualified investigators who could assist in Survey data analysis. Attendance by the public will be limited to space available.

Mrs. Marjorie F. Early, Committee Management Officer, NCI, Building 31, Room 3A–16, NIH, Bethesda, Maryland 20014 (301/496–5708), will furnish summaries of the meeting and roster of committee members.

Dr. John L. Young, Jr., Executive Secretary, Landow Building, Room B506, National Institutes of Health, Bethesda, Maryland 20014 (301/496–5251), will furnish substantive program information.

Dated: June 21, 1974.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.74–14987 Filed 6–28–74;8:45 am]

Office of the Assistant Secretary for Health

PUBLIC HEALTH SERVICE AND NATIONAL HEALTH SERVICE CORPS SCHOLARSHIP PROGRAM

Designation of Health-Related Specialties and Stipend Amount

Section 225 of the Public Health Service Act directs the Secretary of Health, Education, and Welfare to establish a scholarship program to obtain trained physicians, dentists, nurses, and other health-related specialists for the National Health Service Corps and other units of the Public Health Service.

Section 62.6 of the regulations implementing this program (42 CFR Part 62) provides that the Secretary will from time to time designate and publish in the FEDERAL REGISTER those health-related specialties for which the Service has need and for which such scholarship support will be available as well as the amount of the scholarship stipend.

Notice is hereby given that pursuant to 42 CFR 62.6, physicians are designated as health-related specialists for which scholarship support will be available under the Public Health Service and National Health Service Corps Scholarship Program. Further, the stipend amount to be paid physicians will be $6,750 in any one academic year.

Dated: June 14, 1974.

THEODORE COOKER,
Acting Assistant
Secretary for Health.

[FR Doc.74–14985 Filed 6–28–74;8:45 am]

Office of Education

RIGHT TO READ COMMUNITY-BASED PROGRAM

Notice of Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in section 2(a) of the Cooperative Research Act as amended by section 303 of the Education Amendments of 1972 (20 U.S.C. 331a), applications for grants under the Right to Read Program are being accepted for continuation of on-going Community-Based projects which have been, and will continue to be, designed to serve adults and out-of-school youths, sixteen years of age and over.

Contingent upon the availability of funds, applications submitted pursuant to this notice will be evaluated by the Commissioner of Education according to: (1) Criteria set forth in 45 CFR 100a.26(b); (2) the effectiveness of the existing project in meeting its objectives; and (3) the extent to which continuation of the project is indicated in order to avoid losing the potential benefits of prior Federal investments in the project.

Applications for the continuation grants must be received by the U.S. Office of Education Application Control Center on or before August 1, 1974.

A. *Applications sent by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue, SW., Washington, D.C. 20202, Attention: 13.533. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than the fifth calendar day prior to the closing date (or if such fifth calendar day is a Saturday, Sunday, or Federal holiday, not later than the next following business day), as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.)

B. *Hand delivered applications.* An application to be hand delivered must be delivered to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand delivered applications will not be accepted by the Application Control Center after 4 p.m. Washington, D.C. time, on the closing date. (20 U.S.C. 331a; S. Rep. No. 798, 92nd Cong., 2nd Sess. 206 (1972)).

(Catalog of Federal Domestic Assistance Number 13.533; Right to Read—Elimination of Illiteracy)

Dated: June 25, 1974.

T. H. BELL,
U.S. Commissioner of Education.

[FR Doc.74-15138 Filed 6-28-74;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Disaster Assistance Administration

[FDAA-444-DR; Docket No. NFD-216]

ALASKA

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 May 22, 1974, entitled "Disaster Relief Act of 1974" (88 Stat. 143); notice is hereby given that on June 24, 1974, the President declared a major disaster as follows:

I have determined that the damage in certain areas of the State of Alaska, resulting from recurring cold weather and severe freezes in the spawning grounds of the red salmon which have caused economic injuries and dislocations because of the lack of red salmon in the Bristol Bay area, beginning on or about May 6, 1974, is of sufficient severity and magnitude to warrant a major disaster declaration under Pub. L. 93-288. I therefore declare that such a major disaster exists in the State of Alaska. 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, I hereby appoint Mr. William H. Mayer, HUD Region 10, to act as the Federal Coordinating Officer for this declared major disaster.

I do hereby determine the following areas in the State of Alaska to have been adversely affected by this declared major disaster:

Bristol Bay Division.
Bristol Bay Borough Census District.

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance)

Dated: June 24, 1974.

THOMAS P. DUNNE,
Administrator, Federal Disaster Assistance Administration.

[FR Doc.74-14997 Filed 6-28-74;8:45 am]

[FDAA-443-DR; Docket No. NFD-217]

IOWA

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 May 22, 1974, entitled "Disaster Relief Act of 1974" (88 Stat. 143); notice is hereby given that on June 24, 1974, the President declared a major disaster as follows:

I have determined that the damage in certain areas of the State of Iowa resulting from severe storms and flooding beginning about May 13, 1974, is of sufficient severity and magnitude to warrant a major disaster declaration under Pub. L. 93-288. I therefore declare that such a major disaster exists in the State of Iowa. 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, I hereby appoint Mr. Francis X. Tobin, HUD Region 7, to act as the Federal Coordinating Officer for this declared major disaster.

I do hereby determine the following areas in the State of Iowa to have been adversely affected by this declared major disaster:

The Counties of:

Allamakee	Jones
Benton	Keokuk
Butler	Linn
Carroll	Louisa
Cass	Madison
Cedar	Mahaska
Clayton	Marion
Clinton	Marshall
Crawford	Mitchell
Delaware	Monona
Des Moines	Polk
Dubuque	Poweshiek
Greene	Ringgold
Guthrie	Scott
Harrison	Story
Iowa	Tama
Jackson	Van Buren
Jasper	Warren
Johnson	

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance)

Dated: June 24, 1974.

TOMAS P. DUNNE,
Administrator, Federal Disaster Assistance Administration.

[FR Doc.74-14996 Filed 6-28-74;8:45 am]

[FDAA-438-DR; Docket No. NFD-218]

ILLINOIS

Amendment to Notice of Major Disaster

Notice of Major Disaster for the State of Illinois, dated June 10, 1974, is hereby amended. Notice is hereby given that on June 22, 1974, the President amended his declaration of a major disaster of June 10, 1974, for Illinois as follows:

I have determined that the damage in certain areas of the State of Illinois from severe storms and flooding beginning about May 17, 1974, is of sufficient severity and magnitude to warrant a major disaster declaration under Pub. L. 93-288. I therefore declare that such a major disaster exists in the State of Illinois. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

In order to provide Federal assistance, you are hereby authorized to allocate, from funds available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses. You are further authorized to apply the authorities contained in Executive Order 11749 to Pub. L. 93-288 (the Disaster Relief Act of 1974) pending the issuance of a new Executive order implementing Pub. L. 93-288.

Notice of Major Disaster for the State of Illinois, dated June 10, 1974, is further amended to include the following counties among those counties deter-

mined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of June 10, 1974, as amended on June 22, 1974:

The Counties of:

Du Page	Knox
Grundy	Livingston
Henry	Peoria
Kane	Tazewell
Kendall	Will

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance)

Dated: June 25, 1974.

WILLIAM E. CROCKETT,
Acting Administrator, Federal Disaster Assistance Administration.

[FR Doc.74-14969 Filed 6-28-74;8:45 am]

Office of Interstate Land Sales Registration

LOCH ERIN, INC.

[Docket No. N-74-237]

Notice of Proceedings and Opportunity for Hearing

In the matter of Loch Erin, Land Sales Enforcement Division File No. 74-4.

Notice is hereby given that: On January 30, 1974, the Department of Housing and Urban Development, Office of Interstate Land Sales Registration, attempted to serve upon Thomas R. Allmand, President, Loch Erin, Inc., P.O. Box 160, Onsted, Michigan 49265, a Notice of Proceedings and Opportunity for Hearing by certified mail and service was not possible since the addressee could not be located. Accordingly, pursuant to 15 U.S.C. 1706(d) and 24 CFR 1710.45(b)(1), the Notice of Proceedings and Opportunity for Hearing is being issued as follows:

NOTICE OF PROCEEDINGS AND OPPORTUNITY FOR HEARING

I. The Department's public file discloses that:

A. Loch Erin, Inc., Thomas R. Allmand, President, its other officers and agents, hereinafter known as the Respondent, has filed a Statement of Record for Loch Erin located in Onsted, Michigan, which became effective September 20, 1971, pursuant to 24 CFR 1710.21 of the Interstate Land Sales regulations. Said Statement is still in effect.

B. Loch Erin, Inc., is a Michigan Corporation.

C. Thomas R. Allmand is President of the Corporation.

D. The address of the Corporation is P.O. Box 160, Onsted, Michigan 49265.

II. The records of the Office of Interstate Land Sales Registration, and information received indicate that the Statement of Record includes untrue statements of material fact and omits to state material facts necessary to make the Statement of Record not misleading. The appropriate amendments to the Statement of Record have not been filed with this Office pursuant to § 1710.23 of the regulations. The particulars are as follows:

1. The Respondent has failed to disclose the present adverse financial position of the corporation.

2. The Respondent has failed to disclose that construction dates for the completion of amenities and facilities have not been met, nor amended his Statement of Record to disclose extended construction completion dates.

3. The Respondent has failed to disclose that payment was not made to Paul Bosco, B & V Construction Company, for construction of the lake and the laying of sewerage pipes; that Paul Bosco recorded a mechanics lien for $63,000.00 against the corporation; that Thomas R. Allmand, President of the Corporation had turned over to Mr. Bosco, 72 percent of the corporate stock in lieu thereof.

4. The Respondent has failed to disclose that Internal Revenue Service has attached a personal property lien against the corporation for $21,000.00.

5. The Respondent has failed to disclose that IRS has attached a lien for $36,000.00 for past withholding taxes.

6. The Respondent has failed to disclose there are 180 other liens against the corporation.

7. The Respondent has failed to disclose that he has not paid the release price of $500.00 to holders of deeds of trust against the corporation, after sales of lots; and that as a result, clear title to the land was never given to purchasers of record who paid out their contracts.

8. The Respondent has failed to disclose that 36 holders of deeds of trust against the corporation have foreclosed and taken back their land.

9. The Respondent has failed to disclose the arrangements being made with Leisure Realty Corporation to take over the corporation, its assets and liabilities, as they pertain to Loch Erin Subdivision.

III. In view of the allegations contained in paragraph II above, the Secretary deems it necessary that public proceedings be instituted to determine:

A. What action, if any, the Respondent will take to amend the Statement of Record and Property Report?

B. What, if any, remedial action is appropriate in the public interest and for the protection of prospective purchasers or persons who have already purchased lots pursuant to section 2407(d) of the Interstate Land Sales Full Disclosure Act (15 U.S.C. 1706) and 24 CFR 1710.45(b)(1) of the implementing Regulations?

IV. *It Is Hereby Ordered*, That a public hearing for the purpose of taking evidence on the questions set forth in Section III hereof be held before Administrative Law Judge Paul N. Pfeiffer, or such other Judge as may be designated, in Room 7233, Department of HUD Building, 451 7th Street, S.W., Washington, D.C. at such time as the Secretary of the Department of Housing and Urban Development, or his designee, may fix by further order, upon the request of the Respondent.

V. If the Respondent desires a hearing on the allegations set forth in Section II he shall file a request for hearing accompanied by an answer within fifteen days after service upon him of this Notice of Proceedings. Any reason, motion, amendment, offer of settlement or other correspondence forwarded during the pendency of this proceeding shall be filed with General Counsel's clerk for Administrative Proceedings, Room 10150, HUD Building, Washington, D.C. 20410. All such correspondence shall clearly identify the style of the matter and the Docket Number as set forth in the OILSR Notice.

Respondent is hereby notified that if he fails to request a hearing within fifteen days of the service of this notice and file the required answer he shall be deemed in default and the proceedings shall be determined against him, the allegations of which shall be determined to be true, and an order suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45(b)(1). Respondent is further notified that, unless otherwise ordered, the suspension shall remain in effect until the Statement of Record has been amended in accordance with the order, at which time the Secretary shall make a determination and thereupon the order shall cease to be effective.

This Notice is published pursuant to 44 U.S.C. 1508.

By the Secretary.

JAMES T. LYNN,
Secretary of Housing and Urban Development.

JUNE 24, 1974.

GEORGE K. BERNSTEIN,
Interstate Land Sales Administrator.

[FR Doc.74-14995 Filed 6-28-74;8:45 am]

ATOMIC ENERGY COMMISSION

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE ON PERRY NUCLEAR POWER PLANT, UNITS 1 & 2

Notice of Meeting

JUNE 27, 1974.

In accordance with the purposes of sections 29 and 182b, of the Atomic Energy Act (42 U.S.C. 2039, 2232b.), the Advisory Committee on Reactor Safeguards' Subcommittee on Perry Nuclear Power Plant, Units 1 & 2 will hold a meeting on July 23, 1974 in Room 1046, 1717 H Street NW., Washington, D.C. The purpose of this meeting will be to develop information for consideration by the ACRS in its review of the application of the Cleveland Electric Illuminating Company for a permit to construct this nuclear power plant. The facility will be located on Lake Erie in Lake County, Ohio. The plant site is approximately 35 miles northeast of Cleveland and 21 miles southwest of Ashtabula, Ohio.

The following constitutes that portion of the Subcommittee's agenda for the above meeting which will be open to the public:

Tuesday, July 23, 1974—9 a.m. until the conclusion of business. The Subcommittee will hear presentations by representatives of the Regulatory Staff and Cleveland Electric Illuminating Company and will hold discussions with these groups pertinent to its review of the application of Cleveland Electric Illuminating Company for a permit to construct the Perry Nuclear Power Plant, Units 1 & 2.

In connection with the above agenda item, the Subcommittee will hold Executive Sessions, not open to the public, at 8:30 a.m. and at the end of the day to consider matters relating to the above application. These sessions will involve an exchange of opinions and discussion of preliminary views and recommendations of Subcommittee Members and internal deliberations for the purpose of formulating recommendations to the ACRS.

In addition to the Executive Sessions, the Subcommittee may hold closed sessions with representatives of the Regulatory Staff and Applicant for the purpose of discussing privileged information concerning plant physical security and

other matters related to plant design, construction and operation, if necessary.

I have determined, in accordance with subsection 10(d) of Pub. L. 92-463, that the above-noted Executive Sessions will consist of an exchange of opinions and formulation of recommendations, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b) and that a closed session may be held, if necessary, to discuss certain documents and information which are privileged and fall within exemption (4) of 5 U.S.C. 552(b). Further, any non-exempt material that will be discussed during the above closed sessions will be inextricably intertwined with exempt material, and no further separation of this material is considered practical. It is essential to close such portions of the meeting to protect the free interchange of internal views, to avoid undue interference with agency or Committee operation, and to avoid public disclosure of proprietary information.

Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman of the Subcommittee 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 item may do so by mailing 25 copies thereof, postmarked no later than July 16, 1974, to the Executive Secretary, Advisory Committee on Reactor Safeguards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Such comments shall be based upon the Preliminary Safety Analysis Report for this facility 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 at the Perry Public Library, 3753 Main Street, Perry, Ohio 44081.

(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 Subcommittee. To the extent that the time available for the meeting permits, the Subcommittee will receive oral statements during a period of not more than 30 minutes at an appropriate time, chosen by the Chairman of the Subcommittee, between the hours of 1:30 p.m. and 3:30 p.m. on July 23, 1974.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Subcommittee, who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to whether the meeting has 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 July 22, 1974, to the Office of the Executive Secretary of the Committee (telephone: 301-973-5640) between 8:30 a.m. and 5:15 p.m., e.d.t.

(e) Questions may be propounded only by members of the Subcommittee and its consultants.

(f) Seating for the public will be available on a first-come, first-served basis.

(g) The use of still, motion picture, and television cameras, the physical installation and presence of which will not interfere with the conduct 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.

(h) Persons desiring to attend portions of the meeting where proprietary information is to be discussed may do so by providing to the Executive Secretary, Advisory Committee on Reactor Safeguards, 1717 H Street, NW., Washington, D.C. 20545, 7 days prior to the meeting, a copy of an executed agreement with the owner of the proprietary information to safeguard this material.

(i) A copy of the transcript of the open portion of the meeting will be available for inspection on or after July 24, 1974 at the Atomic Energy Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20545, and within approximately nine days at the Perry Public Library, 3753 Main Street, Perry, Ohio 44081. Copies of the transcript may be reproduced in the Public Document Room or may be obtained from Ace Federal Reporters, Inc., 415 Second Street, NE., Washington, D.C. 20002 (telephone 202-547-6222) upon payment of appropriate charges.

(j) 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. 20545 after September 23, 1974. Copies may be obtained upon payment of appropriate charges.

JOHN C. RYAN,
Advisory Committee Management Officer.

[FR Doc.74-15116 Filed 6-28-74;8:45 am]

METROPOLITAN EDISON CO. ET AL.

Establishment of Atomic Safety and Licensing Board To Rule on Petitions

Pursuant to delegation by the Commission dated December 29, 1972, published in the FEDERAL REGISTER (37 FR 28710) and §§ 2.105, 2.700, 2.702, 2.714, 2.714a, 2.717 and 2.721 of the Commission's regulations, all as amended, an Atomic Safety and Licensing Board is being established to rule on petitions and/or requests for leave to intervene in the following proceeding:

METROPOLITAN EDISON CO., ET AL.

(Three Mile Island Nuclear Station, Unit 2)
Docket No. 50-320

This action is in reference to the notice "Application for Facility Operating License" in the above matter published by the Commission in the FEDERAL REGISTER on May 28, 1974 (39 FR 18497).

The members of the Board are:

Sidney G. Kingsley, Esq., Chairman.
Frederic J. Coufal, Esq., Member.
Dr. Emmeth A. Luebke, Member.

The address of the three members is Atomic Safety and Licensing Board Panel, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at: Bethesda, Md. this 26th day of June 1974.

ATOMIC SAFETY AND LICENSING BOARD PANEL,
NATHANIEL H. GOODRICH,
Chairman.

[FR Doc.74-14993 Filed 6-28-74;8:45 am]

REGULATORY GUIDES

Issuance and Availability

The Atomic Energy Commission has issued four new Regulatory Guides in its Regulatory Guide series. This series has been developed to describe and make available to the public methods acceptable to the AEC Regulatory staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

The new Regulatory Guides are in Division 6, "Products Guides," and Division 7, "Transportation Guides," of the Regulatory Guide series. Regulatory Guide 6.5, "General Safety Standard for Installations Using Nonmedical Sealed Gamma-Ray Sources," endorses ANSI Standard N543-1974, "General Safety Standard for Installations Using Non-Medical X-Ray and Sealed Gamma-Ray Sources," subject to certain limitations, as describing general safety practices which are acceptable as methods for nonmedical users of sealed gamma-ray sources to comply, in part, with Commission regulations for control of radiation exposures. Regulatory Guide 6.6, "Acceptance Sampling Procedures for Exempted and Generally Licensed Items Containing Byproduct Material," describes acceptance sampling procedures for ensuring conformance of inspection lots of items to quality assurance requirements. Regulatory Guide 7.1, "Administrative Guide for Packaging and Transporting Radioactive Material," endorses ANSI Standard N14.10.1, "Administrative Guide for Packaging and Transporting Radioactive Materials," as describing a generally acceptable procedure for assessing the packaging and labeling requirements for the transportation of any specific radioisotope and quantity

of radioactive material. Regulatory Guide 7.2, "Packaging and Transportation of Radioactively Contaminated Biological Materials," endorses ANSI Standard N14.3–1973, "Packaging and Transportation of Radioactively Contaminated Biological Materials," subject to one addition, as describing an acceptable method for licensees of the Commission to comply with 10 CFR 71.5 with respect to packaging, shipping, and transporting radioactively contaminated biological materials.

Regulatory Guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Comments and suggestions in connection with (1) items for inclusion in guides currently being developed (listed below) or (2) improvements in any published guides are encouraged and should be sent to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff. Requests for single copies of the issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides should be made in writing to the Director of Regulatory Standards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Telephone requests cannot be accommodated. Regulatory Guides are not copyrighted and Commission approval is not required to reproduce them.

Other Division 6 Regulatory Guides currently being developed include the following:

Classification and Testing of Self-Luminous Sources and Devices;
Regulatory Guide 6.1 (Rev. 1)—Leak Testing Brachytherapy Sources;
Regulatory Guide 6.2 (Rev. 1)—Integrity and Test Specifications for Selected Brachytherapy Sources.

Other Division 7 Regulatory Guides currently being developed include the following:

Leak Testing of Packages.

(5 U.S.C. 522(a))

Dated at Rockville, Maryland this 20th day of June 1974.

For the Atomic Energy Commission,

LESTER ROGERS,
Director of Regulatory Standards.

[FR Doc.74–14936 Filed 6–28–74;8:45 am]

CIVIL AERONAUTICS BOARD

CAB—INDUSTRY ADVISORY COMMITTEE ON AVIATION MOBILIZATION

Notice of Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92–463, 86 Stat. 770–776, U.S.C. App.) the Chairman of the Civil Aeronautics Board announces the renewal of the CAB-Industry Advisory Committee on Aviation Mobilization for an additional period of two years beyond June 30, 1974.

Authority for the Committee will expire June 30, 1976, unless the Chairman formally determines that further continuance is required in the public interest.

Dated at Washington, D.C., June 26, 1974.

[SEAL] EDWIN Z. HOLLAND,
CAB Advisory Committee Management Officer.

[FR Doc.74–15004 Filed 6–28–74;8:45 am]

[Docket No. 22908]

CAPACITY REDUCTION AGREEMENTS CASE

Hearing on Environmental Issues

Notice is hereby given that the environmental issues in this proceeding will be taken up and considered at a public hearing commencing on July 15, 1974, in Room 911, Universal Building, 1825 Connecticut Ave. NW., Washington, D.C., before the undersigned, or as soon thereafter as the hearing on the economic issues in this proceeding which is presently in progress, is concluded.

Interested persons may also, on or before August 12, 1974, submit written comments on the Draft Environmental Impact Statement prepared by the Bureau of Operating Rights of the Civil Aeronautics Board. The said Statement, the written comments thereon, the final Environmental Impact Statement, and the evidence adduced at the hearing in this proceeding shall all be considered in coming to a decision on the environmental issues.

For information concerning the issues involved in this proceeding and other details, interested persons are referred to the prehearing conference report served on October 19, 1973, the supplement thereto served November 12, 1973, the said Draft Environmental Impact Statement, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., June 26, 1974.

[SEAL] E. ROBERT SEAVER,
Administrative Law Judge.

[FR Doc.74–15005 Filed 6–28–74;8:45 am]

[Docket No. 26575]

FOREIGN AIR CARRIER PERMIT

Prehearing Conference and Hearing

In the matter of Societe Anonyme De Transport Aerien (SATA); foreign air carrier permit, charter service between United States, Swiss Confederation, and other countries.

Notice is hereby given that a prehearing conference in this proceeding is assigned to be held on July 31, 1974, at 10 a.m. (local time), in Room 701, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C., before Administrative Law Judge Alexander N. Argerakis.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before July 24, 1974.

Dated at Washington, D.C., June 25, 1974.

[SEAL] RALPH L. WISER,
Chief Administrative Law Judge.

[FR Doc.74–15003 Filed 6–28–74;8:45 am]

[Docket 23080–2; Order 74–6–73]

PRIORITY AND NONPRIORITY DOMESTIC SERVICE MAIL

Phase 2 Rates

Correction

In FR Doc.74–13936 appearing at page 21183 in the issue of Wednesday, June 19, 1974, make the following changes:

1. The following lines:

Fuel costs-All services (000) per form 41	$810,474.9
Fuel costs-scheduled services (000) (96.34 percent of $810,474.9)	780,811.5

appearing in the second column directly above Appendix B should be deleted where they appear and inserted below the total entry in the table to footnote 1 in the first column.

2. The following lines:

Revenue ton-miles of mail[3]	611,757
Economic costs per RTM (cents)	26.16
Circuity factor (26.64¢–25.00¢)[4]	1.066

appearing as the sixth, seventh, and eighth entries in the second column should be deleted where they appear and inserted directly below the second entry in the column reading "Total economic cost or mail $160,013.6".

3. Footnote 4 appearing in the second column below Appendix B should appear as a footnote to Appendix A.

4. In the second line of the first entry in the table under Appendix C the word reading "or" should read "of".

COMMISSION ON CIVIL RIGHTS

ARIZONA STATE ADVISORY COMMITTEE

Notice of Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 707) notice is hereby given that the Arizona State Advisory Committee to the U.S. Commission on Civil Rights will meet in a closed session at 7:00 p.m., Monday, July 15, 1974, in the Sonora Room, Hunter Inn, 124 South 24 Street, Phoenix, Arizona 85034.

This meeting will consist of a first review of draft copy of the Arizona State Advisory Committee's preliminary report on Adult Corrections in Arizona.

I have determined that this meeting would fall within Exemption (5) of 5 U.S.C. 522(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with the operation of the Committee.

Issued in Washington, D.C., on June 26, 1974.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.74–15102 Filed 6–28–74;8:45 am]

ARIZONA STATE ADVISORY COMMITTEE

Notice of Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 707) notice is hereby given that the Arizona State Advisory Committee to the U.S. Commission on Civil Rights will meet in a closed session at 7:00 p.m., Monday, July 22, 1974, in the Sonora Room, Hunter Inn, 124 South 24 Street, Phoenix, Arizona 85034.

This meeting will consist of further review of draft copy of the Arizona State Advisory Committee's preliminary report on Adult Corrections in Arizona.

I have determined that this meeting would fall within Exemption (5) of 5 U.S.C. 522 (b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with the operation of the Committee.

Issued in Washington, D.C., on June 26, 1974.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.74–15103 Filed 6–28–74;8:45 am]

NEW YORK STATE ADVISORY COMMITTEE

Notice of Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 707) notice is hereby given that the New York State Advisory Committee to the U.S. Commission on Civil Rights will meet in a closed session at 3:00 p.m., Tuesday, July 2, 1974, at The Phelps Stokes Fund, 10 East 87 Street, New York, New York 10028.

The agenda will consist of discussions concerning proposed evidence or testimony which may tend to defame, degrade, or incriminate persons in connection with the New York State Advisory Committee's factfinding meeting on problems of the Asian American scheduled for July 11–13, 1974.

I have determined that this meeting would fall within Exemption (5) of 5 U.S.C. 522 (b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with the operation of the Committee.

Issued in Washington, D.C., on June 26, 1974.

ISIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc. 74–15101 Filed 6–28–74;8:45 am]

CIVIL SERVICE COMMISSION

FEDERAL EMPLOYEES PAY COUNCIL

Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Pub. L. 92–463, notice is hereby given that the Federal Employees Pay Council will meet at 2 p.m. on Wednesday, July 3, 1974, to continue discussions on the fiscal year 1975 comparability adjustment for the statutory pay systems of the Federal Government.

The Director of the Office of Management and Budget and the Chairman of the U.S. Civil Service Commission, in carrying out their joint responsibility as President's agent under 5 U.S.C. 5305 and Executive Order 11721, have established the Federal Employees Pay Council as a forum for discussions with the representatives of Federal employee organizations of a wide variety of issues relating to the setting of pay for the Federal statutory pay systems. Public disclosure of the issues raised and positions taken in these labor-management discussions would inhibit the exchange of candid views, and would thereby severely limit the effectiveness of the Federal Employees Pay Council as a means by which Federal employees organizations can play a meaningful role in the Federal pay comparability process.

Therefore, in accordance with the provisions of section 10(d) of the Federal Advisory Committee Act, the President's agent has determined that this meeting of the Federal Employees Pay Council will not be open to the public.

For the President's Agent.

RICHARD H. HALL,
Advisory Committee Management Officer for the President's Agent.

[FR Doc.74–15006 Filed 6–28–74;8:45 am]

PHYSICAL THERAPIST, ALLEN PARK, MICHIGAN

Notice of Establishment of Minimum Rates and Rate Ranges

Under authority of 5 U.S.C. 5303 and Executive Order 11721, the Civil Service Commission has established special minimum salary rates and rate ranges as follows:

Occupational coverage: GS–633 Physical Therapist Series
Geographic coverage: Allen Park, Mich.
Effective date: First day of the first pay period beginning on or after July 7, 1974.

PER ANNUM RATES

Grade	1	2	3	4	5	6	7	8	9	10
GS–5	$10,199	$10,467	$10,735	$11,003	$11,271	$11,539	$11,807	$12,075	$12,343	$12,611
GS–7	10,965	11,297	11,629	11,961	12,293	12,625	12,957	13,289	13,621	13,953

Under provisions of section 3–2b, Chapter 571, FPM, agencies may pay the travel and transportation expenses to first post of duty, under 5 U.S.C. 5723, of new appointees to positions cited.

[SEAL]

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

[FR Doc.74–14877 Filed 6–28–74;8:45 am]

DEFENSE MANPOWER COMMISSION

Notice of Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Defense Manpower Commission on July 22, 1974, at 9 a.m. in Room 705, 1016 16th Street NW., Washington, D.C. 20036 (location may be changed).

The purpose of the meeting is to discuss staffing, program progress and direction.

The meeting will be open to the public. Interested persons wishing to attend should telephone 202/382–1331 by close of business Tuesday, July 16, 1974.

Dated: June 21, 1974.

HASTINGS KEITH,
Vice Chairman.

[FR Doc.74–14570 Filed 6–28–74;8:45 am]

DELAWARE RIVER BASIN COMMISSION

[Docket No. EU–D–71–109]

INTERSTATE ENERGY CO. FUEL OIL PIPELINE

Environmental Statement

In accordance with the National Environmental Policy Act of 1969 and the Delaware River Basin Commission's rules of practice and procedure (Article IV), notice is hereby given of the availability of the final environmental impact statement as of June 28, 1974, which discusses the environmental impact of the oil pipeline.

The Interstate Energy Company proposes to construct and maintain a buried, insulated fuel-oil pipeline originating at an existing docking facility in Marcus Hook, Pennsylvania, and routed through Delaware, Chester, Montgomery, Bucks and Northampton Counties,

to the Pennsylvania Power and Light Company's Martins Creek generating station with a lateral pipeline originating at a breakout terminal in Northampton County and routed through Bucks County, across the Delaware River to the Jersey Central Power and Light Company's Gilbert generating station. Related facilities will include a pumping station and tank farm at Marcus Hook, an intermediate pumping station in Salford Township, Montgomery County, and a breakout pumping facility in Lower Saucon Township, Northampton County.

The final environmental impact statement may be examined in the library at the office of the Delaware River Basin Commission, 25 State Police Drive, Trenton, New Jersey, and in the library of the Water Resources Association of the Delaware River Basin, 21 South 12th Street in Philadelphia. A limited number of copies are available upon request.

The final statement will be submitted to the Council on Environmental Quality as of June 28, 1974.

W. BRINTON WHITALL,
Secretary.

JUNE 27, 1974.

[FR Doc.74-14352 Filed 6-28-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[OPP 32000/77]

NOTICE OF RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION DATA TO BE CONSIDERED IN SUPPORT OF APPLICATIONS

On November 19, 1973, the Environmental Protection Agency published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 979), and its procedures for implementation. This policy provides that EPA will, upon receipt of every application, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-37, East Tower, 401 M Street SW., Washington, D.C. 20460.

On or before August 30, 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 August 30, 1974.

APPLICATIONS RECEIVED

EPA File Symbol 18533-RE. Ashland Oil, Inc., 5200 Blazer Hiway, Dublin OH 43017. *Variquat 60 LC.* Active Ingredients: Alkyl (61% C12, 23% C14, 11% C16, 3% C10, 2% C18) dimethyl benzyl ammonium chlorides 50.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34475-R. Zenon A. Bilyj & Sons, 4525 N. Comac St., Philadelphia PA 19140. *Flea & Tick Shampoo for Dogs.* Active Ingredients: Pyrethrins 0.06%; Piperonyl Butoxide, Technical 0.60%; Petroleum Distillate 0.06%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 32690-L. Bio-Chemical, Inc., 1353 Ellsworth Industrial Dr., NW, Atlanta GA 30318. *Bio-San Disinfectant Cleaner Sanitizer Fungicide Deodorant.* Active Ingredients: n-Alkyl (50% C14, 40% C12, 10% C16) dimethyl benzyl ammonium chloride 5.0%; Tetra sodium salt of ethylene diamine tetraacetic acid 2.3%; Sodium carbonate 2.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 7176-RU. The Butcher Polish Co., Bartlette St., Marlborough MA 01752. *Butcher's Quest Quarternary Germicide Cleaner.* Active Ingredients: Alkyl (50% C14, 40% C12, 10% C16) dimethyl benzyl ammonium chlorides 3.2%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 9404-UE. Chase & Co., PO Box 1697, Sanford FL 32771. *Sunniland Dipel HG.* Active Ingredients: *Bacillus thuringiensis,* Berliner, 4,320 International Units of potency per miligram. At least 6.75 billion viable spores per gram 0.86%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 15300-A. Chemical Treatment Co., Hanover Industrial Air Park, 500 Lickinghole Rd., Ashland VA 23005. *Chemical Treatment CL-211.* Active Ingredients: Disodium cyanodithioimidocarbonate 3.18%; Ethylenediamine 1.20%; Potassium N-methyldithiocarbamate 4.37%. Method of Support: Application proceeds under 2 (b) of interim policy.

EPA File Symbol 12050-U. Chemco Chemical Co., 115 Cole Ave., Dallas TX 75207. *Longone.* Active Ingredients: (5-Benzyl-3-furyl) methyl 2,2-dimethyl-3-(2 - methylpropenyl)cyclopropane carboxylate 0.250%; Related compounds 0.034%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 239-1102. Chevron Chemical Co., Ortho Div., 940 Hensley St., Richmond CA 94804. *Phaltan 50 Wettable Folpet Fungicide.* Active Ingredients: Folpet 50%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 100-496. Agricultural Div., CIBA-GEIGY Corp., Greensboro NC 27409. *Igran 80W.* Active Ingredients: 2-tertbutylamino-4-ethylamino - 6 - methylthio-s-triazine 76.0%; Related compounds 4.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1109-EO. Cities Service Co., Industrial Chemicals Div., PO Drawer 50360, Atlanta GA 30302. *Citcop 4E (For Repackaging Use Only) Emulsifier Liquid Copper Fungicide.* Active Ingredients: Copper Salts of Fatty and Rosin Acids (Copper as Metallic 4%) 48%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 5748-UG. Household Products Div., Conwood Corp., 701 N. Main St., Memphis TN 38101. *New Skram Unscented Insect Repellent.* Active Ingredients: N,N-Diethyl-meta-toluamide 14.25%; Other Isomers of Diethyl Toluamide 0.75%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 464-322. Dow Chemical USA, Ag-Organico Dept., PO Box 1706, Midland MI 48640. *Dow Fumazone 86E Nematicide.* Active Ingredients: 1,2-dibromo-3-chloropropane and related hologenated C_3 aliphotics 84%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10163-AT. The Dune Company, 340 E. Main St., PO Box 406, Calipatria CA 92233. *Prokil Parathion 12½-Malathion 18¾ WP.* Active Ingredients: Parathion (O,O-diethyl O-p-nitrophenyl phosphorothioate) 12.5%; O,O-dimethyl dithiophosphate of diethyl mercaptosuccinate 18.75%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 909-TE. Cooke Laboratory Products, 4759 Durfee Ave., Pico Rivera CA 90660. *Cooke Tetralate Multi-Purpose Insect Killer For Control of Pests in House and Garden.* Active Ingredients: Tetramethrin 0.250%; Related compounds 0.034%; (5-Benzyl-3-furyl) methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 0.106%; Related compounds 0.014%; Petroleum Distillate 9.000%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 4704-UE. J.C. Ehrlich Chemical Co., Inc., 800 Hiesters Lane, Reading PA 19605. *Magic Circle General Purpose Pyrethrum Spray.* Active Ingredients: Pyrethrins 0.1%; Piperonyl Butoxide, technical 1.0%; Petroleum distillate 0.4%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 4704-UR. J.C. Ehrlich Chemical Co., Inc., 800 Hiesters Lane, Reading PA 19605. *Magic Circle Roach & Ant Killer #2.* Active Ingredients: Pyrethrins 0.052%; Piperonyl Butoxide, Technical 0.260%; Chlorpyrifos [O,O-diethyl O-(3,5,6-trichloro-2-pyridyl) phosphorothioate] 0.500%; Petroleum Distillate 98.736%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2596-UO. The Hartz Mountain Corp., 700 S. 4th St., Harrison NJ 07029. *Hartz 2 in 1 Collar for Cats Controls Fleas Aids in the Control of Ticks.* Active Ingredients: 2-Chloro-1-(2,4,5-trichlorophenyl) vinyl dimethyl phosphate 9.5%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 2596-LN. The Hartz Mountain Corp., 700 S. 4th St., Harrison NJ 07029. *Hartz 2 in 1 Collar for Dogs Controls Fleas Aids in the Control of Ticks.* Active Ingredients: 2-Chloro-1-(2,4,5-trichlorophenyl) vinyl dimethyl phosphate 9.5%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 5905-URA. Helena Chemical Co., Clark Tower, 5100 Poplar Ave., Suite 2900, Memphis TN 38137. *Dis-O-San-50 Disinfectant, Deodorant and Sanitizer.* Active Ingredients: Methyldodecylbenzyl trimethyl ammonium chloride 40%; Meth-

yldodecylxylylene bis (trimethyl ammonium chloride) 10%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 5905–URL. Helena Chemical Co., Clark Tower, 5100 Poplar Ave., Suite 2900, Memphis TN 38137. *Dis-O-San Disinfectant, Deodorant, and Sanitizer.* Active Ingredients: Methyldodecylbenzyl trimethyl ammonium chloride 16%; Methyldodecylxylylene bis (trimethyl ammonium chloride) 4%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 323–LE. J. I. Holcomb Mfg. Co., 4415 Euclid Ave., Cleveland OH 44103. *Clinic with Controlled Dispensing Concentrated Detergent Disinfectant, Fungicide, Virucide, and Deodorizer.* Active Ingredients: n-alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 6.25%; n-alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 6.25%; Tetrasodium ethylenediamine tetraacetate 3.60%; Ethyl Alcohol 3.12%; sodium Sesquicarbonate 3.00%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 2693–00. International Paint Co., Inc., Elmwood & Morris Aves., Union, NJ 07083. *International Red Hand Duocide Red Antifouling 3071.* Active Ingredients: Cuprous Oxide 47.5%; Tributyltin Fluoride 9.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1307–REN. Magnolia Chemical Co., Inc., PO Box 20179, 2646 Rodney Lane, Dallas, TX 75220. *Magnolia Super Kill Soil Sterilant.* Active Ingredients: 2,4-bis(isopropylamino)-6 methoxy-s-triazone 1.75%; Pentachlorophenol 0.74%; 2,3,4,6-Tetrachlorophenol 0.10%; Petroleum Hydrocarbons 92.16%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10778–G. Metropolitan Refining Co., Inc., 50–23 23rd St., Long Island City, NY 11101. *Vaporene T.* Active Ingredients: Disodium cyanodithioimidocarbonate 3.18%; Ethylenediamine 1.20%; Potassium N - methyldithiocarbamate 4.37%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 4467–2. Milprint, Inc., 4200 N. Holton St., Milwaukee, WI 53201. *Milprint Insect Resistant Packaging.* Active Ingredients: Pyrethrins 0.04%; Piperonyl Butoxide, technical 0.44%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 5967–RGO. Moyer Chemical Co., PO Box 945, San Jose, CA 95108. *Malathion Spray 8 Miscible.* Active Ingredients: Malathion (O,O-dimethyl phosphorodithioate of diethyl mercaptosuccinate) 86.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 5967–RUN. Moyer Chemical Co. *Malation 25–W.* Active Ingredients: Malathion (O,O-dimethyl dithiophosphate of diethyl mercaptosuccinate) 25.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 5967–RUR. Moyer Chemical Co. *Mildew Dust No. 40.* Active Ingredients: Sulfur 40.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 7765–3. National Bird Control Laboratories, 7323 N. Monticello Ave., Skokie, IL 60076. *Roost No More Bird Repellant.* Active Ingredients: Polymerized Butenes and Related Alkenes 76%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 7001–ROE. Occidental Chemical Co., Div. of Occidental Petroleum Corp., Box 198, Lathrop, CA 95332. *Pentac 50 WP.* Active Ingredients: Bis (Pentachloro-2,4-cyclopentadiene) 50%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 7001–ROR. Occidental Chemical Co., Div. of Occidental Petroleum Corp., Box 198, Lathrop, CA 95332. *Best Rat-A-Phide Zinc Phosphide Rat Bait.* Active Ingredients: Zinc Phosphide 1.88%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 30940–E. Owyhee Rodent Extermination District, Box 400, Marsing, ID 83639. *0.5% Strychnine Treated Grain Bait.* Active Ingredients: Strychnine Alkaloid 0.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 3635–ROO. Oxford Chemicals, PO Box 80202, Atlanta, GA 30341. *Oxford Septicide Disinfectant Bowl Cleaner.* Active Ingredients: Isopropanol 10.00%; Muriatic acid 8.19%; n-alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chloride 2.44%; n-alkyl (69% C12, 32% C14) dimethyl ethylbenzyl ammonium chloride 2.44%; Phosphoric acid 4.72%; bis (tributyltin) oxide 1.00%; Essential oils 0.50%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 3635–ROI. Oxford Chemicals, PO Box 80202, Atlanta, Ga. 30341. *Oxford 1925 Disinfectant–Detergent.* Active Ingredients: Isorpropanol 10.92%; Tetrasodium ethylenediamine tetraacetate 4.00%; Sodium xylene sulfonate 3.20%; Sodium lauryl sulfate 3.00%; Sodium o-benzyl-p-chlorophenate 3.75%; Sodium o-phenylphenate 2.68%; Sodium 2,4,5 trichlorophenate 1.44%; Sodium 4-chloro-2-cyclopentyl phenate 0.97%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 432–507. S. B. Penic & Co., 100 Church St., New York NY 10007. *SBP–1382/Bioallethrin [0.20%+0.125%] Aqueous Pressurized Spray for House and Garden (To Add Use on Dogs & Cats).* Active Ingredients: (5-Benzyl-3-furyl) methyl 2,2-dimethyl - 3 - (2 - methylpropenyl) cyclopropanecarboxylate 0.200%; Related compounds 0.027%; d-trans Allethrin (allyl homolog of Cinerin I) 0.125%; Related compounds 0.009%; Aromatic petroleum hydrocarbons 0.265%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 655–318. Prentiss Drug & Chemical Co., Inc., 363 7th Ave., New York NY 10001. *Prentox Warfarin Technical.* Active Ingredients: Warfarin 3-(alpha-acetonylbenzyl)-4-hydroxycoumarin 98%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 655–325. Prentiss Drug & Chemical Co., Inc. *Prentox Repellent Formula #2.* Active Ingredients: Pyrethrins 5.00%; N-octyl bicycloheptene dicarboximide 16.70%; Piperonyl Butoxide, Technical 10.00%; Petroleum Distillates 68.30%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 655–327. Prentiss Drug & Chemical Co., Inc. *Prentox Aerosol Concentrate #334.* Active Ingredients: Pyrethrins 3.34%; Piperonyl Butoxide, Technical 6.67%; N-octyl bicycloheptene dicarboximide 6.67%; Petroleum Distillates 83.32%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 655–336. Prentiss Drug & Chemical Co., Inc. *Prentox Sulfoxide Technical.* Active Ingredients: N-octyl sulfoxide of isosafrole 88.00%; Related compounds 12.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 655–341. Prentiss Drug & Chemical Co., Inc. *Prentox Intermediate DB #6167.* Active Ingredients: Chlordane Technical 20.00%; Ronnel (O,O-Dimethyl)-(2,4,5-trichlorophenyl) phosphorothioate 13.34%; Methylene Chloride 4.48%; N-octyl bicycloheptene dicarboximide 2.00%; Piperonyl Butoxide, Technical 1.20%; Pyrethrins 0.60%; Petroleum Distillates 56.29%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 655–356. Prentiss Drug & Chemical Co., Inc. *Prentox Methoxychlor-3# Emulsifiable Concentrate.* Active Ingredients: Methoxychlor Technical 35.6%; Xylene 30.7%; Heavy Aromatic Naphtha 30.7%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10290–RI. Professional Chemical Co., Inc., 4517 Yale, Houston TX 77018. *Professional BHC E–1.* Active Ingredients: Gamma isomer of benzene hexachloride 11.0%; Other isomers of benzene hexachloride 16.0%; Xylene 70.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1202–EAI. PureGro Co., 1052 W. 6th St., Los Angeles CA 90017. *PureGro Gavidox 5 Dust.* Active Ingredients: Dimethyl 2,2,2-trichloro-1-hydroxyethyl phosphonate 5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1202–EAA. PureGro Co. *PureGro Dibrom 4 Dust. Active Ingredients:* Naled-1,2-dibromo-2,2-dichloroethyl dimethyl phosphate 4%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1202–EAT. PureGro Co. *PureGro Chlordane Dust 10.* Active Ingredients: Technical chlordane 10.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1202–EAO. PureGro Co. *PureGro Gavidox 3* Dust. Active Ingredients: Dimethyl 2,2,2-trichloro-1-hydroxyethyl phosphate 3%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1202–ETN. PureGro Co., *PureGro BTB Methyl Parathion 2–2 Dust.* Active Ingredients: *Bacillus Thuringiensis* Berliner 0.048%; O,O-dimethyl O-Paranitrophenyl - phosphorothioate 2.000%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 2548–59. Research Products Co., PO Box 1057, 1835 East North St., Salina KS 67401. *Detia Phosphine GasEx-B.* Active Ingredients: Aluminum Phosphide 57%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 538–RRI. ProTurf Div., O M Scott & Sons, Marysville OH 43040. *(Scotts) ProTurf poa annua control.* Active Ingredients: 3,5-dichloro-N-(1,1-dimethyl-2-propynyl) benzamide 0.40%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 201–279. Shell Chemical Co., 1025 Conn. Ave., NW, Suite 200, Washington DC 20036. *Bladex 80 Wettable Powder Herbicide.* Active Ingredients: 2-(4-chloro-6 - ethylamino - s - triazine-2-ylamino)-2 methylpropionitrile 80.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1528–GO. Shepard Laboratories, Div. of Nebraska Producing & Refining, 1521 N. 11th St., Omaha NE 68110. *Pressurized Household Insect Spray Contains Diazinon & DDVP.* Active Ingredients: O,O-diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 0.500%; 2,2-Dicholorvinyl dimethyl phosphate 0.500%; Related Compounds 0.036%; Petroleum Distillates 68.846%. Method of

Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1528–UN. Shepard Laboratories, Div. of Nebraska Producing & Refining, 1521 N. 11th St., Omaha NE 68110. *Shep's Fly Wipe-A-Way Concentrate Insecticide/Repellent.* Active Ingredients: Pyrethrins 1.00%; Piperonyl butoxide, technical 2.00%; N-octyl, bicyloheptene dicarboximide 3.34%; Dipropyl isocinchomeronate 40.00%; Petroleum distillate 43.66%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 4000–AE. Southern Chemical Products Co., PO Box 205, Macon GA 31202. *Aquatrol Weed Killer.* Active Ingredients: Diquat dibromide (6,7-Dihydrodipyrido) 1,2–a:2:1'–C) pyrazinediium dibromide 1.85%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 6720–EEG. Southern Mill Creek Products Co., Inc., PO Box 1096, Tampa FL 33601. *SMCP Chlordane 40% Wettable Powder.* Active Ingredients: Technical Chlordane 40%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 6720–203. Southern Mill Creek Products Co., Inc. *SMCP Dursban Plus Insecticide.* Active Ingredients: Chloropyrifos (O,O-dimethyl O-(3,5,6-trichloro-2-pyridyl) phosphorothioate) 12.2%; 2,2-Dichlorovinyl dimethyl phosphate 3.0%; Related Compounds 0.2%; Aromatic Petroleum Derivative Solvent 7.1%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 6720–207. Southern Mill Creek Products Co., Inc. *SMCP Malathion ULV Concentrate Insecticide.* Active Ingredients: Malathion 95%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1828–AA. The Sterling Co., 2801–05 Locust St., St. Louis MO 63103. *Perfumed Refill Moth & Deodorant Cakes for Hang-Up Plastic Case.* Active Ingredients: Paradichlorobenzene 99.75%. Method of Support: Application proceeds under 2 (c) of interim policy.

EPA File Symbol 11559–RR. S.V. Chemicals, 1918 Milwaukee Way, Tacoma WA 98421. *SV Bowl-San Disinfectant Toilet Bowl Cleaner.* Active Ingredients: Octyl decyl dimethyl ammonium chloride 1.250%; Dioctyl dimethyl ammonium chloride 0.625%; Didecyl dimethyl ammonium chloride 0.625%; Alkyl amino betaine 1.000%; Hydrogen chloride 8.000%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 34289–E. TKO Chemical Co., 303 S. 5th St., St. Joseph, MO 64501. *Crystal Clear Aquatic Weed Killer.* Active Ingredients: Dipotassium Salt of Endothall (7-oxabicyclo (2.2.1) heptane-2,3-dicarboxylic acid equivalent 14.4%)–20.0%; Metallic Copper 8.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 557–RONA. Swift Chemical Co., 111 W. Jackson Blvd., Chicago, IL 60604. *Insect Control Plus Fertilizer 10–1–5.* Active Ingredients: 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)-benzamide 0.33%. Method of Support: Applications proceeds under 2(c) of interim policy.

EPA File Symbol 557–RONL. Swift Chemical Co., 111 W. Jackson Blvd., Chicago, IL 60604. *Insect Control Plus Fertilizer 12–6–8.* Active Ingredients: 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)-benzamide 0.33%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 876–EGG. Velsicol Chemical Corp., 341 E. Ohio St., Chicago, IL 60611. *Gold Crest Termide Emulsifiable Concentrate.* Active Ingredients: Technical Chlordane 39.22%; Heptachlor (Heptachlorotetrahydro-4,7-methanoindene) 19.60%; Related Compounds 6.89%; Petroleum Distillate 29.29%. Method of Support: Application proceeds under 2(b) of interim policy.

Dated: June 19, 1974.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc. 74–14443 Filed 6–28–74;8:45 am]

[OPP–36007]

REGISTRATION OF PESTICIDES

Denial of Registration

Applications were made pursuant to the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (86 Stat. 973), to register pesticides containing DDT. Notice of such applications was published in the FEDERAL REGISTER on August 21, 1973 (38 FR 22509). The applicant, products, and intended uses are:

Michigan Pest Control Operators Association, Troy, Michigan 48084. *Health Gard-Wettable* (Application No. 28298–G), for use in controlling bats, lice, fleas, bedbugs, and batbugs.

Michigan Pest Control Operators Association, Troy, Michigan 48084. *Health-Gard* (Application No. 28298–R), for use in controlling house mice, lice, fleas, bedbugs, and batbugs.

Michigan Pest Control Operators Association, Troy, Michigan 48084. *Health Gard-Ten* (Application No. 28298–E), for use in controlling lice, fleas, bedbugs, and batbugs.

These applications for registration have been denied and the applicants have been notified. The reasons for denial are set forth in the Order of the Administrator, filed June 14, 1972, and published in the FEDERAL REGISTER of July 7, 1972 (37 FR 13369), and the determination that DDT for vector control can only be registered to the U.S. Public Health Service or the State Health Department. Notice of denial of these registrations is hereby given pursuant to the provisions of section 3(c)(6) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (86 Stat. 981).

Dated: June 26, 1974.

CHARLES L. ELKINS,
Acting Assistant Administrator for Water and Hazardous Materials.

[FR Doc.74–15031 Filed 6–28–74;8:45 am]

[OPP–180013]

TENNESSEE VALLEY AUTHORITY

Issuance of Specific Exemption To Use 2,4-D in Eurasian Watermilfoil Control Program

The Environmental Protection Agency received a request from the Tennessee Valley Authority (TVA) for a specific exemption pursuant to § 166.2(a) of the regulations (40 CFR Part 166) governing exemption of Federal or State Agencies for use of pesticides under emergency conditions. The application requested that the TVA be allowed to use, during calendar year 1974, 35,600 pounds acid equivalent of the dimethylamine salt or the butoxyethanol ester of 2,4-dichlorophenoxy acetic acid (2,4-D) to treat 8,900 surface acres for control of Eurasian watermilfoil. This control program is to take place in the waters of eight TVA reservoirs on the Tennessee River and its tributaries.

Pursuant to the provisions of section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973), the Environmental Protection Agency has granted this specific exemption to the TVA, subject to the qualifications above and the following conditions.

1. The program is to consist of a combination of reservoir water level management and very carefully monitored treatment with 2,4-D to minimize the amount of chemical required.

2. Water residue samples are to be taken and analyzed, and if necessary, stop water removal at intakes to preclude residues in excess of 0.1 parts per million (ppm) in potable water.

3. Normally, no water from the Tennessee River system is used for irrigation purposes; however, if this situation should change, no irrigation water is to be used for at least five weeks after treatment.

4. The TVA is to continue efforts to compile the data necessary to obtain registration for the use of 2,4-D in moving water, and assure that such data is submitted prior to calendar year 1975.

The official file on this subject is available during regular business hours (8 a.m. to 4:30 p.m.) in the Office of the Director, Registration Division (WH–567), Office of Pesticide Program, Room 347, East Tower, Environmental Protection Agency, 401 M Street, SW, Washington, D.C. 20460.

Dated: June 26, 1974.

CHARLES L. ELKINS,
Acting Assistant Administrator for Water and Hazardous Materials.

[FR Doc.74–15032 Filed 6–28–74;8:45 am]

FEDERAL MARITIME COMMISSION

CITY OF LONG BEACH AND EXXON CORP.

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 July 11, 1974. Any person desiring a hearing on the

proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Mr. Leonard Putnam,
City Attorney,
City of Long Beach,
Suite 600 City Hall
Long Beach, Calif. 90802.

Agreement No. T-2955, between the City of Long Beach (City) and Exxon Corporation (Exxon), provides for the 36-year exclusive lease to Exxon of certain land and water areas at Pier A; an exclusive license for construction and operation of certain pipelines between the leased premises and berths throughout the Port; and a tertiary berth assignment for the use of wharf and wharf premises at Berths 209 and 210, Pier A, Long Beach, California (premises). The premises are to be used for the receipt, handling, loading, unloading, transporting, and storage of Exxon's petroleum products in connection with its fuel bunkering services at Long Beach. The agreement specifically provides that Exxon's activities are to be restricted to either that of (1) a proprietary operation in connection with common carriers by water and other vessels whereby only Exxons products will be handled, or (2) in connection with vessels that are not common carriers by water, whereby Exxon may handle products of others who wish to use the facility. The agreement provides that Exxon will not use the pipelines covered by this agreement as common carrier pipelines, nor hold them out to the public for the transportation of liquids other than those owned by Exxon. The agreement prohibits Exxon from operating a public warehouse or storage business utilizing the premises or the pipelines. The agreement also provides that Exxon shall construct certain improvements to the premises. As compensation, the City is to receive rental, in lieu of tariff charges, for the leased area, in an amount aggregating $74,070.12 per annum, Exxon shall pay City, as rental for use of the licensed area, a sum computed from the pipeline rental fees prescribed in section 7560.9 of the Municipal Code of the City of Long Beach. In addition, City shall receive tariff charges occurring in connection with Exxon's operations upon the licensed and assigned areas, as provided for in the Port of Long Beach Tariff No. 3.

By Order of the Federal Maritime Commission.

Dated: June 26, 1974.

FRANCIS C. HURNEY,
Secretary.

[FR Doc. 74-15002 Filed 6-28-74;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. RI74-259]

AZTEC GAS SYSTEMS, INC.

Petition for Special Relief

JUNE 21, 1974.

Take notice that on June 13, 1974, Aztec Gas Systems, Inc. (Petitioner), 603 Wall Towers West, Midland, Texas 79701, filed a petition for special relief in Docket No. RI74-259 pursuant to Order No. 481. Petitioner seeks a price of 35.0 cents per Mcf for the sale of gas to El Paso Natural Gas Company from certain leases in the N. E. Todd Field, Crockett County, Texas. The petition is based on the need to install compressor equipment.

Any person desiring to be heard or to make any protest with reference to said petition should on or before July 15, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-14967 Filed 6-28-74;8:45 am]

[Project Nos. 2576, etc.]

CONNECTICUT LIGHT AND POWER CO.

Order Providing for Pre-Hearing Conference

JUNE 25, 1974.

Connecticut Light and Power Company (Applicant) has pending four separate applications for license concerning four constructed hydroelectric projects located on the Housatonic River in the State of Connecticut. The applications were filed during a 15-month period in 1966 and 1967. Applicant questions Commission jurisdiction over the four projects and has formally requested permission to withdraw the applications for license.

Applicant filed an application on February 28, 1966, for license for constructed Shepaug Project No. 2576. Notice of the application was issued setting August 2, 1966, as the last date for protests and petitions to intervene. No petitions to intervene or protests were received.

Applicant filed an application on July 1, 1966, for license for constructed Bulls Bridge Project No. 2604. Notice of the application was issued setting November 30, 1966, as the last date for protests and petitions to intervene. No petitions to intervene or protests were received.

Applicant filed an application on December 29, 1966, for license for constructed Rocky River Project No. 2632. Notice of the application was issued setting August 20, 1968, as the last date for protests and petitions to intervene. The Public Utilities Commission of the State of Connecticut filed its notice of intervention on July 31, 1968. The Candlewood Lake Authority filed its petition to intervene on May 30, 1972. The Commission granted its intervention in an Order issued April 29, 1974. Candlewood Lake Defense Associates filed a petition to intervene on August 8, 1973, and the Town of New Fairfield filed its petition to intervene on August 13, 1973. Both these interventions were granted by a Commission order issued on December 10, 1973.

Applicant filed an application on April 28, 1967, for license for constructed Stevenson Project No. 2646. Notice of the application was issued setting October 19, 1973, as the last date for protests and petitions to intervene. No petitions to intervene or protests have been received.

The question of jurisdiction as to Project No. 2576, which was constructed after 1935, was raised by Applicant in its application for withdrawal of application for license filed on December 27, 1973. As the basis for its application for withdrawal, Applicant points to the Commission's order of December 24, 1952, which declared that "the interests of interstate or foreign commerce would not be affected by the construction and operation of the proposed Shepaug development: * * *" (see 11 FPC 1548). Applicant argues that there is not sufficient evidence to support a change in that determination and, in any event, that the Commission lacks authority to make such a change.

The question of jurisdiction as to Project Nos. 2604, 2632, and 2646, which were constructed before 1935, was raised by Applicant in its applications for withdrawal of application for license filed on December 27, 1973. As the basis for its applications for withdrawal, Applicant argues that the decision in "Farmington River Power Company v. Federal Power Commission," 455 F. 2d 86 (1972), makes the Commission's jurisdiction questionable.

Notices of each of the four applications for withdrawal of application for license were issued on June 5, 1974, with July 22, 1974, being set as the last date for protests and petitions to intervene. To date, no petitions to intervene or protests have been received.

A pre-hearing conference is set by this order to bring the parties together to explore the facts concerning the question of Commission jurisdiction over

Project Nos. 2576, 2604, 2632 and 2646. Public notice of the conference will be given. If the parties are able to agree on the facts bearing on jurisdiction, the Presiding Administrative Law Judge shall then require briefs and forward the question to the Commission with his initial decision on that question consistent with §§ 1.29 and 1.30 of the rules of practice and procedure (18 CFR 1.29 and 1.30). If there is disagreement on the issues of fact relating to jurisdiction, the Presiding Judge shall proceed to fix a hearing on that question without requiring the preparation and circulation of a staff draft environmental impact statement. Upon conclusion of the hearing on the question of jurisdiction, the Presiding Judge shall require briefs and forward the question to the Commission with his initial decision on that question in accordance with §§ 1.29 and 1.30 of the rules of practice and procedure.

In the event that the ultimate decision of the Commission is that it has jurisdiction over the projects, schedules may then be set for hearing on all the other issues raised by the applications for license. Staff environmental impact statements, if required, will be prepared and circulated only after the threshold question of jurisdiction is resolved.

The Commission finds: (1) It is appropriate and in the public interest to hold a pre-hearing conference as hereinafter provided on the question of Commission jurisdiction over constructed Project Nos. 2576, 2604, 2632, and 2646.

(2) No major action involving a significant impact on the environment is involved and no draft statement need be prepared until hearings are provided on the issues other than jurisdiction raised by the applications for license.

The Commission orders: (A) A prehearing conference before an Administrative Law Judge shall be held at 10 a.m. on July 25, 1974, in a hearing room of the Federal Power Commission, 825 North Capitol Street, Washington, D.C. 20426, respecting the issue of jurisdiction of the Commission.

(B) If the Presiding Administrative Law Judge finds no disagreement on material fact bearing on the question of the Commission's jurisdiction, he shall provide a briefing schedule to be followed by an initial decision in accordance with §§ 1.29 and 1.30 of the rules of practice and procedure.

(C) If the Presiding Administrative Law Judge finds that there is disagreement on facts bearing on jurisdiction, he shall schedule a hearing on the jurisdictional question to be followed by briefing and an initial decision in accordance with §§ 1.29 and 1.30 of the rules of practice and procedure without requiring the preparation and circulation of an environmental impact statement.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.74-14959 Filed 6-28-74;8:45 am]

[Docket Nos. RP74-90; RP73-107]

CONSOLIDATED GAS SUPPLY CORP.

Increased Production Costs

JUNE 24, 1974.

On May 16, 1974, Consolidated Gas Supply Corporation (Consolidated) filed in this docket proposed changes in its FPC Gas Tariff, First Revised Volume No. 1 and Original Volume No. 2,[1] which purportedly are designed to recoup, inter alia, increased cost of transportation of gas by others, increased cost of capital, increases in capital expenditures, and increases in operating expenses. The rate increase also includes about $15 million of increased gas purchase costs which Consolidated states would otherwise be recoverable under the Company's PGA clause. The proposed rate changes would increase Consolidated's jurisdictional revenues by approximately $24.9 million annually (an increase of 5.7 percent), and are based upon claimed costs and revenues for twelve months ended January 31, 1974, as adjusted. Consolidated proposed a July 1, 1974, effective date.

Our review of Consolidated's filing indicates that the proposed rates have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or otherwise unlawful. We shall, therefore, accept the proposed rates for filing, suspend their effect for the full statutory period, and set the matter for hearing.

We note that Consolidated proposes to change the present one-part rate applicable to its major non-affiliated customers to a 3-part rate currently available to its affiliated customers. In light of our policy of considering competitive fuel prices in setting commodity rate levels and of the present supply and market conditions on Consolidated's system, all parties to this proceeding should direct their attention, and file any evidence they wish to submit, as to the propriety of the use of the proposed 3-part rate on Consolidated's system.[2] We find that this approach is reasonable in light of our finding in United Gas Pipe Line Company, Opinion No. 671 that in times of a natural gas shortage, "rate structures which yield different average prices are per se discriminatory".

Certain issues of law and fact in this docket are substantially the same as those in Docket No. RP73-107 (currently being held in abeyance pending Commission decision in Docket No. RP71-77). We believe it is appropriate that these two proceedings be consolidated for purposes of hearing and decision. In view of this action, we shall set service and hearing dates to be applicable to these dockets as noted below.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the rates and charges contained in Consolidated's FPC Gas Tariff, as proposed to be amended by the filing in Docket No. RP74-90; that Docket No. RP74-90 be consolidated with Docket No. RP73-107 for purposes of hearing and decision; and that the tariff sheets tendered in Docket No. RP74-90 be accepted for filing and suspended for five months.

The Commission orders: (A) Docket Nos. RP74-90 and RP73-107 are consolidated for purposes of hearing and decision.

(B) Pursuant to the authority of the Natural Gas Act, the Commission's rules of practice and procedure, and the Regulations under the Natural Gas Act, a public hearing shall be held in a hearing room of the Federal Power Commission, Washington, D.C. 20426, concerning the lawfulness of the rates, charges, classifications, and services contained in Consolidated's proposed tariffs.

(C) On or before August 2, 1974, the Commission Staff shall serve its prepared testimony and exhibits. The prepared testimony and exhibits of all intervenors shall be served on or before August 23, 1974. Any rebuttal evidence by Consolidated shall be served on or before September 13, 1974. The public hearing herein ordered shall convene on September 24, 1974, at 10 a.m., E.d.t.

(D) Pending hearing and decision thereon, the tariff sheets tendered by Consolidated in Docket No. RP74-90 are accepted for filing, suspended for five months, and their use deferred until December 1, 1974, and until such time as they are made effective in the manner provided in the Natural Gas Act.

(E) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

APPENDIX

CONSOLIDATED GAS SUPPLY CORPORATION; DOCKET NO. RP74-90; REVISED TARIFF SHEETS FILED MAY 16, 1974

FIRST REVISED VOLUME NO. 1

Second Revised Sheet No. 1.
Second Revised Sheet No. 2.
Second Revised Sheet No. 3.
Original Sheet No. 7-A.
Twenty-Fifth Revised Sheet No. 8.
First Revised Sheet No. 9.
First Revised Sheet No. 10.
First Revised Sheet No. 11.
First Revised Sheet No. 12.
Second Revised Sheet No. 13; and
First Revised Sheet Nos. 14 through 21.
First Revised Sheet No. 22.
First Revised Sheet No. 23.
First Revised Sheet No. 25.
First Revised Sheet No. 26.
Second Revised Sheet No. 27.
Second Revised Sheet No. 28.
Second Revised Sheet No. 28-A.
First Revised Sheet No. 28-B.
First Revised Sheet No. 29.
Third Revised Sheet No. 32.
First Revised Sheet No. 35.

[1] Listed on attached Appendix.

[2] See: Columbia Gas Termination Corp., et al., Docket Nos. RP74-82 and RP74-81, order issued May 31, 1974, particularly authority cited therein at footnote 3.

First Revised Sheet No. 43.
Third Revised Sheet No. 52.
Second Revised Sheet No. 52–C.
First Revised Sheet No. 52–E.
First Revised Sheet No. 52–F.
Second Revised Sheet No. 53.
First Revised Sheet No. 53–A.
First Revised Sheet No. 63.
Second Revised Sheet No. 64.
Second Revised Sheet No. 65.
Original Sheet No. 69–A.

ORIGINAL VOLUME NO. 2

Seventh Revised Sheet No. 1.
Third Revised Sheet No. 1–A.
Sixth Revised Sheet No. 272.
Third Revised Sheet No. 272–A.

[FR Doc.74–14961 Filed 6–28–74;8:45 am]

[Docket No. CP71–290; CP73–283]

CONSOLIDATED SYSTEM LNG CO.

Availability of Final Environmental Impact Statement

JULY 1, 1974.

Notice is hereby given in the above Docket, that on July 1, 1974, as required by § 2.82(b) of Commission order No. 415–C, a final environmental impact statement prepared by the staff of the Federal Power Commission was made available. This final statement deals with the application filed by Consolidated System LNG Company in Docket Nos. CP71–290 and CP73–283 for a certificate of public convenience and necessity under section 7(c) of the Natural Gas Act requesting authorization for the construction and operation of 193.7 miles of 30-inch pipeline extending from Loudoun County, Virginia to Clinton County, Pennsylvania and two 6,800 horsepower compressor stations.

This final statement has been circulated to Federal, state and local agencies, and has been placed in the public files of the Commission, and is available for public inspection both in the Commission's Office of Public Information, Room 1000, 825 North Capitol Street NE., Washington, D.C. 20426; and at its Regional Office located at 26 Federal Plaza, 22nd Floor, New York, New York 10007. Copies are available in limited quantities from the Federal Power Commission's Office of Public Information, Washington, D.C. 20426.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–14952 Filed 6–28–74;8:45 am]

[Docket No. E–8744]

DELMARVA POWER AND LIGHT CO.

Tax Provision Filing Subject to Refund

JUNE 24, 1974.

On April 22, 1974, Delmarva Power and Light Company (Delmarva) made a filing pursuant to the tax provision contained in its FPC Electric Tariff Volume No. 5 and Rate Schedule FPC No. 35 to pass through a State of Delaware Five Percent Utilities Tax (Utilities Tax) on gross receipts which became applicable to sales to its nine Delaware municipal customers on January 1, 1974.[1] The five percent tax results in an increase of $449,329.40 based on revenue from the subject customers for the 12 months ended December 31, 1973. Delmarva requests an effective date of January 1, 1974.

On May 1, 1974, the Commission issued its notice of change in rate schedule and advised that petitions to intervene and protests should be filed on or before May 15, 1974.

On May 15, 1974, the City of Dover, Delaware filed a petition to intervene, formal protest and request for suspension of tariffs tendered for filing. Dover states that in May, 1972, following the passage of the Utilities Tax, Dover, the Delaware League of Local Government and other cities in the State of Delaware[2] filed a complaint for Declaratory judgment pursuant to 10 Del. Code, sections 6501, et seq., in the Court of Chauncery, Kent County, State of Delaware, seeking to invalidate the Delaware Tax. Said litigation is now pending.[3]

The City of Dover prays that the Commission grant the following relief: (1) Order a hearing on the proposed changes in existing electric tariffs and rate schedules tendered for filing by the Company on April 22, 1974, to determine whether or not the proposed rates are unjust, unreasonable, unlawful or unduly discriminatory under sections 205 and 206 of the Federal Power Act.

(2) Order the suspension of the operation of the proposed Tariff changes for the full statutory period of five (5) months pending a hearing on the lawfulness of said rates pursuant to the authority conferred upon the Commission by section 205 of the Federal Power Act.

(3) Order the Company to keep accurate and detailed account of all amounts received by reason of the increase provided for in the proposed tariff changes during any period of suspension ordered by the Commission, specifying by whom and in whose behalf such accounts are paid.

(4) Upon completion of the hearing and the Commission's decision, order the Company to refund with interest, to the Company's wholesale customers, including Petitioners, such portion of such increased sales as by its decision shall be found to be unjustified and unlawful.

(5) Order the initiation of appropriate proceedings in the cognizant United States District Court pursuant to section 314 of the Federal Power Act to enjoin or restrain agencies and officials of the State of Delaware for collecting or requiring the collection of the Utilities Tax pending a definitive determination of the lawfulness thereof by cognizant State courts, the Commission or such Federal courts as may have jurisdiction in the premises.

(6) Such other and further relief as the Commission deems meet in the premises.

Pursuant to a motion filed on May 28, 1974, by Delmarva, the Commission, by notice issued May 30, 1974, extended the time for responses to Dover's pleading 15 days beyond the date the notice was issued. On June 13, 1974, Delmarva filed an answer to Dover's pleading requests, inter alia, that the Commission:

(1) Denying the protest of Dover and its request for hearing on and suspension of the rate change;

(2) Denying the request of Dover for a finding on the lawfulness of the Delaware Gross Receipts tax and for an order seeking tion of such tax pending such adjudication; to enjoin the State of Delaware from collec-

(3) Accepting for filing the rate change here sought, effective January 1, 1974;

(4) Terminating this docket; and

(5) Granting Delmarva such other and further relief as the Commission deems proper in the premises.

Delmarva alleges that the Utilities Tax is a legitimate, constitutional and effective tax which Delmarva must pay to the State of Delaware as of January 1, 1974, and that any suspension of or hearing concerning Delmarva's April 22, 1974, filing ordered by this Commission would be improper. On May 20, 1974, the Commission issued a letter order approving Delmarva's tax provision filing, without suspension. However, at the time the letter order was issued, the Commission was not aware of the pleading filed by Dover nor of the state court proceeding challenging the constitutionality of the Utilities Tax. Although the tax provision permits the flow-through of legal and constitutional taxes, it clearly does not contemplate the flow-through of taxes which may be declared to be illegal or unconstitutional in a state court proceeding. Accordingly, we shall make Delmarva's tax provision filing subject to refund pending a final decision in the state court proceeding. If the Utilities Tax is determined to be unconstitutional, we shall, by further order, determine Delmarva's refund liability based upon, inter alia., the amount of refunds, if any, made to Delmarva by the State of Delaware. In light of this action, we shall require Delmarva to keep account of the amounts collected, subject to refund, and to make refunds, if any, with interest, at the appropriate time.

Our review of Dover's request that the Commission initiate proceedings in U.S. District Court under section 314 of the Federal Power Act to enjoin the State of Delaware from collecting the Utilities Tax from Delmarva indicates that it is not persuasive. Section 314 of the Federal Power Act provides that the Commission may seek to enjoin acts "which constitute or will constitute a violation of the provisions of this Act, or of any rule,

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[1] Designated as Original leaf No. 8A to FPC Electric Tariff Volume No. 4 and Supplement No. 4 to Rate Schedule FPC No. 35.

[2] Including Bowers Beach, Delaware City, Elswere, Georgetown, Lewes, Milford, Seaford, Smyrna, Townsend and Wilmington, Delaware.

[3] "Delaware League of Local Government, et al. v. State of Delaware Acting Through the Department of Finance and Its Director J. H. Kennedy, Director of Revenue," Civil Action No. 316.

regulation or order thereunder . . ." We find nothing in the Utilities Tax itself or in Delmarva's filing to track that tax which constitute a violation of the Federal Power Act or the rules and Regulations thereunder as contemplated by section 314 of the Federal Power Act.

The Commission finds: (1) It is necessary and appropriate in the public interest and to aid in the enforcement of the Federal Power Act that Delmarva's April 22, 1974, tax provision filing be made subject to refund, as hereinafter ordered and conditioned.

(2) Participation of Dover in this proceeding may be in the public interest.

The Commission orders: (A) Delmarva's April 22, 1974, tax provision filing is made subject to refund pending a final decision in the Delaware state court proceeding cited in Footnote 3 above.

(B) The City of Dover, Delaware shall be permitted to intervene in this proceeding, subject to the Commission's rules and regulations; *Provided, however,* That the admission of such intervenor shall not be construed as recognition by the Commission that it might be aggrieved by any orders entered in this proceeding and *Provided, further,* That the participation of such intervenor shall be limited to matters affecting rights and interests specifically set forth in its petition to intervene.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.74-14957 Filed 6-28-74;8:45 am]

[Docket No. E-8744]

DELMARVA POWER AND LIGHT CO.

Order Permitting Late Intervention

JUNE 24, 1974.

On June 7, 1974, Public Service Commission of the State of Delaware (Delaware) filed an untimely Notice of Intervention in the above-captioned proceeding. Delaware alleges that it has a substantial interest in this proceeding since it is responsible for regulation of the intrastate revenues of the Applicant in the above-captioned matter.

Because of the potential effect this proceeding may have on Delaware, we shall allow it to intervene out of time.

The Commission finds: The participation of Delaware may be in the public interest.

The Commission orders: (A) Delaware is permitted to intervene in this proceeding subject to the rules and regulations of the Commission and the procedures set forth in the Commission Order of May 28, 1974; *Provided, however,* That participation of said intervenor shall be limited to matters affecting asserted rights and interests specifically set forth in their petition to intervene, and *Provided, further,* The admission of such intervenor shall not be construed as recognition by the Commission that they might be aggrieved by any order or orders entered in this proceeding.

(B) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.74-14955 Filed 6-28-74;8:45 am]

[Docket No. CI74-137, etc.]

DIAMOND SHAMROCK CORP.

Remanding and Consolidating Proceedings

JUNE 25, 1974.

This case is before us on exceptions filed by Commission staff and brief opposing exceptions filed by Diamond Shamrock Corporation (Diamond) to an initial decision issued April 12, 1974, by Administrative Law Judge William Beasely Harris. This proceeding involves an application filed by Diamond under the optional procedure established in Order No. 455 [1] for certificates of public convenience and necessity authorizing the sale and delivery of natural gas by Diamond to Trunkline Gas Company (Trunkline). The sale is from leases in Block 338 East Cameron, Block 322 Vermillion and Block 639 West Cameron offshore Louisiana. The contract provides for an initial sale price of 45.0¢/Mcf at 15.025 psia with annual escalation of 1.0¢/Mcf per year for 20 years. For the reasons stated herein, we remand the case to the Administrative Law Judge.

The Administrative Law Judge granted the application with certain conditions. Actual project costs were not submitted into evidence in this proceeding. We have recently remanded a number of proceedings [2] under the optional procedure for further hearings to give all an opportunity to present cost evidence. In cases, we have set for hearing, we specifically directed the parties to present such evidence.[3]

Actual project costs are relevant to the issues involved here. Accordingly, without in any way passing upon the issues now before us, we shall remand the case for further hearings to give all parties an opportunity to present evidence on this matter so that the record will be complete. The Administrative Law Judge should render his initial decision upon the whole record, as originally made and as supplemented as a result of this remand.

[1] Section 2.75 of the Commission's statements of general policy and interpretations, 18 CFR 2.75.

[2] Rodman Corporation, Docket No. CI73-694, issued May 15, 1974, Pennzoil Company, et al., Docket No. CI74-264, et al., Barber Oil Exploration, Inc., et al., Docket No. CI74-199 et al. and Pennzoil Company, Docket No. CI 74-253.

[3] CNG Producing Company, Docket No. CI 74-495, Texas Eastern Exploration Company, Docket No. CI74-530, and N. C. Perryman and J. A. Wallender, Docket No. CI74-362.

In Order No. 455, statement of policy relating to optional procedure for certificating new producer sales of natural gas, 48 FPC 218 (18 CFR 2.75) issued August 3, 1972, we stated (id. 229):

> We believe that each contract filed under the alternative procedure must be considered on the merits of the terms and provisions within each contract. There certainly must be some evidentiary basis proffered by the seller-applicant upon which we can judge whether the contract rate is just and reasonable. We will, absent a showing of special circumstance, accept as conclusive the cost findings embodied in our area rate decisions, as such may be supplemented from time to time by appropriate Commission order.

Of course, the "evidentiary basis proffered by the seller-applicant" must begin with cost evidence. Cost evidence is the keystone of the concept of "just and reasonable", and about which the evidence to be proffered must be constructed, "City of Detroit v. F.P.C.", 230 F.2d 810, 818 (1955), cert. denied, 352 U.S. 829 (1956). It follows then, that the seller-applicant should introduce relevant evidence of the cost of the particular project for which certification is sought. Such evidence shall be deemed to constitute the "special circumstance" to be considered together with all other material evidence which would support a finding of a just and reasonable rate in excess of the applicable area rate.

For the applicant to carry its burden of proof as to the justness and reasonableness of the proposed rate, it must establish, by credible and relevant evidence, (1) the direct and indirect costs, including the cost of capital funds to be invested, reasonably anticipated in connection with the drilling program on the leases dedicated herein; (2) the reserves reasonably anticipated as recoverable; and (3) the deliverability reasonably anticipated.

The gas that is the subject of the contract between Diamond and Trunkline is to come from the same area of offshore Louisiana as is the gas that is the subject of the consolidated Stingray proceedings, Docket No. CP73-27, et al. And the gas in both this case and in Stingray is expected to be transported through the proposed Stingray pipeline. We have recently certificated the Stingray line, but have remanded for further hearings the issue of the rate proposed by two of the producers in the Stingray case. Opinion and Order No. 693-A, issued June 13, 1974. We believe it would be in the public interest if the Diamond application were considered at the same time. Accordingly, we will consolidate the dockets in the instant case with those in the Stingray proceedings for purposes of further hearings and disposition.

The Commission finds: It is necessary and in the public interest that the above-docketed proceeding be remanded and set for further hearings and that for this purpose they be consolidated with the dockets in Stingray Pipeline Company, et al., Docket No. CP73-27, et al.

The Commission orders: (A) Pursuant to the authority of the Natural Gas Act, particularly sections 4, 5, 7, 14 and 16

thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter I), Docket Nos. CI74–137, CI74–138 and CI74–139 are remanded for the purpose of further hearings and disposition.

(B) Docket Nos. CI74–137, CI74–138, and CI74–139 are consolidated with Stingray Pipeline Company, et al., Docket No. CP73–27, et al. for purposes of hearing and disposition.

By the Commission.[4]

[SEAL] KENNETH F. PLUMB,
Secretary.

BROOKE, Commissioner, dissenting:

This remand is little more than Stingray revisited (Stingray Pipeline Company, et al., order issued May 6, 1974; remanded in part, June 13, 1974) because the gas involved herein is produced from the same offshore tracts for delivery through the same facilities to the same pipeline company, Trunkline, as in the Stingray case. The Presiding Judge found the 45-cent rate, plus adjustments, to be just and reasonable on the basis of an evidentiary proceeding guided by policies then outstanding. I am completely astounded by the Majority's devotion to procedural dalliance when a litigated record sustains an extremely reasonable rate of 45 cents for delivery of 1,245,000 Mcf per month for 20 years to a pipeline in substantial curtailment. The Presiding Judge should be affirmed.

ALBERT B. BROOKE, Jr.,
Commissioner.

[FR Doc.74–14963 Filed 6–28–74;8:45 am]

[Dockets Nos. CP73–47, etc.]

EASCOGAS LNG, INC., ET AL.

Availability of Final Environmental Impact Statement

JULY 1, 1974.

Notice is hereby given in the above Docket, that on July 1, 1974, as required by § 2.82(b) of Commission order No. 415–C, a final environmental impact statement prepared by the staff of the Federal Power Commission was made available. This final statement deals with the applications filed by Eascogas LNG, Inc., Distrigas Corporation, Distrigas Pipeline Corporation, and Distrigas of New York Corporation in Docket Nos. CP73–47, CP73–88, CP73–132, CP73–148, CP73–230, and CP74–122 for a certificate of public convenience and necessity under section 7(c) of the Natural Gas Act requesting authorization for the construction and operation of an LNG importation terminal at Staten Island, New York and approximately 6,000 feet of 24-inch transmission line with a 2,675 foot segment of 30-inch underwater pipeline loop in the Arthur Kill between Staten Island, New York and the shore of New Jersey.

This final statement has been circulated to Federal, State and local agencies, and has been placed in the public files of the Commission, and is available for public inspection both in the Commission's Office of Public Information, Room 1000, 825 North Capitol Street NE., Washington, D.C. 20426 and at its Regional Office located at 26 Federal Plaza, 22nd Floor, New York, New York 10007. Copies are available in limited quantities from the Federal Power Commission's Office of Public Information, Washington, D.C. 20426.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–14951 Filed 6–28–74;8:45 am]

[Docket No. RP74–86]

GULF ENERGY AND DEVELOPMENT CORP.

Extension of Time and Postponement of Hearing

JUNE 24, 1974.

On June 19, 1974, Gulf Energy and Development Corporation (Gulf Energy) filed a motion for an extension of time within which to file Statement P and the other procedural dates as fixed by order issued June 10, 1974 in the above-designated matter. The motion states that neither staff counsel nor the intervener have any objection to the motion.

Upon consideration, notice is hereby given that the time is extended to and including July 2, 1974, within which Gulf Energy shall file its Statement P. The other procedural dates in the above matter are modified as follows:

Staff's prepared testimony and Exhibits, August 2, 1974.
Intervener's prepared testimony and exhibits, August 23, 1974.
Gulf Energy's rebuttal evidence, September 12, 1974.
Hearing, October 8, 1974 (10 a.m. E.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–14958 Filed 6–28–74;8:45 am]

[Docket No. RI74–260]

JAMES M. FORGOTSON

Petition for Special Relief

JUNE 21, 1974.

Take notice that on June 19, 1974, James M. Forgotson, (Petitioner), 409 Beck Building, Shreveport, Louisiana 71101, filed a petition for special relief in Docket No. RI74–260. Petitioner seeks 55 cents per Mcf, plus Btu adjustment and tax reimbursement, for gas produced from certain wells which he proposes to rework in Harrison and Rusk Counties, Texas, and sold to United Gas Pipe Line Company. The petition is based upon increasing costs.

Any person desiring to be heard or to make any protest with reference to said petition should on or before July 15, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–14966 Filed 6–28–74;8:45 am]

[Docket No. RP73–36]

PANHANDLE EASTERN PIPE LINE CO.

Proposed PGA Rate Adjustment

JUNE 21, 1974.

Take notice that on June 14, 1974, Panhandle Eastern Pipe Line Company (Panhandle) tendered for filing Ninth Revised Sheet No. 3–A to its FPC Gas Tariff, Original Volume No. 1.

This sheet is being filed pursuant to section 18 of the general terms and conditions of Panhandle's FPC Gas Tariff, Original Volume No. 1. Panhandle submits that the foregoing tariff sheet reflects an increase in the current cost of gas and recovery of amounts in the deferred purchased gas cost account and flow-through of amounts resulting from Trunkline Gas Company's rate adjustment effective August 1, 1974. An effective date of August 1, 1974, is proposed. Panhandle states that copies of the filing were served upon its jurisdictional customers and applicable state regulatory agencies.

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 July 8, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–14964 Filed 6–28–74;8:45 am]

[Project No. 2685]

POWER AUTHORITY OF THE STATE OF NEW YORK

Order Granting Hearing

JUNE 25, 1974.

A license was issued to the Power Authority of the State of New York, Licensee, on June 6, 1969, to construct and operate the Blenheim-Gilboa Pumped Storage Project No. 2685, which is located in Schoharie County on Schoharie Creek in New York State. Operations began in July of 1973.

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[4] Commissioner Brooke, dissenting, filed a separate statement appended hereto. Commissioner Moody joins in the dissent.

On November 5, 1973, the Towns of Fulton and Blenheim, New York (Complainants) filed a complaint against licensee concerning the operation of the Blenheim-Gilboa Project No. 2685, particularly regarding flow variations. A copy of the complaint was transmitted to the licensee requesting comments.

The complaint, in substance, stated that PASNY was in violation of its license because of the manner in which it was operating the project with respect to flow releases, and, as a consequence thereof, was causing "wild and rapid fluctuations in water levels downstream" from the project in Schoharie Creek.

PASNY in a letter dated January 4, 1974, responding to the complaint, denied the allegations. Staff analysis of the available data with respect to this matter was transmitted in a letter, dated January 31, 1974, to the complainants, who responded by letter, dated February 19, 1974, almost totally disagreeing with staff's assessment of this matter.

Complainants further requested a hearing in the vicinity of the project on the matters at issue which involve the magnitude and source of inflows into the lower reservoir and releases therefrom, the impact of such releases downstream, and compliance with license terms with regard to releases.

In view of the unresolved factual issues we will provide a public hearing and in the interest of members of the public in the locale who may be witnesses, we feel that it would be appropriate that the Presiding Administrative Law Judge hold a public hearing in the vicinity of the project (Albany, New York) for the purpose of receiving unsworn statements of position not subject to cross-examination and sworn testimony which is subject to cross-examination regarding the aforementioned issues, providing that in no event will the hearing continue in the vicinity of the project for a period longer than a week. Should further hearing sessions be necessary after one week, the hearing will resume in Washington, D.C. at 825 North Capitol Street NE. on a date designated by the Presiding Administrative Law Judge.

The Commission finds: It is appropriate and in the public interest to hold a public hearing as hereinafter provided.

The Commission orders: A. Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Federal Power Act, particularly sections 4(e), 10(a), 10(c), 306, and 308 thereof, the Commission's rules of practice and procedures, and regulations under the Federal Power Act, a public hearing shall be held concerning the following issues:

1. The source of the inflows into the project's lower reservoir during the period covered by the complaint.

2. The releases from the lower reservoir of the project and were they made in accordance with the license.

3. The downstream impact of flow releases from the project during the period involved.

4. Further measures, if any, under the authority of section 10(c) of the Federal Power Act and the license, should be undertaken regarding flow releases from the project.

B. A public hearing regarding the complaint shall commence on August 5, 1974, 10 a.m. (E.d.s.t.) in the Federal Court Building in Albany, New York.

C. Complainants' direct testimony of any expert witnesses, including qualifications and exhibits, shall be filed, one copy served upon the Presiding Judge, the Commission Staff, and all other parties to this proceeding, on or before July 15, 1974. However, only a brief summary of the proposed testimony of complainants' non-expert witnesses need be filed in like manner.

D. Other parties to this proceeding shall file their direct testimony and exhibits including qualifications of witnesses on or before July 22, 1974. All testimony and evidence shall be served upon the Presiding Judge, and all other parties to this proceeding.

E. Excluding exhibits, all of the prepared expert testimony shall be in question and answer form.

F. No exhibits, except those of which official notice may be properly taken, shall contain narrative material other than brief explanatory notes.

G. A cover sheet listing the title of each exhibit in the sequence in which it is to be marked for identification shall be included with the submissions by any party submitting more than one exhibit.

H. All motions to strike prepared expert testimony and exhibits and replies to such motions shall be filed with the Presiding Judge by July 29, 1974.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.74-14962 Filed 6-28-74;8:45 am]

[Docket No. RP74-55]

SOUTHERN NATURAL GAS CO.

Order Granting Intervention

JUNE 24, 1974.

On January 30, 1974, Carolina Pipeline Company (Carolina) filed a petition to intervene in the above captioned proceeding.

Our review of the subject petition indicates that good cause has been shown to grant such petition.

The Commission finds: Participation by Carolina may be in the public interest.

The Commission orders: (A) Carolina is hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission; *Provided, however,* That the participation of Carolina 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 this proceeding.

(B) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.74-14956 Filed 6-28-74;8:45 am]

[Docket Nos. RI74-84, *et al.*]

TEXACO INC., ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes to Become Effective Subject to Refund [1]

JUNE 21, 1974.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto [18 CFR, Chapter I], and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf* Rate in effect	Cents per Mcf* Proposed increased rate	Rate in effect subject to refund in dockets No.
RI74-84	Texaco, Inc.	[1] 26	25	El Paso Natural Gas Co. (San Juan Basin Area, San Juan County, N. Mex.) (Rocky Mountain Area).	$3,260	5-23-74		7-2-74	[1] 29.1305	[1] 29.44911	RI74-84.
RI74-84	do			do		5-23-74		7-2-74	[2] [3] 33.8865	[2] [3] 34.25713	RI74-84.
RI74-84	do	[1] 27	17	do	(1,368)	5-23-74		[12] Accepted	[1] [3] 29.0864	[1] [3] 28.175	RI74-84.
RI74-84	do		18	do	463	5-23-74		7-2-74	[1] [3] 28.175	[1] [3] 28.48316	RI74-84.
RI74-84	do			do		5-23-74		7-2-74	[2] [3] 32.775	[2] [3] 33.13347	RI74-84.
RI74-84	do	210	8	do	27	5-23-74		7-2-74	[6] 30.07287	[6] 30.33806	RI74-84.
RI74-84	do	290	17	El Paso Natural Gas Co. & Northwest Pipeline Corp. (San Juan Basin Area, San Juan County, N. Mex.) (Rocky Mountain Area).	1,333	5-23-74		7-2-74	[4] [6] 28.78294	[4] [6] 29.07906	RI74-84.
RI74-84	do			do		5-23-74		7-2-74	[2] [3] 32.433	[2] [3] 32.78773	RI74-84.
RI74-84	do	340	11	Northwest Pipeline Corp. (San Juan Basin Area, San Juan County, N. Mex.) (Rocky Mountain Area).	445	5-23-74		7-2-74	[10] 28.78294	[4] [6] 29.07906	RI74-84.
RI74-84	do			do		5-23-74		7-2-74	[2] [3] 32.433	[2] [3] 32.78773	RI74-84.
RI74-84	do	341	17	El Paso Natural Gas Co. & Northwest Pipeline Corp. (San Juan Basin Area, San Juan County, N. Mex.) (Rocky Mountain Area).	4,568	5-23-74		7-2-74	[3] [4] 28.78294	[4] [6] 29.07906	RI74-84.
RI74-84	do			do		5-23-74		7-2-74	[5] [7] 27.881	[5] [7] 28.18504	RI74-84.
RI74-84	do			do		5-23-74		7-2-74	[2] [3] 32.433	[2] [3] 32.78773	RI74-84.
RI74-133	do	346	10	El Paso Natural Gas Co. (San Juan Basin Area, San Juan County, N. Mex.) (Rocky Mountain Area).	1,370	5-23-74		7-2-74	[8] 33.2577	[8] 33.72972	RI74-133.
RI74-133	do			do		5-23-74		7-2-74	[5] [9] 32.34	[5] [9] 32.69371	RI74-133.
RI74-257	do	503	1	Kansas-Nebraska Natural Gas Co. (Alkali Butte Field, Fremont County, Wyo., Montana-Wyoming Sub Area) (Rocky Mountain Area).	316,956	5-24-74		11-24-74	[9] [10] 23.4022	[9] [11] 52.75	
RI74-258	The Superior Oil Co.	166	1	Mountain Fuel Supply Co. (West Side Canal Area, Carbon County, Wyo., Uinta Green River Basin Sub Area) (Rocky Mountain Area).	80,536	5-28-74		11-28-74	23.75	[10] 40.8	
RI74-131	Union Oil Company of California.	[1] 65	8	El Paso Natural Gas Co. (acreage in San Juan & Rio Arriba Counties, N. Mex., San Juan Basin Sub Area) (Rocky Mountain Area).	327	5-23-74		7-2-74	24.9805	[11] 25.2535	RI74-131.
RI74-131	do	68	13	do	100	5-23-74		7-2-74	24.9805	[11] 25.2535	RI74-131.
RI74-84	do	[3] 22	14	El Paso Natural Gas Co. (acreage in San Juan County N. Mex., San Juan Basin Sub Area) (Rocky Mountain Area).	[1] 308	5-23-74		7-2-74	[1] [3] 28.175	[1] [3] [11] 28.4832	RI74-84.
RI74-84	do			do	(2)	5-23-74		7-2-74	[2] [3] 32.775	[2] [3] [11] 33.1335	RI74-84.
RI74-82	do	347	9	do	[1] 15	5-23-74		7-2-74	[1] [3] 28.7829	[1] [3] [11] 29.0791	RI74-82.
RI74-82	do			do	(2)	5-23-74		7-2-74	[2] [3] 32.4330	[2] [3] [11] 32.7877	RI74-82.

* Unless otherwise stated, the pressure base is 15.025 lb/in² a.
[1] Gas delivered from wells completed prior to June 1, 1970.
[2] Gas delivered from wells completed on or after June 1, 1970.
[3] Considered "New Gas" pursuant to Opinion No. 639.
[4] Applicant filing rate decrease to Order No. 435 ceiling.
[5] Inclusive of Btu adjustment from a base of 1,000 Btu.
[6] Inclusive of Btu adjustment from a base of 1,050 Btu.
[7] Applicable only to acreage added by Supplement Nos. 9 and 10.
[8] Applicable only to acreage added by Supplement No. 7.
[9] Base rate of 22.1822 cents plus 1.22 cents upward Btu adjustment for 1,055 Btu gas.
[10] Subject to upward and downward Btu adjustment from a base of 1,000 Btu.
[11] Reflects contractual reimbursement for the increased New Mexico severance tax.
[12] Accepted as of June 7, 1974, subject to the existing suspension proceeding in Docket No. RI74-84.
[13] The pressure base is 14.65 lb/in² a.

The proposed decreased rate of Texaco Inc., designated as Supplement No. 17 to its FPC Gas Rate Schedule No. 27, exceeds the applicable ceiling established in Order No. 435 and is accepted as of June 7, 1974, subject to the existing suspension proceeding in Docket No. RI74–84.

The proposed tax reimbursement increases above underlying rates currently in effect subject to refund in Docket Nos. RI74–84, RI74–133, RI74–131, and RI74–82, are suspended for one day from the proposed July 1, 1974, effective date in the existing suspension proceedings.

The remaining proposed increases are in excess of the applicable ceiling established in Order No. 435 and are suspended for five months because of the rate level sought.

[FR Doc.74-14808 Filed 6-28-74;8:45 am]

[Docket No. RP73-94]

VALLEY GAS TRANSMISSION, INC.

Further Extension of Time and Postponement of Hearing

JUNE 24, 1974.

On June 21, 1974, Valley Gas Transmission filed a motion for a further extension of the procedural dates fixed by notice issued May 17, 1974 in the above-designated matter. The motion states that none of the parties has any objection to the requested extension.

Upon consideration, notice is hereby given that the procedural dates are further modified as follows:

Service of rebuttal evidence by Valley Gas Transmission, Inc., July 12, 1974.
Hearing, July 16, 1974.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-14960 Filed 6-28-74;8:45 am]

FEDERAL RESERVE SYSTEM

MAIN CORP.

Acquisition of Health Management Services Corp.

The Main Corporation, Chicago, Illinois, 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 Health Management Services Corporation, Hillside, Illinois. Notice of the application was published on May 16, 1974, in the Chicago Tribune, a newspaper circulated in Chicago, Illinois.

Applicant states that the proposed subsidiary would engage in the following activities: acquiring for its own account, Medicaid and Medicare accounts receivables from doctors and other providers of medical care. Such activities will be

conducted at offices in Hillside, Illinois. Applicant states that such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago.

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 July 19, 1974.

Board of Governors of the Federal Reserve System, June 21, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-14941 Filed 6-28-74;8:45 am]

NAMYAW CORPORATION, INC.

Retention of the Assets of Namyaw Insurance Agency

Namyaw Corporation, Inc., Emporia, Kansas, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c)(8) of the Act and § 225.4(b)(2) of the Board's Regulation Y, to retain the assets of Namyaw Insurance Agency, Emporia, Kansas ("Agency"), a company that engages in the activities of an insurance agent or broker with respect to credit related insurance including credit life and credit accident and health insurance, and certain other types of general or "convenience" insurance. Such activities have been determined by the Board to be closely related to banking (12 CFR 225.4(a)(9)(ii)(a) and (c)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (39 FR 13920). The time for filing comments and views has expired, and the application and all comments and views received have been considered in light of the public interest factors in section 4(c)(8) of the Act.

Applicant, a one bank holding company, controls Emporia State Bank and Trust Company, Emporia, Kansas ("Bank"), with deposits of about $20 million, representing less than one percent of the total commercial banks deposits in the State (all banking data are as of June 30, 1973). Applicant also control a nonbank company that is engaged in travel agency activities.

Applicant, which acquired Bank and Agency in 1969, proposes to retain the assets of Agency which operates from the premises of Bank. Agency sells insurance principally in connection with extensions of credit by Bank and at year end 1973 had gross commission income of approximately $29,000. Agency also sells a limited amount of "convenience" insurance as permitted by § 225.4(a)(9)(ii)(c) of Regulation Y and has committed to limit the gross premium income derived from such insurance to less than 5 percent of Agency's gross commission income from insurance sold pursuant to § 225.4(a)(9)(ii).

The Board regards the standards of section 4(c)(8) for the retention of assets of a nonbanking company to be the same as the standards for a proposed section 4(c)(8) acquisition. Accordingly, the Board must find that neither the operation of the nonbanking company nor the Board's approval of the section 4(c)(8) application would result in an undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices. Due to the limited nature and scope of the aforementioned insurance activities, it appears that neither Applicant's operation nor its retention of Agency would have an adverse effect on either existing or future competition in the relevant area.

Approval herein would enable Applicant to continue to offer Bank's customers a convenient source of insurance services. There is no evidence in the record that approval would result in an undue concentration of resources, unfair competition, conflicts of interests, unsound banking practices, or other adverse effects on the public interest.

On the basis of the foregoing and other facts of record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) of the Act is favorable. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure complance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

By order of the Board of Governors,[1] effective June 24, 1974.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.74-14944 Filed 6-28-74;8:45 am]

[1] Voting for this action: Governors Brimmer, Sheehan, Bucher, Holland and Wallich. Absent and not voting: Chairman Burns and Governor Mitchell.

NB CORP.

Acquisition of Bank

NB Corporation, Charlottesville, Virginia, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire all of the voting shares of the successor by merger to The Peoples Bank and Trust Company of Henrico, Richmond, Virginia. 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 Richmond. 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 July 16, 1974.

Board of Governors of the Federal Reserve System, June 21, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-14940 Filed 6-28-74;8:45 am]

NCNB CORP.

Acquisition of Peoples Loan and Finance Corp.

NCNB Corporation, Charlotte, North Carolina, 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 indirectly, through a newly formed company to be known as TranSouth Financial Corporation of Georgia, Marietta, Georgia, assets of 19 offices of Peoples Loan and Finance Corporation, Marietta, Georgia. Notice of the application was published in May, 1974, in newspapers of general circulation in communities in Florida and Georgia.

Applicant states that the proposed subsidiary would engage in the activities of operating a finance company engaging in the activities of making, acquiring and servicing loans and other extensions of credit (a) directly to individuals, either unsecured or secured by liens of real or personal property; (b) loans to retail dealers of automobiles and other durable consumer goods, usually secured by inventory; (c) the purchase on a discount basis of contracts and related security instruments arising from the sale by dealers of automobiles and other types of personal property or arising from the performance of services by contractors; and acting as agent for the sale of credit life insurance, credit accident and health insurance and property damage insurance. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably

be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Banks of Richmond or Atlanta.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than July 19, 1974.

Board of Governors of the Federal Reserve System, June 21, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-14942 Filed 6-28-74;8:45 am]

SOUTH CAROLINA NATIONAL CORP.

Acquisition of Acceptance Premium Company and Insurance Premium Discount Co.

South Carolina National Corporation, Columbia, South Carolina, a bank holding Company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c)(8) of the Act and § 225.4(b)(2) of the Board's Regulation Y, to acquire indirectly all of the voting shares of Acceptance Premium Company, Atlanta, Georgia ("Acceptance"), and Insurance Premium Discount Company, Morganton, North Carolina ("Insurance"), companies that engage in the activity of making extensions of credit to individuals and corporations to finance the payment of casualty, liability and other insurance premiums. Such activity has been determined by the Board to be closely related to banking (12 CFR 225.4(a)(1)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (39 FR 12930 and 13603). The time for filing comments and views has expired, and the Board has considered the application and all comments received in the light of the public interest factors set forth in section 4(c)(8) of the Act (12 U.S.C. 1843(c)).

Applicant, the largest banking organization in South Carolina, controls one bank with total deposits of $703 million, representing approximately 21 percent of the total deposits in commercial banks in the State.[1] Applicant also controls a number of nonbanking subsidiaries engaged in making mortgage and second mortgage real estate loans; financing consumer loans, motor vehicles and insurance premiums; and reinsuring credit life, credit accident and health insurance.

Acceptance (total net receivables of approximately $494,000[2]) operates one office in Atlanta, Georgia and engages in business in Georgia, Kentucky and Tennessee. It appears that, in terms of receivables, Acceptance is the 17th largest of 52 licensed insurance premium financing companies in Georgia; the 33rd largest of 35 such companies in Kentucky; and the fourth largest of 30 such companies doing business in Tennessee. Insurance (total net receivables of approximately $332,000) operates one office in Morgantown, North Carolina and derives most of its business from North Carolina where it appears to be the sixth largest of 133 companies engaged in insurance premium financing. In addition, Insurance derives a small amount of its business from South Carolina where 53 such companies operate.

Because of State licensing requirements[3] and the nature of insurance premium financing, which involves doing business with agents in many parts of a State, the relevant geographic markets for analysis of the competitive effects of the proposed acquisitions is approximated by each State in which such a company is doing business. One of Applicant's subsidiaries, Premium Acceptance Company ("Premium") engages in insurance premium financing in Virginia. However, neither Premium, Acceptance nor Insurance derive any significant business from the States in which any of the other companies operate. On this basis, and other facts of record, the Board concludes that the proposed acquisitions would not have adverse effects on existing competition. Furthermore, it does not appear that Applicant's acquisition of Acceptance or Insurance would foreclose the development of significant potential competition within the relevant markets in view of the size of the companies to be acquired, the numerous other potential entrants, the relatively large number of competitors already operating in each market and the absence of concentration of the insurance premium financing business in each market. Nor is there any evidence to indicate that the acquisition of Acceptance and Insurance by Applicant would result in any undue concentration of resources, unfair competition, conflicts of interests or unsound banking practices. It is expected that consummation of the proposal will increase the financial resources available to Acceptance and Insurance, and lower their costs of funds, thereby enabling them to expand their loan portfolios which should increase their competitive effectiveness.

In consideration of this application, the Board has examined the covenants not to compete which were executed in connection with each of the proposed acquisitions. The Board finds that the provisions of these covenants are reasonable in duration, scope and geographic area and are consistent with the public interest.

Based on the foregoing and other considerations reflected in the record,[4] the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) is favorable. Accordingly, the applications are hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

The transaction shall be made not 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 Richmond.

By order of the Board of Governors,[5] effective June 24, 1974.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.74-14945 Filed 6-28-74;8:45 am]

[1] All banking data are as of June 30, 1973, and reflect holding company acquisitions and formations approved through May 31, 1974.

[2] Data for receivables for Acceptance and Insurance are as of December 31, 1973.

[3] Georgia, Kentucky, North Carolina, South Carolina and Virginia require that an insurance premium financing company obtain a license before transacting business in such States.

[4] Dissenting Statement of Governor Brimmer filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Chicago.

[5] Voting for this action: Governors Sheehan, Bucher, Holland and Wallich. Voting against this action: Governor Brimmer. Absent and not voting: Chairman Burns and Governor Mitchell.

INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

ELECTRIC FACE EQUIPMENT STANDARD

Application for Renewal Permit

An application for a renewal permit for noncompliance with the Electric Face Equipment Standard prescribed by the Federal Coal Mine Health and Safety Act of 1969 has been received for the item of equipment in an underground coal mine as follows:

ICP Docket No. 4323-000, EDDIE COAL COMPANY, INC. Mine No. 14, Mine ID No. 15 01554 0, Elkhorn City, Kentucky, ICP Permit No. 4323-001 (Joy Loader, I.D. No. 1).

In accordance with the provisions of § 504.7(b) of Title 30, Code of Federal Regulations, notice is hereby given that requests for public hearing as to an application for a renewal permit may be filed on or before July 16, 1974. Requests for public hearing must be filed

in accordance with 30 CFR Part 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the Panel upon request.

A copy of each application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Room 800, 1730 K Street, NW., Washington, D.C. 20006.

C. DONALD NAGLE,
Vice Chairman,
Interim Compliance Panel.

JUNE 26, 1974.

[FR Doc.74-14929 Filed 6-28-74;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on June 26, 1974 (44 USC 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (x) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this Daily List may be obtained from the Clearance Office, Office of Management and Budget Washington, D.C. 20503, (202-395-4529).

NEW FORMS

DEPARTMENT OF AGRICULTURE

Farmer Cooperative Service: Marketing Operations of Dairy Cooperative; Form --, Single Time, Lowry, All Dairy Cooperatives.

DEPARTMENT OF COMMERCE

Bureau of the Census: 1974 Salmon Fishing Survey Questionnaire; Form NOAA 88-906, Single Time, Planchon, Sport Fishermen.

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

Alcohol, Drug Abuse & Mental Health Administration: Center for Epidemiologic Studies; Depressed Mood Scale; Form ADAMMH 0605, Occasional Caywood, Individuals.

HEALTH RESOURCES ADMINISTRATION

Annual Evaluation of the Education and Training in TEAM Programs; Form HRABHRD 0425, Annual, HRD/Brown, TEAM program administration students and faculty.

DEPARTMENT OF HEALTH, EDUCATION & WELFARE

Health Resources Administration: An experimental study of revised nursing practice for elementary schools; Form HRABHRD 0612, Occasional, Planchon, Pupils parents and school personnel.

Office of Education: A-102 Financial Status Report of Part B, EHA & P.L. 89-313/ESEA Programs; Form OE-9039-1, Annual, Lowry, State Agencies.

Instructions for Performance Report for the Part B, EHA & P.L. 89-313 ESEA Programs (as amended); Form OE-9039-2, Annual, Caywood, State Agencies.

A-102 Financial Status & Performance Reports—Discretionary Projects—Bureau of Postsecondary Education; Form OE-1294, Occasional, Lowry, State & Local Educational Agencies.

School Climate (Elementary & Secondary); Form OE-364, -1, Single Time, HRD/Planchon, Pupils in Grades 3, 5, 10, 11, 12.

Social Security Administration: Factors in Recurring Dependency; Form SSA-9745, Semi-annual, Caywood, Closed welfare cases, New York City.

DEPARTMENT OF JUSTICE

Departmental: Application for Federal Assistance (Construction); Form LEAA Form 4000/4, Occasional, Lowry, State & local units of Government.

VETERANS ADMINISTRATION

Application for Servicemen's Group Life Insurance (Retired Reservists); Form VAF 29-8713, Occasional, Caywood, Retired Reservists.

REVISIONS

DEPARTMENT OF AGRICULTURE

Statistical Reporting Service: Cold Storage Survey; Form —, Monthly, Lowry, Refrigerated Warehouses.

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

Alcohol, Drug Abuse & Mental Health Administration: Evaluation of Child Mental Health Program—Part F; Form ADAMMH 0610, Single Time, HRD/Reese, Community Mental Health Centers and Child Mental Health Services.

Social Security Administration: Cessation or Continuance of Disability; Form SSA-833, Occasional, Caywood, State Agencies.

DEPARTMENT OF JUSTICE

Departmental: Application for Federal Assistance (Non-Construction); Form LEAA 4000 3, Occasional, Lowry, State & local Units of Government.

DEPARTMENT OF LABOR

Bureau of Mines: Asbestos; Form 6-1211-A, Annual, Weiner, Consumers of specified grades of asbestos.

FEDERAL ENERGY OFFICE

Request for Assignment or Adjustment; Form FEO-17, Occasional, Weiner, Users & Resellers of petroleum products.

EXTENSIONS

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Housing Production & Mortgage Credit: Periodical Estimate for Partial Payment; Form HUD-51001, Occasional, Evinger, Contractor-Builder.

Schedule of Change Orders; Form HUD 51002, Occasional, Evinger, Contractor-Builder.

Schedule of Materials Stored; Form HUD 51003, Occasional, Evinger, Contractor-Builder.

Subdivision Sewage Disposal Report; Form FHA 2084c, Occasional, Evinger, Contractor-Developer.

DEPARTMENT OF JUSTICE

Departmental: Discretionary Grant Progress Report; Form LEAA 4587/1, Quarterly, Lowry, State & Local Units of Government.

DEPARTMENT OF LABOR

Bureau of Mines: Refinery Report; Form 6-1300-M, Monthly, Weiner, Petroleum Refineries.

Employment Standards Administration: Attending Physician's Supplementary Report; Form LS-204a, Occasional, Evinger, Physicians.

PHILIP D. LARSEN,
Budget and Management Officer.

[FR Doc.74-15044 Filed 6-28-74;8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts

DANCE ADVISORY PANEL

Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a meeting of the Dance Advisory Panel to the National Council on the Arts will be held at 9:30 a.m. to 5:30 p.m. on July 15, 9 a.m. to 5:30 p.m. on July 16, 9 a.m. to 5:30 p.m. on July 17, 1974 in the California Room in the Sheraton-Palace Hotel, San Francisco, California.

A portion of this meeting will be open to the public on July 16 (2-5:30 p.m.) and July 17 (9 a.m.-2 p.m.) on a space available basis. Accommodations are limited. During the open session Dance Program Guideline Review; Producing Organization, Centers; Proposed Sabbatical for Principle and Soloist Dancers; Proposed Master/Apprenticeship Program in Choreography & Double Casting costs in Choreographic applications will be discussed.

The remaining sessions of this meeting, July 15 (9:30-5), July 16 (9-2), July 17 (2-5:30), 1974 are for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determinaiton of the Chairman published in the FEDERAL REGISTER of January 10, 1973, these sessions, which involve matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b) (4), (5)) will not be open to the public.

Further information with reference to this meeting can be obtained from Mrs. Luna Diamond, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 382-5871.

EDWARD M. WOLFE,
Administrator Officer, National Endowment for the Arts, National Foundation on the Arts and the Humanities.

[FR Doc.74-14988 Filed 6-28-74;8:45 am]

FEDERAL-STATE PARTNERSHIP ADVISORY PANEL

Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given that a meeting of the Federal-State Partnership Advisory Panel to the National Council on the Arts will be held at 3–7 p.m. July 10, 9 a.m.–5:30 p.m. July 11, and 8:30 a.m.–5 p.m. on July 12, 1974 at Fort Worden State Park, Port Townsend, Washington.

A portion of this meeting will be open to the public on July 11 from 9 a.m. to 5:30 p.m. on a space available basis. Accommodations are limited. During the open session Community Services and Regionalism will be discussed.

The remaining sessions of this meeting, July 10 and July 12 are for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of January 10, 1973, these sessions, which involve matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b)(4), (5)) will not be open to the public.

Further information with reference to this meeting can be obtained from Mrs. Luna Diamond, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 382–5871.

EDWARD M. WOLFE,
Administrative Officer, National Endowment for the Arts, National Foundation on the Arts and the Humanities.

[FR Doc.74–14989 Filed 6–28–74;8:45 am]

MUSEUM ADVISORY PANEL

Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given that a closed meeting of the Museum Advisory Panel to the National Endowment for the Arts will be held at 9 a.m. on July 10, 1974 in the 8th floor conference room of the McPherson Building, 1425 K St. NW., Washington, D.C.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of January 10, 1973, this meeting, which involves matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b)(4), (5)) will not be open to the public.

Further information with reference to this meeting can be obtained from Mrs. Luna Diamond, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 382–5871.

EDWARD M. WOLFE,
Administrative Officer, National Endowment for the Arts, National Foundation on the Arts and the Humanities.

[FR Doc.74–14990 Filed 6–28–74;8:45 am]

SPECIAL PROJECTS ADVISORY PANEL

Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given that a meeting of the Special Projects Advisory Panel to the National Council on the Arts will be held at 10 a.m. on July 14, 9:30 a.m. on July 15, and 9:30 a.m. on July 16, 1974 at the Milwaukee Performing Arts Center, Milwaukee, Wisconsin.

A portion of this meeting will be open to the public on July 14 from 10 a.m. to 5 p.m. on a space available basis. Accommodations are limited. During the open session arts centers and festivals will be discussed.

The remaining sessions of this meeting, July 15 from 9:30 to 5 p.m. and July 16 from 9:30 to 4 p.m., 1974 are for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of January 10, 1973, these sessions, which involve matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b)(4), (5)) will not be open to the public.

Further information with reference to this meeting can be obtained from Mrs. Luna Diamond, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 382–5871.

EDWARD M. WOLFE,
Administrative Officer, National Endowment for the Arts, National Foundation on the Arts and the Humanities.

[FR Doc.74–14991 Filed 6–28–74;8:45 am]

NATIONAL SCIENCE FOUNDATION

AD HOC TASK GROUP

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given of a meeting of the Ad Hoc Task Group Number 2 of the Advisory Committee for Research to be convened at 9 a.m. on July 26 and 27, 1974, at the General Electric Research and Development Center, Building K–1, Schenectady, New York 12309.

The purpose of the ad hoc task groups is to provide the Advisory Committee for Research with a mechanism to consider numerous specific topics of interest to the full committee.

The agenda for the meeting of Ad Hoc Task Group Number 2 will consist of a discussion of the problems of Coupling University and Industrial Research.

This meeting shall be open to the public. Individuals who wish to attend should inform Mrs. Nancy Fitzroy, Chairwoman, Ad Hoc Task Group Number 2, by telephone (518–346–8771, x6378) or by mail (General Electric Research and Development Center, Building K–1, Schenectady, New York 12309). Persons requiring further information concerning this ad hoc panel or parent committee should contact Mr. Leonard F. Gardner, Special Assistant, Assistant Directorate for Research (202–632–4278) Room 320, 1800 G Street, NW., Washington, D.C. 20550. Summary minutes relative to this meeting may be obtained from the Management Analysis Office, Room K–720, 1800 G Street, NW., Washington, D.C. 20550.

T. E. JENKINS,
Assistant Director for Administration.

JUNE 20, 1974.

[FR Doc.74–15020 Filed 6–28–74;8:45 am]

ADVISORY COMMITTEE FOR SCIENCE EDUCATION

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given of a meeting of the Advisory Committee for Science Education to be convened at 9 a.m. on July 18 and 19, 1974, in Room 651 at 5225 Wisconsin Avenue, NW., Washington, D.C.

The purpose of this committee is to provide advice and recommendations concerning the impact of all Foundation activities relating to education in the sciences in U.S. schools, colleges, and universities.

The agenda for this meeting shall include:

JULY 18

9:00—Remarks: NSF Director
9:30—Remarks: Assistant Director of Education
10:15—Break
10:30—Discussion of the Office of Experimental Projects and Programs (OEPP) Conference concerning Continuing Education: Special Assistant, Office of Experimental Projects and Programs
10:45—Discussion on OEPP Conference concerning Pre-Service Teacher Education: Project Manager, Experimental Programs Group
11:00—Discussion of Instructional Improvement Implementation: Division of Pre-College Education in Science
11:15—Ad Hoc Task Group Discussion of the Continuing Vitality of Science: Committee Chairman Presentation of a Proposed Program: Project Manager, Experimental Program Group

12:00—Recess for lunch
1:30—Continuation of Ad Hoc Task Group Discussion
3:00—Ad Hoc Task Group Discussion of Technological Innovation in Education: Committee member
5:00—Adjourn

JULY 19

9:00—Administrative Matters
9:30—Discussion of Guidelines for Two FY 1975 Energy-Related Programs (Postdoctoral Appointments and Visiting Foreign Scholars): Division Director, Division of Higher Education in Science
10:30—Break
10:45—Continuation of Task Group Discussion concerning Public Education: Committee Member
1:00—Adjourn

This meeting shall be open to the public. Individuals who wish to attend should inform Mrs. Frances O. Watts, Staff Assistant, Assistant Directorate for Education, by telephone (202–282–7930) or by mail (Room W–600, 1800 G Street, NW., Washington, D.C. 20550) prior to the meeting. Persons requiring further information concerning this committee should contact Mrs. Frances O. Watts at the above address. Summary minutes relative to this meeting may be obtained from the Management Analysis Office, Room K–720, 1800 G Street NW., Washington, D.C. 20550.

T. E. JENKINS,
Assistant Director for Administration.

JUNE 20, 1974.

[FR Doc.74–15019 Filed 6–28–74;8:45 am]

ADVISORY PANEL FOR EARTH SCIENCES

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 Earth Sciences to be held at 9 a.m. on July 18 and 19, 1974, at the Department of Geological Sciences, University of Wisconsin, Milwaukee, Wisconsin 53201.

The purpose of this panel is to provide advice and recommendations as part of the review and evaluation process for specific proposals and projects.

This meeting will not be open to the public because at this meeting the panel will be engaged in the review and evaluation of pending proposals involving the consideration and discussion of proprietary information concerning scientific research submitted in confidence to the Foundation. These matters are within the exemptions of 5 U.S.C. 552(b). The closing of this meeting is 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.

For further information concerning this panel, individuals may contact Dr. William E. Benson, Head, Earth Sciences Section, Room 310, 1800 G Street NW., Washington, D.C. 20550.

T. E. JENKINS,
Assistant Director for Administration.

JUNE 18, 1974.

[FR Doc.74–15018 Filed 6–28–74;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[V–74–35]

FRONTIER FORD

Application for Variance and Interim Order; Grant of Interim Order

I. *Notice of application.* Notice is hereby given that Frontier Ford, P.O. Box 8446, 1600 Lomas, NE., Albuquerque, New Mexico 87108 has made application pursuant to section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596; 29 U.S.C. 655) and 29 CFR 1905.11 for a variance and interim order pending a decision on the application for a variance, from the standards prescribed in 29 CFR 1910.107 (b)(5)(iv) concerning sprinklers for spray booths.

The address of the place of employment that will be affected by the application is as follows:

Frontier Ford,
P.O. Box 8446,
1600 Lomas NE.,
Albuquerque, N. Mex. 87108.

The applicant certifies that employees who would be affected by the variance have been notified of the application by giving a copy of it to their authorized employee representative, and by posting a copy at all places where notices to employees are normally posted. Employees have also been informed of their right to petition the Assistant Secretary for a hearing.

Regarding the merits of the application, the applicant contends that it will provide a place of employment as safe as required by 29 CFR 1910.107(b)(5)(iv) which requires that approved automatic sprinklers protect the space within spray booths on the downstream and upstream sides of filters.

The applicant contends that the chemical type fire control system which it proposes to install would be as safe as the water type sprinklers called for in the standard. The applicant proposes to install two Ansul R–101–20# systems in each spray both with manual and automatic fire detective devices. There would allegedly be a total of 12 nozzles capable of spraying the chemical over the filter and dust area; four nozzles per bank of filters and nozzles in the duct and plenum area.

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,
7th Floor, Texaco Building,
1512 Commerce Street,
Dallas, Tex. 75201.

U.S. Department of Labor,
Occupational Safety and Health Administration,
Room 302 Federal Building,
421 Gold Avenue SW.
P.O. Box 1428
Albuquerque, N. Mex. 87103.

All interested persons, including 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 July 31, 1974. In addition, employers who believe they would affected by a grant or denial of the variance may request a hearing on the application no later than July 31, 1974. in conformity with the requirements of 29 CFR 1905.15. Submission of written comments and requests for a hearing should be in quadruplicate, and must be addressed to the Office of Compliance Programming at the above address.

II. *Interim order.* It appears from the application for a variance and interim order that an interim order is necessary to prevent undue hardship to the applicant pending a decision on the variance. Therefore, it is ordered, pursuant to authority in section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970, and 29 CFR 1905.11 (c) that Frontier Ford be, and it is hereby, authorized to protect filter and duct areas in spray booths with a dry chemical type fire control system, rather than the water sprinklers required in 29 CFR 1910.107(b)(5)(iv) provided that the system meets the requirements stated in 29 CFR 1910.160.

Frontier Ford 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 July 1, 1974, and shall remain in effect until a decision is rendered on the application for variance.

Signed at Washington, D.C., this 26th day of June 1974.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.74–15000 Filed 6–28–74;8:45 am]

Office of the Secretary

WESTLAND SHOE CORP.

Certificaiton of Eligibility of Workers To Apply for Adjustment Assistance

Under date of May 17, 1974, the U.S. Tariff Commission made a report of the results of its investigation (TEA–W–232)

under section 301(c)(2) of the Trade Expansion Act of 1962 (76 Stat. 884) in response to a petition for determination of eligibility to apply for adjustment assistance on behalf of the workers and former workers of Westland Shoe Corp., Biddeford, Maine, a wholly owned subsidiary of Standard Prudential Corp., New York, N.Y. In this report the Commission found that articles like or directly competitive with footwear for women produced by Westland Shoe Corp. are, as a result in major part of concessions granted under trade agreements, being imported into the United States in such increased quantities as to cause unemployment or underemployment of a significant number or proportion of the workers of such firm or an appropriate subdivision thereof.

Upon receipt of the Tariff Commission's affirmative finding, the Department, through the Acting Director of the Office of Foreign Economic Policy, Bureau of International Labor Affairs, instituted an investigation.

Following this the Director made a recommendation to me relating to the matter of certification (notice of delegation of authority and notice of investigation, 34 FR 18342; 37 FR 2472; 39 FR 18511, 29 CFR 90). In the recommendation she noted that concession generated imports like or directly competitive with women's footwear produced by Westland Shoe Corp. increased substantially. In 1971 the major buyer of Westland Shoe Corp.'s women's shoes began reducing its purchases from Westland Shoe Corp. and increasing its purchases of imported women's footwear. Westland partially offset their loss of sales by acquiring numerous smaller customers for women's footwear. In the second half of 1973, the firm's major footwear customer ceased purchasing from Westland and the firm ceased all production of women's footwear in November of that year. Westland Shoe Corp. continued producing men's shoes until March 1974 when it discontinued all production operations. Reductions in employment levels and hours directly related to import competition began in September 1973 and continued until the final order for women's footwear was shipped in December 1973. After due consideration I make the following certification:

All hourly, piecework, and salaried employees of Westland Shoe Corp., Biddeford, Maine, a wholly owned subsidiary of Standard Prudential Corp., New York, N.Y., engaged in the production of women's footwear, who became unemployed or underemployed after August 25, 1973 and before December 23, 1973 are eligible to apply for adjustment assistance under Title III, Chapter 3, of the Trade Expansion Act of 1962.

Signed at Washington, D.C. this 21st day of June 1974.

JOEL SEGALL,
Deputy Under Secretary
International Affairs.

[FR Doc.74-15001 Filed 6-28-74;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 541]

ASSIGNMENT OF HEARINGS

JUNE 26, 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 July 1, 1974.

MC 136051 Sub 3, RPD, Inc., is continued to July 30, 1974 at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 139226 Sub 1, Sentry Transport, Inc., now assigned July 24, 1974, at Washington, D.C., is postponed to August 26, 1974, at the Offices of the Interstate Commerce Commission Washington, D.C.

MC-127872 Greenfield and Montague Transportation Area, now assigned July 16, 1974, will be held in Room 212, City Hall, Springfield, Mass.

MC-C-8213, W. F. Buckley Co., Inc., Graf Bros., Inc., Cole's Express, A Corp., Auclair Transportation, Inc., and Spear Trucking Corp.—Investigation of Operations and Revocation of Certificates now assigned July 18, 1974, will be held on the 5th Floor, 150 Causeway St., Boston, Mass.

MC-113651 Sub 161, Indiana Refrigerator Lines, Inc., now assigned July 22, 1974, will be held on the 5th Floor 150 Causeway Street, Boston, Mass.

MC-F-11442, K. G. Moore, Inc.—Purchase—Fleming's Express, Inc. and MC-126102, Anderson Motor Lines, Inc., now assigned July 24, 1974, will be held on the 5th Floor, 150 Causeway Street, Boston, Mass.

MC-116073 Sub 31 and 35, Barrett Mobile Home Transport, Inc., Extension—Buildings and MC-116073 Sub 85, Barrett Mobile Home Transport, Inc., Extension—Idaho, is continued to September 9, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 123255 Sub 40, B & L Motor Freight, Inc., now assigned September 10, 1974, will be held in Room 235, Federal Bldg., and U.S. Courthouse, 85 Marconi Blvd., Columbus, Ohio.

MC 128273 Sub 145, Midwestern Distribution, Inc., now assigned September 11, 1974, will be held in Room 235, Federal Building and U.S. Courthouse, 85 Marconi Blvd., Columbus, Ohio.

MC 112595 Sub 56, Ford Brothers, Inc., now assigned September 12, 1974, will be held in Room 235, Federal Building and U.S. Courthouse, 85 Marconi Blvd., Columbus, Ohio.

MC-F-12088, Herriott Trucking Company, Inc.—Purchase (Portion)—Oliver Truck Lines, Inc., MC 7920 Sub 11, Herriott Trucking Company, Inc., now assigned September 16, 1974, will be held in Room 235, Federal Building and U.S. Courthouse, 85 Marconi Blvd., Columbus, Ohio.

MC 113678 Sub 504, Curtis, Inc., now assigned September 23, 1974, will be held in Room 235, Federal Building and U.S. Courthouse, 85 Marconi Blvd., Columbus, Ohio.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-15022 Filed 6-28-74;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

JUNE 26, 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 July 11, 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-2860 (Sub-No. E3), filed May 17, 1974. Applicant: NATIONAL FREIGHT INC., 57 Westpark Avenue, Vineland, N.J. 08360. Applicant's representative: Jacob P. Billing, 1126 16th Street NW., Suite 300, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen vegetables, and frozen berries* (except commodities in bulk), from points in that part of Ohio on and east of Interstate Highway 75 and on and west of Interstate Highway 77, to points in Rhode Island, and that part of Massachusetts on and east of a line beginning at the Maine-Massachusetts State line, thence along Interstate Highway 93 to junction Interstate Highway 495, thence along Interstate Highway 495 to junction Interstate Highway 290, thence along Interstate Highway 290 to junction Interstate Highway 90, thence along Interstate Highway 90 to junction Interstate Highway 86, thence along Interstate Highway 86 to the Massachusetts-Connecticut State line, to points in that part of Connecticut on and east of a line beginning at the Massachusetts-Connecticut State line, thence along Interstate Highway 86 to junction Interstate Highway 84, thence along Interstate Highway 84 to the Connecticut-New York State line, to points in that part of New Jersey on and east of a line

beginning at the Hudson River, thence along Interstate Highway 95 to junction New Jersey Highway 27, thence along New Jersey Highway 27 to Junction U.S. Highway 1, thence along New Jersey Highway 1 to the New Jersey-Pennsylvania State line, and New York, N.Y., Philadelphia, Pa., and Wilmington, Del.

The purpose of this filing is to eliminate the gateway of Vineland, N.J.

No. MC–2860 (Sub-No. E4), filed May 17, 1974. Applicant: NATIONAL FREIGHT INC., 57 Westpark Avenue, Vineland, N.J. 08360. Applicant's representative: Jacob P. Billing, 1126 16th Street NW., Suite 300, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and dairy products*, as described in Sections A and B of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (except commodities in bulk, and those injurious or contaminating to other ladings, from points in Connecticut, Delaware, Massachusetts, New Jersey, New York, Rhode Island, Pennsylvania, (except points in Greene, Fayette, and Washington Counties), and Maryland (except points in Allegheny and Garrett Counties), to Miami, Fla.

The purpose of this filing is to eliminate the gateways of Philadelphia, Pa. and Baltimore, Md.

No. MC–52657 (Sub-No. E4), filed May 9, 1974. Applicant: ARCO AUTO CARRIERS, INC., 2140 West 79th Street, Chicago, Ill. 60620. Applicant's representative: S. J. Zangri (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *new foreign-made automobiles*, by truckaway method, in secondary movements, from Kankakee, Ill., to points in Montana, North Dakota, and South Dakota; (2) *new foreign-made automobiles*, by truckaway method, in secondary movements, from Kankakee, Ill., to points in Nebraska (except to points in Nebraska east and north of a line commencing with U.S. Highway 81 at the Kansas-Nebraska State line near Chester, Nebr., thence north on U.S. Highway 81 to Nebraska Highway 92, thence west on Nebraska Highway 92 to Nebraska Highway 39, thence north on Nebraska Highway 39 to Nebraska Highway 22, thence west on Nebraska Highway 22 to Nebraska Highway 70, thence west on Nebraska Highway 70 to Nebraska Highway 2, thence west on Nebraska Highway 2 to Nebraska Highway 61, thence north on Nebraska Highway 61 to the South Dakota-Nebraska State line near Merriman, Nebr.; (3) *new foreign automobiles*, in secondary movements, in truckaway service, from Kankakee, Ill., to points in Kansas, restricted to shipments having a prior movement by rail, water, or motor carrier; (4) *new foreign-made automobiles*, by the truckaway method, in secondary movements, from Cincinnati, Ohio, to points in Montana, North Dakota, South Dakota, Utah, and Wyoming; (5) *new foreign automobiles*, in secondary movements, in truckaway service, from Cincinnati, Ohio, to points in Kansas and Nebraska, restricted to shipments having a prior movement by rail, water, or motor carrier; (6) *new truck bodies and cabs* (without wheels), and *hydraulic hoists*, from St. Louis, Mo., to points in Vermont, New Hampshire, and Maine; (7) *new truck bodies* and *cabs* (without wheels), and *hydraulic hoists*, from South Bend, Ind., to points in Maine, New Hampshire, and Vermont; (8) *new motor vehicle bodies* (without wheels), and *hydraulic hoists*, from South Bend, Ind., to points in California, Nevada, Idaho, Oregon, and Washington; (9) *new truck bodies* (without wheels), and *hydraulic hoists*, from South Bend, Ind., to points in Alabama, Arizona, Colorado, Florida, Kansas, Louisiana, Mississippi, Montana, Nebraska, New Mexico, Oklahoma, Texas, Utah, and Wyoming; (10) *new cabs* (without wheels), from Cleveland, Ohio to Chicago, Ill.;

(11) *new truck bodies* (without wheels), from Cleveland, Ohio, to Birmingham, Ala., and points within 65 miles thereof; and (12) *hydraulic hoists* and *new bodies* (without wheels) when shipped with hoists, from Cleveland, Ohio, to Birmingham, Ala., and points within 65 miles thereof, restricted against the transportation of commodities which require special equipment.

The purpose of this filing is to eliminate the gateways of Kenosha, Wis., in (1), (2), and (4) above; Kansas City, Mo., in (3) and (5); Cleveland, Ohio, in (6) and (7); Streator, Ill., in (8); Mattoon, Ill., in (9); Mishawaka, Ind., in (10); Orrville, Ohio, in (11); and Buck Township, Hardin County, Ohio, in (12).

No. MC–61832 (Sub-No. E1), filed June 4, 1974. Applicant: PITZER TRANSFER & STORAGE CORPORATION, 341 Reserve Avenue SW., Roanoke, Va. 24005. Applicant's representative: John R. Sims, Jr., 1707 H Street NW., Suite 600, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Roanoke, Va., and points in that part of Virginia, within thirty miles of Roanoke, on the one hand, and, on the other, points in that part of New York on and east of a line beginning at Lake Ontario, thence along the Genessee River to Interstate Highway 490, thence along Interstate Highway 490 to junction Interstate Highway 90, thence along Interstate Highway 90 to junction New York Highway 14, thence along New York Highway 14 to junction New York Highway 96, thence along New York Highway 96 to junction New York Highway 17, thence along New York Highway 17 to junction New York Highway 26, thence along New York Highway 26 to the New York-Pennsylvania State line. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

No. MC–61832 (Sub-No. E2), filed June 4, 1974. Applicant: PITZER TRANSFER & STORAGE CORPORATION, 341 Reserve Avenue SW., Roanoke, Va. 24005. Applicant's representative: John R. Sims, Jr., 1707 H Street NW., Suite 600, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Illinois, on the one hand, and, on the other, points in that part of Virginia, in east, and south of Accomack, Albemarle, Augusta, Craig, Culpeper, Franklin, Greene, Henry, Highland, King George, Madison, Northumberland, Roanoke, Stafford, and Westmoreland Counties, Virginia. The purpose of this filing is to eliminate the gateways of Roanoke, Va., and Huntington, W. Va.

No. MC–61832 (Sub-No. E3), filed June 4, 1974. Applicant: PITZER TRANSFER & STORAGE CORPORATION, 341 Reserve Avenue SW., Roanoke, Va. 24005. Applicant's representative: John R. Sims, Jr., 1707 H Street NW., Suite 600, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Household goods*, as defined by the Commission between Roanoke, Virginia, and points in that part of Virginia within thirty miles of Roanoke, on the one hand, and, on the other, points in Illinois, Indiana, and Michigan. The purpose of this filing is to eliminate the gateway of Huntington, W. Va.

No. MC–61832 (Sub-No. E5), filed June 4, 1974. Applicant: PITZER TRANSFER & STORAGE CORPORATION, 341 Reserve Avenue SW., Roanoke, Va. 24005. Applicant's representative: John R. Sims, Jr., 1707 H Street NW., Suite 600, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Household goods*, as defined by the Commission between Roanoke, Va., and points in that part of Virginia within thirty miles of Roanoke, on the one hand, and, on the other, points in that part of New York on and west of a line beginning at the New York-Pennsylvania State line, thence along New York Highway 60 to Jamestown, thence along New York Highway 17 to junction New York Highway 242, thence along New York Highway 242 to junction New York Highway 16, thence along New York Highway 16 to junction New York Highway 39, thence along New York Highway 39 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 15, thence along U.S. Highway 15 to Rochester. The purpose of this filing is to eliminate the gateways of points in Jackson County, W. Va.

No. MC–61832 (Sub-No. E6), filed June 4, 1974. Applicant: PITZER TRANSFER & STORAGE CORPORATION, 341 Reserve Avenue SW., Roanoke, Va. 24005. Applicant's representative: John R. Sims, Jr., 1707 H Street NW., Suite 600, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as de-

fined by the Commission, between Roanoke, Va., and points in that part of Virginia within 30 miles of Roanoke, on the one hand, and on the other, points in that part of Delaware on and north of Delaware Highway 8. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

No. MC–61832 (Sub-No. E7), filed June 4, 1974. Applicant: PITZER TRANSFER & STORAGE CORPORATION, 341 Reserve Avenue SW., Roanoke, Va. 24005. Applicant's representative: John R. Sims, Jr., 1707 H Street NW., Suite 600, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Elizabeth City, Princess Anne, Warwick, and Norfolk, Va., on the one hand, and, on the other, points in that part of West Virginia, in, and west of Pleasants, Ritchie, Gilmer, Braxton, Webster, and Pocahontas Counties, W. Va. The purpose of this filing is to eliminate the gateway of Roanoke, Va.

No. MC–61832 (Sub-No. E8), filed June 4, 1974. Applicant: PITZER TRANSFER & STORAGE CORPORATION, 341 Reserve Avenue SW., Roanoke, Va. 24005. Applicant's representative: John . Sims, Jr., 1707 H Street NW., Suite 600, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in that part of Ohio on and west of a line beginning at the Ohio-West Virginia State line, thence along Interstate Highway 77 to junction U.S. Highway 250, thence along U.S. Highway 250 to Sandusky, on the one hand, and, on the other, Elizabeth City, Princess Anne, Norfolk, and Warwick, Va. The purpose of this filing is to eliminate the gateway of Roanoke, Va.

No. MC–61832 (Sub-No. E10), filed June 4, 1974. Applicant: PITZER TRANSFER & STORAGE CORPORATION, 341 Reserve Avenue SW., Roanoke, Va. 24005. Applicant's representative: John R. Sims, Jr., 1707 H Street NW., Suite 600, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Roanoke, Va., and points in that part of Virginia within thirty miles of Roanoke, on the one hand, and, on the other, points in New Jersey. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

No. MC–61832 (Sub-No. E11), filed June 4, 1974. Applicant: PITZER TRANSFER & STORAGE CORPORATION, 341 Reserve Avenue SW., Roanoke, Va. 24005. Applicant's representative: John R. Sims, Jr., 1707 H Street NW., Suite 600, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Michigan, on the one hand, and, on the other, points in that part of Virginia on and east of a line beginning at the Virginia-North Carolina State line, thence along the Blue Ridge Parkway to Roanoke, thence along U.S. Highway 460, to junction U.S. Highway 360, thence along U.S. Highway 360 to the Chesapeake Bay. The purpose of this filing is to eliminate the gateways of Roanoke, Va., and points in Jackson County, W. Va.

No. MC–61832 (Sub-No. E12), filed June 4, 1974. Applicant: PITZER TRANSFER & STORAGE CORPORATION, 341 Reserve Avenue SW., Roanoke, Va. 24005. Applicant's representative: John R. Sims, Jr., 1707 H Street NW., Suite 600, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Indiana, on the one hand, and, on the other, points in that part of Virginia on and east of a line beginning at the Virginia-North Carolina State line, thence along U.S. Highway 220 to Roanoke, thence along Interstate Highway 81 to Staunton, thence along U.S. Highway 250 to Richmond, thence along U.S. Highway 360 to the Rappahannock River, and to points in Richmond, Northumberland, and Accomack Counties, Va. The purpose of this filing is to eliminate the gateways of Roanoke, Va., and Huntington, W. Va.

No. MC–64932 (Sub-No. E26), filed May 10, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (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 Louisville, Ky., to points in Kansas, North Dakota, South Dakota, and points in those portions of Colo., N. Mexico, Tex. (except Harris County), and Wyoming on and east of U.S. Highway 85. The purpose of this filing is to eliminate the gateway of Marshall, Ill.

No. MC–64932 (Sub-No. E27), filed May 10, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (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 Peoria, Ill., to points in Ark., Louisiana, Miss., and Okla. The purpose of this filing is to eliminate the gateway of St. Louis, Mo.

No. MC–64932 (Sub-No. E28) filed May 15, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (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 Terra Haute, Ind., to points in Harris County, Tex. The purpose of this filing is to eliminate the gateway of St. Louis, Mo.

No. MC–64932 (Sub-No. E34), filed June 3, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (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 Chicago Heights, Ill., to points in Florida. The purpose of this filing is to eliminate the gateway of St. Louis, Mo.

No. MC–64932 (Sub-No. E35), filed June 3, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (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 Chicago Heights, Ill., to points in Arkansas, Georgia, Louisiana, Mississippi, South Carolina, and Tennessee. The purpose of this filing is to eliminate the gateway of Terre Haute, Ind., and Marshall, Ill.

No. MC–64932 (Sub-No. E36), filed June 3, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (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 the plantsite of the Ashland Chemical Company, Division of Ashland Oil & Refining Company, at or near Mapleton, Ill., to points in Delaware, Florida, Georgia, Maryland, North Carolina, South Carolina, Virginia, and West Virginia. The purpose of this filing is to eliminate the gateway of Marshall, Ill.

No. MC–64932 (Sub-No. E37), filed June 3, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (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 the plantsite of the Ashland Chemical Company, Division of Ashland Oil & Refining Company, at or near Mapleton, Ill., to points in Texas and those portions of Colo., and New Mexico on and east of U.S. Highway 85. The purpose of this filing is to eliminate the gateway of the plantsite of National Starch and Chemical Corporation, at Meredosia, Ill.

No. MC–64932 (Sub-No. E38), filed June 3, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (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 the plantsite of the Ashland Chemical Company,

Division of Ashland Oil & Refining Company, at or near Mapleton, Ill., to points in Alabama, Arkansas, Louisiana, Mississippi and Oklahoma. The purpose of this filing is to eliminate the gateway of St. Louis, Mo.

No. MC-64932 (Sub-No. E76), filed June 3, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (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 Trenton, Mich., to points in Ark., Louisiana, and those points in Colo., and New Mexico on and east of U.S. Highway 85. The purpose of this filing is to eliminate the gateways of Ferndale, Mich. (a point within the Detroit, Mich., Commercial Zone) and Marshall, Ill.

No. MC-64932 (Sub-No. E77), filed June 3, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Ave., Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (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 New Jersey to points in California. The purpose of this filing is to eliminate the gateways of Ferndale, Mich., (a point within the Detroit, Mich., Commercial Zone) and the plantsite of Baird Chemical Industries, Inc., at or near Mapleton, Ill.

No. MC-64932 (Sub-No. E78), filed June 3, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Avenue, Oak Lawn, Ill. 60435. Applicant's representative: W. F. Farrell (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 New York to points in California. The purpose of this filing is to eliminate the gateways of Ferndale, Mich., (a point within the Detroit, Mich., Gommercial Zone) and the plantsite of Baird Chemical Industries, Inc., at or near Mapleton, Ill.

No. MC-64932 (Sub-No. E79), filed June 3, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (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 New Jersey to points in Oregon. The purpose of this filing is to eliminate the gateways of Ferndale, Mich. (a point within the Detroit, Mich., Commercial Zone) and Swanton, Ohio.

No. MC-64932 (Sub-No. E90), filed June 3, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, paint, synthetic resin, resin compound surface coating, estergum paint oil, varnish, glycerine, and liquid glue*, in bulk, in tank vehicles, from points in New Jersey to points in Iowa, Michigan, Minnesota, Missouri, Wisconsin, and points in that part of Indiana on and north of U.S. Highway 30 and points in that part of Illinois on and north of U.S. Highway 36. The purpose of this filing is to eliminate the gateway of Ferndale, Mich. (a point within the Detroit, Mich., Commercial Zone).

No. MC-64932 (Sub-No. E91), filed June 3, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, paint, synthetic resin, resin compound surface coating, estergum paint oil, varnish, glycerine, and liquid glue*, in bulk, in tank vehicles, from points in New York to points in Iowa, Michigan, Minnesota, Missouri, Wisconsin, and points in that part of Indiana on and north of U.S. Highway 30 and points in that part of Illinois on and north of U.S. Highway 36. The purpose of this filing is to eliminate the gateway of Ferndale, Mich. (a point within the Detroit, Mich., Commercial Zone).

No. MC-64932 (Sub-No. E92), filed June 3, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, paint, synthetic resin, resin compound surface coating, estergum paint oil, varnish, glycerine, and liquid glue*, from points in West Virginia to points in Michigan. The purpose of this filing is to eliminate the gateway of Ferndale, Mich. (a point within the Detroit, Mich., Commercial Zone).

No. MC-64932 (Sub-No. E96), filed June 3, 1974. Applicant: ROGERS CARTAGE CO., 10735 So. Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: W. F. Farrell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from points in New Jersey to points in Kansas, Nebraska, and Oklahoma. The purpose of this filing is to eliminate the gateways of Ferndale, Mich. (a point within the Detroit, Mich., Commercial Zone) and Chicago Heights, Ill.

No. MC-73165 (Sub-No. E10), filed MAY 14, 1974. Applicant: EAGLE MOTOR LINES INCORPORATED, P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Contractors outfits and equipment, iron and steel and iron and steel articles* (except those requiring special equipment), (1) from points in Mississippi on and north of U.S. Highway 80, to points in Florida east of Florida Highway 51 and on and north of a line beginning at St. Petersburg, thence across Gandy Bridge to Tampa, thence along U.S. Highway 92 to Kissimmee, thence along U.S. Highway 192 to Melbourne, thence along unnumbered highway to the Atlantic Ocean, (2) from points in Mississippi on and north of a line beginning at the Louisiana-Mississippi State line, thence over Mississippi Highway 12 to Kosisusko, thence over Mississippi Highway 14 to Mississippi-Alabama State line, to points in Florida on and east of U.S. Highway 231 and on and north of a line beginning at St. Petersburg, thence across Gandy Bridge to Tampa, thence along U.S. Highway 92 to Kissimmee, thence along U.S. Highway 192 to Melbourne, thence along unnumbered highway to the Atlantic Ocean, (3) from points in Mississippi on and north of U.S. Highway 78 to points in Florida on and north of a line beginning at St. Petersburg, thence across Gandy Bridge to Tampa, thence along U.S. Highway 92 to Kissimmee, thence along U.S. Highway 192 to Melbourne, thence along unnumbered highway to the Atlantic Ocean,

(4) From points in Georgia on and north of a line beginning at the Georgia-Alabama State line thence over U.S. Highway 78 to Atlanta, thence along U.S. Highway 23 to Baldwin, thence along U.S. Highway 123 to Georgia-South Carolina State line, to points in Florida on and west of Florida Highway 87, (5) from points in Georgia on and northwest of U.S. Highway 411, to points in Florida on and west of Florida Highway 231, (6) from points in Tennessee on and west of Tennessee Highway 56, to points in Florida north of a line beginning at St. Petersburg, thence across Gandy Bridge to Tampa, thence along U.S. Highway 92 to Kissimmee, thence along U.S. 192 to Melbourne, thence along unnumbered highway to the Atlantic Ocean, (7) from points in Tennessee on and east of Tennessee Highway 56 and on and west of U.S. Highway 27 to points in Florida on and west of a line beginning at the Alabama-Florida State line over U.S. Highway 129 to Chiefland, thence along U.S. Highway 98 to Lakeland, thence along U.S. Highway 92 to Tampa, thence across Gandy Bridge to St. Petersburg, (8) from points in Tennessee on and east of U.S. Highway 27 to points in Florida on and west of U.S. Highway 231, (9) from points in Tennessee on and east of Tennessee Highway 69, to points in Louisiana east of the Mississippi River, (10) from points in Georgia on and north of U.S. Highway 80, to points in Louisiana east of the Mississippi River. The purpose of this filing is to eliminate the gateway of Birmingham, Ala.

No. MC-73165 (Sub-No. E19), filed May 20, 1974. Applicant: EAGLE MOTOR LINES INCORPORATED, P.O.

Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, pipe fittings, cast iron meter boxes, manhole frames,* and *manhole covers,* (1) between points in Washington, on the one hand, and, on the other, points in Louisiana, Mississippi, Alabama, Georgia, Florida, Arkansas, Tennessee, South Carolina, North Carolina, and points in Oklahoma on and east of a line beginning at the Oklahoma-Texas State line, thence along Oklahoma Highway 99 to Stroud, thence along U.S. Highway 66 to Tulsa, thence along Oklahoma Highway 33 to Oklahoma-Missouri State line, points in Kentucky on and south of a line beginning at Kentucky-Missouri State line, thence along U.S. Highway 62 to Versailles, thence along U.S. Highway 60 to Mt. Sterling, thence along U.S. Highway 460 to Kentucky-Virginia State line, and points in Virginia on and south of U.S. Highway 460, (2) (a) between points in Oregon, on the one hand, and, on the other, points in Louisiana, Mississippi, Alabama, Georgia, Florida, Arkansas, Tennessee, South Carolina, North Carolina, points in Oklahoma on and east of U.S. Highway 271, points in Kentucky on and south of a line beginning at Kentucky-Missouri State line, thence along U.S. Highway 62 to Versailles, thence along U.S. Highway 60 to Mt. Sterling, thence along U.S. Highway 460 to Kentucky-Virginia State line, points in West Virginia on and south of a line beginning at Kentucky-West Virginia State line.

Thence along U.S. Highway 60 to Gauley Bridge, thence along West Virginia Highway 39 to West Virginia-Virginia State line, and points in Virginia on and south of Interstate 64, (2) (b) between points in Oregon on and south of U.S. Highway 20, on the one hand, and, on the other, points in New Jersey, Maryland, and Delaware, (3) (a) between points in California, on the one hand, and, on the other, points in Louisiana, Mississippi, Alabama, Georgia, Florida, Arkansas, Tennessee, South Carolina, North Carolina, Kentucky, West Virginia, Virginia, New Jersey, New York, Maryland, Delaware, Pennsylvania, points in Oklahoma on and east of U.S. Highway 271, points in Indiana on and south of U.S. Highway 40, points in Ohio on and south of U.S. Highway 40, (3) (b) between points in California on and south of a line beginning at San Francisco, thence along Interstate 80 to Crockett, thence along California Highway 4 to Stockton, thence along California Highway 99 to Manteca, thence along California Highway 120 to Benton Station, thence along U.S. Highway 6 to California-Nevada State line, on the one hand, and, on the other, points in Missouri on and south of a line beginning at Missouri-Kansas State line.

Thence along U.S. Highway 54 to Jefferson City, thence along U.S. Highway 50 to Missouri-Illinois State line, points in Illinois on and south of U.S. Highway 36, and points in Lower Peninsula of Michigan on and east of U.S. Highway 27, (3) (c) between points in California on and south of Interstate Highway 10, on the one hand, and, on the other, points in Indiana, Ohio, Michigan, Illinois, points in Wisconsin on and southeast of U.S. Highway 151, and points in Missouri on and south of U.S. Highway 24, (4) (a) between points in Idaho, on the one hand, and, on the other, points in Louisiana, Mississippi, Alabama, Arkansas, Tennessee, South Carolina, North Carolina, (4) (b) between points in Idaho on and south of U.S. Highway 30 and U.S. Highway 30–S, on the one hand, and, on the other, points in Kentucky on and south of Kentucky Highway 80, points in Virginia on and south of U.S. Highway 460, and points in Delaware, (5) between points in Wyoming, on the one hand, and, on the other, points in Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina, points in Arkansas on and southeast of a line beginning at Texarkana, thence along U.S. Highway 67 to Little Rock, thence along Interstate Highway 40 to Arkansas-Tennessee State line, and points in North Carolina on and south of U.S. Highway 64, (6) (a) between points in Arizona, on the one hand, and, on the other, points in Louisiana, Mississippi, Alabama, Georgia, Florida, Arkansas, Tennessee, South Carolina, North Carolina, Indiana, Kentucky, Ohio, West Virginia, Virginia, Lower Peninsula of Michigan, Pennsylvania, New York, New Jersey, Maryland, and Delaware, (6) (b) between points in Arizona on and south of a line beginning at Arizona-California State line.

Thence along U.S. Highway 60 to Phoenix, thence along U.S. Highway 70 to Arizona-New Mexico State line, on the one hand, and, on the other, points in Illinois, (7) between points in Colorado, on the one hand, and, on the other, points in Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina, points in Arkansas on and south of a line beginning at Texarkana, thence along U.S. Highway 67 to Little Rock, thence along Interstate Highway 40 to the Arkansas-Tennessee State line, points in Tennessee and North Carolina on and south of U.S. Highway 64, (8) between points in New Mexico on and south of U.S. Highway 66, on the one hand, and, on the other, points in Indiana and Ohio on and south of U.S. Highway 40 and points in the Lower Peninsula of Michigan, (9) between points in Nebraska, on the one hand, and, on the other, points in Louisiana, Florida, and points in Mississippi, on and south of U.S. Highway 82, points in Alabama on and south of a line beginning at Mississippi-Alabama State line, thence along U.S. Highway 82 to Tuscaloosa, thence along U.S. Highway 11 to Birmingham, thence along U.S. Highway 280 to Alabama-Georgia State line, points in Georgia on and south of U.S. Highway 280. The purpose of this filing is to eliminate the gateway of Tyler, Texas.

No. MC–74321 (Sub-No. E1), filed May 24, 1974. Applicant: B. F. WALKER, INC., P.O. Box 178, Denver Colorado 80217. Applicant's representative: Richard P. Kissinger (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials, and supplies,* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, restricted against the transportation of any such commodities to be used in, or in connection with main or trunk pipe lines, (1) between points in Arizona, on the one hand, and, on the other, points in Texas (points in New Mexico)*; (2) between points in Arizona, on the one hand, and, on the other, points in Oklahoma (points in New Mexico)*; (3) between points in Arizona, on the one hand, and on the other, points in Louisiana (points in New Mexico)*; (4) between points in Los Angeles, Orange, Ventura, Santa Barbara, San Luis Obispo, Kern, and Kings Counties, Calif., and points in that part of Fresno County, Calif., within 40 miles of Coalinga, on the one hand, and, on the other, points in North Dakota (points in Nevada)*; (5) between points in Los Angeles, Orange, Ventura, Santa Barbara, San Luis Obispo, Kern, and Kings Counties, Calif., and points in that part of Fresno County, Calif., within 40 miles of Coalinga, on the one hand, and, on the other, points in Oklahoma (points in Nevada and New Mexico)*; (6) between points in Los Angeles, Orange, Ventura, Santa Barbara, San Luis Obispo, Kern, and Kings Counties, Calif., and points in that part of Fresno County, Calif., within 40 miles of Coalinga, on the one hand, and, on the other, points in South Dakota (points in Nevada and Colorado)*; (7) between points in Kansas, on the one hand, and, on the other, points in Utah (points in Colorado)*; (8) between points in Los Angeles, Orange, Ventura, Santa Barbara, San Luis Obispo, Kern, and Kings Counties, Calif., and points in that part of Fresno County, Calif., within 40 miles of Coalinga, on the one hand, and, on the other, points in Texas (points in Nevada and New Mexico)*;

(9) Between points in Louisiana, on the one hand, and, on the other, points in Nevada (points in New Mexico)*; (10) between points in Louisiana, on the one hand, and, on the other, points in North Dakota (points in Kansas and Nebraska)*; (11) between points in Los Angeles, Orange, Ventura, Santa Barbara, San Luis Obispo, Kern, and Kings Counties, Calif., and points in that part of Fresno County, Calif., within 40 miles of Coalinga, on the one hand, and, on the other, points in Louisiana (points in Nevada and New Mexico)*; (12) between points in Los Angeles, Orange, Ventura, Santa Barbara, San Luis Obispo, Kern, and Kings Counties, Calif., and points in that part of Fresno County, Calif., within 40 miles of Coalinga, on the one hand, and, on the other, points in Nebraska (points in Nevada)*; (13) between points in South Dakota, on the one hand, and, on the other, points in Texas (points in Nebraska)*;

(14) between points in North Dakota, on the one hand, and, on the other, points in Oklahoma (points in Nebraska)*; (15) between points in North Dakota, on the one hand, and, on the other, points in Texas (points in Nebraska)*; (16) between points in Oklahoma, on the one hand, and, on the other, points in South Dakota (points in Nebraska)*; (17) between points in Oklahoma, on the one hand, and, on the other, points in Utah (points in Colorado)*; (18) between points in Oklahoma, on the one hand, and, on the other, points in Wyoming (points in Colorado)*; (19) between points in Montana, on the one hand, and, on the other, points in Oklahoma (points in Nebraska)*; (20) between points in Nevada, on the one hand, and, on the other, points in Oklahoma (points in New Mexico)*; (21) between points in Nevada, on the one hand, and, on the other, points in Texas (points in New Mexico)*; (22) between points in Kansas, on the one hand, and, on the other, points in Montana (points in Nebraska)*; (23) between points in Kansas, on the one hand, and, on the other, points in Nevada (points in Colorado)*.

(24) between points in Kansas, on the one hand, and, on the other, points in North Dakota (points in Nebraska)*; (25) between points in Kansas, on the one hand, and, on the other, points in South Dakota (points in Nebraska)*; (26) between points in Kansas, on the one hand, and, on the other, points in Wyoming (points in Colorado)*; (27) between points in Louisiana, on the one hand, and, on the other, points in South Dakota (points in Nebraska and Kansas)*; (28) between points in Arizona, on the one hand, and, on the other, points in Kansas (points in New Mexico)*; (29) between points in Los Angeles, Orange, Ventura, Santa Barbara, San Luis Obispo, Kern, and Kings Counties, Calif., and points in that part of Fresno County, Calif., within 40 miles of Coalinga, on the one hand, and, on the other, points in that part of New Mexico, on, north, and east of a line beginning at the Arizona-New Mexico State line, thence along U.S. 60 to junction Interstate Highway 25, thence along Interstate Highway 25 to junction U.S. Highway 380, thence along U.S. 380 to junction U.S. Highway 54, thence along U.S. Highway 54 to the Texas-New Mexico State line (points in Nevada)*; (30) between points in Santa Barbara, San Luis Obispo, Kern, and Kings Counties, Calif., and points in that part of Fresno County, Calif., within 40 miles of Coalinga, on the one hand, and, on the other, points in that part of New Mexico on, south, and west of a line beginning at the Arizona-New Mexico State line, thence along U.S. Highway 60 to junction Interstate Highway 25, thence along Interstate Highway 25 to junction U.S. Highway 380, thence east on U.S. Highway 380 to junction U.S. Highway 54, thence along U.S. Highway 54 to the Texas-New Mexico State line (points in Nevada)*;

(31) Between points in that part of Arizona on and north of a line beginning at the Arizona-Nevada State line, thence along Arizona Highway 68 to junction Interstate Highway 40, thence along Interstate Highway 40 to junction with Arizona Highway 77, thence along Highway 77 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Arizona-New Mexico State line, on the one hand, and, on the other, points in Los Angeles, Orange, Ventura, Santa Barbara, San Luis Obispo, Kern, and Kings Counties, Calif., and points in that part of Fresno County, Calif., within 40 miles of Coalinga (points in Nevada)*; (32) between points in that part of Arizona on, south, and east of a line beginning at the Arizona-New Mexico State line, thence along U.S. Highway 60 to junction Arizona state highway 77, thence along Arizona Highway 77 to junction Interstate Highway 40, thence along Interstate Highway 40 to junction U.S. Highway 93, thence along U.S. Highway 93 to the Arizona-Mexico State line on the one hand, and, on the other, points in San Luis Obispo, Kern, and Kings Counties, Calif., and points in that part of Fresno County, Calif., within 40 miles of Coalinga (points in Nevada)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC-74321 (Sub-No. E2), filed May 23, 1974. Applicant: B. F. WALKER, INC., P.O. Box 17B, Denver, Colorado 80217. Applicant's representative: Richard P. Kissinger (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials, and supplies*, used in or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and *machinery, materials, equipment, and supplies* used in or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, (1) between points in Los Angeles, Orange, Ventura, Santa Barbara, San Luis Obispo, Kern, and King Counties, Calif., and points in that part of Fresno County, Calif., within 40 miles of Coalinga, on the one hand, and, on the other, points in Kansas (points in Colorado)*; (2) between points in Colorado, on the one hand, and, on the other, points in Louisiana (points in Oklahoma and Texas)*; and (3) between points in Louisiana, on the one hand, and, on the other, points in Nebraska (points in Kansas)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC-88368 (Sub-No. E3), filed May 15, 1974. Applicant: CARTWRIGHT VAN LINES, INC., 1109 Cartwright Avenue, Grandview, Mo. 64030. Applicant's representative: Theodore Polydoroff, Suite 600, 1250 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods* (1) from points in Arkansas to points in Colorado (Newton, Kans., and points within 15 miles thereof)*, Connecticut (Birmingham, Ala., and points in Alabama within 100 miles of Birmingham not including Montgomery, Ala., Harlan, Ky., and points within 5 miles thereof, points in Jefferson County, Ohio, and Philadelphia, Pa.)*, Idaho (Newton, Kans., and points within 15 miles thereof, points in Colorado, Butte, Mont., and points within 125 miles thereof, points in Kimball, Banner, and Cheyenne Counties, Nebr., and points in Montana)*, points in Illinois within 100 miles of Danville, Ill., including Danville (points in Missouri, and Bloomington, Ill., and points within 25 miles thereof)*, points in Indiana within 100 miles of Danville, Ill. (points in Missouri, Bloomington, Ill., and points within 25 miles thereof)*, points in Iowa within 15 miles of Harlan, Iowa (points in Missouri)*, points in Harlan County, Ky. (Birmingham, Ala., and points within 125 miles of Birmingham, not including Montgomery, Ala.)*, points in Maine (Birmingham, Ala., and points in Alabama within 100 miles of Birmingham not including Montgomery, Ala., Harlan, Ky., and points within 5 miles thereof, points in Jefferson County, Ohio, Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof)*, Massachusetts (Birmingham, Ala., and points in Alabama within 100 miles of Birmingham not including Montgomery, Ala., Harlan, Ky., and points within 5 miles thereof, points in Jefferson County, Ohio, and Philadelphia, Pa.)*, points in Montana (Newton, Kans., and points within 15 miles thereof, points in Kimball, Banner, and Cheyenne Counties, Nebr., and points in Wyoming)*, points in Nebraska (Newton, Kans., and points within 15 miles thereof)*, points in New Hampshire (Birmingham, Ala., and points within 100 miles of Birmingham not including Montgomery, Ala., Harlan, Ky., and points within 5 miles thereof, points in Jefferson County, Ohio, Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof)*.

Points in North Carolina (points in Alabama within 100 miles of Birmingham, Ala., not including Montgomery, Ala., and Harlan, Ky., and points within 5 miles thereof)*, points in Rhode Island (points in Alabama within 100 miles of Birmingham, Ala., not including Montgomery, Ala., Harlan, Ky., and points within 5 miles thereof, points in Jefferson County, Ohio, Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof)*, points in Berkeley, Dorchester, Colleton, Hampton, Jasper, Beaufort, and Charleston Counties, S.C. (Florence, Sheffield, and Tuscumbia, Ala., and Valdosta, Ga.)*, points in Virginia (points in Alabama within 100 miles of Birmingham, Ala., not including Montgomery, Ala., and Harlan, Ky., and points within 5 miles thereof)*, points in Washington (Newton, Kans., and points within 15 miles thereof, and points in Colorado)*, points in Wyoming

(Newton, Kans., and points within 15 miles thereof, and points in Kimball, Banner, and Cheyenne Counties, Nebr.)*, points in Oklahoma in, west, and north of Cimarron, Texas, Beaver, Woodward, Major, Garfield, Noble, and Kay Counties, Okla., and that portion of Ellis, Dewey, and Blaine Counties, Okla., north and east of a line beginning at the Oklahoma-Texas State line near Goodwin, Okla., and extending along U.S. Highway 60 to Seiling, Okla., thence along U.S. Highway 270 to the Canadian County line at Geary, Okla. (points in Conley County, Kans.)*; (2) from points in Arkansas on and north of U.S. Highway 64 to points in Montgomery, Lee, Russell, Bullock, Barbour, Crenshaw, Pike, Covington, Coffee, Butler, Geneva, Dale, Houston, Henry, Macon, Lawrence, Colbert, Jackson, and De Kalb Counties, Ala. (points in Missouri, Florence, Sheffield, and Tuscombia, Ala.*; (3) from points in Mississippi County, Ark., to points in Mobile, Baldwin, Washington, Escambia, Connecutt, Monroe, Clarke, Choctaw, Wilcox, Sumter, and Marengo Counties, Ala. (points in Missouri, and Florence, Sheffield, and Tuscumbia, Ala.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC–95540 (Sub-No. E33), filed April 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits and frozen vegetables*, from points in Florida on, east, and south of a line beginning at the Florida-Georgia State line and extending along U.S. Highway 221 to Perry, thence along U.S. Highway 19/98 to its junction with Florida Highway 51, thence along Florida Highway 51 to Steinhatchee, on the Gulf of Mexico to points in Arkansas on, west, and north of a line beginning at the Arkansas-Texas State line and extending along Interstate Highway 30 to its junction with Arkansas Highway 4, thence along Arkansas Highway 4 to its junction with Arkansas Highway 24, thence along Arkansas Highway 24 to its junction with U.S. Highway 79, thence along U.S. Highway 79 to its junction with U.S. Highway 49, thence along U.S. Highway 49 to the Mississippi River. The purpose of this filing is to eliminate the gateways of Tifton, Ga., and Florence, Ala.

No. MC–95540 (Sub-No. E206), filed April 28, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in Delaware (except those south of the Chesapeake and Delaware Canal), to points in Arkansas. The purpose of this filing is to eliminate the gateway of points in Pike and Spaulding counties, Ga.

No. MC–95540 (Sub-No. E698), filed June 3, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in California on and south of a line begining at San Francisco, and extending along U.S. Highway 101 to San Mateo, thence along California Highway 92 to junction with Interstate Highway 580, thence along Interstate Highway 580 to its junction with California Highway 120, thence along California Highway 120 to its junction with California Highway 99, thence along California Highway 99 to Tulare, thence along California Highway 137 to its junction with California Highway 155, thence along California Highway 155 to its junction with California Highway 178, thence along California Highway 178 to Inyokern, thence along U.S. Highway 395 to Olancha, thence along California Highway 190 to Amargosa, thence along California Highway 127 to Shoshone, thence along California Highway 178 to the California-Nevada State line, to points in Pennsylvania on and east of a line beginning at the Maryland-Pennsylvania State line, and extending along Pennsylvania Highway 15 to Harrisburg, thence along Interstate Highway 81 to Scranton, thence along U.S. Highway 6 to its junction with Pennsylvania Highway 171 thence along Pennsylvania Highway 171 to its junction with Pennsylvania Highway 370, thence along Pennsylvania Highway 370 to the New York-Pennsylvania State line. The purpose of this filing is to eliminate the gateway of Tifton, Ga.

No. MC–95540 (Sub-No. E700), filed June 3, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in California on, west, and south of a line beginning at the California-Oregon State line and extending along Interstate Highway 5 to its intersection with California Highway 36, thence along California Highway 36 to its junction with California Highway 89, thence along California 89 to Truckee, thence along California Highway 267 to the California-Nevada State line, to points in Rhode Island. The purpose of this filing is to eliminate the gateway of Tifton, Ga.

No. MC–107295 (Sub-No. E144), filed May 12, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Particleboard*, from Chesapeake, Va., (1) to points in Arizona and California (Truman, Ark.)*, (2) to points in Colorado (Fort Dodge, Iowa)*, and (3) to points in Idaho and Montana (Kalamazoo, Mich.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC–107295 (Sub-No. E145), filed May 12, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insulation materials*, from Cleveland, Ohio, (1) to points in Arkansas (points in Henry County, Tenn.)*, (2) to points in Arizona, California, Florida, Georgia, Idaho, Nevada, North Carolina, South Carolina, Oregon, and Washington (Columbus, Ohio)*, and (3) to points in Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, and Texas (Port Clinton, Ohio)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC–107295 (Sub-No. E146), filed May 13, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition wallboard*, from points in Ewing Township, Mercer County, N.J., (1) to points in Idaho, Oregon, and Washington (Kalamazoo, Mich.)*, and (2) to points in Arizona, California, Nevada, and Utah. The purpose of this filing is to eliminate the gateway indicated by asterisks above.

No. MC–107295 (Sub-No. E147), filed May 13, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board*, from Fairfield, Ala., to points in Arizona, California, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, and Washington. The purpose of this filing is to eliminate the gateway of Truman, Ark.

No. MC–107295 (Sub-No. E148), filed May 13, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiberboard*, from Meridian, Miss., to points in North Dakota and South Dakota. The purpose of this filing is to eliminate the gateway of Ft. Dodge, Iowa.

No. MC–107295 (Sub-No. E150), filed May 14, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common*

carrier, by motor vehicle, over irregular routes, transporting: *Composition board*, from the plantsite of Celotex Corporation at Marrero, La., (1) to points in Idaho, Oregon, and Washington (Truman, Ark)*, and (2) to points in Arizona, California, Nevada, and Utah (Arkadelphia, Ark.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC–107295 (Sub-No. E152), filed May 14, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal doors*, from Wooster, Ohio, to points in Idaho, Montana, Oregon, Washington, and Wyoming. The purpose of this filing is to eliminate the gateway of Merrill, Wis.

No. MC–107295 (Sub-No. E154), filed May 14, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiberboard*, from Meridian, Miss., (1) to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, and Wyoming (Truman, Ark.)*, and (2) to points in Connecticut, Delaware, Illiniois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Vermont, West Virginia, and Wisconsin, and the District of Columbia (points in Henry County, Tenn.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC–107295 (Sub-No. E158), filed May 14, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board*, from Philadelphia, Pa., (1) to points in Arizona and California (Truman, Ark.)*, and (2) to points in Idaho, Nevada, Oregon, Utah, and Washington (Kalamazoo, Mich.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC–107295 (Sub-No. E160), filed May 14, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiberboard*, from points in Ewing Township, Mercer County, N.J. (1) to points in Alabama (points in Henry County, Tenn.)*, and (2) to points in Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington (Truman, Ark.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC–107295 (Sub-No. E163), filed May 14, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pulpboard*, from Duluth, Minn., to points in Colorado and New Mexico. The purpose of this filing is to eliminate the gateway of Ft. Dodge, Iowa.

No. MC–107295 (Sub-No. E165), filed May 14, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Particleboard*, from Memphis, Tenn., to points in Connecticut, Delaware, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. The purpose of this filing is to eliminate the gateway of points in Lucas County, Ohio.

No. MC–107295 (Sub-No. E166), filed May 14, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition wallboard*, from Bemidji, Minn., to points in Colorado and New Mexico. The purpose of this filing is to eliminate the gateway of Ft. Dodge, Iowa.

No. MC–109689 (Sub-No. E1), filed May 10, 1974. Applicant: W. S. HATCH, P.O. Box 1825, Salt Lake City, Utah 84110. Applicant's representative: Lloyd N. Jones (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

(1) *Liquid chemicals*, in bulk (except sulfuric acid), from Chandler and West Chandler, Ariz., and points within 5 miles thereof to points in Idaho, points in California in Del Norte, Siskiyou, Modoc Counties, and Shasta County north of and including California Highway 299 to Redding, thence along California Highway 299 to California Highway 44, thence along California Highway 44 to the County line and Montana.

(2) *Dry chemicals*, in bulk, from points in Coconino County, Ariz., to points in Idaho and Montana.

(3) *Liquid chemicals*, in bulk (except sulfuric acid), from Chandler and West Chandler, Ariz., and points within 5 miles thereof to points in Nebraska, in Sioux, Box, Butte, Dawes, Sheridan, Cherry, Brown, Keya Paha, Rock, Boyd, Holt, Knox, Cedar, Dixon, Dakota, Wayne, Thurston, and Pierce Counties, Scotts Bluff County, north of U.S. Highway 26, Grant, Hooker, and Thomas Counties, north of Nebraska Highway 2, Antelope, Madison, and Stanton Counties north of U.S. Highway 275.

(4) *Dry chemicals*, in bulk, from Coconino County, Ariz., to points in North Dakota, South Dakota, Washington, and points in Sioux, Dawes, and Sheridan Counties, Nebr., Cherry County, Nebr., north of and including U.S. Highway 20, Oregon, on and north of a line beginning at and extending along Oregon Highway 38, thence along Oregon Highway 38 to Interstate Highway 5, thence along Interstate Highway 5 to the southern border of Lane and Deschutes Counties, Oreg., to Oregon Highway 31, thence along Oregon Highway 31 to U.S. Highway 395, thence along U.S. Highway 395 to Burns, thence along Oregon Highway 78 to the junction with U.S. Highway 95, thence along U.S. Highway 95 to the Idaho-Oregon State line.

(5) *Liquid chemicals*, in bulk (except sulfuric acid), from Chandler and West Chandler, Ariz., and points within 5 miles thereof to Calienti and Mesquite, Nev., points in Humboldt, Elko, Eureka, White, and Pine Counties, Nev., Lander County north of Interstate Highway 80, Lincoln County, east of U.S. Highway 93 and north of Nevada Highway 25, Washoe County north of Nevada Highway 81.

(6) *Liquid chemicals*, in bulk (except sulfuric acid), from Chandler and West Chandler, Ariz., and points within 5 miles thereof to points in North Dakota.

(7) *Liquid chemicals*, in bulk (except sulfuric acid), from Chandler and West Chandler, Ariz., and points within 5 miles thereof to points in Jordan Valley or Sheaville, Oregon, and on and north of a line beginning at Florence, and extending along Oregon Highway 126 to Oregon Highway 242, thence along Oregon Highway 242 to U.S. Highway 20, thence along U.S. Highway 20 to Ontario, Oreg., and points in Wyoming and South Dakota.

(8) *Road oil, petroleum, asphalt, and residual fuel oils* in bulk, in tank vehicles, from Fredonia, Ariz., to points in Harvey and Malheur Counties, Oreg.

(9) *Liquid chemicals*, in bulk, in tank vehicles (except sulfuric acid), from Chandler and West Chandler, Ariz., and points within 5 miles thereof to points in Washington.

(10) *Dry chemicals*, in bulk, in tank vehicles, from points in Coconino County, Ariz. to points in Wyoming except points in Carbon County, south of Interstate Highway 80, Albany and Laramie Counties, Platte County, south of Wyoming Highways 310 and 316, Goshen County, south of U.S. Highway 26 and east of U.S. Highway 85.

The purpose of this filing is to eliminate the gateways of: (a) points in Utah in proposal (1) and (5) above; (b) Little Mountain, Utah, in proposals (2), (3), (4), (6), (7), (9), and (10) above; and (c) Salt Lake City, Utah, and points within 10 miles thereof in proposal number 8 above.

No. MC–110525 (Sub-No. E22), 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 liquefied petroleum gases), in bulk, in tank vehicles, from points in that part of California on and south of U.S. Highway 80, to points in New Jersey. The purpose of this filing is to eliminate the gateway of points in Harris County, Tex.

No. MC–110525 (Sub-No. E23), 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 that part of California in and south of Santa Cruz, Santa Clara, Merced, Mariposa, Madera, and Mono Counties, to points in New York. The purpose of this filing is to eliminate the gateways of points in Harris County, Tex., and Pittsburgh, Pa.

No. MC–110525 (Sub-No. E372), (CORRECTION), filed May 8, 1974, published in the FEDERAL REGISTER June 6, 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 Mississippi to points in New York. The purpose of this filing is to eliminate the gateway of S. Charleston, W. Va. The purpose of this correction is to indicate the correct destination points.

No. MC–111545 (Sub-No. E23), filed May 19, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of size or weight, requires the use of special equipment, between points in Georgia, on the one hand, and, on the other, points in Virginia. The purpose of this filing is to eliminate the gateways of those points in Georgia, North Carolina, or South Carolina within 175 miles of Chattanooga, Tenn.

No. MC–111545 (Sub-No. E32), filed May 23, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* (except knitting machines), the transportation of which, because of size or weight, requires the use of special equipment, between points in that part of Alabama within 175 miles of Chattanooga, Tenn., and on and south of a line beginning at the Alabama-Tennessee State line, thence along U.S. Highway 72 to Scottsboro, thence along Alabama Highway 79 to Guntersville, thence along Alabama Highway 69 to Cullman, thence along U.S. Highway 278 to Hamilton, thence along U.S. Highway 78 to the Alabama-Mississippi State line, on the one hand, and, on the other, points in Kansas. The purpose of this filing is to eliminate the gateway of Piedmont, Ala.

No. MC–111545 (Sub-No. E33), filed May 23, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* (except knitting machines), the transportation of which, because of size or weight, requires the use of special equipment, between points in that part of North Carolina west and south of a line beginning at the North Carolina-Virginia State line, thence along U.S. Highway 13 to junction U.S. Highway 64, thence along U.S. Highway 64 to the Atlantic Ocean, on the one hand, and, on the other, points in Michigan. The purpose of this filing is to eliminate the gateways of Charlotte, N.C., and Ringgold, Ga.

No. MC–111545 (Sub-No. E34), filed May 23, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* (except knitting machines and agricultural machinery and implements, other than hand, as defined by the Commission), the transportation of which, because of size or weight, requires the use of special equipment, from points in that part of Florida on and south of a line beginning at Cedar Key, thence along Florida Highway 24 to Gainesville, thence along Florida Highway 20 to East Palatka, thence along Florida Highway 207 to St. Augustine, to points in Arkansas. The purpose of this filing is to eliminate the gateways of (1) Atlanta or Bainbridge, Ga., (2) Holland, Mo., and (3) Eagletown or Westville, Okla.

No. MC–111545 (Sub-No. E36), filed May 23, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* (except knitting machines), the transportation of which, because of size or weight, requires the use of special equipment, between points in Maryland, on the one hand, and, on the other, points in that part of Wyoming west of a line beginning at the Wyoming-Montana State line, thence along U.S. Highway 87 to Sheridan, thence along U.S. Highway 14 to Gillette, thence along Wyoming Highway 59 to Douglas, thence along U.S. Highway 87 to Cheyenne, thence along U.S. Highway 85 to the Wyoming-Colorado State line. The purpose of this filing is to eliminate the gateways of Mt. Airy, N.C., Kingsport, Tenn., Keokuk, Iowa, and Hamilton, Ill.

No. MC–111545 (Sub-No. E41), filed May 23, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* (except knitting machines), the transportation of which, because of size or weight, requires the use of special equipment, between points in that part of Alabama, within 175 miles of Chattanooga, Tenn., and on, east, and north of a line beginning at the Tennessee-Alabama State line, thence along U.S. Highway 231 to Cleveland, thence along Alabama Highway 8 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Alabama-Georgia State line, on the one hand, and, on the other, points in that part of Texas located on, north and west of a line beginning at the Oklahoma-Texas State line, thence along Texas Highway 79 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction U.S. Highway 277, thence along U.S. Highway 277 to junction U.S. Highway 180, thence along U.S. Highway 180 to junction Texas Highway 70, thence along Texas Highway 70 to junction Interstate Highway 20, thence along Interstate Highway 20 to junction Texas Highway 18, thence along Texas Highway 18 to junction U.S. Highway 67, thence along U.S. Highway 67 to the International Boundary line between the United States and Mexico. The purpose of this filing is to eliminate the gateways of (1) Piedmont, Ala., and (2) Hugo or Idabell, Okla.

No. MC–111545 (Sub-No. E56), filed May 23, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* (except knitting machines), the transportation of which, because of size or weight, requires the use of special equipment, between points in Rhode Island, on the one hand, and, on the other, points in that part of Wyoming on and west of a line beginning at the Wyoming-Colorado State line, thence along U.S. Highway 287 to Laramie, thence along Interstate Highway 80 to Rawlins, thence along Wyoming Highway 789 to Thermopolis, thence along Wyoming Highway 120 to the Wyoming-Montana State line. The purpose of this filing is to eliminate the gateways of Charlotte, N.C., and Chester, Ill.

No. MC–111545 (Sub-No. E57), filed May 23, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* (except knitting machines), the transportation of which, because of size or weight, requires the use of special equipment, between points in Kansas, on the one hand, and, on the other, points in North Carolina. The purpose of this filing is to eliminate the gateways of Charlotte, N.C., and Ringgold, Ga.

No. MC–111545 (Sub-No. E58), filed May 23, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* (except knitting machines), the transportation of which, because of size or weight, requires the use of special equipment, between points in that part of Tennessee within 175 miles of Chattanooga, Tenn., and on, east, and south of a line beginning at the Tennessee-Alabama State line, thence along U.S. Highway 231 to Fayetteville, thence along U.S. Highway 64 to junction Tennessee Highway 50, thence along Tennessee Highway 50, to junction Tennessee Highway 55, thence along Tennessee Highway 55 to McMinnville, thence along U.S. Highway 70S to junction Tennessee Highway 30, thence along Tennessee Highway 30 to Dayton, thence along U.S. Highway 27 to junction Tennessee Highway 68, thence along Tennessee Highway 68 to junction Tennessee Highway 72, thence along Tennessee Highway 72 to junction U.S. Highway 29, thence along U.S. Highway 29 to the Tennessee-North Carolina State line, on the one hand, and, on the other, points in Michigan. The purpose of this filing is to eliminate the gateway of Ringgold, Ga.

No. MC–111545 (Sub-No. E60), filed May 23, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of size or weight, requires the use of special equipment, restricted against the transportation of such commodities to be used in, or in connection with, main or trunk pipelines, between points in Arkansas, on the one hand, and, on the other points in that part of Utah located on, north, and west of a line beginning at the Wyoming-Utah State line, thence along Interstate Highway 80 to intersection U.S. Highway 89, thence along U.S. Highway 89 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Utah-Nevada State line. The purpose of this filing is to eliminate the gateways of Bedford, Iowa and St. Joseph, Mo.

No. MC–111545 (Sub-No. E61), filed May 23, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* (except knitting machines), the transportation of which, because of size or weight, requires the use of special equipment, between points in that part of Alabama within 175 miles of Chattanooga, Tenn., and located on and south of a line beginning at the Tennessee-Alabama State line, thence along U.S. Highway 72 to Scottsboro, thence along Alabama Highway 79 to junction U.S. Highway 11, thence along U.S. Highway 11 to Tuscaloosa, thence along U.S. Highway 82 to the Alabama-Mississippi State line on the one hand, and, on the other, points in Oklahoma. The purpose of this filing is to eliminate the gateway of Piedmont, Ala.

No. MC–111545 (Sub-No. E66), filed May 23, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of size or weight, requires the use of special equipment, between points in Kentucky within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in Isle of Wight, James City, South Hampton, Surry, Sussex, and York Counties, Virginia and Elizabeth City, Nasemond, Norfolk, Princess Anne, and Warwick, Va. The purpose of this filing is to eliminate the gateway of Asheville, N.C.

No. MC–111545 (Sub-No. E67), filed May 23, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, except knitting machines), the transportation of which because of size or weight, requires the use of special equipment, between points in that part of Georgia located on and north of a line beginning at the Atlantic Ocean, thence along Georgia Highway 50 to junction U.S. Highway 84, thence along U.S. Highway 84 to junction U.S. Highway 82, thence along U.S. Highway 82 to the Georgia-Alabama State line, on the one hand, and, on the other, points in that part of Texas located on and west of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 75 to Dallas, thence along Interstate Highway 35 to the International Boundary line between the United States and Mexico. The purpose of this filing is to eliminate the gateways of Cedartown, Ga., and Tom, Okla.

No. MC–111545 (Sub-No. E68), filed May 23, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* (except knitting machines), the transportation of which, because of size or weight, requires the use of special equipment, from points in that part of Missouri on and west of a line beginning at the Missouri-Arkansas State line, thence along U.S. Highway 65 to Springfield, thence along Missouri Highway 13 to Bethany, thence along U.S. Highway 69 to the Missouri-Iowa State line, to points in that part of Virginia on and south of a line beginning at the Virginia-North Carolina State line, thence along U.S. Highway 501 to South Boston, thence along U.S. Highway 15 to Farmville, thence along U.S. Highway 460 to Petersburg, thence along Virginia Highway 36 to Hopewell, thence along Virginia Highway 10 to Surry, thence along Virginia Highway 31 to Williamsburg, thence along the Colonial National Historical Parkway to Yorktown. The purpose of this filing is to eliminate the gateways of Pittsburg, Kans., and Ringgold, Ga.

No. MC–111545 (Sub-No. E69), filed May 23, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of size or weight, requires the use of special equipment, between points in that part of Kentucky within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in New Hampshire. The purpose of this filing is to eliminate the gateway of Asheville or Burnsville, N.C.

No. MC–111545 (Sub-No. E70), filed May 23, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of size or weight, requires the use of special equipment, between points in Minnesota, on the one hand, and, on the other, points in that part of Virginia on and South of a line beginning at the Virginia-West Virginia State line, thence along U.S. Highway 250 to Richmond, thence along U.S. Highway 360 to Reedville. The purpose of this filing is to eliminate the gateways of points in Iowa, and those points in Tennessee and North Carolina within 175 miles of Chattanooga, Tenn.

No. MC–111545 (Sub-No. E71), filed May 23, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born

(same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* (except knitting machines), the transportation of which, because of size or weight, requires the use of special equipment, between points in that part of Alabama within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in Wisconsin. The purpose of this filing is to eliminate the gateways of (1) Piedmont, Ala., or (2)(a) Clarksville or Paris, Tenn., and (b) Keokuk or Sabula, Iowa.

No. MC-111545 (Sub-No. E72), filed May 23, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of size or weight, requires the use of special equipment, between points in that part of Missouri on and north of a line beginning at the Missouri-Illinois State line, thence along U.S. Highway 36 to Chillicote, thence along U.S. Highway 65 to Waverley, thence along U.S. Highway 24 to the Missouri-Kansas State line, on the one hand, and on the other points in that part of Virginia on and south of a line beginning at the Virginia-North Carolina State line, thence along U.S. Highway 501 to South Boston, thence along U.S. Highway 58 to Franklin, thence along U.S. Highway 258 to Hampton, thence along U.S. Highway 17 to Yorktown. The purpose of this filing is to eliminate the gateways of Asheville, N.C., and Keokuk, Iowa.

No. MC-112822 (Sub-No. E102), filed May 17, 1974. Applicant: BRAY LINES INCORPORATED, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Robert A. Stone (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in packages and containers, from points in that part of Kansas on, north, and east of a line beginning at the Kansas-Oklahoma State line and extending along U.S. Highway 81 to junction U.S. Highway 56, thence along U.S. Highway 56 to the Missouri-Kansas State line (including points in Kansas within the Kansas City, Kans., commercial zone), to points in Colorado. The purpose of this filing is to eliminate the gateway of El Dorado, Kans.

No. MC-114019 (Sub-No. E121), filed May 3, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy, confectionery and confectionery products*, (1) from points in New York on and east of New York Highway 8 and those in Pennsylvania on and east of U.S. Highway 11, and those in New Jersey in the New York, N.Y., and Philadelphia, Pa., commercial zone, as defined by the Commission to points in Iowa and Wisconsin; (2) from points in New York on and east of U.S. Highway 11 from the New York-Pennsylvania State line to its junction with the Pennsylvania Turnpike (N.E. Extension), thence along Pennsylvania Turnpike (N.E. Extension) to Philadelphia, to points in Kentucky on and west of Interstate Highway 75, and points in Michigan and St. Louis, Mo. The purpose of this filing is to eliminate the gateway of Duryea, Pa.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74-15023 Filed 6-28-74;8:45 am]

[No. 34661 (Sub-No. 26)] [1]

SEGREGATION OF FREIGHT, NEW ENGLAND & MIDDLE ATLANTIC STATES

JUNE 27, 1974.

It appearing, that, in the prior report on reconsideration, 340 I.C.C. 306, the Commission set forth guidelines and standards, including definitions of normal pickup and delivery service, to govern tariff publication of sorting and segregating services by motor common carriers to prevent unlawful and discriminatory practices by such carriers among different shippers; that, in promulgating the said guidelines and standards, the Commission specifically differentiated between truckload and less-than-truckload or any quantity shipments in respect to such pickup and delivery services; that the Commission in said report and order found that the carrier parties thereto had failed to prove the justness and reasonableness of the various proposed sorting rules and ordered that respondent carriers' schedules be canceled without prejudice to the publication of new tariff rules and charges in conformity with the views expressed therein; and that compliance with the said report has been postponed by orders of the Commission until June 30, 1974, to permit the carrier parties to said report and order to publish in their respective tariffs, on a one-year experimental basis, sorting and segregating rules, arrived at through negotiation with the major shipping interests, not in strict conformity with the views expressed in the said report and order;

It further appearing, that by joint petition filed May 20, 1974, Central States Motor Freight Bureau, Inc., Middle Atlantic Conference, Middlewest Motor Freight Bureau, The New England Motor Rate Bureau, Inc. and The Eastern Central Motor Carriers Association, Inc., request rescission and vacation of the said report and order of the Commission on the grounds that a typical substitute sorting and segregation of freight rule, as published by Middle Atlantic Conference and reproduced in the Appendix hereto, serves to satisfactorily meet the needs of the shippers and receivers for the delivery of both truckload and less-than-truckload shipments without additional tariff charges; that the said substitute rule has not unduly burdened carrier operations as would a rule in compliance with the views expressed by the Commission in the said report; that, under the substitute rule, the carriers are performing more service on less-than-truckload and less service on truckload shipments than that required by the Commission's definition of normal pickup and delivery service; and that compliance with the report and order will have severe, adverse, and unjust effects on carrier operations as it would cause additional expense in providing unnecessary service on all types of shipments;

It further appearing, that, by separate replies to said petition filed June 10, 1974, the National Industrial Traffic League, Inc., and jointly by Eastern Industrial Traffic League, Inc., Drug and Toilet Preparation Traffic Conference, and The National Small Shipments Traffic Conference, Inc., hereinafter called joint replicants, vigorously oppose rescission and vacation of the report and order on the grounds that such action might result in reversion to the practices which led, initially, to the investigation; that the continuing force and effect of said report is required; that said report includes an important work product of the Commission which will be of significant value in the future resolution of related matters; that replicants, nevertheless, support the carrier parties hereto for adoption of a substitute sorting and segregation tariff rule not in strict conformity with the views expressed by the Commission in the said report; and that the joint replicants offer for adoption a substitute rule somewhat similar to that advocated by petitioners, but lacking in the detention charge provision;

And it further appearing, that the petition offers no substantive justification for rescission and vacation of the said report and order; that rescission and vacation and adoption of the substitute rule advocated by petitioners would nullify the objectives sought to be attained by the Commission in respect to the performance of sorting and segregating services on a lawful and nondiscriminatory basis; and that the substitute rules respectively advocated by petitioners and replicants wholly disregard the pronouncements and guidelines set forth in the said report of the Commission; that the rule proposed by the joint replicants was previously rejected by the Commission in the said report and order, and that, petitioner's substitute rule reproduced in the Appendix is indefinite and inadequate as it does not, among other things, make provision for the differences in service to be accorded truckload and less-than-truckload shipments, provide for extra labor charges in addition to a detention provision, or provide an adequate solution to the problems the said report and order attemtped to ameliorate;

[1] Also embraces the proceedings listed in Appendix A of the report and order 340 I.C.C. 306, 328-329.

Wherefore, and good cause appearing therefor:

It is ordered, That the petition be, and it is hereby, denied for the reason that sufficient grounds have not been shown to warrant granting the action sought.

It is further ordered, That the order entered in this proceeding on November 24, 1971, which order was stayed by orders of the Commission on February 14, 1973, as amended March 14, 1973, be, and it is hereby, reinstated and modified so as to be effective on July 31, 1974, with no other change in the requirements of said order.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

APPENDIX A

Item 20, paragraph (E)(1)(a), MF-ICC A-2510, Middle Atlantic Conference, Agent:

When a shipment is tendered to the carrier in lots according to size, brand, flavor, or other characteristics and is so identified on the Bill of Lading or accompanying papers, normal delivery service includes delivery of the shipment to the consignee in the same manner, including the placement of such segregated lots on the platform, dock, conveyor, pallet, dolly, buggy or similar device provided by the consignee for the receipt of freight within or adjacent to the vehicle without additional charge to the extent such service is performed within the free time period allowed by the applicable detention provisions. If delivery is not completed within the allowable free time, carrier will continue to unload the vehicle subject to applicable detention charges specified in items published elsewhere in this tariff.

[FR Doc.74-15021 Filed 6-28-74;8:45 am]

FEDERAL REGISTER PAGES AND DATES—JULY

Pages	*Date*
24211-24338	July 1

federal register

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PART II

INTERSTATE COMMERCE COMMISSION

■

RAIL SERVICE CONTINUATION SUBSIDIES

Standards for Determining

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER B—PRACTICE AND PROCEDURE

[Ex Parte No. 293 (Sub-No. 2)]

PART 1125—STANDARDS FOR DETERMINING RAIL SERVICE CONTINUATION SUBSIDIES

On February 25, 1974 (39 FR 7182), the Director of the Rail Services Planning Office of the Interstate Commerce Commission issued a notice of proposed rulemaking and order, pursuant to section 205(d)(3) of the Regional Rail Reorganization Act of 1973 (the "Act"), which provides that the Rail Services Planning Office shall:

> * * * within 180 days after the date of enactment of this Act, determine and publish standards for determining the 'revenue attributable to the rail properties', the 'avoidable costs of providing service', and 'a reasonable return on the value', as those phrases are used in section 304 of this Act, after a proceeding in accordance with the provisions of section 553 of Title 5, United States Code * * *

The notice of proposed rulemaking contained proposed standards for determining attributable revenues and avoidable costs for a railroad branch line as to which a notice of intention to discontinue service has been given by a railroad under section 304(a) of the Act. The standards consisted of a series of apportionment formulas under which revenues and costs would be apportioned using the Interstate Commerce Commission Uniform System of Accounts for Railroad Companies (49 CFR Part 1201) and certain formulas for this purpose. Some of the proposed formulas included an estimated factor for lost traffic based on discontinuance of services on the line but their use would have required the accumulation of data beyond those in the railroad's possession. Section 1125.3, as adopted, is similar to the provisions currently set forth in Part 1121 of the Commission's regulations, entitled "Abandonments of Railroad Lines", and is, therefore, known to be operationally feasible and will require use of a data base that would not be difficult to accumulate from materials in the railroad's possession. This, together with the method adopted for determining avoidable costs in § 1125.4, will permit the railroad to compute the data necessary for subsidy determinations, and the person offering a subsidy to review that computation, and arrive at a subsidy amount, within a short period after the notice of intent to discontinue service is given.

The Office does not believe that it could adopt a formula that would require either the railroad or the subsidizing body to make a separate investigation of the anticipated behavior of individual shippers on each branch to determine the results that would ensue if service on the branch were to be discontinued. The methodology of such an investigation would be difficult to develop, the validity of the results would be open to question because of the self-interest factor, and there would be little uniformity in the results. For these reasons, a system that uses branch revenues, determined by the railroad, which can be reviewed by the person offering a subsidy, appears to offer a better result for both parties.

As adopted, § 1125.3 defines revenues attributable to the rail property from freight services as the actual revenues accruing to the railroad, based on data derived from waybills and other source documents (which would include such documents as division sheets), for designated single line, interline, and overhead or bridge traffic. Revenue from overhead or bridge traffic would be included to the extent that discontinuance of service would cause the railroad to lose revenue due to the loss of traffic or to experience reduced revenues due to its rerouting.

The revenues attributable to the branch for passenger service will be based on the ratio of passenger miles on the branch to passenger miles on the railroad's total system. Some of the comments received urged that these revenues be based on actual ticket sales. However, information available to the Office indicates that this method would be impractical, if not impossible, because tickets are not sold solely on the branch, but are sold at many places off of the branch for travel on the branch, and the actual tickets taken up on the trains are not usually retained. The method adopted should be fairly representative of actual revenues accruing to the branch due to the absence, on most railroads, of long-haul passenger service, other than that provided under contract to Amtrak.

Revenues from passenger-related services, such as baggage handling and dining and buffet services, will be based on the ratio of passenger car miles on the branch to passenger car miles on the system of the railroad, since revenues from these services are dependent on the use of specialized rolling stock.

Revenues from specific services, such as switching, storage, and demurrage will be the actual revenues accruing to the railroad that are directly attributable to the branch.

The comments received were in general agreement that any subsidies that would cease upon discontinuance of service on the branch should be added as revenues attributable to the branch, and a provision to this effect has been added.

The base year for determining attributable revenues (as well as for determining avoidable costs) will be the calendar year preceding the year in which the notice of intent to discontinue service on the branch is given, if that notice is given after March 31, the date on which railroads are required to file their annual reports (R–1) with the Commission. However, if that notice is given before April 1, the base year will be the second preceding calendar year as the information necessary to compute the immediate preceding year's revenues and costs will not be available.

Some of the comments suggested that the subsidy should be tentatively estimated on the basis of the revenues and costs of a prior year and then readjusted at the end of the subsidy year to reflect actual costs and revenues. There are several practical obstacles to the use of this procedure. First, the authority of the Office, under the Act, may not be broad enough to impose such a requirement. Second, it is normally necessary for governmental organizations, either at the Federal, State or local level, to make firm funding commitments early in the budget year, and there could be no certainty that amounts higher than those estimated at the beginning of a subsidy period would be available or could lawfully be paid.

The supplemental notice stated that the Office would consider the development of sub-accounts applicable to branches operating under a subsidy so that actual revenues and costs could be computed as a basis for subsidy payments in future years. This could be particularly valuable following implementation of the final system plan when some of the railroads owning subsidized branch lines will no longer be operators of a "system" having representative characteristics suitable for determining revenues and avoidable costs on the basis of prior operating experience. The Office is making a further study of this problem, based on the comments received.

Avoidable Costs

A great many of the comments discussed the meaning of the words "avoidable costs" and stated that they should not be equated with "apportioned costs." It was not the intention of the Office to apportion all costs of a railroad's operations to each branch. It did intend to develop a system of avoidable costs (some of which would, of necessity, be based on an apportionment rather than on nonavailable actual figures) which are those costs that the railroad would not incur if service were discontinued on the branch. As a result, § 1125.4, as adopted, divides costs between on-branch costs, off-branch costs, and costs necessary to provide adequate and efficient rail service at a level higher than that provided at the time the notice is given, at the request of the person offering the subsidy (see section 402(j) of the Act).

It would not be proper to measure the on-branch portion of avoidable costs, for subsidy purposes, by the allocation of current costs, whether or not the costs were actually incurred on the branch. Therefore, the standard as adopted measures the on-branch portion of avoidable costs by the allocation of total costs only where direct assignment of actual costs is not possible.

On-branch avoidable costs are the amounts assigned or allocated under the Commission's Uniform System of Accounts for Railroad Companies in the following categories: maintenance of way and structures, maintenance of equipment, transportation—rail line, miscellaneous operations, taxes (except income) and rent income and costs.

As an ideal, each item of cost incurred with respect to maintenance of way or

structures should be recorded and directly assigned to the branch where that way or structure is physically located. The standards recognize that this ideal cannot always be met. Direct assignment, if possible, would be preferable for all costs, but since this is not possible, the standards provide allocation methods as an alternative in cases where the direct assignment of costs in the maintenance of way accounts is not practical due to the absence of a system of branch accounts. In such cases, the standards adopted recognize that there is a maintenance differential between the different classes of track which comprise the railroad system. In the absence of precise data, the costs are to be apportioned to the branch on the basis of equated track miles—a statistical means for determining the relationship of expenditures required to keep each of the several classes of track on a railroad in condition, relative to other track, for its intended use. The formula for determining equated track miles in the standards is that established by the American Railway Engineering Association.

In the case where direct assignment of costs in the maintenance of structures accounts is not practical due to unavailability of costs recorded in those accounts for specific structures, an allocation is necessary. The method of allocation must reasonably approximate the actual physical distribution of the structures maintained, taking into account age and utility, of those structures throughout the railroad's system including the branch.

The standards limit avoidable costs incurred with respect to structures to the maintenance of existing structures which are physically located on the branch and which are used for rail transportation purposes. Costs of new acquisitions or other capital expenditures are not included. Where the direct assignment of costs under the accounts cannot be made for particular accounts or structures, an allocation of the amount in the account of the railroad may be allocated to the branch on the basis of the ratio of the total net investment in the account on the branch to the railroad's total net investment in that account.

The standards recognize that depreciation on road property is an avoidable cost to be directly assigned to the branch. Depreciation may be considered contingent upon use and hence would not continue as a cost if the branch were abandoned.

On-branch costs include maintenance of equipment. The maintenance of equipment costs in the railroad's accounts represent a pool of costs, part of which were incurred in providing rail service to the branch. Therefore, these costs must be allocated to the branch as avoidable costs. The method of allocation will be based on a reasonable measure of the services received by the branch and the resulting allocated costs will vary in proportion to the services received.

The standards require allocation of maintenance of equipment costs by allocation methods consistent with this principle. For example, the costs allocated to the branch for locomotive repair from the railroad's account 311 are based on the ratio of branch line locomotive ton miles to the total system locomotive ton miles. This allocation method takes into account the fact that smaller locomotives are used to serve branches; and that lighter weight trains will move on a branch. Repair costs are a function of both locomotive size and utilization. The service provided in terms of locomotive ton miles reflects these factors and as the service increases the amount of allocated locomotive repair costs increase.

With respect to repairs of freight train cars, the allocation is based on branch car days for time-related expenses and branch car miles for mileage-related expenses. Both car days and car miles represent service to the branch. The portion of expenses in the railroad's account 314 attributable to time and to mileage is determined from the latest Commission Rail Form A, Statement 1F1–73 apportionment factor, which is currently 50 percent for each.

The standards provide for direct assignment of maintenance and related costs for certain equipment which is directly attributable to the branch. This category includes such items as dismantling costs and retirement of equipment.

On-branch costs include costs recorded in the accounts under the heading Transportation—Rail Line. These accounts include the labor and material directly related to the movement of trains on the branch. These are the costs incurred to provide specific services on the branch and should be directly assigned to the branch to the extent those specific services can be identified. Where the services are shared with other parts of the railroad and cost data has not been recorded for each separate part, the costs must be allocated to each part on which the service was performed. The allocation should be on the basis of the proportion of services rendered on each part.

The standards require direct assignment or allocation consistent with this principle. For example, for a branch served by a yard crew the expenses related to the operation of the yard and the yard locomotive shall be actual branch costs assigned on a direct basis. If time and material records are not kept in sufficient detail to permit identification of the expenses related to specific yard services rendered only on the branch then an allocation is necessary. The allocation shall be of the amount in the railroad's account for that service based on the ratio of branch yard switching locomotive unit miles to the railroad's total yard switching locomotive unit miles. These unit miles are a measure of the specific services performed on the branch.

Other allocations of costs where direct assignment of actual costs cannot be made include the allocation of train crew costs using the service unit of branch train hours and fuel costs using the service unit of locomotive unit hours. Direct assignment is required for the operation of joint tracks and facilities, TOFC/COFC terminals, and other miscellaneous or specialized services ancillary to railroad transportation.

Payroll taxes, revenue taxes and property taxes, have been allocated to the branch on the basis on which the tax was computed by the taxing authority. This method is equivalent to a direct assignment.

Rent income is an offset to avoidable costs. The rent income included in the calculation of avoidable costs under the standards is the income derived from the equipment used exclusively on the branch or facilities located on the branch that are joint in nature. Where a shipper on the branch leases equipment that moves off the branch, the rent income is allocated to the branch on the basis of days or miles for that equipment on the branch to days or miles on the system. Rent expense is an avoidable cost under the standards to the extent the rented equipment or joint facilities serves the branch.

A number of comments criticized the original standards for failure to include adequately off-branch variable costs in the calculation of avoidable costs. The Office recognizes that branch operations will necessarily cause the railroad to incur off-branch costs. Further, since there appears to be no standard method of allocating the revenues accruing to the railroad from branch operations between the system and the branch, it is necessary to include off-branch costs to avoid an improper matching or revenues and expenses. Several comments suggested a fixed per diem as a way to measure off-branch costs. However, any dollar figures placed on this element would vary according to the off-branch services. No one figure would necessarily be representative of the diverse operations of the railroads with property that would not be designated in the final system plan. Other comments recommended the use of car movements resulting from branch operations to allocate off-branch costs to the branch. The standards adopt a method of calculating off-branch avoidable costs based on the method recognized by the Commission for measuring system-wide variable costs. The variable costs for the system of the railroad on a service-unit basis, developed through application of the Commission's Rail Form A, Statement 1F1–73, will be applied to branch traffic moving over the remainder of the railroad's system, in order to determine the avoidable cost to the railroad of handling the branch traffic which moves off-branch. These costs would be avoid if service were to be discontinued on the branch.

The off-branch costs included in avoidable costs by the use of this method are the costs resulting from the terminal handling of the car and contents, the linehaul movement of the car and its contents, and the interchange of the car in interline or bridge service.

Under section 402(j) of the Act, avoidable costs for subsidy purposes are defined as including the "costs of operating

adequate and efficient service, including where necessary improvement and maintenance of tracks and related facilities." The standards adopted provide for the determination and inclusion of these costs in the computation of the subsidy amount. In particular, they provide for the consideration of costs that would be incurred if the person offering the subsidy demands that service be performed at a higher level than that previously provided.

INVESTMENT BASE AND REASONABLE RETURN ON VALUE

The standard proposed for defining the rate of return, as set forth in the original notice, was a variable rate of return based on recent experience in the sale of equipment trust certificates by Class I railroads, that is, the average interest cost during the three calendar months preceding the month in which the notice of termination of service on the branch becomes effective. The comments received on this point varied widely and the supplemental notice listed several alternative methods of determining the rate of return. Among these were "imbedded costs" or "imbedded average interest cost"; the rate of return applicable to Federal securities with approximately the same lifetime as the subsidy agreement; mortgage bond rate; the interest rate railroads would pay on government guaranteed loans under the Act; the weighted average return for profitable lines operating in the region; the weighted average cost of capital to the railroad or railroad industry; a maximum rate of 125 percent of one-year Treasury notes; and a 10 percent, after taxes, return.

In order to determine the "reasonable return on the value" it is necessary to consider that the railroad wishes to abandon a particular branch because it is not earning its opportunity costs on that branch. If a branch line is earning negative income and consequently a negative rate of return, any positive change is an improvement, for example a change from minus five percent to five percent. But only if the five percent is equal to the railroad's opportunity cost will the railroad choose to maintain service. If a railroad believes that it can abandon property and earn a higher percentage on the proceeds of the abandoned property (or the use to which they are put) then a five percent return may not be sufficient to encourage continuance of rail service on the branch.

In determining the opportunity cost to the railroad, it must be recognized that the choice is between continuance and discontinuance of service. Under the Act, branches that are not designated to be in the final system plan because they are economically non-viable can be abandoned unless a subsidy is provided. The process of discontinuance of service is the conversion of a relatively poor asset (rail property) to a liquid asset (cash), where the cash proceeds represent the difference between the sale price and the cost of the sale—net liquidation value. The opportunity cost to the railroad is what could be earned with the cash proceeds. The earnings potential will depend on the use to which the cash proceeds could be used, such as savings accounts, bonds, stock, other property, or other rail service. Each of these would yield a different rate of return due to risk differentials. The question is what is the appropriate opportunity cost.

A railroad should be indifferent between abandonment and continuance as long as it is provided with what it perceives as its opportunity cost. On the other side, the public is interested in maintaining service at the lowest subsidy or purchase cost possible. While it is neccessary to strike a balance between the two groups, the determination of the rate of return must be based on the concept of appropriate opportunity cost.

There are at least two reasons why the rate on U.S. Treasury notes represent the appropriate opportunity cost to railroads. First, Treasury notes are liquid and easily convertible into cash. Any business with cash flow problems which encounters difficulty in meeting debt obligations (such as a bankrupt railroad) must remain as liquid as possible in its asset position. Second, such an organization is effectively prohibited from investing funds in risky assets although they may be liquid. Essentially, they cannot afford to bear risk. Consequently, for bankrupt railroads, the opportunity set of investment options is limited to assets which are relatively riskfree and liquid.

For these reasons, § 1125.6 has restated to define the reasonable return on the value of the properties as a rate equal to the publicly quoted yield to maturity rate for U.S. Treasury notes of approximately the same life as the period of the subsidy agreement, and maturing at a date approximately coterminant with the end of the subsidy period. A few comments suggested that the railroad should receive a return on the value of the branch that would generate a particular interest rate after taxes. The office is unaware of any precedent for fixing a rate of return in this manner, and to do so would be inconsistent with the statutory mandate that a "reasonable" rate of return be provided, and not an exorbitant one.

A majority of the comments received on both the original and supplemental notices favored the inclusion of a method of determining the net liquidation value of the rail properties as a necessary step to determining reasonable rate of return. Similarly, most of the comments agreed that some sort of arbitration arrangement would be nececssary to settle disagreements because of the relatively short time (60 days after notice) within which a railroad may discontinue service. Therefore, § 1125.5 has been adopted substantially as proposed in the original notice, with the following minor changes: The words "subject to applicable zoning and land use regulations" have been inserted to modify the words "highest and best use" to assure that the use will be a realistic and attainable one. The words "other than rail transportation" have also been inserted to modify those words since a notice of intent to discontinue service (because of losses on the branch) necessarily indicates that its highest and best use would not be for that purpose.

Several of the comments on this subject stated that the highest and best use should be determined on the basis of a bona fide offer of the property being the best indication of its value, followed by sales of adjacent property, adjusted for differences, and then a qualified appraisal. These appear to be valid considerations for the arbitrators, but the Office does not consider that they should be rigidly adhered to in all cases. Therefore, a provision has been inserted requiring the arbitrators to consider these tests "among other factors."

Several comments suggested that any interested member of the public should be able to appear and present testimony before the arbitrators, or that some organization such as the Office of Public Counsel of the Rail Services Planning Office should appear on behalf of all unrepresented members of the public. The Office is aware that there will be a great deal of public interest with respect to some cases in which a public body is offering a subsidy. On the other hand, due to the stringent time limitations applicable to the proceedings, full participation of this type might require impossible or unreasonable amounts of time, and impossible or unreasonable amounts of effort and manpower by the Office of Public Counsel. In view of all of these considerations, a new paragraph (f) has been added to § 1125.5 to provide that meetings of the arbitrators for the purposes of receiving information or evidence shall be open to the public in cases involving public bodies that offer a subsidy, and that any interested member of the public may file written views, arguments, or information with the arbitrators within three days after the closing of the sessions that are open to the public. This provision will assure an opportunity for members of the public to appear in appropriate cases and to advocate their positions without imposing the serious constraints that would be present in a formally structured proceeding.

OTHER

Section 1125.7, as originally proposed, would have required the filing, among other things, of a copy of the railroad's most recent Annual Report of Freight Commodity Statistics (Annual Form QCS). In view of the fact that the regulation as adopted requires the determination of attributable revenues on an actual basis, this commodity information will not be needed and the provision has been deleted.

A number of the comments received on both the original and supplemental notices suggested that, in addition to filing a copy of its notice of intention to discontinue service with the Office and the appropriate governors, the railroad should also give the notice to each ship-

per on the branch concerned and to each affected city, town, or other political subdivision. While there is no doubt that wide spread dissemination of the notice would be of value in some cases, the practical and legal consequences of such an onerous requirement prevents its flat adoption. For example, the railroad would have to expend considerable effort in identifying all shippers, and the notice to shippers could be rendered void by omission (inadvertently or otherwise) of service to any one of them, thereby unnecessarily prolonging any subsidy proceedings. However, there does appear to be a need for wider distribution of the notices and for this reason, a provision has been adopted that would require the notice to be published in a newspaper or newspapers of general circulation in the area encompassing the branch (so that the whole area is covered) once a week for three weeks beginning with the week in which notice is given to the Office and the governor. In addition, a provision has been added requiring a copy of the notice to be given to the railroad regulatory commission of each State concerned. The publicity attendent to the four notices thus required should result in widespread notice sufficient to alert all persons concerned.

To further provide reasonable access for interested persons to the information regarding costs and other matters relevant to subsidy consideration, a new paragraph (c) has been added to § 1125.7 to require the railroad to keep available, for public inspection at an office of the railroad within each State affected by a notice of intent to discontinue service on a branch, copies of the materials and information upon which the railroad's calculations for the purposes of revenues, costs, and property value are made. This access to materials would be limited, however, should the railroad consider it necessary, by requiring it to disclose information concerning the nature, kind, quantity, destination, consignee, or routing of traffic only to the representative of a person offering a subsidy, and only if that representative agrees to keep the information confidential.

Appendix I of the standards sets forth the data required for the calculation of avoidable costs. Items 1–36 are used in the allocation formulas which determine on-branch costs. Items 37–43 are used to attribute off-branch costs to the branch through the measurement of off-branch service units of branch traffic. Instructions to Appendix I are provided.

The Office has under consideration a program for the development of forms to be used by railroads for the computation of revenues and costs pursuant to §§ 1125.3 and 1125.4, respectively, for the purposes of facilitating the presentation of the information, ease of use by persons considering the offer of a subsidy, and uniformity of method. If it is decided to develop and issue the forms, they will be issued as an Appendix to this part.

In consideration of the foregoing: *It is ordered*, That Subchapter B of Chapter X of Title 49 of the Code of Federal Regulations, be amended by adding the following new Part 1125 thereto, as set forth below.

It is further ordered. That this order shall become effective on July 1, 1974.

[SEAL] ROBERT L. OSWALD,[1]
Secretary.

Sec.
1125.1 Purpose and scope.
1125.2 Definitions.
1125.3 Revenue attributable to the rail properties.
1125.4 Avoidable costs of providing service.
1125.5 Valuation of rail properties.
1125.6 Reasonable return on the value of the properties.
1125.7 Submission of information by railroad giving notice of intent to discontinue service on a branch.
Appendix I—Information to be furnished.

AUTHORITY: Sec. 205(d)(3), Regional Rail Reorganization Act of 1973, Pub. L. 93–236, 87 Stat. 985.

§ 1125.1 Purpose and scope.

(a) Section 304(c)(2) of the Act provides that no rail service may be discontinued and no rail properties may be abandoned pursuant to that section if a shipper, a State, the United States, a local or regional transportation authority, or any responsible person offers a rail service continuation subsidy which covers the difference between the revenue attributable to such rail properties and the avoidable costs of providing service on such rail properties, plus a reasonable return on the value of such properties.

(b) Section 205(d) of the Act directs the Rail Services Planning Office to determine and publish standards for determining the "revenue attributable to the rail properties", "the avoidable costs of providing service", and "a reasonable return on the value" as those phrases are used in section 304 of the Act. This Part sets forth those standards.

§ 1125.2 Definitions.

Unless otherwise required by the context, the following definitions apply in this part:

"Act" means the Regional Rail Reorganization Act of 1973, Pub. L. 93–236 (87 Stat. 985).

"Account" means an account in the Commission's Uniform System of Accounts for Railroad Companies (Part 1201 of this chapter).

"Branch" means a segment of a railroad that is not designated to be in the final system plan under the Act, and that is the subject of a notice in writing of intent to discontinue service under section 304(a) of the Act.

"Commission" means the Interstate Commerce Commission.

"Office" means the Rail Services Planning Office established by section 205 of the Act.

"Railroad" means a railroad company, or the trustee or trustees of a railroad company, that gives a notice in writing of intent to discontinue service under section 304(a) of the Act.

"Person offering a subsidy" means a shipper, the United States, a State, a local or regional transportation authority, or any responsible person offering a rail continuation subsidy under section 304(c)(2)(A) of the Act.

§ 1125.3 Revenue attributable to the rail properties.

The revenue attributable to the rail properties of a branch is the total of the revenues assigned to the branch in accordance with this section, plus any subsidy payments that would cease upon discontinuance of service on the branch, for the calendar year before the year in which the notice of intent to discontinue service on that branch is given, if that notice is given after March 31, or for the second calendar year before the year in which the notice of intent to discontinue service is given, if that notice is given before April 1. The revenues assigned shall be derived from the following accounts:

(a) *Account 101—Freight.* The revenues assigned under this account shall be the actual revenues accruing to the railroad, derived from waybills and other source documents for all traffic that—

(1) Originates and terminates on the branch;

(2) Originates or terminates on the branch and is handled off the branch on the system but not on another carrier;

(3) Originates or terminates on the branch and is handled on another carrier; or

(4) Is bridge or overhead traffic, if termination of service on the branch would cause the railroad to lose that traffic.

In any case in which bridge or overhead traffic would not be lost to the railroad if service on the branch were discontinued, but would be rerouted over another part of the railroad and would result in reduced revenue to the railroad, the revenue assignable to the branch is the difference between the revenues the railroad would receive if the branch service were not discontinued and that reduced revenue.

(b) *Account 102—Passenger; Account 104—Sleeping car; and Account 105—Parlor and chair car.* The revenues assigned under these accounts shall be the amounts in the railroad's accoutns apportioned to the branch on the basis of the ratio of passenger miles on the branch to passenger miles on the system of the railroad.

(c) *Account 103—Baggage; Account 106—Mail; Account 107—Express; Account 108—Other passenger train; Account 109—Milk; and Account 131—Dining and buffet.* The revenues assigned under these accounts shall be the amounts in the railroad's accounts apportioned to the branch on the basis of the ratio of passenger car miles on the branch to passenger car miles on the system of the railroad.

(d) *Account 110—Switching; Account 113—Water transfers; Account 132—*

[1] Present: George M. Chandler, Director, Rail Services Planning Office to whom the matter under consideration in this docket has been assigned.

Hotel and restaurant; Account 133—Station, train, and boat privileges; Account 135—Storage-Freight; Account 137—Demurrage; Account 138—Communication; Account 139—Grain elevator; Account 141—Power; Account 142—Rents of buildings and other property; Account 143—Miscellaneous; Account 151—Joint facility, Cr.; and Account 152—Joint facility, Dr. The revenues assigned under these accounts shall be the actual revenues accruing to the railroad that are directly attributable to the branch.

§ 1125.4 Avoidable costs of providing service.

The avoidable costs of providing service on a branch are the total of the costs assigned or apportioned to the branch in accordance with this section. Costs assigned or apprortioned under paragraphs (a) through (g) of this section shall be derived from the Annual Report (R–1) of the railroad filed with the Commission for the calendar year preceding the year in which notice of intent to discontinue service on that branch is given, if that notice is given after March 31, or for the second calendar year before the year in which the notice of intent to discontinue is given if the notice is given before April 1. In any case in which the railroad is, at the time it gives the notice, operating a branch under a least (Account 542) the railroad shall treat the costs assigned under this account, as provided in this section, as avoidable costs for that branch. If the lease covers more than the property on the branch, the costs shall be apportioned to the branch on the basis of the ratio of the leased miles of track on the branch to the total miles of track under the lease.

(a) *Expenses for maintenance of way and structures*—(1) *Account 202—Roadway maintenance; Account 212—Ties; Account 214—Rails; Account 216—Other track material; Account 218—Ballast; and Account 220—Track laying and surfacing.* If the railroad maintains records of repairs separately for the branch, the costs assigned under these accounts shall be the actual branch costs assigned on a direct basis. If the costs cannot be assigned on a direct basis, the amounts in the railroad's accounts shall be apportioned to the branch on the basis of the ratio of equated track miles on the branch to equated track miles on the system. Equated track miles shall be computed as follows:

(i) Determine mileages on the branch and on the system for—

(A) 1st main track;
(B) 2nd main track;
(C) 3rd and 4th main tracks;
(D) Branch line main track;
(E) Passing tracks; and
(F) Yard track and siding.

(ii) Multiply the miles of track on the branch and the miles of track on the system under subdivision (i) of this subparagraph by the following percentages as shown in AREA, Manual for Railway Engineering, Chapter 22, part 2, 1961–62 Proceedings Comm. 22 (available from the American Railway Engineering Association, 59 East Van Buren Street, Chicago, Ill. 60605), to obtain equated track miles:

	Percent
1st main track	100
2nd main track	83
3rd and 4th main tracks	75
Branch line main track	49
Passing tracks	43
Yard track and sidings	32

(2) *Account 206—Tunnels and subways; Account 208—Bridges, trestles and culverts; Account 210—Elevated structures; Account 221—Fences, snowsheds, and signs; Account 227—Station and office buildings; Account 229—Roadway buildings; Account 231—Water stations; Account 233—Fuel stations; Account 235—Shops and enginehouses; Account 237—Grain elevators; Account 239—Storage warehouses; Account 241—Wharves and docks; Account 243—Coal and ore wharves; Account 244—TOFC and COFC terminals; Account 247—Communication systems; Account 249—Signals and interlockers; Account 253—Power plants; Account 257—Power—transmission systems; Account 265—Miscellaneous structures.* The costs assigned under these accounts shall be the actual branch costs assigned on a direct basis. However, a cost may not be assigned under an account unless the facility to which it pertains is physically located on the branch concerned and is in use for rail transportation purposes. If the costs cannot be assigned on a direct basis, the amounts in the railroad's accounts shall be apportioned to the branch on the basis of the ratio of net investment in branch line structures to the total net investment of the railroad in structures on an individual account basis.

(3) *Account 266—Road property—depreciation; Account 267—Retirements—road; Account 270—Dismantling retired road property; Account 273—Public improvements—maintenance; Account 278—Maintain joint tracks, yards, and other facilities—Dr.; Account 279—Maintaining joint tracks, yards and other facilities—Cr.; Account 281—Right-of-way expenses; and Account 282—Other expenses.* The costs assigned under these accounts shall be the actual branch costs assigned on a direct basis.

(4) *Account 272—Removing snow, ice, and sand.* The costs assigned under this account shall be the actual branch costs assigned on a direct basis. If the costs cannot be assigned on a direct basis, the amount in the railroad's account shall be apportioned to the branch on the basis of the ratio of miles of track operated on the branch to total miles of track operated on the system.

(5) *Account 277—Employees health and welfare benefits.* The costs assigned under this account shall be the amount in the railroad's account apportioned to the branch on the basis of the ratio of the branch total in accounts 202 and 220 to the railroad's total in those accounts.

(b) *Maintenance of equipment*—(1) *Account 311—Locomotives—repairs.* The costs assigned under this account shall be the amounts in the railroad's account apportioned to the branch on the basis of the ratio of branch line locomotive ton miles to the total system locomotive ton miles.

(2) *Account 314—Freight-train cars—repairs.* The costs for car repairs shall be separated between those related to mileage and those related to time, based on the latest Commission Rail Form A, Statement 1F1–73 apportionment factor. The mileage-related portion of the amount in the railroad's account shall be apportioned to the branch on the basis of the ratio of the loaded and empty freight car-miles of other than mileage-rented cars (excluding shipper car-miles) on the branch to those kinds of car miles on the system. The time-related portion of the amount in the railroad's account shall be apportioned to the branch on the basis of the ratio of branch car days (other than mileage-rented cars) to system car days (other than mileage-rented cars).

(3) *Account 317—Passenger-train cars; repairs.* The costs assigned under this acocunt shall be the actual branch costs assigned on a direct basis. If the costs cannot be assigned on a direct basis, the amount in the railroad's account shall be apportioned to the branch on the basis of the ratio of branch passenger car-miles to the railroad's total passenger car-miles.

(4) *Account 318—Highway revenue equipment; repairs.* The costs assigned under this account shall be the actual branch costs assigned on a direct basis. If the costs cannot be assigned on a direct basis, the amount in the railroad's account shall be apportioned to the branch on the basis of the ratio of branch vehicle-miles (loaded and empty) in revenue service to the railroad's total miles (loaded and empty) in revenue service.

(5) *Account 323—Floating equipment; repairs; Account 326—Work equipment; repairs; Account 328—Miscellaneous equipment; repairs; Account 329—Dismantling retired equipment; and Account 330—Retirements—equipment.* The costs assigned under these accounts shall be the actual costs that are directly attributable to the branch.

(6) *Account 335—Employees health and welfare benefits.* The costs assigned under this account shall be the amount in the railroad's account apportioned to the branch on the basis of the ratio of the branch total in accounts 311, 314, 317, 318, 323, 326, and 329 to the railroad's total in those accounts.

(7) *Account 336—Joint maintenance of equipment expenses Dr.; Account 337—Joint maintenance of equipment expenses, Cr.; and Account 339—Other expenses.* The costs assigned under these accounts shall be the actual costs that are directly attributable to the branch.

(c) *Transportation—Rail Line*—(1) *Account 372—Dispatching trains; and Account 407—Communication system operation.* The costs assigned under these accounts shall be the amounts in the railroad's accounts apportioned to the branch on the basis of the ratio of branch line train miles to system train miles.

(2) *Account 373—Station employees; Account 374—Weighing, inspection, and demurrage bureaus; Account 375—Coal and ore wharves; Account 376—Station supplies and expenses; Account 395—Train power produced; and Account 396—Train power purchased.* The costs assigned under these accounts shall be the actual branch costs assigned on a direct basis.

(3) *Account 377—Yardsmasters and yard clerks; Account 378—Yard conductors and brakemen; Account 379—Yard switch and signal tenders; Account 380—Yard enginemen; Account 382—Yard switching fuel; Account 383—Yard switching power produced; Account 384—Yard switching power purchased; Account 388—Servicing yard locomotives; and Account 389—Yard supplies and expenses.* If the branch is served by a yard crew, the costs assigned under these accounts shall be the actual branch costs assigned on a direct basis. If the branch is served by a yard crew and the costs cannot be assigned on a direct basis, the costs assigned under those accounts shall be the amounts in the railroad's accounts apportioned to the branch on the basis of the ratio of branch locomotive unit miles to the railroad's total locomotive unit miles.

(4) *Account 392—Train enginemen; Account 401—Trainmen; and Account 402—Train supplies and expenses.* If the branch is served by a train crew, the costs assigned under these accounts shall be the actual branch costs assigned on a direct basis. If the branch is served by a train crew and the costs cannot be assigned on a direct basis, the costs assigned under those accounts shall be the amounts in the railroad's accounts apportioned to the branch on the basis of the ratio of branch train hours to the railroad's total train hours. However, heater and refrigerator charges and credits may not be included in Account 402 unless applicable to the branch.

(5) *Account 394—Train fuel; and Account 400—Servicing train locomotives.* If the branch is served by a train crew, the costs assigned under these accounts shall be the actual branch costs assigned on a direct basis. If the branch is served by a train crew and the costs cannot be assigned on a direct basis, the costs assigned under these accounts shall be the amounts in the railroad's accounts apportioned to the branch on the basis of the ratio of branch locomotive unit hours to the railroad's total locomotive unit hours.

(6) *Account 404—Signal and interlocker operation; and Account 405—Crossing protection.* The costs assigned under these accounts shall be the actual branch costs assigned on a direct basis. If the costs cannot be assigned on a direct basis, the costs assigned under these accounts shall be the amounts in the railroad's accounts apportioned to the branch on the basis of the ratio of branch train hours, including train switching hours and yard switching hours, to the railroad's total train hours.

(7) *Account 406—Drawbridge operation; and Account 408—Operating floating equipment.* The costs assigned under these accounts shall be the actual branch costs assigned on a direct basis, but only if those costs are incurred for the exclusive use of the branch.

(8) *Account 409—Employees health and welfare benefits.* The costs assigned under these accounts shall be apportioned to the branch on the basis of the ratio of the branch total in accounts 372, 373, 377, 378, 379, 380, 388, 392, 400, 404, 405, 406, 407, 408, and 415 to the railroad's total in those accounts.

(9) *Account 411—Other expenses; Account 415—Clearing wrecks; Account 416—Damage to property; Account 417—Damage to livestock on the right of way; Account 418—Loss and damage; freight; Account 421—TOFC/COFC terminals; Account 422—Other highway transportation expenses; Account 390—Operating joint yards and terminals—Dr.; Account 391—Operating joint yards and terminals—Cr.; Account 412—Operating joint tracks and facilities—Dr. and Account 413—Operating joint tracks and facilities—Cr.* The costs assigned under these accounts shall be the actual branch costs assigned on a direct basis.

(d) *Miscellaneous operations. Account 441—Dining and buffet service; Account 442—Hotels and restaurants; Account 443—Grain elevators; Account 445—Producing power sold; Account 446—Other miscellaneous operations; Account 449—Employees health and welfare benefit; Account 447—Operating joint miscellaneous facilities—Dr.; Account 448—Operating joint miscellaneous facilities—Cr.* The costs assigned under these accounts shall be the actual branch costs assigned on a direct basis.

(e) *Taxes, except income taxes*—(1) *Payroll taxes.* The amount of payroll taxes assigned shall be based on the ratio of the branch total in Accounts 202, 220, 331, 314, 317, 318, 323, 326, 329, 372, 373, 377, 378, 379, 380, 388, 92, 400, 404, 405, 406, 407, 408, and 415, to the railroad's total in those accounts.

(2) *Revenue taxes.* The amount of revenue taxes shall be based on the amounts directly paid in those States that subject the railroad to a revenue tax, apportioned to the branch on the basis of the ratio of branch gross revenue to that part of the railroad's total gross revenue used for tax computation purposes by that State.

(3) *Property taxes.* The amount of property taxes shall be the amount levied against the property on the branch, in those States where a true ad valorem tax is levied, based on the value of certain kinds of railroad property such as track, ladn, buildings, and other facilities. In States where property taxes are levied on the basis of a formula of a State-wide valuation of property, the railroad shall support any claim of savings for property taxes in the event of abandonment of the branch. If the railroad would realize State-wide savings on the basis of a proposed discontinuance of service on more than one branch operated in that State, the amount assigned to that branch shall be apportioned on the basis of the ratio of the miles of track on that branch to total system miles of track in that State proposed for discontinuance.

(f) *Rent income*—(1) *Account 503—Hire of freight cars and highway revenue freight equipment; credit balance.* The amounts assigned under this account shall be based on a special analysis of receipts for each kind of equipment used exclusively by branch traffic. Payments for each kind of equipment used by traffic moving partly on-branch and partly off-branch on the railroad shall be apportioned on the basis of the ratio of the respective days or miles, as the case may be, for each kind of equipment to total days or miles on the railroad required by that traffic.

(2) *Account 504—Rent from locomotives; Account 506—Rent from floating equipment; and Account 507—Rent from work equipment.* The amounts assigned under these accounts shall be based on the actual receipts for the kind of equipment rented, but may not be included unless the kind of equipment rented is normally used exclusively for branch traffic.

(3) *Account 508—Joint facility rent income.* The amounts assigned under this account shall be the actual branch receipts assigned on a direct basis.

(g) *Rent costs*—(1) *Account 536—Hire of freight cars and highway revenue freight equipment; debit balance.* The costs assigned under this account shall be based on a special analysis of payments for each kind of equipment used exclusively by branch traffic. Payments for each kind of equipment used by traffic moving partly on-branch and partly off-branch on the railroad shall be apportioned on the basis of the ratio of the respective cars or miles, as the case may be, for each kind of equipment on the branch to total cars or miles on the railroad required for that traffic.

(2) *Account 537—Rent for locomotives; and Account 539—Rent for floating equipment.* If the equipment is used exclusively for branch traffic, the costs assigned under these accounts shall be the actual branch costs assigned on a direct basis for the kind of locomotive or floating equipment rented. If analysis shows common rents, the common rents cost shall be apportioned to the branch on the basis of the ratio of applicable locomotive or floating equipment days or miles, as used for billing purposes, on the branch to the total of those days or miles on other lines of the railroad.

(3) *Account 540—Rent for work equipment.* The costs assigned under this account shall be the actual branch costs assigned on a direct basis.

(4) *Account 541—Joint facility rents.* The costs assigned under this account shall be the actual branch costs assigned on a direct basis, plus, for common expenses, an apportionment of common expenses to the branch on the basis of the ratio of the branch total in Accounts 278, 336, 390, and 412 to the railroad's total in those accounts.

(h) *Off-branch costs.* The avoidable costs of providing service over the off-

branch portion of the railroad's system shall be computed as follows:

(1) The railroad shall apply its operating expenses, rents, and taxes (excluding income taxes) contained in its Annual Report R–1 filed with the Commission for the year used to assign other avoidable costs under this section, to Rail Form A, Statement 1F1–73.

(2) From that application, the railroad shall develop the following through-train single line unit costs on a variable basis:

(i) Per carload, by car type.

(ii) Per car-mile, by car type.

(iii) Per ton.

(iv) Per ton mile.

(v) Per car interchanged, separated between mileage cars and other than mileage cars.

(3) The following off-branch service units from Appendix I to this part shall be applied to the unit costs:

(i) Line 41—carloads—single line service.

(ii) Line 42—carloads—interline service.

(iii) Line 43—carloads—bridge traffic.

(iv) Lines 37 and 38—loaded car miles, by car type.

(v) Line 40—tons of revenue freight in road service.

(vi) Line 39—ton miles—revenue freight in road service.

(4) The unit costs developed in subparagraph (2) of this paragraph shall be multiplied by the service units in subparagraph (3) of this paragraph as follows:

(i) Subparagraph (2) (i) of this paragraph times subparagraph (3) (i) of this paragraph, times 2, plus subparagraph (2) (i) of this paragraph times subparagraph (3) (ii) of this paragraph.

(ii) Subparagraph (2) (ii) of this paragraph times subparagraph (3) (iv) of this paragraph, by car type.

(iii) Subparagraph (2) (iii) of this paragraph times subparagraph (3) (v) of this paragraph.

(iv) Subparagraph (2) (iv) of this paragraph times subparagraph (3) (vi) of this paragraph.

(v) Subparagraph (2) (v) of this paragraph times subparagraph (3) (iii), times 2, plus subparagraph (2) (v) of this paragraph times subparagraph (3) (ii) of this paragraph.

(5) The costs developed in subparagraph (4) of this paragraph shall be aggregated to arrive at the total off-branch avoidable costs for branch traffic.

(i) *Adequate and efficient rail service.* The costs assigned under this paragraph shall be the additional costs that would be incurred by the railroad to operate adequate and efficient rail service, including where necessary improvement and maintenance of track and related facilities, on a branch. These costs may include those necessary to provide a higher level of service than that provided at the time the notice of intent to discontinue service on that branch is given, pursuant to the request of a person offering a subsidy. Included would be such costs as those necessary to raise the track condition to a level to accept higher train speeds or heavier cars, or increasing the frequency of service. If the person offering a subsidy requests a higher level of service, that person shall notify the railroad of that level within 10 days after the date of the notice to discontinue rail service on the branch pursuant to section 304(a) (2) (B) of the Act. The railroad shall, within 10 days after the date of that request, inform the person offering the subsidy of the additional avoidable costs that would be involved in providing the requested level of service.

§ 1125.5 Valuation of rail properties.

The value of the rail properties on a branch shall be determined in accordance with the following:

(a) Only the following properties on a branch may be considered:

(1) Those that are used and useful to provide the rail services requested by the person offering a subsidy.

(2) In the absence of a request for specific services by that person, those properties that are used and useful to provide the rail service performed on the branch at the time the final system plan becomes effective, or if no service was being performed at that time, the services that were last performed on the branch.

(b) The value of the properties shall be their net liquidation value for their highest and best use, consistent with applicable zoning and land use regulations, determined by computing their current market value for other than rail transportation purposes, less all costs of dismantling and disposition of improvements necessary to make the remaining property available for its highest and best use.

(c) If the railroad and the person offering a subsidy cannot, within a period of time that either of them considers reasonable after the beginning of negotiations for the payment of the subsidy, agree on the properties that are used and useful or the net liquidation value, or both, the one that considers that a reasonable period of time has elapsed may notify the other of its intention to have the matter arbitrated. Each of the parties shall then appoint a representative, and the representatives shall select an arbitrator or arbitrators mutually acceptable to them. The decision of the arbitrator or arbitrators shall be final.

(d) If either party fails to appoint a representative within five days after receiving notice from the other party of its representative, or if the appointed representatives fail, within five days after the last one of them is appointed, to agree upon a mutually acceptable arbitrator or arbitrators, either party may submit the matter for arbitration to the American Arbitration Association pursuant to its commercial arbitration rules, and the decision of its arbitrator or arbitrators shall be final.

(e) In considering the value of properties under this section the arbitrator or arbitrators shall consider, among other factors, any bona fide offer for the properties, or a part thereof, recent sales of adjoining or similar properties, and any available appraisals, by a reputable appraiser, of the properties, or a part thereof.

(f) If the person offering a subsidy is a public body, each meeting of an arbitrator or arbitrators with the parties for the purposes of receiving information or evidence or to hear arguments or views shall be open to the public. Any interested member of the public may file written views, arguments, or information with the arbitrator or arbitrators at any time within 3 days after the closing of the sessions that are open to the public.

§ 1125.6 Reasonable return on the value of the properties.

The reasonable return on the value of rail properties, as determined under § 1125.5, shall be the interest rate that is equal to the publicly quoted yield to maturity, on the first day of the month in which the subsidy agreement is entered into, for U.S. Treasury notes of approximately the same life as the period of the subsidy agreement, and maturing at a date approximately coterminant with the end of the subsidy period.

§ 1125.7 Submission of information by railroad giving notice of intent to discontinue service on a branch.

(a) Each railroad that gives notice of intent to discontinue service on a branch, pursuant to section 304(a) (2) (B) of the Act, shall, on the date it gives that notice—

(1) Give the Director of the Office—

(i) A copy of the notice;

(ii) A copy of its most recent Commission Rail Form R–1, Annual Report;

(iii) A copy of its most recent Commission Rail Form A, Statement 1F1–73;

(iv) A statement of the revenue from all traffic moving over the branch, computed under § 1125.3, and where there is a division of the through rate, the amount accruing to the railroad as determined by it from its division sheets; and

(v) The information listed in Appendix 1 to this Part, to the extent possible, with respect to—

(A) Freight operations on the branch;

(B) Freight operations on its entire system of branch traffic;

(C) Freight operations on its entire system;

(D) Passenger operations on the branch, if provided; and

(E) If there are passenger operations on the branch, passenger operations on its entire system.

(2) Give the governor of each State within which the branch is located a copy of each of the items listed in subparagraph (1) of this paragraph;

(3) Give the railroad regulatory commission of each State within which the branch is located a copy of each of the items listed in subparagraph (1) of this paragraph.

(b) Beginning with the week in which it gives notice of intent to discontinue service on a branch, pursuant to section 304(a)(2)(B) of the Act, the railroad shall publish a copy of that notice of intent in a newspaper or newspapers of general circulation in the areas encompassing the branch at least once a week for three consecutive weeks.

(c) Each railroad providing the information required by paragraph (a) of this section, and publishing a notice as required by paragraph (b) of this section, shall include therein a statement to the effect that copies of the materials and information upon which the railroad's calculations for the purposes of §§ 1125.3, 1125.4, and 1125.5 have been or are to be made are located at an office of the railroad within the State or States concerned and may be examined by any interested person during regular working hours. However, documents upon which the calculations for the purposes of § 1125.3 are made which disclose information concerning the nature, kind, quantity, destination, consignee, or routing of traffic shall, if the railroad so requests, be shown only to a representative of the person offering a subsidy and only if that representative agrees to keep that information confidential.

(d) A notice of intent to discontinue service, pursuant to section 304(a)(2)(B) of the Act, is not considered to be completed or given until the railroad has taken the actions required by that section and paragraphs (a) and (c) of this section.

APPENDIX I—INFORMATION TO BE FURNISHED

The following is the information required to be furnished under § 1125.7(a)(1)(v):

AVERAGE MILES OF TRACK OPERATED

1. First main
2. Second main
3. 3rd and 4th main
4. Branch
5. Passing tracks
6. Yard and sidings

TRAIN MILES

7. Diesel locomotives
8. Other locomotives
9. Total locomotives
10. Motorcars
11. Total train-miles (lines 7 through 10)

LOCOMOTIVE UNIT MILES

12. Road service (diesel and other)
13. Road service (electric only)
14. Train switching
15. Yard switching
16. Total locomotive unit-miles (lines 12 through 15)

LOCOMOTIVE UNIT HOURS

17. Road service (diesel and other)
18. Road service (electric only)
19. Train switching
20. Yard switching
21. Total locomotive unit hours (lines 17 through 20)

CAR MILES [1]

22. Loaded time mileage freight cars
23. Loaded other freight cars
24. Empty time mileage freight cars
25. Total freight car-miles

GROSS TON-MILES AND TRAIN-HOURS IN ROAD SERVICE

26. Gross ton-miles of locomotives and tenders (thousands)
27. Gross ton-miles of freight-train cars contents and cabooses (thousands) [1]
28. Train-hours

REVENUE FREIGHT TRAFFIC

29. Tons of revenue freight
30. Ton-miles—Revenue freight in road service (thousands)
31. Car-days of time and mileage cars

VEHICLE MILES (LOADED AND EMPTY)

LINE HAUL (STATION TO STATION)

32. Truck-miles
33. Tractor miles

[1] This information shall be based on Docket 28300 miles increased for the applicable circuity factor.

TERMINAL SERVICE (WHEN PERFORMED BY VEHICLES OTHER THAN THOSE USED FOR LINE-HAUL)

34. Pickup and delivery

PASSENGER SERVICE

35. Passenger miles
36. Passenger-car miles (including passenger carrying motor cars)

OFF-BRANCH SERVICE UNITS USED IN § 1125.4 (h)(3)

37. Loaded time mileage freight car miles, by car type
38. Loaded other freight car miles, by car type
39. Ton miles-revenue freight in road service (thousands)
40. Tons of revenue freight
41. Carloads—single line service
42. Carloads—interline service
43. Carloads—bridge traffic

INSTRUCTIONS: Compute lines 1 through 36 for both the branch and the system. Assign train miles (lines 7 through 10), locomotive unit miles (lines 12 through 15), locomotive unit hours (lines 17 through 20), car-miles (lines 22 through 24), gross ton miles (lines 26 and 27), highway vehicle miles (lines 32 through 34), and passenger service (lines 35 and 36), on the basis that they are incurred on the branch. Lines 37 and 38 shall be the loaded time mileage freight car and other freight car miles, by car type, off-branch on the railroad, for cars originating or terminating on the branch, and the off-branch car miles on the railroad, by car type, of those carloads included in line 43. Line 39 shall be the lading weight of each car included in lines 37 and 38, times the off-branch car miles on the railroad for that car. Line 40 shall be the lading weight of those cars included in lines 41, 42, and 43. Line 41 shall be those carloads originating or terminating on the branch that are handled from origin to destination by the railroad. Line 42 shall be those carloads originating or terminating on the branch that are handled on another carrier. Line 43 shall be those carloads that pass over the branch but do not originate or terminate on the branch, and that would be lost to the railroad upon termination of service on the branch.

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PART III

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

■

GRANTS FOR EMERGENCY MEDICAL SERVICES SYSTEMS

Program Regulations

Title 42—Public Health

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

SUBCHAPTER D—GRANTS

PART 56a—GRANTS FOR EMERGENCY MEDICAL SERVICES SYSTEMS

Program Regulations

On March 29, 1974, a notice of proposed rulemaking was published in the FEDERAL REGISTER (39 FR 11758) proposing to add a new Part 56a to Title 42, Code of Federal Regulations governing the emergency medical services systems grant program under sections 1202, 1203, and 1204 of the Public Health Service Act (42 U.S.C. 300d–1, 300d–2, and 300d–3) as added by the Emergency Medical Services Systems Act of 1973 (Pub. L. 93–154). Interested persons were given until April 15, 1974 to submit written comments, suggestions, or objections concerning the proposed regulations. Approximately seventy comments were received and reviewed with the result that a number of revisions, as discussed below, have been made in the regulations which were proposed. Following is a summary of the comments and the response to such comments:

1. In response to several comments, the description of the "appropriate geographical area" for an emergency medical services system (§ 56a.103(a)) has been clarified.

2. As several persons requested, § 56a.103(b)(2)(ii) has been revised to require emergency medical services systems to use Veterans Employment representatives and VA hospitals in the recruitment of veterans with military training and experience in health care fields.

3. One comment suggested including communications and dispatch specialists in the definition of "appropriate public safety personnel", and § 56a.103(b)(2)(iii) has been so revised.

4. One comment suggested redefining "emergency medical telephonic screening" to more accurately describe the range of activities which the term includes. Section 56a.103(b)(3)(ii) has been revised accordingly.

5. One comment concerned the minimum capability of accessible emergency medical services facilities within the system. It suggested, and the regulations have adopted, the requirement that the service area of the system contain at least one hospital which has a physician on duty in the emergency room twenty-four hours a day. See § 56.103(b)(5)(iii).

6. One comment suggested that the regulations require systems to provide a method for assuring that the transfer of patients to facilities and programs for followup care and rehabilitation is in the patients' best interest and is not based solely upon financial considerations. The proposed § 56a.103(b)(10) has been revised in accordance with this suggestion.

7. Several persons interpreted the regulations as requiring the establishment of emergency medical services councils. On the contrary, § 56a.106(g) (proposed § 56a.106(f)) requires only that the applicant provide assurances to the Secretary that it will cooperate with any existing EMS council or other entity responsible for review and evaluation of the provision of emergency medical services in the project's service area. It should also be noted that the definition of an emergency medical services council in § 56a.106(g) has been revised to include a formally recognized advisory body of a public agency.

8. One of the comments received suggested that the community support for projects referred to in § 56a.106(k) (proposed § 56a.106(j)) include support from a broadly based representative group of both providers (including representatives of Federal medical facilities in the area) and consumers of emergency medical services, and from public safety agencies, health education institutions, and appropriate private groups or other organizations in the project's service area. In response to this comment, the regulation has been revised to require broadly based community support, including support from both consumers and providers of emergency medical services, but without requiring that such support come from any particular group of consumers and providers. While the revised regulation does not specifically include as providers the Federal medical facilities in the area of the project, support from such facilities should be sought wherever appropriate.

9. As one of the comments noted, it was the intent of Congress that projects funded under sections 1203 and 1204 of the Act comply to the fullest possible extent with the qualitative and quantitative requirements of an emergency medical services system as specified in section 1206(b)(4)(C) of the Act and in regulations promulgated by the Secretary. The comment therefore suggested that in approving applications under sections 1203 and 1204 involving (1) the inability of a system to meet one or more of the requirements specified in section 1204(b)(4)(C) of the Act and § 56a.103 of the regulations within the period of the grant for which application is made, or (2) the inability of a system to meet one or more of such requirements within any specific period of time, the Secretary should consider the potential effects of such inability upon the capacity of the system to provide effective emergency medical services. In response to this comment, and in keeping with the legislative history of the statute, the regulations have been revised by adding a new paragraph (c) to § 56a.302 of Subpart C and a new paragraph (c) to § 56a.403 of Subpart D.

10. A number of comments raised objections to proposed § 56a.305(b)(1)(v), which made the use of project funds for the purchase of ambulances conditional upon the State maintaining its allocation of Federal Highway Safety Funds for Department of Transportation Standard 11 at not less than the allocation for 1973 or 1974 (whichever is greater). The purpose of the proposed provision was to carry out the intent of the Emergency Medical Services Systems Act (Pub. L. 93–154) that grant funds be used only to the extent that funds under other legislative authorities are unavailable or insufficient to support a particular component of an emergency medical services system.

Section 1206(f)(1) of the Public Health Service Act (42 U.S.C. 300d–5(f)(1)) provides as follows:

> In determining the amount of any grant or contract under section 1203 or 1204, the Secretary shall take into consideration the amount of funds available to the applicant from Federal grant or contract programs under laws other than this Act for any activity which the applicant proposes to undertake in connection with the establishment and operation or expansion and improvement of an emergency medical services system and for which the Secretary may authorize the use of funds under a grant or contract under sections 1203 or 1204.

Moreover, there is ample legislative history underscoring the explicit language of section 1206(f)(1). The following are excerpts from the Report of the Senate Committee on Labor and Public Welfare:

> It should be stressed that, although assistance is authorized to be provided under a grant or contract as necessary to support the carrying out of any requisite component of a plan, the basic thrust of the bill is to provide incentive payments for the development of a comprehensive and integrated system *with maximum reliance for funding placed on acquisition of funds and resources under other Federal programs (especially for facilities, health manpower training, and transportation and equipment through the Division of Emergency Medical Programs, Department of Transportation, and MAST and on the generation of local funds* * * * (Emphasis added.) [1]
>
> * * * the Committee emphasizes that the philosophy behind the bill is clearly stated in statutory provisions that in providing assistance to communities eligible for grants to establish or expand an emergency medical services system, *the Secretary must evaluate the availability of assistance under other statutory programs so as to provide assistance under this legislation only to the extent that assistance under such other legislative authorities is insufficient to enable the qualitative and quantitative requirements established in the bill to be met.*
>
> The Committee's intention is that when a community applies for help in developing a comprehensive emergency medical services system, *the Secretary of HEW shall first seek to provide such support from existing authorities in the Public Health Service Act—such as those for health personnel training or renovation of facilities—and, as appropriate, investigate the availability of support under authorities administered by other Federal agencies—such as the Department of Transportation for purchase of equipment and training of personnel—before providing funds under the provisions of S. 2410.* (Emphasis added.) [2]

The House Committee on Interstate and Foreign Commerce used the following similar language in discussing the funding of emergency medical services systems:

> The basic purpose of the legislation is to encourage and provide incentives to appropriate units of government to inventory their

[1] S. Rept. 93–397, p. 14.
[2] Id., p. 22.

resources for providing comprehensive emergency medical services, identify the gaps in such services, seek to remedy these deficiences through better coordination or utilization of existing resources—their own and those available under other Federal programs—and develop the new components essential to the achievement of an integrated, comprehensive area EMS system. *Where assistance is available under other Acts to support the development of any particular component of an EMS system, the Secretary is expected to direct the applicant first to seek such assistance and to provide support for such a component under the provisions of the new Title XII only where such a component is not supported at all or is not sufficiently supported under other Acts to enable it to meet the requirements established under the reported bill.* (Emphasis added.)[2]

In light of both the explicit statutory language and the attendant legislative history, it was decided that the regulations should provide a means of ensuring that the intent of Congress with respect to funding projects would be carried out. This was the reason for the proposed § 56a.305(b)(1)(v). However, as some of the comments have pointed out, it may not be practical or realistic in every situation to make the availability of grant funds for purchasing ambulances depend specifically upon the manner in which a State has chosen to allocate its Federal Highway Safety funds. Therefore, proposed § 56a.305(b)(1)(v) has been deleted from the regulations along with proposed § 56a.305(b)(1)(i). New provisions have been added which are designed to implement section 1206(f)(1) of the Act and the Congressional intent. They are §§ 56a.106(d), 56a.304(b)(2), and 56a.405(b)(2).

In addition to the changes described above and certain technical and clarifying changes, the regulations as set forth below include the following revisions:

1. With regard to grants for feasibility studies and planning under section 1202 of the Act, the due dates for the reports required in § 56a.206 have been changed. Reports of feasibility studies are due at a time specified by the Secretary which shall be not later than three months after the grant award instead of three months after the grant award as originally proposed. (§ 56a.206(a)) This change was made in recognition of the fact that some grantees may complete the feasibility study and be ready to begin the planning phase of the project in less than three months' time. Final reports, in the form of planning outlines, are due within twelve months from the date of the grant award rather than within six months after filing the feasibility study report as was proposed. (§ 56a.206(b)).

2. A new provision has been added to § 56a.304 requiring the Secretary, in the evaluation and award of grants for establishment and initial operation of emergency medical services systems under section 1203, to take into account the extent of coordination with statewide emergency medical services systems. This provision is required by section 1203(b) of the Act, and was left out of the proposed regulations through an oversight. (§ 56a.304(a)(1)).

Accordingly, a new Part 56a is added to 42 CFR, and is adopted as set out below.

Effective date: These regulations are effective July 1, 1974.

Dated: June 17, 1974.

THEODORE COOPER,
Acting Assistant Secretary for Health.

Approved: June 24, 1974.

CASPAR W. WEINBERGER,
Secretary.

Subpart A—General

Subpart B—Grants for Feasibility Studies and Planning

Subpart C—Grants for Establishment and Initial Operation

Subpart D—Grants for Expansion and Improvement

AUTHORITY: Secs. 1202, 1203, and 1204 of the Public Health Service Act (42 U.S.C. 300d–1, 300d–2, and 300d–3).

Subpart A—General Provisions

§ 56a.101 Applicability.

The regulations of this subpart are applicable to grants (a) for projects which include both studying the feasibility of and planning for the establishment and operation of emergency medical services systems pursuant to section 1202 of the Public Health Service Act (42 U.S.C. 300d–1); (b) for the establishment and initial operation of such systems pursuant to section 1203 of the Public Health Service Act (42 U.S.C. 300d–2); and (c) for projects for the expansion and improvement of such systems pursuant to section 1204 of the Public Health Service Act.

(42 U.S.C. 300d–3).

§ 56a.102 Definitions.

As used in this part:

(a) "Act" means the Public Health Service Act.

(b) "State" means one of the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, or the Trust Territory of the Pacific Islands.

(c) "Unit of general local government" means (1) any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State; or (2) an Indian tribe.

(d) "Nonprofit," as applied to a private entity, means that no part of the net earnings of such entity inures or may lawfully inure to the benefit of any private shareholder or individual.

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

(f) "Section 314(a) State health planning agency" means the agency of a State which administers or supervises the administration of a State's health planning functions under a State plan approved under section 314(a) of the Act.

(g) "Section 314(b) areawide health planning agency" means a public or nonprofit private agency or organization which has developed a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b) of the Act.

(h) "Section 314(b) plan" means a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b) of the Act.

(i) "Emergency medical services" means the services utilized in responding to the perceived individual need for immediate medical care in order to prevent loss of life or aggravation of physiological or psychological illness or injury.

(j) "Medical emergency" means an unforeseen event affecting an individual in such a manner that a need for immediate medical care (physiological or psychological) is created.

(k) "Rural area" means any area not classified as an urbanized area by the Bureau of the Census (1970 Census of Population, Number of Inhabitants, Bureau of the Census, U.S. Department of Commerce, Dec. 1971).

(l) "Modernization" means the alteration, major repair, remodeling, and renovation of existing buildings (including initial equipment thereof), and replacement of obsolete built-in equipment of existing buildings.

(m) "Major repair" means those repairs to an existing building excluding routine maintenance which restore the building to a sound state, the cost of which is no less than $100,000.

(n) "Equipment" means those items which are necessary for the functioning

[2] H. Rept. 93–601, p. 5.

of the emergency medical services system, but does not include items of current operating expense or consumed in use such as glassware, chemicals, food, fuel, drugs, paper, printed forms, books, pamphlets, periodicals, and disposable housekeeping items.

(o) "Built-in equipment" means that equipment which is permanently affixed to the wall, floor, or ceiling or otherwise restricted in a like manner, including items which require (1) the modification of a facility for installation or removal, and (2) connection to utility services such as water, gas, steam, or the building ventilation system.

(p) "Grant period" means any period with respect to which assistance is granted under the Act for a particular project.

§ 56a.103 "Emergency medical services system"; definition and requirements.

For purposes of this part, an "emergency medical services system" means a system which provides for the arrangement of personnel, facilities, and equipment for the effective and co-ordinated delivery of health care services in an appropriate geographical area under emergency conditions (occurring either as a result of the patient's condition or of natural disasters or similar situations) and which is administered by a public or nonprofit private entity which has the authority and the resources to provide effective administration of the system.

(a) For purposes of this section, an "appropriate geographical area" shall be an area in which the Secretary determines, on the basis of information contained in an application for a grant under this part and such other information as he deems appropriate for purposes of such determination, to be of sufficient size, population, and economic diversity so that an efficient and economically feasible emergency medical services system can be established, taking into consideration existing medical service areas and comprehensive health planning areas, including areas with respect to which applications have been approved by the Secretary under section 314(b) of the Act.

(b) An emergency medical services system shall:

(1) Include an adequate number of health professions, allied health professions, and other health personnel, including ambulance personnel, with appropriate training and experience.

(i) For purposes of this section, an "adequate number of health professions, allied health professions, and other health personnel" means sufficient numbers of such personnel to provide emergency medical services on a 24-hour basis within the service area of the system.

(ii) For purposes of this section, "appropriate training and experience" means as a minimum.

(A) As applied to physicians (doctors of medicine and doctors of osteopathy), those that meet appropriate State qualifications to practice medicine in the State in which they provide emergency medical services.

(B) As applied to nursing and allied health professions, licensure, certification, or registration as required by their respective professions and the State in which they provide emergency medical services.

(C) As applied to ambulance personnel, completion of training as an emergency medical technician in accordance with standards prescribed by the Department of Transportation (DHEW PHS Pub. No. 1071–C–4, April 1970); or an equivalent training program. In order that a program may be recognized as "equivalent," the Secretary must find that at least 75 percent of the graduates of such program either pass the National Emergency Technician Registry examination within 6 months after graduation or meet applicable State requirements which are determined by the Secretary to equal or exceed Department of Transportation requirements.

(2) Provide for its personnel appropriate training (including clinical training) and continuing education programs which are coordinated with other programs in the system's service area which provide similar training and education, and emphasize recruitment and necessary training of veterans of the Armed Forces with military training and experience in health care fields and of appropriate public safety personnel in such area.

(i) For the purposes of this section, "continuing education" means courses which improve job-specific skills and knowledge, such as refresher courses and seminars, and to which personnel devote more than 24 hours per year, whether or not a degree is awarded.

(ii) For the purposes of this section, the emergency medical services system shall use the "Military Experience Directed Into Health Careers" agency of the State or States in which it is located and the Veterans Employment Representative and the VA Hospital for the region in which it is located to recruit veterans of the Armed Forces with military training and experience in health care fields.

(iii) For purposes of this section "appropriate public safety personnel" includes police, firemen, communications and dispatch specialists, and other public employees charged with maintaining public safety.

(3) Join the personnel, facilities, and equipment of the system by a central communications system so that requests for emergency health care services will be handled by a communications facility which utilizes emergency medical telephonic screening; utilizes (or, within such period as the Secretary may prescribe, will utilize) the universal emergency telephone number 911; and will have direct communication connections and interconnections with the personnel, facilities, and equipment of the system and with other appropriate emergency medical services systems.

(i) For the purposes of this section, a "central communications system" includes a system command and control center which is responsible for establishing those communication channels and providing those public resources essential to the most effective and efficient emergency medical services management of the immediate problem, and which has the necessary equipment and facilities to permit immediate interchange of information essential for the system's resource management and control. The essentials of such a communications center are that (A) all requests for system response are directed to the center; (B) all system resource response is directed from the center; and (C) all system liaison with other public safety and emergency response systems is coordinated from the center. Except to the extent provided in subdivision (ii) of this subparagraph, the center need not direct or control medical care or treatment.

(ii) For the purposes of this section, the term "emergency medical telephonic screening" means that the communications system is capable, under the direction of personnel with training and experience in the provision of emergency medical services, of (A) redirecting requests for assistance that appear to be non-emergent in nature, (B) directing patients to the services that are most appropriate for their medical needs, and (C) dispatching the appropriate emergency resources as necessary.

(iii) For the purposes of this section, "other appropriate emergency medical services systems" are those in neighboring areas which might be involved in common disasters, those which are contiguous with the system, and those which have entered into agreements with the system.

(4) Include an adequate number of necessary ground, air, and water vehicles and other transportation facilities to meet the individual characteristics of the system's service area. Such vehicles and facilities must meet appropriate standards relating to location, design, performance, and equipment; and the operators and other personnel for such vehicles and facilities must meet appropriate training and experience requirements.

(i) For the purposes of this section "ground vehicles" include (A) ambulances which meet the requirements in the proposed Federal specifications for emergency medical care vehicles (Federal Specification, Ambulance, Emergency Care Vehicle, General Services Administration, KKK–A–1822, January 2, 1974); and (B) vehicles suitably equipped to transfer both ambulatory and nonambulatory patients who do not need emergency care to appropriate destinations including health care, extended care, and rehabilitation facilities.

(ii) For the purposes of this section "air vehicles" include helicopters, fixed wing, and other aircraft which meet all applicable Federal, State, and local certification and licensure requirements for the operation of such vehicles, and which are designed and equipped to provide the same resuscitative and life support measures and other emergency care procedures as ground vehicles.

(iii) For the purposes of this section "water vehicles" include boats and amphibian craft which meet all the appli-

cable Federal, State, and local certification and licensure requirements for the operation of such vehicles, and which are designed and equipped to provide the same resuscitative and life support measures and other emergency care procedures as ground vehicles.

(iv) For the purposes of this section, an "adequate number of necessary ground, air, and water vehicles and other transportation facilities" means sufficient vehicles to respond to 95% of requests for assistance in the emergency medical services system area within not more than 30 minutes.

(v) For the purposes of this section, the personnel of such vehicles and transportation facilities shall include during patient transport at least two attendants trained to the basic emergency medical technician level, one of whom may be the vehicle operator meeting State and local requirements for operating that type of vehicle.

(5) Include an adequate number of easily accessible emergency medical services facilities within the system area which are collectively capable of providing services on a continuous basis, which have appropriate nonduplicative and categorized capabilities, which meet appropriate standards relating to capacity, location, personnel, and equipment, and which are coordinated with other health care facilities of the system.

(i) For the purposes of this section the capabilities of accessible emergency medical services facilities must be categorized in accordance with a formulated method of classifying hospital emergency capabilities which is found by the Secretary to be acceptable for purposes of these regulations. Examples of acceptable methods of categorization are the guidelines developed by the American Medical Association (Recommendations of the Conference on the Guidelines for the Categorization of Hospital Emergency Capabilities, AMA, 1971) and systems of categorization having a similar purpose developed pursuant to applicable State law.

(ii) For the purpose of this section "an adequate number of easily accessible emergency medical services facilities" means that in 95% of the cases, at least one facility which has the minimum capabilities required by the applicable method of categorization is within 60 minutes travel time from the scene of the emergency.

(iii) For the purposes of this section, the system's service area must contain at least one hospital which has a physician on duty in the emergency department twenty-four hours a day and which has a written working agreement with other hospitals offering greater emergency capabilities.

(6) Provide access (including appropriate transportation) to specialized critical medical care units in the system's service area, or, if there are no such units or an inadequate number of them in such area, provide access to such units in neighboring areas if access to such units is feasible in terms of time and distance.

(i) For the purposes of this section, "appropriate transportation" means a vehicle equipped to enable the emergency medical technician or more highly trained personnel to administer to the patient's needs at the scene and in transit.

(ii) For the purposes of this section, "specialized critical medical care units" include but are not limited to neo-natal units, intensive care units, burn centers, spinal cord centers, and detoxification centers.

(7) Provide for the effective utilization of the appropriate personnel, facilities, and equipment of each public safety agency providing emergency services in the system's service area. For the purposes of this section, "effective utilization" of personnel, facilities, and equipment of public safety agencies means the integration of public safety agencies into standard and disaster operating procedures of the areawide system, including the shared use of personnel and equipment particularly suited to use in medical emergencies, such as helicopters and rescue boats.

(8) Be organized in a manner that provides persons who reside in the system's service area and who have no professional training or financial interest in the provision of health care with an adequate opportunity to participate in the making of policy for the system.

(9) Provide, without prior inquiry as to ability to pay, necessary emergency medical services to all patients requiring such services.

(10) Provide for transfer of patients to facilities and programs which offer such followup care and rehabilitation as is necessary to effect the maximum recovered by the patient; *Provided*, That the system shall provide a method for assuring that such transfers are consistent with accepted medical practice to serve the best interests of the patient and are not based on financial considerations alone.

(i) For the purposes of this section, "followup care and rehabilitation" includes physical and psychiatric care and vocational rehabilitation.

(ii) For the purposes of this section the vehicle used in the transfer of patients to such facilities and programs shall be suitably equipped to meet the patient's intransit needs.

(11) Provide for a standardized patient recordkeeping system, which records shall cover the treatment of the patient from initial entry into the system through his discharge from it, and shall be consistent with ensuing patient records used in followup care and rehabilitation of the patient. For the purposes of this section, a "standardized patient recordkeeping system" means uniform records and forms throughout the emergency medical services system's service area, such as standard forms for ambulance and emergency department use which are integrated into the patient care record, discharge summary, and followup records. The standardized forms must provide such data as the Secretary may prescribe in guidelines, and in such manner as the Secretary may so prescribe, for the purpose of obtaining comparable national data upon which to evaluate the impact of the Emergency Medical Services Systems Act (Pub. L. 93–154).

(12) Provide programs of public education and information in the system's service area (taking into account the needs of visitors to, as well as residents of, that area to know or be able to learn immediately the means of obtaining emergency medical services) which programs stress the general dissemination of information regarding appropriate methods of medical self-help and first-aid and regarding the availability of first-aid training programs in the area.

(13) Provide for periodic, comprehensive, and independent review and evaluation of the extent and quality of the emergency health care services provided in the system's service area, and submission to the Secretary of the reports of each such review and evaluation. For the purposes of this section, "independent review" means review by persons not associated with the emergency medical services system. Any such independent review and evaluation must address, at a minimum, any evaluative question which the Secretary may prescribe in guidelines, and in such manner as the Secretary may so prescribe.

(14) Have a plan to assure that the system will be capable of providing emergency medical services in the system's service area during mass casualties, natural disasters, or national emergencies. For the purposes of this section, the system disaster plan must be tested at least once before completion of the grant period.

(15) Provide for the establishment of appropriate arrangements with emergency medical services systems or similar entities serving neighboring areas for the provision of emergency medical services on a reciprocal basis where access to such services would be more appropriate and effective in terms of the services available, time and distance. For the purposes of this section, any arrangements among emergency medical services systems or similar entities serving neighboring areas shall be written agreements, signed by individuals authorized to act for the respective parties with respect to such agreements, and reviewed and re-evaluated at least once a year.

§ 56a.104 Eligible applicants.

The following are eligible to apply for a grant under this part:

(a) A State;

(b) A unit of general local government;

(c) A public entity administering a compact or other regional arrangement or consortium; or

(d) Any other public entity and any nonprofit private entity.

§ 56a.105 Priority.

In considering applications submitted under this part, the Secretary shall give priority to applications submitted by the eligible applicants described in paragraphs (a), (b), and (c) of § 56a.104.

§ 56a.106 Application.

(a) An application for a grant under this part shall be submitted to the Secretary at such time and in such form as the Secretary may prescribe.

(b) The application shall be executed by an individual authorized to act for the applicant and to assume in behalf of the applicant the obligations imposed by the statute, the applicable regulations of this part, and any additional conditions of the grant.

(c) The application shall contain a budget and narrative plan of the manner in which the applicant intends to conduct the project and carry out the requirements of this part. The application must describe the project in sufficient detail to identify clearly the nature, need, specific objectives, plan and methods of the project.

(d) The application shall contain a description of the manner in which funds available under other Federal programs are being used to develop particular components of the emergency medical services system and the manner in which such funds will continue to be used for that purpose.

(e) The application shall contain a description of applicable provisions of law or regulations which restrict the full utilization of the training and skills of health personnel in the provision of emergency medical services.

(f) The application shall contain or be supported by a written statement from the applicant that it agrees to maintain such records and make such reports to the Secretary as the Secretary may prescribe in guidelines.

(g) The application shall contain or be supported by assurances satisfactory to the Secretary that the applicant will conduct the project in cooperation with (1) each section 314(b) areawide health planning agency (if any) whose section 314(b) plan covers (in whole or in part) the service area of the project, and (2) any emergency medical services council or other entity responsible for review and evaluation of the provision of emergency medical services in the service area of the project. For the purposes of this section such an emergency medical services council must be (i) a public agency, or (ii) a formally established or recognized advisory body of a public agency.

(h) The application shall indicate that (1) the section 314(a) State health planning agency of each State in which the service area of the emergency medical services system for which the application is submitted will be located, (2) each section 314(b) areawide health planning agency (if any) whose section 314(b) plan covers (in whole or in part) the service area of such system, and (3) any emergency medical services council or other entity responsible for review and evaluation of the provision of emergency medical services in the service area of the project, have had a reasonable opportunity of not less than 30 days (measured from the date a copy of the application was submitted to the agency or council by the applicant) to review and comment on the application. In addition, each such 314(a) and 314(b) agency shall be provided a copy of the final application at the time the application is submitted to the Secretary. Each such agency may submit comments on such application to the Secretary, with a copy of such comments to the applicant.

(i) In the case of an application submitted by a public entity administering a compact or other regional arrangement or consortium, the application shall contain or be supported by assurances satisfactory to the Secretary that the compact or other regional arrangement or consortium includes each unit of general local government of each standard metropolitan statistical area (as determined by the Office of Management and Budget) located (in whole or in part) in the service area of the emergency medical services system for which the application is submitted.

(j) In the case of an application submitted by an entity described in paragraph (d) of § 56a.104, the application shall contain or be supported by assurances satisfactory to the Secretary that such entity:

(1) Has provided a copy of its application to each entity described in paragraphs (a), (b), and (c) of § 56a.104 which is located (in whole or in part) in the service area of the emergency medical services system for which the application is submitted; and

(2) Has provided each such entity a reasonable opportunity of at least 30 days (measured from the date a copy of the application was submitted to the entity by the applicant) to submit to the Secretary comments on the application.

(k) The application shall contain or be supported by written statements which demonstrate to the satisfaction of the Secretary that there is broadly based community support for carrying out the project, including support from both providers and consumers of emergency medical services and from public safety agencies, health education institutions, appropriate private groups or other organizations in the service area of the project.

§ 56a.107 Grant payments.

The Secretary shall from time to time make payments to a grantee of all or a portion of any grant award, either by advance or by way of reimbursement for expenses incurred or to be incurred to the extent he determines such payments necessary to promote prompt initiation and advancement of the approved project.

§ 56a.108 Nondiscrimination.

Attention is called to the requirements of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. 2000d et seq.) and in particular section 601 of such Act which provides that no person in the United States shall on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. A regulation implementing such Title VI, which applies to grants made under this part, has been issued by the Secretary of Health, Education, and Welfare with the approval of the President (45 CFR Part 80). In addition no person shall, on the grounds of sex, or creed (unless otherwise medically indicated) be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Nor shall any person be denied employment in or by such program or activity so receiving Federal financial assistance on the grounds of age, sex, creed, or marital status.

§ 56a.109 Confidentiality.

All information as to personal facts and circumstances obtained by the project staff shall be held confidential, and shall not be divulged without the individual's consent except as may be required by law or as may be necessary to provide service to the individual. Information may be disclosed in summary, statistical, or other form which does not identify particular individuals.

§ 56a.110 Inventions or discoveries.

A grant award is subject to the regulations of the Department of Health, Education, and Welfare as set forth in 45 CFR Parts 6 and 8, as amended. Such regulations shall apply to any activity for which grant funds are in fact used whether within the scope of the project as approved or otherwise. Appropriate measures shall be taken by the grantee and by the Secretary to assure that no contracts, assignments or other arrangements inconsistent with the grant obligation are continued or entered into and that all personnel involved in the supported activity are aware of and comply with such obligations. Laboratory notes, related technical data, and information pertaining to inventions and discoveries shall be maintained for such periods, and filed with or otherwise made available to the Secretary or those he may designate at such times and in such manner as he may determine necessary to carry out such Department regulations.

§ 56a.111 Publications and copyright.

(a) *State and local governments.* Where the grantee is a State or local government as defined in 45 CFR 74.3, the Department of Health, Education, and Welfare copyright requirement set forth in 45 CFR 74.140 shall apply with respect to any book or other copyrightable materials developed or resulting from a project supported by a grant under this part.

(b) *Grantees other than State and local governments.* Where the grantee is not a State or local government as so defined, except as may otherwise be provided under the terms and conditions of the award, the grantee may copyright without prior approval any publications, films, or similar materials developed or resulting from a project supported by a grant under this part, subject, however,

to a royalty-free, nonexclusive, and irrevocable license or right in the Government to reproduce, translate, publish, use, disseminate, and dispose of such materials and to authorize others to do so.

§ 56a.112 Royalties.

Royalties received by grantees from copyrights on publications or other works developed under the grant, or from patents or inventions conceived or first actually reduced to practice in the course of or under such grant, shall be accounted for as follows:

(a) *State and local governments.* Where the grantee is a State or local government as defined in 45 CFR 74.3, royalties shall be accounted for as provided in 45 CFR 74.44.

(b) *Grantees other than State and local governments.* Where the grantee is not a State or local government as so defined, royalties shall be accounted for as follows:

(1) Patent royalties, whether received during or after the grant period, shall be governed by agreements between the Assistant Secretary for Health, Department of Health, Education, and Welfare, and the grantee, pursuant to the Department's patent regulations (45 CFR Parts 6 and 8).

(2) Copyright royalties, whether received during or after the grant period, shall first be used to reduce the Federal share of the grant to cover the costs of publishing or producing the materials, and any royalties in excess of the costs of publishing or producing such materials shall be distributed in accordance with Chapter 1-420 of the Department of Health, Education, and Welfare Grants Administration Manual.[1]

§ 56a.113 Grantee accountability.

(a) *Accounting for grant award payments.* All payments made by the Secretary shall be recorded by the grantee in accounting records separate from the records of all other grant funds including funds derived from other grant awards. With respect to each approved project the grantee shall account for the sum total of all amounts paid by presenting or otherwise making available evidence satisfactory to the Secretary of expenditures for direct and indirect costs meeting the requirements of this part: *Provided, however,* That when the amount awarded for indirect costs was based on a predetermined fixed percentage of estimated direct costs, the amount allowed for indirect costs shall be computed on the basis of such predetermined fixed-percentage rates applied to the total, or a selected element thereof, of the reimbursable direct costs incurred.

(b) *Accounting for interest earned on grant funds.* Pursuant to section 203 of the Intergovernmental Cooperation Act of 1968 (42 U.S.C. 4213), a State will not be held accountable for interest earned on grant funds, pending their disbursement for grant purposes. A State, as defined in section 102 of the Intergovernmental Cooperation Act, means any one of the several States, the District of Columbia, Puerto Rico, any territory or possession of the United States, or any agency or instrumentality of a State, but does not include the governments of the political subdivisions of the State. All grantees other than a State, as defined in this section, must return all interest earned on grant funds to the Federal Government.

(c) *Grant closeout*—(1) *Date of final accounting.* A grantee shall render, with respect to each approved project, a full account, as provided herein, as of the date of the termination of grant support. The Secretary may require other special and periodic accounting.

(2) *Final settlement.* There shall be payable to the Federal Government as final settlement with respect to each approved project the total sum of:

(i) Any amount not accounted for pursuant to paragraph (a) of this section:

(ii) Any credits for earned interest pursuant to paragraph (b) of this section; and

(iii) Any other amounts due pursuant to Subparts F, M, and O of 45 CFR Part 74.

Such total sum shall constitute a debt owed by the grantee to the Federal Government and shall be recovered from the grantee or its successors or assignees by setoff or other action as provided by law.

§ 56a.114 Applicability of 45 CFR Part 74.

The provisions of 45 CFR Part 74, establishing uniform administrative requirements and cost principles, shall apply to all grants under this part to States and 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 grants to all other grantee organizations under this part:

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.
K Grant Payment Requirements.
Subpart
L Budget Revision Procedures.
M Grant Closeout, Suspension, and Termination.
O Property.
Q Cost Principles.

§ 56a.115 Additional conditions.

The Secretary may with respect to any grant award impose additional conditions prior to or at the time of any award when in his judgment such conditions are necessary to assure or protect advancement of the approved project, the interests of public health, or the conservation of grant funds.

Subpart B—Grants for Feasibility Studies and Planning

§ 56a.201 Applicability.

The regulations of this subpart, in addition to the regulations of Subpart A of this part, are applicable to grants awarded pursuant to section 1202 of the Act for projects which include both (a) studying the feasibility of establishing (through expansion or improvement of existing services or otherwise) and operating emergency medical services systems, and (b) planning the establishment and operation of such systems.

§ 56a.202 Purpose.

The purpose of a project for which a grant is made pursuant to section 1202 of the Act shall be to study the feasibility of and plan for the establishment (through expansion or improvement of existing services or otherwise) and operation of an emergency medical services system which will meet the requirements of section 1206(b)(4)(C) of the Act and § 56a.103 of Subpart A of this part.

§ 56a.203 Content of application—supporting information.

In addition to meeting the applicable requirements of § 56a.106, an approvable application for a grant under section 1202 of the Act shall contain the following supporting information:

(a) Information as to the existence and extent of the need for an emergency medical services system in the project area. The needs of the area shall be described in detail with particular reference to the requirements for an emergency medical services system as described in section 1206(b)(4)(C) of the Act and § 56a.103 of Subpart A of this part;

(b) A narrative and graphic description of the area involved in the project, including geographical features, population, distribution of medical personnel, climate, epidemiological characteristics, socio-economic conditions, and any other relevant factors;

(c) A description of the staff of the project, including their qualifications, authority, functions, numbers, assignments, and the manner in which they are organized to carry out the proposed project;

(d) A description of the specific planning objectives which the project intends to accomplish, including specifically the development of an emergency medical services system which will meet each of the requirements of § 56a.103 of Subpart A of this part;

(e) Information as to how the project plans to attain its planning objectives, including a description of the methods, personnel, facilities, budget, responsible operational unit, and work schedule which will be utilized in order to accomplish each stated objective;

(f) The following budget and staffing information:

(1) Identification of all actual and potential staff positions and the compensation for such positions;

(2) Identification of those costs for which Federal assistance under this sub-

[1] The Department of Health, Education, and Welfare Grants Administration Manual is available for public inspection and copying at the Department's and Regional Offices' information centers listed in 45 CFR 5.31 and may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

part is requested and the amount thereof; and

(3) The percentage of the budget which will be devoted to the needs of rural areas;

(g) Information which satisfies the Secretary that adequate facilities, equipment, and financial resources (in addition to the grant requested) will be available at the time of the grant award; and

(h) Any other statistical information which the Secretary may prescribe in guidelines, and in such form as the Secretary may so prescribe.

§ 56a.204 Grant evaluation and award.

(a) Within the limits of funds determined by the Secretary to be available for such purpose, the Secretary may award grants under this subpart to those applicants whose projects will, in his judgment, best promote the purposes of section 1202 of the Act and the regulations of this subpart, taking into account:

(1) The extent of the need for emergency medical services in the service area of the proposed project;

(2) The capability of the applicant to carry out the proposed project;

(3) The reasonableness of the budget and the soundness of the fiscal plan for assuring effective utilization of grant funds;

(4) The extent of coordination with existing health planning agencies and groups in the service area of the proposed project;

(5) The potential of the project for accomplishing its objectives and fulfilling the purposes of the emergency medical services systems grant program; and

(6) The degree to which the proposed project addresses the needs of rural areas.

(b) The amount of any award under this part will be determined by the Secretary on the basis of his estimate of the sum necessary for a designated portion of direct project costs plus an additional amount for indirect costs, if any, which will be calculated by the Secretary either:

(1) On the basis of the estimate of the actual indirect costs reasonably related to the project; or

(2) On the basis of a percentage of all, or a portion of, the estimated direct costs of the project when there are reasonable assurances that the use of such percentage will not exceed the approximate actual indirect costs. Such award may include an estimated provisional amount for indirect costs or for designated direct costs (such as fringe benefit rates) subject to upward (within the limits of available funds) as well as downward adjustments to actual costs when the amount properly expended by the grantee for provisional items has been determined by the Secretary: *Provided, however,* That no grant will be made for an amount which exceeds $45,000 except where the Secretary determines that a larger amount is necessary to support a project of special regional or national significance which could not be accomplished without a grant under this subpart in such larger amount.

(c) All grant awards shall be in writing, shall set forth the amount of funds granted, and the period for which support is recommended.

(d) Neither the approval of any project nor any grant award shall commit or obligate the United States in any way to make additional, supplemental, continuation, or other award with respect to any approved project or portion thereof.

§ 56a.205 Use of project funds.

(a) Any funds granted pursuant to this subpart shall be expended solely for carrying out the approved project in accordance with section 1202 of the Act, the regulations of this part, the terms and conditions of the award, and the applicable cost principles prescribed by Subpart Q of 45 CFR Part 74.

(b) Project funds under this subpart may be used only for the following:

(1) Salaries and related benefits.

(2) Leasing or rental of office space, furniture, and equipment.

(3) Costs related to the conducting of surveys.

(4) Printing costs.

(5) Domestic travel related to feasibility studies and planning activities.

(6) Consultants' fees and related travel expenses in accordance with local compensation rates, or if none are available, with current Federal principles.

§ 56a.206 Reports.

Each grant awarded pursuant to section 1202 of the Act shall be subject to the condition that the grantee shall file with the Secretary such progress and other reports as the Secretary may require, including the following:

(a) *Report of feasibility study.* (1) At a time specified by the Secretary which shall not be later than three months after the award of the grant, the grantee shall submit to the Secretary a report of the feasibility study which shall contain:

(i) A detailed statement indicating whether, in the judgment of the grantee, it is feasible to establish, expand, or improve an emergency medical services system in the service area of the project.

(ii) Information derived from studies as to the organizational structure, current resources, geographical area, and existing and contemplated standards of the proposed emergency medical services system.

If the Secretary determines, on the basis of the report of the feasibility study and other information relevant to such determination,

(2) That it is not feasible to establish, expand, or improve an emergency medical services system for the project area, the Secretary may, after reasonable notice to the grantee, terminate the grant.

(b) *Final report—planning outline.* Should the grantee determine that it is feasible to establish, expand, or improve an emergency medical services system for the service area of the project, the grantee shall, within 12 months from the date of the grant award, submit to the Secretary a final report, in the form of a planning outline, which contains the following information:

(1) A comprehensive description of the organizational structure which will manage the emergency medical services system;

(2) A detailed description of current emergency medical services resources and capability;

(3) A narative and graphic description of the project area, including geographic, demographic, climatological, epidemiological, and socio-economic characteristics;

(4) A description of actual and potential standards for emergency medical services, including methods and levels of performance;

(5) A description of the objectives of the project, identifying problems and needs and establishing priorities for achieving such objectives;

(6) A description of the projected emergency medical services capability that will exist at the completion of the plan, including types of services, status of subsystems, and nature of community involvement;

(7) A detailed description of the methodology which will be employed in order to achieve each of the objectives of the project;

(8) A schedule for the implementation of the plan;

(9) A fiscal schedule containing estimated expenditures and justification therefor; and

(10) A description of the methods which will be used to evaluate the operation of the planned emergency medical services system and the effect of such system on the patients involved.

Subpart C—Grants for Establishment and Initial Operation

§ 56a.301 Applicability.

The regulations of this subpart, in addition to the regulations of Subpart A of this part, are applicable to grants awarded pursuant to section 1203 of the Act for the establishment and initial operation of emergency medical services systems.

§ 56a.302 Project requirements.

(a) An application under this subpart will not be approved by the Secretary unless (1) the applicant demonstrates to the satisfaction of the Secretary that the emergency medical services system for which the application is submitted will meet each of the requirements specified in section 1206(b)(4)(C) of the Act and § 56a.103 of Subpart A of this part within the period of the grant for which application is made; except that if the applicant demonstrates to the satisfaction of the Secretary the inability of the applicant's emergency medical services system to meet one or more of such requirements within such period, the period (or periods) within which the system must meet such requirement (or requirements) is such period (or periods) as the Secretary may require; and

(2) The applicant provides in the application a plan satisfactory to the Secretary for the system to meet each of the requirements specified in section 1206 (b)(4)(C) of the Act and § 56a.103 of Subpart A of this part within the period described in subparagraph (1) of this paragraph:

(b) *Provided,* That If an applicant submits an application for a grant under this subpart and demonstrates to the satisfaction of the Secretary the inability of the system for which the application is submitted to meet one or more of the requirements specified in section 1206(b)(4)(C) of the Act and § 56a.103 of Subpart A of this part within any specific period of time, the prerequisites prescribed in paragraph (a) of this section shall not apply with respect to such requirement (or requirements), and the applicant shall provide in the application a plan, satisfactory to the Secretary, for achieving appropriate alternatives to such requirement (or requirements).

(c) In the approval of applications involving (1) the inability of an emergency medical services system to meet one or more of the requirements specified in section 1206(b)(4)(C) of the Act and § 56a.103 of Subpart A of this part within the period of the grant for which application is made, or (2) the inability of such a system to meet one or more of such requirements within any specific period of time, the Secretary will take into consideration the effects such inability will have on the capacity of the system to provide effective emergency medical services.

§ 56a.303 Content of application—supporting information.

An approvable application for a grant under section 1203 of the Act shall contain the following information:

(a) A comprehensive description of the organizational structure which will manage the emergency medical services system;

(b) A detailed description of current emergency medical services resources and capability;

(c) A narrative and graphic description of the project area, including geographic, demographic, climatological, epidemiological, and socio-economic characteristics;

(d) A description of actual and potential standards for emergency medical services, including methods and levels of performance;

(e) A description of the objectives of the project, identifying problems and needs and establishing priorities for achieving such objectives;

(f) A description of the projected emergency medical services capability that will exist at the completion of the project, including types of services, status of subsystems, and nature of community involvement;

(g) A detailed description of the methodology which will be employed in order to achieve each of the objectives of the project;

(h) A schedule for the implementation of the project;

(i) A fiscal schedule containing estimated expenditures and justification therefor;

(j) A description of the methods which will be used to evaluate the operation of the planned emergency medical services system and effect of such system on the patients involved; and

(k) Any other statistical information which the Secretary may prescribe in guidelines, and in such form as the Secretary may so prescribe.

§ 56a.304 Grant evaluation and award.

(a) Within the limits of funds determined by the Secretary to be available for such purpose, the Secretary may award grants under this subpart to those applicants whose projects will, in his judgment, best promote the purposes of section 1203 of the Act and the regulations of this subpart, taking into account:

(1) The extent of coordination with statewide emergency medical services systems.

(2) The extent of the need for emergency medical services in the service area of the proposed project;

(3) The capability of the applicant to carry out the proposed project;

(4) The reasonableness of the budget and the soundness of the fiscal plan for assuring effective utilization of grant funds;

(5) The extent of coordination with existing health planning agencies and groups in the service area of the proposed project;

(6) The potential of the project for accomplishing its objectives and fulfilling the purposes of the emergency medical services systems grant program;

(7) The potential of the project for becoming a self-supporting emergency medical services system; and

(8) The degree to which the proposed project addresses the needs of rural areas.

(b)(1) The amount of any award under this part will be determined by the Secretary on the basis of his estimate of the sum necessary for a designated portion of direct project costs plus an additional amount for indirect costs, if any, which will be calculated by the Secretary either:

(i) On the basis of the estimate of the actual indirect costs reasonably related to the project; or

(ii) On the basis of a percentage of all, or a portion of, the estimated direct costs of the project when there are reasonable assurances that the use of such percentage will not exceed the approximate actual indirect costs. Such award may include an estimated provisional amount for indirect costs or for designated direct costs (such as fringe benefit rates) subject to upward (within the limits of available funds) as well as downward adjustments to actual costs when the amount properly expended by the grantee for provisional items has been determined by the Secretary.

Provided, however, That such amount shall not represent a percentage of the total cost of the project as determined by the Secretary pursuant to these regulations which exceeds the applicable maximum percentage of Federal participation specified in section 1203(c)(4) of the Act. In determining the grantee's share of project costs, costs borne by Federal funds, or costs used to match other Federal grants may not be included except as otherwise provided by law.

(2) In determining the amount of any grant under this subpart, the Secretary will evaluate the availability of funds under Federal programs authorized by laws other than the Act to support any particular component of an emergency medical services system. Such Federal programs shall include programs under legislative authorities administered by other Federal agencies, such as the Highway Safety Act. On the basis of such evaluation, the Secretary will provide assistance under this subpart only to the extent that assistance under such other legislative authorities is insufficient to enable the applicant to meet the qualitative and quantitative requirements for an emergency medical services system as described in section 1206(b)(4)(C) of the Act and § 56a.103 of Subpart A of this part.

(c) All grant awards shall be in writing, shall set forth the amount of funds granted, and the period for which support is recommended.

(d) Neither the approval of any project nor any grant award shall commit or obligate the United States in any way to make additional, supplemental, continuation, or other award with respect to any approved project or portion thereof. However, if a grant is made under this subpart for an emergency medical services system, the Secretary may make one additional grant for that system if he determines, after a review of the first nine months' activities of the applicant carried out under the first grant, that the applicant is satisfactorily progressing in the establishment and operation of the system in accordance with the plan contained in its application (pursuant to section 1206(b)(4) of the Act and § 56a.302) for the first grant.

§ 56a.305 Use of project funds.

(a) Any funds granted pursuant to this subpart, as well as other funds to be used in performance of the approved project, shall be expended solely for carrying out the approved project in accordance with section 1203 of the Act, the regulations of this part, the terms and conditions of the award, and the applicable cost principles set forth in 45 CFR Part 74.

(b) Project funds under this subpart may be used for, but need not be limited to, the following:

(1) Purchasing ambulances: *Provided,* That

(i) The cost will be no greater than the Federal share prescribed by the applicable Department of Transportation cost sharing requirements.

(ii) The ambulance meets the requirements for size and equipment prescribed by the Federal Specification, Ambulance, Emergency Care Vehicle, General Services Administration, (KKK–A–1822, January 2, 1974).

(iii) The ambulance is capable of responding to all medical emergencies in the service area of the system;

(iv) The ambulance, by the end of the grant period, will be manned by at least two certified emergency medical technicians when transporting patients; and

(v) Existing ambulances cannot be improved economically to meet the system's standards, and additional ambulances are necessary for efficient operation of the system.

(2) Purchasing communications equipment: *Provided*, That

(i) There exists an overall medical radio communications plan for the service area of the project that is consistent with the regulations of the Federal Communications Commission.

(ii) Existing equipment and facilities are utilized to the fullest possible extent consistent with the system plan; and

(iii) Evidence is presented that reasonable effort has been made to obtain funds from other sources for such purpose.

(3) Alterations to complete existing facilities: *Provided*, That

(i) The work is essential to the project and is limited to adapting space or utilities to accomplish the objectives of the grant-supported activities;

(ii) The facility has a usable life consistent with program purposes and is architecturally suitable for conversion; and

(iii) The space involved will actually be occupied by a component of the emergency medical services system supported by the grant.

(4) Purchasing built-in equipment for existing ambulances, emergency departments, and communications centers.

(5) Training and continuing education for personnel, provided that the applicant demonstrates to the satisfaction of the Secretary that the applicant filed an application under Title VII or VIII of the Act for a grant or contract for a training program and such application was not approved or was approved but for which no or inadequate funds were made available under such title.

(6) Purchasing training aids, books, and materials, and related classroom expenses.

(7) Providing programs of public education and information regarding the emergency medical services system.

(8) Establishing use of the universal emergency telephone number 911, except for costs customarily borne by the telephone company or local government.

(c) Project funds may not be used for the following:

(1) Construction of new facilities.

(2) Acquisition of facilities.

(3) Purchasing built-in hospital equipment which will be used more than 25 percent of the time for non-emergency department purposes.

(4) Maintaining equipment or replacing supplies.

(5) Establishment, operation, or improvement of services or facilities involved in the care of patients in the normal hospital environs or in any other care facility, except for those which are customarily associated with the emergency department.

(6) Financial assistance to students for stipends, tuition and fees, per diem, or other reimbursement for food, lodging, etc. Domestic travel of trainees may be supported at the rate of eight cents per mile when justified as a necessary and integral part of an approved training program.

(7) Costs normally borne by the patient, such as hospitalization costs.

Subpart D—Grants for Expansion and Improvement

§ 56a.401 Applicability.

The regulations of this subpart, in addition to the regulations of Subpart A of this part, are applicable to grants awarded pursuant to section 1204 of the Act for the expansion and improvement of emergency medical services systems.

§ 56a.402 Purpose.

The purpose of a project for which a grant is made pursuant to section 1204 of the Act shall be (a) the expansion and improvement of an existing emergency medical services system's capabilities to meet the requirements of section 1206(b)(4)(C) of the Act and § 56a.103 of Subpart A of this part, or (2) the expansion of an existing system to cover geographical areas or population groups not previously served by such system.

§ 56a.403 Project requirements.

(a) An application under this subpart will not be approved by the Secretary unless (1) the applicant demonstrates to the satisfaction of the Secretary that the emergency medical services system for which the application is submitted will meet each of the requirements specified in section 1206(b)(4)(C) of the Act and § 56a.103 of Subpart A of this part within the period of the grant for which application is made; except that if the applicant demonstrates to the satisfaction of the Secretary the inability of the applicant's emergency medical services system to meet one or more of such requirements within such period, the period (or periods) within which the system must meet such requirement (or requirements) is such period (or periods) as the Secretary may require; and

(2) The applicant provides in the application a plan satisfactory to the Secretary for the system to meet each of the requirements specified in section 1206(b)(4)(C) of the Act, and § 56a.103 of Subpart A of this part within the period described in subparagraph (1) of this paragraph:

(b) *Provided*, That If an applicant submits an application for a grant under this subpart and demonstrates to the satisfaction of the Secretary the inability of the system for which the application is submitted to meet one or more of the requirements specified in section 1206(b)(4)(C) of the Act and § 56a.103 of Subpart A of this part within any specific period of time, the prerequisites prescribed in paragraph (a) of this section shall not apply with respect to such requirement (or requirements), and the applicant shall provide in the application a plan, satisfactory to the Secretary, for achieving appropriate alternatives to such requirement (or requirements).

(c) In the approval of applications involving (1) the inability of an emergency medical services system to meet one or more of the requirements specified in section 1206(b)(4)(C) of the Act and § 56a.103 of Subpart A of this part within the period of the grant for which application is made, or (2) the inability of such a system to meet one or more of such requirements within any specific period of time, the Secretary will take into consideration the effects such inability will have on the capacity of the system to provide effective emergency medical services.

§ 56a.404 Content of application—supporting information.

An approvable application for a grant under section 1204 of the Act shall contain the following information:

(a) A comprehensive description of the organizational structure which will manage the improved and expanded emergency medical services system;

(b) A detailed description of current emergency medical services resources and capability;

(c) A narrative and graphic description of the project area, including geographic, demographic, climatological, epidemiological, and socio-economic characteristics;

(d) A description of actual and potential standards for emergency medical services, including methods and levels of performance;

(e) A description of the objectives of the project, describing specifically which aspects of the emergency medical services system must be improved and expanded in order for the system to meet each of the requirements of section 1206(b)(4)(C) of the Act and § 56a.103 of Subpart A of this part;

(f) A description of the projected emergency medical services capability that will exist after improvement and expansion of the system, including types of services, status of subsystems, and nature of community involvement;

(g) A detailed description of the methodology which will be employed in order to achieve each of the objectives of the project;

(h) A schedule for the implementation of the project;

(i) A fiscal schedule containing estimated expenditures and justification therefor;

(j) A description of the methods which will be used to evaluate the operation of the improved and expanded emergency medical services system and the effect of such system on the patients involved; and

(k) Any other statistical information which the Secretary may prescribe in guidelines, and in such form as the Secretary may so prescribe.

§ 56a.405 Grant evaluation and award.

(a) Within the limits of funds determined by the Secretary to be available for such purpose, the Secretary may award grants under this subpart to those applicants whose projects will, in his judgment, best promote the purposes of section 1204 of the Act and the regulations of this subpart, taking into account;

(1) The extent of the need for improved and expanded emergency medical services in the service area of the system;

(2) The capability of the applicant to carry out the proposed project;

(3) The reasonableness of the budget and the soundness of the fiscal plan for assuring effective utilization of grant funds;

(4) The extent of coordination with existing health planning agencies and groups in the service area of the system;

(5) The potential of the project for accomplishing its objectives and fulfilling the purposes of the emergency medical services grant program;

(6) The potential of the project for becoming self-supporting; and

(7) The degree to which the proposed project addresses the needs of rural areas.

(b) (1) The amount of any award under this Part will be determined by the Secretary on the basis of his estimate of the sum necessary for a designated portion of direct project costs plus an additional amount for indirect costs, if any, which will be calculated by the Secretary either:

(i) On the basis of the estimate of the actual indirect costs reasonably related to the project; or

(ii) On the basis of a percentage of all, or a portion of, the estimated direct costs of the project when there are reasonable assurances that the use of such percentage will not exceed the approximate actual indirect costs. Such award may include an estimated provisional amount for indirect costs or for designated direct costs (such as fringe benefit rates) subject to upward (within the limits of available funds) as well as downward adjustments to actual costs when the amount properly expended by the grantee for provisional items has been determined by the Secretary.

Provided, however, That such amount shall not exceed 50 per centum of the total cost of the project, as determined by the Secretary pursuant to these regulations, or in the case of applications which demonstrate an exceptional need for financial assistance, 75 per centum of such cost. In determining the grantee's share of project costs, costs borne by Federal funds, or costs used to match other Federal grants may not be included except as otherwise provided by law.

(2) In determining the amount of any grant under this subpart, the Secretary will evaluate the availability of funds under Federal programs authorized by laws other than the Act to support any particular component of an emergency medical services system. Such Federal programs shall include programs under legislative authorities administered by other Federal agencies, such as the Highway Safety Act. On the basis of such evaluation, the Secretary will provide assistance under this subpart only to the extent that assistance under such other legislative authorities is insufficient to enable the applicant to meet the qualitative and quantitative requirements for an emergency medical services system as described in section 1206(b) (4) (C) of the Act and § 56a.103 of Subpart A of this part.

(c) All grant awards shall be in writing, shall set forth the amount of funds granted, and the period for which support is recommended.

(d) Neither the approval of any project nor any grant award shall commit or obligate the United States in any way to make additional, supplemental, continuation, or other award with respect to any approved project or portion thereof. For continuation support, grantees must make separate application periodically at such times and in such form as the Secretary may direct.

§ 56a.406 Use of project funds.

(a) Any funds granted pursuant to this subpart, as well as other funds to be used in performance of the approved project, shall be expended solely for carrying out the approved project in accordance with section 1204 of the Act, the regulations of this part, the terms and conditions of the award, and the applicable cost principles set forth in 45 CFR Part 74.

(b) Project funds under this subpart may be used for, but need not be limited to, the following:

(1) The items enumerated in section 305(b) of Subpart C of this Part.

(2) Acquisition of equipment and existing facilities, exclusive of land and offsite improvements. Federal participation in mortgage amortization and similar loan payments in connection with such acquisition will be limited to a maximum of two years (See § 56a.407).

(3) Modernization of Facilities.

(c) Project funds may not be used for the following:

(1) Construction of new facilities.

(2) Purchasing built-in hospital equipment which will be used more than 25 percent of the time for non-emergency department purposes.

(3) Maintaining equipment or replacing supplies.

(4) Establishment, operation, or improvement of services or facilities involved in the care of patients in the normal hospital environs or in any other care facility, except for those which are customarily associated with the emergency department.

(5) Financial assistance to trainees for stipends, tuition and fees, per diem, or other reimbursement for food, lodging, etc. Domestic travel of trainees may be supported at the rate of eight cents per mile when justified as a necessary and integral part of an approved training program.

(6) Costs normally borne by the patient, such as hospitalization costs.

§ 56a.407 Acquisition of facilities.

The following provisions are applicable to the acquisition of existing facilities:

(a) *Estimated costs of acquisition and remodeling: Suitability of facility.* Each application for a project involving the acquisition of existing facilities shall include in the detailed estimates of the cost of the project the cost of acquiring such facilities to serve the purposes for which they are acquired. Such application shall demonstrate to the satisfaction of the Secretary that the architectural, structural and other pertinent features of the facility, as modified by any proposed expansion, remodeling, renovation, or alteration, will be clearly suitable for the purposes of the program, and, to the extent of the costs in which Federal participation is requested, are not in excess of what is necessary for the services proposed to be provided in such facilities.

(b) *Determination of necessary cost.* The necessary cost of acquisition of existing facilities shall be determined on the basis of such documentation submitted by the applicant as the Secretary may prescribe (including the reports of such real estate appraisers as the Secretary may approve) and other relevant factors.

(c) *Bona fide sale.* Federal participation in the acquisition of existing facilities is on condition that such acquisition constitutes a bona fide sale involving an actual cost to the applicant and will result in additional or improved facilities for purposes of the program.

(d) *Facility which has previously received Federal grant.* No grant for the acquisition of a facility which has previously received a Federal grant for construction, acquisition, or equipment shall serve either to reduce or restrict the liability of the applicant or any other transferor or transferee from any obligation of accountability imposed by the Federal Government by reason of such prior grant.

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PART IV

DEPARTMENT OF THE INTERIOR

Bureau of Mines

■

METAL AND NONMETALIC MINES

Health and Safety Standards

Title 30—Mineral Resources

CHAPTER I—BUREAU OF MINES, DEPARTMENT OF THE INTERIOR

SUBCHAPTER N—METAL AND NONMETALLIC MINE SAFETY

PART 55—HEALTH AND SAFETY STANDARDS—METAL AND NONMETALLIC OPEN PIT MINES

Miscellaneous Amendments

Pursuant to the authority vested in the Secretary of the Interior under section 6 of the Federal Metal and Nonmetallic Mine Safety Act (30 U.S.C. 725) to develop, revise and promulgate health and safety standards for metal and nonmetal mines, there was published on Wednesday, August 29, 1973, a notice of proposed rulemaking in the FEDERAL REGISTER (38 FR 23383 and 23384), to amend Part 55, Subchapter N, Chapter I, Title 30, Code of Federal Regulations, by revising and revoking certain standards currently in force and by adding new standards. Each of the standards contained in the notice was developed or revised after consultation with the Federal Metal and Nonmetal Mine Safety Advisory Committee appointed pursuant to section 7 of the Act (30 U.S.C. 726).

The notice further provided that each proposed standard which is to be a mandatory standard was so designated by the word "Mandatory" which appeared at the beginning of the standard and if a standard had been recommended by the Federal Metal and Nonmetal Mine Safety Advisory Committee, such standard was identified by the letters "MNMSAC." Under the provisions of subsection 6(e) of the Act (30 U.S.C. 725(e)) a standard recommended by the Advisory Committee was not subject to hearings.

Subject to the provisions of subsection 6(e) of the Act and in accordance with the provisions of subsection 6(d) (30 U.S.C. 725(d)) on or before the last day of the period fixed for the submission of written data, views, or arguments, any person who may be adversely affected by a proposed standard which had not been recommended by the Federal Metal and Nonmetal Mine Safety Advisory Committee was afforded an opportunity to file with the Secretary of the Interior written objecitons thereto stating the grounds for such objection and requesting a public hearing (subject to the Administrative Procedure Act) on such subject.

Interested persons were requested to submit written data, views, arguments and requests for hearings to the Administrator, Mining Enforcement and Safety Administration (MESA) on or before October 15, 1973. No hearings were requested on the proposed standards which were designated as "Mandatory" by the Secretary of the Interior, and all of the data, views and arguments received concerning the standards were given careful consideration.

The comments and recommendations received indicated support for the standards which are promulgated below. Promulgation of the proposed revision to standard 55.19–24 (38 FR 23384) concerning wire rope attachments has been deferred so that the Department may undertake additional review, study and analysis of such changes prior to taking further action with respect to this standard. Most of the comments received were in response to proposed health standard 55.5–1 (38 FR 23383). As a result of these comments the following changes are made:

Standard 55.5–1. (a) Editorial changes have been made in paragraphs (a) and (b) to clarify the requirements of these provisions; and

(b) The Threshold Limit Values published in the 1972 edition of the American Conference of Governmental Industrial Hygienists publication have been updated to the Conference's 1973 edition which supersedes and replaces the 1972 edition; and

(c) An 8-hour time weighted average exposure of personnel to airborne concentrations of asbestos dust has been specified in paragraph (b); and

(d) The term "asbestos" as used in paragraph (b) is defined to include only chrysotile, amosite, crocidolite, anthophylite asbestos, tremolite asbestos, and actinolite asbestos, or those minerals which are essentially known as asbestos minerals. The latter three minerals use the word asbestos because the same mineral name is used for both the asbestiform and non-asbestiform varieties of these minerals. Tremolite of a non-asbestiform which occurs in talc deposits is not mentioned in the definition and, therefore, is not covered.

NOTE: On May 8, 1973 a public symposium was held in Washington, D.C. to receive data on talc dust hazards in the metal and nonmetal mining industries (see 38 FR 7822). Medical data based on both human and animal studies were presented. This data supported the opinion that talc and talc with tremolite are not as hazardous as chrysotile or other true asbestos minerals. The Mining Enforcement and Safety Administration and the National Institute of Occupational Safety and Health are planning a joint study to determine the toxic nature of talc and tremolite dust exposure. Pending the results of this study both fibrous talc and tremolite (non-asbestiform) are subject to the adopted threshold limit values under paragraph (a) of this standard (see page 33 of the Conference's 1973 publication).

(e) Paragraph (b) is further revised to provide the allowable peak or ceiling concentration of asbestos fiber. This ceiling concentration is 10 fibers longer than 5 micrometers, per milliliter of air, as determined by the membrane filter method over a sampling time of 15 minutes.

Effective date. The amendments, revisions and revocation of standards, and new standards shall become effective on July 1, 1974.

Part 55 of Chapter I of Title 30 of the Code of Federal Regulations is amended as set forth below:

(Sec. 6, Federal Metal and Nonmetallic Mine Safety Act; 80 Stat. 772; (30 U.S.C. 725))

Dated: June 26, 1974.

C. K. MALLORY,
Deputy Assistant Secretary of the Interior.

Part 55, Title 30 Code of Federal Regulations is amended and revised as follows:

§ 55.5 [Amended]

1. Standard 55.5–1, promulgated on December 8, 1970 (35 FR 18587), is revised to read as follows:

55.5–1 *Mandatory.* Except as permitted by § 55.5–5:

(a) Except as provided in paragraph (b), the exposure to airborne contaminants shall not exceed, on the basis of a time weighted average, the threshold limit values adopted by the Armerican Conference of Governmental Industrial Hygienists, as set forth and explained in the 1973 edition of the Conference's publication, entitled "TLV's Threshold Limit Values for Chemical Substances in Workroom Air Adopted by ACGIH for 1973," pages 1 through 54, which are hereby incorporated by reference and made a part hereof. This publication may be obtained from the American Conference of Governmental Industrial Hygienists by writing to the Secretary-Treasurer, P.O. Box 1937, Cincinnati, Ohio 45201, or may be examined in any Metal and Nonmetal Mine Health and Safety District or Subdistrict Office of the Mining Enforcement and Safety Administration. Excursions above the listed thresholds shall not be of a greater magnitude than is characterized as permissible by the Conference.

(b) The 8-hour time weighted average airborne concentration of asbestos dust to which employees are exposed shall not exceed 5 fibers per milliliter greater than 5 microns in length, as determined by the membrane filter method at 400–450 magnification (4 millimeter objective) phase contrast illumination. No employee shall be exposed at any time to airborne concentrations of asbestos fibers in excess of 10 fibers longer than 5 micrometers, per milliliter of air, as determined by the membrane filter method over a minimum sampling time of 15 minutes. "Asbestos" is a generic term for a number of hydrated silicates that, when crushed or processed, separate into flexible fibers made up of fibrils. Although there are many asbestos minerals, the term "asbestos" as used herein is limited to the following minerals; chrysotile, amosite, crocidolite, anthophylite asbestos, tremolite asbestos, and actinolite asbestos.

(c) Employees shall be withdrawn from areas where there is present an airborne contaminant given a "C" designation by the Conference and the concentration exceeds the threshold limit value listed for that contaminant.

2. Standard 55.5–5, promulgated on December 8, 1970 (35 FR 18587), is revised to read as follows:

55.5–5 *Mandatory.* Control of employee exposure to harmful airborne contaminants shall be, insofar as feasible, by prevention of contamination, removal by exhaust ventilation, or by dilution with uncontaminated air. However, where accepted engineering control measures have not been developed or when necessary by the nature of work involved (for example, while establishing controls or occasional entry into hazardous atmospheres to perform maintenance or investigation), employees may work for reasonable periods of time in concentrations of airborne contaminants exceeding permissible levels if they are protected by appropriate respiratory protective equipment. Whenever respiratory protective equipment is used a program for selection, maintenance, training, fitting, supervision, cleaning, and use shall meet the following minimum requirements:

(a) Mining Enforcement and Safety Administration approved respirators which are applicable and suitable for the purpose intended shall be furnished, and employees shall use the protective equipment in accordance with training and instruction.

(b) A respirator program consistent with the requirements of ANSI Z88.2–1969, published by the American National Standards Institute and entitled "American National Standards Practices for Respiratory Protection ANSI Z88.2 1969," approved August 11, 1969, which is hereby incorporated by reference and made a part hereof. This publication may be obtained from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018, or may be examined in any Metal and Nonmetal Mine Health and Safety District or Subdistrict Office of the Mining Enforcement and Safety Administration.

(c) When respiratory protection is used in atmospheres immediately harmful to life, the presence of at least one other person with backup equipment and rescue capability shall be required in the event of failure of the respiratory equipment.

3. Standard 55.6–5, promulgated on December 8, 1970 (35 FR 18587), is revised to read as follows:

55.6–5 *Mandatory.* Areas surrounding magazines and facilities for the storage of blasting agents shall be kept clear of rubbish, brush, dry grass, or trees (other than live trees 10 or more feet tall), for a distance not less than 25 feet in all directions, and other unnecessary combustible materials for a distance of not less than 50 feet.

4. New standard 55.6–12 is added to read as follows:

55.6–12 *Mandatory.* Prior to interior repair of facilities for storage of explosives, including blasting agents, all materials stored within the facility shall be removed and the interior cleaned. Prior to the exterior repair of such facilities, all materials stored within the facility shall be removed if there exists a possibility that such repairs may produce a spark or flame. The explosives removed from storage facilities to be repaired shall be placed either in other storage facilities appropriate for the storage of such materials under this section or a safe distance from the facilities under repair where they shall be properly guarded and protected until the repairs have been completed and the materials have been returned to storage within the facilities.

§ 55.8 [Amended]

5. New standard 55.8–6 is added to read as follows:

55.8–6 *Mandatory.* The oxygen intake coupling on jet-piercing drills shall be constructed so that only the oxygen hose can be coupled to it.

6. New standard 55.8–7 is added to read as follows:

55.8–7 *Mandatory.* The combustion chamber of a jet drill stem which has been sitting unoperated in a drill hole shall be flushed with a suitable solvent after the stem is pulled up.

§ 55.12 [Amended]

7. Standard 55.12–32, promulgated on July 31, 1969 (34 FR 12507) is made mandatory and revised to read as follows:

55.12–32 *Mandatory.* Inspection and cover plates on electrical equipment and junction boxes shall be kept in place at all times except during testing or repairs.

§ 55.15 [Amended]

8. Standard 55.15–12, promulgated on February 25, 1970 (35 FR 3664), is revoked.

§ 55.19 [Amended]

9. Standard 55.19–7, promulgated on July 31, 1969 (34 FR 12509) is revised to read as follows:

55.19–7 *Mandatory.* All man hoists shall be provided with devices to prevent overtravel. When utilized in shafts exceeding 100 feet in depth, such hoists shall also be provided with overspeed devices.

10. New standard 55.19–13 is added to read as follows:

55.19–13 *Mandatory.* Where any diesel or similar fuel-injection engine is used to power a hoist, the engine shall be equipped with a damper or other cutoff in its air intake system. The control handle shall be clearly labeled to indicate that its intended function is for emergency stopping only:

11. Standard 55.19–26, promulgated on July 31, 1969 (34 FR 12509) is made mandatory and revised to read as follows:

55.19–26 *Mandatory.* Safety device attachments to hoist ropes shall be selected, installed, and maintained according to manufacturers' specifications to minimize internal corrosion and weakening of the hoist rope.

12. New standard 55.19–109 is added to read as follows:

55.19–109 *Mandatory.* Shaft inspection and repair work in vertical shafts shall be performed from substantial platforms equipped with bonnets or equivalent overhead protection.

13. New standard 55.19–129 is added to read as follows:

55.19–129 *Mandatory.* Hoistmen shall examine their hoists and shall test overtravel, deadman controls, position indicators, and braking mechanisms at the beginning of each shift.

[FR Doc.74–14976 Filed 6–28–74;8:45 am]

PART 56—HEALTH AND SAFETY STANDARDS—SAND, GRAVEL, AND CRUSHED STONE OPERATIONS

Miscellaneous Amendments

Pursuant to the authority vested in the Secretary of the Interior under section 6 of the Federal Metal and Nonmetallic Mine Safety Act (30 U.S.C. 725) to develop, revise and promulgate health and safety standards for metal and nonmetal mines, there was published on Wednesday, August 29, 1973, a notice of proposed rulemaking in the FEDERAL REGISTER (38 FR 23384–23386), to amend Part 56, Subchapter N, Chapter I, Title 30, Code of Federal Regulations, by revising and revoking certain standards currently in force and by adding new standards. Each of the standards contained in the notice was developed or revised after consultation with the Federal Metal and Nonmetal Mine Safety Advisory Committee appointed pursuant to section 7 of the Act (30 U.S.C. 726).

The notice further provided that each proposed standard which is to be a mandatory standard was so designated by the word "Mandatory" which appeared at the beginning of the standard and if a standard had been recommended by the Federal Metal and Nonmetal Mine Safety Advisory Committee, such standard was identified by the letters "MNMSAC." Under the provisions of subsection 6(e) of the Act (30 U.S.C. 725(e)) a standard recommended by the Advisory Committee was not subject to hearings.

Subject to the provisions of subsection 6(e) of the Act and in accordance with the provisions of subsection 6(d) (30 U.S.C. 725(d)) on or before the last day of the period fixed for the submission of written data, views, or arguments, any person who may be adversely affected by a proposed standard which had not been recommended by the Federal Metal and Nonmetal Mine Safety Advisory Committee was afforded an opportunity to file with the Secretary of the Interior written objections thereto stating the grounds for such objection and requesting a public hearing (subject to the Administrative Procedure Act) on such subject.

Interested persons were requested to submit written data, views, arguments and requests for hearings to the Administrator, Mining Enforcement and Safety Administration (MESA) on or before October 15, 1973. No hearings were requested on the proposed standards which were designated as "Mandatory" by the Secretary of the Interior, and all of the data, views and arguments received concerning the standards were given careful consideration.

The comments and recommendations received indicated support for the standards which are promulgated below. Promulgation of the proposed revision to standard 56.19–24 (38 FR 23386) concerning wire rope attachments has been deferred so that the Department may undertake additional review, study and analysis of such changes prior to taking further action with respect to this standard. Most of the comments received were in response to proposed health standard 56.5–1 (38 FR 23385). As a result of these comments the following changes are made:

Standard 56.5–1. (a) Editorial changes have been made in paragraphs (a) and (b) to clarify the requirements of these provisions; and

(b) The Threshold Limit Values published in the 1972 edition of the American Conference of Governmental Industrial Hygienists publication have been updated to the Conference's 1973 edition which supersedes and replaces the 1972 edition; and

(c) An 8-hour time weighted average exposure of personnel to airborne concentrations of asbestos dust has been specified in paragraph (b); and

(d) The term "asbestos" as used in paragraph (b) is defined to include only chrysotile, amosite, crocidolite, anthophylite asbestos, tremolite asbestos, and actinolite asbestos, or those minerals which are essentially known as asbestos minerals. The latter three minerals use the word asbestos because the same mineral name is used for both the asbestiform and non-asbestiform varieties

of these minerals. Tremolite of a non-asbestiform which occurs in talc deposits is not mentioned in the definition and, therefore, is not covered.

NOTE: On May 8, 1973 a public symposium was held in Washington, D.C. to receive data on talc dust hazards in the metal and nonmetal mining industries (see 38 FR 7822). Medical data based on both human and animal studies were presented. This data supported the opinion that talc and talc with tremolite are not as hazardous as chrysotile or other true asbestos minerals. The Mining Enforcement and Safety Administration and the National Institute of Occupational Safety and Health are planning a joint study to determine the toxic nature of talc and tremolite dust exposure. Pending the results of this study both fibrous talc and tremolite (non-asbestiform) are subject to the adopted threshold limit values under paragraph (a) of this standard (see page 33 of the Conference's 1973 publication).

(e) Paragraph (b) is further revised to provide the allowable peak or ceiling concentration of asbestos fiber. This ceiling concentration is 10 fibers longer than 5 micrometers, per milliliter of air, as determined by the membrane filter method over a sampling time of 15 minutes.

Effective date. The amendments, revisions and revocation of standards, and new standards shall become effective on July 1, 1974.

Part 56 of Chapter I of Title 30 of the Code of Federal Regulations is amended as set forth below:

(Sec. 6, Federal Metal and Nonmetallic Mine Safety Act; 80 Stat. 772; (30 U.S.C. 725))

Dated: June 26, 1974.

C. K. MALLORY,
Deputy Assistant Secretary of the Interior.

Part 56, Title 30, Code of Federal Regulations is amended and revised as follows:

§ 56.5 [Amended]

1. Standard 56.5–1, promulgated on December 8, 1970 (35 FR 18589), is revised to read as follows:

56.5–1 *Mandatory.* Except as permitted by § 56.5–5:

(a) Except as provided in paragraph (b), the exposure to airborne contaminants shall not exceed, on the basis of a time weighted average, the threshold limit values adopted by the American Conference of Governmental Industrial Hygienists, as set forth and explained in the 1973 edition of the Conference's publication, entitled "TLV's Threshold Limit Values for Chemical Substances in Workroom Air Adopted by ACGIH for 1973," pages 1 through 54, which are hereby incorporated by reference and made a part hereof. This publication may be obtained from the American Conference of Governmental Industrial Hygienists by writing to the Secretary-Treasurer, P.O. Box 1937, Cincinnati, Ohio 45201, or may be examined in any Metal and Nonmetal Mine Health and Safety District or Subdistrict Office of the Mining Enforcement and Safety Administration. Excursions above the listed thresholds shall not be of a greater magnitude than is characterized as permissible by the Conference.

(b) The 8-hour time weighted average airborne concentration of asbestos dust to which employees are exposed shall not exceed 5 fibers per milliliter greater than 5 microns in length, as determined by the membrane filter method at 400–450 magnification (4 millimeter objective) phase contrast illumination. No employee shall be exposed at any time to airborne concentrations of asbestos fibers in excess of 10 fibers longer than 5 micrometers, per milliliter of air, as determined by the membrane filter method over a minimum sampling time of 15 minutes. "Asbestos" is a generic term for a number of hydrated silicates that, when crushed or processed, separate into flexible fibers made up of fibrils. Although there are many asbestos minerals, the term "asbestos" as used herein is limited to the following minerals: chrysotile, amosite, crocidolite, anthophylite asbestos, tremolite asbestos, and actinolite asbestos.

(c) Employees shall be withdrawn from areas where there is present an airborne contaminant given a "C" designation by the Conference and the concentration exceeds the threshold limit value listed for that contaminant.

2. Standard 56.5–5, promulgated on December 8, 1970 (35 FR 18589), is revised to read as follows:

56.5–5 *Mandatory.* Control of employee exposure to harmful airborne contaminants shall be, insofar as feasible, by prevention of contamination, removal by exhaust ventilation, or by dilution with uncontaminated air. However, where accepted engineering control measures have not been developed or when necessary by the nature of work involved (for example, while establishing controls or occasional entry into hazardous atmospheres to perform maintenance or investigation), employees may work for reasonable periods of time in concentrations of airborne contaminants exceeding permissible levels if they are protected by appropriate respiratory protective equipment. Whenever respiratory protective equipment is used a program for selection, maintenance, training, fitting, supervision, cleaning, and use shall meet the following minimum requirements:

(a) Mining Enforcement and Safety Administration approved respirators which are applicable and suitable for the purpose intended shall be furnished, and employees shall use the protective equipment in accordance with training and instruction.

(b) A respirator program consistent with the requirements of ANSI Z88.2–1969, published by the American National Standards Institute and entitled "American National Standards Practices for Respiratory Protection ANSI Z88.2 1969," approved August 11, 1969, which is hereby incorporated by reference and made a part hereof. This publication may be obtained from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018, or may be examined in any Metal and Nonmetal Mine Health and Safety District or Subdistrict Office of the Mining Enforcement and Safety Administration.

(c) When respiratory protection is used in atmospheres immediately harmful to life, the presence of at least one other person with backup equipment and rescue capability shall be required in the event of failure of the respiratory equipment.

3. Standard 56.6–5, promulgated on February 25, 1970 (35 FR 3667), is revised to read as follows:

56.6–5 *Mandatory.* Areas surrounding magazines and facilities for the storage of blasting agents shall be kept clear of rubbish, brush, dry grass, or trees (other than live trees 10 or more feet tall), for a distance not less than 25 feet in all directions, and other unnecessary combustible materials for a distance of not less than 50 feet.

4. New standard 56.6–12 is added to read as follows:

56.6–12 *Mandatory.* Prior to interior repair of facilities for storage of explosives, including blasting agents, all materials stored within the facility shall be removed and the interior cleaned. Prior to the exterior repair of such facilities, all materials stored within the facility shall be removed if there exists a possibility that such repairs may produce a spark or flame. The explosives removed from storage facilities to be repaired shall be placed either in other storage facilities appropriate for the storage of such materials under this section or a safe distance from the facilities under repair where they shall be properly guarded and protected until the repairs have been completed and the materials have been returned to storage within the facilities.

§ 56.8 [Amended]

5. New standard 56.8–6 is added to read as follows:

56.8–6 *Mandatory.* The oxygen intake coupling on jet-piercing drills shall be constructed so that only the oxygen hose can be coupled to it.

6. New standard 56.8–7 is added to read as follows:

56.8–7 *Mandatory.* The combustion chamber of a jet drill stem which has been sitting unoperated in a drill hole shall be flushed with a suitable solvent after the stem is pulled up.

§ 56.12 [Amended]

7. Standard 56.12–32, promulgated on July 31, 1969 (34 FR 12513) is made mandatory and revised to read as follows:

56.12–32 *Mandatory.* Inspection and cover plates on electrical equipment and junction boxes shall be kept in place at all times except during testing or repairs.

§ 56.15 [Amended]

8. Standard 56.15–12, promulgated on February 25, 1970 (35 FR 3669), is revoked.

§ 56.19 [Amended]

9. Standard 56.19–7, promulgated on July 31, 1969 (34 FR 12515) is revised to read as follows:

56.19–7 *Mandatory.* All man hoists shall be provided with devices to prevent overtravel. When utilized in shafts exceeding 100 feet in depth, such hoists shall also be provided with overspeed devices.

10. New standard 56.19–13 is added to read as follows:

56.19–13 *Mandatory.* Where any diesel or similar fuel-injection engine is used to power a hoist, the engine shall be equipped with a damper or other cutoff in its air intake system. The control handle shall be clearly labeled to indicate that its intended function is for emergency stopping only.

11. Standard 56.19–26, promulgated on July 31, 1969 (34 FR 12516) is made mandatory and revised to read as follows:

56.19–26 *Mandatory.* Safety device attachments to hoist ropes shall be selected, installed, and maintained according to manufacturers' specifications to minimize internal corrosion and weakening of the hoist rope.

12. New standard 56.19–109 is added to read as follows:

56.19–109 *Mandatory.* Shaft inspection and repair work in vertical shafts shall be performed from substantial platforms equipped with bonnets or equivalent overhead protection.

13. New standard 56.19–129 is added to read as follows:

56.19–129 *Mandatory.* Hoistmen shall examine their hoists and shall test overtravel, deadman controls, position indicators, and braking mechanisms at the beginning of each shift.

[FR Doc.74–14977 Filed 6–28–74;8:45 am]

PART 57—HEALTH AND SAFETY STANDARDS—METAL AND NONMETALLIC UNDERGROUND MINES

Miscellaneous Amendments

Pursuant to the authority vested in the Secretary of the Interior under section 6 of the Federal Metal and Nonmetallic Mine Safety Act (30 U.S.C. 725) to develop, revise and promulgate health and safety standards for metal and nonmetal mines, there was published on Wednesday, August 29, 1973, a notice of proposed rulemaking in the FEDERAL REGISTER (38 FR 23386–23388), to amend Part 57, Subchapter N, Chapter I, Title 30, Code of Federal Regulations, by revising and revoking certain standards currently in force and by adding new standards. Each of the standards contained in the notice was developed or revised after consultation with the Federal Metal and Nonmetal Mine Safety Advisory Committee appointed pursuant to section 7 of the Act (30 U.S.C. 726).

The notice further provided that each proposed standard which is to be a mandatory standard was so designated by the word "Mandatory" which appeared at the beginning of the standard and if a standard had been recommended by the Federal Metal and Nonmetal Mine Safety Advisory Committee, such standard was identified by the letters "MNMSAC." Under the provisions of subsection 6(e) of the Act (30 U.S.C. 725 (e)) a standard recommended by the Advisory Committee was not subject to hearings.

Subject to the provisions of subsection 6(e) of the Act and in accordance with the provisions of subsection 6(d) (30 U.S.C. 725(d)) on or before the last day of the period fixed for the submission of written data, views, or arguments, any person who may be adversely affected by a proposed standard which had not been recommended by the Federal Metal and Nonmetal Mine Safety Advisory Committee was afforded an opportunity to file with the Secretary of the Interior written objections thereto stating the grounds for such objection and requesting a public hearing (subject to the Administrative Procedure Act) on such subject.

Interested persons were requested to submit written data, view, arguments and requests for hearings to the Administrator, Mining Enforcement and Safety Administration (MESA) on or before October 15, 1973. No hearings were requested on the proposed standards which were designated as "Mandatory" by the Secretary of the Interior, and all of the data, views and arguments received concerning the standards were given careful consideration.

The comments and recommendations received indicated support for the standards which are promulgated below. Promulgation of the proposed revision to standard 57.19–24 (38 FR 23387 and 23388) concerning wire rope attachments has been deferred so that the Department may undertake additional review, study and analysis of such changes prior to taking further action with respect to this standard. Most of the comments received were in response to proposed health standard 57.5–1 (38 FR 23386 and 23387). As a result of these comments the following changes are made:

Standard 57.5–1. (a) Editorial changes have been made in paragraphs (a) and (b) to clarify the requirements of these provisions;

(b) The Threshold Limit Values published in the 1972 edition of the American Conference of Governmental Industrial Hygienists publication have been updated to the Conference's 1973 edition which supersedes and replaces the edition; and

(c) An 8-hour time weighted average exposure of personnel to airborne concentrations of asbestos dust has been specified in paragraph (b); and

(d) The term "asbestos" as used in paragraph (b) is defined to include only chrysotile, amosite, crocidolite, anthophylite asbestos, tremolite asbestos, and actinolite asbestos, or those minerals which are essentially known as asbestos minerals. The latter three minerals use the word asbestos because the same mineral name is used for both the asbestiform and non-asbestiform varieties of these minerals. Tremolite of a non-asbestiform which occurs in talc deposits is not mentioned in the definition and, therefore, is not covered.

NOTE: On May 8, 1973 a public symposium was held in Washington, D.C. to receive data on talc dust hazards in the metal and nonmetal mining industries (see 38 FR 7822). Medical data based on both human and animal studies were presented. This data supported the opinion that talc and talc tremolite are not as hazardous as chrysotile or other true asbestos minerals. The Mining Enforcement and Safety Administration and the National Institute of Occupational Safety and Health are planning a joint study to determine the toxic nature of talc and tremolite dust exposure. Pending the results of this study both fibrous talc and tremolite (non-asbestiform) are subject to the adopted threshold limit values under paragraph (a) of this standard (see page 33 of the Conference's 1973 publication).

(e) Paragraph (b) is further revised to provide the allowable peak or ceiling concentration of asbestos fiber. This ceiling concentration is 10 fibers larger than 5 micrometers, per milliliter of air, as determined by the membrane filter method over a sampling time of 15 minutes.

Effective date. The amendments, revisions and revocation of standards, and new standards shall become effective on July 1, 1974.

Part 57 of Chapter I of Title 30 of the Code of Federal Regulations is amended as set forth below.

(Sec. 6, Federal Metal and Nonmetallic Mine Safety Act; 80 Stat. 772; (30 U.S.C. 725))

Dated: June 26, 1974.

C. K. MALLORY,
Deputy Assistant Secretary of the Interior.

Part 57, Title 30, Code of Federal Regulations is amended and revised as follow:

1. The prefatory statement defining the term "working level" before mandatory standard 57.5–37 and under the heading "Radiation," promulgated on February 25, 1970 (35 FR 3672) is transferred to § 57.2, "Definitions," and the definition of "working level" is revised to read as follows:

§ 57.2 Definitions

* * * * *

"Working level" (WL) means any combination of the short-lived radon daughters in one liter of air that will result in ultimate emission of 1.3×10^5 MeV (million electron volts) of potential alpha energy, and exposure to these radon daughters over a period of time is expressed in terms of "working level months" (WLM). Inhalation of air containing a radon daughter concentration of 1 WL for 173 hours results in an exposure of 1 WLM."

* * * * *

§ 57.3 [Amended]

2. Standard 57.3–27, promulgated on July 31, 1969 (34 FR 12519), is revoked.

§ 57.5 [Amended]

3. Standard 57.5–1, promulgated on December 8, 1970 (35 FR 18591) which applies to surface and underground, is revised to read as follows:

57.5–1 *Mandatory.* Except as permitted by § 57.5–5: (a) Except as provided in paragraph (b), the exposure to airborne contaminants shall not exceed, on the basis of a time weighted average, the threshold limit values adopted by the American Conference of Governmental Industrial Hygienists, as set forth and explained in the 1973 edition of the Conference's publication, entitled "TLV's Threshold Limit Values for Chemical Substances in Workroom Air Adopted by ACGIH for 1973," pages 1 through 54, which are hereby incorporated by reference and made a part hereof. This publication may be obtained from the American Conference of Governmental Industrial Hygienists by writing to the Secretary-Treasurer, P.O. Box 1937, Cincinnati, Ohio 45201, or may be examined in any Metal and Nonmetal Mine Health and Safety District or Subdistrict Office of the Mining Enforcement and Safety Administration. Excursions above the listed thresholds shall not be of a greater magnitude than is characterized as permissible by the Conference.

(b) The 8-hour time weighted average airborne concentration of asbestos dust to

which employees are exposed shall not exceed 5 fibers per milliliter greater than 5 microns in length, as determined by the membrane filter method at 400–450 magnification (4 millimeter objective) phase contrast illumination. No employee shall be exposed at any time to airborne concentrations of asbestos fibers in excess of 10 fibers longer than 5 micrometers, per milliliter of air, as determined by the membrane filter method over a minimum sampling time of 15 minutes. Asbestos is a generic term for a member of hydrated silicates that, when crushed or processed, separate into flexible fibers made up of fibrils. Although there are many asbestos minerals, the term "asbestos" as used herein is limited to the following minerals; chrysotile, amosite, crocidolite anthophylite asbestos, tremolite asbestos, and actinolite asbestos.

(c) Employees shall be withdrawn from areas where there is present an airborne contaminant given a "C" designation by the Conference and the concentration exceeds the threshold limit value listed for that contaminant.

4. Standard 57.5–5, promulgated on December 8, 1970 (35 FR 18591) which applies to surface and underground, is revised to read as follows:

55.5–5 *Mandatory*. Control of employee exposure to harmful airborne contaminants shall be, insofar as feasible, by prevention of contamination, removal by exhaust ventilation, or by dilution with uncontaminated air. However, where accepted engineering control measures have not been developed or when necessary by the nature of work involved (for example, while establishing controls or occasional entry into hazardous atmospheres to perform maintenance or investigation), employees may work for reasonable periods of time in concentration of airborne contaminants exceeding permissible levels if they are protected by appropriate respiratory protective equipment. Whenever respiratory protective equipment is used a program for selection, maintenance, training, fitting, supervision, cleaning, and use shall meet the following minimum requirements:

(a) Mining Enforcement and Safety Administration approved respirators which are applicable and suitable for the purpose intended shall be furnished, and employees shall use the protective equipment in accordance with training and instruction.

(b) A respirator program consistent with the requirements of ANSI Z88.2–1969, published by the American National Standards Institute and entitled "American National Standards Practices for Respiratory Protection ANSI Z88.2–1969, approved August 11, 1969, which is hereby incorporated by reference and made a part hereof. This publication may be obtained from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018, or may be examined in any Metal and Nonmetal Mine Health and Safety District or Subdistrict Office of the Mining Enforcement and Safety Administration.

(c) When respiratory protection is used in atmospheres immediately harmful to life, the presence of at least one other person with backup equipment and rescue capability shall be required in the event of failure of the respiratory equipment.

§ 57.6 [Amended]

5. Standard 57.6–5, promulgated on December 8, 1970 (35 FR 18591) which applies to surface and underground, is revised to read as follows:

57.6–5 *Mandatory*. Areas surrounding magazines and facilities for the storage of blasting agents shall be kept clear of rubbish, brush, dry grass, or trees (other than live trees 10 or more feet tall), for a distance not less than 25 feet in all directions, and other unncessary combustible materials for a distance of not less than 50 feet.

6. New standard 57.6–12, which applies to surface and underground, is added to read as follows:

57.6–12 *Mandatory*. Prior to interior repair of facilities for storage of explosives, including blasting agents, all materials stored within the facility shall be removed and the interior cleaned. Prior to the exterior repair of such facilities, all materials stored within the facility shall be removed, if there exists a possibility that such repairs may produce a spark or flame. The explosives removed from storage facilities to be repaired shall be placed either in other storage facilities appropriate for the storage of such materials under this section or a safe distance from the facilities under repair where they shall be properly guarded and protected until the repairs have been completed and the materials have been returned to storage within the facilities.

§ 57.8 [Amended]

7. New standard 57.8–6, which applies to surface only, is added to read as follows:

57.8–6 *Mandatory*. The oxygen intake coupling on jet-piercing drills shall be constructed so that only the oxygen hose can be coupled to it.

8. New standard 57.8–7, which applies to surface only, is added to read as follows:

57.8–7 *Mandatory*. The combustion chamber of a jet drill stem which has been sitting unoperated in a drill hole shall be flushed with a suitable solvent after the stem is pulled up.

§ 57.12 [Amended]

9. Standard 57.12–32, promulgated on July 31, 1969 (34 FR 12522) which applies to surface and underground, is made mandatory and revised to read as follows:

57.12–32 *Mandatory*. Inspection and cover plates on electrical equipment and junction boxes shall be kept in place at all times except during testing or repairs.

§ 57.15 [Amended]

10. Standard 57.15–12, promulgated on February 25, 1970 (35 FR 3676) which is applicable to surface and underground, is revoked.

§ 57.19 [Amended]

11. Standard 57.19–7, promulgated on July 31, 1969 (34 FR 12524), is revised to read as follows:

57.19–7 *Mandatory*. All man hoists shall be provided with devices to prevent overtravel. When utilized in shafts exceeding 100 feet in depth, such hoists shall also be provided with overspeed devices.

12. New standard 57.19–13 is added to read as follows:

57.19–13 *Mandatory*. Where any diesel or similar fuel-injection engine is used to power a hoist, the engine shall be equipped with a damper or other cutoff in its air intake system. The control handle shall be clearly labeled to indicate that its intended function is for emergency stopping only.

13. Standard 57.19–26, promulgated on July 31, 1969 (34 FR 12524) is made mandatory and revised to read as follows:

57.19–26 *Mandatory*. Safety device attachments to hoist ropes shall be selected, installed, and maintained according to manufacturers' specifications to minimize internal corrosion and weakening of the hoist rope.

14. New standard 57.19–109 is added to read as follows:

57.19–109 *Mandatory*. Shaft inspection and repair work in vertical shafts shall be performed from substantial platforms equipped with bonnets or equivalent overhead protection.

15. New standard 57.19–129 is added to read as follows:

57.19–129 *Mandatory*. Hoistmen shall examine their hoists and shall test overtravel, deadman controls, position indicators, and braking mechanisms at the beginning of each shift.

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PART V

FEDERAL ENERGY OFFICE

■

NATIONAL UTILITY RESIDUAL FUEL OIL ALLOCATION

Suppliers Percentage Notice

FEDERAL ENERGY OFFICE

NATIONAL UTILITY RESIDUAL FUEL OIL ALLOCATION FOR JULY AND AUGUST, 1974

Supplier Percentage Notice

Pursuant to the provisions of 10 CFR 211.163(b)(3), 211.165 and 211.166 (d)(2), the Federal Energy Office (FEO) hereby provides notice of the volumes of residual fuel oil allocated to each utility for July and August 1974, and the percentages of such volumes required to be supplied by each supplier for delivery in those months. This information is set forth in the Appendices to this notice. Adjustments of certain supplier base period percentages have been made at the request of affected utilities, pursuant to the criteria of 10 CFR 205.24 and are reflected in the Appendices.

The utility allocations were determined after review of the impact of available fuel supplies between utility and non-utility uses of residual fuel oil. In calculating the allocation level for each utility the FEO considered all of the factors enumerated in 10 CFR 211.163(b) and also the following other factors:

1. The data contained in the Federal Power Commission (FPC) Forms 23 and 23A submitted by utilities;

2. Utility residual fuel oil requirements were assumed to be reduced as a result of conservation efforts by utilities designed to achieve at least five (5) percent load reduction below normal trends;

3. Residual fuel oil needs for utilities were assumed to be reduced as the result of contemplated power purchases from coal and hydro-based utility systems which were considered feasible by the FPC; and

4. FEO analysis that the supply level of residual fuel oil is expected to be at or slightly above a constrained demand. Inventory buildup by utilities, therefore, may be accomplished through purchase of surplus volumes pursuant to the procedures set forth in 10 CFR 211.10(g), consistent with the provisions of 10 CFR 211.166(c).

The amounts shown in the Appendices are the quantities of residual fuel oil to be delivered to the utility listed during the months of July and August 1974. Some utilities will not receive any allocation for these months. This is due to the fact that these utilities either burn other fuels primarily and use residual fuel oil only for standby inventory purposes, or use residual fuel oil only in small percentages of the plant's capacity. In some of the latter instances, even the small amount of residual fuel oil involved is eliminated by the conservation guides established for utilities

The Appendices provide the names of the suppliers obligated to supply each utility and each supplier's percentage and volume of each month's allocation to a utility. The first column of the Appendices lists each utility with its suppliers. The second column sets forth the recommended FEO burn level for July and August. The third and forth columns provide each supplier's respective percentage and volume share of a utility's allocated volume of residual fuel oil. The fifth column provides the total volume of residual fuel oil for each utility from all suppliers. Following the name of certain suppliers, an additional supplier is shown in parentheses. The supplier in parentheses is presumed, on the basis of the best information available, to be the source of supply for certain resellers supplying utility end-users. This information is provided for the convenience of such suppliers and the FEO requests that any additions or corrections in this regard be forwarded to: Residual Fuels Manager for Utilities, P.O. Box 2887, Washington, D.C. 20013.

FEO will consider special circumstances such as unexpected outages which may cause fuel consumption to exceed FEO burn levels in any month. Adjustments have been made in the allocation levels of certain utilities to reflect necessary corrections in the delivery levels authorized in previous months. It is contemplated that corrections or adjustments to delivery levels for certain utilities may be required during the months of July and August to avoid undue hardship. Such corrections or adjustments may be made pursuant to 10 CFR 205.21 *et. seq.*

FEO expects the utilities to consume supplies at or below FEO burn levels which are based on the utilities' proposed burn levels less adjustments for conservation efforts. Where a utility fails to encourage conservation to observe FEO burn levels, its allocation for following months will be appropriately adjusted downward.

The utility residual fuel oil allocation program is based in part on the data derived from utilities' filings of FPC Forms 23 and 23A. Thus, the timely submission of these forms will be a necessary prerequisite to receiving future allocation notices. A Form 23 must be submitted for August despite the fact that a residual fuel oil allocation has already been made for August.

Reports should be addressed to FEO Electrical Utilities Reports, Code 47, Washington, D.C., 20461.

Issued in Washington, D.C., June 21, 1974.

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

APPFNDIX A

RESIDUAL FUEL OIL ALLOCATIONS TO UTILITIES FOR THE MONTH OF JULY 1974

	RECOMMENDED FED BURN	PCT	BY SUPPLIER (BARRELS)	TOTAL (BARRELS)
1. NORTHEAST POWER COORDINATING COUNCIL AREA (NPCC)				
CONNECTICUT				
NORTHEAST UTILITIES	1,797,000			1,797,000
AMERADA HESS CORP		68.0	1,221,960	
TAD JONES CO (GULF)		21.0	377,370	
WYATT INC (EXXON)		10.0	179,700	
H N HARTWELL&SON INC		1.0	17,970	
UNITED ILLUMINATING CO	652,000			652,000
TEXACO		87.0	567,240	
WYATT INC (EXXON)		13.0	84,760	
MAINE				
BANGOR HYDRO ELEC. CO.	30,357			30,357
SPRAGUE		100.0	30,357	
CENTRAL MAINE POWER CO.	231,000			231,000
TEXACO		100.0	231,000	
MAINE PUBLIC SERVICE CO.	5,359			5,359
DEAD RIV.O.(SPRAGUE)		100.0	5,359	
MASSACHUSETTS				
BOSTON EDISON CO.	1,175,000			1,225,000
WHITE FUEL (TEXACO)		46.0	563,500	
EXXON		42.0	514,500	
SPRAGUE		12.0	147,000	
BRAINTREE ELEC. LT. DEPT.	18,019			18,019
CK SMITH(GOLD.EAGLE)		100.0	18,019	
E.UTIL.ASSOC.(MONTAUP&BLACKS	220,410			320,000
TEXACO		100.0	320,000	
FITCHBURG GAS & EL.	14,000			14,000
NORTHEAST PETROLEUM		100.0	14,000	
HOLYOKE GAS AND ELECTRIC	5,392			5,392
WYATT INC (EXXON)		100.0	5,392	
NEW ENG. ELEC	1,190,000			1,400,000
ASIATIC PETRO CORP		60.0	840,000	
GOLD.EAGLE		40.0	560,000	
NEW ENG. G & E	539,000			539,000
NEW ENGLAND PETRO		84.8	457,072	
WHITE FUEL(TEXACO)		15.2	81,928	
PEABODY ELECTRIC LT DEPT	2,310			2,310
PICKERING(NEPCO)		100.0	2,310	
TAUNTON MUN. LT.	40,000			40,000
QUINCY OIL CO (EXXON		100.0	40,000	
NEW HAMPSHIRE				
PUB SER OF N.H.	324,000			324,000
SPRAGUE		26.3	85,212	
CONOCO		73.7	238,788	
NEW YORK				
CENTRAL HUDSON GAS & ELEC CO	411,338			500,000
AMERADA HESS CORP		100.0	700,000	
CONSOL EDISON OF NY	4,240,000			4,500,000
NEW ENGLAND PETRO		45.5	2,047,500	
EXXON		20.8	936,000	
AMERADA HESS CORP		22.3	1,003,500	
TEXACO		11.4	513,000	
FREEPORT, VILLAGE OF	25,500			25,500
BURNS BROS O.(NEPCO)		100.0	25,500	
LONG ISLAND LIGHT CO.	1,938,000			1,938,000
NEW ENGLAND PETRO		100.0	1,938,000	
NIAGARA MOHAWK POWER CO.	496,602			1,300,000
NEW ENGLAND PETRO		100.0	1,300,000	
ORANGE & ROCKLAND UTILITIES	1,204,653			1,204,653
NEW ENGLAND PETRO		31.6	380,670	
HOWARD FUEL CORP		68.4	823,983	

	RECOMMENDED FED BURN	PCT	BY SUPPLIER (BARRELS)	TOTAL (BARRELS)
ROCHESTER GAS & ELECTRIC	0			25,000
ALLIED O		29.7	7,425	
MONOCO OIL COMPANY		70.3	17,575	
RHODE ISLAND				
NEWPORT ELECTRIC CORP	7,100			7,100
CK SMITH		100.0	7,100	
2. MID-ATLANTIC AREA COORDINATION AGREEMENT (MAAC)				
DELAWARE				
DELMARVA PWR & LT	861,052			861,052
STEUART PETROLEUM CO		22.0	189,431	
TEXACO		5.0	43,053	
GULF		8.0	68,884	
CONOCO		65.0	559,684	
DOVER, CITY OF	41,905			41,905
TEXACO		100.0	41,905	
DISTRICT OF COLUMBIA				
POTOMAC ELEC. PWR.	1,000,000			1,200,000
ASIATIC PETRO CORP		79.0	948,000	
STEUART PETROLEUM CO		21.0	252,000	
MARYLAND				
BALTIMORE GAS & ELECTRIC	1,607,697			1,900,000
AMERADA HESS CORP		52.7	1,001,300	
EXXON		47.3	898,700	
NEW JERSEY				
ATLANTIC CITY ELECTRIC COMPA	275,401			300,000
AMERADA HESS CORP		100.0	300,000	
GPU INTEGRATED SYSTEM	529,782			550,000
AMERADA HESS CORP		91.6	503,800	
SWANN OIL INC		5.0	27,500	
ARCONE OIL CO.		2.4	13,200	
SHIPLEY-HUMBLE		1.0	5,500	
PUBLIC SERVICE ELECTRIC	2,180,000			2,300,000
AMERADA HESS CORP		78.0	1,794,000	
EXXON		22.0	506,000	
VINELAND,CITY OF ELEC.	72,000			72,000
SWANN OIL INC		100.0	72,000	
PENNSYLVANIA				
PENNSYLVANIA PWR & LT	0			0
PHILADELPHIA ELECTRIC CO.	1,602,000			1,602,000
ARCO		28.5	456,570	
AMERADA HESS CORP		21.5	344,430	
GULF		9.0	144,180	
NEW ENGLAND PETRO		2.1	33,642	
TEXACO		24.0	384,480	
CONOCO		14.9	238,698	
3. SOUTHEASTERN ELECTRIC RELIABILITY COUNCIL (SERC)				
FLORIDA				
FLORIDA KEYS ELEC COOP	12,088			12,088
BELCHER OIL(EXXON)		100.0	12,088	
FLORIDA P & L	3,256,466			3,756,466
EXXON		15.0	563,470	
BELCHER OIL(EXXON)		85.0	3,192,996	
FLORIDA POWER CORPORATION	1,804,600			1,804,600
EXXON		60.0	1,082,760	
AMERADA HESS CORP		40.0	721,840	
FORT PIERCE, CITY OF	33,000			33,000
NEW ENGLAND PETRO		100.0	33,000	
GAINESVILLE, CITY OF	40,806			43,375
EASTERN SEABOARD		100.0	43,375	
GULF POWER CO.	0			50,789
BAKER SERVICE(EXXON)		100.0	50,789	

	RECOMMENDED FED BURN	PCT	BY SUPPLIER (BARRELS)	TOTAL (BARRELS)
JACKSONVILLE ELEC. AUTH.	881,000			881,000
VEN FUEL INC		82.6	727,706	
CONOCO		17.4	153,294	
KEY WEST UTILITIES	55,220			72,480
STD.OIL-KY		100.0	72,480	
LAKE WORTH UTIL AUTHORITY	3,176			7,250
BELCHER OIL(EXXON)		100.0	7,250	
LAKELAND LIGHT & WTR DEPT	130,185			134,400
BELCHER(STD.OIL-KY)		100.0	134,400	
NEW SMYRNA BEACH	0			0
ORLANDO UTILITIES COMM.	320,000			320,000
NEW ENGLAND PETRO		100.0	320,000	
SEBRING UTILITIES COMM.	3,822			3,822
UNION OIL OF CA		100.0	3,822	
TALLAHASSEE, CITY OF	77,839			80,029
UNION OIL OF CA		100.0	80,029	
TAMPA ELECTRIC CO.	44,509			163,300
WESTERN (STD.OIL-KY)		100.0	163,300	
VERO BEACH MUNICIPAL POWER	23,690			23,690
BELCHER OIL(EXXON)		100.0	23,690	
GEORGIA				
GEORGIA POWER COMPANY	65,728			120,402
NEW ENGLAND PETRO		100.0	120,402	
SAVANNAH ELECTRIC & POWER CO	244,700			244,700
COLONIAL OIL(EXXON)		100.0	244,700	
MISSISSIPPI				
MISSISSIPPI POWER CO.	22,765			30,000
ERGON(INTL TRADING)		45.0	13,500	
PAKER SERVICE(EXXON)		55.0	16,500	
SOUTH MISSISSIPPI ELEC	96,925			96,925
SOUTHLND OIL		83.0	80,448	
AMERADA HESS CORP		17.0	16,477	
NORTH CAROLINA				
CAROLINA POWER & LT.	112,152			250,000
EXXON		100.0	250,000	
SOUTH CAROLINA				
S.CAROLINA ELEC & GAS CO	433,345			466,786
EXXON		100.0	466,786	
S.CAROLINA PUB SERV AUTH	22,476			61,850
AMERADA HESS CORP		100.0	61,850	
VIRGINIA				
VIRGINIA ELECIRIC POWER	1,677,600			2,239,184
EXXON		68.6	1,536,080	
AMERADA HESS CORP		24.2	541,883	
AMOCO		7.2	161,221	

4. SOUTHWEST POWER POOL COORDINATION COUNCIL (SPP)

ARKANSAS				
ARKANSAS ELEC COOP	146,310			146,310
LOGICON INC (SHELL)		80.0	117,048	
E L BRIDE(TEXACO)		20.0	29,262	
JONESBORO WATER AND LIGHT PL	17,712			17,712
DELTA REFINING CO		83.0	14,701	
E L BRIDE(MIDLAND)		17.0	3,011	
COLORADO				
CISU, S.COLO PWR DIV.	0			0
KANSAS				
CENTRAL KANSAS PWR	5,584			5,584
GR.PLS(CRA-FARMLAND)		100.0	5,584	

	RECOMMENDED FED BURN	PCT	BY SUPPLIER (BARRELS)	TOTAL (BARRELS)
CHANUTE,CITY OF	1,550			1,550
MID AMER.REFINING		100.0	1,550	
CLAY CENTER LT&WTR	0			0
COFFEYVILLE LT & PWR	0			0
CT&U, WESTERN PWR DIV	0			0
KANSAS GAS & ELEC	0			0
KANSAS POWER & LIGHT	11,900			11,900
PHILLIPS PETROLEUM		46.1	5,486	
GR.PLS		38.4	4,570	
NIL COOP REFINERY		15.5	1,845	
LARNED WTR & ELEC	261			261
CARTER WTR		100.0	261	
MCPHERSON BD OF PUB UTIL	0			0
OTTAWA WTR & LT	123			164
CARTER WTR(AMOCO)		100.0	164	
LOUISIANA				
CENTRAL LOUISIANA ELECTRIC C	0			0
JONESBORO POWER & LIGHT	0			0
MIDDLE SOUTH SERVICES	2,473,000			2,473,000
MURPHY OIL CORP		30.0	741,900	
TAUBER OIL CO		20.5	505,965	
SHELL		21.3	526,749	
EXXON		12.9	319,017	
GULF		9.5	234,935	
ERGON INC (EXXON)		3.8	93,974	
E L BRIDE(OKC REF.)		1.7	42,041	
REESE OIL(SUN OIL)		.3	7,419	
SOUTHWESTERN ELECTRIC POWER	10,000			10,000
FALCO		100.0	10,000	
MISSISSIPPI				
CLARKSDALE WTR & LT	0			0
YAZOO CITY PUB SERV	0			0
MISSOURI				
EMPIRE DIST ELEC	0			0
ST JOSEPH LT & PWR	0			0
OKLAHOMA				
BLACKWELL WTR & LT	0			0
OKLAHOMA GAS & ELEC	0			0
WESTERN FARMERS ELEC COOP	0			0
TEXAS				
GULF STATES UTILITIES	500,000			500,000
COASTAL STATES MKTG		37.5	187,500	
TENNECO		16.1	80,500	
LAJET		4.0	20,000	
EXXON		20.1	100,500	
SOUTH HAMPTON CO		22.3	111,500	
5. ELECTRIC RELIABILITY COUNCIL OF TEXAS (ERCOT)				
AUSTIN CITY ELEC DEPT	95,826			127,768
TESORO		100.0	127,768	
BRAZOS ELEC COOP	0			0
BRYAN, CITY OF	15,200			15,200
PETROLEUM T&T(3 RIVE		100.0	15,200	
DALLAS POWER &LT.	0			0
GARLAND,CITY OF	0			0

	RECOMMENDED FED BURN	PCT	BY SUPPLIER (BARRELS)	TOTAL (BARRELS)
HOUSTON LIGHT & PWR	279,000			940,600
AMERADA HESS CORP		100.0	940,600	
LOWER COLORADO RIVER AUTH	0			0
MEDINA ELEC COOP	0			0
SAN ANTONIO PUB SERV	525,983			720,000
TESORO		100.0	720,000	
TEXAS ELEC SERV	0			0
TEXAS PWR & LT	0			0
WEST TEXAS UTIL	94,503			94,503
PRIDE REFINING INC		100.0	94,503	

6. MID-AMERICA INTERPOOL NETWORK (MAIN)

ILLINOIS

COMMONWEALTH EDISON CO.	352,500			600,000
ALLIED O.		98.0	588,000	
CLARK OIL&REF.CORP		2.0	12,000	
ILLINOIS POWER CO	45,000			45,000
ALLIED O.		100.0	45,000	

MISSOURI

UNION ELECTRIC	33,227			33,227
APEX OIL CO		100.0	33,227	

WISCONSIN

SUPERIOR WTR & LT	14,770			14,770
MURPHY OIL CORP		100.0	14,770	
WISCONSIN ELEC PWR	0			0

7. MID-CONTINENT AREA RELIABILITY COORDINATION AGREEMENT (MARCA)

IOWA

ATLANTIC MUNICIPAL UTILITIES	0			0
INTERSTATE POWER	18,379			18,379
NORTHWESTERN REF		100.0	18,379	
LAMONI MUNIC	300			300
STD.OIL(IND)		100.0	300	

MINNESOTA

AUSTIN UTILITIES	0			0
FAIRMONT WTR & LT	0			0
MARSHALL MUNICIPAL UTIL	0			0
MINNESOTA PWR & LT	17,900			17,900
MURPHY OIL		100.0	17,900	
NORTHERN STATES PWR	0			0
OWATONNA MUN UTIL	0			0
WORTHINGTON, CITY OF	0			0

NEBRASKA

CENTRAL NEBRASKA PUBLIC	0			0
FAIRBURY LT & WTR	0			0
GRAND ISLAND ELEC	31,067			31,067
E L BRIDE		100.0	31,067	

	RECOMMENDED FED BURN	PCT	BY SUPPLIER (BARRELS)	TOTAL (BARRELS)
HASTINGS UTILITIES DEPT	3,810			3,810
CARTER WTR		100.0	3,810	
LINCOLN ELECTRIC SYSTEM	0			0
NEBRASKA PUBLIC POWER DISTRI	0			0
OMAHA PUB PWR DIST	0			0
WISCONSIN				
LAKE SUPERIOR DIST PWR	0			0

8. EAST CENTRAL AREA RELIABILITY COORDINATION AGREEMENT (ECAR)

MICHIGAN

CLINTON LT & WTR	457			457
CRYSTAL REFINING CO		100.0	457	
CONSUMERS POWER	207,093			207,093
CONSUMERS PWR-CRUDE		54.0	111,830	
LAKESIDE REFINING CO		14.0	28,993	
OSCEOLA REFINING CO		8.0	16,567	
TOTAL LEONARD INC		4.0	8,284	
MURPHY MI.DIV.AMOCO		6.0	12,425	
ENTERPRISE OIL CO		6.0	12,425	
BORON OIL(STANDARD)		3.0	6,213	
INDUST FUEL&ASPHALT		2.0	4,142	
PURE OIL COMPANY		2.0	4,142	
GLADIEUX REF		1.0	2,071	
DETROIT EDISON CO.	724,010			724,010
SUN OIL LTD		70.0	506,807	
CANADIAN FUEL MKTRS		9.9	71,677	
ENTERPRISE OIL CO		4.8	34,752	
PETRO PRODUCTS		5.4	39,097	
MARATHON OIL		9.9	71,677	
GRAND HAVEN BD PUB	0			0
HILLSDALE BD OF PUB WORKS	976			976
LEWIS(GLADIEUX REF)		100.0	976	

	RECOMMENDED FED BURN	PCT	BY SUPPLIER (BARRELS)	TOTAL (BARRELS)
OHIO				
CLEVELAND ELEC ILLUMIN	116,408			116,408
ALLIED C.(ASHLAND)		100.0	116,408	
TOLEDO EDISON	4,561			4,561
SUN OIL		100.0	4,561	
PENNSYLVANIA				
ALLEGHENY POWER SERVICE	52,042			69,390
ALLIED C.(NEPCO)		100.0	69,390	

9. WESTERN SYSTEMS COORDINATING COUNCIL (WSCC)

ARIZONA

ARIZONA PUBLIC SERVICE CO.	322,600			322,600
UNION OIL OF CAL		63.0	203,238	
PACIFIC SOUTHWEST		16.5	53,229	
SAN JOAQUIN REF		16.5	53,229	
BASIN FUELS		4.0	12,904	
SALT RIVER PROJECT	228,468			228,468
TESORO		12.4	28,330	
DOUGLAS OIL CO		2.8	6,397	
GUSTAFSON OIL CO		.9	2,056	
MACMILLAN		17.0	38,840	
POWERINE OIL CO		18.1	41,353	
LITTLE AMERICA		19.7	45,008	
SAN JOAQUIN REF		29.1	66,484	
TUCSON GAS & ELEC	143,473			143,473
GOLDEN GATE PETRO		22.0	31,564	
NAVAJO REFINING		5.0	7,174	
TOSCO		43.0	61,693	
UNION OIL OF CA		25.0	35,868	
HOLLAND OIL(TOSCO)		5.0	7,174	

CALIFORNIA

BURBANK CITY PUBLIC SER.	38,900			38,900
CARSON(GOLD.EAGLE)		100.0	38,900	

	RECOMMENDED FED BURN	PCT	BY SUPPLIER (BARRELS)	TOTAL (BARRELS)
GLENDALE PUBLIC SERVICES	33,457			33,457
POWERINE OIL CO		100.0	33,457	
IMPERIAL IRRIGATION DISTR	13,600			13,600
CRESCENT REFRO(GULF)		100.0	13,600	
LOS ANGELES DEPT OF WATER &	893,000			893,000
ARCO		59.8	534,014	
EDGINGTON OIL CO		20.9	186,637	
PETROBAY		7.6	67,868	
NEWHALL REFINING CO		5.0	44,650	
SAN JOAQUIN REF		3.5	31,255	
POWERINE OIL CO		3.2	28,576	
PACIFIC GAS & ELECTRIC CO	735,000			735,000
ARCO		59.8	439,530	
UNION OIL OF CA		4.0	29,400	
PHILLIPS PETROLEUM		20.1	147,735	
PERTA OIL		16.1	118,335	
PASADENA POWER CO.	58,159			58,159
GOLD.EAGLE		100.0	58,159	
SAN DIEGO GAS & ELECTRIC CO.	446,425			446,425
UNION OIL OF CA		29.8	133,035	
HIRI		16.2	72,321	
EDGINGTON OIL CO		21.3	95,089	
TESORO		32.7	145,981	
SOUTHERN CALIF EDISON	4,317,985			4,317,985
STD.OIL-CAL		50.1	2,163,310	
TEXACO		9.7	418,845	
ARCO		7.8	336,803	
EXXON		20.4	880,869	
PACIFIC RESOURCES		6.8	293,623	
MACMILLAN R.F.OIL		3.0	129,540	
CONOCO		2.2	94,996	
COLORADO				
COLORADO SPRINGS LT & PWR	0			0
LAMAR LT & PWR	0			0
PUB SERV COLORADO	28,000			36,986
PLATEAU INC		100.0	36,986	
MONTANA				
MONTANA POWER	0			0
NEVADA				
NEVADA POWER COMPANY	7,500			7,500
GUSTAFSON OIL CO		54.0	4,050	
HUSKY OIL COMPANY		46.0	3,450	
SIERRA PACIFIC POWER	20,670			20,670
GOLDEN GATE PETRO		100.0	20,670	
NEW MEXICO				
PLAINS ELEC GEN & TRANSM	0			0
PUB SERV NEW MEXICO	0			0
OREGON				
PACIFIC POWER & LIGHT CO	0			0
TEXAS				
COMMUNITY PUB SERV	2,640			2,640
STD.OIL-TEXAS		100.0	2,640	
EL PASO ELECTRIC	41,000			54,900
SOUTHERN UNION		74.5	40,901	
TESORO		25.5	14,000	

	RECOMMENDED FED BURN	PCT	BY SUPPLIER (BARRELS)	TOTAL (BARRELS)
UTAH				
UTAH POWER &LIGHT CO.	0			0
WASHINGTON				
PUGET SOUND POWER &LIGHT CO.	0			0
SEATTLE DEPT OF LI	0			0
TACOMA DEPT OF PUBLIC UTILIT	0			0
10. ASCC				
ALASKA				
CORDOVA, TOWN OF	0			0
HAWAII				
HAWAIIAN ELECTRIC COMPANY	688,405			688,405
STD.OIL-CA		100.0	688,405	
HILO ELEC LT	23,235			23,235
STD.OIL-CA		100.0	23,235	
KAUAI ELECTRIC	6,215			6,215
STD.OIL--CA		100.0	6,215	
MAUI ELECTRIC	38,154			38,154
STD.OIL-CA		100.0	38,154	
11. NOT OTHERWISE CLASSIFIED				
UNK				
GUAM PWR AUTH	85,172			85,172
U.S.NAVY		100.0	85,172	
PUERTO RICO WATER RESOURCES	1,744,830			1,744,830
COMMONWEALTH OIL		50.0	872,415	
PUERTO RICO SUN OIL		30.0	523,449	
CARIBBEAN GULF REF		20.0	348,966	
ST CROIX, V.I. WTR PWR	47,027			47,027
AMERADA HESS CORP		100.0	47,027	
ST THOMAS, V.I. WTR PWR	33,425			33,425
AMERADA HESS CORP		100.0	33,425	

APPENDIX B

RESIDUAL FUEL OIL ALLOCATIONS TO UTILITIES FOR THE MONTH OF AUGUST 1974

	RECOMMENDED FED BURN	PCT	BY SUPPLIER (BARRELS)	TOTAL (BARRELS)
1. NORTHEAST POWER COORDINATING COUNCIL AREA (NPCC)				
CONNECTICUT				
NORTHEAST UTILITIES	2,018,000			2,018,000
AMERADA HESS CORP		68.0	1,372,240	
TAD JONES CO (GULF)		21.0	423,780	
WYATT INC (EXXON)		10.0	201,800	
H N HARTWELLSSON INC		1.0	20,180	
UNITED ILLUMINATING CO	724,000			724,000
TEXACO		87.0	629,880	
WYATT INC (EXXON)		13.0	94,120	
MAINE				
BANGOR HYDRO ELEC. CO.	30,357			30,357
SPRAGUE		100.0	30,357	
CENTRAL MAINE POWER CO.	248,000			248,000
TEXACO		100.0	248,000	
MAINE PUBLIC SERVICE CO.	14,227			14,227
DEAD RIV.CO.(SPRAGUE)		100.0	14,227	
MASSACHUSETTS				
BOSTON EDISON CO.	1,182,000			1,182,000
WHITE FUEL (TEXACO)		46.0	543,720	
EXXON		42.0	496,440	
SPRAGUE		12.0	141,840	
BRAINTREE ELEC. LT. DEPT.	21,392			21,392
CK SMITH(GOLD.EAGLE)		100.0	21,392	
E.UTIL.ASSOC.(MONTAUP&BLACKS	256,820			350,000
TEXACO		100.0	350,000	
FITCHBURG GAS & EL.	14,000			14,000
NORTHEAST PETROLEUM		100.0	14,000	
HOLYOKE GAS AND ELECTRIC	5,261			5,261
WYATT INC (EXXON)		100.0	5,261	
NEW ENG. ELEC	1,032,000			1,200,000
ASIATIC PETRO CORP		60.0	720,000	
GOLD.EAGLE		40.0	480,000	
NEW ENG. G & E	555,000			555,000
NEW ENGLAND PETRO		84.8	470,640	
WHITE FUEL(TEXACO)		15.2	84,360	
PEABODY ELECTRIC LT DEPT	4,500			4,500
PICKERING(NEPCO)		100.0	4,500	
TAUNTON MUN. LT.	110,000			110,000
QUINCY OIL CO (EXXON		100.0	110,000	
NEW HAMPSHIRE				
PUB SER OF N.H.	381,000			381,000
SPRAGUE		26.3	100,203	
CONOCO		73.7	280,797	
NEW YORK				
CENTRAL HUDSON GAS & ELEC CO	423,770			600,000
AMERADA HESS CORP		100.0	700,000	
CONSOL EDISON OF NY	4,334,000			4,334,000
NEW ENGLAND PETRO		45.5	1,971,970	
EXXON		20.8	901,472	
AMERADA HESS CORP		22.3	966,482	
TEXACO		11.4	494,076	
FREEPORT, VILLAGE OF	28,389			28,389
BURNS BROS C.(NEPCO)		100.0	28,389	
LONG ISLAND LIGHT CO.	2,061,000			2,061,000
NEW ENGLAND PETRO		100.0	2,061,000	
NIAGARA MOHAWK POWER CO.	658,614			1,000,000
NEW ENGLAND PETRO		100.0	1,000,000	
ORANGE & ROCKLAND UTILITIES	1,249,935			1,249,935
NEW ENGLAND PETRO		31.6	394,979	
HOWARD FUEL CORP		68.4	854,956	

	RECOMMENDED FED BURN	PCT	BY SUPPLIER (BARRELS)	TOTAL (BARRELS)
ROCHESTER GAS & ELECTRIC	10,794			10,794
ALLIED O		29.7	3,206	
MONOCO OIL COMPANY		70.3	7,588	
RHODE ISLAND				
NEWPORT ELECTRIC CORP	7,100			7,100
CK SMITH		100.0	7,100	
2. MID-ATLANTIC AREA COORDINATION AGREEMENT (MAAC)				
DELAWARE				
DELMARVA PWR & LT	933,057			933,057
SIFUART PETROLEUM CO		22.0	205,273	
TEXACO		5.0	46,653	
GULF		8.0	74,645	
CONOCO		65.0	606,487	
DOVER, CITY OF	30,381			30,381
TEXACO		100.0	30,381	
DISTRICT OF COLUMBIA				
POTOMAC ELEC. PWR.	1,020,000			1,200,000
ASIATIC PETRO CORP		79.0	948,000	
SIFUART PETROLEUM CO		21.0	252,000	
MARYLAND				
BALTIMORE GAS & ELECTRIC	1,567,026			1,900,000
AMERADA HESS CORP		52.7	1,001,300	
EXXON		47.3	898,700	
NEW JERSEY				
ATLANTIC CITY ELECTRIC COMPA	275,401			300,000
AMERADA HESS CORP		100.0	300,000	
GPU INTEGRATED SYSTEM	528,705			550,000
AMERADA HESS CORP		91.6	503,800	
SWANN OIL INC		5.0	27,500	
ARCONE OIL CO.		2.4	13,200	
SHIRLEY-HUMBLE		1.0	5,500	

	RECOMMENDED FED BURN	PCT	BY SUPPLIER (BARRELS)	TOTAL (BARRELS)
PUBLIC SERVICE ELECTRIC	1,951,000			2,000,000
AMERADA HESS CORP		78.0	1,560,000	
EXXON		22.0	440,000	
VINELAND,CITY OF ELEC.	74,300			74,300
SWANN OIL INC		100.0	74,300	
PENNSYLVANIA				
PENNSYLVANIA PWR & LT	0			0
PHILADELPHIA ELECTRIC CO.	1,689,500			1,689,500
ARCO		28.5	481,508	
AMERADA HESS CORP		21.5	363,243	
GULF		9.0	152,055	
NEW ENGLAND PETRO		2.1	35,480	
TEXACO		24.0	405,480	
CONOCO		14.9	251,736	
3. SOUTHEASTERN ELECTRIC RELIABILITY COUNCIL (SERC)				
FLORIDA				
FLORIDA KEYS ELEC COOP	12,271			12,271
BELCHER OIL(EXXON)		100.0	12,271	
FLORIDA P & L	3,569,246			4,390,500
EXXON		15.0	558,575	
BELCHER OIL(EXXON)		85.0	3,731,925	
FLORIDA POWER CORPORATION	1,976,300			1,976,300
EXXON		60.0	1,185,780	
AMERADA HESS CORP		40.0	790,520	
FORT PIERCE, CITY OF	33,000			33,000
NEW ENGLAND PETRO		100.0	33,000	
GAINESVILLE, CITY OF	32,980			32,980
EASTERN SEABOARD		100.0	32,980	
GULF POWER CO.	0			50,789
BAKER SERVICE(EXXON)		100.0	50,789	

	RECOMMENDED FED BURN	PCT	BY SUPPLIER (BARRELS)	TOTAL (BARRELS)
JACKSONVILLE ELEC. AUTH.	865,549			881,000
VEN FUEL INC		82.6	727,706	
CONOCO		17.4	153,294	
KEY WEST UTILITIES	57,599			75,000
STD.OIL-KY		100.0	75,000	
LAKE WORTH UTIL AUTHORITY	0			1,625
BELCHER OIL(EXXON)		100.0	1,525	
LAKELAND LIGHT & WTR DEPT	131,829			131,829
BELCHER(STD.OIL-KY)		100.0	131,829	
NEW SMYRNA BEACH	0			0
ORLANDO UTILITIES COMM.	310,000			310,000
NEW ENGLAND PETRO		100.0	310,000	
SEBRING UTILITIES COMM.	4,167			4,167
UNION OIL OF CA		100.0	4,167	
TALLAHASSEE, CITY OF	72,196			82,649
UNION OIL OF CA		100.0	82,649	
TAMPA ELECTRIC CO.	29,799			145,700
WESTERN (STD.OIL-KY)		100.0	145,700	
VERO BEACH MUNICIPAL POWER	23,156			23,156
BELCHER OIL(EXXON)		100.0	23,156	
GEORGIA				
GEORGIA POWER COMPANY	0			121,831
NEW ENGLAND PETRO		100.0	121,831	
SAVANNAH ELECTRIC & POWER CO	244,432			244,432
COLONIAL OIL(EXXON)		100.0	244,432	
MISSISSIPPI				
MISSISSIPPI POWER CO.	30,000			30,000
ERGON(INTL TRADING)		45.0	13,500	
BAKER SERVICE(EXXON)		55.0	16,500	
SOUTH MISSISSIPPI ELEC	88,682			88,682
SOUTHLND OIL		83.0	73,606	
AMERADA HESS CORP		17.0	15,076	
NORTH CAROLINA				
CAROLINA POWER & LT.	0			0
SOUTH CAROLINA				
S.CAROLINA ELEC & GAS CO	363,892			363,892
EXXON		100.0	363,892	
S.CAROLINA PUB SERV AUTH	0			0
VIRGINIA				
VIRGINIA ELECTRIC POWER	1,655,000			2,351,460
EXXON		68.6	1,613,102	
AMERADA HESS CORP		24.2	569,053	
AMOCO		7.2	169,305	

4. SOUTHWEST POWER POOL COORDINATION COUNCIL (SPP)

ARKANSAS				
ARKANSAS ELEC COOP	132,569			132,569
LOGICON INC (SHELL)		80.0	106,055	
E L BRIDE(TEXACO)		20.0	26,514	
JONESBORO WATER AND LIGHT PL	17,630			17,630
DELTA REFINING CO		83.0	14,633	
E L BRIDE(MIDLAND)		17.0	2,997	
COLORADO				
CI&U, S.COLO PWR DIV.	0			0
KANSAS				
CENTRAL KANSAS PWR	8,578			8,578
GR.PLS(CRA-FARMLAND)		100.0	8,578	

	RECOMMENDED FED BURN	PCT	BY SUPPLIER (BARRELS)	TOTAL (BARRELS)
CHANUTE,CITY OF	720			720
MID AMER.REFINING		100.0	720	
CLAY CENTER LT&WTR	0			0
COFFEYVILLE LT & PWR	0			0
CT&U, WESTERN PWR DIV	0			0
KANSAS GAS & ELEC	0			0
KANSAS POWER & LIGHT	33,300			33,300
PHILLIPS PETROLEUM		46.1	15,351	
GR.PLS		38.4	12,787	
NTL COOP REFINERY		15.5	5,162	
LARNED WTR & ELEC	132			132.
CARTER WTR		100.0	132	
MCPHERSON BD OF PUB UTIL	0			0
OTTAWA WTR & LT	930			1,243
CARTER WTR(AMOCO)		100.0	1,243	
LOUISIANA				
CENTRAL LOUISIANA ELECTRIC C	0			0
JONESBORO POWER & LIGHT	0			0
MIDDLE SOUTH SERVICES	1,638,176			1,638,176
MURPHY OIL CORP		30.0	491,453	
TAUBER OIL CO		20.5	335,826	
SHELL		21.3	348,931	
EXXON		12.9	211,325	
GULF		9.5	155,527	
ERGON INC (EXXON)		3.8	62,251	
E L BRIDE(OKC REF.)		1.7	27,849	
REESE OIL(SUN OIL)		.3	4,915	
SOUTHWESTERN ELECTRIC POWER	0			0
MISSISSIPPI				
CLARKSDALE WTR & LT	0			0
YAZOO CITY PUB SERV	0			0
MISSOURI				
EMPIRE DIST ELEC	0			0
ST JOSEPH LT & PWR	0			0
OKLAHOMA				
BLACKWELL WTR & LT	0			0
OKLAHOMA GAS & ELEC	0			0
WESTERN FARMERS ELEC COOP	0			0
TEXAS				
GULF STATES UTILITIES	192,490			192,490
COASTAL STATES MKTG		37.5	72,184	
TENNECO		16.1	30,991	
LAJET		4.0	7,700	
EXXON		20.1	38,690	
SOUTH HAMPTON CO		22.3	42,925	

5. ELECTRIC RELIABILITY COUNCIL OF TEXAS (ERCOT)

AUSTIN CITY ELEC DEPT	99,471			132,628
TESORO		100.0	132,628	
BRAZOS ELEC COOP	0			0
BRYAN, CITY OF	4,719			4,719
PETROLEUM T&T(3 RIVE		100.0	4,719	
DALLAS POWER &LT.	0			0
GARLAND,CITY OF	0			0

	RECOMMENDED FED BURN	PCT	BY SUPPLIER (BARRELS)	TOTAL (BARRELS)
HOUSTON LIGHT & PWR	327,000			666,820
AMERADA HESS CORP		100.0	666,820	
LOWER COLORADO RIVER AUTH	0			0
MEDINA ELEC COOP	0			0
SAN ANTONIO PUB SERV	504,885			693,000
TESORO		100.0	693,000	
TEXAS ELEC SERV	0			0
TEXAS PWR & LT	0			0
WEST TEXAS UTIL	107,106			107,106
PRIDE REFINING INC		100.0	107,106	

6. MID-AMERICA INTERPOOL NETWORK (MAIN)

ILLINOIS				
COMMONWEALTH EDISON CO.	470,000			600,000
ALLIED O.		98.0	588,000	
CLARK OIL&REF.CORP		2.0	12,000	
ILLINOIS POWER CO	41,000			41,000
ALLIED O.		100.0	41,000	
MISSOURI				
UNION ELECTRIC	18,400			18,400
APEX OIL CO		100.0	18,400	
WISCONSIN				
SUPERIOR WTR & LT	14,770			14,770
MURPHY OIL CORP		100.0	14,770	
WISCONSIN ELEC PWR	0			0

7. MID-CONTINENT AREA RELIABILITY COORDINATION AGREEMENT (MARCA)

IOWA				
ATLANTIC MUNICIPAL UTILITIES	0			0
INTERSTATE POWER	19,146			25,528
NORTHWESTERN REF		100.0	25,528	
LAMONI MUNIC	243			243
SID.OIL(IND)		100.0	243	
MINNESOTA				
AUSTIN UTILITIES	0			0
FAIRMONT WTR & LT	0			0
MARSHALL MUNICIPAL UTIL	0			0
MINNESOTA PWR & LT	17,900			17,900
MURPHY OIL		100.0	17,900	
NORTHERN STATES PWR	0			0
OWATONNA MUN UTIL	0			0
WORTHINGTON, CITY OF	0			0
NEBRASKA				
CENTRAL NEBRASKA PUBLIC	10,126			10,126
FARMLAND INDUSTRIES		100.0	10,126	
FAIRBURY LT & WTR	0			0
GRAND ISLAND ELEC	32,438			32,438
E L BRIDE		100.0	32,438	

	RECOMMENDED FED BURN	PCT	BY SUPPLIER (BARRELS)	TOTAL (BARRELS)
HASTINGS UTILITIES DEPT	9,287			9,287
CARTER WTR		100.0	9,287	
LINCOLN ELECTRIC SYSTEM	0			0
NEBRASKA PUBLIC POWER DISTRI	0			0
OMAHA PUB PWR DIST	0			0
WISCONSIN				
LAKE SUPERIOR DIST PWR	0			0

8. EAST CENTRAL AREA RELIABILITY COORDINATION AGREEMENT (ECAR)

MICHIGAN

CLINTON LT & WTR	710			710
CRYSTAL REFINING CO		100.0	710	
CONSUMERS POWER	201,464			201,464
CONSUMERS PWR-CRUDE		54.0	108,791	
LAKESIDE REFINING CO		14.0	28,205	
OSCEOLA REFINING CO		8.0	16,117	
TOTAL LEONARD INC		4.0	8,059	
MURPHY MI.DIV.AMOCO		6.0	12,088	
ENTERPRISE OIL CO		6.0	12,088	
BORON OIL(STANDARD)		3.0	6,044	
INDUST FUEL&ASPHALT		2.0	4,029	
RUPP OIL COMPANY		2.0	4,029	
GLADIEUX REF		1.0	2,015	
DETROIT EDISON CO.	774,242			774,242
SUN OIL LTD		70.0	541,969	
CANADIAN FUEL MKTRS		9.9	76,650	
ENTERPRISE OIL CO		4.8	37,164	
PETRO PRODUCTS		5.4	41,809	
MARATHON OIL		9.9	76,650	
GRAND HAVEN BD PUB	0			0
HILLSDALE BD OF PUB WORKS	2,006			2,006
LEWIS(GLADIEUX REF)		100.0	2,006	

	RECOMMENDED FED BURN	PCT	BY SUPPLIER (BARRELS)	TOTAL (BARRELS)
OHIO				
CLEVELAND ELEC ILLUMIN	128,639			128,639
ALLIED O.(ASHLAND)		100.0	128,639	
TOLEDO EDISON	16,140			16,140
SUN OIL		100.0	16,140	
PENNSYLVANIA				
ALLEGHENY POWER SERVICE	71,840			71,840
ALLIED O.(NEPCO)		100.0	71,840	

9. WESTERN SYSTEMS COORDINATING COUNCIL (WSCC)

ARIZONA

ARIZONA PUBLIC SERVICE CO.	391,948			391,948
UNION OIL OF CAL		63.0	246,927	
PACIFIC SOUTHWEST		16.5	64,671	
SAN JOAQUIN REF		16.5	64,671	
BASIN FUELS		4.0	15,678	
SALT RIVER PROJECT	247,843			247,843
TESORO		12.4	30,733	
DOUGLAS OIL CO		2.8	6,940	
GUSTAFSON OIL CO		.9	2,231	
MACMILLAN		17.0	42,133	
POWERINE OIL CO		18.1	44,860	
LITTLE AMERICA		19.7	48,825	
SAN JOAQUIN REF		29.1	72,122	
TUCSON GAS & ELEC	239,751			239,751
GOLDEN GATE PETRO		22.0	52,745	
NAVAJO REFINING		5.0	11,988	
TOSCO		43.0	103,093	
UNION OIL OF CA		25.0	59,938	
HOLLAND OIL(TOSCO)		5.0	11,988	

CALIFORNIA

BURBANK CITY PUBLIC SER.	66,600			66,600
CARSON(GOLD.EAGLE)		100.0	66,600	

	RECOMMENDED FED BURN	PCT	BY SUPPLIER (BARRELS)	TOTAL (BARRELS)
GLENDALE PUBLIC SERVICES	85,810			85,810
POWERINE OIL CO		100.0	85,810	
IMPERIAL IRRIGATION DISTR	0			0
LOS ANGELES DEPT OF WATER &	1,461,000			1,461,000
ARCO		59.8	873,678	
EDGINGTON OIL CO		20.9	305,349	
PETROBAY		7.6	111,036	
NEWHALL REFINING CO		5.0	73,050	
SAN JOAQUIN REF		3.5	51,135	
POWERINE OIL CO		3.2	46,752	
PACIFIC GAS & ELECTRIC CO	919,421			919,421
ARCO		59.8	549,814	
UNION OIL OF CA		4.0	36,777	
PHILLIPS PETROLEUM		20.1	184,804	
PERTA OIL		16.1	148,027	
PASADENA POWER CO.	78,285			78,285
GOLD EAGLE		100.0	78,285	
SAN DIEGO GAS & ELECTRIC CO.	705,192			705,192
UNION OIL OF CA		29.8	210,147	
HIRI		16.2	114,241	
EDGINGTON OIL CO		21.3	150,206	
TESORO		32.7	230,598	
SOUTHERN CALIF EDISON	4,247,678			4,247,678
STD.OIL-CAL		50.1	2,128,087	
TEXACO		9.7	412,025	
ARCO		7.8	331,319	
EXXON		20.4	866,526	
PACIFIC RESOURCES		6.8	288,842	
MACMILLAN R.F.OIL		3.0	127,430	
CONOCO		2.2	93,449	
COLORADO				
COLORADO SPRINGS LT & PWR	0			0
LAMAR LT & PWR	0			0
PUB SERV COLORADO	29,000			39,213
PLATEAU INC		100.0	39,213	
MONTANA				
MONTANA POWER	0			0
NEVADA				
NEVADA POWER COMPANY	2,773			2,773
GUSTAFSON OIL CO		54.0	1,497	
HUSKY OIL COMPANY		46.0	1,276	
SIERRA PACIFIC POWER	6,166			6,166
GOLDEN GATE PETRO		100.0	6,166	
NEW MEXICO				
PLAINS ELEC GEN & TRANSM	0			0
PUB SERV NEW MEXICO	0			0
OREGON				
PACIFIC POWER & LIGHT CO	0			0
TEXAS				
COMMUNITY PUB SERV	2,849			2,849
STD.OIL-TEXAS		100.0	2,849	
EL PASO ELECTRIC	73,000			97,080
SOUTHERN UNION		74.5	72,325	
TESORO		25.5	24,755	

	RECOMMENDED FEO BURN	PCT	BY SUPPLIER (BARRELS)	TOTAL (BARRELS)
UTAH				
UTAH POWER &LIGHT CO.	0			0
WASHINGTON				
PUGET SOUND POWER &LIGHT CO.	0			0
SEATTLE DEPT OF LI	0			0
TACOMA DEPT OF PUBLIC UTILIT	0			0
10. ASCC				
ALASKA				
CORDOVA, TOWN OF	0			0
HAWAII				
HAWAIIAN ELECTRIC COMPANY	707,719			707,719
STD.OIL-CA		100.0	707,719	
HILO ELEC LT	25,740			25,740
STD.OIL-CA		100.0	25,740	
KAUAI ELECTRIC	10,271			10,271
STD.OIL--CA		100.0	10,271	
MAUI ELECTRIC	40,733			40,733
STD.OIL-CA		100.0	40,733	
11. NOT OTHERWISE CLASSIFIED				
UNK				
GUAM PWR AUTH	93,641			93,641
U.S.NAVY		100.0	93,641	
PUERTO RICO WATER RESOURCES	1,908,290			1,908,290
COMMONWEALTH OIL		50.0	954,145	
PUERTO RICO SUN OIL		30.0	572,487	
CARIBBEAN GULF REF		20.0	381,658	
ST CROIX, V.I. WTR PWR	47,027			47,027
AMERADA HESS CORP		100.0	47,027	
ST THOMAS, V.I. WTR PWR	32,857			32,857
AMERADA HESS CORP		100.0	32,857	