federal register

TUESDAY, JULY 30, 1974

WASHINGTON, D.C.

Volume 39 ■ Number 147

Pages 27547–27635

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.

(Continued inside)

July 30, 1974—Pages 27547–27635

reminders

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

federal register

Area Code 202 Phone 523-5240

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

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

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

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

contents

(Continued on next page)

list of cfr parts affected

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

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

7 CFR

611 27553
910 27553
925 27553
948 27554
1886 27555

PROPOSED RULES:

1068 27580

8 CFR

212 (2 documents) 27555
238 27555
299 27555
499 27556

PROPOSED RULES:

252 27580

13 CFR

PROPOSED RULES:

113 27591

17 CFR

231 27556
241 27556
249 27556
251 27556

29 CFR

PROPOSED RULES:

Ch. V 27592

30 CFR

75 27557
100 27558

43 CFR

PUBLIC LAND ORDERS:

5427 27561

47 CFR

1 (2 documents) 27562, 27565
73 27566
76 27572

PROPOSED RULES:

97 27590

49 CFR

173 27572
179 27572
1033 (2 documents) 27574, 27575

PROPOSED RULES:

192 27589
195 27589
571 27585

50 CFR

20 27575

rules and regulations

Title 7—Agriculture

CHAPTER VI—SOIL CONSERVATION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—CONSERVATION OPERATIONS

PART 611—SOIL SURVEYS

Reproduction and Distribution of Soil Survey Information

Notice is hereby given that published soil surveys are no longer sold by the Superintendent of Documents, U.S. Government Printing Office, therefor the CFR is amended accordingly.

Paragraph (a), (5) of § 611.11 is revised to read as follows:

§ 611.11 Reproduction and distribution of soil survey information.

(a) * * *

(5) Published soil surveys may be obtained without charge if available, from SCS field and state offices, and from respective members of the United States Senate and House of Representatives. Land grant universities also may have copies. When the supply is exhausted, reference copies generally are available from libraries or on inter-library loan.

* * * * *

Dated: July 23, 1974.

WILLIAM B. DAVEY,
Acting Administrator.

[FR Doc.74-17319 Filed 7-29-74;8:45 am]

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

[Lemon Reg. 648, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation increases the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period July 21–27, 1974. The quantity that may be shipped is increased due to improved market conditions for California-Arizona lemons. The regulation and this amendment are issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910.

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

(2) The need for an increase in the quantity of lemons available for handling during the current week results from changes that have taken place in the marketing situation since the issuance of Lemon Regulation 648 (39 FR 26405). The marketing picture now indicates that there is a greater demand for lemons than existed when the regulation was made effective. Therefore, in order to provide an opportunity for handlers to handle a sufficient volume of lemons to fill the current market demand thereby making a greater quantity of lemons available to meet such increased demand, the regulation should be amended, as hereinafter set forth.

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

(b) *Order, as amended.* Paragraph (b)(1) of § 910.948 (Lemon Regulation 648 (39 FR 26405)) is hereby amended to read as follows: "The quantity of lemons grown in California and Arizona which may be handled during the period July 21, 1974, through July 27, 1974, is hereby fixed at 300,000 cartons."

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

Dated: July 24, 1974.

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

[FR Doc.74-17318 Filed 7-29-74;8:45 am]

[Prune Reg. 11]

PART 925—FRESH PRUNES GROWN IN DESIGNATED COUNTIES IN IDAHO AND IN MALHEUR COUNTY, OREGON

Termination

This document terminates the grade, size, and container requirements on the handling of fresh prunes grown in designated counties in Idaho and in Malheur County, Oregon on August 1, 1974.

At its meeting on July 16, 1974, the Idaho-Malheur County, Oregon Fresh Prune Marketing Committee estimated the prune crop at 300 to 350 carloads, about one-third of a normal crop. After consideration of the factors enumerated in § 925.50 of the order—Order No. 925 regulating the handling of fresh prunes grown in designated counties in Idaho and in Malheur County, Oregon, issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended—it unanimously recommended that no regulations be in effect for the 1974–75 season. The committee cited the small crop and the need to market all available prunes of acceptable quality as considerations in arriving at its decision to recommend no regulations for the season.

After consideration of the recommendation of the committee and other available information, it is hereby found that regulation of the 1974–75 prune crop is not necessary in order to effectuate the declared policy of the act. Since Prune Regulation 11 (38 FR 20842) issued July 31, 1973, unless terminated, will continue in effect until August 31, 1974, and all shipments of prunes would be subject to the requirements set forth therein. To provide that no regulation be in effect, such regulation should be terminated.

It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure and postpone the effective date of termination until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that, as herein set forth, the time intervening between the date when information upon which this action is based became available and the time when this termination action must become effective in order to effectuate the declared policy of the act is insufficient, and this action relieves the restrictions on the handling of fresh prunes grown in designated counties in Idaho and in Malheur County, Oregon on August 1, 1974.

On the basis of the foregoing, Prune Regulation 11 (38 FR 20842) is hereby terminated effective August 1, 1974.

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

Dated: July 25, 1974.

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

[FR Doc.74–17348 Filed 7–29–74;8:45 am]

PART 948—IRISH POTATOES GROWN IN COLORADO

Limitations of Handling

This regulation, designed to promote orderly marketing of Colorado Area No. 3 potatoes, imposes minimum quality standards and requires inspection of fresh shipments to keep low quality potatoes from being shipped to consumers.

Notice of rule making with respect to a proposed handling regulation to be made effective under Marketing Agreement No. 97 and Order No. 948, both as amended (7 CFR Part 948), regulating the handling of Irish potatoes grown in Colorado, Area No. 3, was published in the FEDERAL REGISTER June 26, 1974 (39 FR 23062). This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.). Interested persons were afforded an opportunity to file written data, views, or arguments pertaining thereto through July 19, 1974.

Mrs. Teresa Bannigan of Manasquan, New Jersey, filed comments concerning the use of the term "Irish" in designating the commodity regulated, and the prices and quality of potatoes available on the fresh market during 1973–74. She also objected to the proposed exemption from regulation of potatoes going to charity because she believed such potatoes should be high in quality.

The term "Irish" has been associated for many years with potatoes, the dicotyledonous annual "Solanum tuberosum" which originated in the western hemisphere. The term describes the type of product rather than the origin of the seed.

Because of reduced total supplies, potato prices were high during the 1973–74 season, and nearly all saleable potatoes were marketed. However, in those areas where marketing order regulations were in effect, the lower qualities were withheld from commercial fresh market shipment.

The objective of exempting potatoes for charity from regulation is to facilitate distribution to such outlets by reducing handling costs associated with grading, packaging, and inspection.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice which was recommended by the Colorado Area No. 3 Potato Committee, established pursuant to said marketing agreement and order, it is hereby found that the handling regulation, as hereinafter set forth, will tend to effectuate the declared policy of the act.

The recommendations of the committee reflect its appraisal of the composition of the 1974 crop of Colorado potatoes and of the marketing prospects for this season. The grade, size, cleanliness and maturity requirements provided herein, which were the same as those in effect (38 FR 20235, 21995) through June 30, 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 requiremens to recognize special situations in which such requirements would be inappropriate or unreasonable.

Potatoes for prepeeling may be handled without regard to maturity requirements since skinning of such potatoes is of no consequence.

Shipments may be made to certain special purpose outlets without regard to the grade, size, maturity and inspection requirements, provided that safeguards are met to prevent such potatoes from reaching unauthorized outlets. Certified 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. 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.

It is hereby further found that good cause exists for not postponing the effective date of this section until 30 days after its publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of potatoes grown in the production area will begin on or about the effective date specified herein, (2) to maximize benefits to producers, this regulation should apply to as many shipments as possible during the marketing season, (3) information regarding the provisions of this regulation, which are similar to those which were in effect during the previous marketing season, has been made available to producers and handlers in the production area, and (4) compliance with this regulation will not require any special preparation on the part of persons subject thereto which cannot be completed by such effective date.

§ 948.371 Handling regulation.

During the period August 1, 1974, through June 30, 1975, no person shall handle any lot of potatoes grown in Area No. 3 unless such potatoes meet the requirements of paragraphs (a), (b) and (c) of this section, or unless such potatoes are handled in accordance with paragraphs (d), (e), or (f) of this section.

(a) *Grade and size requirements—All varieties.* U.S. No. 2, or better grade 1⅞ inches minimum diameter or 4 ounces minimum weight, except Size B may be handled if U.S. No. 1, or better grade.

(b) *Maturity (skinning) requirements—All varieties.* For U.S. No. 2 grade, not more than "moderately skinned," and for all other grades, not more than "slightly skinned."

(c) *Inspection.* (1) No handler shall handle any potatoes for which inspection is required unless an appropriate inspection certificate has been issued with respect thereto and the certificate is valid at the time of shipment. For purpose of operation under this part it is hereby determined pursuant to paragraph (d) of § 948.40, that each inspection certificate shall be valid for a period not to exceed 5 days following the date of insepection as shown on the inspection certificate.

(2) No handler may transport or cause the transportation by motor vehicle of any shipment of potatoes for which an inspection certificate is required unless each shipment is accompanied by a copy of the inspection certificate applicable thereto and the copy is made available for examination at any time upon request.

(d) *Special purpose shipments.* (1) The grade, size, maturity and inspection requirements of paragraphs (a), (b) and (c) of this section shall not be applicable to shipments of potatoes for:

(i) Livestock feed;

(ii) Charity;

(iii) Canning, freezing, and "other processing" as hereinafter defined; and

(iv) Certified seed potatoes (§ 948.6)

(2) The maturity requirements set forth in paragraph (b) of this section shall not be applicable to shipments of potatoes for prepeeling.

(e) *Safeguards.* Each handler making shipments of potatoes pursuant to paragraph (d) of this section shall,

(1) Prior to shipment, apply for and obtain a Certificate of Privilege from the committee.

(2) Furnish the committee such reports and documents as required, including certification by the buyer or receiver on the use of such potatoes, and

(3) Bill each shipment directly to the applicable buyer or receiver.

(f) *Minimum quantity.* For purposes of regulation under this part, each person may handle up to but not to exceed 1,000 pounds of potatoes per day without regard to the requirements of paragraphs (a) and (b) of this section, but this exception shall not apply to any shipment over 1,000 pounds of potatoes.

(g) *Definitions.* The terms "U.S. No. 1," "U.S. No. 2," "Size B," "moderately skinned" and "slightly 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, as amended, effective September 1, 1971) including the tolerances set forth therein. The term "prepeeling" means potatoes which are clean, sound, fresh tubers prepared commercially in a 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, §§ 52.2421–52.2433 of this title). The term "other processing" has the same meaning as the term appearing in the act and includes, but it is not restricted to, potatoes for dehydration, chips, shoestrings, starch, and flour. It includes only that preparation of potatoes for market which involves the application of heat or cold to such an extent that the natural form or stability of the commodity undergoes a substantial change. The act of peeling, cooling, slicing, or dicing, or the application of material to prevent oxidation does not constitute "other processing."

(h) *Applicability to imports.* Pursuant to § 8e of the act and § 980.1, "Import regulations" (7 CFR 980.1), round white varieties of Irish potatoes, except certified seed potatoes, imported into the United States during the period August 1, 1974, through June 4, 1975, shall meet the minimum grade, size, quality, and maturity requirements specified in paragraphs (a) and (b) of this section.

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

Dated July 24, 1974, to become effective August 1, 1974.

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

[FR Doc.74–17321 Filed 7–29–74;8:45 am]

CHAPTER XVIII—FARMERS HOME ADMINISTRATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER G—MISCELLANEOUS REGULATIONS

[FmHA Instruction 481.1 and AL–635 (481)]

PART 1886—DISPOSAL OF RESERVED MINERAL INTERESTS

Subpart A—Sales

DELETION

Part 1886, Subpart A, Title 7, Code of Federal Regulations (31 FR 14242), is deleted from the Code of Federal Regulations. This deletion is made for the reason that disposition has been made of all reserved mineral interests covered by the regulations. Inasmuch as the regulation no longer has any application, notice of this deletion and public procedure thereon are unnecessary.

Effective date. This deletion is effective on July 30, 1974.

(40 U.S.C. 442, 7 U.S.C. 1038; delegation of authority by Sec. of Agri., 7 CFR 2.23, delegation of authority by the Asst. Sec. for Rural Development, 7 CFR 2.70.)

Dated: July 12, 1974.

F. W. NAYLOR Jr.,
Acting Administrator, Farmers Home Administration.

[FR Doc.74–17325 Filed 7–29–74;8:45 am]

Title 8—Aliens and Nationality

CHAPTER I—IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE

[File No. CO 845–P]

PART 212—DOCUMENTARY REQUIREMENTS: NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

Nonimmigrant Documentary Waiver

Correction

In FR Doc. 74–16942, appearing at page 26895, on the issue of Wednesday, July 24, 1974, at the top of the third column, change the effective date to read "August 3, 1974."

Miscellaneous Amendments to Chapter

Pursuant to section 552 of Title 5 of the United States Code (80 Stat. 383) and the authority contained in section 103 of the Immigration and Nationality Act (66 Stat. 173; 8 U.S.C. 1103), 28 CFR 0.105 (b) and 8 CFR 2.1, miscellaneous amendments, as set forth herein, are prescribed in Parts 212, 238, 299, and 499 of Chapter I of Title 8 of the Code of Federal Regulations.

In conformity with existing State Department regulation, 22 CFR 41.5(f), and pursuant to the bilateral treaty between the United States and Mexico regarding the functions of the International Boundary and Water Commission, in Part 212, § 212.1 is amended to provide for a waiver or nonimmigrant visa and passport requirements for aliens entering the United States temporarily in conjunction with employment pursuant to that treaty.

Pursuant to sections 103 and 238(b) of the Immigration and Nationality Act, an agreement for preinspection at Bermuda of flights of United Air Lines destined to the United States has been entered into between United Air Lines and the Commissioner of Immigration and Naturalization. Similar agreements have been entered into for preinspection at Nassau of flights of Mackey International Airlines destined to the United States and for preinspection at Toronto, Canada, of flights of McCulloch International Airlines destined to the United States. Therefore, in Part 238, § 238.4 is amended by adding the specified airlines to the listing of transportation lines which have entered into agreements for the preinspection of their passengers and crews at places outside the United States.

A number of immigration forms and a nationality form listed in Parts 299 and 499, respectively, have been reissued and now reflect more recent edition dates. Accordingly, §§ 299.1 and 499.1 are amended to reflect the current edition dates of the specified forms.

In the light of the foregoing, the following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

PART 212—DOCUMENTARY REQUIREMENTS: NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

In § 212.1, a new paragraph (c–1) is added to read as follows:

§ 212.1 Documentary requirements for nonimmigrants.

* * * * *

(c–1) *Aliens entering pursuant to International Boundary and Water Commission Treaty.* A visa and a passport are not required of an alien employed either directly or indirectly on the construction, operaiton, or maintenance of works in the United States undertaken in accordance with the treaty concluded on February 3, 1944, between the United States and Mexico regarding the functions of the International Boundary and Water Commission, and entering the United States temporarily in connection with such employment.

* * * * *

PART 238—CONTRACTS WITH TRANSPORTATION LINES

§ 238.4 [Amended]

In § 238.4 *Preinspection outside the United States,* the listing of transportation lines under "At Bermuda" is amended by adding thereto in alphabetical sequence "United Air Lines"; the listing of transportation lines under "At Nassau" is amended by adding thereto in alphabetical sequence "Mackey International Airlines"; and the listing of transportation lines under "At Toronto" is amended by adding thereto in alphabetical sequence "McCulloch International Airlines".

PART 299—IMMIGRATION FORMS

In § 299.1 the listing of forms is amended to reflect the current edition dates of the following forms:

§ 299.1 Prescribed forms.

Form No., title and description

* * * * *

AR–11 (6–1–74) Alien's Change of Address Card.

* * * * *

I–90 (12–1–73) Application by Lawful Permanent Resident Alien for Alien Registration Receipt Card, Form I–151.

* * * * *

I–129F (12–1–73) Petition to Classify Status of Alien Fiance or Fiancee for Issuance of Nonimmigrant Visa.

I–130 (2–1–74) Petition to Classify Status of Alien Relative for Issuance of Immigrant Visa.

I–131 (3–1–74) Application for Issuance or Extension of Permit to Reenter the United States.

* * * * *

I–171C (2–1–74) Notice of Approval of Nonimmigrant Visa Petition or of Extension of Stay of H or L Alien.

* * * * *

I–181 (5–1–74) Memorandum of Creation of Record of Lawful Permanent Residence.

* * * * *

I–286 (6–1–74) Notification to Alien of Conditions of Release or Detention.

* * * * *

I–323 (8–1–74) Notice—Immigration Bond Breached.

* * * * *

I–351 (6–1–74) Bond riders.
I–352 (12–1–73) Immigration Bond.

* * * * *

I–506 (4–1–74) Application for Change of Nonimmigrant Status.

* * * * *

I–539 (10–1–73) Application to Extend Time of Temporary Stay.

* * * * *

I–600 (4–1–74) Petition to Classify Orphan as an Immediate Relative.

* * * * *

N–585 (7–1–74) Application for a Search of the Records of the Immigration and Naturalization Service.

* * * * *

PART 499—NATIONALITY FORMS

In § 449.1 the listing of forms is amended to reflect the current edition date of Form N–585 as follows:

§ 499.1 Prescribed forms.

Form No., title and description.

* * * * *

N–585 (7–1–74) Application for a Search of the Records of the Immigration and Naturalization Service.

* * * * *

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

Compliance with the provisions of section 553 of Title 5 of the United States Code (80 Stat. 383) as to notice of proposed rule making and delayed effective date is unnecessary in this instance and would serve no useful purpose because the amendment to § 212.1 confers benefits on the persons affected thereby and conforms Service regulations to existing regulations of the Department of State; the amendments to § 238.4 add transportation lines to the listings; and the amendments to §§ 299.1 and 499.1 are editorial in nature.

Effective date. This order shall become effective on July 30, 1974.

Dated: July 24, 1974.

JAMES F. GREENE,
Acting Commissioner of Immigration and Naturalization.

[FR Doc.74–17296 Filed 7–29–74;8:45 am]

Title 17—Commodity and Securities Exchanges

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release Nos. 33–5504, 34–10857, 35–18640]

PART 231—INTERPRETATIVE RELEASE RELATING TO THE SECURITIES ACT OF 1933 AND GENERAL RULES AND REGULATIONS THEREUNDER

PART 241—INTERPRETATIVE RELEASE RELATING TO THE SECURITIES EXCHANGE ACT OF 1934 AND GENERAL RULES AND REGULATIONS THEREUNDER

PART 251—INTERPRETATIVE RELEASE RELATING TO THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935 AND GENERAL RULES AND REGULATIONS THEREUNDER

Natural Gas Reserve Estimates

In the interest of informing registrants and the investing public and obtaining their views, the Securities and Exchange Commission has issued this release describing certain practices followed by its Division of Corporation Finance in processing filings under the Securities Act of 1933 (Securities Act) and the Securities Exchange Act of 1934 (Exchange Act).

Certain forms adopted by the Commission for registration of securities under the Securities Act and the Exchange Act require information as to natural gas reserve estimates as well as other types of hydrocarbon reserve estimates where material in describing registrant's operations or properties.[1] Where the registrant is also subject to the jurisdiction of the Federal Power Commission (FPC), it may be required to report natural gas reserve estimates to the FPC on that agency's Form 15 in accordance with its rules and definitions. The Securities and Exchange Commission and the FPC may require natural gas reserve estimates on different bases and for different purposes. Accordingly, the natural gas reserve estimates reported on Form 15 may differ from those reflected in filings with the Commission pursuant to the Federal securities laws. In order to provide assurance that such differences do not result in inadequate disclosure in filings pursuant to the Federal securities laws, the Division of Corporation Finance has adopted two practices in connection with processing such filings by registrants subject to the jurisdiction of the Federal Power Commission.

First, in commenting on such filings, the Division of Corporation Finance will request that the registrant provide, in filings made pursuant to the securities laws, an explanation of the differences between the natural gas reserve estimates contained in such filings and any such estimates reported to the FPC or reported to any other regulatory authority within one year prior to such filing.

Second, the Division has had a long established procedure of submitting copies of prospectuses filed by registrants subject to the jurisdiction of the FPC to that agency for any comments it may desire to make. The Division will continue to follow this practice in processing registration statements containing natural gas reserve estimates. In this connection, where such prospectuses have or will be submitted to the FPC, the Division has recently instituted a practice of inviting appropriate technical personnel from the staff of FPC, designated by that agency, to attend conferences where supplemental natural gas reserve information is submitted to the Division in connection with its review of the natural gas reserve estimates in the prospectus. However, where good cause is shown, exceptional circumstances may exist which would make it inappropriate to follow this practice. In such exceptional circumstances, the practices followed by the Division would depend on the particular facts and suitable alternatives will be sought.

While the Division will continue to follow the practices unless otherwise authorized by the Commission, the Division would welcome comments on them from interested persons. Any such comments should be submitted in writing to Ralph C. Hocker, Associate Director, Division of Corporation Finance, SEC, Washington, D.C. 20549.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

JUNE 14, 1974.

[FR Doc.74–17310 Filed 7–29–74;8:45 am]

[1] Form S–1 (17 CFR 239.11), Item 10, Description of Property, Instruction 2; Form S–7 (17 CFR 239.26), Item 5(a), Business; Form S–11 (17 CFR 239.18), Item 19, Recoverable Gas in Tract and Form 10 (17 CFR 249.210), Item 3, Properties, Instruction 2. See also Guides for Preparation and Filing of Registration Statements, Guide 28, Extractive Reserves, as amended, Securities Act Release No. 5511.

[Release Nos. 33–5488, 34–10754, 35–18392, AS–155]

PART 249—FORMS PRESCRIBED UNDER THE SECURITIES EXCHANGE ACT OF 1934

Instructions to Financial Statements, Summaries of Operations and Exhibits; Correction

Certain errors appeared in Release Nos. 33–5488, 34–10754, 35–18392 and AS–155 that were published in the FEDERAL REGISTER for Wednesday, May 22,

1974 which should be corrected as follows:

I. The section reading 249.10 in the heading and introductory paragraph in the first column at 39 FR 17939 should read § 249.210.

II. The section reading 249.12 in the heading and introductory paragraph in the first column at 39 FR 17941 should read § 249.212.

For the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

JULY 23, 1974.

[FR Doc.74-17309 Filed 7-29-74;8:45 am]

Title 30—Mineral Resources

CHAPTER I—MINING ENFORCEMENT AND SAFETY ADMINISTRATION, DEPARTMENT OF THE INTERIOR

SUBCHAPTER O—COAL MINE HEALTH AND SAFETY

PART 75—MANDATORY SAFETY STANDARDS—UNDERGROUND COAL MINES

Schedule of Time for Installation of Deenergization Devices on Self-Propelled Electric Face Equipment

On February 6, 1973, there was published in the FEDERAL REGISTER (38 FR 3406) mandatory safety standards pertaining to (1) the installation and performance requirements for deenergization devices that would deenergize self-propelled electric face equipment in the event of an emergency, and (2) the installation and performance requirements for automatic emergency brakes on rubber-tired, self-propelled electric face equipment. The mandatory safety standards were made effective on March 1, 1973.

Section 75.523–1 provided a schedule of time for the installation of such deenergization devices as follows:

(1) On and after December 31, 1973, for self-propelled cutting machines, shuttle cars, battery-powered machines, and roof drills and bolters; and

(2) On and after March 31, 1974, for all other types of self-propelled electric face equipment.

Section 75.523–3 provided the same schedule of time periods for the installation of automatic emergency brakes on the same rubber-tired, self-propelled electric face equipment.

Subsequent to the effective date of the standards on March 1, 1973, equipment manufacturers and Mining Enforcement and Safety Administration technicians encountered difficulties in developing performance specifications and guidelines for the manufacture and installation of deenergization devices and automatic brakes and such specifications and guidelines were only developed a short time prior to the date of December 31, 1973.

On December 19, 1973, there was published in the FEDERAL REGISTER (38 FR 34810) a notice indefinitely suspending and postponing the dates of December 31, 1973, and March 31, 1974, for the installation of deenergization devices and automatic brakes. Notice was further given that a meeting and conference would be held on Tuesday, January 29, 1974, commencing at 10:00 a.m. in the Dickerson Hall Auditorium, Bluefield State College, Bluefield, West Virginia, for the purpose of acquiring information and data with respect to the time needed to acquire, manufacture, and install deenergization devices and automatic emergency brakes upon self-propelled electric face equipment. Written and verbal information and data were submitted to MESA by equipment manufacturers, suppliers, operators, representatives of miners, and other interested persons in response to the request. The notice also provided that after evaluation of the information and data received new dates for compliance with the provisions of §§ 75.523–1 through 75.523–3 would be established and published in the FEDERAL REGISTER.

In response to the advice, comments, and suggestions of equipment manufacturers and operators which were made to MESA that §§ 75.523–1 through 75.523–3 did not contain sufficient technical data and specifications to allow the design and installation of suitable deenergization devices on self-propelled mining machines, MESA has developed a technical paper entitled "Guidelines for the Design and Installation of Devices for Deenergization of Self-propelled Electric Face Equipment" which does contain the required technical data, and which can be used by mine operators as a guide and aid for the installation of such devices. Devices that are identical to those depicted by the drawings and illustrations contained in the technical paper will be considered to be in compliance with the requirements of §§ 75.523–1 and 75.523–2. If an operator desires to install a deenergization device of a configuration different than those depicted in the technical paper, or if technical assistance is needed, the operator should contact MESA and request an examination of the device to assure compliance. MESA electrical engineers and electrical inspectors will provide technical assistance upon request by mine operators. Although an approval plate or label will not be issued by MESA, nor will such a plate or label be required, operators will be advised in writing of the acceptability and determination by MESA of compliance with the standards. The information and data which is available to MESA indicates that deenergization devices ("panic bars") may be designed and installed so as to comply with the mandatory standards without encountering design difficulties or difficulty in obtaining supplies, materials, or persons to install such devices.

Equipment manufacturers may have "panic bar" designs for new equipment evaluated by MESA prior to delivery to a customer. To obtain such evaluation, the manufacturer shall furnish to Mining Enforcement and Safety Administration, Approval and Testing, Pittsburgh Technical Support Center, 4800 Forbes Avenue, Pittsburgh, Pennsylvania 15213, drawings or specifications that depict or describe the panic bar installation, including the equipment type and model for which the panic bar is designed, and the relationship of the panic bar to the operator's position, operating range of the panic bar, the location of the bar, the distance through which the bar moves before deenergization occurs and the force required to operate the bar.

Approval and Testing, Pittsburgh Technical Support Center, will evaluate the data and designs provided and notify the manufacturer if tests or additional information is required. If the installed device meets the requirements of §§ 75.523–1 and 75.523–2 the equipment manufacturer will receive a letter to that effect. A copy of the letter should be provided by the manufacturer to each purchaser of a machine equipped with the evaluated device. No approval plate or label will be issued by MESA, nor will such a plate or label be required.

In conjunction with the publication of this notice in the FEDERAL REGISTER, the Mining Enforcement and Safety Administration will mail to each operator and equipment manufacturer a copy of this notice, and a copy of the technical paper entitled "Guidelines for the Design and Installation of Devices for Deenergization of Self-Propelled Electric Face Equipment." The letter will provide further details and procedures for obtaining approval of deenergization devices.

Information and data presented at the meeting held on January 29, 1974, at Bluefield, West Virginia, discloses that § 75.523–3 does not contain sufficient technical data to permit the development of specifications and design criteria for automatic brakes, does not adequately specify stopping criteria, and that difficulty will be encountered in retrofitting older equipment with automatic brakes within the same period of time as might be accomplished for new equipment. It has therefore been determined to further suspend and postpone the dates specified in § 75.523–3 for the installation of automatic brakes and to propose amendments and revisions to that section which will more adequately provide specifications and design criteria for automatic brakes, stopping capacity, and time periods for retrofitting older equipment.

From information and data available to the Mining Enforcement and Safety Administration it is determined that the installation of deenergization devices ("panic bars") can be installed without difficulty within approximately four months on self-propelled cutting machines, shuttle cars, battery-powered machines, and roof drills and bolters as required by § 75.523–1(a)(1), and within approximately six months for all other types of self-propelled electric face equipment as required by § 75.523–1(a)(2).

Therefore, new dates for the installation of deenergization devices are established, which shall be effective on July 30, 1974, as follows:

1. In lieu of the date of December 31, 1973, stated in § 75.523–1(a)(1) the date of December 15, 1974, is established for

compliance with the provisions of §§ 75.-523–1 and 75.523–2.

2. In lieu of the date of March 31, 1974, stated in § 75.523–1(a)(2) the date of February 15, 1975, is established for compliance with the provisions of §§ 75.-523–1 and 75.523–2.

Pending the development of proposed revisions and amendments to § 75.523–3 the dates specified in §§ 75.523–3(a) (1) and (2) are indefinitely suspended until further notice.

Dated: July 25, 1974.

C. K. MALLORY,
Deputy Assistant Secretary of the Interior.

[FR Doc.74–17327 Filed 7–29–74;8:45 am]

PART 100—CIVIL PENALTIES FOR VIOLATION OF THE FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969

Revision and Reinstatement of Procedures for Informal Assessment

There was published in the FEDERAL REGISTER on May 8, 1974 (39 FR 16145–16151) proposed procedures for informal assessment of civil penalties for violations of the Federal Coal Mine Health and Safety Act of 1969. These proposed regulations were preparatory to reinstatement of the informal assessment program contained in Title 30, Code of Federal Regulations, Part 100, which had been suspended on April 24, 1973 (38 FR 10085). This suspension was in effect pending appeal of a decision and order of the United States District Court for the District of Columbia in "National Independent Coal Operators Association, et al. v. Rogers C. B. Morton, Secretary of the Interior, et al.," Civil Action No. 397–72 in which the District Court had declared unlawful the procedures set forth in 30 CFR Part 100. On February 11, 1974, the U.S. Court of Appeals for the District of Columbia Circuit reversed the District Court and upheld the validity of the Department's civil penalties procedures.

Interested persons were given 45 days in which to participate in the rulemaking process through submission of written comments, suggestions or objections. Comments were received from 12 operators, coal operator associations legal representatives of operators, and the United Mine Workers of America. These comments have been received and studied and appropriate changes as explained below have been made. The Department expresses its sincere appreciation to those who took the time and care to read and study the proposal and offer their views.

The Bituminous Coal Operators Association as well as several other commenters expressed a strong desire that the regulations permit the opertors to submit information prior to the receipt of the order of assessment. After careful consideration of this comment, the Department has decided to provide an opportunity for an operator to submit data concerning a violation within 15 days of its receipt by the operator.

Bethlehem Mines and the Old Ben Company made the comment that only one penalty conversion table should be used for all operators. The Department considered this to be a valid point as the lower penalty conversion tables did not reach a $10,000 maximum. Accordingly, a new penalty conversion table has been substituted for the five tables proposed. This new table, although adapted from Table 1, is somewhat different because it must be taken into account that the table will be applied to large and small operators alike and in addition that points will be added for size rather than deducting a negative percentage as was the case under the proposal. Accordingly, the Department has created a new schedule 100.3(b)(1) for size of the mine which has a possible total of 10 points.

This change conforms with a comment made by the United Mine Workers that approves the addition formula in general, but suggested that the fines are too low. By elimination of the low tables, violations rated at equal penalty points will be assessed the same amount regardless of size.

Reavis, Pogue, Neal and Rose, a law firm representing several coal companies, Ziegler Coal Company, Peabody Coal Company and several other operators felt that the formula was weighted too heavily on the side of gravity and negligence and further required too much of a subjective evaluation of these criteria. In response to the first comment, the Department has reduced the maximum penalty points for gravity and negligence by 10 and 5 points, respectively. As to the subjective evaluation objection, the Department believes that this is an inherent part of the evaluation of negligence and gravity. The Assessment Office will attempt to be as uniform as possible in evaluating similar violations, however, each violation must be graded on its individual facts and in assessing gravity, one must consider the likely consequences of the violations. To reduce the subjectivity of gravity the categories within each subdivision have been reduced and the point assignment has been modified to a fixed number rather than a range.

The majority of the comments recommended that additional points should be provided for rapid compliance after abatement of a violation. Accordingly, the Department has expanded the possible negative points in this criteria to minus 10. In addition normal compliance will receive no penalty points rather than the additional 5 points which had been originally proposed.

The Central Pennsylvania Coal Producers Association as well as several other coal operators requested that the 20-day time limits be expanded to 30 days in the regulations. This has been adopted where appropriate. Several commenters, including the Plateau Mining Company, are concerned that violations which have been vacated not be considered as part of an operators' previous history. Accordingly, the definition of previous history has been clarified to provide that previous history of violations includes only those violations which have not been vacated as of the time of assessment. At the urging of several commenters, the Department has reevaluated its data for previous history and accordingly new tables are utilized in this criteria. The original tables which had been proposed were unduly weighted to consider surface mines and surface facilities of underground mine operators. Finally, § 100.3(i) has been amended to make clear that the formula may be waived in whole or in part in making special assessments. Criteria for making a special assessment will be explained further in the Office of Assessment Manual. These special assessments will be utilized in cases where evaluation of the violations convinces the Assessment Office that the formula would actually impose an unfair penalty or an improperly low one. For example, violations which result in fatalities or have a high potential to cause a disaster might be considered for a special assessment, whereas violations which have unusual mitigating circumstances may also be conducted for a special assessment. A special assessment will be made in a narrative order. The criteria will be applied and explained in a narrative statement. There were several minor comments concerning: (1) Procedures permitting operators who so request to register agents for service of assessments, (2) provisions that statements at conferences not be used against the operator, and (3) provisions requiring the Assessment Office to use the new formula to the fullest extent possible in considering cases which such conference pursuant to § 100.8.

The Department did not feel that these comments warrant incorporation into regulations although it had no objections to the substance of the comments.

The United Mine Workers commented that they be allowed to participate in the informal assessment process at the conference level. The statute sets out that a penalty proceeding is between the government and an operator. Because of this the Department did not feel it could provide a mechanism for official UMW participation, however, in making its assessment the Assessment Office will consider all relevant data available to it. If information is submitted by a miner or representative of miners pertaining to a particular violation that information will be considered in making the assessment.

General comments were received to the effect that the penalties listed in the penalty conversion table were too high. As noted earlier the United Mine Workers feel the opposite. In attempting to achieve the remedial goals of the statute the Department seeks to assess a meaningful penalty. In fact many penalties assessed under the new formula will be different from those assessed under the old formula. This is so because of the sliding scale proposed by the use of the addition of points rather than the multiplication of factors as was previously the case.

The National Independent Coal Operators Association did not offer substantive comments on the regulations but rather criticized them as being illegal. As a precedent they cited the decision of the U.S. Court of Appeals for the Third Circuit in "Rogers C. B. Morton, et al. v. Delta Mining, Inc., GM&W Coal Corporation and Edward Mears, et al.," Nos. 73-1752, 1753 and 1848. The NICOA argues that any assessment procedures which does not require the submission of a penalty case to an administrative law judge for findings of fact in accordance with the Administrative Procedure Act is illegal.

The Third Circuit decision is in conflict with the District of Columbia Circuit decision mentioned above. However, in the Department's view the new procedures set forth below are in accord with both the District Court and the Third Circuit decision. The Third Circuit distinguished the District of Columbia Circuit's decision on the basis that the operator had filed a protest. Under these rules where an operator requests a conference (the equivalent of the old protest), all unresolved violations are forwarded to the Office of the Solicitor for filing with the Office of Hearings and Appeals to permit an opportunity for hearing and findings of fact by an administrative law judge.

Much effort has gone into preparation of these new procedures and the Department considers them to be a substantial improvement. The Department believes that this system permits a fair evaluation of the violation at an informal level. The new procedures will be reviewed periodically and additional improvements will be implemented.

The new rules will become effective August 1, 1974.

KENT FRIZZELL,
Acting Secretary of the Interior.

JULY 24, 1974.

Sec.

AUTHORITY: Secs. 109, 508, Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742, P.L. 91-173, 30 U.S.C. 801).

§ 100.1 Purpose.

The assessment of civil penalties under section 109(a) of the Federal Coal Mine Health and Safety Act of 1969 shall be made for the purpose of maintaining the health and safety of the miner and of insuring the maximum compliance effort on the part of the coal mining industry.

§ 100.2 Assessment of civil penalties: general.

(a) Each Notice of Violation and Order of Withdrawal issued on or after August 1, 1974, shall be reviewed by the Office of Assessments, Mining Enforcement and Safety Administration, in accordance with the assessment procedures described in this part to determine liability of the operator or miner and the amount of penalty to be assessed.

(b) Each pending Notice of Violation and Order of Withdrawal issued prior to August 1, 1974, and not filed with the Office of Hearings and Appeals shall be reviewed by the Office of Assessments, Mining Enforcement and Safety Administration, in accordance with the civil penalty assessment procedures described in the Office of Assessments Manual, May 1973 and in 38 FR 10086, April 24, 1973 to determine liability of the operator or miner and the amount of penalty to be assessed.

(c) Each order of assessment against an operator shall be made after taking into consideration (1) the operator's history of previous violations, (2) the appropriateness of the penalty to the size of the operator's business, (3) whether the operator was negligent, (4) the effect on the operator's ability to continue in business, (5) the gravity of the violation, and (6) the demonstrated good faith of the operator in attempting to achieve rapid compliance after notification of violation.

§ 100.3 Determination of penalty.

(a) The amount of the penalty assessed against an operator will be determined by a formula that takes into account the six criteria stated in § 100.2(c). The formula will consist of assigning penalty points against the violation being assessed. Penalty points will be determined for each of the criteria stated in § 100.2(c) and totaled. These penalty points will be converted into a dollar amount by using the penalty conversion table in paragraph (g) of this section. The penalty points will be assigned within each of the six criteria according to the schedules in paragraphs (b) through (f) of this section.

(b) The appropriateness of the penalty to the size of the operator's business: The appropriateness of the penalty to the size of the operator's business is calculated on both the size of the mine cited and the size of the company. The size of the mine is taken into account by selecting the proper penalty points from the table listed in subparagraph (1) of this paragraph. The size of the company is to be considered by using the schedule in subparagraph (2) of this paragraph.

(1) *Size of mine.*

Annual tonnage of mine	*Penalty points*
Under 50,000	0
Over 50,000 to 100,000	1
Over 100,000 to 200,000	2
Over 200,000 to 300,000	3
Over 300,000 to 500,000	4
Over 500,000 to 700,000	5
Over 700,000 to 900,000	6
Over 900,000 to 1.1 million	7
Over 1.1 million to 1.5 million	8
Over 1.5 million to 3 million	9
Over 3 million	10

(2) *Size of company.* The annual tonnage of the company to which the mine belongs will be considered in determining the appropriateness of the penalty to the size of the business of the operator, using the following schedule:

Annual tonnage of company	*Penalty points*
Under 100,000	0
Over 100,000 to 700,000	1
Over 700,000 to 1.5 million	2
Over 1.5 million to 5 million	3
Over 5 million to 10 million	4
Over 10 million	5

As used in subparagraphs (1) and (2) of this paragraph the term "annual tonnage" means the tonnage produced in the previous calendar year or in the case of a mine opened less than one calendar year the amount of tonnage produced converted to an annual basis.

(c) History of previous violations: The history of previous violations of the Act will account for a maximum of 20 penalty points towards the total amount of penalty points assessed. The penalty points for history of previous violations will be derived from the following schedules:

(1) Average number of violations assessed per year in the preceding 24 months:

Number of violations	*Penalty points*
1 to 10	0
11 to 20	1
21 to 30	2
31 to 40	3
41 to 50	4
Over 50	5

(2) Average number of violations assessed per inspection day in the preceding 24 months:

Violations per inspection day	*Penalty points*
Over 0.3	0
Over 0.3 to 0.4	1
Over 0.4 to 0.5	2
Over 0.5 to 0.6	3
Over 0.6 to 0.7	4
Over 0.7 to 0.8	5
Over 0.8 to 0.9	6
Over 0.9 to 1.0	7
Over 1.0 to 1.1	8
Over 1.1 to 1.2	9
Over 1.2 to 1.3	10
Over 1.3 to 1.4	11
Over 1.4 to 1.5	12
Over 1.5 to 1.6	13
Over 1.6 to 1.7	14
Over 1.7	15

Previous History means all violations presently assessed that have not been vacated or dismissed at the time of assessment.

(d) Negligence: Negligence generally means committed or omitted conduct which falls below a standard of conduct established by law to protect persons against the risks of harm. The standard of care established under the Act is that the operator of a mine owes a high degree of care to the miners employed by him. A mine operator is required to be on the alert for conditions and hazards in the mine which affect the safety or health of his employees and to take the steps necessary to correct or prevent such conditions or practices. Failure to do so is negligence on the part of the operator. This criterion will contribute a maximum of 25 penalty points to the assessment total, divided between no negligence, ordinary negligence, and gross negligence. A violation which occurs through

no negligence of the operator will be assigned no penalty points for negligence. A violation which occurs through ordinary negligence of the operator will be assigned from 1 to 12 points depending on the sepcific facts involved. A violation which occurs through gross negligence of the operator will be assigned 13 through 25 penalty points depending on the specific facts involved. In determining the degree of negligence involved in a violation and the amount of penalty points to be assessed, the following definitions apply:

(1) "No Negligence" means that the operator could not reasonably have known of the violation or under the circumstances the operator had taken reasonable precautions to prevent the violation.

(2) "Ordinary Negligence" means the operator either failed to exercise reasonable care to prevent the violation or failed to exercise reasonable care to correct a violation he knew or should have known existed.

(3) "Gross Negligence" means an operator either caused the condition or practice which occasioned the violation by exercising reckless disregard of mandatory health and safety standards or he recklessly or deliberately failed to correct an unsafe condition or practice he knew or should have known existed.

(e) Gravity: This criterion will contribute a maximum of 30 penalty points to the assessment total. The points will be applied from the following schedules:

(1) Probability of the occurence of the event against which a standard is directed may account for a maximum total of 10 penalty points using the listed definitions and schedules.

Probability of occurrence:	*Penalty points*
Improbable	0
Probable	3
Imminent	7
Occurred	10

As used in this paragraph the following terms have the following meanings:

Improbable: Unlikely to happen.
Probable: That which is likely to occur.
Imminent: That which is likely to occur before the violation can be abated.

(2) Gravity of injury if it occurred or were to occur, using the listed definitions and the following schedule, may account for a maximum of 10 penalty points:

Gravity of injury normally expected:	*Penalty points*
Nondisabling	0
Disabling	3
Permanent Disabling	7
Fatal	10

Types of injury or illness expected if the event caused or could cause injury are defined as follows:

Nondisabling: Injury or illness, which would not result in lost time of one full day or more after the day of the injury.

Disabling: The injury or illness would cause the injured person to lose one full day of work or more after the day of the injury.

Permanent Disabling: An injury or illness which results in the total or partial loss or use of any member or function of the body.

Fatal: Any work related injury or illness resulting in death.

(3) Number of personnel affected if event occurred or were to occur.

Number of persons affected:	*Penalty points*
0	0
1	1
2	2
3	4
4 to 5	6
6 to 9	8
More than 9	10

(f) Demonstrated good faith of the operator charged in attempting to achieve rapid compliance: This criteria awards negative points for a manifestly conscientious effort to achieve rapid compliance, and can contribute a maximum of 10 points as indicated in the following schedule and definitions:

Degree of good faith	*Penalty points*
Rapid	10
Normal	0
Lack of good faith	10

In determining the operator's good faith in attempting to achieve rapid compliance, the following definitions apply:

"Rapid Compliance" means there is demonstrated evidence that the operator has taken extraordinary measure to insure abatement of the violation in the shortest possible time.

"Normal Compliance" means the operator has abated the violation within the time given for abatement either originally or as extended.

"Lack of Good Faith" means the operator has been untimely and has not shown diligence and effort in attempting to abate the violation.

(g) Penalty conversion table: The penalty conversion table shall be used to convert the accumulation of penalty points to the appropriate assessment.

Penalty conversion table

Points	Penalty	Points	Penalty	Points	Penalty	Points	Penalty
1	2	26	58	51	170	76	900
2	4	27	61	52	180	77	1,000
3	6	28	64	53	190	78	1,100
4	8	29	67	54	200	79	1,200
5	10	30	70	55	210	80	1,300
6	12	31	74	56	220	81	1,400
7	14	32	78	57	230	82	1,500
8	16	33	82	58	240	83	1,750
9	18	34	86	59	250	84	2,000
10	20	35	90	60	275	85	2,250
11	22	36	94	61	300	86	2,500
12	24	37	98	62	325	87	2,750
13	26	38	102	63	350	88	3,000
14	28	39	106	64	375	89	3,500
15	30	40	110	65	400	90	4,000
16	32	41	115	66	425	91	4,500
17	34	42	120	67	450	92	5,000
18	36	43	125	68	475	93	5,500
19	38	44	130	69	500	94	6,000
20	40	45	135	70	550	95	6,500
21	43	46	140	71	600	96	7,000
22	46	47	145	72	650	97	7,500
23	49	48	150	73	700	98	8,000
24	52	49	155	74	750	99	9,000
25	55	50	160	75	800	100	10,000

(h) The effect on the operator's ability to continue in business: When information is submitted prior to assessment, it is initially presumed that the operator's ability to continue in business will not be affected by the order of assessment. The operator may also submit information to the Office of Assessments concerning this financial status to show that payment of the order of assessment will affect his ability to continue in business. If the information provided by the operator indicates that the order of assessment will adversely affect his ability to continue in business, the Office of Assessments may reduce the penalty.

(i) Waiver of use of formula to determine civil penalty: The Office of Assessments may elect to waive in whole or in part the use of the formula contained in § 100.3 in determining the civil penalty for a violation of the Act if it deems that conditions concerning the violation warrant. Such special assessments shall take into account the six criteria in § 100.2(c) and all findings shall be in narrative form. All provisions of this part except the formula provisions of § 100.3 shall apply to such special assessments.

§ 100.4 Procedures for assessment of civil penalties.

(a) Within 15 days of service of a notice or order charging a violation of the Act, an operator or miner charged may submit any information pertaining to the violation involved to the Office of Assessments which has jurisdiction over the area in which the mine is located:

Mines in Coal Mine Health & Safety Distrs, 1, 2, & 3:
Office of Assessments
Federal Building
Pittsburgh & Peters Sts.
Uniontown, Penna. 15401

Mines in Coal Mine Health & Safety District 4.
Office of Assessments
L & S Building
Room 200
810 Quarrier Street
Charleston, W. Va. 25301

Mines in Coal Mine Health & Safety Districts 5, 6, & 9.
Office of Assessments
2195 Euclid Avenue
P.O. Box 29
Bristol, Va. 24201

Mines in Coal Mine Health & Safety Districts 7 & 8.

Office of Assessments
Jordan Building
1220 So. Broadway
Suite 402
Lexington, Ky. 40504

Any information so submitted will be considered by the Office of Assessments in reviewing the notice or order and determining the fact of violation and the amount of the penalty.

(b) The Office of Assessments shall, by certified mail, serve upon the operator or miner charged a copy of the order of assessment together with a copy of the Office of Assessments worksheets showing the formula computation prepared by the Assessment Officer.

(c) The operator or miner shall have 30 days from receipt of the order of assessment to either (1) pay the penalty, (2) request, in writing, a conference with the Office of Assessments to provide information relating to the violations listed in order of assessment, or (3) request, in writing, a hearing on the violations in question before the Department's Office of Hearings and Appeals pursuant to Subpart F, Part 4, Title 43, Code of Federal Regulations. If the operator or miner does not exercise his right under this subsection within 30 days of receipt of the order of assessment, the order of assessment will be enforced under section 109(a)(4) of the Act.

§ 100.5 Payment of assessed civil penalty.

(a) Payment by the operator or miner of the assessed penalty will close the case.

(b) Payment of the assessed penalty should be sent to the field assessment office having jurisdiction over the area in which the mine is located or to:

Office of Assessment
Mining Enforcement and Safety Administration
Department of the Interior
Washington, D.C. 20240

Check should be made payable to the Mining Enforcement and Safety Administration and should list the Assessment Office Control Number for the case.

§ 100.6 Request for conference.

(a) The Office of Assessments shall provide a return mailing card with each order of assessment to allow the operator or miner to indicate his desire to have a conference. Upon receipt of such request, the Office of Assessments shall arrange for a timely conference convenient to both the operator or miner and the Office of Assessments.

(b) If the operator or miner requests a conference with the Office of Assessments, he may submit any additional material to the official assigned his case which may be relevant to the fact of the violation or the amount of the penalty. Such information may be submitted prior to the conference and discussed during the conference. To expedite the conference, the official assigned to the case may contact the operator or miner to discuss the case prior to such conference.

(c) The Office of Assessments will consider all relevant information on the violation(s) in question presented by the operator or miner and is authorized to recalculate the assessed penalty on the basis of any new information presented to it. When the facts warrant a finding that no violation of the Act or a mandatory health or safety standard occurred, a penalty will not be assessed.

(d) If the operator or miner appears in person and the issues are resolved, he may, at this time, tender payment of the amount agreed upon and thereby dispose of the case, or he may have 10 days within which to submit payment to the Office of Assessments of the amount agreed upon and thereby dispose of the case. All such agreements must be in writing and signed by both parties. Failure to tender payment of the agreed amount within the 10-day period will result in the agreed amount being entered as the final order of the Secretary, enforceable under section 109(a)(4) of the Act.

(e) If all issues cannot be resolved during the conference, the operator or miner may settle those violations in agreement as provided in § 100.6(d) and have those deleted from the case. Violations not resolved will be forwarded to the Associate Solicitor—Mine Health and Safety, who shall file a petition to assess a civil penalty with the Office of Hearings and Appeals of the Department of the Interior pursuant to 43 CFR 4.540.

§ 100.7 Request for hearing.

(a) The Office of Assessments shall provide a return mailing card with each order of assessment to allow the operator or miner to indicate his desire to have a hearing under section 109(a) of the Act. When an operator or miner requests a hearing, the Office of Assessments shall forward the case to the Associate Solicitor—Mine Health and Safety, who shall file a petition for assessment of civil penalty with the Office of Hearings and Appeals of the Department of the Interior pursuant to 43 CFR 4.540.

(b) The petition shall be served on the operator or miner, who, in accordance with the Department's Hearings and Appeals procedures (43 CFR 4.541), shall then have 30 days within which to file an answer to the petition and be afforded an opportunity for a public hearing.

(c) In accordance with 43 CFR 4.545, the Office of Hearings and Appeals shall thereafter issue an order, based on findings of fact and conclusions of law unless the petition is dismissed by consent of the parties.

(d) In assessing a penalty, the Office of Hearings and Appeals may determine de novo the fact of violation and the amount of the civil penalty, taking into consideration the six criteria specified in section 109(a)(3) of the Act.

§ 100.8 Civil penalty cases pending before the Office of Hearings and Appeals as of August 1, 1974.

(a) In all cases previously filed with the Office of Hearings and Appeals, which have not yet been heard or decided by an Administrative Law Judge, an operator may file with the Office of Hearings and Appeals a request for a conference with the Office of Assessments as provided in § 100.4(b)(2). Such request must be postmarked on or before 30 days after the effective date of this part.

(b) Such request should identify the civil penalty case by name, docket number and assessment control number and be addressed to:

Office of Hearings and Appeals
4015 Wilson Boulevard
Arlington, Virginia 22203

The Office of Hearings and Appeals will promptly notify the Office of Assessments of those cases which have timely requested a conference.

(c) The submission of a timely conference request in those cases described in paragraph (a) of this section will operate to stay further proceedings pending holding of the informal conference, but shall in no instance warrant dismissal of the pending case. Failure to resolve the issue involved in the case by conference will result in the stay of proceedings being dissolved.

[FR Doc.74-17293 Filed 7-29-74;8:45 am]

Title 43—Public Lands: Interior

CHAPTER II—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5427]

[Wyoming 36479]

WYOMING

Restoration of Lands and/or Minerals to Ownership of Shoshone-Arapahoe Tribes, Wind River Reservation

By virtue of the authority contained in section 5 of the Act of July 27, 1939, 25 U.S.C. 575 (1970), and pursuant to the recommendations of the Tribal Council and the Commissioner of Indian Affairs, it is ordered as follows:

Subject to valid existing rights the following described lands and/or rights to the minerals as specified herein, are hereby restored to tribal ownership for the use and benefit of the Shoshone-Arapahoe Tribes of Indians, and are added to and made part of the Wind River Reservation:

WIND RIVER MERIDIAN

The rights to the surface and all minerals in the following described lands:

T. 2 N., R. 1 E.,
Sec. 3, W½ of lot 5.
T. 8 N., R. 1 E.,
Sec. 2, lot 1.
T. 8 N., R. 2 E.,
Sec. 6, lot 9.
T. 9 N., R. 2 E.,
Sec. 35, lot 2.
T. 1 N., R. 3 E.,
Sec. 29, lot 1.
T. 9 N., R. 3 E.,
Sec. 28, lots 2, 3, and 4.
T. 1 N., R. 4 E.,
Sec. 4, SW¼NE¼;
Sec. 36, SW¼SE¼.

T. 8 N., R. 4 E.,
Sec. 12, lot 1;
Sec. 17, S½NE¼.
T. 1 N., R. 5 E.,
Sec. 30, lot 7;
Secs. 19, 30, 31, unsurveyed islands within Big Wind River.
T. 2 N., R. 5 E.,
Secs. 26, 27, 33, 34, unsurveyed islands within Big Wind River.
T. 4 N., R. 6 E.,
Sec. 3, lot 5.
T. 6 N., R. 6 E.,
Sec. 9, lots 7 and 8;
Sec. 15, S½ lot 4;
Sec. 16, lots 1 and 6.

The rights to coal and all other minerals in the following described lands:

T 7 N., R. 1 E.,
Sec. 1, SE¼SE¼;
Sec. 2, lots 1 and 2;
Sec. 14, NE¼SE¼.
T. 8 N., R. 1 E.,
Sec. 33, NE¼SE¼, S½SE¼;
Sec. 34, SW¼SW¼;
Sec. 35, SE¼SW¼.
T. 6 N., R. 2 E.,
Sec. 7, E½SW¼;
Sec. 18, E½NW¼;
Sec. 19, E½NE¼, NE¼SE¼;
Sec. 20, SW¼NW¼.
T. 7 N., R. 2 E.,
Sec. 5, lot 3, SE¼NW¼, E½SW¼.
T. 8 N., R. 2 E.,
Sec. 29, SE¼SW¼;
Sec. 32, E½NW¼, NE¼SW¼.
T. 6 N., R. 3 E.,
Sec. 34, N½SE¼, SW¼SE¼;
Sec. 35, NW¼SW¼.
T. 1 N., R. 4 E.,
Sec. 29, SW¼NW¼;
Sec. 36, SE¼SE¼.
T. 7 N., R. 4 E.,
Sec. 20, SE¼SW¼.
T. 1 N., R. 5 E.,
Sec. 2, lots 3, 4, SW¼NW¼;
Sec. 3, lots 1, 2, and 3, S½N½.
T. 2 N., R. 5 E.,
Sec. 34, S½SE¼;
Sec. 35, SE¼NW¼, E½SW¼, SW¼SW¼.
T. 6 N., R. 5 E.,
Sec. 5, S½SE¼;
Sec. 8, NE¼NE¼;
Sec. 9, NW¼NW¼;
Sec. 16, W½NW¼;
Sec. 17, E½NE¼.
T. 3 N., R. 6 E.,
Sec. 27, lots 3 and 4, W½W½;
Sec. 28, SE¼NE¼, E½SE¼;
Sec. 33, E½NE¼;
Sec. 34, lots 1 and 2, W½NW¼.
T. 6 N., R. 6 E.,
Sec. 9, lots 6, 9, and 10;
Sec. 15, lot 3, N½, lots 4 and 7;
Sec. 28, lots 4 and 5.
T. 6 N., R. 1 W.,
Sec. 12, S½NW¼, E½SW¼.
T. 7 N., R. 1 W.,
Sec. 12, SW¼SW¼;
Sec. 13, W½NW¼.
T. 7 N., R. 2 W.,
Sec. 3, lot 3.
T. 8 N., R. 2 W.,
Sec. 34, SW¼SW¼.
T. 5 N., R. 6 W.,
Sec. 11, lots 9 and 10;
Sec. 14, lots 1 and 2.
T. 6 N., R. 6 W.,
Sec. 3, lots 5 and 6;
Sec. 10, lots 1 and 2;
Sec. 16, lot 1.

The rights to deposits of phosphate only in the following described lands:

T. 7 N., R. 1 E.,
Sec. 23, NE¼NW¼;
Sec. 25, S½NW¼.
T. 5 N., R. 4 E.,
Sec. 12, W½NW¼.
T. 6 N., R. 5 E.,
Sec. 9, NW¼NE¼, S½NE¼, NE¼NW¼.
T. 8 N., R. 1 W.,
Sec. 15, lot 2.
T 7 N., R. 2 W.,
Sec. 15, SE¼SW¼.

The rights to deposits of oil and gas only in the following described lands:

T. 1 N., R. 2 E.,
Sec. 1, SW¼NW¼.
T. 2 N., R. 4 E.,
Sec. 26, SE¼SE¼.
T. 7 N., R. 3 W.,
Sec. 28, SE¼SW¼, SW¼SE¼;
Sec. 33, N½NE¼, SE¼NE¼;
Sec. 34, SW¼NW¼.

The rights to the deposits of coal only in the following described lands:

T. 6 N., R. 2 E.,
Sec. 34, SW¼NE¼.

The total area of the lands described aggregates 4,822.85 acres in Fremont and Hot Springs Counties.

JOHN KYL,
Assistant Secretary of the Interior.

JULY 23, 1974.

[FR Doc.74-17314 Filed 7-29-74;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19667; RM-1475; FCC 74-798]

PART 1—PRACTICE AND PROCEDURE

Maintenance of Certain Program Records

In the matter of petition for rulemaking to require broadcast licensees to maintain certain program records.

1. The Commission has before it the further notice of proposed rulemaking (44 FCC 2d 1176) considering whether to amend its rules to permit the reproduction of records and materials maintained locally for public inspection by television station applicants, permittees and licensees.

2. On January 3, 1974, we adopted a first report and order in this proceeding (44 FCC 2d 845) amending our rules to provide for public inspection of television station program logs and to establish the procedures which would apply to inspection requests. Among other things, the rules which we adopted permitted the inspecting party to obtain machine copies of these logs if they were willing to assume the costs of reproduction. As a result, an anomalous situation now exists in which copies may be had of newly available public material (the program logs) but not of the material which has traditionally been available pursuant to the provisions of § 1.526 of the rules. While some television station may already permit copying of the material in its public file, none is now obliged to do so.

3. Accordingly, we invited comments on a proposed change in our rules to provide that all material in a television station's public file may be machine reproduced, with the costs of such reproduction to be borne by the inspecting party. Our tentative view was that a simple requirement to this effect might well suffice, but we indicated we would consider comments which suggested the need for more particularization as to the circumstances, conditions or procedures which should apply.

4. Only five parties filed comments in response to our further notice.[1] None of them recommended that we abandon our intention to amend the rules to permit machine reproduction of television station public file materials. CBS and NAB, however, believed that certain procedural safeguards should be included in our new rule. As a result, the only dispute in the pleadings is the wisdom of adopting the specific safeguards suggested by CBS and NBC. As to the need for the rule itself, the situation is clear. For station and public alike, the lengthy period required to study and hand copy material while at the station can only be an inconvenience. So long as no unfair burden is imposed, an arrangement for the making of machine copies of these publicly available materials serves the interests of both parties. Moreover, it can simplify and hopefully facilitate the dialogue we wish to foster. Accordingly, we believe the proposed rule would serve the public interest provided appropriate procedures can be established to insure that the rule would work as intended. It is to these requirements that we now turn.

5. CBS believes machine reproduction of television station public file materials should be subject to procedural requirements similar to those applicable to the inspection and reproduction of television station program logs. According to CBS, permitting machine duplication of material in television station public files will represent an additional significant burden for television station licensees because these files consist of large and unwieldly masses of documents. CBS says requests for all or a large part of these files will require that many of the documents be removed from their normal location to another place (either in or outside of the station) for machine copying. Moreover, when a request is made for machine reproduction of only certain documents or certain pages in the files, a considerable task is said to be presented in removing and re-filing, particularly in cases where pages may have been bound.

6. CBS notes that when the Commission imposed procedural requirements for inspection and reproduction of station program logs, it specifically referred to the possibility of inspections being misused for harassment or being generated by private "competitive" considerations rather than public ones. CBS suggests the same possibilities of misuse would exist with respect to a new provision for machine reproduction of materials in the

[1] The parties filing comments include National Black Media Coalition ("Black Media"); Columbia Broadcasting System, Inc. ("CBS"); National Association of Broadcasters ("NAB"); National Citizens Committee for Broadcasting ("NCCB"); and Office of Communication of the United Church of Christ ("United Church").

public files. CBS cites as an example of a machine duplication request being generated by competitive consideration rather than public ones, an attempt by one station to obtain machine copies of the license renewal application of another station in order to incorporate verbatim portions, such as the description of the city of license, in the requesting station's own renewal application.

7. When CBS suggests the use of procedural requirements similar to those applicable to inspection and reproduction of television station program logs, we assume it desires parties wishing machine copies of materials in the public file to make a prior appointment with the licensee and, at the time to identify themselves by name and address; to identify the organization they represent, if any, and to state the general purpose of the examination.

8. Currently, parties wishing to examine information in the public files need only identify themselves by name and address. We have specifically rejected previous requests to require all parties using the local public inspection file to give information concerning their organization membership (if any) and to state the general purpose of the examination. While we did require for the reasons cited in the First Report and Order in this proceeding, that additional information be given by parties wishing to inspect the program logs (which were not generally publicly available) we do not think our existing requirements regarding identification of persons wishing to see materials already in the public inspection file need be expanded. The analogy to the situation with respect to availability of station program logs suggested by CBS is not applicable to this rulemaking, since the material in question (in CBS's example, the license renewal application) is already available to anyone wishing to see it and the only question at issue is whether to permit it to be machine copied instead of just being hand copied.

9. CBS and NAB express concern regarding possible complaints resulting from the temporary unavailability of public file materials which are being machine copied. CBS indicates that if a complete public file must be available for inspection during business hours, requests for large numbers of machine copies, or a large part of the file will require copying to be done on nights and weekends, thus creating additional problems. CBS indicates these problems could be alleviated if the Commission made it clear that removal of materials from the public file for a reasonable period of time in order to fulfill requests for machine copies of those materials would not constitute a violation of Commission rules regarding public availability.

10. NAB says the Commission should make it clear in adopting the new rule that stations are not required to maintain a duplicate public file to serve as a "back up" when requested material is being duplicated. NAB argues that the Commission has never indicated any concern that documents in the public file can only be inspected by one person at a time to the exclusion of all others. Thus, it should not be concerned material being machine duplicated will be temporarily unavailable to others wishing to see the material. According to NAB, any inconvenience to the public will generally be minimal, since "in house" copying will take only a few minutes and copying done outside of the station will generally mean the material will be unavailable for only a day or two. To require a duplicate public file would, it asserts, result in substantial costs to licensees, since extensive materials, including ascertainment support materials, and many letters from the public are involved.

11. NCCB claims NAB's argument is without practical basis as comments made by licensees in earlier filings in this proceeding (opposing public inspection of program logs) indicated that most television stations already maintained duplicate public files, NCCB notes that in these filings licensees sometimes attempted to distinguish program logs from public file materials on the basis that most public file records are duplicates. Moreover, says NCCB, permitting machine duplication of materials in the public file will not actually require licensees to maintain a duplicate public file. On the other hand, to include a provision in the new rule specifying that the public file may be unavailable for inspection whenever it is needed for duplication, and then to also include in the new rule NAB's requested provision allowing stations one week to make copies, would permit a station to forestall public access by withholding its public file from inspection by one citizen group for weeks at a time under the pretense of duplicating the file for another person or group.

12. In the past, we have not found it necessary or desirable to specify either that licensees must have, should have, or need not have a duplicate public file. Lacking specific evidence that our policy of not referring to our rules to the presence or absence of a duplicate public file is no longer advisable, we will continue to let licensees decide in good faith whether a duplicate public file is necessary. We have no reason to believe licensees will withhold information in the public file by the devices suggested by NCCB. If, however, future experience suggests otherwise, we can always revisit the question of including in our rules a discussion of duplicate public files and related problems of unavailability of certain materials in the public files due to requests for machine reproduction.

13. NAB believes that in order to avoid severe disruption of stations' normal activities, licensees should be given at least one week to comply with requests for machine copies. Their expectation is that single, specific requests could and would be satisfied on day-to-day basis, so that, in the majority of cases, licensees and inspecting parties would be able to establish a schedule suitable to both of their needs. Nevertheless, occasional requests for machine copies of a substantal number of documents, as, for example, ascertainment support materials, will sometimes be received, especially in the period immediately preceding the filing of renewal applications. In such instances, says NAB, a pre-established guideline from the Commission is needed to insure that the licensee's good faith efforts to comply with the rule are not called into question simply because its copying equipment or personnel cannot be immediately diverted from their normal station functions. NAB argues that seven days would not constitute an unreasonable delay in obtaining any material requested and would permit licensees to work requests into the normal ebb and flow of station activities.

14. NCCB contends that while it is difficult to see how requests for machine copies of materials could severely disrupt station operations, it is easy to see that a one week waiting period could constitute an unreasonable, obstructive delay, especially during the period immediately preceding the filing of a renewal application. According to NCCB, to specifically allow a station to wait one week before providing machine copies of materials would have exactly the same practical effect as requiring the public to make an appointment one week in advance to see the materials, an idea the Commission specifically rejected with respect to examination of television station program logs (FCC 74–214, March 4, 1974—Denial of Petition for Reconsideration filed by Capital Broadcasting Company). United Church says licensees should make copies available promptly, since time is often a vital commodity in Commission proceedings and in carrying forward informed negotiations.

15. We agree with NAB's contention that while, in most cases, licensees and inspecting parties will be able to establish a mutually satisfactory arrangement regarding the schedule for providing machine copies of public file material, on occasions an individual request might require several days or more to fulfill. We also can agree with NCCB that in certain instances a one week waiting period could constitute an unreasonable delay. Thus, by indicating in the new rule that requests should be fulfilled "within a reasonable period of time, which in no event shall be longer than seven days", we have attempted to suggest one week for copying is not necessarily unreasonable, but should not be assumed as the norm. If experience suggests a revision of our approach to dealing with the matter of time required to produce machine copies is necessary, we will re-examine this question.

16. NAB thinks the Commission should clearly indicate in its rule that the cost of machine duplication of public file material includes indirect costs, which supplement the direct per copy costs of utilizing copying equipment. Such indirect costs might include costs of providing personnel to operate the copying equipment, or to collate the requested

material, or to perform other tasks necessary to providing the material to the inspecting party. Indirect costs might also, says NAB, include the costs of having station personnel accompany the public file material wherever it might be taken for copying.

17. NAB maintains that numerous smaller requests, or individual larger requests for material could result in significant and costly diversion of station personnel from their normal tasks. NAB believes that when a party uses outside copying services, personnel costs undoubtedly should constitute an element of the price charged for copying and that costs for in-house duplication should be computed in the same manner. NAB claims that personnel costs could be determined easily on a per hour or per copy basis. The Commission, therefore, it argues should reiterate as its policy that, while machine duplication should not be a profit making venture, stations should not have to absorb the costs of copying, including personnel costs.

18. United Church believes if the licensee chooses to make machine copies "in-hours", it should charge only its actual out-of-pocket costs, as, for example, paper and machine fees. If the machine reproductions is done by an independent copying service, the person seeking copies should only pay the usual commercial rates.

19. NCCB contends that if the new rule specifies that the cost of machine reproduction includes personnel costs, it would create an impression of high costs and would, thereby, discourage public requests for machine copies. NCCB indicates one could argue that an explicit provision regarding personnel costs is not necessary because a station could already include personnel costs as part of the "reasonable" costs of in-house duplication. In fact, says NCCB, even without mentioning personnel costs in the new rule, the personnel costs which will probably be charged by a station would generally be unreasonable since the station has the alternative of asking members of the public to make copies themselves instead of utilizing station personnel.

20. NCCB characterizes as familiar, though unfounded, NAB's contention that hordes of people are going to descend on stations and make requests for machine copies of materials in the public files. NCCB says the reason NAB provides no statistics in its pleading regarding present or anticipated use of the public files is because stations have never been inundated with persons wishing to inspect the public files in the past, and there is no reason to believe machine copying availability will unreasonably change this situation. While a few more interested persons or groups may visit the station, this modest increase is precisely what the new rules are intended to encourage: that is, increased dialogue with local licensees.

21. Finally, NCCB maintains that personnel costs that may result from a station's having to machine reproduce a copy of a renewal application is far less than the costs which would result from an employee's sitting in the public file room while a member of the public reads and copies the application by hand. NCCB notes that while many licensees presently feel they must commit this personnel time to oversee public file use at the station, users of the public file are not asked to pay any personnel costs.

22. In that portion of amended § 73.674 of our rules which provides for machine duplication of television station program logs, we merely indicate that the inspecting party "shall pay the reasonable cost of reproduction". During the more than four months that this new provision has been in effect we have had no indication that the term "reasonable cost" requires further clarification. Given this fact, we question the wisdom of referring to personnel costs in the rule, particularly with the danger cited by NCCB that such a reference might discourage public requests, and with the possibility that some stations may choose not to include personnel costs in computing the "reasonable costs" of in-house reproduction. Moreover, we assume that, in the absence of evidence to the contrary, licensees and requesting parties can agree upon "reasonable costs" of machine reproduction just as they seem to have been able to agree upon "reasonable cost" with respect to machine duplication of station program logs.

23. CBS argues that any rule providing for machine reproduction of materials in television station public files should specifically exempt viewer correspondence maintained pursuant to §§ 73.1202 (f) and 1.526(a)(7) of our rules. CBS states that, unlike other materials in the public file which are prepared by station licensee, such comments are sent by members of the public, either without knowledge that their correspondence is being placed in a public file in the first place, or with the understanding that their letters would be available only for public inspection, not for machine duplication and possible circulation. In either case, claims CBS, it would be inappropriate to permit machine reproduction of such letters. Moreover, such correspondence does not require the extensive study that might be necessary for licensee prepared public file documents, as, for example, a license renewal application. CBS notes the Commission has stated the objective of placing such letters in the public file is to merely "permit members of the public to better determine the nature of community feedback".

24. NAB suggests that the Commission consider fully and carefully the propriety of permitting the letters sent by members of the public to be machine copied. NAB thinks that, at the very least, the public deserves to know that their letters will not only be made public, but also may be duplicated and perhaps circulated to parties other than the licensee. NAB asserts that the fact that persons responding to the fifteen-day announcements required by § 73.1202 have failed to request confidential treatment of their letters does not necessarily imply they wish to have their letters copied and distributed throughout the local community.

25. NCCB says there is no legitimate reason to prohibit machine duplication of letters that are already open to public inspection and available for copying by hand. NAB argues that such letters are often relied on by members of the public to bolster charges of inadequate service by the licensee or violation of the Commission's rules, and should not be treated differently than other public file material.

26. NCCB notes that the fifteenth day announcements required by § 73.1202 encouraging the submission of letters indicates that letters received will, unless otherwise requested, become available for public inspection. NCCB submits that if the Commission believes members of the public should also be specifically informed that the letters will also be available for machine duplication, the fifteenth day announcement could be amended to indicate that letters will be available "for inspection and copying".

27. We agree with NCCB's contention that there is no reason to prohibit machine reproduction of letters from members of the public that are already available for public inspection and for copying by hand. Thus, we will not adopt the CBS suggestion that the new rule specifically exempt machine duplication of such letters. Nor do we think there is at this time, any reason to amend the fifteen-day announcement requirements of § 73.1202 to indicate that unless otherwise requested letters will be available "for public inspection and copying". To amend the fifteen-day announcements in that fashion might suggest to the listener that his or her letter will automatically be reproduced in some manner. Such a suggestion might result in some listener who would submit a letter in response to the present fifteen-day announcements to refrain from sending a letter merely because of confusion as to how and why letters are automatically being reproduced.

28. Until such time as there is evidence that the difference between making the letters available for machine and hand copying, rather than merely hand copying, causes problems which were not foreseen when we adopted § 73.1202, amending the announcement and risking the danger outlined above does not seem to be warranted. The potential for harassment cited by CBS, and the possibility that persons who are willing to have their letters made public may not be willing to have their letters distributed throughout the community were considered when we adopted the letter retention requirement and the fifteenth day announcement. This is why, of course, that the announcement specifies that the author of a letter has the option of having the letter made available for public inspection, or having it remain confidential.

29. In supplementary comments, NAB discusses the matter of mail requests for copies of logs or public file materials.

NAB maintains the Commission should not require television station licensees to respond to such requests because such a requirement would be impractical, unnecessary and burdensome. Moreover, says NAB, such a requirement would not serve the Commission's stated purpose of proposing its new rules which was to benefit those members of the public who might otherwise spend hours at the station going through the laborious efforts of taking notes. NAB argues that this proceeding intended to facilitate use of public file materials by those members of the public who reside within the station's service area, who are legitimately concerned with the station's programming and operations, and who would normally visit the station to inspect the program logs or the public file. The Commission did not envision, says NAB, a station sending copies of public file material to members of the public who reside outside the station's service area, who cannot receive a station's programming, and who could have very little, if any, interest in the station's programming and operations other than a statistical interest. NAB thinks private citizens and government agencies wishing to conduct research requiring access to information available in the public file of broadcast stations should avail themselves of the Commission's public file facilities. NAB the Commission's Public Reference Room suggests that as the central repository for public file materials of all stations, the Commission's Public Reference Room facilities are the logical source of information for those who engage in wide ranging surveys and research.

30. NAB also cites several practical problems which it believes would result from requiring licensees to comply with mail requests. Vague and ambiguous requests from thousands of miles away could be clarified only by continuing correspondence between the station and those seeking the material. Letters and responses could be lost in the mail, perhaps generating complaints to the Commission. Since costs of reproduction could not be determined in advance, stations would have to bill the requesting party (a process which would result in additional cost to the licensee) or send the materials C.O.D. NAB claims it is not difficult to imagine a proliferation of blanket requests to stations all over the country for logs or public file materials from students, researchers and various public and private agencies and institutions.

31. We agree with NAB that in this proceeding our intention is to facilitate use of a television station's local public inspection file by member's of the public who reside within the station's service areas and who are directly affected by the station's efforts to meet local problems and needs. Moreover, as NAB suggests, the Commission's public documents room in Washington is available to those persons who, because of distance, do not wish to visit the station or stations in question, but are interested in the station's performance. Thus, while we certainly would not discourage licensees from complying with mail request for machine copies of information in their public files, we do not think it appropriate to require such compliance.

32. Black Media believes that material in the public file of radio stations should also be available for machine reproduction. Black Media points out that with the adoption of the new rule, a member of the public would be able to walk into a co-owned and co-housed radio-television station complex and be able to obtain machine copies of materials in the television public file, but would not be able to obtain copies of material in the radio file, even though much of the information is identical.

33. Thus far, this proceeding has dealt exclusively with television stations and their public files. We have not as yet addressed or solicited comments on the question of machine reproduction of material in the public file of radio stations. That matter will be addressed at a later date, possibly in conjunction with the question of whether the program logs of radio stations should be made publicly available. In the meantime, we cannot follow the urgings of Black Media. Accordingly, the rule shall be adopted to cover only the public files of television stations, subject to the procedural requirements previously mentioned.

34. *It is ordered*, That pursuant to sections 4(i), 303 (f) and (g) of the Communications Act of 1934, as amended, § 1.526 of the Commission's rules is amended effective August 30, 1974, by the addition of the following designated as paragraph (f). It is further ordered, That this proceeding is terminated.

§ 1.526 Records to be maintained locally for public inspection by applicants, permittees and licensees.

* * * * *

(f) Copies of any material in the public file shall be available for machine reproduction upon request made in person, provided the requesting party shall pay the reasonable cost of reproduction. Requests for machine copies shall be fulfilled at a location specified by the licensee, within a reasonable period of time, which in no event shall be longer than seven days. The licensee is not required to honor requests made by mail but may do so if it chooses.

(Secs. 4, 303, 48 Stat., as amended, 1068, 1082; (47 U.S.C. 154, 303))

Adopted: July 17, 1974.

Released: July 26, 1974.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] VINCENT J. MULLINS, *Secretary.*

[FR Doc.74-17332 Filed 7-29-74;8:45 am]

[1] Commissioners Washburn and Robinson not participating.

[RM-1889; FCC 74-791]

PART 1—PRACTICE AND PROCEDURE

Separation of Functions in Restricted Rulemaking Proceedings

1. The Federal Communications Bar Association (FCBA)[1] petitions that we amend Part 1 of the rules to separate the duties of advocate and decision maker in restricted rulemaking proceedings.[2] The Petition addresses the practice, no longer prevalent in current cases, of permitting those members of the Common Carrier Bureau trial staff, participating as trial counsel in an evidentiary rulemaking hearing, to prepare a recommended decision upon the conclusion of the hearing. Commingling these functions, the FCBA argues, is irreconcilable with sound administration, fair play, and decisional objectivity.[3] The FCBA urges that we adopt the recommendation of the Administrative Conference of the United States,[4] which suggests limiting the role of the trial staff to advocacy, and reposing in the officer presiding at the hearing the responsibility for issuing the intermediate decision.

2. Although it clearly is lawful to use a trial staff in a dual capacity,[5] in recent years we have restricted this practice, in recognition of its deficiencies. The procedure we presently employ in many restricted rule making proceedings coincides with the substance of the FCBA proposal. Commencing with the AT&T rate case in 1971,[6] we have with few exceptions declined to invest the trial staff participating in a hearing with decision making responsibility.[7] The new procedure, implemented at the outset of a hearing,[8] directs the administrative law

[1] The FCBA is a voluntary non-profit association serving as spokesman for members of the legal community practicing before this Commission.

[2] Upon receiving the petition, we issued a Public Notice (FCC Report No. 795) inviting comments within 30 days from interested persons. No comments were submitted.

[3] The FCBA states that the staff's dual role has been critized in American Telephone and Telegraph Co. v. FCC, 449 F. 2d 439 (2d Cir. 1971). We note, however, that the court sustained the lawfulness of the dual role, ruling it permissible under § 409(c) of the Communications Act, § 5(c) of the Administrative Procedure Act (APA) and the Due Process clause of the Fifth Amendment. 449 F. 2d at 439–455.

[4] Recommendation No. 19. S. Doc. No. 24, 88th Cong. 1st Sess., pp. 109–110 (1963). The FCBA states that the American Bar Association has approved a similar recommendation. See, Administrative Law Review, v. 23, No. 1, pp. 67, 73 (1970).

[5] American Telephone and Telegraph Co., supra; Wilson & Co. v. U.S., 335 F. 2d 788, 797 (7th Cir. 1964); cert. den., 380 U.S. 951 (1965); 40 F.C.C. 2d 908 (1973); 14 F.C.C. 2d 568 (1968); 2 F.C.C. 2d 877 (1966); 2 F.C.C. 2d 142 (1965).

[6] Docket No. 19129, 27 F.C.C. 2d 151 (1971).

[7] In the following proceedings we have granted the staff a dual role: Docket No. 19691, 38 F.C.C. 2d 691 (1973); Docket No. 19609, 37 F.C.C. 2d 721 (1972); Docket No. 19591, 37 F.C.C. 2d 333 (1972); Docket No. 19419, 33 F.C.C. 2d 518 (1972).

[8] See, 32 F.C.C. 2d 89 (1971).

judge to prepare an intermediate decision, and precludes the trial staff from making any ex parte oral or written presentations to the administrative law judge or the Commission.[9] However, the new procedure did not cut off the separated trial staff from the rest of the Bureau. As we stated: [10]

> The separation of the Trial Staff in 19129 was not intended to separate that staff from other personnel or resources of the Common Carrier Bureau. The Trial Staff is free to consult with any other member of the Bureau. The separation of the Trial Staff in 19129 simply means that such staff:
>
> (1) will not make any oral presentations to the Examiner or the Commission without the other parties being present, and
>
> (2) will not make any written presentations to the Examiner or the Commission which are not served on the other parties.*

3. The knowledge and experience we have gained from the use of separated trial staffs persuades us to establish a policy of separation and to incorporate this policy in the ex parte rules found in Part One of our rules, § 1.1201 et seq.

4. At present, in restricted rulemaking proceedings where a separated trial staff has been designated, the individuals on such staff are prohibited from making any ex parte presentations to the Administrative Law Judge or the Commission. We are prepared to increase the separation of trial staffs so that they are separated also from key decisional personnel in the Bureau and from the Office of the General Counsel. Accordingly, and on the effective date of rules here adopted, in all future cases where a separated trial staff is designated to participate, the Chief, Hearing and Legal Division and his entire staff will be separated not only from the Commission and the presiding Administrative Law Judge but also from the Office of the General Counsel, Chief and Deputy Chief of the Common Carrier Bureau and all Division Chiefs in the Bureau.[11] In those rulemaking proceedings where the Chief, Hearing and Legal Division determines that the Hearing and Legal Division staff should be augmented for the purposes of the individual proceeding, he may request that personnel in any of the Bureaus or Offices, other than the Office of General Counsel, of the Commission be assigned as separated personnel for the duration of the particular rulemaking proceeding—and that proceeding only—to act as witness, counsel or to prepare written presentations to be made in the proceeding. When consent to such temporary staff assignment is received from the Chief of a Bureau of Office, the Chief of the Hearing and Legal Division will list the name(s) of such personnel in a Public Notice and such personnel will, of course, no longer be considered decision-making personnel for the purposes of the proceeding. Hearing and Legal Division personnel and others, when specifically designated for particular cases, will not take part in the decision-making process. Our action here does not, however, deprive separated trial staff personnel of their present right of unrestricted access to the personnel and resources of the Bureau (with the exception of the Chief and Deputy Chief of the Common Carrier Bureau and all Division Chiefs) and Commission staff (with the exception of the Office of General Counsel), traditionally exercised by the Bureau once the rulemaking has been designated.[12]

5. Separated trial staff personnel will be free, as trial staffs have been in the past, to talk not only to parties, individually, in the case and listen to their arguments, but also to most Commission personnel and draw on their resources, knowledge and expertise for the purpose of the proceeding. With this freedom we believe that the Commission and all other personnel involved in the restricted rulemaking decisionary process will receive the maximum in objective analysis and informed expertise from the Chief of the Hearing and Legal Division and his staff.

6. Sections 4(i), 201(b), and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 201(b), and 303(r) furnish authority for amending § 1.1209(d). Since these are procedural amendments, the prior notice and effective date provisions of 5 U.S.C. § 553 do not apply.[13]

7. Accordingly, *it is ordered*, effective July 31, 1974 that § 1.1209(d) of the rules is amended as set forth below.

8. *It is further ordered*, That pursuant to § 1.407 of the rules the petition of the FCBA is granted to the extent indicated herein. *It is further ordered*, That this proceeding is terminated.

(Secs. 4, 201 303, 48 Stat., as amended, 1066, 1070, 1082; (47 U.S.C. 154, 201, 303))

Adopted: July 17, 1974.

Released: July 25, 1974.

FEDERAL COMMUNICATIONS COMMISSION,[14]
[SEAL] VINCENT J. MULLINS,
Secretary.

In Part 1 of Chapter I, Title 47 of the Code of Federal Regulations, § 1.1209(d) is amended to read as follows:

§ 1.1209 Decision-making Commission personnel (restricted rulemaking proceedings).

* * * * *

(d) The Chief of the Common Carrier Bureau and his staff; *Provided, however,* That in any restricted rulemaking proceeding where the Commission directs a separated trial staff to participate, the Chief, Hearing and Legal Division of the Common Carrier Bureau shall be a party in the proceeding and he and his staff shall be non-decision-making personnel. In such cases the Chief of the Hearing and Legal Division and his staff will be separated from the Commission, the presiding Administrative Law Judge, the Office of the General Counsel, and the Chief and Deputy Chief and all Division Chiefs of the Common Carrier Bureau, but are unrestricted in their access to all other Commission personnel.

NOTE: Notwithstanding the requirements of § 1.1221 or any other provision of this chapter to the contrary, in restricted rulemaking proceedings, the Chief, Hearing and Legal Division and his staff shall be separated from decision making personnel only to the extent indicated in this paragraph.

* * * * *

[FR Doc.74-17333 Filed 7-29-74;8:45 am]

[Docket No. 19827; FCC 74-799]

PART 73—RADIO BROADCAST SERVICES

FM Broadcast Stations in Certain Cities in North Carolina and South Carolina

In the matter of amendment of § 73.202(b), *Table of assignments*, FM Broadcast Stations (Lake City, Mullins, Conway and Kingstree, South Carolina, and Fayetteville and Fairmont, North Carolina), Docket No. 19827, RM-2065, RM-2279.

Report and order. Proceeding terminated. 1. The Commission has before it for consideration the proposal (RM-2065) to assign Channel 261A as a first FM assignment to Lake City, South Carolina, by substituting Channel 252A for Channel 261A at Kingstree, South Carolina, concerning which a Notice of proposed rulemaking was released herein on September 24, 1973 (FCC 73-980, 38 FR 27086), in response to a petition of Coastline Broadcasting Company (Coastline),

---

[9] We have declined, and will continue to decline, however, to order separation of functions retroactively in proceedings wherein we had assigned the trial staff a decisional role, owing to the disruption this would entail. Docket No. 19691, 41 F.C.C. 2d 239 (1973); Docket No. 19419, 40 F.C.C. 2d 908 (1973).

[10] 32 F.C.C. 2d 89 at 90.

* See 27 F.C.C. 2d 149 at 157, Selected reports of the Administrative Conference of the U.S., 88th Cong., 1st Sess. S. Doc. 24 at pp. 85-6, 190-110.

[11] This new policy will also apply to existing cases where we have designated that a trial staff of the Common Carrier Bureau will participate. However in the Comsat Rate Case, Docket 16070, 38 F.C.C. 1286 (1965) and the AT&T Rate Case, Docket 19129, 27 FCC 2d 151 (1971), the separated personnel are those listed in Public Notices issued in those Dockets. If supplementary notices are appropriate they should now be issued.

[12] The only changes we are making in our present procedures are (1) to enlarge the separation to include the Office of General Counsel, and the Chief, Deputy Chief and Division Chiefs, (2) to designate the Chief, Hearing and Legal Division as a party in restricted rulemaking proceedings instead of an unnamed trial staff, and (3) to separate all personnel of the Hearing and Legal Division and not just a designated trial staff.

[13] We are also exploring the feasibility of separating in adjudicatory cases only the Hearing and Legal Division and not the remainder of the Bureau. See section 554(d)(2)(B) of the Administrative Procedure Act.

[14] Commissioner Washburn not participating.

licensee of AM Station WJOT (daytime-only), Lake City.[1] Since the Kingstree Channel 261A assignment is occupied by Station WDKD–FM, its licensee, Santee Broadcasting Co., Inc. (Santee) was ordered in the Notice to show cause why its license for Station WDKD–FM should not be modified to specify operation on Channel 252A, as proposed, instead of Channel 261A, with the understanding that it would receive reasonable reimbursement from a Lake City Channel 261A permittee for expenses incurred in the changeover.

2. Also before us is a conflicting proposal to add a second FM assignment to Fayetteville, North Carolina (RM–2279), advanced in the "Comments, Counterproposal and Petition of Stuart W. Epperson", Winston-Salem, North Carolina,[2] timely filed herein on November 15, 1973, before the November 16, 1973, deadline date for filing comments on the Coastline Lake City FM proposal.[3] By Public Notice, Report No. 888, released November 28, 1973, interested parties were put on notice that the Epperson Fayetteville proposal would be treated as a counterproposal in this proceeding.

3. The Epperson counterproposal would assign Channel 280A to Fayetteville for a second FM assignment by substituting Channel 263 for Channel 281 (occupied by Station WLAT–FM) at Conway, South Carolina (which would preclude the assignment of Channel 261A to Lake City, as Coastline proposes herein); substituting Channel 252A for Channel 261A (occupied by Station WDKD–FM) at Kingstree, South Carolina (also required by Coastline's Lake City proposal); assigning Channel 280A (instead of Channel 261A, as Coastline proposes) to Lake City; and deleting Channel 265A (unoccupied[4]) from Fairmont, North Carolina, without replacement, as follows:

City	Channels	
	Add	Delete
Fayetteville, N.C.	280A	
Lake City, S.C.	280A	
Conway, S.C.	263	281
Kingstree, S.C.	252A	261A
Fairmont, N.C.		265A

Since a show cause order had previously been issued with respect to the proposed Kingstree FM assignment change, one was needed only with respect to the proposed Conway FM assignment change. An Order to Show Cause was therefore adopted on December 10, 1973, herein, ordering Coastal Broadcasting Company, licensee of Station WLAT–FM, Conway, to show cause why its station license should not be modified to specify operation on Channel 263, as proposed by Epperson, instead of Channel 281, with the understanding that it would receive reasonable reimbursement of expenses incurred in the changeover from a Fayetteville Channel 280A licensee.

4. Before discussing these proposals further, there are preliminary matters to be dealt with. First, there is the matter of the defectiveness of the initial Epperson pleading ("Comments, Counterproposal and Petition of Stuart W. Epperson") containing his Fayetteville proposal, filed and signed in his behalf by Earl L. Bradsher, Jr., "Consultant", and the subsequently filed reply comments, similarly filed and signed in his stead by Mr. Bradsher, insofar as the subscription and verification requirements of our rule (Section 1.52) are concerned. A petitioner may, of course, enlist outside assistance from anyone in preparing a petition and pleadings in rule making and other proceedings. However, Section 1.52 of our rules requires that the original of all petitions, motions, pleadings, briefs and other documents filed with the Commission by a party who is not represented by an attorney shall be signed and verified by the party himself and provides only for a party's authorized attorney to sign them in his stead. Further, Section 1.401(b) of our rules governing rule making proceedings puts petitioners on notice that their petitions for rule making shall conform to the requirements of Section 1.52 of the rules respecting subscription and verification.

5. While a pleading which is not properly signed and verified in conformity with § 1.52 of our rules may be returned as unacceptable, we decided to overlook this procedural defect in the initial Epperson pleading requesting consideration of its Fayetteville proposal in rule making along with the Coastline Lake City proposal and to treat it as if filed and properly signed and verified by Mr. Epperson himself since it appeared from his pleading that the possible public interest value of his Fayetteville proposal should be explored. However, by letter of November 30, 1973, we notified both Mr. Epperson and Mr. Bradsher that any future filings in this proceeding by Mr. Epperson must be made by him, representing himself, or by counsel that he might retain.[5] Our letter also advised that this directive did not prevent Mr. Epperson from filing on his own behalf, continuing to retain the services of Mr. Bradsher as his consultant, and including material prepared by Mr. Bradsher as part of his pleading. By letter of December 6, 1973, Mr. Bradsher advised that the copies of the aforesaid letter to Mr. Epperson and him containing our directive had been received and that "the Commission will receive promptly from Mr. Epperson a copy of each which he had signed of his Reply Comments in this Docket No. 19842".[6] However, despite our directive, and Mr. Bradsher's assurance, the previously submitted "Reply Comments of Stuart W. Epperson", filed and signed in his behalf on November 29, 1973, in this docket by Earl L. Bradsher, Jr., as consultant for Mr. Epperson, were not resubmitted by Mr. Epperson pro se, or by his attorney. Nor have any other pleadings or communications from Mr. Epperson pro se or his attorney been filed in this docket or, it appears, in Docket 19842 either. In view thereof, and considering also that good cause has not been shown for the filing of his reply comments after the expiration date (November 28, 1973) for filing reply comments in this proceeding and that we are satisfied that his timely filed submission (which although improperly subscribed has been accepted) is sufficient to apprise us of his proposal and position on the conflicting Lake City proposal, we are not accepting his reply submission for consideration.

6. There are other late filings to be dealt with also. After consideration, we have decided to adhere to our usual procedure and not accept those filed after the extended November 28, 1973, due date specified for reply comments on the con-

[1] Rule making was not instituted, however, on an alternative Coastline proposal to assign FM Channel 296A to Lake City by deleting Channel 296A from Mullins, South Carolina, without replacement, since it would deprive Mullins of its only FM channel, for which an application had been filed (and was granted January 11, 1974, BPH–8340), and the opportunity for a first nighttime aural service.

[2] This pleading was filed and signed in Mr. Epperson's behalf by Earl L. Bradsher, Jr., Atlanta, Georgia, who describes himself simply as a "consultant".

[3] The deadline dates originally specified in the rule making notice herein for filing comments (and submitting counterproposals) and reply comments (including comments on counterproposals) were November 2, 1973, for comments and November 12, 1973, for reply comments. At the request of Earl L. Bradsher, Jr. (telegram of November 2, 1973, supplemented by letter, received November 5, 1973), who advised that he and Stuart W. Epperson needed additional time (at least two weeks) to confer and prepare and file a counterproposal herein, we extended the due dates for comments (and counterproposals) to and including November 16, 1973, and for reply comments (and comments on counterproposals) to and including November 28, 1973. (Order, adopted November 6, 1973, Mimeo 09374.)

[4] An application (BPH–8884), filed on March 18, 1974, by Carolinas Broadcasting Company, Inc., licensee of AM Station WFMO (daytime-only), Fairmont, is currently pending for the Fairmont Channel 265A assignment.

[5] The original of the letter was sent to counsel for Coastline (Booth & Freret) who, in an opposition pleading in behalf of Coastline, had raised the question of the acceptability of the Epperson pleading "Comments, Counterproposal and Petition of Stuart W. Epperson" for lack of proper subscription and verification, with copies to Mr. Epperson (c/o Mr. Bradsher), Mr. Bradsher, Santee Broadcasting Co., Inc. (c/o counsel), Coastline Broadcasting Co. (c/o counsel), and Carolinas Broadcasting, Inc. (c/o counsel).

[6] FM assignment proposals (Cape Girardeau, Dexter, Portageville, Caruthersville, and Malden, Missouri), Notice of Proposed Rule Making, released October 10, 1973, Docket No. 19842 (FCC 73–1035, 38 Fed. Reg. 28573).

flicting proposals before us.[7] Coastline's petition to dismiss the untimely "Further Reply Comments" filed by Earl L. Bradsher, Jr., (for himself personally, rather than in behalf of Mr. Epperson as in previous pleadings herein), on January 17, 1974, is granted.[8] As we have repeatedly stressed in FM proceedings, absent a strong showing of justification, we are opposed to reopening such proceedings to the receipt of untimely comments and pleadings not only in fairness to all parties filing timely comments but because, considering the existing substantial backlog of FM assignment cases, this is particularly disruptive to the orderly administration and dispatch of the Commission's business. None of the noted late filings were accompanied by any showing which would constitute justifiable reason for their lateness. Since it also appears that the extended time provided for comments and reply comments herein was sufficient to enable the proponents of the conflicting proposals and other interested parties to make their views known on them in timely-filed comments, and since we are also satisfied that the timely-filed submissions of the proponents and others, including those of parties to whom show cause orders were directed, are adequate to enable us to assess their proposals and that the untimely submissions contain no significant and relevant new matter or argument essential to reaching a decision with respect thereto, we are convinced that this treatment of the late filings herein is clearly justified and required.

7. The timely comments, pleadings and responses to show cause orders issued herein which have been considered in reaching our decision with respect to the conflicting Lake City and Fayetteville proposals include the following:

Comments of Coastline Broadcasting Company (Lake City petitioner).
Comments and Statement of Position of Santee Broadcasting Co., Inc., concerning the Lake City proposal and the show cause order issued to Santee.
Comments, Counterproposal and Petition of Stuart W. Epperson (Fayetteville petitioner).
Opposition to Petition to Add New Channel (Fayetteville proposal), filed by Carolinas Broadcasting, Inc., Fairmont.
Opposition to Comments, Counterproposal and petition of Stuart W. Epperson, filed by Coastline (Lake City petitioner).
Opposition of WLAT-FM to Order to Show Cause, filed by Coastal Broadcasting Company, Conway.

8. We now turn to the merits of the conflicting Lake City Channel 261A and Fayetteville Channel 280A proposals, each of which our engineering analysis indicates would, but for the other, conform with mileage separation requirements of the rule and be technically feasible if the other proposed changes in existing assignments at Kingstree for the Lake City proposal and at Kingstree, Conway and Fairmont for the Fayetteville proposal are made. Since the Fayetteville Channel 280A proposal would also make it technically feasible to assign Channel 280A instead of Channel 261A, proposed by Coastline, to Lake City, and our decision with regard to the Fayetteville proposal will determine which of these channels would be technically feasible for a Lake City assignment, we shall first consider that proposal.

FAYETTEVILLE CHANNEL 280A PROPOSAL

9. Fayetteville (1970 population, 53,510), the county seat of Cumberland County (1970 population, 212,042), and the central city of the Fayetteville Standard Metropolitan Statistical Area (coextensive with Cumberland County), is located in the southeastern coastal plain area of North Carolina, approximately 55 miles south of Raleigh, the state capital, and approximately 110 miles east of Charlotte, North Carolina.[9] Station WQSM occupies Fayetteville's only FM assignment, Class C Channel 251. The community is also served by four AM broadcast stations, three of which are unlimited-time stations (WFAI, WFLB, WFNC) and the other (WIDU), a daytime-only station.

10. In support of his proposal, Epperson urges that Fayetteville warrants additional FM assignments and stations by all standards: our FM population assignment guidelines provide that communities of 50,000 to 100,000 population may qualify for from two to four FM assignments; the population and economic growth potential[10] and importance of the city and area, as demonstrated by the data accompanying his pleading; and the fact that other North Carolina and South Carolina cities (17 are listed) with lesser population than Fayetteville have been provided with more FM assignments.

11. However, while Fayetteville is of a size to qualify for one or more additional FM assignments, absent countervailing considerations, as Epperson recognizes, there is no easy solution to the problem of providing Fayetteville with an additional FM assignment. Due to existing FM assignments in this southeastern section of the country, available FM channels which could be assigned to this area are extremely scarce, and there are none which could be assigned to Fayetteville without changing or deleting existing assignments in other communities. Any proposal to add a second FM assignment to Fayetteville must therefore be evaluated from the standpoint of its impact upon existing assignments of other communities, as well as from its preclusionary effect upon new assignments to other communities, with competing needs for FM outlets.

12. Epperson urges that his proposal for providing Fayetteville with a second FM assignment presents a feasible way of accomplishing this objective since it would only require changing the occupied Conway Channel 281 and Kingstree Channel 261A assignments and deleting the unused Channel 265A assignment at Fairmont and would, in addition, permit a new first assignment to Lake City also (Channel 280A) which, although not the same channel requested by Coastline for Lake City (Channel 261A), would also require the same change in the Kingstree Channel 261A assignment. He states that if his proposal is adopted, he will promptly apply for its use at Fayetteville and, if the successful applicant, would be willing to reimburse the Conway Channel 281 licensee for the costs incurred in the changeover. Epperson believes, however, that the successful applicant for a Lake City Channel 280 assignment, whether it be Coastline or someone else, should reimburse the Kingstree Channel 261A licensee for its

[7] These late filings include:
(a) Opposition of WLAT-FM to the Epperson proposal, filed November 29, 1973, by Coastal Broadcasting Company, Conway. (Its position on the Epperson proposal is also stated in its subsequently timely-filed response to the show cause order directed to it.)
(b) Opposition to Comments, Counter Proposal and Petition of Stuart W. Epperson, filed December 26, 1973, by Beasley Broadcasting Company, licensee of Radio Station WFAI(AM), Fayetteville, North Carolina.
(c) Statement in Opposition to Counterproposal of Stuart W. Epperson, filed December 28, 1973, by Wake County Broadcasting Co., Inc., licensee of Radio Station WAKS (AM), Fuquay-Varina, North Carolina. Its pending petition for rule making on a proposal to assign Channel 280A to Fuquay-Varina (RM-2303), filed December 28, 1973, conflicts with the Epperson Fayetteville Channel 280A proposal but cannot be considered herein in conjunction with the Fayetteville proposal since the cut-off date for acceptance of counterproposals for consideration in this proceeding was November 16, 1973.
(d) Statement in Opposition to Counterproposal of Stuart W. Epperson, filed December 28, 1973, by Carolinas Broadcasting, Inc., licensee of Radio Station WFMO, Fairmont. As noted in footnote 4 above, it is an applicant for the Fairmont Channel 265A assignment which would be deleted by the Epperson proposal.
(e) Further Reply Comments, filed January 17, 1974, by Earl L. Bradsher, Jr.
(f) A revised page 13 of his "Further Reply Comments", filed January 18, 1974, by Earl L. Bradsher, Jr.
(g) Telegram in opposition to the Epperson proposal insofar as it would delete the Fairmont Channel 265A FM assignment, received December 26, 1973, from W. B. Webster on behalf of himself and the Fairmont City Council.

[8] The Coastline petition to dismiss was endorsed and supported by counsel (Wade H. Hargrove of Tharrington, Smith and Hargrove) for Carolinas Broadcasting, Inc., Fairmont, in a letter, received January 31, 1974.

[9] All population figures are from the 1970 U.S. Census unless otherwise indicated.

[10] During the 1960-1970 period, Fayetteville increased in population from 47,106 to 53,510 (a 13.6 percent increase). Cumberland County, during the same period, increased in population from 148,418 to 212,042 (a 42.9 percent increase). Epperson also states that Sales Management projects a population of approximately 244,900 for Cumberland County by 1975.

changeover costs. Coastline, however, in its opposition to the Epperson proposal, contends that since the Epperson Fayetteville (and Lake City) proposal is new and different from its Lake City proposal, it must stand on its own feet, and if adopted, compensation for any and all existing stations' change of frequency required must be borne by the successful Fayetteville applicant, and not by an incidental beneficiary which had not proposed or supported the Epperson proposal.[11]

13. As for justifying removal of Fairmont's only FM assignment to effectuate his Fayetteville proposal, Epperson contends, among other things, that while Fairmont has had an available FM assignment since even before the present FM assignment table was adopted in 1963, no interest has heretofore been displayed in its use for a local station, and that there is nothing in the public record to indicate why Fairmont was assigned an FM channel in the first place since it is a small town (1970 population 2,872) which has a local daytime-only AM station (WFMO) and receives two FM signals of 60 dBu from the two FM stations at Lumberton, North Carolina. Lumberton (1970 population, 16,961) is located some 10 miles northeast of Fairmont and, in addition to its two FM outlets, has two AM stations, one of which is an unlimited-time operation.[12] In addition, Epperson states that, based on Roanoke Rapids-Goldsboro, N.C. criteria[13], Fairmont could receive FM signals of 60 dBu from three additional stations and a 45 dBu signal from ten stations if their facilities were improved to conform to Roanoke Rapids-Goldsboro standards.[14] He states that, in contrast, while a much larger and faster growing community, by the same criteria, would be able to receive FM service of 60 dBu or stronger only from four stations (one of which is the local Fayetteville Class C station) and a 55 dBu signal from five stations.[15]

14. Epperson also contends that any reluctance we might have to intermixing classes of FM assignments in the Fayetteville market by adoption of his Class A proposal for Fayetteville, where only a Class C channel is presently assigned, should be overcome by consideration that a Class A channel is technically adequate to serve Cumberland County (the Fayetteville SMSA) and would provide at least 98 percent of the people in the county, which are projected to number almost a quarter million people by 1975, with a 60 dBu signal from a second local Fayetteville station. He notes also that other North Carolina communities smaller than and near Fayetteville, such as Durham, Goldsboro, Inston, Lumberton, Rocky Mount and Wilmington, have been assigned different classes of FM channels.

15. Insofar as the preclusionary impact of his proposal is concerned, Epperson maintains, based on his study thereof, that, other than Fairmont, the assignment of Channel 280A to Fayetteville would preclude its availability to only one other community with a 1970 population of 1,000 or more—Lillington, North Carolina (1970 population, 1,155), located approximately 22 miles north of Fayetteville, midway between Fayetteville and Raleigh. He points out that Lillington, while without a local outlet, has present and potential FM services available to it from Asheboro, Durham, Raleigh and other stations. However, Fuquay-Varina (1970 population, 3,576), which has no FM assignment and only a daytime-only AM station for a local outlet, is located only about 12 miles north of Lillington and 35 miles north of Fayetteville, and it appears that by judicious selection of a transmitter site Channel 280A would be technically feasible for assignment and use there if not precluded by a Fayetteville Channel 280A assignment.[16] While Epperson states that his Fayetteville Channel 280A proposal would, on the other hand, permit use of Channel 280A at sites in Brunswick, New Hanover or Pender counties in North Carolina and would also enlarge the area in which Channel 261A might be assigned on the coast south of Charleston, South Carolina, he mentions no communities in these areas of a size to possibly have need for an FM outlet, and there appear to be none of any size.

16. In its comments opposing the Epperson Fayetteville proposal, Carolinas Broadcasting, the licensee of the Fairmont daytime-only AM station (WMFO), states that, since the existing Fairmont Channel 265A assignment offers Fairmont its only hope for a full-time local broadcast service, it is strongly opposed to the deletion of the channel from Fairmont in order to provide Fayetteville, which already has three unlimited-time AM stations, a daytime AM station, and an unlimited-time FM station, with another FM assignment. It also informs that it has been engaged in preparing an application to file for a new FM station to serve Fairmont on Channel 265A [which it thereafter filed on March 18, 1974 (BPH–8884)]. Coastline, in its opposition, stresses that Epperson's argument that the Fairmont Channel 265A assignment lies fallow is demolished by the comments of Carolinas Broadcasting herein informing of its plans to apply for the channel.

17. Coastal Broadcasting, the licensee of the Conway Channel 281 station (WLAT–FM) that would be required to change over to operation on Channel 263 under Epperson's Fayetteville proposal, in its response to the show cause order directed to it in the matter, states that it is opposed to the order because, among other reasons, Epperson's Fayetteville proposal would delete Fairmont's only FM assignment and preclude it from having a first full-time aural broadcast outlet. It too calls attention to the opposition pleading herein of Carolinas Broadcasting which given notice of its plans to apply for authority to use the Fairmont Channel 265A

[11] Since the change in the Kingstree assignment is required to effectuate both the Fayetteville and Lake City assignment proposals, this raises a question which, however, in view of our decision herein, we need not reach. However, as a matter of information as to how we have handled similar questions of reimbursement, see In re Doniphan, Missouri, et al., 32 FCC 2d 162 (1970), a case involving more than one new FM assignment requiring an operating station to change frequency. We held there that the licensee thereof was entitled to reimbursement of the actual costs of the change from all the parties benefiting (those receiving construction permits on the new assignments made possible by the change) but that he should not have to wait for reimbursement until all of the new assignments were activated. We, accordingly, ruled that he was entitled to reimbursement from the party first receiving a construction permit on one of the new assignments who, in turn, was entitled to pro rata reimbursement from the other parties receiving construction permits for the other new assignments. (It would appear that this reimbursement procedure would eliminate any basis for the concern expressed in the pleadings that the reimbursement requirement would pose a delay factor in the activation of the proposed Fayetteville and Lake City Channel 280A assignments, if made.)

[12] It is noted that Epperson considers Fairmont as receiving "local services" from the Lumberton AM and FM stations. However, since a broadcast station's primary obligation is to its city of license, with only a secondary obligation to other areas within its field intensity contours, a broadcast station is considered a "local" station only for its city of license, and, as commonly used and applied in our broadcast rules and practice, the "local services" available to a community refer only to those supplied by broadcast stations which designate it as their principal community of license. That is not to say, of course, that broadcast stations are obligated to meet only the local needs of their communities of license, for they also have an obligation to meet the local needs of other communities within their service area, particularly those lacking local outlets of their own.

[13] See In Re Roanoke Rapids-Goldsboro, N.C., 9 F.C.C. 2d 672 (1967).

[14] The 45 dBu signal of FM stations is not taken into account in making FM assignments. The standard used is the 1 mV/m (60 dBu) contour which is considered an FM station's predicted service contour. While a signal of 45 dBu may be adequate for service in rural areas if interference-free, as was pointed out in our Roanoke Rapids-Goldsboro decision, the spacings we have adopted for FM assignment in most cases subject such signals to interference and limit adequate service of stations to signals closer to 60 dBu.

[15] It is to be noted that Epperson considers a 45 dBu signal adequate for service to Fairmont but a 55 dBu signal necessary to serve Fayetteville because of its larger size. However, as noted in footnote 14 above, the standard is the 60 dBu signal and it is applied to all communities, regardless of size. (If the same 45 dBu criteria were applied to Fayetteville, it, as well as Fairmont, would have 10 potential FM services available, with one of them from the local Fayetteville station.)

[16] As previously noted in footnote 7(c) above, a pending petition for rule making (RM–2303) has been filed by the licensee of the Fuquay-Varina AM station (WAKS) proposing the assignment of Channel 280A to Fuquay-Varina.

assignment for a new FM station there. If required to change the operating frequency of its Conway Channel 281 station, Coastal states that it would be necessary to modify the equipment it uses in connection with the SCA it has to serve about 65 establishments within 40 miles of Conway. It also informs that construction permit to increase power of its Conway station (BPH-8264) on which construction is being delayed because of Epperson's proposal herein which would require a change in its operating frequency and that it is concerned that the delay will result in an increase in its costs for new equipment.

18. Since Station WDKD-FM at Kingstree would be required to shift from operation on Channel 261A to Channel 252A under both Coastline's Lake City proposal and Epperson's Fayetteville (and Lake City) proposal, the comments and response to the show cause order filed by its licensee, Santee Broadcasting Co. (Santee), respecting the proposed shift to implement the Coastline Lake City proposal are also germane to Epperson's Fayetteville (and Lake City) proposal. Santee states therein that should we decide that the public interest requires the channel change at Kingstree so as to allow the proposed Lake City assignment, it has no objection to a modification of its license to accomplish this result: *Provided*, That it receives full reimbursement for all expenses reasonably and prudently incurred in accomplishing the channel change. Santee states, however, that, in accordance with the notice of rule making issued herein [17], it does not waive its rights under section 316 of the Communications Act and requests their recognition to the following extent: That, if the Lake City assignment proposal requiring the Kingstree channel change is adopted, it will, in good faith, negotiate with Coastline or any other successful applicant for the Lake City channel as to the appropriate reimbursement figure but that, if agreement cannot be reached between them, it herein formally requests that an evidentiary hearing be held to determine the proper reimbursement costs. It further submits that, under Section 316, no license modification for its Kingstree station can be effectuated until this evidentiary hearing is completed.

19. We have carefully considered Epperson's Class A proposal for Fayetteville in light of the timely supporting and opposing comments, arguments and response of the parties and find no compelling public interest reason for its adoption in light of our policy against the intermixture of Class A and Class C assignments in the same community, the proposal's impact on channel availability in other communities without a local FM outlet, and the aural broadcast services presently available at Fayetteville.

20. It is our general policy to avoid intermixing Class A and Class C assignments in the same community, as Epperson's Fayetteville proposal would do, in order that all local stations may have comparable facilities for service and competition. Since this is not always feasible or possible if opportunity for needed FM service is to be provided to communities with the available FM channels, in some instances as Epperson notes, we have departed from this policy where there was overriding public interest for doing so, such as enabling a community to have a choice of FM service where it can be accomplished without depriving other communities and areas of opportunity for needed service. Epperson's Class A proposal for Fayetteville, however, presents the possibility of providing Fayetteville with a choice of local FM service only by depriving another community (Fairmont) of its sole FM assignment and opportunity for a first FM local outlet and nighttime aural service, for which there is evidence of current demand, by disturbing two existing FM services in Conway and Kingstree (offset in part by making a Lake City assignment possible), and by precluding an assignment to a community in the Lillington area where there is also evidence of developing interest in establishing a first FM local outlet. In these circumstances, and considering also that a Class A channel at Fayetteville would not in any event, in our view, make for a wholly desirable assignment for a competitive local FM service, we would be adverse to providing Fayetteville with an additional FM assignment by means of this proposal, except upon a showing that the public interest nevertheless requires. We find nothing in the Epperson showing which would permit such a determination and nothing to convince us that Fayetteville, with three unlimited-time local AM services and one Class C FM service available, plus a local daytime AM outlet (all of which are taken into account in considering its need for additional local FM service), [18] is not being adequately served by its local aural broadcast services or has any pressing need for additional aural service which would warrant adoption of his subject FM proposal.

LAKE CITY CHANNEL 261A PROPOSAL

21. The remaining proposal to be considered is Coastline's proposal to assign Channel 261A to Lake City for a first FM assignment and a first local nighttime radio service by substituting Channel 252A for Channel 261A at Kingstree. In its supporting comments, Coastline affirms that if the proposal is adopted it will apply for authority to construct and operate a new FM station at Lake City on the channel and that it agrees "to make whole any reasonable and prudent outlay made by Santee in changing its channel" at Kingstree. Other than Coastline, none of the parties hereto commented on the merits of the proposal. The comments of Epperson deal solely with his conflicting Fayetteville (and Lake City) counterproposal, which we have already considered and rejected. The Santee pleading, discussed in paragraph 18 above, concerns its position respecting reimbursement for its changeover costs and modification of its license should the Coastline proposal be adopted and its Kingstree Channel 261A station (WDKD-FM) be required to change frequency.

22. As the notice pointed out, Lake City (population 6,247) is located in Florence County (population 89,438) in the east central portion of South Carolina, about 23 miles south of Florence (population 25,997), the county seat, and about 15 miles north of Kingstree (population 3,381), located in Williamsburg County (population 34,243). Coastline adds that Lake City and its environs which would be served by the proposed FM operation contain a population numbering 11,762 persons, made up of Lake City Division (8,479), of which Lake City is a part, and Scranton Division (3,283), which adjoins Lake City. It further states that while the Sixth Congressional District of the state in which Lake City and Florence are located as a whole decreased in population over the 1960-1970 period due to the migration of farm labor to northern states, the portions thereof containing Lake City (which had a 3.1 percent population increase, from 6,059 to 6,247) and Florence County (which had a 6.2 percent population increase, from 84,438 to 89,636) were among the few locations which had a population increase over the period. Coastline also informs that agriculture is the principal industry in Florence County, with the 1970 Census reporting 2,543 farms therein, and that, while manufacturers of business machines, zipper closures and clothing have established plants in and near Lake City in recent years, this area still remains predominantly a farming area with tobacco the principal crop.

23. The only aural radio outlet at Lake City is Coastline's AM station (WJOT), a daytime-only operation, and the nearest aural broadcast stations providing nighttime service are at Florence, where all other aural broadcast stations in

[17] In the notice, we pointed out that, while it is well-settled Commission policy that a licensee is entitled to reimbursement when a change in the FM Table of Assignments is made which requires its station to change frequency, it is equally clear that the right to reimbursement is circumscribed; that some of Santee's claims for reimbursable costs seemed overstated from the standpoint of the guidelines for reimbursable costs furnished in other cases; and that the task of determining the appropriate costs, as in other similar cases, would be left to the good faith judgment of Santee and any permittee for the proposed Lake City Channel 261A assignment, subject to Commission approval in the event of disagreement. The cases referred to and cited on our reimbursement policy and guidelines included Circleville, 8 F.C.C. 2d 159 (1967); Elizabethtown, 26 F.C.C. 2d 162 (1970); Greensburg, Burnside and Jamestown, and Oak Ridge, 32 F.C.C. 2d 937 (1972), and decisions cited therein; as well as Ashland and Roanoke, 26 F.C.C. 2d 448 (1970), cited by Santee.

[18] See In re Relationship between the AM and FM Broadcast Services, 39 F.C.C. 2d 645, 670 (1973); Anamosa and Iowa City, Burlington, Iowa, FCC 74-409, 46 F.C.C. 2d — (1974).

Florence County are located. These consist of three AM stations (WOLS, WJMX, and WYNN, a daytime-only operation) and one FM station (WSTN), which operates on Channel 276A. The other Florence FM assignment (Channel 288A) is used by Station WDAR–FM at Darlington, South Carolina (population, 6,990), located in Darlington County (population, 53,442), ten miles to the northwest of Florence. Coastline's showing indicates that neither the Florence nor Darlington FM stations serve Lake City and that at the present time only Santee's Kingstree FM station (WDKD–FM) provides a 1 mV/m or better signal to Lake City.[19] It stresses that a new FM outlet and a first local nighttime aural service in Lake City could provide additional opportunities for local advertising and programing for its black community which constitutes approximately 35 percent of the population.

24. Our further consideration of Coastline's Lake City Channel 261A proposal and showings leads us to confirm our prior tentative conclusion that it is feasible; that the assignment of Channel 261A to Lake City and of Channel 252A in place of Channel 261A to Kingstree would comport with mileage separation requirements; and that the proposal would have no resulting adverse preclusionary effect on possible channel assignments elsewhere. We are also convinced that the assignment of an FM channel to Lake City would serve a need and demand there for an FM outlet and a first local full-time broadcast service. In addition, there being no available unassigned FM channel which could be assigned, we are satisfied that its proposal presents a justifiable and reasonable means of accomplishing this objective since it will enable Lake City to have a first FM assignment without loss of assignment elsewhere and will require only that the Kingstree FM assignment be replaced with an equally satisfactory Class A assignment. We therefore believe it clearly in the public interest and in furtherance of the mandate of section 307(b) of the Communications Act for a fair, efficient and equitable distribution of radio service to assign Channel 261A to Lake City by changing the Kingstree Channel 261A assignment to Channel 252A. While this involves disturbing the existing Kingstree Channel 261A service, the public interest in the new Lake City assignment, in our view outweighs this consideration, particularly since there appears to be no significant technical advantage of Channel 261A over Channel 252A for use at Kingstree and since whatever disruption of service that may occur will be temporary.

[19] It was claimed in Coastline's engineering study that Station WDKD–FM covers approximately one-third of the Lake City urbanized area with a 1mV/m or better service and that, if maximum facilities conforming with Roanoke Rapids-Goldsboro, N.C., standards were used, Lake City would be completely within the 1 mV/m contour of Station WDKD–FM.

25. Our action ordering the new Lake City and changed Kingstree FM assignments will require a change in the operating frequency of Santee's Kingstree station (WDKD–FM). As mentioned in paragraph 21, Coastline has stated its intention to apply for the new Lake City assignment and has agreed to reimburse Santee fully for any reasonable and prudent costs connected with accomplishing the change in its operating frequency. As stated in paragraph 18, Santee has also advised that reimbursement for its changeover costs to this extent would be agreeable to it and that it will also negotiate in good faith with Coastline or any other successful applicant for the new Lake City assignment as to the appropriate reimbursement figure which is reasonable and prudent.

26. The Communications Act provides licensees with no right to reimbursement when changes are required in their operating frequencies to permit other new or changed assignments which we have found, as here, to be warranted in the public interest and called for by section 307(b) considerations. However, it is now well-settled Commission policy, evolved in FM and TV assignments cases where such reimbursement appeared feasible and equitable in the circumstances, to allow and provide for reimbursement for the reasonable costs of the channel change in such situations from the party or parties ultimately benefiting from the new or changed assignments thereby permitted. In the present case also, we believe that equitable considerations dictate that Santee should be reimbursed for the reasonable costs incurred in accomplishing the channel change, and that such reimbursement should come from whoever may be granted a construction permit for the new Lake City assignment, whether it be Coastline or someone else. While we have on occasion in similar cases stipulated items of expense which are appropriate for reimbursement and which are not (see, for example, the Circleville case and others cited in footnote 17, supra.), we generally leave the determination of the appropriate costs making up to the "reasonable" reimbursement figure to the good faith judgment of the parties eventually involved, subject to Commission approval in the event of disagreement, and we do so here. We see no reason why both Santee and the party becoming the Lake City permittee, assisted by the guidelines we have furnished in similar cases, such as Circleville, acting in good faith, cannot reach agreement on what constitutes a reasonable settlement of the costs of the channel shift, and we expect them to do so.

27. As mentioned above (para. 1) Santee, in the notice, was ordered to show cause why its license for Station WDKD–FM should not be modified to specify operation on Channel 252A instead of 261A, with the understanding that it would receive reasonable reimbursement for the change. Santee, while not challenging the merits of the subject Lake City assignment proposal or our authority to adopt it, advises in its pleading that it does not consent unconditionally to modification of its license during its license term to change its operating frequency, as is required to permit the new Lake City assignment. Rather, its consent is conditioned upon its reaching agreement with Coastline or another successful applicant for the new Lake City assignment as to the proper "reasonable" reimbursement figure. If such an agreement is not reached, Santee requests an evidentiary hearing, as a matter of right under Section 316 of the Communications Act, to determine the proper reimbursement before its license is modified. We are opposed to this approach.

28. The matter of reimbursement, if allowed at all (it is clear that in many situations, such as in a comprehensive revision or restructuring of the existing FM or TV assignment table, provision for reimbursement to affected licensees would clearly not be feasible, if possible), is one of private equity and not a public interest consideration. Nor has Santee made any showing that a hearing on the reimbursement question would involve any public interest question or serve any useful purpose since the issue would be limited to whether the costs were reasonable, as the Commission has defined. The Commission must place the public interest above private interests in carrying out its duties, and we do not believe that the public interest would be served by conditioning or delaying new assignments or changes in assignments (found to have a public interest basis in a public rule making proceeding in which the affected licensee has participated) by resolving the reimbursement question in an adjudicatory hearing.

29. Therefore, since we believe the Lake City assignment, which requires the change in the Kingstree assignment occupied by Station WDKD–FM to be in the public interest, we are in accordance with Transcontinent Television Corp. v. FCC, 113 U.S. App. D.C. 384, 308 F. 2d 339, 23 RR 2064 (1962), and our practice in similar circumstances in other FM assignment cases[20] making the amendments to the FM Table of Assignments effective 3:00 a.m. local time, December 1, 1975, the date of expiration of licenses of South Carolina broadcast stations, or such earlier date as the Commission may authorize interim operation on Channel 252A at Kingstree, as mentioned below, and we are ordering the licensee of Station WDKD–FM to file its December 1, 1975, renewal application specifying operation on Channel 252A instead of Channel 261A. Station WDKD–FM may continue to operate on Channel 261A until December 1, 1975, or until such earlier time as, upon its request, the Commission authorizes interim

[20] See, for example, Wisconsin Dells, Wisconsin, 35 F.C.C. 2d 478 (1972); Rockford, Mendota, and Peru, Illinois, 17 F.C.C. 2d 947 (1969); Bellefontaine and Kenton, Ohio, 3 F.C.C. 2d (1966).

operation under special operating authority on Channel 252A, following which it shall submit, within 30 days, the measurement data normally required of an applicant for an FM broadcast station. The Commission will view such a request of Station WDKD–FM as a relinquishment of Channel 261A and a waiver of any rights it may possess with regard to that channel.

30. In view of the foregoing: *It is ordered*, That effective December 1, 1975, or earlier as indicated in [1] below, pursuant to authority contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended, the FM Table of Assignments, § 73.202(b) of the rules is amended, insofar as the communities named are concerned, to read as follows:

City:	Channel No.
Kingstree, S.C.	[1] 252A
Lake City, S.C.	[1] 261A

[1] Effective 3 a.m. local time, December 1, 1975 (concurrently with the expiration of the outstanding license for Station WDKD–FM on Channel 261A at Kingstree, South Carolina), or such earlier date as Station WDKD–FM may, upon its request, cease operation on Channel 261A at Kingstree.

31. *It is further ordered*, That the proposal to assign Channel 280A to Fayetteville, North Carolina, advanced by Stuart W. Epperson herein as a counterproposal (RM–2279), is denied.

32. *It is further ordered*, That the Secretary of the Commission send a copy of this Report and Order by Certified Mail—Return Receipt Requested, to Santee Broadcasting Co., Inc., licensee of Station WDKD–FM, Kingstree, South Carolina, and also a copy thereof by regular mail to its attorneys, Cohn and Marks, Washington, D.C.

33. *It is further ordered*, That this proceeding is terminated.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 104, 303, 307.)

Adopted: July 17, 1974.

Released: July 26, 1974.

FEDERAL COMMUNICATIONS COMMISSION,[21]
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.74–17338 Filed 7–29–74;8:45 am]

[FCC 74–802]

PART 76—CABLE TELEVISION SERVICES

Carriage of Television Broadcast Signals

Order. In the matter of amendment of Part 76, Subpart D, of the Commission's rules concerning carriage of television broadcast signals in the cable television service.

1. Section 76.51 of the Commission's rules for cable television lists the first 100 major television markets in the United States. In § 76.5(g), we have defined these markets to be:

The specified zone of a commercial television station licensed to a community listed in § 76.51, or a combination of such specified zones where more than one community is listed.

One of the combined or hyphenated major markets is Kalamazoo-Grand Rapids-Muskegon-Battle Creek, Michigan (#37).

2. It has come to our attention that no commercial television station is now serving or authorized to serve Muskegon, Michigan. On October 2, 1967, a construction permit was granted to Muskegon Telecasting Company, Inc., for Channel 54, Muskegon, Michigan; however, the construction permit was cancelled on October 15, 1971, at the request of the permittee, and this allocation has remained available ever since. Consequently, the area surrounding the City of Muskegon no longer fits our definition of a television market. We will therefore amend Section 76.51 of the Rules to delete Muskegon from the 37th major television market.

3. This amendment is designed to relieve unnecessary burdens and expedite Commission proceedings with respect to matters that our experience indicates are not the subject of dispute. Accordingly, we conclude that the effective date, prior notice of rulemaking and public proceedings thereon are unnecessary, pursuant to section 4 of the Administrative Procedure Act, 5 U.S.C. 553. Similarly, delay in implementing this amendment would be contrary to the public interest.

4. Authority for the rule amendment adopted herein is contained in sections 2, 4 (i) and (j), 303, 307, 308, and 309 of the Communications Act of 1934, as amended.

Accordingly, it is ordered, That effective July 31, 1974, Part 76 of the Commission's rules and regulations is amended as set forth below.

(Secs. 2, 4, 303, 307, 308, 309, 48 Stat., as amended, 1064, 1066, 1082, 1083, 1084, 1085; (47 U.S.C. 152, 154, 303, 307, 308, 309))

Adopted: July 17, 1974.

Released: July 24, 1974.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] VINCENT J. MULLINS,
Secretary.

Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

A. In Part 76—Cable Television Service, § 76.51(a) (37) is amended as follows:

§ 76.51 Major television markets.

(a) * * *

(37) Kalamazoo-Grand Rapids-Battle Creek, Michigan.

* * * * *

[FR Doc.74–17334 Filed 7–29–74;8:45 am]

[21] Commissioners Washburn and Robinson not participating.

[1] Commissioners Washburn and Robinson not participating.

Title 49—Transportation

CHAPTER I—DEPARTMENT OF TRANSPORTATION

SUBCHAPTER A—HAZARDOUS MATERIALS REGULATIONS BOARD

[Docket No. HM–109; Amdt. Nos. 173–83, 179–15]

PART 173—SHIPPERS

PART 179—SPECIFICATIONS FOR TANK CARS

Tank Car Tank Head Shields

This amendment establishes a requirement for a protective shield for certain uninsulated tank car heads. The amendment was proposed on May 29, 1973, in Docket No. HM–109, Notice No. 73–4 (38 FR 14112). In that notice the Board stated that it believed this requirement would materially reduce the number of head punctures on tank cars carrying liquefied flammable compressed gases and thereby increase safety to the public and railroad employees.

Interested persons were invited to participate in this rulemaking proceeding and all comments received have been given full consideration by the Board. There were nineteen commenters on the Notice including representatives of the railroad industry and shippers. The interest shown and the comments expressed are appreciated by the Board.

All of the respondents were of the opinion that a regulation calling for head shields is premature and that a modified coupler design with a more positive means of preventing vertical displacement of freight cars during impact would be preferable. The Board does not agree with this position for the following reasons:

1. Statistical evidence already exists through testing that a head shield would be both effective in reducing tank head punctures and would also be cost beneficial. There have been three studies on tank car head shields. Results of these studies are as follows:

(a) The first study, Railroad Tank Car Safety Research and Test Project, was conducted by the Railway Progress Institute (RPI) and the Association of American Railroads (AAR) under an FRA contract. This report was submitted in August 1971. Damage data in the report were based on tank head punctures for the period 1965–1970. Benefits were based on the head shield being 77 percent efficient. The cost of application used in the report was developed by the tank car maunfacturers. The average costs of application used in this report were $280 for a new car and $335 for an existing car. The present value benefit of the head shield was computed in this study as the resultant of investing the annual per car damage savings for a thirty year period at an interest rate of 10 percent. The report stated that the net economic value of the head shield was $105 on new cars and $50 on existing cars.

(b) The Association of American Railroads submitted a report in November 1972 on tank car head shields. The same data base and statistical approach as used in the RPI/AAR report was employed. The AAR assumed that the head shield would be only 50 percent effective and estimated the cost to be $272 for new cars and $474 for existing cars. On this basis, the net economic value was negative. On new cars the economic loss was stated as $8 and on existing cars the economic loss was $210.

(c) Examination of the two reports by the FRA and the Calspan Corporation revealed that the separation of tank car head punctures from other tank shell intrusions accompanying or resulting from a head puncture may have caused bias in the data base discussed in (a) and (b) above. FRA totaled all shell puncture damage and assigned the portion to head punctures based on the percentage of incidents originating from a head puncture. Application costs were based on the highest estimates from both head shield reports. On this basis, the net economic value of the head shield is $395 on new cars and $201 on existing cars. The following table shows a comparison of the three reports.

ECONOMIC EVALUATION OF TANK CAR SHIELD

(Per Class DOT 112A and 114A Car)

Economic Assumptions:

1. Cost Estimates:

(a) RPI/AAR—Average cost based on manufacturers' rail industry estimates.

(b) Calspan Report entitled "Cost/Benefit Analysis of Head Shields for 112/114 A Series Tank Cars", dated March 1, 1974. (Report No. ZL-5226-D-1).

2. Head Shield Efficiency:

(a) RPI/AAR and AAR—Based on respective estimates of the ability of the head shield to prevent head punctures.

(b) FRA—Used lowest efficiency estimate.

3. Present value benefit is based on investment of the annual economic savings at 10% over a 30 year period.

4. Economic Savings:

(a) RPI/AAR and AAR—Based on estimated damage due to head punctures during period 1965–1970.

(b) FRA—Based on pro-rated estimated damage due to all tank instrusions during period 1965–1970.

	DOT-FR-00035 RPI/AAR 1(a) 9/71		AAR Submittal 1(a) 11/72		FRA-Calspan Contract No. DOT-FR-20069 1(b) 12/73	
	New	Existing	New	Existing	New	Existing
Estimated cost of applied head shield	$280	$335	$272	$474	$272	$474
Estimated efficiency [2] of head shield (percent)	77	77	50	50	50	50
Present value [3] benefit	$385	$385	$264	$264	$679	$679
Net economic value	$105	$50	−$8	−$210	$407	$205

2. The modified coupler design which consists of a standard coupler with top and bottom shelf has had little testing and there is no basis for assuming that it is superior to the head shield as a puncture preventative. In the event that the modified coupler design also proves cost beneficial, the head shield can serve as back up system and increase the total effectiveness of both. Some commenters were concerned about the 500,000 pounds dynamic force strength requirement. The Board concurs with their recommendation that the shield be designed to pass the normal impact test required for all tank cars. The regulation has been revised to reflect this change. For the purposes of clarity a new paragraph Head Shields (179.100–23) has been introduced rather than amend the paragraph captioned Tank Heads (179.100–8).

In developing the final rule in this proceeding, the Board seriously considered reducing by one or two years the proposed period for retrofitting the more than 18,000 existing DOT specification 112A and 114A tank cars with head shields. However, upon further consideration, it was determined that this task is of such a magnitude that it cannot be completed before December 31, 1977. Reducing the retrofit period by one or two years would only result in removal of many of these cars from service thereby further intensifying the energy crisis and severely restricting the rail movement of fuels, fertilizers, chemicals and liquefied compressed gases vital to the nation's economy. The Board believes that prompt action must be taken by tank car owners to ensure that all existing 112A and 114A tank cars are equipped with head shields by the end of 1977. Accordingly, the Board requests that each owner of these tank cars file with the Federal Railroad Administrator, Washington, D.C. 20590, by September 1, 1974, its head shield retrofit program or schedule, followed by annual progress reports to be filed by September 1 each year and a final report when the program is completed. The Board expects each owner to retrofit all of its tank cars with head shields as soon as possible and will not be receptive to petitions to extend the retrofit program completion date.

In consideration of the foregoing, 49 CFR Parts 173 and 179 are amended as follows:

I. In the table contained in paragraph (c) of § 173.314, Note 23 would be added and reference thereto made in Column 3 of the table in the following entries:

§ 173.314 Requirements for compressed gases in tank cars.

* * * * *

(c) * * *

Kind of gas	Maximum permitted filling density, note 1 (percent)	Required tank car, see § 173.31(a) (2) and (3)
Anhydrous ammonia	50	DOT-106A500-X, note 7.
	57	DOT-105A300-W.
	57	DOT-112A400-F, 112A340-W, 114A340-W, notes 15 and 23.
	58.8	DOT-112A400-F, 112A340-W, 114A340-W, notes 15 and 23.
Butadiene (pressure not exceeding 255 lb/in² at 115° F), inhibited.	Notes 18 and 21	DOT-112A340-W, 114A340-W, notes 4, 20, and 23.
Butadiene (pressure not exceeding 300 lb/in² at 115° F), inhibited.	Notes 18 and 21	DOT-112A400-W, 114A400-W, notes 4, 20, and 23.
Liquefied petroleum gas (pressure not exceeding 255 lb/in² at 115° F).	Note 18	DOT-112A340-W, 114A340-W, notes 4, 20, and 23.
Liquefied petroleum gas (pressure not exceeding 300 lb/in² at 115° F).	Note 18	DOT-112A400-F, 112A400-W, 114A400-W, notes 4, 20, and 23.
Methylacetylene-propadiene, stabilized	Note 22	DOT-105A300-W, 112A340-W, 114A-340W, 106A500-X, notes 4, 9, and 23.
Vinyl chloride, note 9	84	DOT-106A500X, note 7.
	87	DOT-105A200W, notes 4 and 16.
	86	DOT-112A340W, 114A340W, notes 4 and 23.

* * * * * * *

NOTE 23: Specification 112A or 114A tank cars used for transportation of compressed gases must be equipped with protective head shields after Dec. 31, 1977. See sec. 179.100-23 for head shield specification.

II. In § 179.100, add a new subsection to read as follows:

§ 179.100–23 Head shields.

(a) After August 30, 1974, each end of a specification DOT–112A and 114A tank car must be equipped with a protective head shield. The shield must be:

(1) At least ½-inch thick, and made from steel produced in accordance with specification ASTM A242 or ASTM A572 GR. 50;

(2) In the shape of a trapezoid with the following dimensions:

(i) A minimum width at the top of center sill of 4 feet 6 inches;

(ii) A minimum width at the top of the shield of 9 feet 0 inches;

(iii) The top corners of the shield rounded to a minimum radius of 9 inches;

(iv) The bottom corners of the shield rounded to a minimum radius of 3 inches;

(v) All inside edges of the shield chamfered to a minimum radius of ¼ inch; and

(vi) A minimum height of 4 feet and 6 inches;

(3) Shaped to the contour of the tank shell head, utilizing a minimum of three vertical bend lines; and

(4) The head protection device must meet the impact test requirements of paragraph AAR. 24–5 in the "Specifications for Tank Cars" Standard, effective October 1, 1972. The impact test acceptance criterion is that the device and its supporting structure does not sustain visible permanent damage or deformation such as fractures, cracks, bends and dents. The object of this requirement is to assure that the head shield has adequate strength to remain attached and functionally unimpaired during normal operations.

The head protection device must meet all of the workmanship requirements of the "AAR Specifications for Design, Fabrication and Construction of Freight Cars, dated September 1, 1964."

This amendment is effective August 30, 1974. However, compliance with the regulations, as amended herein, is authorized immediately.

(Secs. 831–835 of Title 18, United States Code, sec. 9, Department of Transportation Act (49 U.S.C. 1657))

Issued in Washington, D.C. on July 23, 1974.

JOHN W. INGRAM,
Federal Railroad Administrator
Member, Hazardous Materials Regulations Board.

[FR Doc.74–17294 Filed 7–29–74;8:45 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Corrected 3rd Rev. S.O. 1119]

PART 1033—CAR SERVICE

Demurrage on Freight Cars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 27th day of June 1974.

It appearing, that an acute shortage of all types of railroad-owned freight cars exists throughout all sections of the country; that certain carriers are unable to furnish an adequate supply of freight cars to shippers located on their lines; that these shortages of freight cars are impeding the movement of many commodities; that many freight cars are ordered and held by shippers for loading which are later returned to the carrier without being used in transportation service; that such practices immobilize large numbers of freight cars needed by shippers for the transportation of other freight; and that the existing demurrage and detention rules, regulations, and practices of the railroads are ineffective to control such use of freight cars. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1119 Service Order No. 1119.

(a) *Demurrage on freight cars.* Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its demurrage rules and charges.

(b) *Description of cars subject to this order.* Except as otherwise provided in paragraph (c) herein, this order shall apply to freight cars which are subject to demurrage rules applicable to detention of cars.

(c)[1] (1) This order shall apply to all freight cars which are listed in the Official Railway Equipment Register, I.C.C. R.E.R. No. 391, issued by W. J. Trezise, or successive issues thereof, as having one of the mechanical designations shown on pages 1119 through 1121 under the headings: "Class 'R'—Refrigerator Car Type," "Class 'G'—Gondola Car Type," "Class 'H'—Hopper Car Type," "Class 'F'—Flat Car Type." (See exceptions (2) and (3).)

(2) *Exception.* This order shall not apply to cars with mechanical designations FA, FL, RA, RAM, RB, RBL, RS, RSB, RSM, or RSTC.

(3) *Exception.* The provisions of this order shall not apply to freight cars while subject to the provisions of Agent B. B. Maurer's Tariffs 8–O, I.C.C. H–30; 551–L, I.C.C. H–50; 552–P, I.C.C. H–47; and 719–F, I.C.C. H–53; nor to perishable protective charges published in Agent W. T. Jamison's National Perishable Protective Tariff No. 18, I.C.C. 37; supplements thereto, or reissues thereof.

(d) *Cars subject to this order.* (1) When empty cars placed on orders are not used in transportation service, demurrage will be charged for all detention, including Saturdays, Sundays, and holidays (see list in Item 25, Freight Tariff 4–I, I.C.C. H–36), from actual or constructive placement until released, with no free time allowance.

(2) Charges for cars detained as described in paragraph (1) shall be assessed at the following rates, until car is released:

$10.00 per car per day, or fraction of a day, for each of the first four days.
$20.00 per car per day, or fraction of a day, for each of the next two days.
$30.00 per car per day, or fraction of a day, for each of the next two days.
$50.00 per car per day for each subsequent day.

(3) In the application of this section, a demurrage day consists of a 24-hour period, or fraction thereof, computed from the hour of actual or constructive placement of the car, except that on cars placed in advance of the date for which ordered for loading, time will be computed from 7:00 a.m. on the day for which so ordered.

(4) When a car so ordered and placed on a public track or on an industrial interchange track is not used and no advice from the party who ordered the car has been received within 48 hours (two

[1] The word "Exceptions" eliminated.

days), exclusive of Saturdays, Sundays, and holidays (see list in Item 25, Freight Tariff 4–I, I.C.C. H–36), from the first 7:00 a.m. after placement (see paragraph (3)), the car shall be removed and treated as released at the time of removal. Such cars shall be subjected to demurrage charges as provided herein.

(5) (i) In the event a car is rejected account not suitable for loading, this section will apply if the party ordering the car advises the carrier of rejection and condition that caused the car to be rejected, within 48 hours (two days) exclusive of Saturdays, Sundays, and holidays (see list in Item 25, Freight Tariff 4–I, I.C.C. H–36) after actual placement (see paragraph (3)).

(ii) If rejection has not been made within time specified in paragraph (5) (i), demurrage will be charged for all detention, computed under paragraphs (1), (2), and (3) of this section.

(e) If the application of demurrage rules published in any tariff lawfully in effect results in demurrage charges greater than those provided in this order, such greater charges shall apply.

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

(g) *Regulations suspended—announcement required.* The operation of all rules and regulations, insofar as they conflict with the provisions of this order, is hereby suspended and each railroad subject to this order, or its agent, shall publish, file, and post a supplement to its tariff affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20, announcing such suspension.

(h) *Effective date.* This order shall become effective at 7 a.m., July 1, 1974.

(i) *Expiration date.* This order shall expire at 6:59 a.m., October 1, 1974, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; (49 U.S.C. 1, 12, 15, 17(2)). Interprets or applies secs. 1(10–17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; (49 U.S.C. 1(10–17), 15(4), and 17(2)))

It is further ordered, That a copy of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74–17357 Filed 7–29–74;8:45 am]

[Corrected Rev. S.O. 1186]

PART 1033—CAR SERVICE

Distribution of Privately Owned Coal Cars

At a session of the Interstate Commerce Commission, held in Washington, D.C., on the 17th day of July 1974.

It appearing, That an acute shortage of hopper cars exists in certain sections of the country; that shippers are being deprived of hopper cars required for loading coal to electric utility generating stations and steel plants; that coal stockpiles of several utility generating stations and steel plants are being depleted; and that certain car distribution regulations prescribed by the Commission in Docket 12530 (80 ICC 520 and 93 ICC 701) limit the use of privately-owned freight cars used for the transportation of coal; and that fuller utilization of shipper-owned or receiver-owned coal cars in unit train service will substantially assist in relieving the existing emergency and advance the public interest by contributing to a steady and ample supply of fuel to electric utility generating stations and steel plants.

It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1186 Service Order No. 1186.

(a) *Distribution of privately owned coal cars.* Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) Place promptly in a position for loading coal for transportation in unit train service to an electric utility generating station or steel plant, without regard to the provisions of the Commission's Order in Docket 12530 (80 ICC 520 and 93 ICC 701), all coal cars owned by the shipper or consignee which are available for placement for loading and which are ordered placed by the car owner.

(2) No common carrier by railroad subject to the Interstate Commerce Act shall accept from shipper any privately owned coal cars furnished under the provisions of paragraph (1) herein, unless loaded in unit train service for ultimate delivery to an electric utility generating station or steel plant within the United States.

(b) The term "Unit Train Service" used in this order means the movement of a single shipment of coal of not less than 2,500 tons, tendered to one carrier, on one bill-of-lading, at one origin, on one day and destined to one consignee, at one plant, at one destination, via one route.

(c) The term "Privately Owned Coal Cars" used in this order means any open top freight car listed in the Official Railway Equipment Register, ICC R.E.R. No. 392, issued by W. J. Trezise, or successive issues thereof, as having a mechanical designation "GA," "GB," "GD," "GH," "GS," "GT," "HM," "HK," or "HT," and which are owned or leased by either the coal shipper or the electric utility company or steel plant named as the consignee.

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

(e) *Effective date.* This order shall become effective at 12:01 a.m., July 29, 1974.

(f) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., June 15, 1975, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17 (2). Interprets or applies secs. 1(10–17), 15 (4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; (49 U.S.C. 1(10–17), 15(4) and 17(2)))

It is further ordered, That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74–17351 Filed 7–29–74;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

SUBCHAPTER B—TAKING, POSSESSION, TRANSPORTATION, SALE, PURCHASE, BARTER, EXPORTATION, AND IMPORTATION OF WILDLIFE

PART 20—MIGRATORY BIRD HUNTING

Open Seasons, Bag Limits, and Possession of Certain Migratory Game Birds

The Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755, 16 U.S.C. 703 et seq.), as amended, authorizes and directs the Secretary of the Interior, having due regard for the zones of temperature and for the distribution, abundance, economic value, breeding habits, and times and and lines of flight of migratory game birds, to determine when, to what extent, and by what means such birds or any part, nest, or egg thereof may be taken, captured, killed, possessed, sold, purchased, shipped, carried, or transported.

On page 10158 of the FEDERAL REGISTER of March 18, 1974 (39 FR 10158), there was published a notice of proposed rule making to amend Part 20 of Title 50 of the Code of Federal Regulations. These amendments would specify open seasons, shooting hours, and bag and possession limits for migratory game birds for the 1974–75 hunting seasons.

Interested persons were invited to submit their views, data, or arguments regarding such matters in writing to the Director, Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, Washington, D.C. 20240, by May 15, 1974. After analysis of the migratory game bird survey data obtained through investigations conducted by the Bureau of Sport Fisheries and Wildlife, by State game departments, and by other sources, the Director informed the State game departments of the outside dates, season lengths, shooting hours, and daily bag and possession limits for the 1974–75 seasons on doves, pigeons, rails (except coots), gallinules, woodcock, Wilson's snipe, and certain waterfowl; coots, cranes, and waterfowl in Alaska; and certain sea ducks in coastal waters of certain eastern coastal States. The State game departments were invited to submit recommendations for hunting seasons which complied with the shooting hours, daily bag and possession limits, and season lengths specified in the frameworks of opening and closing dates published by this Department.

The taking of the designated species of migratory birds is presently prohibited. The amendments will permit taking of the designated species within specified periods of time beginning as early as September 1, as has been the case in past years. Therefore, since these amendments benefit the public by relieving existing restrictions, they shall become effective on September 1, 1974.

Accordingly, each State game department having had an opportunity to participate in selecting the hunting seasons desired for its State on those species of migratory birds for which open seasons are now to be prescribed, and consideration having been given to all other relevant matters presented, it is determined that certain sections of subpart K of Part 20 be amended as follows:

Subpart K—Annual Season, Limit, and Shooting Hours Schedules

Sec.

* * * * *

Section 20.102 is amended to read as follows:

§ 20.102 Seasons, limits, and shooting hours for Alaska.

Subject to the applicable provisions of the preceding sections of this part, the areas open to hunting, the respective open seasons (dates inclusive), the shooting hours, and the daily bag and possession limits on the species designated in this section are prescribed as follows:

Shooting hours: One-half hour before sunrise to sunset daily.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS

	Ducks	Coots	Brant	Geese	Common snipe (Wilson's)	Little brown cranes
Daily bag limit	6[1]	15	4	6[2]	8	2
Possession limit	18[1]	15	8	12[2]	16	4
Season dates in:						
Pribilof and Aleutian Islands east of Unimak Pass except Unimak Island.	Oct. 12–Jan. 26				Sept. 1–Nov. 4.	Sept. 1–Oct. 15.
Kodiak (State Game Management Unit 8).	Sept. 7–Sept. 29; Oct. 26–Jan. 17				Sept. 1–Nov. 4.	Sept. 1–Oct. 15.
Aleutian Islands west of Unimak Pass.	Oct. 12–Jan. 26 (season closed on Canada geese)				Sept. 1–Nov. 4.	Sept. 1–Oct. 15.
Remainder of Alaska and Unimak Island.	Sept 1–Dec. 16				Sept. 1–Nov. 4.	Sept. 1–Oct. 15.

[1] In addition to the basic daily bag and possession limits, a daily bag limit of 15 and a possession limit of 30 is permitted singly or in the aggregate of the following species: Scoter, eider, oldsquaw, harlequin, and American and red-breasted mergansers.

[2] The daily bag and possession limits may not include more than 4 daily and 8 in possession of white-fronted and Canada geese, singly or in the aggregate. In addition to the daily bag and possession limits on other geese, the daily bag limit is 6 and the possession limit is 12 on Emperor geese.

Section 20.103 is amended to read as follows:

§ 20.103 Seasons, limits, and shooting hours for mourning and white-winged doves and wild pigeons.

Subject to the applicable provisions of the preceding sections of this part, the areas open to hunting, the respective open seasons (dates inclusive), the shooting hours, and the daily bag and possession limits on the species designated in this section are prescribed as follows:

(a) *Mourning doves—Eastern Management Unit.*

Daily bag limit	12
Possession limit	24

Shooting hours: 12 o'clock noon until sunset.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS

Seasons in:	
Alabama:	
Northern zone [1]	Sept. 21–Nov. 6. Dec. 24—Jan. 15.
Southern zone [1]	Oct. 5–Dec. 13.
Connecticut	Closed.
Delaware	Sept. 14–Oct. 5. Nov. 26–Jan. 2. Jan. 6–Jan. 15
Florida	Oct. 5–Nov. 3. Nov. 16–Dec. 1 Dec. 21–Jan. 13.
Georgia:	
Northern zone [2]	Sept. 7–Oct. 26 Dec. 14–Jan. 2
Southern zone [2]	Sept. 28–Oct. 26. Nov. 30–Jan. 9.
Illinois	Sept. 1–Nov. 9
Indiana	Closed.
Kentucky	Sept. 1–Oct. 31. Dec. 1–Dec. 9.
Louisiana:	
Northern zone [3]	Sept. 1–Sept. 15. Oct. 12–Nov. 17. Dec. 21–Jan. 7.
Southern zone [3]	Oct. 12–Dec. 2 Dec. 21–Jan. 7.
Maine	Closed.
Maryland	Sept. 2–Oct. 26. Dec. 21–Jan. 4.
Massachusetts	Closed.
Michigan	Closed.
Mississippi:	
Northern zone [4]	Sept. 7–Sept. 29. Nov. 9–Dec. 1. Dec. 21–Jan. 13.
Southern zone [4]	Sept. 21–Oct. 13. Nov. 9–Dec. 1. Dec. 21–Jan. 13.
New Hampshire	Closed.
New Jersey	Closed.
New York	Closed.
North Carolina	Sept. 2–Oct. 12. Dec. 14–Jan. 11.
Ohio	Closed.
Pennsylvania	Sept. 2–Nov. 9.
Rhode Island	Sept. 23–Dec. 1.
South Carloina	Sept. 14–Nov. 2. Nov. 23–Nov. 30. Dec. 21–Jan. 1.
Tennessee	Sept. 1–Sept. 30. Oct. 12–Oct. 27. Dec. 21–Jan. 13.
Vermont	Closed.
Virginia	Sept. 7–Nov. 2 Dec. 21–Jan. 2.
West Virginia	Sept. 2–Nov. 10.
Wisconsin	Closed.

[1] In Alabama, the Northern zone is defined as that area lying north of U.S. Highway 84 and the Southern zone is defined as that area lying south of U.S. Highway 84.

[2] In Georgia, the Northern zone is defined as that area lying north of U.S. Highway 80 from Columbus to Macon; north of State Highway 49 from Macon to Milledgeville; north of State Highway 22 from Milledgeville to Sparta; north of State Highway 16 from Sparta to Warrenton; and north of U.S. Highway 278 from Warrenton to Augusta. The Southern zone is defined as that area lying south of U.S. Highway 80 from Columbus to Macon; south of State Highway 49 from Macon to Milledgeville; south of State Highway 22 fom Milledgeville to Sparta; south of State Highway 16 from Sparta to Warrenton; and south of U.S. Highway 278 from Warrenton to Augusta.

[3] In Louisiana, the Northern zone is defined as that area lying north of U.S. Highway 190 and the Southern zone is defined as that area lying south of U.S. Highway 190.

[4] In Mississippi, the Northern zone is defined as that area lying north of State Highway 12 to Kosciusko, and north of State Highway 14 from Kosciusko to the Alabama line. The Southern zone is defined as that area lying south of State Highway 12 to Kosciusko, and south of State Highway 14 from Kosciusko to the Alabama line.

(b) *Mourning doves—Central Management Unit.*

Daily bag limit 10
Possession limit 20

Shooting hours:

All States except Texas—One-half hour before sunrise until sunset.

Texas only—12 o'clock noon until sunset.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS

Seasons in:	
Arkansas	Sept. 1–Oct. 5. Dec. 15–Jan. 8.
Colorado	Sept. 1–Oct. 30.
Iowa	Closed.
Kansas	Sept. 1–Oct. 30.
Minnesota	Closed.
Missouri	Sept. 1–Oct. 30.
Montana	Closed.
Nebraska	Closed.
New Mexico [1]	Sept. 1–Sept. 30. Nov. 23–Dec. 22.
North Daktota	Closed.
Oklahoma	Sept. 1–Oct. 30.
South Dakota	Closed
Texas:	
Northern zone [2]	Sept. 1 –Oct. 30.
Southern zone: [2]	
Counties of Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, and Willacy.	Sept. 1, 2. Sept. 7, 8. Sept. 21–Oct. 30. Jan. 4–Jan. 19.
Remainder of Southern zone	Sept. 21–Nov. 3. Jan. 4–Jan. 19.
Wyoming	Sept. 1–Sept. 22.

[1] In New Mexico, the daily bag limit is 10 and the possession limit is 20 white-winged and mourning doves, singly or in the aggregate of these species.

[2] In Texas, the Northern zone consists of the counties of Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, Williamson, Milam, Robertson, Leon, Houston, Cherokee, Nacogdoches, and Shelby and all counties north and west thereof. The Southern zone consists of all counties south and east of the Northern zone.

(c) *Mourning doves—Western Management Unit.*

Daily bag limit 10
Possession limit 20

Shooting hours: One-half hour before sunrise until sunset.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS

Seasons in:	
Arizona	Sept. 1–Sept. 22. Nov. 30–Dec. 27.
California [1]	Sept. 1–Sept. 30. Nov. 23–Dec. 8.
Idaho	Sept. 1–Sept. 15.
Nevada [1]	Sept. 1–Oct. 20.
Oregon	Sept. 1–Sept. 30.
Utah	Sept. 2–Sept. 30.
Washington	Sept. 1–Sept. 30.

[1] In those counties of California and Nevada having an open season on white-winged doves, the daily bag limit is 10 and the possession limit is 20 mourning and white-winged doves, singly or in the aggregate of these species.

NOTE.—Hawaii—Subject to the applicable provisions of the preceding sections of this part, mourning doves may be taken in accordance with the State regulations.

(d) *White-winged doves.*

Shooting hours:

All States except Texas—One-half hour before sunrise until sunset.

Texas only—12 o'clock noon until sunset.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS

Seasons in—	Season dates	Limits	
		Bag	Possession
Arizona	Sept. 1–Sept. 22	10	10
California: [1]			
Counties of Imperial, Riverside, and San Bernardino.	Sept. 1–Sept. 30; Nov. 23–Dec. 8	10	20
Remainder of State	Closed		
Nevada: [1]			
Counties of Clark and Nye	Sept. 1–Oct. 20	10	20
Remainder of State	Closed		
New Mexico [1]	Sept. 1–Sept. 30; Nov. 23–Dec. 22	10	20
Texas:			
Counties of Brewster, Cameron, Culberson, El Paso, Hidalgo, Hudspeth, Jeff Davis, Kinney, Maverick, Presidio, Starr, Terrell, Val Verde, Webb, Willacy, and Zapata,	Sept. 1–2; Sept. 7–8	10	20
Remainder of State	Closed		

[1] In California, Nevada, and New Mexico, the daily bag limit is 10 and the possession limit is 20 white-winged and mourning doves, singly or in the aggregate of both species.

(e) *Band-tailed pigeons.*

Shooting hours: One-half hour before sunrise until sunset.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS

Seasons in—	Season dates	Limits	
		Bag	Possession
Arizona [1]	Oct. 12–Oct. 31	5	10
California:			
Counties of Butte, Del Norte, Glen, Humboldt, Lassen, Mendocino, Modoc, Plumas, Shasta, Sierra, Siskiyou, Tehama, and Trinity.	Sept. 28–Oct. 27	8	8
Remainder of State	Dec. 14–Jan. 12	8	8
Colorado [1]	Sept. 7–Oct. 6	5	10
New Mexico: [1]			
Northern zone [2]	Sept. 1–Sept. 20	5	10
Southern zone [2]	Oct. 12–Oct. 31	5	10
Oregon	Sept. 1–Sept. 30	8	8
Utah [1]	Sept. 2–Sept. 30	5	10
Washington	Sept. 1–Sept. 30	8	8

[1] Every hunter must have been issued and carry on his person while hunting band-tailed pigeons a properly validated special band-tailed pigeon hunting permit issued by the game department of each respective State for the open season in that State. Such a special band-tailed pigeon hunting permit will be issued upon application to the State game department of the State in which hunting is to be done. Permits issued by any State will be valid in that State only. This season shall be open only in the areas described, delineated, and designated as such by the States of Arizona, Colorado, New Mexico, and Utah in their respective hunting regulations. The head or one fully feathered wing regulation remains.

[2] In New Mexico the Northern zone is defined as that area lying north of U.S. Highway 60 and the Southern zone is defined as that area lying south of U.S. Highway 60.

Section 20.104 is amended to read as follows:

§ 20.104 Seasons, limits, and shooting hours for rails, woodcock, and common snipe (Wilson's).

Subject to the applicable provisions of the preceding sections of this part, the areas open to hunting, the respective open seasons (dates inclusive), the shooting hours, and the daily bag and possession limits on the species designated in this section are prescribed as follows:

Shooting hours: ½ hour before sunrise until sunset daily on all species.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS

	Rails (Sora and Virginia)	Rails (King and clapper)	Woodcock	Common snipe (Wilson's)
Daily bag limit	25 [1]	See footnote 2	5	8.
Possession limit	25 [1]	See footnote 2	10	16.
Seasons in the Atlantic Flyway				
Connecticut	Sept. 2–Nov. 9	Sept. 2–Nov. 9	Oct. 19–Dec. 21	Oct. 19–Dec. 21.
Delaware	Sept. 2–Nov. 9	Sept. 2–Nov. 9	Oct. 21–Nov. 7, Nov. 18–Jan. 2.	Oct. 21–Nov. 7, Nov. 18–Jan. 2.
Florida	Sept. 1–Nov. 9	Sept. 1–Nov. 9	Dec. 21–Feb. 23	Nov. 9–Feb. 23.
Georgia	Sept. 14–Nov. 22	Sept. 14–Nov. 22	Nov. 20–Jan. 23	Dec. 20–Feb. 22.
Maine	Sept. 1–Nov. 9	Closed	Sept. 23–Nov. 15	Sept. 23–Nov. 15.
Maryland	Sept. 2–Nov. 9	Sept. 2–Nov. 9	Oct. 5–Dec. 7	Oct. 5–Nov. 28, Dec. 9–Dec. 18.
Massachusetts	Sept. 7–Nov. 15	Sept. 7–Nov. 15	Oct. 10–Nov. 30	Sept. 7–Nov. 10.
New Hampshire	Closed	Closed	Oct. 1–Dec. 1	Oct. 1–Dec. 1.
New Jersey [3]	Sept. 2–Nov. 9	Sept. 2–Nov. 9	Oct. 12–Dec. 7, Dec. 21–Dec. 28.	Deferred.
New York [4 5]				
Northern zone	Sept. 1–Nov. 9	Closed	Sept. 20–Nov. 23	Sept. 20–Nov. 23.
Southern zone	Sept. 1–Nov. 9	Closed	Oct. 1–Nov 23	Oct. 1–Nov. 23.
Long Island area	Closed	Closed	Oct. 1–Nov. 23	Closed.
North Carolina	Sept. 2–Nov. 9	Sept. 2–Nov. 9	Dec. 6–Feb. 8	Dec. 6–Feb. 8.
Pennsylvania	Sept. 2–Nov. 9	Closed	Oct. 12–Nov. 30	Oct. 12–Nov. 30.
Rhode Island	Sept. 23–Dec. 1	Sept. 23–Dec. 1	Oct. 19–Dec. 6, Dec. 16–Dec. 31.	Oct. 19–Dec. 6, Dec. 16–Dec. 31.
South Carolina	Sept. 12–Nov. 20	Sept. 12–Nov. 20	Dec. 20–Feb. 22	Deferred.
Vermont	Sept. 28–Dec. 6	Closed	Sept. 28–Dec. 1	Sept. 28–Dec. 1.
Virginia	Sept. 14–Nov. 22	Sept. 14–Nov. 22	Nov. 1–Jan. 4	Deferred.
West Virginia	Oct. 12–Dec. 20	Closed	Oct. 12–Dec. 15	Oct. 12–Dec. 15.
Seasons in the Mississippi Flyway				
Alabama	Nov. 12–Jan. 20	Nov. 12–Jan. 20	Dec. 26–Feb. 28	Dec. 26–Feb. 28.
Arkansas	Sept. 1–Nov. 9	Closed	Dec. 1–Feb. 3	Dec. 1–Feb. 3.
Illinois	Sept. 1–Nov. 9	Closed	Oct. 15–Dec. 15	Oct. 15–Dec. 15.
Indiana	Sept. 7–Nov. 15	Closed	Sept. 28–Dec. 1	Sept. 28–Dec. 1.
Iowa	Sept. 7–Nov. 10	Closed	Sept. 21–Nov. 24	Sept. 7–Nov. 10.
Kentucky	Nov. 21–Jan. 20	Closed	Oct. 15–Dec. 18	Oct. 15–Dec. 18.
Louisiana	Nov. 9–Jan. 17	Nov. 9–Jan. 17	Dec. 7–Feb. 9	Dec. 7–Feb. 9.
Michigan: [5]				
Zones 1 and 2	Sept. 15–Nov. 14	Closed	Sept. 15–Nov. 14	Sept. 15–Nov. 14.
Zone 3	Sept. 15–Nov. 14	Closed	Oct. 21–Nov. 14	Sept. 15–Nov. 14.
Minnesota	Sept. 7–Nov. 9	Closed	Sept. 7–Nov. 9	Sept. 7–Nov. 9.
Mississippi	Nov. 2–Jan. 10	Nov. 2–Jan. 10	Dec. 14–Feb. 16	Dec. 14–Feb. 16.
Missouri	Sept. 1–Nov. 9	Closed	Oct. 1–Dec. 4	Oct. 1–Dec. 4.
Ohio	Sept. 2–Nov. 9	Closed	Sept. 14–Nov. 16	Sept. 14–Nov. 16.
Tennessee	Deferred	Closed	Oct. 12–Dec. 15	Deferred.
Wisconsin	Deferred	Closed	Sept. 14–Nov. 17	Deferred.
Seasons in the Central Flyway				
Colorado [6]	Sept. 1–Nov. 9	Closed	Closed	Sept. 1–Nov. 4.
Kansas	Sept. 7–Nov. 15	Closed	Oct. 12–Dec. 15	Sept. 7–Nov. 10.
Montana [5]	Closed	Closed	Closed	Deferred.
Nebraska	Sept. 1–Nov. 9	Closed	Closed	Sept. 15–Nov. 18.
New Mexico [6]	Deferred	Closed	Closed	Closed.
North Dakota	Closed	Closed	Closed	Sept. 14–Nov. 17.
Oklahoma	Sept. 1–Nov. 9	Closed	Nov. 20–Jan. 23	Oct. 19–Dec. 22.
South Dakota	Closed	Closed	Closed	Sept. 1–Oct. 31.
Texas	Sept. 1–Nov. 9	Sept. 1–Nov. 9	Nov. 16–Jan. 19	Nov. 16–Jan. 19.
Wyoming [6]	Oct. 5–Dec. 14	Closed	Closed	Oct. 5–Nov. 3, Nov. 27–Dec. 31.
Seasons in the Pacific Flyway				
No season is prescribed for rails and woodcock. Snipe season to run concurrently with regular duck season. Consult waterfowl regulations to be published later for information concerning these seasons.				

[1] The bag and possession limits for sora and Virginia rails apply singly or in the aggregate of these two species.

[2] In addition to the limits on sora and Virginia rails, in the States of Connecticut, Delaware, Maryland, New Jersey, and Rhode Island, there is a daily bag limit of 10 and possession limit of 20 king and clapper rails, singly or in the aggregate of these two species, and in the States of Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Texas, and Virginia, there is a daily bag limit of 15 and possession limit of 30 king and clapper rails singly or in the aggregate of these two species.

[3] In New Jersey the season for woodcock is closed on Nov. 8 and reopens on Nov. 9 at 9 a.m.

[4] In the State of New York, shooting hours for woodcock are sunrise to sunset daily.

[5] For description of zones within a State, see the State's regulations.

[6] Seasons apply to Central Flyway portion of State only.

NOTE.—Some States may select rail and snipe seasons at the time they select their duck seasons in August. Consult waterfowl regulations to be published later for information concerning these seasons.

Section 20.105 is amended to read as follows:

§ 20.105 Seasons, limits, and shooting hours for waterfowl, coots, and gallinules.

Subject to the applicable provisions of the preceding sections of this part, the areas open to hunting, the respective open seasons (dates inclusive), the shooting hours, and the daily bag and possession limits on the species designated in this section are prescribed as follows:

(a) *Sea Ducks.* (1) An open season for taking scoter, eider, and oldsquaw ducks is prescribed according to the following table during the period between September 1, 1974, and January 20, 1975, in all coastal waters and all waters of rivers and streams seaward from the first upstream bridge in the States of Maine, New Hampshire, Massachusetts, Rhode Island, and Connecticut; in those coastal waters of the State of New York lying in Long Island and Block Island Sounds and associated bays eastward from a line running between Miamogue Point in the Town of Riverhead to Red Cedar Point in the Town of Southampton, including any ocean waters of New York lying south of Long Island; in any waters of the Atlantic Ocean and, in addition, in any tidal waters of any bay which are separated by at least one mile of open water from any shore, island, and emergent vegetation in the States of New Jersey, North Carolina, South Carolina, and Georgia; and in any waters of the Atlantic Ocean and/or in any tidal waters of any bay which are separated by at least 800 yards of open water from any shore, island, and emergent vegetation in the States of Delaware, Maryland, and Virginia: *Provided,* That any such areas have been described, delineated, and designated as special sea duck hunting areas under the hunting regulations adopted by the respective States. In all other areas of these States and in all other States in the Atlantic Flyway, sea ducks may be taken only during the regular open season for ducks.

(2) The daily bag limit is 7 and the possession limit 14, singly or in the aggregate of these species. During the regular duck season in the Atlantic Flyway, States may set in addition to the limits prescribed for such seasons a daily bag limit of 7 and possession limit of 14 scoter, eider, and oldsquaw ducks, singly or in the aggregate of these species.

(3) Shooting hours are one-half hour before sunrise until sunset daily.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS

Seasons in:

Connecticut	Sept. 20–Jan. 4.
Delaware	Sept. 20–Jan. 4.
Georgia	Closed.
Maine	Sept. 28–Jan. 11.

Seasons in:

Maryland	Sept. 30–Jan. 14.
Massachusetts	Sept. 21–Jan. 5.
New Hampshire	Sept. 21–Jan. 5.
New Jersey	Sept. 20–Jan. 4.
New York	Sept. 22–Jan. 6.
North Carolina	Sept. 2–Dec. 17.
Rhode Island	Sept. 21–Jan. 5.
South Carolina	Oct. 4–Jan. 18.
Virginia	Sept. 1–Dec. 16.

(4) Notwithstanding the provisions of this Part 20, the shooting of crippled waterfowl from a motorboat under power will be permitted in the States of Maine, Massachusetts, New Hampshire, Rhode Island, Connecticut, New York, Delaware, Virginia, and Maryland in those areas described, delineated, and designated in their respective hunting regulations as being open to sea duck hunting.

(b) *Teal.* September season: An open season for teal ducks (blue-winged, green-winged, and cinnamon) is prescribed according to the following table in those areas which are described, delineated, and designated in the hunting regulations of the following States:

Daily bag limit	4
Possession limit	8

Shooting hours:

All States except Tennessee—Sunrise to sunset.

Tennessee only—one hour after sunrise until one hour before sunset by State regulation.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS

Seasons in the Mississippi Flyway:	
Alabama	Sept. 21–Sept. 29.
Arkansas	Sept. 14–Sept. 22.
Illinois	Closed.
Indiana [1]	Sept. 7–Sept. 15.
Louisiana	Sept. 21–Sept. 29.
Mississippi	Sept. 14–Sept. 22.
Missouri	Sept. 7–Sept. 15.
Ohio	Sept. 13–Sept. 21.
Tennessee	Sept. 21–Sept. 29.
Seasons in the Central Flyway:	
Colorado [2]	Sept. 7–Sept. 15.
Kansas [3]	Sept. 7–Sept. 15.
New Mexico	Sept. 21–Sept. 29.
Oklahoma	Sept. 14–Sept. 22.
Texas	Sept. 14–Sept. 22.

[1] Shooting hours are 7 a.m. to 6 p.m. e.s.t. The Kankakee, La Salle, and Jasper-Pulaski Fish and Wildlife Areas and the refuge area on the Pigeon River Fish and Wildlife Area are closed to teal hunting by State regulations.

[2] Only in Lake and Chaffee Counties and that portion of the State lying east of State Highway 71, U.S. Highway 350, and Interstate Highway 25.

[3] The entire State is open except the Marais des Cygnes Waterfowl Management Area in Linn County and the Neosho Waterfowl Management Areas in Neosho County.

(c) *Gallinules.*

Daily bag limit	15
Possession limit	30

Shooting hours: One-half hour before sunrise to sunset.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS

Seasons in the Atlantic Flyway:	
Connecticut	Sept. 2–Nov. 9.
Delaware	Sept. 2–Nov. 9.
Florida [1]	Sept. 1–Nov. 9.
Georgia	Deferred.
Maine	Sept. 1–Nov. 9.
Maryland	Sept. 2–Nov. 9.
Massachusetts	Sept. 7–Nov. 15.
New Hampshire	Closed.
New Jersey	Sept. 2–Nov. 9.
New York:	
Northern and Southern Zones	Sept. 1–Nov. 9.
Long Island Area	Closed.
North Carolina	Sept. 2–Nov. 9.
Pennsylvania	Sept. 2–Nov. 9.
Rhode Island	Sept. 23–Dec. 1.
South Carolina	Sept. 12–Nov. 20.
Vermont	Sept. 28–Dec. 6.
Virginia	Deferred.
West Virginia	Oct. 12–Dec. 20.
Seasons in the Mississippi Flyway:	
Alabama	Nov. 12–Jan. 20.
Arkansas	Nov. 7–Jan. 15.
Illinois	Closed.
Indiana	Sept. 7–Nov. 15.
Iowa	Closed.
Kentucky	Nov. 21–Jan. 20.
Louisiana	Sept. 21–Nov. 29.
Michigan	Deferred.
Minnesota	Deferred.
Mississippi	Nov. 2–Jan. 10.
Missouri	Sept. 1–Nov. 9.
Ohio	Sept. 2–Nov. 9.
Tennessee	Deferred.
Wisconsin	Deferred.
Seasons in the Central Flyway:	
Colorado [2]	Closed.
Kansas	Closed.
Montana [2]	Closed.
Nebraska	Closed.
New Mexico [2]	Deferred.
North Dakota	Closed.
Oklahoma	Sept. 1–Nov. 9.
South Dakota	Closed.
Texas	Sept. 1–Nov. 9.
Wyoming [2]	Closed.
Seasons in the Pacific Flyway:	
All States	Deferred season. [3]

[1] The gallinule season in Florida applies to the Florida gallinule only. No open season on purple gallinules in Florida.

[2] Seasons apply to Central Flyway portion of State only.

[3] States with deferred seasons may select gallinule seasons at the time they select their waterfowl seasons in August. Consult waterfowl regulations to be published later for information concerning these seasons.

(d) *Canada geese in the Horicon Zone.* (1) In Wisconsin during the 1974–75 waterfowl season, the kill of Canada geese will be limited to 28,000 birds; 16,000 of which may be taken in the area designated as the Horicon Zone.

(2) The Horicon Zone includes portions of Columbia, Dodge, Fond du Lac, Green Lake, Washington, and Winnebago Counties. It is bounded on the east by U.S. Highway 45 from Oshkosh to Fond du Lac, and then State Highway 175 to Addison; on the south by State Highway 33 from Addison to Beaver Dam, and then U.S. Highway 151 to Columbus; on the west by State Highway 73 from Columbus to its intersection with State Highway 23, east of Princeton; and on the north by State Highway 23 from the intersection with State Highway 73 to Ripon, then State Highway 44 to Oshkosh.

(3) Seasons and limits for Canada geese:

Daily bag limit: 1.
Possession limit: 1.
Season dates: Oct. 10–Oct. 27, inclusive.

(4) Each person hunting Canada geese in the Horicon Zone must have been issued in his name and carry on his person a valid Horicon Zone Canada goose hunting permit with correspondingly numbered report card and metal Canada goose tag. To be valid, the permit must remain attached to the report card until a Canada goose is reduced to possession.

(5) Immediately after a Canada goose is killed in the Horicon Zone and reduced to possession, the tag must be affixed and securely locked through the nostrils of the Canada goose. The goose may not be carried by hand or transported in any manner without the tag being attached. The tag must remain on the goose until it reaches the abode of the permit holder.

(6) Each person hunting Canada geese in the Horicon Zone must report on tag use or nonuse, using the report card provided, within 12 hours after the close of the Canada goose season in the Horicon Zone.

(7) Permit application procedure:

(i) Applications for Horicon Zone Canada Goose Hunting Permits must be submitted by mail and postmarked no later than September 11, 1974. Applications from persons in the military service on duty outside the State during the regular application period will be accepted if they are accompanied by a notarized statement attesting to such duty outside the State. A duplicate application will disqualify all applications by an individual.

(ii) Application forms will be available from county clerks, State hunting and fishing license depots, and from Wisconsin Conservation Department offices in Spooner, Woodruff, Black River Falls, Oshkosh, and Madison.

(iii) An applicant will be issued no more than one permit. If the number of applicants exceeds the number of permits and tags authorized, successful applicants will be randomly selected. If two or more persons wish to hunt together in the Horicon Zone, each must fill out an application form and submit it together with the applications from other members of the group in one envelope marked "Group Application." Group applications will be considered in the selection as one application.

Effective: September 1, 1974.

AUTHORITY: 40 Stat 755; 16 U.S.C. 703 et seq.

NATHANIEL P. REED,
Assistant Secretary for Fish and Wildlife and Parks.

JULY 18, 1974.

[FR Doc.74-16728 Filed 7-26-74;8:45 am]

proposed rules

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

[8 CFR Part 252]

INSPECTION OF CREWMEN ON TUG BOATS ARRIVING FROM CANADA

Proposed Special Procedures

Pursuant to section 553 of Title 5 of the United States Code (80 Stat. 383), notice is hereby given of the proposed amendment of § 252.3 of Title 8 of the Code of Federal Regulations pertaining to special inspection procedures for certain crewmen arriving from Canada.

8 CFR 252.3 currently provides special procedures for the inspection of certain crewmen aboard Great Lakes vessels. Section 252.3(a) provides that an immigration inspection shall not be required of any crewman aboard a Great Lakes vessel of United States registry arriving at a port of the United States who has been examined and admitted by an immigration officer as a member of the crew of the same vessel or of any other vessel of the same company during the current calendar year. Likewise, § 252.3(b) provides a similar special inspection procedure with respect to crewmen aboard Great Lakes vessels of Canadian or British registry arriving at a port of the United States for a period of less than 29 days. In order to obviate the unnecessary expenditure of manpower on repeated inspections during a calendar year, it is proposed to amend §§ 252.3 (a) and (b) to extend to crewmen aboard tug boats of United States, Canadian, and British registry arriving at a port of the United States from Canada the special inspection procedure which is in effect for crewmen aboard Great Lakes vessels.

In accordance with the provisions of section 553 of Title 5 of the United States Code (80 Stat. 383), interested persons may submit to the Commissioner of Immigration and Naturalization, Room 7100–C, 425 Eye Street, NW., Washington, D.C. 20536, written data, views, or arguments, in duplicate, with respect to the proposed rules. Such representations may not be presented orally in any manner. All relevant material received by August 30, 1974, will be considered.

PART 252—LANDING OF ALIEN CREWMEN

It is proposed to amend § 252.3 by revising the headings of §§ 252.3, 252.3 (a) and (b), and by revising paragraphs (a) and (b) to read as follows:

§ 252.3 Great Lakes vessels and tug boats arriving in the United States from Canada; special procedures.

(a) *United States vessels and tug boats.* An immigration examination shall not be required of any crewman aboard a Great Lakes vessel of United States registry or a tug boat of United States registry arriving from Canada at a port of the United States who has been examined and admitted by an immigration officer as a member of the crew of the same vessel or tug boat or of any other vessel or tug boat of the same company during the current calendar year.

(b) *Canadian or British vessels or tug boats.* An immigration examination shall not be required of any crewman aboard a Great Lakes vessel of Canadian or British registry or a tug boat of Canadian or British registry arriving from Canada at a port of the United States for a period of less than 29 days who has been examined and admitted by an immigration officer as a member of the crew of the same vessel or tug boat or of any other vessel or tug boat of the same company during the current calendar year, and is either a British or Canadian citizen or is in possession of a valid Form I–95 previously issued to him as a member of the crew of the same vessel or tug boat or of any other vessel or tug boat of the same company, and does not request or require landing privileges in the United States beyond the time the vessel or tug boat will be in port, and will depart with the vessel or tug boat to Canada.

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

Dated: July 24, 1974.

JAMES F. GREENE,
Acting Commissioner of Immigration and Naturalization.

[FR Doc.74–17297 Filed 7–29–74;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 1068]

[Docket No. AO 178–A32]

MILK IN THE MINNEAPOLIS-ST. PAUL MARKETING AREA

Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and to Order

Notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Minneapolis-St. Paul marketing area.

Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250, on or before August 6, 1974. The exceptions should be filed in quadruplicate. 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 above notice of filing of the decision and of opportunity to file exceptions thereto is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

PRELIMINARY STATEMENT

The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at Bloomington, Minnesota, on June 6, 1974, pursuant to notice thereof which was issued May 24, 1974 (39 FR 19221).

The material issues on the record of the hearing relate to:

1. Pooling standards for supply plants.
2. Diversion of producer milk.
3. Conforming changes in order provisions.

FINDINGS AND CONCLUSIONS

The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Pooling standards for supply plants.* The standards for pooling a supply plant should be changed to provide for shipments of not less than 25 percent of all Grade A milk receipts from dairy farmers (including diverted milk) to pool distributing plants and certain other specified plants. If a plant qualifies September through November it should qualify in each of the following months of December through March by shipping a minimum of 10 percent. A plant that qualifies as a pool supply plant throughout the September–March period will be permitted pool status for each of the following months of April through August without specific performance unless

nonpool plant status is requested by the handler.

Presently, a supply plant qualifies by shipping during the month 30 percent of the plant's total receipts from farms (including diverted milk) of skim milk or butterfat eligible for sale in fluid form as Grade A milk within the marketing area. A plant that qualifies September through November on this basis may retain pooling status through the following August without further performance. Qualifying shipments may be made to (1) pool distributing plants, (2) any other plant(s) located within the marketing area from which route disposition is made within the marketing area, or (3) any governmentally owned or operated institution which disposes of Class I milk solely for use on its own premises or to its own facilities.

Mid-America Dairymen, Inc., a cooperative association operating five pool supply plants on the market proposed a reduction of 10 percentage points in the shipping requirement (20 percent in lieu of 30 percent) for each month of the year.

The association proposed also that a plant that qualifies in September, October and November could maintain pool status for the following nine months by shipping a minimum of 10 percent each month December through March and 5 percent each month April through August.

The National Farmers' Organization, a cooperative association operating three pool supply plants on the market, similarly proposed a 20 percent shipping standard each month of the year. Under their proposal a plant qualifying each month September through December could retain pool status during the months of January through August with shipments of 5 percent each month.

Both proponents cited generally the same marketing conditions as requiring a lowering of the pooling standards. Essentially, these are that a substantial increase in the volume of producer milk on the market, and lower Class I utilization than last year, will make it difficult for supply plant operators to qualify their plants during the coming fall months. Because there are a greater number of plants on the market than a year ago, and others seeking pool qualification, each plant operator will have a lesser share of the total Class I market as a basis for qualification.

Continuation of the present standards, proponents suggest, would result in inefficient handling and transportation, since plant operators would have to deliver more milk to distributing plants than such plants need to maintain pooling status. Such excess generally would then have to be backhauled to manufacturing plants.

Land O' Lakes, Inc., a cooperative association that operates four pool supply plants and a pool distributing plant, opposed modification of the pool supply plant provisions at this time. The witness for such cooperative indicated that there is no urgency for reducing the shipping requirements and the effect of any changes would be to facilitate the pooling of additional milk on the Minneapolis-St. Paul market.

This witness contended that the pooling proposals could increase what he considered to be an inequitable sharing among the several fluid markets of this region of the "growing Grade A milk supply". He noted that milk pooled under Order 68 has increased at an average rate of about 10 percent per year since 1969, but in 13 other midwest markets the increase per year in milk pooled averaged about 7 percent from 1969 to 1972, and declined about 4 percent in 1973. This witness favored deferring changes in pooling provisions to await consideration of a merger of this and other midwest milk orders, a matter not before this hearing.

A review of marketing conditions shows that significant changes have occurred since the pooling standards for supply plants were revised in 1971. The primary factors affecting the pooling of supply plants is the increase in producer milk on the market and decrease in the proportion of such milk used in Class I.

Dairy farmers in this region have been shifting from Grade B to Grade A milk production. This has resulted in an expanding Grade A milk supply seeking entrance to the market pool. The principal means by which new supplies enter the pool is by delivery to an existing supply plant or by association with a new supply plant entering the market. In the fall months of 1973 there were 29 supply plants that established pool qualification as compared to 22 plants a year previously and 18 in 1971.[1]

Since 1971 the number of producers on the market increased from a monthly average of 4,797 to 5,588 in 1973. Total producer milk increased from 2,115 million pounds in 1971 to 2,548 million pounds in 1973, up 20 percent. Again in 1974, total producer milk in the first four months was 10.7 percent greater than a year before.

Class I utilization of producer milk also increased during the 1971–73 period, but in lesser amount. The Class I disposition of handlers in 1973 was 12 percent more than in 1971.

Not all of this Class I volume is disposition of distributing plants. In 1973, about 10 percent of total Class I disposition was bulk Class I milk moved to other markets. Such bulk sales would not serve to qualify supply plants.

Recently, Class I disposition by distributing plants in the market has dropped. In the first four months of 1974, such disposition was 4.2 percent below the same 1973 period, apparently reflecting consumer resistance to retail prices.

With a lower level of Class I disposition, distributing plants need a lesser volume of milk from supply plants. Distributing plants in this market generally limit their receipts in close relationship to their Class I disposition, in most months having an average of 90 percent of their receipts used in Class I milk.

It follows that the increasing quantity of producer milk on the market is received primarily at supply plants. This is particularly the case since about 80 percent of all producer milk is pooled through supply plants. However, outlets for the increased Grade A milk supply have not expanded in recent years in the same proportion, and consequently the opportunities for shipping to distributing plants are spread more thinly among supply plants. Also, the greater number of supply plants on the market results in a lesser potential share of the market for each plant.

In September, October and November 1973, Class I utilization of producer milk was 48 percent, compared to 54 percent in these months of 1972. These are the three months in which a supply plant had to qualify if it were to continue in automatic pool status for the following nine months. Proponent cooperatives testified that the difficulty in qualifying some of their plants in the September–November 1973 period led them, in some instances, to ship more milk than the distributing plants needed and then to backhaul the excess milk to a manufacturing plant.

Some further difficulty in qualifying supply plants in the fall of 1974 is indicated to be likely in view of the approximate 10 percent increase in supply of producer milk during the first four months this year, compared with last year, and the four percent decrease in Class I disposition over the same period. It appears that supply plants, now shipping a smaller proportion of their receipts to distributing plants than formerly, are in jeopardy of losing pool status although they continue to fulfill the fluid needs of pool distributing plants.

In these circumstances the pooling standards for supply plants should be reduced to accommodate a sharing of the Class I sales of the market among dairy farmers who constitute the regular sources of milk supply.

It is concluded that the change here adopted to reduce the required shipping percentage from 30 percent to 25 percent, which will allow supply plants to handle 20 percent more milk based on a given quantity of shipments to distributing pool plants, is reasonable under current circumstances. The adoption of unit pooling, as explained elsewhere in this decision, in combination with the 25 percent shipping requirement is expected to accommodate the situation for which the proponents requested the 20 percent standard.

Additional qualifying period. Pooling standards for supply plants should be modified also with respect to the December through August period.

As indicated above, one proposal by a cooperative association would require during this December-August period deliveries to distributing pool plants in each month of not less than 20 percent

[1] Official notice is taken of the decision issued by the Assistant Secretary September 10, 1971 (36 FR 18474) concerning the Minneapolis-St. Paul Federal milk order.

of the plant's receipts in December and 5 percent in the January-August period, while the other cooperative proposal would require 10 percent in December through March and 5 percent April through August.

It is concluded that a broadening of the period within which plants (or units) must qualify for pooling by specific performance each month is desirable. In the present marketing situation the fulfillment of the needs of pool distributing plants will be shared by a larger number of supply plants than formerly, and consequently the average quantity that a supply plant likely will ship will be a smaller percentage of its milk supply. To better assure that each supply plant pooled is a continuing reliable supply source for the fluid market, the performance requirements should be extended over a longer period.

Total shipments by all supply plants in December 1973 averaged 25.6 percent of such plants' receipts and in the months of January through March 1974 from 21.6 to 27.1 percent. These shipments, on a daily basis, were about 89 percent of the level of shipments by supply plants in the prior September through November, the months in which supply plants can now qualify for automatic pooling. There thus is a substantial basis for performance by supply plants in these additional months, but at a level lower than is required in the September-November period.

Further, a longer period for performance will curb the attractiveness of pooling a plant for an entire year based on minimum performance in only three months. Such a practice would be more attractive with the lowering of pooling standards herein adopted for the September-November period if shipments in these three months were the sole basis for automatic pooling in the following nine months.

It is concluded that 10 percent is a shipping standard that reasonably could be met during each month of December through March by any plant that had met the higher shipping requirement for the preceding months of September through November. It is further concluded that a plant that has met the indicated qualification percentages for the 7-month period from September through March would have demonstrated a sufficient association as a regular supply for the market to be eligible for continued pool status during the months of April through August without specific performance. The performance standards here adopted will provide assurance to distributing plant operators of a steady supply of milk without resulting in uneconomic shipments of milk by supply plant operators.

Any plant that has not met the specified shipping requirements in any of the months of September through March may establish pool status in any month of the April–August period only by shipping 25 percent of its current receipts. The pooling provisions would thus permit any plant, wherever located, to acquire pool status in any month of the year by meeting the specified shipping requirement in such month.

The proposal by one cooperative to include December in the months when the highest shipping standard would apply is not adopted because of the usual drop in distributing plant requirements at this time, and the tendency for daily average production to increase in December.

The proposal that direct deliveries from farms to distributing plants for the account of a cooperative association be counted as a qualifying shipment for purpose of pooling a supply plant of the cooperative (in the same manner as now applies in the September through November period) should be adopted.

Many of the supply plants in the market are operated by cooperative associations (25 out of 29 plants). Characteristically, a cooperative's operations involve both deliveries from producers' farms to distributing plants and shipments from supply plants. Since deliveries from farms involve less hauling and handling, this is the more economical method, and normally would be employed to the extent that milk is available from nearby farms and distributing plants accept such milk rather than standardized or skimmed milk which must be furnished by plants.

Both shipments from supply plants and deliveries from farms are an important means, on a year-round basis, by which cooperative associations furnish milk to distributing pool plants. Market-wide data indicate that distributing plants continue to receive a large proportion of their milk from supply plants in the flush production season. In April through June of 1973, shipments from supply plants were about 2½ times milk delivered direct from farms by cooperative handlers, and in September through November about 3 times the direct deliveries.

In the situation where a cooperative is furnishing milk to distributing plants both from supply plants and from producers' farms, the supply plant serves in a special relationship to the direct delivery operation. Throughout the year the supply plant absorbs, in its receipts, the day-to-day variations in receipts at distributing plants.

Because the combined deliveries from farms and shipments from supply plants comprise an integral operation on which fluid processing plants rely year-round, it is appropriate to use both direct receipts and transfers from a supply plant as a basis of qualifying such supply plant for pooling in all months of the year. The deliveries from farms to distributing plants used in this basis for supply plant qualification would be only milk physically received at such distributing plants.

In some circumstances a cooperative as a handler may cause milk to be delivered from farms of producers to the supply plant of another handler. Such receipts at the supply plant should be included in the receipts that are the basis for the pooling standard. Further, if a cooperative diverts producer milk from another handler's supply plant, such diverted milk will be similarly included in the receipts at the supply plant that are the basis for meeting the pooling standard.

Unit pooling. The order should provide that a handler may qualify two or more supply plants for pooling as a unit rather than as individual plants. Under unit pooling the shipping standards will be met by the entire group of plants irrespective of the performance of individual plants.

Unit pooling will accommodate the multiple plant operator in a situation where he ships a greater proportion of plant receipts from some plants than others in supplying distributing plants. The excess of milk shipped from one plant over the minimum needed to qualify that plant for pooling can be used to qualify the other plants in the unit.

A principal reason in this market for a handler to make more of his shipments from one plant than others is to provide to distributing plants the skim milk or standardized milk that such plants require. Currently, more than half the fluid product disposition in the marketing area is low butterfat milk or skim milk. Distributing plant operators prefer that the skim milk or standardized milk be delivered to their plants, to thus avoid the process of separation in their own plants and consequent need to dispose of excess butterfat. In this situation, the operator of several supply plants who is meeting the demand for low butterfat milk may find it is more economical to confine his separating operation to one plant rather than to duplicate the needed facilities in all supply plants. A handler may also make his shipments more from some supply plants than others to achieve economies in transportation.

The pooling on a unit basis should apply only if requested by a handler. Such request designating the plants to be included in the unit should be submitted in writing to the market administrator prior to the first day of September each year.

If a handler qualifies a unit for the September–November period, this will establish the pooling basis for the unit in the following months of December through August, in the same manner as for a single plant. The handler must therefore designate prior to September 1 the plants included in his unit.

Once a unit has met the pooling qualifications during the September–November period, no other plants may be added. If plants could be added to a unit which has acquired automatic pooling status for the December-August period there would be no limit to the volume of milk which might be added to the pool without any performance requirement. This could result in dissipation of pool proceeds among dairy farmers who have had no association with the fluid market and a consequent unwarranted reduction in proceeds for those producers who are associated with the fluid market.

The handler should be permitted to designate a priority of the several plants listed in a unit for pooling, in case the deliveries made to distributing plants are not sufficient to qualify every plant in a designated unit. The possible disqualification of all of the plants designated by the handler can thus be avoided. If a plant designated by the handler fails to qualify in any month on the basis of the priority assignment, it is implicit that shipments from such plant will not be counted to qualify the unit in such month or any subsequent month.

The priority assignment would apply also in assigning to supply plants the milk a cooperative as a handler causes to be delivered from farms to distributing plants in instances where such deliveries may count as performance towards qualifying the cooperative's supply plants.

2. *Diversion of producer milk.* The producer milk definition of the order should be modified to increase a handler's diversion allowance to 25 percent in any month September through November and 35 percent in any other month. At least 1 day's production of a producer should be delivered to pool plants in a month to qualify the milk of the producer for diversion as producer milk to nonpool plants during the month.

The order presently provides that a cooperative association may divert to nonpool plants not more than 10 percent of the milk received (including diverted milk) from producer members at pool plants during the month, September through November, and 25 percent in any other month. Similarly, a pool plant operator may divert the milk of producers who are not members of a cooperative association. At least six days' production of a producer must be received at pool plants during the month to permit diversion of his milk in excess of the quantity of the producer's milk received at pool plants within the month.

The National Farmers' Organization proposed that the proportion of producer milk received at pool plants that may be diverted any month be increased to 50 percent. The cooperative stated that under current marketing conditions the quantities of producer milk that necessarily are moved to nonpool plants for manufacturing exceed the limits established under the diversion provisions. The cooperative also proposed that only 2 days' production of each producer be required to be physically received at pool plants to qualify his milk for diversion during the month.

Mid-America Dairymen, Inc., proposed that one delivery (not less than one day's production) of a producer's milk be required during the month. The witness for the cooperative testified there is no need to change the percentage that may be diverted.

Land O'Lakes, Inc., opposed any change in the diversion provisions. The witness for this cooperative contended that there is no urgency for revising the diversion limitations and that any loosening of the requirements would encourage the pooling of additional milk on the Minneapolis-St. Paul market.

The present diversion provisions were established in this order by amendment action effective March 1, 1972, in recognition of the economies inherent in handling milk by diversion rather than receipt and transfer when quantities of milk must be moved to manufacturing plants.

The proportion of producer milk that likely must be disposed of in manufacturing, either in pool plants or nonpool plants, is indicated generally by the level of Class II utilization (Class III after August 1, 1974). During 1973 Class II utilization averaged 60 percent of all producer milk, or, on a quantity basis, an average of 130 million pounds per month. Much of this Class II milk was processed into manufactured milk products in pool plants. Quantities not processed in pool plants were moved to nonpool plants by interplant transfers or by diversion.

The quantities of milk transferred or diverted to nonpool plants for manufacturing uses in 1973 ranged from 25 percent of total producer milk in September to 38 percent in June. During the first four months of 1974 the quantities transferred or diverted were 34 to 39 percent of all producer milk compared to 29 to 35 percent in the first four months of 1973.

In the months when the 10 percent diversion limit applied in 1973 (September through November), milk diverted ranged from 1.7 percent to 4.8 percent of all producer milk, while the total milk moved to nonpool plants ranged from 25 to 30 percent of producer milk supplies. During months when the 25 percent diversion limit applied in 1973 (January through August and December) the milk diverted ranged from 5.5 percent to 9.7 percent of all producer milk while the total milk moved to nonpool plants was 29 percent to 38 percent of all producer milk supplies.

Apparently not all handlers have used diversion to the extent possible to move milk to nonpool plants. Only one handler diverted the maximum allowable for as many as 11 months in the period September 1972 through April 1974. About half of the handlers receiving milk from producers did not divert during this period.

The extent to which diversion is useful to a handler in disposing of reserve milk depends on the nature of the particular handler's operation and his facilities. This condition varies widely among handlers, and accordingly the average data of marketwide use of diversion does not fully reflect the situation of individual handlers who depend to a larger extent on diversion. In the case of proponent cooperative requesting an increase in the diversion limitation, none of the three pool plants it operates has manufacturing facilities and consequently milk that is disposed of in maufactured products must either be transferred or diverted to nonpool plants.

The other proponent cooperative that requested only a change in the number of days a producer's milk must be received at pool plants, has large capacity manufacturing operations in its pool plants, and consequently has only a moderate need for diversion.

It is apparent, on a marketwide basis, that considerably more of the milk that was moved to nonpool plants for manufacturing could have been moved more efficiently by diversion. In some instances, the present diversion percentages were the limiting factor. There are likely to be more instances in which these diversion limits will hinder the most efficient handling of such milk because the volume of milk that must be processed into manufactured products has increased substantially since establishment of the present diversion limits. The diversion limits as adopted will encourage more efficient handling of milk in the market when such milk must be moved to nonpool manufacturing plants for processing and will generally accommodate the volume of milk in the market likely to be disposed of to such nonpool plants.

The percentage diversion limitations will be based on the quantity of producer milk delivered to pool plants and diverted. In the case of a cooperative association, the percentage would be based on the quantity of milk received at pool plants from member producers, milk of producers diverted from the account of the cooperative association and the milk of any other producer caused to be delivered for the account of the cooperative association to pool plants. In the case of the operator of a pool plant not a cooperative association, the percentage will be based on the quantity of milk received (including milk diverted) at such pool plant from producers, excluding the milk of producers that are members of a cooperative association or the milk of any other producer delivered to the pool plant for the account of a cooperative association.

Delivery of one day of production should establish eligibility for diversion instead of the presently required six days of production.

A producer must be identified with the regulated market to the degree necessary to assure that his milk is qualified to be used for fluid purposes. Obviously, if a dairy farmer's milk were delivered continuously to a nonpool plant, there can be no assurance that the milk meets the quality requirements for the Minneapolis-St. Paul fluid market.

The two proponent cooperatives testified that the present requirement to deliver six days of a producer's production results in unnecessary handling and transportation associated with the quantity of milk which must be moved to nonpool plants. One proponent witness indicated that there have been many instances where milk that otherwise would have gone directly to a nonpool plant was delivered instead to a pool plant to meet the six-day eligibility requirement. This necessitated both unloading the milk at the pool plant and then reloading milk for transfer to a nonpool plant for manufacture. In such circumstances the diversions of producers' milk could be handled more efficiently if the number of days required for delivery to pool plants were reduced.

It is concluded that the present requirement of a delivery of as much as six days of production is not necessary and tends to impede efficient handling of milk. The requirement of delivery of one day of production each month of each producer whose milk is diverted is adopted. This will be sufficient to establish the identity of the producers with the market each month, and that the producers' milk is acceptable in terms of quality for sale in the fluid market.

3. *Conforming changes.* By an order issued April 29, 1974 (39 FR 16232), the Minneapolis-St. Paul order was amended effective August 1, 1974, with respect to various classification and accounting provisions. Any further modifications of the order that may be made on the basis of this record will become effective after August 1, 1974, and accordingly should conform with the order as amended August 1, 1974.

The order provisions that accompany this decision, therefore, are coded in accordance with the numbers of sections and designation of various parts of sections to agree with the order provisions effective August 1, 1974.

Rulings on Proposed Findings and Conclusions

Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General Findings

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

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

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

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Recommended Marketing Agreement and Order Amending the Order

The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended. The following order amending the order, as amended, regulating the handling of milk in the Minneapolis-St. Paul marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out:

1. In § 1068.7, paragraphs (b) and (c) are revised to read as follows:

§ 1068.7 Pool plant.

* * * * *

(b) A plant other than a pool plant pursuant to paragraph (a) of this section that meets the applicable performance requirements pursuant to paragraph (b)(1), (2) or (3) of this section subject to paragraph (b)(4) of this section.

(1) A plant from which 25 percent or more of the total Grade A milk received at the plant from dairy farmers during the month, including milk delivered to the plant from dairy farms for the account of a cooperative association, and milk diverted from the plant, is delivered during the month as fluid milk products, except filled milk, to plants described in paragraph (b)(1)(i), (ii) and (iii) of this section: *Provided,* That if a plant qualifies as a pool plant in the three successive months September, October and November by meeting the 25 percent delivery requirement, the applicable minimum percentage for continuing pool plant status in the following months of December through March shall be 10 percent each month.

(i) A pool plant(s) qualified pursuant to paragraph (a) of this section;

(ii) Any other plant(s) located within the marketing area from which Grade A route disposition is made during the month within the marketing area; or

(iii) A governmentally owned or operated institution which disposes of Class I milk solely for use on its own premises or to its own facilities.

(2) A plant that has been a pool plant each month September through March pursuant to paragraph (b)(1) of this section shall be a pool plant for each of the following months of April through August, unless withdrawn pursuant to paragraph (c) of this section.

(3) Two or more plants operated by a handler may qualify for pooling as a unit beginning in September each year by meeting the applicable percentage requirements of this paragraph (b) in the same manner as a single plant, if the handler submits a written request to the market administrator prior to the first day of September requesting that such plants qualify as a unit for the period September through August of the following year. In such request the handler shall list the plants in the sequence in which the plants shall qualify for pool plant status to the extent that deliveries from such plants or deliveries pursuant to paragraph (b)(4) of this section to plants described in paragraph (b)(1)(i), (ii) and (iii) of this section meet the required percentages: *Provided,* That fluid milk products shipped from a plant that does not qualify as a plant within the unit shall not be counted in the deliveries that qualify the unit for pooling. Each plant that qualifies as a pool plant within a unit shall continue each month as a plant in the unit through the following August unless the plant fails subsequently to qualify for pooling or the handler submits a written request to the market administrator prior to the first day of the month that the plant be deleted from the unit or that the unit be discontinued. Any plant that has been so deleted from the unit, or has failed to qualify in any month, will not be part of the unit for the remaining months through August. No plant may be added in subsequent months to a unit that qualifies in September.

(4) Milk delivered by a handler pursuant to § 1068.9(c) directly from farms of producers to plants described in paragraph (a) of this section may be considered, for purposes of meeting the percentage requirements of this paragraph (if so requested in writing by the cooperative association), as having been received first at a plant of such cooperative association.

(c) A plant qualified as a pool plant pursuant to paragraph (b)(2) of this section may be withdrawn from pool plant status in any of the months of April through August if the handler files a written request with the market administrator received or postmarked before the first day of the month for which nonpool plant status is requested, and the plant does not qualify by meeting the minimum 25 percent standard for deliveries to specified plants as described in paragraph (b)(1) of this section. Such nonpool plant status shall continue in subsequent months through August except for any month the plant otherwise qualifies as a pool plant.

* * * * *

2. Section 1068.13 is revised as follows:

§ 1068.13 Producer milk.

"Producer milk" means the skim milk and butterfat in Grade A milk of a producer that is:

(a) Received at a pool plant directly from a producer; or

(b) Diverted by the operator of a pool plant or by a cooperative association handler pursuant to § 1068.9(b) from a pool plant to a nonpool plant other than

a producer-handler plant, subject to the following conditions:

(1) Milk of a producer shall not be eligible for diversion under this section unless, during the month, at least one day's production of the producer is delivered to a pool plant;

(2) Diverted milk shall be accounted for as received by the diverting handler and priced at the location of the nonpool plant to which diverted;

(3) A cooperative association handler pursuant to § 1068.9(b) may divert for its account a total quantity of milk not to exceed 25 percent in each month September through November, and 35 percent in any other month, of milk received at pool plants from member producers, milk of producers diverted for the account of the cooperative association pursuant to § 1068.9(b) and the milk of any other producers caused to be delivered for the account of such cooperative association to pool plants;

(4) The operator of a pool plant (other than a cooperative association) may divert for his account a total quantity of milk not to exceed 25 percent in each month September through November, and 35 percent in any other month, of milk received at such pool plant from producers (including milk diverted by the plant operator pursuant to this paragraph (b)(4), but excluding the milk of any producer that is the member of a cooperative association and the milk of any other producer whose milk is caused to be delivered for the account of a cooperative association to the pool plant or is diverted by the cooperative association; and

(5) Any milk diverted in excess of the limits prescribed pursuant to paragraph (b) (3) and (4) of this section shall not be producer milk and, if the diverting handler fails to designate the dairy farmers whose milk is not producer milk then no milk diverted by such handler shall be producer milk.

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

JOHN C. BLUM,
Associate Administrator.

[FR Doc.74-17424 Filed 7-29-74;8:45 am]

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[49 CFR Part 571]

[Docket No. 73-3; Notice 2]

SCHOOL BUS PASSENGER CRASH PROTECTION

Proposed Federal Motor Vehicle Safety Standards

This notice proposes a new motor vehicle safety standard, *School bus passenger seating and crash protection*, that would specify seating, restraining barrier, and impact zone requirements for school buses and other buses sold for the primary purpose of carrying children to and from school. The provisions would protect these bus occupants by requiring passenger seating and barriers that are stronger, higher, and less hostile on impact than present seats and barriers.

An earlier proposal on bus passenger seating would have applied to all buses, including intercity and transit buses (38 FR 4776, February 22, 1973). Comments on that proposal emphasized that the different vehicle structures, operating speeds and conditions, and accident modes of school buses in relation to transit and intercity buses necessitate separate requirements for buses which carry children to and from school.

The NHTSA has in fact determined that seating requirements for intercity and transit buses are not justified, based on benefit/cost studies of present seating performance in these buses. Injury statistics for intercity buses indicate that seating improvement would not reduce injuries substantially. Seat belt usage surveys in intercity buses also indicate that a very low percentage of passengers would utilize seat belts if they were provided.

In relatively slow-speed transit bus operation, seat strength and seat back height are not significant safety problems. Some injuries can be attributed to the "grab rail" design of transit buses, but removal of these aids would increase the already larger number of injuries to standing passengers which occur when they are thrown to the floor of the bus in an accident. The NHTSA therefore withdraws its proposed minimum seating standards for intercity and transit buses, because of the adequacy of this seating as presently designed. This action denies the petition of the Center for Auto Safety to require the installation of seat belts in intercity buses. The NHTSA will, of course, propose standards in the future in this area if they are found desirable.

Minimum seating requirements for school buses are justified, however, although some statistics in this area compare favorably with intercity and transit operations.

The NHTSA has conducted conventional cost-benefit studies on school bus safety, but the normal valuation techniques evidently do not adequately reflect general public opinion on the importance of protecting children from death or injury. It is obvious from voluminous mail and Congressional interest that society places a much higher value on the safety of its children than a conventional cost-benefit analysis would indicate. The NHTSA has also concluded that only a small fraction of injuries resulting from school accidents appear in motor vehicle accident statistics. For these reasons, the NHTSA is considering factors in addition to conventional cost-benefit studies to justify the imposition of passenger protection requirements in school buses.

It should be made clear that, although transit and intercity buses are no longer included in this proposal, the proposal does intend to regulate three categories of bus which regularly carry children. Most familiar is the chassis-cab-based bus that is painted yellow and is equipped with required school bus markings and lights. Another category is the identical chassis-cab-based bus which is, for example, bought for contract operations, shuttle service, or church transportation, and which is often used to transport children. Both of these categories fall under the present definition of "school bus", i.e., "designed primarily to carry children to and from school." More important, both fall in the weight category which is associated with seat anchorages and seat structure failures.

The third category includes those buses which are sold for the primary purpose of carrying children to and from school, whatever else they may have been originally designed to do. It has become increasingly common to purchase small, van-type buses for the purpose of transporting school children, and the NHTSA believes the seating structures in these vehicles should also meet minimum standards. Because the requirements of this standard are tailored to the construction and crash characteristics of the typical large-size school bus, the standard would require that buses with a gross vehicle weight rating of 10,000 pounds or less to which the standard applies meet an appropriate combination of the seating performance requirements of this standard and other occupant protection standards applicable to multipurpose passenger vehicles and passenger cars.

As stated in the earlier proposal, investigation of school bus accidents has pointed to the seat as being a significant factor in causation of injury. The seats fail the passengers in three principal respects: by being too weak, too low, and too hostile.

Several serious accidents in recent years have been characterized by the progressive failure of seats under the weight of occupants being thrown forward by the force of impact. This type of failure was also manifest in a bus-to-bus impact test conducted for the agency by the University of California at Los Angeles, in which the seats gave way and the majority of the dummy passengers were thrown forward into the front of the bus.

To reduce injuries to school bus passengers by providing seats that protect passengers rather than contribute to their injuries, the standard would require seating systems (or equivalent restraining barriers) of adequate height and surface area, that attenuate crash forces at a level safe for school age passengers.

Based on numerous comments on the first proposal from school bus manufacturers and operators, the performance requirements have been somewhat modified in this proposal. Most important is elimination of an option which would have permitted installation of seat belts and a warning system in place of the most stringent seat strength requirements. Although the seat belt option was supported by the American Academy of Pediatrics and others, the majority of comments objected to seat belts in

school buses on practical grounds, whatever their theoretical benefits. The disadvantages of any active belt system are compounded in the hands of children, particularly the possibility of dangerous belt misuse. The NHTSA has determined that a passive system of occupant containment by the seating system or a restraining barrier offers the most reliable crash protection in a school bus situation. Additionally, belt anchorages are required, in case belt assembly use is feasible for a particular end user.

Several aspects of seating performance have been modified from the earlier proposal. The upward performance requirement which specifically tested floor anchorages and seat component strength has been withdrawn, because the forward and rearward performance requirements effectively test these points. The forward and rearward performance tests are no longer conducted in sequence, in recognition of the permanent deformation which can occur in the seat frame as a result of one test. This is especially true in the revised forward performance test where high and low loads are applied simultaneously to the seat back. The forces applied are now calculated differently to avoid penalizing seats which provide more than the minimum seat bench width. The rearward performance requirements have been broadened to require similar force/deflection characteristics for the seat back in both forward and rearward impacts.

Minimum seat back height has been reduced to 24 inches to permit adequate supervision of school bus passengers by the driver while the bus is in motion. Testing of the Transbus seat indicates the 24-inch height will provide adequate containment. At the same time a new requirement for minimum seat back surface provides for adequate support for all occupants on a bench seat. The specified loading bar remains 4 inches shorter than the seat back width, despite several objections, to ensure that loads will be transferred to the seat structure without collapse of the seat back.

The earlier requirement of maximum seat back displacement of 25° from the vertical has also been replaced with the requirements that the rearward deflection of the seat not exceed 8 inches and that no part of the seat come nearer than 4 inches to the seat behind it during the application of rearward force. In answer to requests for clarification, the NHTSA will measure the 4 inches at the nearest points of contact of any part of the seats, without compressing the padding.

Further new requirements for seating systems include the provision of seat belt anchorages and a cushion retention test to avoid cushion detachment in a crash. Comments are specifically requested on a standardized test procedure to apply the force against the cushion.

Restraining barrier requirements were similar to the seating forward performance requirements in the earlier proposal, and in this proposal they reflect the same modifications as were made to the seating requirements. In addition, the distance between a seat and its required barrier has been reduced from 40 to 23 inches to protect passengers in front seats as well as passengers in intermediate seats.

Comments to the earlier proposal pointed out that forward deflection of a restraining barrier could inhibit egress through the bus front door following a crash. The NHTSA proposes to continue to permit deflection of the barrier into any door opening if the deflected barrier does not interfere with operation of the bus doors. Comments are requested on the desirability of limiting the amount of deflection into the door opening.

This proposal again specifies two zones in which impact by a head form or knee form must conform to specified force distribution and certain force or acceleration levels. The head protection zone is somewhat smaller than earlier proposed to accommodate tumble-home construction in side windows. The lower edge of the head protection zone has also been raised. The shallower zone encompasses the area a head could be expected to reach. Additional minor changes have been made to the head form shape to put more realistic demands on the seat back and barrier surfaces.

These zones and many of the other requirements are based on location of the seating reference point, a concept which was unfamiliar to some school bus manufacturers who commented on the first proposal. As defined by the NHTSA (49 CFR 571.3), it is essentially the manufacturer's design reference point which simulates the pivot center of the human torso and thigh, located in accordance with the SAE Standard J826 to determine the position of seating in a vehicle. It can be seen that the manufacturer's freedom to locate the point is sharply restricted by the definition which specifies that it actually simulate the position of the pivot center of the human torso and thigh, following SAE placement procedures. The definition also specifies that the point have coordinates established relative to the designed vehicle structure, to permit the point to be located with certainty for enforcement purposes. Because of the particular seat installation methods used in school buses, the NHTSA would interpret "designed vehicle structure" to include the seating structure itself as mounted in the bus. The bus designer would therefore be able to specify the point coordinates from the seat structure alone.

The Truck Body and Equipment Association and others requested some clarification of the meaning of "forward direction" and the angle at which forces should be applied. The definitions now include a "seat orientation line," which should simplify the description of seat direction and the application of forces with reference to it.

The NHTSA concludes that the state of the art in seating systems construction justifies a January 1, 1976, effective date. The January date reflects the model changeover in the school bus industry.

In consideration of the foregoing, it is proposed that Part 571 of Chapter V, Title 49 Code of Federal Regulations, be amended by the addition of a new standard, *School bus passenger seating and crash protection*, to read as set forth below.

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

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

Comment closing date: September 24, 1974.

Proposed effective date: January 1, 1976.

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

Issued on July 23, 1974.

FRANCIS ARMSTRONG,
Acting Associate Administrator, Motor Vehicle Programs.

§ 571._____; Standard No. _____; School bus passenger seating and crash protection.

S1. *Scope.* This standard establishes occupant protection requirements for school bus passenger seating and restraining barriers.

S2. *Purpose.* The purpose of this standard is to reduce the number of deaths and the severity of injuries that result from the impact of school bus occupants against structures within the vehicle during crashes and sudden driving maneuvers.

S3. *Application.* This standard applies to school buses and to other buses sold for the primary purpose of carrying children to and from school.

S4. *Definitions.* "Contactable surface" means any surface within the zone specified in S5.3.1.1 that is contactable from any direction by the test device described in S6.6, except any surface on the front of a seat back or restraining barrier three inches or more below the top of the seat back or restraining barrier.

"School bus passenger seat" means a seat, other than the driver's seat, in a bus to which this standard applies whose

seat orientation line lies within 45 degrees of the longitudinal centerline of the vehicle.

"Seat belt anchorage" means the provision for transferring seat belt assembly loads to the vehicle structure.

"Seat orientation line" means a line that establishes the direction a seat faces, which, with reference to the SAE three-dimensional H-point machine installed in the seat in accordance with the procedures of SAE Standard J826a, lies in a horizontal plane perpendicular to the line between the H-point sight buttons and in the direction away from the manikin back pan.

S4.1 The number of seating positions considered to be in a bench seat shall be expressed by the symbol W, and calculated as the bench width in inches divided by 15 and rounded to the next larger whole number.

S5. *Requirements.* Each vehicle with a gross vehicle weight rating of more than 10,000 pounds shall be capable of meeting any of the requirements set forth under this heading when tested under the conditions of S6. Each vehicle with a gross vehicle weight rating of 10,000 pounds or less shall be capable of meeting the following requirements at all seating positions other than the driver's seat: (1) The requirements of §§ 571.208, 571.209, and 571.210 as they apply to multipurpose passenger vehicles; (2) the requirements of § 571.202 of this part as they apply to the front designated seating positions in passenger cars; and (3) the requirements of S5.1.3, S5.1.4, S5.1.5, and S5.3 of this standard. A particular school bus passenger seat (i.e., a test specimen) need not meet further requirements after having met S5.1.2 and S5.1.5, and having been subjected to S5.1.1, S5.1.3, or S5.1.4. A particular restraining barrier (i.e., a test specimen) need not meet further requirements after having met S5.2.1 and S5.2.2, and having been subjected to S5.2.3.

S5.1 *Seating requirements.*

S.5.1.1 *Seat belt anchorage performance.* Each school bus passenger seat shall be equipped with W sets of seat belt anchorages (one at each designated seating position) for a Type I seat belt assembly that conforms to § 571.209, attached to the seat frame.

S5.1.1.1 The line from the seating reference point to the nearest contact point of the belt with the hardware attaching it to the anchorage shall extend forward relative to the seat from that contact point at a side-view angle above the horizontal of not less than 20 degrees and not more than 75 degrees.

S5.1.1.2 Sealt belt anchorages for an individual seat belt assembly shall be located at least 6.5 inches apart laterally, measured between the vertical centerlines of the bolt holes.

S5.1.1.3 Seat belt anchorages shall not separate completely or in part from the seat frame when a force of 1,500W pounds is applied as follows:

(a) Mount a Type I seat belt assembly that conforms to § 571.209 of this part to each set of seat belt anchorages specified for the seat under S5.1.1, and fasten a pelvic body block as specified in Figure 2 to each seat belt assembly.

(b) Apply any force up to 1,500 pounds simultaneously through each body block in any period of not less than 1.0 and not more than 10 sec in the direction of the seat orientation line, with any initial force angle of not less than 5 and not more than 15 degrees above the horizontal, and at any rate from 2 inches to 4 inches a minute.

S5.1.2 *Seat back height and surface area.*

S5.1.2.1 Each school bus passenger seat shall be equipped with a seat back which has a height of at least 24 inches, measured vertically between a horizontal plane through the seating reference point and a horizontal plane tangent to the lowest point on the top edge of the seat back.

S5.1.2.2 Each school bus passenger seat shall be equipped with a seat back that has a front surface area above the horizontal plane that passes through the seating reference point of not less than 85 percent of the seat bench width multiplied by 24 inches.

S5.1.3 *Seat performance forward.* When a school bus passenger seat that has another seat behind it is subjected to the application of force as specified in S5.1.3.1 and S5.1.3.2, and subsequently, the application of additional force to the seat back as specified in S5.1.3.3 and S5.1.3.4:

(a) The seat back force/deflection curve shall fall within the zone specified in Figure 1;

(b) The energy necessary to deflect the seat back 14 inches shall be not less than 4,000W inch-pounds. (For computation of (a) and (b) the force/deflection curve describes only the force applied through the upper loading bar, and only the forward travel of the pivot attachment point of the upper loading bar measured from the point at which the initial application of 10 pounds of force is attained.)

(c) The seat shall not deflect by an amount such that any part of the seat moves to within 4 inches of any part of another school bus passenger seat or restraining barrier;

(d) The seat shall not separate completely or in part from the vehicle at any attachment point;

(e) Seat components shall not separate completely or in part at any attachment point.

S5.1.3.1 Position the loading bar specified in S6.5 behind the seat back in any horizontal plane that is between the horizontal plane 4 inches above and 4 inches below the seating reference point with the bar's longitudinal axis in a transverse plane of the vehicle.

S5.1.3.2 Apply any force up to 1,700W pounds in the direction of the seat orientation line through the loading bar at the pivot attachment point at any rate from 2 inches to 4 inches per minute.

S5.1.3.3 No sooner than 1.0 sec and no later than 30 sec after attaining 1,700W pounds of force and without release of that force, position a second loading bar as described in S6.5 behind the seat back in the horizontal plane 16 inches above the seating reference point with the bar's longitudinal axis in a transverse plane of the vehicle, and move the bar forward against the seat back until a force of 10 pounds has been applied.

S5.1.3.4 Apply additional force in the direction of the seat orientation line through the upper loading bar at the pivot attachment point at any rate from 2 inches to 4 inches per minute.

S5.1.4 *Seat performance rearward.* When force is applied to the front of any school bus passenger seat back as specified in S5.4.1 and S5.1.4.2:

(a) The energy necessary to deflect the seat back 14 inches shall be not less than 2800W inch-pounds;

(b) The force aplied shall not exceed 2,200 pounds. (For computation of (a) and (b) the force/deflection curve describes only the force applied through the loading bar, and only the forward travel of the pivot attachment point of the loading bar measured from the point at which the initial application of 50 pounds of force is attained.)

(c) The seat shall not deflect by an amount such that any part of the seat moves to within 4 inches of any part of another passenger seat;

(d) The seat shall not separate completely or in part from the vehicle at any attachment point;

(e) Seat components shall not separate completely or in part at any attachment point.

S5.1.4.1 Position the loading bar as described in S6.5 forward of the seat back in the horizontal plane 13.5 inches above the seating reference point with the bar's longitudinal axis in a transverse plane of the vehicle, and move the loading bar rearward against the seat back until a force of 50 pounds has been applied.

S5.1.4.2 Apply additional force in the direction opposite to the seat orientation line through the loading bar at the pivot attachment point at any rate from 2 inches to 4 inches per minute.

S5.1.5 *Seat cushion retention.* In the case of school bus passenger seats equipped with seat cushions, the seat cushion shall not separate completely or in part from the seat at any attachment point when subjected to an upward force of five times the seat cushion weight applied in any period of not less than 1 and not more than 2 sec and maintained for any period of up to 5 sec.

S5.2 *Restraining barrier requirements.* Each vehicle shall be equipped with a restraining barrier forward of any school bus passenger seat that does not have the rear surface of another school bus passenger seat within 23 inches of its seating reference point, measured in the direction of the seat orientation line.

S5.2.1 *Barrier-seat separation.* The distance between the restraining barrier's rear surface and the seating reference point of the seat in front of which it is required shall be not more than 23 inches.

S5.2.2 *Barrier position and rear surface area.* The position and rear surface area of the restraining barrier are such that, in a front projected view of the bus, each point of the barrier's perimeter coincides with or lies outside the perimeter of the seat back of the seat for which it is required.

S5.2.3 *Barrier performance forward.* When force is applied to the restraining barrier in the same manner as specified in S5.1.3.1 through S5.1.3.4 for seating performance tests:

(a) The restraining barrier force/deflection curve shall fall within the zone specified in Figure 1;

(b) The energy necessary to deflect the restraining barrier 14 inches shall be not less than 4,000W inch-pounds;

(c) Restraining barrier deflection shall not interfere with normal door operation;

(d) The restraining barrier shall not separate completely or in part from the vehicle at any attachment point;

(e) Restraining barrier components shall not separate completely or in part at any attachment point.

S5.3 *Impact zone requirements.*

S5.3.1 *Head protection zone.* Any contactable surface of the vehicle within any zone specified in S5.3.1.1 shall meet the requirements of S5.3.1.2 and S5.3.1.3. However, a surface area that has been contacted pursuant to an impact test need not meet further requirements contained in S5.3.

S5.3.1.1 The head protection zones in each vehicle are the spaces in front of each school bus passenger seat which, in relation to that seat and its seating reference point, are enclosed by the following planes:

(a) Horizontal planes 12 inches and 40 inches above the seating reference point;

(b) A vertical longitudinal plane tangent to the inboard (aisle side) edge of the seat;

(c) A vertical longitudinal plane 3.25 inches inboard of the outboard edge of the seat, and

(d) Vertical transverse planes through and 30 inches forward of the seating reference point.

S5.3.1.2 *Head form impact requirement.* When any contactable surface of the vehicle within the zones specified in S5.3.1.1 is impacted from any direction at 15 miles per hour by the head form described in S6.6, the resultant acceleration at the center of gravity of the head form shall be such that the expression

$$\left[\frac{1}{t_2-t_1}\int_{t_1}^{t_2} a\,dt\right]^{2.5}(t_2-t_1)$$

shall not exceed 1,000 where a is the resultant acceleration expressed as a multiple of g (the acceleration due to gravity), and t_1 and t_2 are any two points in time during the impact.

S5.3.1.3 *Head form force distribution.* When any contactable surface of the vehicle within the zones specified in S5.3.1.1 is impacted from any direction at 15 miles per hour by the head form described in S6.6, the energy necessary to deflect the impacted material shall be not less than 40 inch-pounds before the force level on the head form exceeds 150 pounds. When any contactable surface within such zones is impacted by the head form from any direction at 5 feet per second, the contact area on the head form surface shall be not less than 3 square inches.

S5.3.2 *Leg protection zone.* Any part of the seat backs or restraining barriers in the vehicle within any zone specified in S5.3.2.1 shall meet the requirements of S5.3.2.2.

S5.3.2.1 The leg protection zones of each vehicle are those parts of the school bus passenger seat backs and restraining barriers bounded by horizontal planes 12 inches above and 4 inches below the seating reference point of the school bus passenger seat immediately behind the seat back or restraining barrier.

S5.3.2.2 When any point on the rear surface of that part of a seat back or restraining barrier within any zone specified in S5.3.2.1 is impacted from any direction at 11 miles per hour by the knee form specified in S6.7, the resisting force of the impacted material shall not exceed 600 pounds and the contact area on the knee form surface shall not be less than 3 square inches.

S6. *Test conditions.* The following conditions apply to the requirements specified in S5.

S6.1 *Test surface.* The bus is at rest on a level surface.

S6.2 *Tires.* Tires are inflated to the pressure specified by the manufacturer for the gross vehicle weight rating.

S6.3 *Temperature.* The ambient temperature is any level between 32°F. and 90°F.

S6.4 *Seat back position.* If adjustable, a seat back is adjusted to its most upright position.

S6.5 *Loading bar.* The loading bar is a rigid cylinder with an outside diameter of 6 inches that has hemispherical ends with radii of 3 inches. The length of the loading bar is at least 4 inches less than the width of the seat back in each test. The stroking mechanism applies force through a pivot attachment at the centerpoint of the loading bar which allows the loading bar to rotate in a horizontal plan ±30 degrees from a horizontal line perpendicular to the seat orientation line of the seat to which the loading bar is being applied.

S6.5.1 A vertical or lateral force of 4,000 pounds applied externally through the pivot attachment point of the loading bar at any position reached during a test specified in this standard shall not deflect that point more than 1 inch.

S6.6 *Head form.* The head form for the measurement of acceleration is a rigid surface comprised of two hemispherical shapes, with total equivalent weight of 11.5 pounds. The first of the two hemispherical shapes has a diameter of 6.5 inches. The second of the two hemispherical shapes has a two-inch diameter and is centered as shown in Figure 3 to protrude from the outer surface of the first hemispherical shape.

S6.6.1 The direction of travel of the head form is coincidental with the straight line connecting the centerpoints of the two spherical outer surfaces which constitute the head-form shape.

S6.6.2 The head form is instrumented with an acceleration sensing device whose output is recorded in a data channel that conforms to the requirements for a 1,000 Hz channel class as specified in SAE Recommended Practice J211, October 1970. The head form exhibits no resonant frequency below 3,000 Hz. The axis of the acceleration sensing device coincides with the straight line connecting the centerpoints of the two hemispherical outer surfaces which constitute the head form shape.

S6.6.3 The head form is guided by a stroking device so that the direction of travel of the head form is not affected by impact with the surface being tested at the levels called for in the standard.

S6.7 *Knee form.* The knee form for measurement of force is a rigid 3-inch diameter cylinder with an equivalent weight of 10 pounds, that has one rigid hemispherical end with a one and one-half inch radius forming the contact surface of the knee form.

S6.7.1 The direction of travel of the knee form is coincidental with the centerline of the rigid cylinder.

S6.7.2 The knee form is instrumented with an acceleration sensing device whose output is recorded in a data channel that conforms to the requirements of a 1,000 Hz. channel class as specified in the SAE Recommended Practice J211, October 1970. The knee form exhibits no resonant frequency below 3,000 Hz. The axis of the acceleration sensing device is aligned to measure acceleration along the centerline of the cylindrical knee form.

S6.7.3 The knee form is guided by a stroking device so that the direction of travel of the knee form is not affected by impact with the surface being tested at the levels called for in the standard.

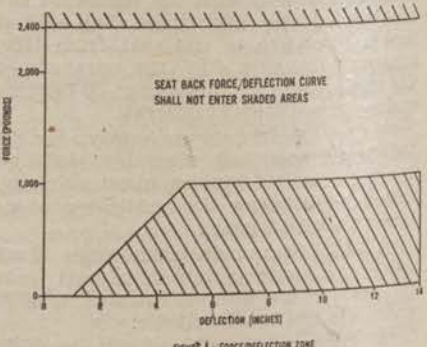

FIGURE 1 - FORCE/DEFLECTION ZONE

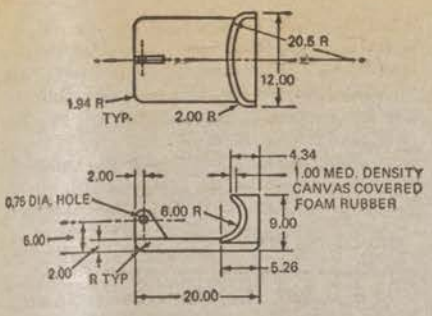

FIGURE 2 - BODY BLOCK FOR LAP BELT

BISPHERICAL HEADFORM RADII

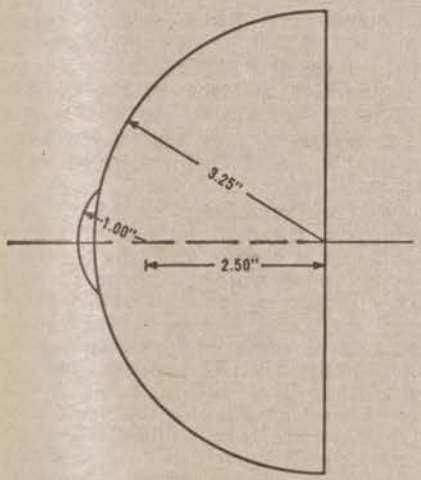

FIGURE 3

[FR Doc.74-17112 Filed 7-23-74;2:09 pm]

Office of Pipeline Safety

[49 CFR Parts 192, 195]

[Docket No. OPS-25; Notice No. 74-5]

TRANSPORTATION OF NATURAL AND OTHER GAS AND HAZARDOUS LIQUIDS BY PIPELINE

Welding Requirements

On April 16, 1974, the Director, Office of Pipeline Safety (OPS), issued Notice 74-3 (39 FR 14220, April 22, 1974), proposing to amend Parts 192 and 195 by incorporating by reference sections 2.0, 3.0, and 6.0 of the 1971 (12th) edition of API Standard 1104 "Standard for Welding Pipe Lines and Related Facilities." The notice also proposed certain changes in the regulations that would be necessary if the 12th edition were incorporated by reference, as well as editorial modifications for clarity.

Notice 74-3 invited interested persons to comment on the proposed rulemaking by submitting written data, views, or arguments by June 3, 1974. Sixteen persons submitted written comments. Most commenters favored adoption of the proposed rule change. Six commenters, however, urged OPS to change the regulations by referencing the 1973 (13th) edition of API Standard 1104 instead of the 12th edition. One reason propounded for referencing the 13th edition rather than the 12th is that the 12th edition is now out of print and no longer available to operators from the publisher, American Petroleum Institute.

Section 552(a) of Title 5, United States Code, requires each Federal agency to publish its substantive rules of general applicability in the FEDERAL REGISTER. Where a substantive rule involves matter incorporated by reference, this section further requires that to satisfy the publication requirement, the matter must be reasonably available to the class of persons affected by the rule. Even though operators and carriers may have or be able to obtain a copy of the 12th edition of API Standard 1104, OPS doubts whether the 12th edition is "reasonably available" as required by section 552(a) and eligible for incorporation by reference. For this reason, Notice 74-3 is hereby withdrawn. Amended regulations involving incorporation by reference of sections 2.0, 3.0, and 6.0 of the 13th edition of API Standard 1104 are proposed in Docket No. OPS-25. Also, OPS is proposing certain editorial modifications for clarity and changes considered necessary to make the transition from the currently referenced 11th edition to the 13th edition less burdensome for operators and carriers.

The welding specifications in sections 2.0, 3.0, and 6.0 of the 1968 (11th) edition of API Standard 1104 are currently incorporated by reference in Part 192. Sections 3.0 and 6.0 are incorporated by reference in Part 195. Unlike the 12th edition, the 13th edition of API Standard 1104 contains a number of significant changes to specifications in sections 2.0 and 6.0 of the 11th edition. Other changes to the currently referenced sections clarify content and scope.

In the 13th edition, section 2.1 is changed by listing criteria for the requirement that welds must have "suitable mechanical properties" to qualify a welding procedure. Criteria such as hardness and yield strength are not included in the 11th edition. Section 2.4 is changed by the addition of a requirement of qualifying separate welding procedures for each grade of pipe with specified minimum yield strength (SMYS) equal to or greater than 60,000 psi. The 11th edition only sets forth a requirement for qualifying separate welding procedures for pipe grades with SMYS less than or equal to 42,000 psi and for pipe grades with SMYS more than 42,000 psi. Also in section 2.4, the 13th edition deletes the requirement for requalifying a welding procedure when pipe diameter or the size of weld filler metal is changed. Under section 2.623, where a tensile test specimen used in qualifying a welding procedure breaks outside the weld and fusion zone, the acceptability of the test is based on a minimum strength of 100 percent of SMYS at failure instead of 95 percent of SMYS as in the 11th edition.

Section 6.0 in the 13th edition is changed to prescribe acceptable limits for the weld defect "internal concavity," and to prescribe a standard for repair of the defect "burn-through." The standard of acceptability for the defect "undercutting" has been revised substantially. As stated in the 13th edition: "Undercutting is the burning away of the side walls of the welding groove at the edge of a layer of weld metal, or the reduction in the thickness of the pipe wall adjacent to the weld and where it is fused to the surface of the pipe." Unlike previous editions, the 13th edition includes depth of an internal undercut area as one of the criteria for determining whether a weld is acceptable. Using radiography, depth is determined by comparing the density of a defect with the density of an object of known thickness. Different densities on radiographic film show up as different shades of black or grey. A comparative shim has been developed on which narrow V-shaped notches of specified depth are machined. When compared on a radiograph, the shade of the image of the narrow V-shaped notches in this shim and the shade of the image of an undercut area of weld will show if the depth of the undercut is within acceptable limits.

The OPS believes there may be difficulty in accurately comparing the images of the notches with the images of an undercut area on a radiographs. If so, welds with unacceptable undercuts could pass inspection and sound welds might be rejected. In light of this difficulty, commenters should pay special attention to the 13th edition's inclusion of depth as a standard of acceptability for "undercutting." OPS requests persons to comment on their experience in using the shim to measure depth. OPS is especially interested in receiving comments on the adequacy of the standard for acceptability of "undercutting" in the 13th edition.

With the possible exception of the change to section 6.0 involving depth of "undercutting," as discussed above, OPS believes that the changes in the 13th edition will result in better field welding practices than the 11th edition and will improve the quality of welds and welding. Deletion in the 13th edition of certain criteria governing requalification of procedures under section 2.4 should not affect weld quality.

As similarly stated in Notice 74-3 with respect to the 12th edition, OPS recognizes that outright replacement of the 11th edition by the 13th edition could result in a hardship for welders qualified under §§ 192.227 and 195.222 in accordance with the 11th edition. These welders would have to requalify in accordance with the 13th edition. A similar burden would be placed on operators who would have to requalify their existing welding procedures under § 192.225 in accordance with the 13th edition. The OPS does not believe that requalifications are justified on the basis of changes contained in the 13th edition. Consequently, the proposed amendments recognize the

soundness of welding procedures and welders qualified under the 11th edition. The proposal would require, however, that after the amendments become effective the 13th edition be used when welding procedures qualified under the 11th edition are changed and requalified, new welders are qualified, or welders qualified under the 11th edition are requalified. Likewise, the acceptability of welds made after the effective date of the proposed amendments would be based on the 13th edition.

In consideration of the foregoing, the OPS proposes to amend Parts 192 and 195 of Title 49 of the Code of Federal Regulations as follows:

1. Section 192.225(a) would be amended to read as follows:

§ 192.225 Qualification of welding procedures.

(a) Each welding procedure must be qualified under section IX of the ASME Boiler and Pressure Vessel Code or section 2 of the 1973 edition of API Standard 1104, whichever is appropriate to the function of the weld, except that a welding procedure qualified under section 2 of the 1968 edition of API Standard 1104 before (effective date) may continue to be used but may not be requalified under that edition.

* * * * *

2. Section 192.227(a)(2) would be amended to read as follows:

§ 192.227 Qualification of welders.

(a) * * *

(2) Section 3 of the 1973 edition of API Standard 1104 or, if qualified before (effective date), section 3 of the 1968 edition of API Standard 1104, except that a welder may not requalify under the 1968 edition.

* * * * *

3. Section 192.229(c) would be amended to read as follows:

§ 192.229 Limitations on welders.

* * * * *

(c) A welder qualified under § 192.227 (a) may not weld unless within the preceding 6 calendar months the welder has had one weld tested and found acceptable under section 3 or 6 of the 1973 edition of API Standard 1104 or, in the case of tests conducted before (effective date), section 3 or 6 of the 1968 edition of API Standard 1104.

4. Section 192.241(c) would be amended to read as follows:

§ 192.241 Inspection and test of welds.

* * * * *

(c) The acceptability of a weld that is nondestructively tested or visually inspected is determined according to the standards in section 6 of the 1973 edition of API Standard 1104.

5. Item II.A.8 of Appendix A of Part 192 would be amended to read as follows:

APPENDIX A—INCORPORATED BY REFERENCE

* * * * *

II. Documents incorporated by reference.

A. American Petroleum Institute:

* * * * *

8. API Standard 1104 "Standard for Welding Pipe Lines and Related Facilities" (1968 and 1973 editions).

* * * * *

6. Section 195.222 would be amended to read as follows:

§ 195.222 Welders: Testing.

Each welder must be qualified in accordance with section 3 of the 1973 edition of API Standard 1104 or, if qualified before (effective date), in accordance with section 3 of the 1968 edition of API Standard 1104, except that a welder may not requalify under the 1968 edition.

7. In the table of contents, the heading of § 195.228 is revised and § 195.228 is amended to read as follows:

Sec.
195.228 Welds and welding inspection; Standards of acceptability.

§ 195.228 Welds and welding inspection: Standards of acceptability.

Each weld and welding must be inspected to ensure compliance with the requirements of this subpart. Visual inspection must be supplemented by nondestructive testing. The acceptability of a weld is determined according to the standards in section 6 of the 1973 edition of API Standard 1104.

Interested persons are invited to participate in this rulemaking action by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket and notice numbers and be submitted in duplicate to the Director, Office of Pipeline Safety, Department of Transportation, Washington, D.C. 20590. Because persons interested in this proceeding previously were given an opportunity to comment on proposed rule changes similar to the ones proposed herein, OPS believes that a lengthy period for comment on this notice is unnecessary and that a short period is in the public interest. Consequently, all communications received by August 21, 1974, will be considered by the Director before taking final action on the notice. All comments will be available for examination by interested persons at the Office of Pipeline Safety before and after the closing date for comments. The proposal contained in this notice may be changed in the light of comments received.

This notice is issued under the authority of section 3 of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. 1672), sections 831–835 of Title 18, United States Code, section 6(e)(4) of the Department of Transportation Act (49 U.S.C. 1655(e)(4)), § 1.58(d) of the regulations of the Office of the Secretary of Transportation (49 CFR 1.58(d)), and the redelegation of authority to the Director, Office of Pipeline Safety, set forth in Appendix A to Part 1 of the regulations of the Office of the Secretary of Transportation (49 CFR Part 1).

Issued in Washington, D.C., on July 24, 1974.

JOSEPH C. CALDWELL,
Director, Office of Pipeline Safety.

[FR Doc.74-17317 Filed 7-29-74;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 97]

[Docket No. 20111; FCC 74-786]

AMATEUR RADIO SERVICE

Authorization of Commemorative Stations

In the matter of authorization of commemorative stations in the Amateur Radio Service, Docket No. 20111.

1. Notice of proposed rulemaking in the above captioned matter is hereby given.

2. The Commission in this action is proposing to adopt rules which will liberalize and clearly delineate the provisions under which amateur operators may obtain a commemorative station license. Under the present rules and policies, a special event authorization is issued only when an applicant can show the event is of general public interest of at least a statewide basis. Many applicants have been unable to meet this criteria even though the event may have been very significant to a particular group of people.

3. To alleviate this problem, our proposed rules would establish a new class of amateur station, i.e., commemorative station, which would be issued for any celebration that is either unique, distinct and of general interest to the public or amateur operators. The primary purpose of this station would be to bring public notice to the Amateur Radio Service by allowing an amateur station with a distinctive call sign to be operated at an event or celebration so as to help attract more contacts.

4. The specific licensing requirements for a commemorative station are set forth below in § 97.41. Essentially stated, an Amateur Extra or Advanced Class licensee will be allowed to file an application in letter form for a commemorative station, giving the details of the authorization desired. While our proposed rules would permit the use of multiple transmitters at a station, portable or mobile operations would be prohibited. A commemorative station will not be licensed for any amateur operating contest.

5. The effect of our proposed rules is to remove authorizations for commemorative stations from the category of Special Temporary Authorization. Under our proposed rules, they would constitute a formal class of amateur station and thus

the usual application fees will be imposed. The regular new station application filing fee would be required, and in addition, if a specific call sign is requested, the usual special call sign fee would be required. We believe that the imposition of these fees is appropriate in view of the amount of processing time involved with these applications.

6. Authority for the proposed rule changes herein is contained in sections 4(i) and 303 of the Communications Act of 1934, as amended, and Title V of the Independent Offices Appropriations Act of 1952.

7. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before October 30, 1974 and reply comments on or before November 16, 1974. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision on the rules which are proposed herein, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

8. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 14 copies of all comments, pleadings, briefs, or other documents shall be furnished the Commission.

9. All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's public reference room at its headquarters in Washington, D.C. (1919 M Street, NW.).

Adopted: July 17, 1974.

Released: July 24, 1974.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] VINCENT J. MULLINS,
Secretary.

Part 97 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

1. Section 97.3(i) is amended to add a new definition *Commemorative station* immediately after *Repeater station* to read as follows:

§ 97.3 Definitions.

* * * * *

(i) * * *

Repeater station. * * *

Commemorative station. Station licensed at a specific land location for operation in commemoration of a celebration which is unique, distinct, and of general interest to either the public or to amateur radio operators, for the purpose of bringing public notice to the Amateur Radio Service.

2. Section 97.40(c) is amended to read as follows:

§ 97.40 Station license required.

* * * * *

(c) An amateur radio operator may be issued one or more additional station licenses, each for a different land location, except that repeater station, control station, auxiliary link station, and commemorative station licenses may be issued to an amateur radio operator for land locations where another station license has been issued to the applicant.

* * * * *

3. Sections 97.41(a) and 97.41(g) are amended and § 97.41(f) is added to read as follows:

§ 97.41 Application for station license.

(a) Each application for a club or military recreation station license in the Amateur Radio Service shall be made on the FCC Form 610-B. Each application for any other amateur radio license, except a commemorative station, shall be made on the FCC Form 610.

* * * * *

(f) An application by letter to the Amateur and Citizens Division, Federal Communications Commission, Washington, D.C. 20554, may be made by an Advanced Class or Amateur Extra Class licensee for one commemorative station for the period of the celebration, but not to exceed 30 days unless extraordinary circumstances are shown. The request letter shall contain the following:

(1) The name, mailing address, photocopy of amateur operator license, and signature of applicant.

(2) The name and description of the celebration, its significance to the public or to amateur radio operators, and the justification for the proposed commemorative station.

(3) The location of the proposed station.

(4) The dates the station will be operated, and justification.

(5) Specific call sign requested, if desired.

(g) One application and all papers incorporated therein and made a part thereof shall be submitted for each amateur station license. If the application is only for a station license, other than a commemorative station, it shall be filed directly with the Commission at its Gettysburg, Pennsylvania office. If the application also contains application for any class of amateur operator license, it shall be filed in accordance with the provisions of § 97.11.

* * * * *

4. Section 97.51(a)(4) is amended to read as follows:

§ 97.51 Assignment of call signs.

(a) * * *

(4) A specific unassigned call sign may be temporarily assigned to a commemorative station.

* * * * *

5. In § 97.95 the headnote is revised and § 97.95(a)(1) is amended to read as follows:

§ 97.95 Operation away from the authorized fixed operation station location.

(a) * * *

(1) When there is no change in the authorized fixed operation station location, an amateur radio station other than a military recreation, auxiliary link, or commemorative station, may be operated under its station license anywhere in the United States, its territories or possessions, as a portable or mobile operation, subject to § 97.61.

* * * * *

[FR Doc.74-17335 Filed 7-29-74;8:45 am]

[1] Commissioner Lee concurring in the result: Commissioners Quello, Washburn and Robinson not participating.

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 113]

FINANCIAL ASSISTANCE PROGRAMS

Nondiscrimination

Notice is hereby given that the Small Business Administration proposes to change its procedures involving nondiscrimination in Financial Assistance Programs by amending 13 CFR Part 113. Interested parties are hereby given 30 days in which to submit written comments, suggestions or objections regarding the proposed amendment. Please send comments to Compliance Division, Room 326, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416.

The amendment would include in SBA's requirements, nondiscrimination in employment practices on the basis of religion and sex by recipients of financial assistance. Such discrimination is contrary to Federal law and policy. The inclusion of these prohibitions in SBA regulations will help eliminate duplication of on-site reviews by Federal agencies and enable SBA compliance personnel to assist recipients in meeting these nondiscrimination requirements.

Accordingly, Part 113 of Chapter I of Title 13 CFR is hereby amended by:

§ 113.1 [Amended]

1. Amending § 113.1(a) by inserting on line 16 after the word "color," the following "religion, sex,".

2. Amending § 113.2(a) to read:

§ 113.2 Definitions.

As used in this part:

(a) The term "financial assistance" means any financial assistance extended pursuant to any authorizing legislation administered by the Small Business Administration, whether extended directly or in cooperation with banks or other lenders through agreements to participate on an immediate basis, or under guaranty agreements.

* * * * *

3. Amending § 113.3 as follows:

a. Paragraph (a) is amended;

b. Paragraph (b) is redesignated as paragraph (c) and after the word "color" on line five, add "religion, sex,". Change "him" in that same paragraph to read "a person".

c. Paragraph (c) is redesignated as paragraph (a) of new § 113.3-1 and in the current paragraph (c), after "color" in the second, ninth and twelfth lines, add "religion, sex";

As amended, § 113.3 would read as follows:

§ 113.3 Discrimination prohibited.

(a) With regard to employment practices within the aided business or other enterprise, whether or not operated for

profit, fail or refuse, because of race, color, religion, sex or national origin of a person, to seek his or her services, or to hire or retain the person's services or to provide the person with opportunities for advancement or promotion, or accord an employee the rank and rate of compensation, including fringe benefits, merited by the employee's services and abilities.

(b) Discriminate on the basis of race, color, religion or national origin in the use of toilets or any facilities for rest or comfort. Discriminate on the basis of race, color, religion, sex or national origin in the use of cafeterias, recreational programs or other programs sponsored by the applicant or recipient.

* * * * *

4. A new § 113.3–1 is added to Part 113 as follows: Paragraph (a) is redesignated from paragraph (c) of § 113.3 and paragraph (b) and (c) are added to read as follows:

§ 113.3–1 Consideration of race, color, religion, sex, or national origin.

* * * * *

(b) Nothing in this part shall prohibit the restriction of certain jobs to members of one sex if a bona fide occupational qualification can be demonstrated by the applicant or recipient. Custom or tradition is not a bona file occupational qualification.

(c) Nothing in this part shall apply to a religious corporation, association, educational institution or society with respect to the membership or the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution or society of its religious activities.

§ 113.5 [Amended]

5. Amending § 113.5(d)(2) by adding "religion, sex," after the word "color" on line eight.

6. Amending the first sentence of § 113.6(b) to read:

§ 113.6 Conduct of investigations.

* * * * *

(b) *Complaints.* Any person who believes that he, she or any class of individuals has been subjected to discrimination prohibited by this part may, personally or through a representative, file with SBA a written complaint. * * *

* * * * *

§ 113.7 [Amended]

7. Amending § 113.7(d)(2) by deleting "his" on the second line and inserting instead "the Administrator's."

§ 113.9 [Amended]

8. Amending § 113.9(a) as follows: On line six delete "his" and substitute, therefore, "the hearing examiner's." On lines 16 and 17, delete the word "his." On line 19, add after "his" the words "or her." On line 21, add after the word "he" the words "or she." On line 25, add after the word "his" the words "or her."

9. Amending § 113.9(b) as follows: On line four delete the word "he" and substitute, therefore, "the Administrator." On line nine, delete the word "him" and substitute, therefore, the words "the Administrator."

10. Amending § 113.9(d) by deleting the word "his" and substituting the word "the" instead.

11. Amending the last sentence of § 113.9(f)(2) to read: If the Administrator determines that those requirements have been satisfied eligibility shall be restored.

§ 113.10 [Amended]

12. Amending § 113.10(a) to add "religion, sex," after "color" on the sixth line.

Dated: July 18, 1974.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.74–17312 Filed 7–29–74;8:45 am]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Ch. V]

MINIMUM WAGE AND OVERTIME EXEMPTION FOR STUDENTS EMPLOYED BY ELEMENTARY AND SECONDARY SCHOOLS

Request for Comments

Pursuant to the provisions of the Fair Labor Standards Act of 1938, (29 U.S.C. 201 et seq.), as amended, request is made for views with respect to section 14(d) of the Fair Labor Standards Amendments of 1974 (Pub. L. 93–259) which reads as follows: "The Secretary may by regulation or order provide that sections 6 and 7 shall not apply with respect to the employment by any elementary or secondary school of its students if such employment constitutes, as determined under regulations prescribed by the Secretary, an integral part of the regular education program provided by such school and such employment is in accordance with applicable child labor laws."

The Fair Labor Standards Act sets a 16-year minimum age for the employment of minors in any nonagricultural occupation other than one that has been declared hazardous by the Secretary of Labor, and in farm occupations that have been declared hazardous. Any nonagricultural occupation that the Secretary finds and by order declares to be particularly hazardous requires an 18-year minimum age. The Secretary of Labor provides by Child Labor Regulation 3 for the employment of employees 14 and 15 years of age in certain nonagricultural occupations (other than manufacturing or mining) and to the extent that the Secretary determines that such employment is confined to periods which will not interfere with their schooling, health, or well being. Minors 14- and 15-years-old may be employed in agriculture outside school hours. Twelve and 13-year-olds may also work outside school hours on any farm where their parents are working or with written parental consent. Employees under 12 years of age may be employed outside school hours with parental consent on a farm using not more than 500 man days of agricultural labor in any quarter of the previous calendar year. State child labor laws would also be applicable; and where the State laws provide a higher standard than the Federal law, the State standard would be applicable.

The purpose of this request is to receive suggestions and proposals regarding the scope of such regulations, the circumstances under which "employment constitutes * * * an integral part of the regular education program * * *", and other relevant matters. Employment which constitutes "an integral part of the regular education program" shall be limited to occupations permissible for each minor under the minimum age standards of the applicable child labor laws. Upon consideration of such submissions and other available information, appropriate regulations will be adopted. The proposed regulations will be published in the FEDERAL REGISTER.

Interested parties may present written data, views, and argument to the Administrator of the Wage and Hour Division, Room 5146, U.S. Department of Labor, Washington, D.C. 20210 on or before August 29, 1974.

Signed at Washington, D.C. this 25th day of July 1974.

BETTY SOUTHARD MURPHY,
Administrator, Wage and Hour Division, U.S. Department of Labor.

[FR Doc.74–17346 Filed 7–29–74;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

Department of the Army

ARMAMENT ADVISORY GROUP, U.S. ARMAMENT COMMAND

Establishment, Organization and Functions

In accordance with the provisions of Pub. L. 92–463, Federal Advisory Committee Act, notice is hereby given that the Armament Advisory Group has been found to be in the public interest in connection with the performance of duties imposed on the Department of Defense by law. The Office of Management and Budget has also reviewed the justification for this advisory committee and concurs with its establishment.

The charter for the Armament Advisory Group, U.S. Armament Command is as follows:

Official designation. Armament Advisory Group.

Objectives and scope of its activity. The Armament Advisory Group advises the Commander, U.S. Armament Command, on scientific and technological matters relevant to the Command. The Group as a whole or in part examines such problem area(s) as may be sufficiently important and appropriate for consideration by senior non-government engineering and scientific consultants. Upon request, the Group may act as a Board of Visitors to review operation of any organizational element or program for accomplishing the mission of the U.S. Armament Command and to report their findings and recommendations to the Commander, U.S. Armament Command.

Period of time necessary for the committee to carry out its purpose. This is a continuing committee, called when sufficiently urgent situations may arise that are appropriate for the expert scientific and engineering attention from the committee members. The duration of effort is usually one or two days.

The agency or official to whom the committee reports. Commander, U.S. Armament Command.

The composition of the committee. Committee consists of not to exceed ten non-DoD members appointed as consultants, who are expert in areas of science and engineering important to ARM COM's mission.

The agency responsible for providing necessary support for the committee. Hq., U.S. Armament Command. The Commander will designate a full-time salaried Government officer or employee who will have authority to adjourn any meeting which is considered not to be in the public interest.

Administrative support and staff arrangement: The Commander, U.S. Armament Command provides pay and travel in accord with existing regulations, calls meetings as appropriate, maintains records and minutes of the Group and its recommendations, and provides other administrative support as needed.

Committee responsibilities. The Armament Advisory Group is solely advisory, and is primarily a resource in being, with security and other arrangements cleared in advance, for obtaining highly-qualified, well-prepared advice in engineering and scientific areas important to the mission of U.S. Armament Command, and appropriate for such attention.

Estimated annual operating costs in dollars and man-years. $3,000 per year. No man-years chargeable to the Armament Advisory Group.

Estimated number and frequency of committee meetings. One per year, plus special subcommittee action, as needed.

Operation. The Committee will operate in accordance with the provisions of Pub. L. 92–463, E.O. 11769 and implementing OMB, DoD, and DA regulations for Federal Advisory Committees.

Committee's termination date. January 5, 1975 or when its mission is completed, whichever is sooner, or unless prior approval for its continuation is obtained.

Date charter filed.

MAURICE W. ROCHE,
Directorate for Correspondence and Directives, OASD (Comptroller).

JULY 25, 1974.

[FR Doc.74–17347 Filed 7–29–74;8:45 am]

INDUSTRY ACCREDITATION PROGRAM FOR MOTOR TRANSPORT OPERATORS

Notice of Establishment

Notice is hereby given of the establishment of the Station of Choice—Industry Accreditation Program for Motor Transport Operators. The Station of Choice—Industry Accreditation Program for Motor Transport Operators is established at Fort Eustis, Virginia, in order to find a means whereby military training in the transport operator field can be shown as a logical step in a sequence leading to the acquisition of a vocational skill that has desirability both in and out of the Army. By equating military and civilian transportation-oriented skills the Army hopes to show a soldier who may decide to leave the service after one or two enlistments how he can step into a career in one of the world's largest industries—transportation. By developing a means of providing tangible credit for his work, the Army can show a prospective enlistee how he can apply his military training and experience to the civilian job market. The overall results of the Industry Accreditation Program should be increased recruitment and retention of personnel in the Army and, ultimately, a better trained work force for industry.

On January 31, and February 1, 1974, a Motor Transport Operators' Roundtable was held at Fort Eustis. Representatives from twenty-one different governmental agencies, trucking companies, unions, trucking associations, and the military examined the Army's training program for light and heavy vehicle operators in an effort to determine how the Army's training stacked up to industry's needs. Specifically, it was agreed by the attendees that the Army's training in the area of vehicle operations more than adequately trains a serviceman for a future job as a civilian truck driver.

Other areas of discussion at the Roundtable included establishing supplemental training on the Department of Transportation (DOT) Regulations in order to better prepare a separating serviceman for a job as a truck driver; the basic credentials for a serviceman desiring a job in the trucking industry which were found to be a state chauffeur's license, a DOT physical, a good military driving record, and a three-year motor vehicle record check; the minimum age requirements for driving as set forth by the DOT; and a better method of record keeping on the part of the Army which would accurately portray an individual's job experience in language compatible with civilian industry.

One of the major objectives of the Industry Accreditation Program is to obtain industry endorsement of the training programs for vehicle operators in order to be permitted to use various firm's names in advertising programs and enlistment brochures. Another objective is to establish a file of firms who desire to hire separating servicemen for employment in the trucking industry. By doing this, the Industry Accreditation Program will be able to assist the separating servicemen in locating employment throughout the country.

Any firm desiring additional information regarding the Fort Eustis Station of Choice—Industry Accreditation Program for Motor Transport Operators is requested to contact the United States Army Transportation School, Industry

Accreditation Program, ATTN: ATSP-TEI, Fort Eustis, Virginia 23604. Telephone (Area Code 804) 878-2966/2880.

Dated: July 24, 1974.

By authority of the Secretary of the Army.

FRED R. ZIMMERMAN,
Lt. Colonel, U.S. Army,
Chief, Plans Office, TAGO.

[FR Doc.74-17315 Filed 7-29-74;8:45 am]

Corps of Engineers

ADVISORY COMMITTEE FOR NATIONAL DREDGING STUDY

Notice of Meetings

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463) notice is hereby given of the 12th, 13th and 14th meetings of the Advisory Committee for National Dredging Study to be held August 13-16, 1974, August 28-30, 1974 and September 9-13, 1974, respectively. All meetings will begin at 9:30 a.m. in Room 2EO69, Forrestal Building, Washington, D.C.

The purpose of the meetings is to have the Committee review completed parts of the National Dredging Study prepared by the Contractor, Arthur D. Little, Inc. and to develop the tentative recommendations for consideration by the Director of Civil Works, U.S. Army, Corps of Engineers.

Within the facilities available (about 30 persons) the meetings will be open to observers. However, the purpose of the meetings is not compatible with participation in the proceedings by the observers. Any member of the public who wishes to do so will be permitted to file a written statement with the Committee before or after the meetings.

Inquiries may be addressed to the Designated Federal Representative, Mr. Eugene B. Conner, DAEN-CWO-M, Office Chief of Engineers, U.S. Army, Washington, D.C. 20314.

For the Chief of Engineers.

Dated: July 24, 1974.

JOHN V. PARISH, Jr.,
Colonel, Corps of Engineers,
Executive Director of Civil Works.

[FR Doc.74-17292 Filed 7-29-74;8:45 am]

PROPOSED LOCAL FLOOD PROTECTION FOR LOCK HAVEN, PENNSYLVANIA

Notice of Public Hearing

CROSS REFERENCE: For a document regarding a joint public hearing on the proposed project above, see FR Doc. 74-17316, Susquehanna River Basin Commission, infra.

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

OUTER CONTINENTAL SHELF ROYALTY BIDDING

Mineral Leases

Pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331-1343) and the regulations issued thereunder, a possible sale of mineral leases of submerged lands offshore Louisiana is being contemplated for late September 1974. If such a sale is held, the Bureau of Land Management is planning to offer ten of the tracts for competitive sale on a basis of the highest royalty bid. No bid for leases on such tracts will be considered which is for less than 12½ percent royalty. All royalty bid leases will require a fixed bonus of twenty-five dollars per acre and a yearly rental or minimum royalty of $3 per acre. The remainder of the tracts will be offered on a bonus bid basis with a fixed royalty of 16⅔ percent and a yearly rental or minimum royalty of $3 per acre.

Should such a sale be held, the following stipulations are being considered for inclusion in leases resulting from it. They are concerned with (a) possible royalty rate reduction in the case of the above mentioned ten tracts and (b) terms by which compulsory unitization of operations may be required for leases issued on any geological structures including any of the royalty bid leases.

(a) The following stipulation is being considered for inclusion in each royalty bid lease issued at the sale: Royalty rates established for leases granted on a royalty bidding basis are subject to consideration for reduction under the same authority that applies to all other oil and gas leases on the Outer Continental Shelf (30 CFR 250.12(e)). For tracts acquired on the basis of royalty bids, the Director, Geological Survey, may approve an application for a reduction in royalty only when it is necessary in order to increase the ultimate recovery of oil and gas and in the interest of conservation. The Director may grant a reduction for only one year at a time. Reduction of royalty rates will not be approved unless production has been under way for one year or more. Although the royalty rate may be reduced below 12½ percent, it will not be reduced below the following: a royalty rate which will permit the operator's gross proceeds from the sale of production less royalty to exceed the direct cost of the operations on the lease by not more than 12 percent. The direct cost shall include only those costs directly incurred in producing and placing in marketable condition all oil, gas, and liquid hydrocarbons from the lease or the porton thereof on which reduction is requested. In any application for reduction, the full burden of providing the supporting evidence required in 30 CFR 250.12(e) shall be borne by the applicant. In reviewing applications for reduction in royalty, full consideration will be given to the relation between the level of costs submitted by the applicant and those that would be considered reasonable in a prudent operation.

(b) The following stipulation that the lessee may be required to enter into a unit agreement with lessees of other leases on the same structure is being considered for inclusion in each cash bonus bid lease issued on the ten structures containing a tract to be leased by the Royalty Bidding Method: All reservoirs underlying this lease which extend into a royalty bid lease, as indicated by drilling and other information, shall be operated and produced only under a unit agreement covering the royalty bid lease and approved by the Oil and Gas Supervisor. Such a unit agreement shall provide for the fair and equitable allocation of production and costs. The Oil and Gas Supervisor shall prescribe the method of allocating production and costs in the event operators are unable to agree on such method.

(c) The following stipulation is being considered for inclusion in each royalty bid lease: All reservoirs underlying this lease which extend into one or more other leases, as indicated by drilling and other information, shall be operated and produced only under a unit agreement covering the other leases and approved by the Oil and Gas Supervisor. Such a unit agreement shall provide for the fair and equitable allocation of production and costs. The Oil and Gas Supervisor shall prescribe the method of allocating production and costs in the event operators are unable to agree on such a method.

CURT BERKLUND,
Director, Bureau of
Land Management.

Approved: July 26, 1974.

JACK O. HORTON,
Assistant Secretary of the Interior.

[FR Doc.74-17375 Filed 7-26-74;10:14 am]

SAFFORD DISTRICT ADVISORY BOARD

Notice of Meeting

Notice is hereby given that the Safford District Advisory Board will hold a special meeting at 9:00 a.m. on September 12, 1974, at the Safford District Office, 1707 Thatcher Blvd., Safford, Arizona.

The agenda will include consideration and recommendations on the continuance and representation of the District Advisory Boards, their functions and effectiveness in natural resource management. The Bureau Planning System and AMP accomplishments will be reviewed. There will also be a review of the National Historic Preservation Act.

The meeting will be open to the public insofar as seating is available. Time will be available for brief statements from members of the public but those wishing to make an oral statement must inform the chairman in writing prior to the meeting. Interested persons may file a written statement with the board for its consideration. They should be sent to the Chairman, District Advisory Board, c/o District Manager, Bureau of Land Management, 1707 Thatcher Boulevard, Safford, Arizona 85546.

Dated: July 22, 1974.

WILLIAM S. EARP,
District Manager.

[FR Doc.74-17313 Filed 7-29-74;8:45 am]

Fish and Wildlife Service

ENDANGERED SPECIES PERMIT

Notice of Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant. El Paso Zoological Park, Evergreen and Paisano, El Paso, Texas 79905.

EL PASO ZOOLOGICAL PARK
EVERGREEN AND PAISANO
El Paso, Texas 79905

BUREAU OF SPORT FISHERIES AND WILDLIFE,
Department of Interior,
Washington, D.C.

JUNE 20, 1974.

As per Subpart C, of the Endangered Wildlife Importation Permit 13.12 and 17.23, please accept the following information as our formal request to acquire four (4) American Alligators. Please be advised that the American Alligators to be acquired are not to be directly imported, but rather are in the United States and presently located in Monrovia, California.

It is now my understanding of the existing rules and regulations governing our request that some application procedures may not apply to our situation and that we need only your approval to transport the American Alligators.

We have recently applied for and received a valid permit from the Texas Parks and Wildlife Department to exhibit the additional four alligators; therefore, your approval to our request is all that is needed.

As per § 13.12 *Information requirements on application,* the following is applicable:

1. *Applicant's name.* El Paso Zoological Park, El Paso, Texas 79905, Phone (915) 543-6023.
2. Not applicable.
3. Raymond Arras, Director, El Paso Zoological Park, Evergreen and Paisano, El Paso, Texas 79905.
4. El Paso Zoological Park, El Paso, Texas.
5. See attached letters of justification.
6. Not applicable.
7. Certification:

I hereby certify that I have read and I am familiar with the regulations contained in Title 50, Part 13 of the Code of Federal Regulations and other applicable parts in Sub Chapter B of Chapter I of Title 50, and I further certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement hereon may subject me to criminal penalties of 18 U.S.C. 1001.

RAYMOND ARRAS,
Director,
El Paso Zoological Park.

8. Desired effective date of permit is June 30, 1974.

11. El Paso Zoological Park wishes to justify acquiring the additional alligators as follows:

At the present time the Zoological Park has only three (3) male alligators on its animal inventory. Obviously, it is totally impossible to breed this vanishing breed of wildlife with this highly improper sex ratio. The request for acquiring additional alligators will distribute the sex ratio since we are requesting one (1) male and three (3) females (adults).

The El Paso Zoological Society has recently undertaken a large city-wide fund raising project to purchase the alligators and to construct a suitable exhibit area for the entire group. The new Alligator Exhibit area measures 20' x 20' x 4' and will be properly landscaped to fulfill all the alligator's biological requirements. With the use of this display, we will be able to educate the visiting public about the habits, habitat and reasons why this species is vanishing so rapidly.

As per section 17.23, Zoological, Educational, Scientific, or Propagational Permits, the following is applicable:

1. *Common name*—American Alligators, *Scientific name*—Alligator *mississippiensis, Number of specimens*—(4) Four, *Sex*—1 male, 3 females, *Age*—Adults.
2. See attached letters for copy of contract dated February 2, 1974.
3. See 13.12 #11. Information requirements on Permit Applications.
4. A public Zoological Park located Evergreen and Paisano, El Paso, Texas 79905.
5. See attached letters for verification of the American Alligators having been raised in captivity at the Woodland Park Zoological Gardens. (Correspondence dated March 6, 1974.)
6. Not applicable.
7. Not applicable.

I hope the above information is all that is required to have your approval to ship the American Alligators to El Paso, Texas.

Thank you for your cooperation.

Sincerely yours,

RAYMOND ARRAS,
Director,
El Paso Zoological Park.

EL PASO ZOOLOGICAL PARK,
El Paso, Tex., July 12, 1974.

Re Permit Application, El Paso Zoological Park

BUREAN OF SPORT FISHERIES AND WILDLIFE,
Department of Interior,
Washington, D.C.

With reference to our application to acquire (4) four American Alligators dated June 20, 1974, please accept the following supplemental information:

Under Section 17.23, No. 7, further explanation is needed under this category since I erroneously omitted the explanation in my initial request.

(7) (i) The American Alligators will be housed in an area 20' x 20' x 4' and will be properly landscaped to fulfill all of the alligators' biological requirements. Breeding and retreat areas will be designated and established.

(ii) There are currently (2) two full-time Herpetologists on our staff who are fully competent in the management and care of American Alligators. Each staff member has had several years experience in the care of these reptiles. The acquisition of this sex ratio of American Alligators will be our first energetic attempt at breeding alligators but only because we now have available the necessary exhibit area and the qualified personnel. In addition, our Zoo has the benefit of a Staff Veterinarian available at all times.

(iii) The El Paso Zoological Park is a member of the American Association of Zoological Parks and Aquariums (AAZPA) and holds that professional organization in the highest esteem, and I personally guarantee our Zoological Park's complete cooperation in cooperative breeding programs and the maintenance of studbooks.

(iv) There are two approaches the El Paso Zoological Park can consider in shipping the American Alligators to El Paso.

First, care in transit is of prime consideration. Plans are now underway to transport our alligators from California to El Paso via a large van with two persons attending at all times. The alligators will be housed in a large wooden crate with appropriate bedding to minimize injury to the reptiles. The alligators will have benefit of an air conditioned van and they will be periodically sprinkled with water to eliminate an increase body temperature. Since the entire trip will take approximately seventeen hours in time, no arrangements will be made for feeding since it is my opinion that none will be required for that short period of time.

Secondly, is transit to El Paso via the most rapid air carrier available? This method, although very reliable, is not as readily acceptable as is our first procedure. We will demand the vendor to call the airlines arrival time and bill of lading number to El Paso at least 48 hours prior to shipment. We will forward the proper requirements for cargo size and construction of container and demand compliance. The reptiles, upon arrival, will be given a thorough physical inspection by our staff and Zoo Veterinarian so that we can determine the health of the reptiles immediately. Once this is accomplished the alligators will be released into their new exhibit area. The entire process may take approximately four (4) hours from time of departure in California to release in our exhibit area.

I hope the above satisfies your application procedures and that you will forward our permit application and the proper authority as soon as possible.

Sincerely,

RAYMOND ARRAS,
Director,
El Paso Zoological Park.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street, NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), Fish and Wildlife Service, Washington, D.C. 20240. All relevant comments received no later than August 29, 1974, will be considered.

Dated: July 24, 1974.

C. R. BAVIN,
Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.74-17303 Filed 7-29-74;8:45 am]

National Park Service

INDIANA 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 Indiana Dunes National Lakeshore Advisory Commission will be held at 10 a.m., c.d.t., August 21, 1974, at the Indiana Dunes National Lakeshore Building, Intersection of State Park Road and U.S. Highway 12, Chesterton, Indiana.

The Commission was established by Pub. L. 89-761 to meet and consult with the Secretary of the Interior on matters related to the administration and development of the Indiana Dunes National Lakeshore.

The members of the Commission are as follows:

Mr. William L. Lieber (Chairman)
Mr. Harry W. Frey
Mrs. Ione F. Harrington
Mr. John A. Hillenbrand II
Mr. James Martin
Mr. Harold G. Rudd
Mr. John R. Schnurlein

Matters to be discussed at this meeting include:

1. Status of construction and access to West Beach.
2. Status of beach nourishment and revetment projects.
3. Status of land acquisition.
4. Developments relative to the proposed Bailly Nuclear Plant.
5. Cooperative efforts between federal, state and local agencies in planning and development of future projects.
6. Renovation of the Bailly homestead.

The meeting will be open to the public. It is expected that about 90 persons will be able to attend the session in addition to committee members. Interested persons may make written statements. Such requests should be made to the official listed below prior to the meeting.

Further information concerning this meeting may be obtained from James R. Whitehouse, Superintendent, Indiana Dunes National Lakeshore, Route 2, Box 139A, Chesterton, Indiana 46304, telephone area code 219, 926–7561. Minutes of the meeting will be available for public inspection three weeks after the meeting at the office of the Indiana Dunes National Lakeshore located at the intersection of State Park Road and U.S. Highway 12 (Kemil Road), Chesterton, Indiana.

Dated: July 18, 1974.

MERRILL D. BEAL,
Acting Regional Director, Midwest Region, National Park Service.

[FR Doc.74–17286 Filed 7–29–74;8:45 am]

INDEPENDENCE NATIONAL HISTORICAL PARK ADVISORY COMMISSION

Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Independence National Historical Park Advisory Commission will be held at 10:30 a.m. on August 22, 1974, at 313 Walnut Street, Philadelphia, Pennsylvania.

The Commission was established by Pub. L. 80–795 to render advice on such matters relating to the park as may from time to time be referred to them for consideration.

The members of the Commission are as follows:

Mr. Arthur C. Kaufmann, Chairman
Mr. John P. Bracken
Hon. Michael J. Bradley
Hon. James A. Byrne
Hon. Edwin O. Lewis
Mr. Filindo B. Masino
Mr. Frank C. P. McGlinn
Mr. John B. O'Hara
Mr. Howard D. Rosengarten
Mr. Charles R. Tyson

Matters to be considered at this meeting include the following:

1. Discussion of the project to relocate the Liberty Bell.
2. Legislative report.
3. Superintendent's Progress Report.
4. First Continental Congress activities.
5. Tour the Second Bank of the United States.

The meeting will be open to the public. Any person may file with the Commission a written statement concerning the matters to be discussed. Persons desiring further information concerning this meeting, or who wish to submit written statements, may contact Hobart G. Cawood, Superintendent, Independence National Historical Park, Philadelphia, Pennsylvania at 215–597–7120.

Minutes of the meeting shall be available for inspection two weeks after the meeting at the office of the Independence National Historical Park, 313 Walnut Street, Philadelphia, Pennsylvania.

Dated: July 18, 1974.

BENJAMIN J. ZERBEY,
Acting Regional Director, Mid-Atlantic Region.

[FR Doc.74–17328 Filed 7–29–74;8:45 am]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

FOREST RESEARCH ADVISORY COMMITTEE, ORONO, MAINE

Two-Year Renewal

The Assistant Secretary for Conservation, Research, and Education has renewed the Forest Research Advisory Committee, Orono, Maine, for an additional 2-year period.

This is a local Forest Service committee which will advise the Director of the Northeastern Forest Experiment Station on the definition and selection of problems assigned to the Silviculture Research Project at Orono, Maine, and on coordination of this project with other research.

The Assistant Secretary has determined that continuation of this committee is in the public interest in connection with the duties imposed on the Department by law. This notice is given in compliance with Pub. L. 92–463.

JOSEPH R. WRIGHT, Jr.
Assistant Secretary for Administration.

JULY 25, 1974.

[FR Doc.74–17324 Filed 7–29–74;8:45 am]

Rural Electrification Administration

COLORADO-UTE ELECTRIC ASSOCIATION, INC. AND TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC.

Final Environmental Statement

Notice is hereby given that the Rural Electrification Administration has prepared a Final Environmental Statement in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969, in connection with loan applications from Colorado-Ute Electric Association, Inc., P.O. Box 1149, Montrose, Colorado 81401 and Tri-State Generation and Transmission Association, Inc., P.O. Box 29198, Denver, Colorado 80229 for financing their respective portions of the Yampa Project (generation and transmission).

Additional information may be secured on request, submitted to Mr. David H. Askegaard, Assistant Administrator—Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250. The Final Environmental Statement may be examined during regular business hours at the offices of REA in the South Agriculture Building, 12th Street and Independence Avenue, SW., Washington, D.C., Room 4310 or at the borrowers' addresses indicated above.

Final REA action with respect to this matter (including any release of funds) may be taken after thirty (30) days, but only after REA has reached satisfactory conclusions with respect to its environmental effects and after procedural requirements set forth in the National Environmental Policy Act of 1969 have been met.

Dated at Washington, D.C., this 24th day of July, 1974.

DAVID A. HAMIL,
Administrator, Rural Electrification Administration.

[FR Doc.74–17323 Filed 7–29–74;8:45 am]

EAST KENTUCKY RURAL ELECTRIC COOPERATIVE CORP.

Draft Environmental Impact Statement

Notice is hereby given that the Rural Electrification Administration intends to prepare a Draft Environmental Impact Statement in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969 in connection with an anticipated request for a combination of a loan guarantee and insured loan funds for East Kentucky Rural Electric Cooperative Corporation, P.O. Box 707, Winchester, Kentucky 40391, which will provide for the installation of new generation facilities and related transmission lines and terminal facilities.

The proposed generating facilities consist of one coal fired unit of approximately 500 MW. A proposed location for the unit is the site of the existing Charleston Bottoms Station, which is located approximately 4 miles northwest of Maysville, Kentucky, on the Kentucky side of the Ohio River in Mason County.

Transmission facilities for movement of bulk power from these units into the existing transmission grid will be required. The location and degree of transmission facilities is under study, however, if the plant should be located at the above site, one tentative line consists of approximately 36 miles of 345,000 volt transmission line originating at the proposed site in Mason County and extending in a southwesterly direction through parts of Mason County and

Robertson County, and terminating in Harrison County at an existing substation which would be expanded. This transmission line would require acquisition of rights-of-way along its route.

Another tentative line consists of approximately 30 miles of 345,000 volt transmission line originating at an existing substation in Harrison County and extending in a southerly direction through parts of Harrison County, Bourbon County, and terminating in Fayette County at an existing substation which would be expanded. This transmission line would require acquisition of rights-of-way.

Another tentative line consists of approximately 70 miles of 345,000 volt transmission line originating at the proposed site in Mason County and extending in a westerly direction through parts of Mason County, Bracken County, Pendleton County, Kenton County, Grant County, Boone County, and Gallatin County, and terminating in Carroll County at an existing substation, which would be expanded, adjacent to an existing generating plant. This transmission line would require acquisition of rights-of-way.

Additional transmission lines originating at the proposed site with other possible routings and terminal points, are under active consideration by East Kentucky Rural Electric Cooperative Corporation. East Kentucky Rural Electric Cooperative Corporation is working with other utilities to develop the best overall bulk power supply plan.

Additional information may be obtained at the borrower's office during regular business hours.

Interested parties are invited to submit comments which may be helpful in preparing the Draft Environmental Impact Statement.

Comments should be forwarded to the Assistant Administrator—Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250, with a copy to the borrower whose address is given.

Dated at Washington, D.C., this 24th day of July, 1974.

DAVID A. HAMIL,
Administrator, Rural Electrification Administration.

[FR Doc.74-17322 Filed 7-29-74;8:45 am]

Soil Conservation Service

BITTER CREEK WATERSHED, GRADY COUNTY, OKLAHOMA

Notice of Negative Declaration

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, and part 1500.6e of the Council on Environmental Quality Guidelines issued on August 1, 1973, the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Bitter Creek Watershed Project, Grady County, Oklahoma.

The environmental assessment of this federal action indicates that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. Hampton Burns, State Conservationist, Soil Conservation Service, USDA Building, Farm Road and Brumley Street, Stillwater, Oklahoma, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project concerns a plan for watershed protection and flood prevention. The planned works of improvement include conservation land treatment, critical area treatment, supplemented by 22 floodwater retarding structures, 16 of which are built and 6 remain to be built.

The environmental assessment file is available for inspection during regular working hours at the following location:

Soil Conservation Service
USDA Building
Farm Road and Brumley Street
Stillwater, Oklahoma

No administrative action on implementation of the proposal will be taken until 15 days after date of this notice.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

Dated: July 22, 1974.

WILLIAM B. DAVEY,
Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.74-17320 Filed 7-29-74;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Disaster Assistance Administration

[FDAA-447-DR; Docket No. NFD-227]

NEW YORK

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 July 24, 1974, the President declared a major disaster as follows:

I have determined that the damage in certain areas of the State of New York resulting from severe storms and flooding beginning about July 3, 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 New York. 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 of the Department of Housing and urban Development Delegation of Authority, Docket No. D-73-238, I hereby appoint Mr. Thomas R. Casey, HUD Region 2, to act as the Federal Coordinating Officer for this declared major disaster.

I do hereby determine the following areas in the State of New York to have been adversely affected by this declared major disaster:

The Counties of:
Oneida Onondaga

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance)

Dated: July 23, 1974.

THOMAS P. DUNNE,
Administrator, Federal Disaster Assistance Administration.

[FR Doc.74-17302 Filed 7-29-74;8:45 am]

Office of Interstate Land Sales Registration

[Docket No. N-74-244]

CAVANAGH COMMUNITIES CORP.

Notice of Hearing

In the matters of Timber Ridge, Paradise Hills, Palm Beach Heights, Cape Haze, Rotonda West, Rotonda Lakes, Rotonda Heights, Rotonda Sands, Rotonda Shores, Rotonda Meadows, Rotonda Villas, Rotonda Springs, Dover Hills, Dover Hills Rushing Brook Village, Perdido Bay Country Club Estates, et al., Land Sales Enforcement Division Docket Nos. 74-67, 74-68, 74-69, 74-70, 74-71, 74-72, 74-73, 74-74, 74-75, 74-76, 74-77, 74-78, 74-80, 74-81, 74-82.

Notice is hereby given that:

1. Cavanagh Communities Corporation, its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. L. 90-448) (15 U.S.C. 1701 et seq.), received a Notice of Proceedings and Opporunity for Hearing dated June 18, 1974, which was sent to the developer pursuant to 15 U.S.C. 1706(d) and 24 CFR 1710.45 (b)(1) informing the developer of information obtained by the Office of Interstate Land Sales Registration showing that a change had occurred which affected material facts in the Developer's Statement of Record for Timber Ridge, Paradise Hills, Palm Beach Heights, Cape Haze, Rotonda West, Rotonda Lakes, Rotonda Heights, Rotonda Sands, Rotonda Shores, Rotonda Meadows, Rotonda Villas, Rotonda Springs, Dover Hills, Dover Hills Rushing Brook Village, and Perdido Bay Country Club Estates, located in Arizona and Vermont, and the failure of the Developer to amend the pertinent sections of the Statement of Record and Property Report.

2. The Respondent filed an answer June 24, 1974, in answer to the allegations of the notice of proceedings and opportunity for a hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in the notice of proceedings and opportunity for a hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(b): *It is hereby ordered,* That a public hearing for the purpose of taking evidence on the questions set forth in the notice of proceedings and opportunity for hearing will be held before Administrative Law Judge John W. Earman, in Room 7155, Department of HUD Building, 451 7th Street, SW., Washington, D.C. on August 1, 1974, at 10 a.m.

The following time and procedure is applicable to such hearing:

All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C. 20410 on or before July 24, 1974.

5. The Respondent is hereby notified that failure to appear at the above scheduled hearing shall be deemed a default and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to be true, and an Order Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45(b)(1).

This notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

Dated: July 24, 1974.

By the Secretary.

GEORGE K. BERNSTEIN,
Interstate Land Sales Administrator.

[FR Doc.74-17301 Filed 7-29-74;8:45 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-448 & 449]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE ON DOUGLAS POINT NUCLEAR GENERATING STATION

Notice of Meeting

JULY 24, 1974.

In accordance with the purposes of sections 29 and 182 b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the Advisory Committee on Reactor Safeguards' Subcommittee on Douglas Point Nuclear Generating Station will hold a meeting on August 20 and 21, 1974 in Room 1046 at 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 for a permit to construct the Douglas Point Nuclear Generating Station, Units 1 and 2.

The following constitutes that portion of the Subcommittee's agenda for the above meeting which will be open to the public:

Tuesday, August 20, 1974, 3 p.m. and Wednesday, August 21, 1974, 9 a.m. until the conclusion of business.

The Subcommittee will hear presentations by representatives of the Regulatory Staff and the Potomac Electric Power Company (PEPCO) and will hold discussions with these groups pertinent to its review of matters related to the construction of the Douglas Point Nuclear Generating Station.

In connection with the above agenda item, the Subcommittee will hold executive sessions, not open to the public, at approximately 8:30 a.m. on August 21 and at the end of the day on each day to consider matters related to the above review. 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 one or more closed sessions with representatives of the Regulatory Staff and PEPCO for the purpose of discussing privileged information relating to the matters under review, 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 closed sessions 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 nonexempt 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 Subcommittee 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 August 12, 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 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 St. Charles County Library, Garrett and Charles Streets, La Plata, Maryland 20646.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statement 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 no 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 August 21.

(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 August 19, 1974, to the Office of the Executive Secretary of the Committee (telephone 301-973-5651) between 8:30 a.m. and 5:15 p.m., 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 August 23, 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 St. Charles County Library, Garrett & Charles Street, La Plata, Maryland 20646. 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 October 22, 1974. Copies may be obtained upon payment of appropriate charges.

JOHN C. RYAN,
Advisory Committee Management Officer.

[FR Doc.74-17288 Filed 7-29-74;8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE ON SAN JOAQUIN NUCLEAR PROJECT

Notice of Meeting

JULY 24, 1974.

In accordance with the purposes of sections 29 and 182 b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the Advisory Committee on Reactor Safeguards' Subcommittee on the San Joaquin Nuclear Project will hold a meeting on August 15, 1974 in the Golden Empire Room of the Hilton Inn, 3535 Rosedale Highway, Bakersfield, California 93308. The purpose of this meeting will be to develop information for consideration by the ACRS in its review of the report on the suitability of the proposed site of the Department of Water and Power of the City of Los Angeles for the San Joaquin Nuclear Project. The proposed site is located approximately 33 miles northwest of Bakersfield, California.

The following constitutes that portion of the Subcommittee's agenda for the above meeting which will be open to the public:

Thursday, August 15, 1974—11 a.m. until about 5 p.m. The subcommittee will hear presentations by representatives of the regulatory staff and the Department of Water and Power, City of Los Angeles and will discuss with these groups information pertinent to its review of the Early Site Review Report of the Department of Water and Power of the City of Los Angeles.

In connection with the above agenda item, the subcommittee will hold executive sessions, not open to the public, at approximately 10:30 a.m. and at the end of the day to consider matters relating to the above report. 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 a closed session with representatives of the regulatory staff and applicant for the purpose of discussing privileged information.

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 August 8, 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 Early Site Review Report for this project 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 Kern County Library, 1315 Truxton Avenue, Bakersfield, California 93301.

(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 2:30 p.m. and 3:30 p.m. on August 15, 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 August 13, 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 August 20, 1974 at the Atomic Energy Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20545, and within approximately two weeks at the Kern County Library, 1315 Truxton Avenue, Bakersfield, California 93301. Copies of the transcript may be reproduced in the Public Document Room or may be obtained from the 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 October 15, 1974. Copies may be obtained upon payment of appropriate charges.

JOHN C. RYAN,
Advisory Committee Management Officer.

[FR Doc.74–17287 Filed 7–29–74;8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE ON SEABROOK STATION, UNITS 1 & 2

Notice of Meeting

JULY 25, 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 Seabrook Station, Units 1 & 2 will hold a meeting on August 22, 1974 in Lamie's Tavern at the Sheraton Motor Inn, 490 Lafayette Road, Hampton, New Hampshire. The purpose of the meeting will be to develop information for consideration by the ACRS in its review of the application of the Public Service Company of New Hampshire for a permit to construct this nuclear power plant. The facility will be located in Rockingham County, New Hampshire. The plant site is approximately 8 miles southeast of Exeter, New Hampshire and 5 miles northeast of Amesbury, Massachusetts.

The following constitutes that portion of the Subcommittee's agenda for the above meeting which will be open to the public:

Thursday, August 22, 1974—9 a.m. until the conclusion of business.

The Subcommittee will hear presentations by representatives of the Regulatory Staff and the Public Service Company of New Hampshire and will hold discussions with these groups pertinent to its review of the application of the Public Service Company

of New Hampshire for a permit to construct the Seabrook Station, Units 1 & 2.

In connection with the above agenda item, the Subcommittee will hold 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 recomendations 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 Subcommittee 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 August 15, 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 Exeter Public Library, Front Street, Exeter, New Hampshire 03833.

(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 August 22, 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 August 21, 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 August 23, 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 Exeter Public Library, Front Street, Exeter, New Hampshire 03833. 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 October 22, 1974. Copies may be obtained upon payment of appropriate charges.

JOHN C. RYAN,
Advisory Committee Management Officer.

[FR Doc.74-17329 Filed 7-29-74;8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS' SUBCOMMITTEE ON DIABLO CANYON UNITS 1 AND 2

Cancellation of Meeting

JULY 26, 1974.

The meeting of the Advisory Committee on Reactor Safeguards' Subcommittee on Diablo Canyon Units 1 and 2, originally scheduled for August 1, 1974, a notice of which was previously published in the FEDERAL REGISTER on July 18, 1974 (Vol. 39, No. 139) at page 26307, has been cancelled.

JOHN C. RYAN,
Advisory Committee Management Officer.

[FR Doc.74-17516 Filed 7-29-74;10:19 am]

[Docket Nos. 50-269 & 50-270]

DUKE POWER CO.

Amendments to Facility Operating Licenses

Notice is hereby given that the U.S. Atomic Energy Commission (the Commission) has issued Amendments No. 3 to Facility Operating License Nos. DPR-38 and DPR-47 (respectively) issued to the Duke Power Company which revised Technical Specifications for operation of the Oconee Nuclear Station, Units 1 and 2, located in Oconee County, South Carolina. The amendments are effective as of the date of issuance.

The amendments provide for changes in the license and the Technical Specifications, Appendices A and B to incorporate broad coverage of special nuclear materials, sources and byproduct materials and to make the Technical Specifications the same for all 3 units.

The application for amendments comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments.

For further details with respect to these actions, see (1) the application for amendments dated June 19, 1974, (2) Amendments No. 3 to License No. DPR-38 and License No. DPR-47, with any attachments, and (3) the Commission's related Safety Evaluation dated July 19, 1974. All of these are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Oconee County Library, 201 S. Spring Street, Walhalla, South Carolina 29691.

A copy of items (2) and (3) may be obtained upon request addressed to the

United States Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing Regulation.

Dated at Bethesda, Md., this July 19, 1974.

For the Atomic Energy Commission.

A. SCHWENCER,
Chief, Light Water Reactors Branch 2-3, Directorate of Licensing.

[FR Doc.74-17290 Filed 7-29-74;8:45 am]

[Docket No. 50-382]

LOUISIANA POWER AND LIGHT CO.

Limited Work Authorization

Pursuant to the provisions of 10 CFR 50.10(e) of the Atomic Energy Commission's (Commission) regulations, the Commission has authorized the Louisiana Power and Light Company to conduct certain site activities in connection with the Waterford Steam Electric Station, Unit 3 prior to a decision regarding the issuance of a construction permit.

The activities that are authorized are within the scope of those authorized by 10 CFR 50.10(e)(3) and include the following: placement of foundation mat; placement and waterproofing perimeter wall to grade level; placement of base ring for reactor building, separation walls, interior columns and walls, drainage pipe, electrical conduit embedded in concrete, steel liners which serve as forms for refueling pool; slip forms for concrete placement of the shield building; backfitting of earth to grade elevation.

The authorization is subject to the condition that the authorized work will be terminated if the application for the construction permit is denied.

Any activities undertaken pursuant to this authorization are entirely at the risk of the Louisiana Power and Light Company and the grant of the authorization has no bearing on the issuance of a construction permit with respect to the requirements of the Atomic Energy Act of 1954, as amended, and rules, regulations, or orders promulgated pursuant thereto.

An Initial Decision on safety and environmental issues by the Atomic Safety and Licensing Board in the above captioned proceeding was issued on April 30, 1974. Authorization was given by the Commission to Louisiana Power and Light Company on May 14, 1974, to proceed with certain non-safety related site activities within the scope of 10 CFR 50.10(e)(i). A copy of (1) the Initial Decision; (2) the applicant's Preliminary Safety Analysis Report and amendments thereto; (3) the applicant's Environmental Report, and amendments thereto; (4) the staff's Final Environmental Statement dated March 1973; and, (5) the Commission's letters of authorization, dated May 13, 1974 and July 24, 1974, are available for public inspection at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C., and the St. Charles Parish Library, Hahnville, Louisiana.

Dated at Bethesda, Md., this 24th day of July, 1974.

For the Atomic Energy Commission.

ROGER S. BOYD,
Acting Deputy Director for Reactor Projects, Directorate of Licensing.

[FR Doc.74-17330 Filed 7-29-74;8:45 am]

[Docket No. 50-282]

NORTHERN STATES POWER CO.

Facility License Amendment

Notice is hereby given that the U.S. Atomic Energy Commission (the Commission) has issued Amendment No. 3 to Facility Operating License No. DPR-42, issued to Northern States Power Company, which revised the license for operation of the Prairie Island Nuclear Generating Plant, Unit 1 (the facility), located in Goodhue County, Minnesota. Tthe amendment is effective as of its date of issuance.

The amendment revised the license to authorize receipt, possession, and use of californium-252 sources in connection with operation of the facility. The description of the program, facilities, personnel and procedures for safe storage, handling, and use of radioactive materials has been found acceptable by the Regulatory staff. On the basis of our evaluation, we have concluded that the issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public, and that the amendment does not involve a significant hazards consideration.

The application for the amendment complies with the requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations, and the Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter 1, which are set forth in the license amendment.

For further details with respect to this action, see (1) the application for amendment dated May 8, 1974, and (2) Amendment No. 3 to License DPR-42. These are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Environmental Library of Minnesota, 1222 SE. 4th Street, Minneapolis, Minnesota 55414.

A copy of item (2) may be obtained upon request addressed to the United States Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing—Regulation.

Dated at Bethesda, Md., this 18th day of July 1974.

For the Atomic Energy Commission.

KARL KNIEL,
Chief, Light Water Reactors Branch 2-2, Directorate of Licensing.

[FR Doc.74-17291 Filed 7-29-74;8:45 am]

[Docket No. STN 50-437]

OFFSHORE POWER SYSTEMS

Availability of AEC Draft Environmental Statement for Manufacturing License

Pursuant to the National Environmental Policy Act of 1969 and the United States Atomic Energy Commission's regulations in Appendix M to 10 CFR Part 50 and 10 CFR Part 51, notice is hereby given that a Draft Environmental Statement prepared by the Commission's Directorate of Licensing related to the proposed manufacturing license for the manufacture of eight floating nuclear power plants by Offshore Power Systems (a joint venture of Westinghouse Electric Corporation and Tenneco, Inc.), is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C.; the Jacksonville Public Library, 122 North Ocean Street, Jacksonville, Florida 32204; the Stockton State College Library, Pomona, New Jersey 08240; and the New Orleans Public Library, Business and Science Division, 219 Loyola Avenue, New Orleans, Louisiana 70140. The draft statement is also being made available at the Bureau of Intergovernmental Relations, State Planning and Development Clearinghouse, 725 South Bronough Street, Tallahassee, Florida 32304 and at the Jacksonville Area Planning Board, 330 E. Bay Street, Jacksonville, Florida 32202. Copies of the Commission's Draft Environmental Statement may be obtained by request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Offshore Power Systems' Environmental Report, as supplemented, is also available for public inspection at the above-designated locations. Notice of availability of the Applicant's Environmental Report was published in the FEDERAL REGISTER on December 10, 1973 (38 FR 34008).

Pursuant to 10 CFR Part 51, interested persons may submit comments on the Applicant's Environmental Report, as supplemented, and the Draft Environmental Statement for the Commission's consideration. Federal and State agencies are being provided with copies of the Applicant's Environmental Report and the Draft Environmental Statement (local agencies may obtain these documents upon request). Comments are due by September 16, 1974. Comments by Federal, State and local officials or other persons received by the Commission will be made available for public inspection at the Commission's Public Document Room in Washington, D.C.; the Jacksonville Public Library, 122 North Ocean Street, Jacksonville, Florida; the Stockton State College Library, Pomona, New Jersey; and the New Orleans Public Library, Business and Science Division, 219 Loyola Avenue, New Orleans, Louisiana.

Comments on the Draft Environmental Statement from interested members of the public should be addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy

Director for Reactor Projects, Directorate of Licensing.

Also pursuant to the National Environmental Policy Act and the Commission's regulations cited above, the Directorate of Licensing will prepare a Draft Environmental Statement covering, on a generic basis, the construction and operation of an offshore electric generating station, consisting of two floating nuclear power plants emplaced in a single breakwater, at typical locations in the United States coastal waters of the Atlantic Ocean and the Gulf of Mexico. Notice of availability of the generic Draft Environmental Statement will be published in the FEDERAL REGISTER with opportunity for comments from interested persons. Upon consideration of comments submitted with respect to both the Draft Environmental Statements, the Regulatory staff will combine both draft statements into a single Final Environmental Statement, the availability of which will be published in the FEDERAL REGISTER.

Dated at Bethesda, Md., this 23d day of July 1974.

For the Atomic Energy Commission.

P. H. LEECH,
Acting Chief, Environmental Projects Branch #2, Directorate of Licensing.

[FR Doc.74-17289 Filed 7-29-74;8:45 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

TEXTILE AGREEMENTS

Bilateral Discussions

JULY 29, 1974.

The Committee for the Implementation of Textile Agreements, as announced in its FEDERAL REGISTER notice of April 12, 1974, solicits comments on United States Government actions implementing the GATT Arrangement Regarding International Trade in Textiles hereafter referred to as the Arrangement. In the April 12 notice the Committee announced that in the following 12 months bilateral discussions would be held to bring United States textile and apparel agreements into conformity with the Arrangement, and negotiations could be held to renew existing agreements or to reach new agreements. The notice invited the public to submit views or provide data or information on any or on all these agreements, the treatment of any product under them or any other aspect of the agreements.

The Committee anticipates holding textile and apparel agreement bilateral discussions between the Government of the United States and the Government of Romania. The Committee also anticipates that shortly thereafter bilateral discussions will be held between the Government of the United States and the Government of Portugal on the cotton, wool and man-made fiber textile and apparel agreements covering exports from Macao. Any party wishing to express a view or provide data or information with regard to the treatment of any product under these agreements and any other aspect thereof, or with respect to imports of other textile products from these countries, is invited to submit such in ten copies to Mr. Seth M. Bodner, Chairman of the Committee for the Implementation of Textile Agreement and Deputy Assistant Secretary for Resources and Trade Assistance, U.S. Department of Commerce, 14th and Constitution Avenue NW., Room 3826, Washington, D.C. 20230. To enable timely consideration, comments concerning textile product imports from Romania shouldl be submitted at the earliest date possible. Comments on the bilateral textile discussions with Portugal on Macao should be received by August 17, 1974. Comments received after August 17, 1974 will be taken into consideration to the extent possible consistent with the schedule of discussions.

Views, data or information submitted under this procedure will be available for public inspection at the Central Reference and Records Inspection Facility, U.S. Department of Commerce, 14th and Constitution Avenue NW., Room 7043, Washington, D.C. 20230 and may be obtained upon written request pursuant to the Freedom of Information Act (5 U.S.C. Section 522) and the regulations of the Department of Commerce (15 CFR Part 4). Whenever practicable, public comment may be invited concerning views, comments or information received from the public which the Committee for the Implementation of Textile Agreements considers appropriate for further consideration.

The solicitation of comments on any negotiation, consultation, market disruption or any other matter pursuant to this notice is not a waiver in any respect of the exemption contained in 5 U.S.C. 553(a)(1) and 554(a)(4) of the Administrative Procedure Act, relating to matters which constitute "a foreign affairs function of the United States."

EDWARD GOTTFRIED,
Acting Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.

[FR Doc.74-17560 Filed 7-29-74;12:19 pm]

COUNCIL ON ENVIRONMENTAL QUALITY

ENVIRONMENTAL IMPACT STATEMENTS

Notice of Availability

Environmental impact statements received by the Council on Environmental Quality from July 15 through July 19, 1974. The date of receipt for each statement is noted in the summary. Under Council Guidelines, the minimum period for public review and comment on draft environmental impact statements is forty-five (45) days from this FEDERAL REGISTER notice of availability. (September 9, 1974)

Copies of individual statements are available for review from the originating agency. Back copies will also be available from a commercial source, the Environmental Law Institute, of Washington, D.C.

DEPARTMENT OF AGRICULTURE

Contact: Dr. Fred H. Tschirley, Acting Coordinator, Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 331-E, Administration Building, Washington, D.C. 20250. (202) 447-3965.

FOREST SERVICE

Draft

Whitewater and Cullasaja River Units, Nantahala, National Forest, Transylvania, Jackson, and Macon Counties, North Carolina, July 19: Proposed is a ten year management plan for the Cullasaja and Whitewater River Units of the Nantahala National Forest. The two units total 30,600 acres of National Forest lands. Management will be for timber, wildlife habitat, recreation, and water quality values. There will be adverse impact to scenic values, soils, and streams from timber harvesting and road construction (86 pages). (ELR Order No. 41186.)

Final

Regulations Under U.S. Mining Laws, July 15: The statement refers to the regulations which set rules and procedures for the use of National Forest System lands in connection with operations authorized by the mining laws of 1872. The regulations are intended to assure that operations will be conducted so as to minimize adverse environmental impacts on other National Forest resources. The regulations apply to approximately 140 million acres of National Forest System lands which are located in the 13 western States, and Alaska, Arkansas, and Florida. Comments made by: COE, HEW, DOI, AEC, USDA, DOD, DOC, EPA, agencies of several States and localities (ELR Order No. 41155.)

Chugach National Forest Land Use Plan, Alaska, July 15: The statement refers to a proposed Land Use Plan which has been prepared for the 4.7 million acre Chugach National Forest. The plan is a broad framework providing management guidance for the administration of the lands in the public interest and within the constraints set forth by federal laws and regulations pertaining to the National Forests. Comments made by: AHP, HUD, DOI, DOD, EPA, State and local agencies, and concerned citizens. (ELR Order No. 41204.)

Enterprise Planning Unit, Dixie N.F., Iron and Washington Counties, Utah, July 17: The statement refers to a proposed land use plan for the 328,000 acre Enterprise Planning Unit of the Dixie National Forest. The plan sets forth the allocation of land to resource uses and activities, including watershed protection, recreation, livestock grazing, wildlife management, timber management, and road and trail maintenance. Of sixteen inventoried roadless areas within the unit, the plan recommends special management of the only two. The activities of the plan will have impact upon vegetation, soils, aesthetics, wildlife, recreation, and water supply and quality. Comments made by: DOI, EPA, USDA, State and local agencies, and concerned citizens. (ELR Order No. 41165.)

RURAL ELECTRIFICATION ADMINISTRATION

Final

Purvis Generating Plant Units 1 and 2, Lamar County, Mississippi, July 19: The statement refers to a request by the South Mississippi Electric Power Association for a loan

guarantee and insured loan funds totalling $165,000,000 in order to finance a new generating plant near Purvis. The plant will include two 207 MW (gross) steam generating units; coal fuel for the station will be mined in Bell, Clay, Harlan, and Leslie Counties, Kentucky; there will be 65 miles of new 161 kV transmission line. The station will release some oxides of sulfur and nitrogen, and particulate matter; coal mining operations will involve 5,600 acres of land during the life of the station (the area will be reclaimed as the mining operations proceed). Visual impact will occur (3 volumes). Comments made by: EPA, DOI, USDA, DOT, FPC, State and local agencies. (ELR Order No. 41189.)

ATOMIC ENERGY COMMISSION

Contact: For Non-Regulatory Matters: Mr. W. Herbert Pennington, Office of Assistant General Manager, E-201, AEC, Washington, D.C. 20545, (301) 973-4241. For Regulatory Matters: Mr. A. Giambusso, Deputy Director for Reactor Projects, Directorate of Licensing, P-722, AEC, Washington, D.C. 20545. (301) 973-7373.

Final

Summit Power Station, Units 1 and 2, New Castle County, Delaware, July 15: The statement refers to the proposed issuance of construction permits to the Delmarva Power and Light Co. for the 2-unit station. Identical high-temperature gas-cooled reactors will produce up to 2000 MWt each; a steam-turbine generator will use this heat to provide 761 MWe (net). Exhaust steam will be cooled through mechanical-draft towers with water drawn from the Chesapeake and Delaware Canal at a maximum rate of 48 cfs. Construction related activities will disrupt 270 acres of the 1,800 acre site. Approximately 17.5 miles of new transmission line will be required. The cooling tower system will adversely affect aquatic biota. Comments made by: USDA, COE, HEW, DRBC, DOI, FPC, EPA, agencies of Maryland, Delaware, and New Jersey. (ELR Order No. 41150.)

DEPARTMENT OF DEFENSE

ARMY CORPS

Contact: Mr. Francis X. Kelly, Director, Office of Public Affairs, Attn: DAEN-PAP, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue SW., Washington, D.C. 20314. (202) 693-7168.

Draft

Big Pine Lake Project, Warren County, Indiana, July 15: The statement refers to the Big Pine Lake project, Big Pine Creek, Wabash River Basin, Indiana. The project consists of construction of a multipurpose lake for flood control, general recreation and fish and wildlife recreation. Adverse impacts are the periodic inundation of 14.5 miles of stream loss of approximately 1,800 acres of farmland; roads and other cultural features would be relocated (Louisville District) (204 pages). (ELR Order No. 41158.)

Burlington Local Flood Protection Project, Iowa, July 17: the project is designed to protect an industrial area of approximately 223 acres in Burlington, Iowa against flooding on the Mississippi River and on Flint Creek. An improvement of existing emergency levees and construction of new earthen levees along the river and creek comprise the plan of protection. Adverse impacts are the loss of vegetation and wildlife, and increased noise and air pollution during construction (30 pages). (ELR Order No. 41169.)

Evansdale Local Protection Project (2), Iowa, July 17: This revised draft involves the proposed flood protection for the city of Evansdale by the construction of earthen levees. Inside the levees, eight ponding areas will be required to handle interior drainage. Adverse impacts are the loss of approximately 60-70 acres of existing vegetation, disruption of wildlife habitat, and disruption of at least one archaeological site (Rock Island District). (ELR Order No. 41170.)

Tawas Bay Harbor, Iosco County, Michigan, July 18: The statement refers to the establishment of harbor facilities for small craft in Tawas Bay at the City of East Tawas, Iosco County. The proposed development would provide an anchorage area protected on 3 sides by a breakwater system and connected to the open water of Lake Huron by an approach channel. Adverse impacts are damage to aquatic environment during construction, and degradation of water quality due to increased boat traffic (Detroit District). (ELR Order No. 41175.)

Beach Erosion Control, Lakeview Park, Ohio, July 18: The statement discusses the construction of an offshore breakwater system, initial sand placement, and periodic sand nourishment to maintain a beach at Lakeview Park, Lorain, Ohio. Periodic sand nourishment is expected to be required every 2 years. Adverse impacts are increased noise and air pollution during construction, temporary turbidity, and loss of some aquatic life (Buffalo District) (65 pages). (ELR Order No. 41177.)

Chartiers Creek Local Flood Protection Project, Washington and Allegheny Counties, Pennsylvania, July 15: The statement refers to the continuation and completion of a flood protection project consisting of two independent projects involving the widening, deepening, and realignment of Chartiers Creek through 4.8 miles in the Canonsburg-Houston area of Washington County and 11.2 miles in the Carnegie-Bridgeville area of Allegheny County. Adverse impacts are long-term loss of wildlife habitat, and increased noise, air, and water pollution (Pittsburgh District) (82 pages). (ELR Order No. 41157.)

Beach Erosion Control, Westmoreland State Park, Westmoreland County, Virginia, July 18: The project involves the construction of a beach erosion control project along the Potomac River at Westmoreland State Park, Westmoreland County. The construction consists of widening the existing 1,600-feet bathing beach from 18 to 68 feet. Adverse impacts are increased air and noise pollution, increased sedimentation, and loss of some vegetation and aquatic life (Baltimore District) (79 pages). (ELR Order No. 41176.)

Channel Rehabilitation Project, Coal River Basin, West Virginia, July 15: The statement refers to the channel shaping and restoration and/or debris removal and selective bank clearing in four areas in the Coal River Basin: Sylvester-Whitesville area, Danville-Madison area, Van-Clinton area, and the Greenview-Sharples area. Adverse impacts are the loss of some vegetation and wildlife habitat, temporarily increased air and noise pollution, and stream turbidity (Huntington District). (ELR Order No. 41148.)

Pleasants Power Stations, Units No. 1 and 2, Pleasants County, West Virginia, July 16: The statement refers to the construction, operation, and maintenance of a new power generation facility on the Ohio River, Pleasants County, West Virginia. The new facilities will consist of a proposed coal-fired plant consisting of two steam-operated electric generator units. Adverse impacts are increased noise pollution, use of land for plant operation, increased river traffic, discharge of station waste into the Ohio River, and use of chemical additives to waste used in station systems (Huntington District) (494 pages). (ELR Order No. 41163.)

Flood Control, La Crosse, La Crosse County, Wisconsin, July 18: The statement refers to the proposed flood control project consisting of a system of levees, road raises, flood wall, road and soil closures, interior drainage facilities, and evacuation of one flood-prone area in the City of La Crosse, La Crosse County, on the Mississippi River. Adverse impacts are the elimination of 50 acres of marsh and 3.4 acres of northern pike spawning area, and temporary noise, increased traffic, and dust pollution during construction. (St. Paul District). (ELR Order No. 41178.)

Final

Beaver Drainage District, Columbia River, Columbia County, Oregon, July 17: The proposed project involves the improvement of existing flood control works. Included are the construction of a new pumping plant and the removal of two existing plants; the raising and strengthening of levees; the installation of seepage drains; and the renovation of a tide box. Dredging operations will adversely affect riparian habitat. Comments made by: EPA, USDA, DOI, HEW, HUD, DOD, FPC, AMP, State and local agencies, and concerned citizens. (ELR Order No. 41166.)

NAVY

Contact: Mr. Peter W. McDavitt, Special Assistant to the Assistant Secretary of the Navy (Installations and Logistics), Washington, D.C. 20350. (202) 692-3232.

Draft

Proposed Pier 7, San Diego Naval Station, California, July 10: Proposed is the construction of a reinforced concrete pier 80 feet wide by 1,480 feet long at the Naval Station. The project area will be deepened to 35' MLLN plus 1' overdredge; total estimated dredging will be 394,800 cu. yds. The spoil will be disposed of at the 100 fathom EPA designated disposal site 8 miles west of Point Loma (64 pages). (ELR Order No. 41181.)

Final

TRIDENT Support Site, Bangor, Washington, July 19: Proposed is the construction, operation, and maintenance of permanent support facilities of an advanced submarine-based missile defense system. The proposed site will include 6,929 acres of the Bangor Annex complex, on the Hood Canal, Puget Sound. The support site will directly employ 4,700 military and 3,500 civilian personnel; a gradual increase in populations due to the project will reach an estimated 27,000 by 1983. The major impacts of the project will be the increased population, and its impacts upon the social and economic resources in the region. Comments made by: USDA, DOC, HEW, HUD, DOI, DOT, EPA, State and local agencies, and concerned citizens. (ELR Order No. 41180.)

FEDERAL POWER COMMISSION

Contact: Dr. Richard E. Hill, Acting Advisor on Environmental Quality, 441 G Street NW., Washington, D.C. 20426. (202) 386-6084.

Draft

El Paso, Transco LNG Terminal, Gloucester County, New Jersey, July 17: Proposed is the granting of authority to El Paso Eastern Co. and Transco Energy Co. for the importation of LNG from Algeria, the construction of a terminal at Gloucester County, New Jersey, and the delivery, exchange and sale of the gas (in revaporized form) in interstate commerce. The terminal facilities will include a 46,000 barrel Bunker-C fuel oil storage tank, vaporizer units, three 600,000 barrel LNG storage tanks, an unloading dock, and related structures. Environmental impact would result to "man, vegetation, soils, wildlife, water quality, and noise levels." (ELR Order No. 41167.)

DEPARTMENT OF THE INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 7260,

Department of the Interior, Washington, D.C. 20240. (202) 343–3891.

Draft

Use of Steel Shot for Waterfowl Hunting, July 19: The statement refers to a proopsal that recommends that in the hunting of ducks, geese, swans, and coots, shot shells loaded with steel or other approved pellets be required in the United States beginning .n the years 1976 through 1978 in different flyways. The net environmental impact would be the alleviation and eventual elimination of lead poisoning from lead shotgun pellets among aquatic birds. Adverse effects relate to increased costs to waterfowl hunters (142 pages). (ELR Order No. 41183.)

BUREAU OF RECLAMATION

Draft

El Paso Natural Gas Coal Gasification Complex, New Mexico, July 19: Proposed is the construction and operation of two coal gasification complexes, a surface coal mine, and the necessary support facilities to produce 785 million cu.ft./day of substitute pipeline gas. The complex site is northwest New Mexico on the Navajo Indian Reservation. The first complex would become operational in 1978, the second in 1981; a third development gasifier would be operated for three years. By 1981 there would be 20 tons of S02 and 20 tons of NOx emissions daily; mining operations would distrub 30,065 acres during the life of the project; ground water could be affected by waste disposal. There will be secondary impacts from the influx of construction and operations workers. (ELR Order No. 41182.)

TENNESSEE VALLEY AUTHORITY

Contact: Dr. Francis Gartrell, Director of Environmental Research and Development, 720 Edney Building, Chattanooga, Tennessee 37401. (615) 755–2002.

Final

Chattanooga-Brainerd Area Flood Relief, Tennessee, July 15: The statement refers to a proposed flood relief plan for the Brainerd Area of Chattanooga. The plan will include the construction of 3.8 miles of levee, the relocation of 3.8 miles of channel, and the widening of 0.8 mile of channel. Adverse impact will include the loss of aquatic and wildlife habitat (73 pages). Comments made by: AHP, USDA, DOC, COE, HEW, HUD, DOI, DOT, EPA, State and local agencies. (ELR Order No. 41151.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Quality, 400 7th Street SW., Washington, D.C. 20590. (202) 426–4357.

FEDERAL AVIATION ADMINISTRATION

Final

Portland-Hillsboro Airport, Oregon, July 16: The statement refers to the extensions of runway 12 by 3,150 ft. at the Portland-Hillsboro Airport in Hillsboro. The extension will allow the runway to be used as a precision instrument runway. Adverse impacts are increased air, water, and noise pollution, loss of some vegetation, and the relocation of 6 families. Comments made by: EPA, DOI, HUD, COE, DOC, and State agencies. (ELR Order No. 41161.)

FEDERAL HIGHWAY ADMINISTRATION

Draft

Tehama Bridge, Aramayo Way, F.A.S. 1079, Tehama County, California, July 19: Proposed is the replacement of the Tehama Bridge on Aramayo Way, F.A.S. Route 1079. Depending upon the alternative chosen, the project will require between one and seven acres of right of way, and the displacement of a small number of mobile homes. Between 0.42 and 1.56 miles of new roadway would be constructed (45 pages). (ELR Order No. 41187.)

U.S. 231 (SR 75), Jackson County, Florida, July 15: The statement refers to the proposed construction of U.S. 231 (SR 75) in Jackson County from the Bay County on the south to the intersection of this corridor with I–10 on the north, a distance of 14.5 miles. Adverse impacts include the use of land for right-of-way, displacement of some existing residences and businesses, and increased air and noise pollution (50 pages). (ELR Order No. 41152.)

Interstate 110, Baton Rouge to Scotlandville, Louisiana, July 18: The statement refers to the proposed improvement to I–110 for a distance of 8.6 miles extending from downtown Baton Rouge to a terminal in the northern part of Scotlandville. Adverse impacts are temporary increases in air, noise, and water pollution, the use of 152 acres of land for right-of-way, and the displacement of approximately 350 families and 27 businesses. (ELR Order No. 41179.)

State Highway 37, Lincoln County, New Mexico, July 19: Proposed is the reconstruction of 5.2 miles of State Highway 37 from State Highway 48 westerly. There will be increases in noise and air pollution; some additional land will be required for right-of-way (26 pages). (ELR Order No. 41185.)

S.R. 7, Belmont and Jefferson Counties, Ohio, July 17: The project involves the relocation of 7.5 miles of existing State Route 7 between Martins Ferry to the south and Little Rush Run to the north. Adverse impacts are the necessary use of land for right-of-way, the displacement of 122 families and 11 businesses, elimination of some wildlife habitat, and temporarily increased air, water, and noise pollution (102 pages). (ELR Order No. 41164.)

Oregon State Highway 42, Coos-Bay-Roseburg, Douglas County, Oregon, July 19: Proposed is the reconstruction of 4.7 miles of Oregon State Highway 42 between Slater Creek and Mystic Creek. Reconstruction will provide two 12' travel lanes and 8' shoulders. There will be bridge construction for river crossings; existing river alignments will be partially modified. Some wildlife habitat and recreation land will be committed to right-of-way. (ELR Order No. 41184.)

Final

Highway H–3, Halawa/Halekou, Supplement, Hawaii, July 16: The document supplements a final EIS which was filed with CEQ on May 21, 1973. This supplement contains comments, public hearings, and agency responses (two volumes). (ELR Order No. 41159.)

State Trunk Highway 33, Wisconsin, Washington and Dodge Counties, Wisconsin, July 18: The statement refers to the proposed construction of a complete or partial relocation of seven miles of STH 33 between County Trunk Highway "WW" and County Trunk Highway "P". The number of families and businesses displaced and the amount of land required for right of way will depend upon the corridor selected. Comments made by: HUD, DOI, EPA, USDA, USCG, and State agencies. (ELR Order No. 41174.)

URBAN MASS TRANSPORTATION ADMINISTRATION

Draft

Larkspur Supplement, Golden Gate Ferry, California, July 18: The document supplements a final EIS filed with CEQ on August 4, 1972, on ferry service for the Golden Gate Bridge Highway and Transportation District. The supplemental information relates to the Larkspur terminal on Corte Madera Bay. There will be possible adverse impact from dredging of an approach channel and a turning basin; there will be an increase in noise levels and air pollution levels. (ELR Order No. 41188.)

U.S. WATER RESOURCES COUNCIL

Contact: Mr. Don Maughan, Director, 2120 L Street NW., 8th Floor, Washington, D.C. 20037. (202) 254–6303.

Draft

Pacific SW Analytical Summary Report, July 15: The statement refers to the Pacific Southwest Analytical needs for water and related land, an inventory of available California, Colorado, Nevada, New Mexico, Utah, and Wyoming. The Report provides a broad assessment of existing and projected resources, and a time-phased framework plan of resource use and development to meet projected needs. (ELR Order No. 41172.) (NTIS Order No. (none).)

Final

Big Black River Basin, Mississippi, July 17: The statement refers to the Comprehensive Basin Study of the Big Black River, Mississippi. The study considers the problems and needs of the Basin, with particular regard to recreation opportunities and flood control measures. Proposals of the plan include land treatment measures, 186 floodwater retarding structures, 17 multiple-purpose structures, and 937 miles of channel modifications (ELR Order No. 41173.)

The following statements were received during the week of July 15 through July 19, and the commenting period for them will begin with this notice of availability. Complete summaries of these statements will appear in next week's FEDERAL REGISTER.

DEPARTMENT OF TRANSPORTATION

Draft

U.S. 24 Jefferson County, July 15.

Final

U.S. 25, I 26, Henderson County, North Carolina, July 16.

FAP Route 409, Centralia to Xenia, Clay and Marion Counties, Illinois, July 15.

DEPARTMENT OF INTERIOR

Final

Fort Sumter and Fort Moultrie National Monument, South Carolina, July 16.

GARY L. WIDMAN,
General Counsel.

[FR Doc.74–17326 Filed 7–29–74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 243–1]

AREAWIDE WASTE TREATMENT MANAGEMENT PLANNING AREAS AND AGENCY DESIGNATIONS

Notice of Approval

Pursuant to the authority of section 208 of the Federal Pollution Control Act Amendments of 1972 (Pub. L. 92–500, 86 Stat. 816, 33 U.S.C. 31288), notice is hereby given of approvals of designations of areawide waste treatment management planning areas and designations of representative planning agencies for such areas.

This notice is required by the area-wide waste treatment management regulations (40 CFR Part 126), 38 FR 25681, September 14, 1973.

The Administrator has approved the following designated 208 planning areas and agencies:

Raleigh-Durham, N.C. (Triangle J. Council of Governments)
Des Moines, Iowa (Central Iowa Regional Association of Local Governments)
New Castle County, Delaware (New Castle Council of Governments)
Cincinnati, Ohio (OKI) (Ohio-Kentucky-Indiana Council of Governments)
Hampton Roads, Va. (Hampton Roads Water Quality Agency)
Richmond, Va. (Richmond-Crater Consortium)
Roanoke, Va. (Fifth Virginia Planning District Commission of Governments)
Toledo, Ohio (Toledo Metropolitan Council of Governments)
Dayton, Ohio (Miami Valley Regional Planning Commission)
Memphis, Tennessee (Miss-Tenn-Ark COG/Memphis Development District)
Portland, Maine (Greater Portland Council of Governments)
Colorado Springs, Colorado (Pikes Peak Area Council of Governments)
Youngstown-Warren, Ohio (Eastgate Development & Transportation Agency)
Knoxville, Tennessee (Knoxville-Knox County Metro Planning Agency)

JAMES L. AGEE,
Acting Assistant Administrator for Water and Hazardous Materials.

JULY 24, 1974.

[FR Doc.74-17299 Filed 7-29-74;8:45 am]

[FRL-242-1; OPP-32000/89]

RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION DATA TO BE CONSIDERED IN SUPPORT OF APPLICATIONS

On November 19, 1973, the Environmental Protection Agency (EPA) 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. This policy provides that EPA will, upon receipt of every application for registration, 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 September 30, 1974, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street, SW., Washington, D.C. 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the 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 September 30, 1974.

APPLICATIONS RECEIVED

EPA File Symbol 4876-LU. "AG" Supply Co., Industrial Dr., Hopkinsville, KY 42240. LICE AND FLEA POWDER LINDANE & SEVIN. Active Ingredients: Carbaryl (1-naphthyl N-methylcarbamate) 5.00%; Lindane (gamma isomer of benzene hexachloride) 1.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. 3533-12. Airkem, A Division of Airwick Industries, Inc., 111 Commerce Rd., Carlstadt, NJ 07072. A-33 HEAVY DUTY DETERGENT DISINFECTANT ODOR-COUNTERACTANT. Active Ingredients: n-alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 3.000%; Essential oils 0.700%; Tetrasodium ethylene diamine tetraacetate 0.143%. Method of Support: Application proceeds under 2(a) of interim policy.

EPA Reg. No. 264-20. Amchem Products, Inc., Brookside Ave., Ambler, PA 19002. THE 2,4-D LOW VOLATILE ESTER FOR AGRICULTURAL WEED CONTROL. Active Ingredients: 2,4-Dichlorophenoxyacetic acid, butoxyethanol ester 64.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 5185-EEO. Bio-Lab, Inc., P.O. Box 1489, Decatur, GA 30031. D-S CLEANER AND SANITIZER FOR FOOD PROCESSING PLANTS. Active Ingredients: Sodium carbonate 35.0%; Alkyl (C14, 60%; C16, 30%; C12, 5%; C18, 5%) dimethyl benzyl ammonium chloride 2.5%; Alkyl (C12, 50%; C14, 30%; C16, 17%; C18, 3%) dimethyl ethylbenzyl ammonium chloride 2.5%; Tetrasodium salt of ethylene diamine tetraacetic acid 2.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 5185-EEI. Bio-Lab, Inc. D-S CLEANER AND SANITIZER. Active Ingredients: Sodium carbonate 35.0%; Alkyl (C14, 60%; C16, 30%; C12, 5%; C18, 5%) dimethyl benzyl ammonium chloride 2.5%; Alkyl (C12, 50%; C14, 30%; C16, 17%; C18, 3%) dimethyl ethylbenzyl ammonium chloride 2.5%; Tetrasodium salt of ethylene diamine tetraacetic acid 2.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 30948-O. Bionomical Chemicals, 1003 Pineville Rd., Chattanoga, TN 37405. FORMULA 5028 ALGAECIDE. Active Ingredients: Alkyl (C14, 58%; C16, 28%; C12, 14%) dimethyl benzyl ammonium chloride 10%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 1448-52. Buckman Laboratories, Inc., 1256 W. McLeane Blvd., Memphis, TN 38108. BL BUSAN 40. Active Ingredients: Potassium N-hydroxymethyl-N-methyldithiocarbamate 40%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 8867-GU. Cleveland Chemical Co., P.O. Box 520, Cleveland, MI 38732. D S M A LIQUID PLUS. Active Ingredients: Disodium Methanearsonate 21.8%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 4833-A. Chemical & Pigment Co., 600 Nichols Rd., Pittsburg, CA 94565. METEOR BRAND ZINC-COPPER 315. Active Ingredients: Copper, expressed as elemental 9.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 239-533. Chevron Chemical Co., 940 Hensley St., Richmond, CO 94801. ORTHO ORTHOCIDE 50 WETTABLE (50% CAPTAN). Active Ingredients: Captan 50%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11694-UE. Construction Chemical Specialties, Inc., 5747 Kessler, Shawnee Mission, KA 66203. X-IT SPOT WEED KILLER. Active Ingredients: Diethanolamine salt of 2,4-dichlorophenoxyacetic acid 1.64%; Diethanolamine salt of silvex [2-(2,4,5-trichlorophenoxy) propionic acid] 0.54%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 24613-R. Crosby Exterminating Co., Inc., 2543-45 Penn. Ave., Pittsburgh, PA 15222. INDUSTRIAL SPRAY EMULSIFIABLE CONCENTRATE. Active Ingredients: Pyrethrins 1.0%; Piperonyl Butoxide, Technical 10.0%; Petroleum Distillate 79.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 3770-GNT. Economy Products Co., Inc., P.O. Box 427, Shenandoah, IA 51601. VMI POULTRY DUST. Active Ingredients: 2-chloro-1-(2,4,5-trichlorophenyl) vinyl dimethyl phosphate 3.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1598-EGR. FCX, Inc., P.O. Box 2419, 121 E. Davie St., Raleigh, NC 27602. 6-1.5 BEAN SPRAY. Active Ingredients: Toxaphene 55.8%; Parathion (O,O-diethyl O-p-nitrophenyl phosphorothioate) 13.9%; Xylene 26.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8764-GR. FMC Corp., Citrus Machinery Division, P.O. Box 552, Riverside, CA 92502. FRESHGARD 605. Active Ingredients: *sec*-butylamine 30%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 4822-116. S. C. Johnson & Son, Inc., 1525 Howe St., Racine WI 53404. JOHNSON J-80 SANITIZER. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 1.29%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 1.29%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 9859–TR. Landia Chemical Co., 1801 W. Oline St., Lakeland FL 33801. LANCO ATRAZINE 4L FLOWABLE HERBICIDE. Active Ingredients: Atrazine (2-chloro-4-ethylamino-6-isopropylamino - s-triazine) 41.9%; Related Compounds 1.1%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 25881–G. Lispar, Ltd., 3236 N. 11th St., Philadelphia PA 19140. LISPAR CONCENTRATED POOL WINTERIZER. Active Ingredients: Alkyl (50% C14, 40% C12, 10% C16) dimethyl, Benzyl Ammonium Chloride 10%; Copper Sulphate 10%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 618–IU. Merck & Co., Merck Chemical Division, Rahway NJ 07065. FLOWABLE MERTECT LSP FUNGICIDE. Active Ingredients: 2-(4-thiazolyl)-benzimidazole 30.88%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 524–308. Monsanto Co., Agricultural Division, 800 N. Lindbergh Blvd., St. Louis MO 63166. ROUNDUP POST-EMERGENCE HERBICIDE. Active Ingredients: Isopropylamine salt of Glyphosate 41.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 3624–RAE. Nova Products, Inc., PO Box 5086, Kansas City KA 66119. M & M. Active Ingredients: Methoxychlor 23.787%; Malathion 0,(-dimethyl dithiophosphate of diethyl mercaptosuccinate) 23.807%; Xylene 43.653%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 7001–174. Occidental Chemical Co., P.O. Box 198, Lathrop, CA 95330. ALL ORGANIC INSECTICIDE SPRAY OR DUST. Active Ingredients: Pyrethrins 0.100%; Rotenone 0.750%; Other Cube Resins 1.500%; Ryanodine 0.055%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 5131–O. Parkhurst Farm & Garden Supply, 301 N. White Horse Pike, Hammonton, NJ 08037. PARKHURST'S 4% MALATHION DUST. Active Ingredients: Malathion 4.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1812–ERU. Parramore & Griffin, P.O. Box 188, Valdosta, GA 31601. PARATHION GRANULES 8% ETHYL 4% METHYL FOR PEANUT SOIL TREATMENT. Active Ingredients: Parathion (O,O-Diethyl O-p-nitrophenyl phosphorothioate) 8%; O,O-Dimethyl O-p-nitrophenyl phosphorothioate 4%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 4581–231. Pennwalt Corp., Three Parkway, Philadelphia, PA 19102. PENNWALT DESICCANT L–10. Active Ingredients: Arsenic Acid (H3ASO4) 75%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1493–LO. Reliable Chemical Corp., P.O. Box 777, Passaic, NJ 07055. SPORTSMAN'S AIR FRESHNER. Active Ingredients: 100% Paradichlorobenzene. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 707–88. Rohm and Haas Co., Independence Mall West, Philadelphia, PA 19105. TOK E–25. Active Ingredients: 2,4-dichlorophenyl p-nitrophenyl ether 25%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 11547–EL. Share Corp., P.O. Box 9, Brookfield, WI 53005. SHARE CORP. GRANULAR WEED CONTROL. Active Ingredients: Bromacil 5-bromo-3-sec-butyl-6-methyluracil 4.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11547–EI. Share Corp. SHARE CORP. HEAVY DUTY WEED AND BRUSH CONTROL. Active Ingredients: Isooctyl Ester of 2,4-Dichlorophenoxyacetic Acid 24.5%; Isooctyl Ester of 2,4,5-Trichlorophenoxyacetic Acid 11.7%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11547–EA. Share Corp. SHARE CORP. AIRBORNE VAPORIZING INSECTICIDE. Active Ingredients: Petroleum distillate 98.955%; Piperonyl Butoxide Tech. .330%; Pyrethrins .165%; N-Octyl Bicycloheptene Dicarboximide .550%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11613–RN. Southeastern Sanitary Supply Co., P.O. Box 1541, Montgomery, AL 36102. SESSCO LEMONAIRE DISINFECTANT SANITIZER DEODORIZER. Active Ingredients: n-Alkyl (60% C12, 30% C14, 5% C16, 5% C18) dimethyl benzyl ammonium chloride 2.88%; n-Alkyl 68% C12, 32% C14) dimethyl ethbenzyl ammonium chloride 2.88%; Isopropyl Alcohol 1.15%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 6720–ERI. Southern Mill Creek Products Co., Inc., P.O. Box 1096, 5414 N. 56th St., Tampa, FL 33601. SMCP TOXAPHENE 8E EMULSIFIABLE LIQUID. Active Ingredients: Toxaphene (technical chlorinated camphene containing 67–69% chlorine) 72.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 476–2132. Stauffer Chemical Co., 1200 South 47th St., Richmond, CA 94804. SUTAN+6–E EMULSIFIABLE LIQUID A SELECTIVE HERBICIDE FOR CORN. Active ingredients: *S*-Ethyl-Diisobutylthiocarbamate 77.3% Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 476–2049. Stauffer Chemical Co. SUTAN+7–E EMULSIFIABLE LIQUID SELECTIVE HERBICIDE FOR CORN. Active Ingredients: S-Ethyl Diisobutylthiocarbamate 89.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 557–RORE. Swift Chemical Co., 115 W. Jackson Blvd., Chicago, IL 60604. SWIFT CERTIFIED HARVEST KING PLUS NEMAGON. Active Ingredients: (1,2-DiBromo-3-Chloro Propane) 4.50%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 557–RORN. Swift Chemical Co. PAR EX CUSTOM FORMULATED FERTILIZER PLUS DIAZINON. Active Ingredients: Diazinon O,O-diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 1.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 557–RONT. Swift Chemical Co. PAR EX CUSTOM FORMULATED FERTILIZER PLUS BAYGON. Active Ingredients: 2-(1-Methylethoxy)phenol methylcarbamate 1.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 557–RONO. Swift Chemical Co. PAR EX CUSTOM FORMULATED FERTILIZER PLUS CHLORDANE. Active Ingredients: Chlordane, technical 2.40%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 33722–RN. Tex-Ag Co., Inc., P.O. Box 633, Mission, TX 78572. METHYL PARATHION 7.2 LB. EMULSIFIABLE CONCENTRATE. Active Ingredients: O-O-dimethly O-p-nitrophenyl phosphorothioate 71.92%; Xylene-range aromatic solvent 21.08%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11687–AO. Transvaal, Inc., P.O. Box 69, Marshall Blvd., Jacksonville, AR 72076. TRANSVAAL TECHNICAL DALAPON. Active Ingredients: Sodium Salt of dalapon (Equivalent to 80.19% of 2,2-Dichloropropionic Acid) 92.52%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 9250–EN. United Laboratories Inc., 1555 Rt. 53, Addison, IL 60101, UL–248 WEED & BRUSH KILLER. Active Ingredients: Petroleum oil 94.94%; 2,4-Dichlorophenoxyacetic acid, isooctyl ester 1.09%; Bromacil (5-bromo-3-sec-butyl-6-methyluracil 0.98%; Pentachlorophenol 0.80%; other chlorophenols 0.09%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 876–25. Velsicol Chemical Corp., 341 East Ohio St., Chicago, IL 60611. VELSICOL BANVEL HERBICIDE. Active Ingredients: Dimethylamine Salt of dicamba 3,6-dichloro-o-anisic acid) 49.0%, Dimethylamine Salt of related acids 7.9%. Method of Support: Application proceeds under 2(b) of interim policy.

Dated: July 22, 1974.

JOHN B. RITCH, Jr.,
Director,
Registration Division.

[FR Doc.74–17164 Filed 7–29–74;8:45 am]

[FRL 241–7; OPP–66003]

MIREX

Extension of Order

On May 20, 1974, the Environmental Protection Agency (EPA) issued a notice (39 FR 18320) of a request from the Animal and Plant Health Inspection Service, U.S. Department of Agriculture (USDA), to extend EPA's order of March 28, 1973 (38 FR 8615), to use Mirex to control the import fire ant on 18,450,000 acres in seven Southern States during Fall 1974. The notice of May 20 invited public comments on USDA's request for such extension.

Of the 35 commenters responding to the notice, 33 supported the continuation of the aerial treatment program in the Southeastern States. The Environmental Defense Fund, representing a number of environmental groups, and the Orleans Audubon Society, were opposed to such an extension, contending that the evidence submitted by EPA witnesses at the current hearing shows that widespread application of this chemical could be harmful. The commenters favoring the extension represented State and county governments and individuals concerned with agricultural as well as urban interests; they expressed the view that granting the extension as requested by USDA is necessary if the fire ant is to be controlled.

The Allied Chemical Company, registrant of Mirex bait, stated that there is no emergency situation that has developed subsequent to the issuance of the March 28, 1973, order to compel the agency to impose more stringent controls on the application of Mirex.

After due consideration of the comments submitted, taking into account the fact that a complete record is being developed in the hearing currently in progress, and mindful of the fact that there

appears to be no emergency situation to compel a change in the order of March 28, 1973, I hereby grant the extension for the acreage requested by the U.S. Department of Agriculture, subject to the terms and conditions of the March 1, 1974, order published in the FEDERAL REGISTER on March 8 (39 FR 9231) as it pertained to the 1974 Spring program.

Any public program that is not an integral part of the imported fire and cooperative Federal-State control and regulatory program and involves aerial application need not be supervised or approved by USDA, so long as the public program complies with the determination and order of August 28, 1973 (38 FR 24683) and other applicable terms and conditions of the March 1, 1974 order (39 FR 9321). However, before commencing any such public program, it will be necessary that USDA be informed of the location of areas to be treated so that no area is treated more often than once in any twelve month period.

In the event that the current Mirex hearing is not completed before need arises to commence any subsequent aerial treatment program, the terms and conditions of this extension will apply to any such future program.

Dated: July 24, 1974.

JOHN QUARLES,
Deputy Administrator.

[FR Doc.74-17366 Filed 7-29-74;8:45 am]

[243-4]

MONSANTO CO.

Reextension of Temporary Tolerance

The Monsanto Co., 800 N. Lindbergh Boulevard, St. Louis, MO 63166, was granted a temporary tolerance for residues of the plant regulator glyphosine (*N,N*-bis(phosphonomethyl) glycine) in or on sugarcane at 1.5 parts per million on July 24, 1972, in connection with Pesticide Petition No. 2G1233 (notice was published in the FEDERAL REGISTER of July 29, 1972 (37 FR 15340)). The temporary tolerance expired July 24, 1973.

The company received a 1-year extension of the temporary tolerance on June 6, 1973 (notice was published in the FEDERAL REGISTER of July 11, 1973 (38 FR 18484)).

The petitioner has requested a 1-year reextension of the temporary tolerance to obtain additional experimental data. It is concluded that such reextension of the temporary tolerance for residues of the plant regulator in or on sugarcane at 1.5 parts per million will protect the public health. A condition under which this temporary tolerance is reextended is that the plant regulator will be used in accordance with the temporary permit which is being issued concurrently and which provides for distribution under the Monsanto Co. name.

As reextended, this temporary tolerance expires July 24, 1975. Residues remaining in or on the above raw agricultural commodity after expiration of this tolerance will not be considered actionable if the pesticide is legally applied during the term, and in accordance with provisions of the temporary permit/tolerance.

This action is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (39 FR 18805).

Dated: July 24, 1974.

HENRY J. KORP,
Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.74-17365 Filed 7-29-74;8:45 am]

FARM CREDIT ADMINISTRATION

[Farm Credit Administration Order 773]

DEPUTY GOVERNOR AND DIRECTOR OF OPERATIONS AND FINANCE SERVICE

Delegations of Authority

JULY 19, 1974.

1. The Deputy Governor and Director of Operations and Finance Service shall, subject to the jurisdiction and control of the Governor of the Farm Credit Administration, execute and perform all power, authority, and duties relative to supervision of the operations and finance function of the institutions of the Farm Credit System and to all matters incidental thereto, and to administration of all provisions of law pertinent to such supervision.

2. In the event the Deputy Governor and Director of Operations and Finance Service, Farm Credit Administration, is absent or is not able to perform the duties of his office for any other reason, the officer who is highest on the following list and who is available to act is hereby authorized to exercise and perform all functions, powers, authority, and duties pertaining to the office of Deputy Governor and Director of Operations and Finance Services:

(1) Assistant Director of Operations;

(2) Assistant Director of Finance;

(3) Assistant to the Director of Operations and Finance Service;

(4) Operations Supervisor, Management and Planning Section;

(5) Operations Supervisor, Organization Section.

3. This order shall be effective on the above written date, and supersedes Farm Credit Administration Order No. 753, dated April 12, 1972 (37 FR 7647).

E. A. JAENKE,
Governor,
Farm Credit Administration.

[FR Doc.74-17298 Filed 7-29-74;8:45 am]

FEDERAL POWER COMMISSION

ALASKA POWER SURVEY ADVISORY COMMITTEES

Notice of Renewal

JULY 30, 1974.

The Chairman of the Federal Power Commission has determined that renewal of the terms of the Alaska Power Survey Executive Advisory Committee and four Technical Advisory Committees (Technical Advisory Committee on Economic Analysis and Load Projection, Technical Advisory Committee on Resources and Electric Power Generation, Technical Advisory Committee on Coordinated System Development and Interconnections, and Technical Advisory Committee on Environmental Considerations and Consumer Affairs) to a date not later than December 31, 1974, is necessary in the public interest in connection with the performance of duties imposed on the Commission by law.

This notice is published pursuant to Commission General Order Series 464, Establishment or Management of Advisory Committees, and Office of Management and Budget Advisory Committee Management, Circular A-63, Revised, dated March 27, 1974.

The Executive Advisory Committee was established by a Commission order dated June 28, 1972, 37 FR 13130, and the four Technical Advisory Committees by an order dated August 25, 1972, 37 FR 17865. These orders refer to the Commission order issued June 28, 1972, 37 FR 13130, which announced the Alaska Power Survey, authorized formation of the committees and established procedures therefore. On December 19, 1972, 37 FR 28654, the Commission amended its earlier order to conform with requirements of the subsequently enacted Federal Advisory Committee Act, 86 Stat. 770.

The nature and purposes of these advisory committees to be renewed are set forth in detail in the aforementioned Commission orders by which they were initially authorized and established. As renewed, the subject committees would function generally as set forth in those orders for the additional period indicated above.

Some reports of the Technical Advisory Committees have been submitted to the Commission. However, the Executive Advisory Committee is reviewing the work and findings of the Technical Advisory Committees in the preparation of its own report, which is not yet complete. The continued existence of all of the committees is desirable during preparation of this report to assure full availability of information and comment from the Technical Advisory Committees. The Office of Management and Budget, Committee of Management Secretariat, has determined that renewal of the subject committees, as set forth above, is consistent with the requirements of the Federal Advisory Committee Act, 86 Stat. 770.

Renewal of these committees would be reflected in appropriate Commission orders to be issued after August 6, 1974.

JOHN N. NASSIKAS,
Chairman.

[FR Doc.74-17385 Filed 7-29-74;8:45 am]

NATIONAL POWER SURVEY ADVISORY COMMITTEES

Notice of Renewal

JULY 30, 1974.

The Chairman of the Federal Power Commission has determined that renewal of the terms of the National Power Survey Executive Advisory Committee and five Technical Advisory Committees (Technical Advisory Committee on Conservation of Energy, Technical Advisory Committee on Finance, Technical Advisory Committee on Fuels, Technical Advisory Committee on Power Supply and Technical Advisory Committee on Research and Development) to a date not later than December 31, 1975, is necessary in the public interest in connection with the performance of duties imposed on the Commission by law.

This notice is published pursuant to Commission General Order Series 464, Establishment or Management of Advisory Committees and Office of Management and Budget, Advisory Committee Management, Circular No. A-63, Revised, dated March 27, 1974.

The Executive Advisory Committee was established by a Commission order dated August 11, 1972, 37 FR 24213, and the five Technical Advisory Committees by an order dated September 28, 1972, 37 FR 20999. These orders refer to the Commission Order issued June 29, 1972, 37 FR 13380 which announced the National Power Survey, authorized formation of the committees and established procedures therefore. On December 19, 1972, 37 FR 28661, the Commission amended its earlier orders to conform with requirements of the subsequently enacted Federal Advisory Committee Act, 86 Stat. 770.

The nature and purposes of the advisory committees to be renewed are set forth in detail in the aforementioned Commission orders by which they are initially authorized and established. As renewed, the subject committees would function generally as set forth in those orders for the additional period indicated above.

Some reports of the Technical Advisory Committees have been submitted to the Commission. However, the Executive Advisory Committee is reviewing the work and findings of the Technical Advisory Committees. The continued existence of all of the committees is desirable during preparation of the Commission report to assure full availability of information and comment from the Executive Advisory and Technical Advisory Committees. The Office of Management and Budget, Committee of Management Secretariat, has determined that renewal of the subject committees, as set forth above, is consistent with the requirements of the Federal Advisory Committee Act, 86 Stat. 770.

Renewal of these committees would be reflected in appropriate Commission orders to be issued after August 6, 1974.

JOHN N. NASSIKAS,
Chairman.

[FR Doc.74-17384 Filed 7-29-74;8:45 am]

[Docket No. RP74-77]

COLORADO INTERSTATE GAS CO.

Extension of Time and Postponement of Hearing

JULY 23, 1974.

On July 1, 1974, Staff Counsel filed a motion for an extension of the procedural dates fixed by order issued May 1, 1974, in the above-designated matter. The motion states that Colorado Interstate Gas Company concurs in this motion.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Evidence by Staff, September 30, 1974.
Service of Evidence by Intervener, October 21, 1974.
Service of Rebuttal Evidence by Colorado Interstate Gas, November 4, 1974.
Hearing, November 19, 1974 (10 a.m.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-17283 Filed 7-29-74;8:45 am]

[Docket No. RP73-102]

MICHIGAN WISCONSIN PIPE LINE CO.

Extension of Time and Postponement of Hearing

JULY 23, 1974.

On July 10, 1974, Michigan Wisconsin Pipe Line Company filed a motion for an extension of the procedural dates fixed by order issued June 26, 1974, in the above-designated matter. The motion states that Staff Counsel and all other parties have agreed to the revised procedural dates.

Upon consideration, notice is hereby given that the procedural dates are modified as follows:

Service of Additional Testimony by Michigan Wisconsin and Interveners, August 19, 1974.
Service of Staff Testimony, September 18 1974.
Service of Rebuttal Evidence by Michigan Wisconsin and Interveners, September 27, 1974.
Hearing, October 8, 1974 (10 a.m. e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-17282 Filed 7-29-74;8:45 am]

[Docket RP74-101]

NATIONAL FUEL GAS SUPPLY CORP.

Notice of FPC Gas Tariff Filing; Correction

JULY 22, 1974.

On July 11, 1974, a notice was issued noticing the filing by National Fuel Gas Supply Corporation of its FPC Gas Tariff, Original Volume No. 2, which is an application for an interim rate. This notice was mistakenly issued under Docket No. RP74-100 and published in the FEDERAL REGISTER on July 18, 1974, 39 FR 26316, and the docket number should be corrected to read: Docket No. RP74-101.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-17285 Filed 7-29-74;8:45 am]

[Docket No. RM74-16]

NATURAL GAS COMPANIES ANNUAL REPORT OF PROVED DOMESTIC GAS RESERVES

Notice of Public Meeting

JULY 23, 1974.

Pursuant to § 1.3 of the Commission's rules of practice and procedure (18 CFR 1.3), notice is hereby given that a public conference shall be convened on August 14, 15 and 16, 1974, at the offices of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426 at 9:30 a.m. This conference is held under authority of the Commission's notice of proposed rulemaking issued in this docket on April 15, 1974, which stated that the "Staff, in its discretion, may grant or deny requests for conference". Of the eighty-eight (88) comments received in response to the notice of rulemaking, approximately two-thirds of the respondents requested that a conference be convened. The Staff has determined that such a conference is an appropriate forum for a discussion of technical issues in reporting data in accordance with the proposed rulemaking.

This conference will focus exclusively upon such issues as definitions to be employed in the proposed form, report format, applicability of automatic data processing, and reporting instructions to accompany the proposed Form 40. All interested parties are requested to be prepared to discuss the issues in accordance with the agenda attached to this notice.

The conference is open to members of the general public who upon recognition by the Chairman of the conference, Dr. Edwin D. Goebel of the Commission Staff, may offer comments as to the technical issues under discussion.

KENNETH F. PLUMB,
Secretary.

APPENDIX—PRELIMINARY AGENDA

Federal Power Commission staff conference on technical issues, proposed natural gas companies annual report proved domestic gas reserves, FPC Form No. 40, Docket No. RM74-16, to be held at Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C., August 14, 15, and 16, 1974.

Presiding: Dr. Edwin D. Goebel, Bureau of Natural Gas, Federal Power Commission.

Wednesday, August 14, 1974.

9:30 a.m.	Opening of Conference—Dr. Goebel.
9:45	Procedures for conference announced — registration for oral presentations.
10:00	General statements[1] by interested parties, recognized by Conference Chairman.
12:00	Recess.
1:00 p.m.	Disscussion of proposed FPC Form No. 40, Schedule B Proved Domestic Natural Gas Reserves and Production—By Fields and Reservoirs (discussion sequence selected by random selection from morning registration).
4:45	Adjournment.

[1] Scheduling of presentations will be facilitated if conference participants will notify the Conference Chairman in advance (202) 386-6238).

Thursday, August 15, 1974.

9:30 a.m.	Discussion of proposed FPC No. 40, Schedule B–1, Proved Domestic Natural Gas Reserves Under Alternative Economic and Operating Assumptions—By Field.
11:00	Discussion of proposed FPC Form No. 40, Schedule C, Annual Changes In Proved Domestic Natural Gas Reserves By Company and State.
12:00	Recess.
1:00 p.m.	Discussion of proposed FPC Form No. 40, Schedule A, Summary of Proved Domestic Natural Gas Reserves—By Company.
3:00	Summary Statements.
4:45	Adjournment.

Friday, August 16, 1974.

9:30 a.m.	Discussion of definitions, report format, Automatic Data Processing, and reporting instructions and such other matters as held over from previous meetings.

[FR Doc.74–17281 Filed 7–29–74;8:45 am]

[Docket No. RP74–95]

NORTHWEST PIPELINE CORP.

Timely and Untimely Interventions

JULY 23, 1974.

On May 31, 1974, Northwest Pipeline Corporation (Northwest) tendered for filing proposed changes in its FPC Gas Tariff, Volume No. 1, Second Revised Sheet No. 10, to become effective on July 1, 1974. By order issued June 28, 1974, the Commission suspended the proposed rate change for five months and set the matter for hearing.

Notice of the proposed increase was issued on May 6, 1974, with protests or petitions to intervene due on or before June 18, 1974. Timely petitions to intervene were filed by the following:

Sierra Pacific Power Company
Mountain Fuel Supply Company
Colorado Interstate Gas Company
Wyoming Industrial Gas Company
Utah Gas Service Company
Cascade Natural Gas Corporation
Southwest Gas Corporation
Northwest Natural Gas Company
Washington Water Power Company
Washington Natural Gas Company

Untimely petitions to intervene were submitted by the following:

Public Utility Commissioner of Oregon
Idaho Public Utilities Commission
Public Service Company of Colorado
Western Slope Gas Company
Cheyenne Light, Fuel and Power Company
Public Utilities Commission of State of Colorado
Washington Utilities and Transportation Commission
Intermountain Gas Company

The participation of the above named companies and state commissions may be in the public interest, and therefore, their interventions should be granted.

The Commission finds. The participation of the above named parties may be in the public interest, and good cause exists to permit these interventions.

The Commission orders. (A) The above named parties are 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 June 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,* That 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.74–17279 Filed 7–29–74;8:45 am]

[Dockets Nos. RP71–119, RP74–31–21]

PANHANDLE EASTERN PIPE LINE CO. AND JAYHAWK PIPELINE CORP.

Petition for Extraordinary Relief

JULY 23, 1974.

By order issued November 6, 1973, in Docket No. RP71–119, we accepted and made effective as of November 1, 1973, certain revised tariff sheets tendered by Panhandle Eastern Pipe Line Company (Panhandle). Those revised tariff sheets contain a curtailment plan filed by Panhandle which conformed to the curtailment procedures contained in the Commission's Statement of Policy, issued in Docket No. R–469, Order No. 467–B.

Numerous petitions for extraordinary relief from this curtailment plan have been filed by Panhandle's customers. The Commission by order issued on December 13, 1973, in Docket No. RP74–31–1 et al. set numerous such petitions for formal hearing and assigned the various petitions for extraordinary relief filed thereafter by customers of Panhandle an appropriate docket number in this series.

Take notice that on July 5, 1974, Jayhawk Pipeline Corporation (Jayhawk), 202 West First Street, Post Office Box 1030, Wichita, Kansas 67201 filed a petition for extraordinary relief from the natural gas curtailments imposed under the presently effective 467–B interim plan filed by Panhandle. Jayhawk, a direct sale customer of Panhandle contends it uses the natural gas it purchases from Panhandle as fuel for the pump engines at its Rolla and Meade Pump Stations located in Morton County and Meade County, Kansas, respectively. Six crude oil purchasers are currently shipping crude oil through that segment of Jayhawk's pipeline involved herein, which crude oil is processed at refineries in the central Kansas-northern Oklahoma area. Meade Station is the central gathering point for three gathering sytems and is the first pump station on the main line. Daily throughput at Meade Station is approximately 38,000 to 40,000 barrels per day. Rolla Station is located on the interstate gathering system in far southwest Kansas. Daily throughput at Rolla is 12,000 barrels per day. The only alternate fuel to operate these pump stations is propane which is, similarly to natural gas, in short supply, particularly during the winter months. Jayhawk further contends that it cannot meet its pump station fuel requirements under Panhandle's projected curtailment this winter with the allocation of propane it was afforded last winter by the Fderal Energy Administration.

Jayhawk asserts that Panhandle presently forecasts that it will curtail it up to 92.6 percent of its base period requirements in January 1975. This curtailment would virtually eliminate Jayhawk's ability to transport crude oil during the 1974–1975 heating season unless a supply of propane is obtained to replace the volume of natural gas curtailed.

Jayhawk contends that due to the essential use to which it puts its gas and the relatively small volumes it requires that it should be totally exempted from Panhandle's curtailments. However, it also contends that its natural gas usages have been improperly categorized under 467–B priorities by Panhandle and they should at the very least be afforded a preferred status in Category 2 due to the fact that a failure of its operation would deprive the public of essential refined petroleum products.

It appears reasonable and consistent with the public interest in this proceeding to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to protest said petition 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 procedures (18 CFR 1.8, 1.10) on or before

August 9, 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 in accordance with the Commission's rules. This filing which was made with the Commission is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-17280 Filed 7-29-74;8:45 am]

[Docket No. RP73-47]

SEA ROBIN PIPELINE CO.

Further Extension of Time

JULY 23, 1974.

On July 11, 1974, Sea Robin Pipeline Company filed a motion for a further extension of time to file its rebuttal testimony.

Upon consideration, notice is hereby given that the time is extended to and including July 31, 1974, within which Sea Robin shall file its rebuttal testimony. The hearing will be held as scheduled on August 27, 1974, at 10:00 a.m. e.d.t.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-17284 Filed 7-29-74;8:45 am]

[Docket No. RP73-49]

SOUTH GEORGIA NATURAL GAS CO.

Proposed Rate Change

JULY 23, 1974.

Take notice that on July 12, 1974, South Georgia Natural Gas Company (South Georgia) tendered for filing a PGA Clause tracking rate increase designated Eighth Revised Sheet No. 3A pursuant to section 14 of the general terms and conditions of South Georgia's FPC Gas Tariff, Original Volume No. 1. Said PGA clause was approved to become effective April 14, 1973, by Commission order in FPC Docket No. RP73-49 issued April 15, 1973.

Southern Natural Gas Company (Southern), South Georgia's sole supplier, has advised South Georgia that it proposes to file on July 12, 1974, under its PGA clause in FPC Docket No. RP73-64 revised tariff sheets to become effective August 26, 1974. Southern's filing will increase South Georgia's cost of purchased gas by $145,065. Pursuant to section 14 of South Georgia's PGA clause, the amount of $85,878 is believed by South Georgia to be applicable to jurisdictional customers.

South Georgia requests that its proposed rate increase be permitted to go into effect on August 26, 1974, or such other date as Southern's proposed rate increase is permitted to go into effect.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before August 5, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-17278 Filed 7-29-74;8:45 am]

[Docket No. RP74-71-3]

SOUTHERN NATURAL GAS CO. AND KAISER ALUMINUM AND CHEMICAL CORP.

Petition for Extraordinary Relief

JULY 23, 1974.

Take notice that on June 28, 1974, Kaiser Aluminum and Chemical Corporation (Kaiser) filed a petition for extraordinary relief with the Commission. In that petition Kaiser sought temporary relief from the provisions of the currently effective curtailment plan of Southern Natural Gas Company (Southern) by the issuance of an order directing Southern to refrain from curtailing deliveries to Kaiser's fertilizer plant in Savannah, Georgia below its alleged minimum daily requirements of 10,600 Mcf except at such times as Southern imposes curtailments of higher priority uses (consistent with the priorities set forth in § 2.78(a)(i) of the Commission's regulations and rules of practice and procedure), and upon condition that none of the 10,600 Mcf so delivered to that plant shall be used for other than the feedstock, plant protection and process requirements—such order and relief to take effect immediately and continue until such time as Southern has in effect a curtailment plan containing priorities consistent with the Commission's Order 467B and approved by the Commission.

In its petition, Kaiser alleges that its 9,900 Mcf of natural gas per day provided directly by Southern under a firm contract does not permit Kaiser to produce fertilizer at maximum efficiency. It states that its total feed stock requirements are 10,200 Mcf per day, its plant protection and process gas needs are 400 Mcf per day, its reformer furnace needs are 5,200 Mcf per day and its steam boiler fuel requirements are 1,500 Mcf per day. Of these volumes, the feedstock, plant protection and process gas needs (totaling 10,500 Mcf per day) are said to be dependent exclusively on natural gas. Kaiser urges that the agricultural needs of the nation compel that it operate its plant at peak efficiency.

It appears reasonable and consistent with the public interest in this proceeding to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to protest said motion, 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 or 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 29, 1974. Any person wishing to become a party must file a petition to intervene in accordance with the Commission's rules. This filing which was made with the Commission is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-17277 Filed 7-29-74;8:45 am]

[Docket No. RI74-124, etc.]

JURISDICTIONAL SALES OF NATURAL GAS

Hearing on Rate Changes[1]

JULY 19, 1974.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A below.

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 Ch. 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 docket No.
	Atlantic Richfield Co	514	[1] 9	El Paso Natural Gas Co. (Rojo Caballos Field, Pecos County, Tex.) (Permian Basin).		6-24-74	8-1-74	[17] Accepted			
	do		10	do	[2] $4,270	6-24-74		8-1-74	20.075	[2] [3] 23.0	
	do			do	(3)	6-24-74		(16)	20.075	[2] [4] 45.0	
	do	596	[1] 11	El Paso Natural Gas Co. (Brown-Bassett Field, Terrell County, Tex.) (Permian Basin).		6-24-74	8-1-74	[17] Accepted			
	do		12	do	96,435	6-24-74		8-1-74	17.5656	[2] [3] 23.0	
	do			do	(3)	6-24-74		(16)	17.5656	[2] [4] 45.0	
RI74-124	Skelly Oil Co	187	17	El Paso Natural Gas Co. (West Jal Field, Lea County, N. Mex.) (Permian Basin).	[10] 1,525	[10] 6-19-74		7-2-74	[10] 36.0	[10] 36.3038	RI74-124.
	do			do	281	6-19-74	7-1-74	[17] Accepted	[11] 17.5	17.6641	
RI75-11	Mobil Oil Corp	257	12	El Paso Natural Gas Co. (Kermit Field, Winkler County, Tex.) (Permian Basin).	1,603	6-26-74		1-1-75	[2] 24.5	25.9399	
RI75-12	Amoco Production Co	494	[12] 14	El Paso Natural Gas Co. (Gomez Field, Pecos County, Tex.) (Permian Basin)	316	6-20-74		12-21-74	35.0	36.0	
RI74-212	Sun Oil Co	340	[13] 1 to 16	El Paso Natural Gas Co. (Blinebry, et al. Fields, Lea County, N. Mex.) (Permian Basin).	2,363	6-18-74		[15] 9-27-74	[14] 36.0	36.3375	RI74-212.

* Unless otherwise stated, the pressure base is 14.65 lb/in²a.
[1] Contract agreement dated May 13, 1974.
[2] Subject to quality adjustments pursuant to Opinion No. 662.
[3] Applicable to wells spudded prior to Jan. 1, 1973.
[4] Applicable to wells spudded on and after Jan. 1, 1973.
[5] Not used.
[6] Not used.
[7] Subject to quality and tax adjustments pursuant to Opinion No. 699—Rate shown is at 14.73 lb/in²a.
[8] No production from wells spudded on and after Jan. 1, 1973.
[9] Pursuant to Opinion No. 662.
[10] Applicable to production below the base of the Strawn formation.
[11] Applicable to production above the base of the Strawn formation.
[12] Applicable to production pursuant to Supp. No. 12 only.
[13] Applicable only to production from the Eva Owens Wells 1 and 3 pursuant to Supplement No. 14.
[14] Suspended in Docket No. RI74-212.
[15] Expiration date of suspension period in Docket No. RI74-212.
[16] The portion of the proposed increase that exceeds the national rate, as adjusted, prescribed in Opinion No. 699 is rejected and that portion which does not exceed such rate is accepted to be effective Aug. 1, 1974, the contractually due date.
[17] Accepted to become effective the date set forth in the "Effective Date Unless Suspended" column.

The proposed increased rates of Atlantic insofar as they relate to sales from wells commenced prior to January 1, 1973, do not exceed the applicable ceiling under Opinion No. 662 and are accepted. Atlantic's proposed rates insofar as they relate to sales from wells commenced on or after January 1, 1973, are accepted to the extent they do not exceed the national rate, as adjusted, prescribed in Opinion No. 699, and are rejected to the extent they exceed such rate.

With respect to the two tax increases submitted by Skelly, one is accepted because it does not exceed the applicable flowing gas ceiling established in Opinion No. 662, and the other is suspended for one day until July 2, 1974, in the existing suspension proceeding involving the underlying rate because it exceeds the applicable new gas ceiling in Opinion No. 662.

In regard to any sales of natural gas for which the proposed increased rate is filed under the provisions of Opinion No. 699, issued June 21, 1974, in Docket No. R-389-B, no part of the proposed rate increase above the prior applicable area ceiling rate may be made effective until the seller submits a statement in writing demonstrating that Opinion No. 699 is applicable to the particular increased rate filing, in whole or in part The proposed increased rates for which such support shall have been satisfactorily demonstrated prior to September 23, 1974, will be made effective as of June 21, 1974.

The proposed tax increase of Sun Oil Company is suspended until September 27, 1974, the same date the underlying rate becomes effective subject to refund in Docket No. RI74-212.

The remaining proposed increases are suspended for five months.

[FR Doc.74-17216 Filed 7-29-74;8:45 am]

NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN

NOTICE OF MEETING

Notice is hereby given, pursuant to Pub. L. 92-463, that the next meeting of the National Advisory Council on the Education of Disadvantaged Children will be held on August 9, 1974 from 9:00 a.m.-4:30 p.m. and August 10, 1974 from 9:00 a.m.-2:00 p.m. The meeting will be held at 425 Thirteenth Street, NW., Suite 1012, Washington, D.C. 20004.

The National Advisory Council on the Education of Disadvantaged Children is established under section 148 of the Elementary and Secondary Act (20 U.S.C. 2411) to advise the President and the Congress on the effectiveness of compensatory education to improve the educational attainment of disadvantaged children.

The agenda of the meeting includes a discussion by the Legislation Committee and the Teacher Training Committee.

Because of limited space, all persons wishing to attend should call for reservations by August 2, 1974, Area Code 202/382-6945.

Records shall be kept of all Council proceedings and shall be available for public inspection at the Office of the National Advisory Council on the Education of Disadvantaged Children, located at 425 Thirteenth Street, NW., Suite 1012, Washington, D.C.

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

ROBERTA LOVENHEIM,
Executive Director.

[FR Doc.74-17342 Filed 7-29-74;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 July 25, 1974 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (x) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this Daily List may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529).

NEW FORM

DEPARTMENT OF AGRICULTURE

Forest Service: Enrollment in Schools of Forestry for the Academic Year Beginning Fall 19--, Form ----, Annual, Caywood, Forestry schools.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration: Interview Data (Ocean City Md.) Angler Interview Fishing Log—OC, Postal Card, Forms NOAA 89-901, 901A, 901B, 901C, Weekly, Caywood, Recreational fishermen.

DEPARTMENT OF DEFENSE

Defense Civil Preparedness Agency: Local Training Inventory Questionnaire, Form ----, Single time, Sheftel, State and local civil defense directors.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service: Long Term Care Facility Improvement Survey, Form ----, Single time, Collins, Random sample of skilled nursing facilities.

Social Security Administration: Group Reimbursement Incentive Program Evaluation Administrator Questionnaire, Form SSA 9754, Annual, HRD/Collins.

REVISIONS

DEPARTMENT OF THE INTERIOR

Bureau of Mines: Secondary Zinc, Form 6-1119-MA, Monthly, Weiner, Consumers of secondary zinc materials.

DEPARTMENT OF THE TREASURY

U.S. Customs Service: Entry Record, Form 5101, Occasional, Evinger, Importers & brokers.

VETERANS ADMINISTRATION

Application for Accrued Benefits by Veteran's Widow (Widower), Child, or Dependent Parent: Form 21-551, Occasional, Caywood, Veterans dependents.

EXTENSIONS

DEPARTMENT OF AGRICULTURE

Forest Service: Naval Stores Conservation Program—Application for Payment, Form ____, Annual, Sheftel, Individuals applying for payment under program.

DEPARTMENT OF COMMERCE

Bureau of the Census: National Crime Survey Basic Screen Questionnaire, Crime Incident Report, and Attitude Questionnaire, Forms NCS 3, 4, and 6, Single time, Tunstall, Households in central city of Compton, Calif.

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service: Application to Preserve Residence for Naturalization Purposes, Form N-470, Occasional, Evinger (x).

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.74-17383 Filed 7-29-74;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

CONTINENTAL VENDING MACHINE CORP.

Suspension of Trading

JULY 23, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Continental Vending Machine Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pusuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from July 24, 1974 through August 2, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-17304 Filed 7-29-74;8:45 am]

[812-3517]

CREDIT UNION SERVICES, INC. AND AMERICAN SECURITY AND TRUST CO.

Application for an Order of Exemption

Notice is hereby given that Credit Union Services, Inc. ("CUSI"), 525 School Street, SW., Washington, D.C. 20024, and American Security and Trust Company (the "Bank" or the Trustee"), 15th and Pennsylvania Avenue NW., Washington, D.C. 20013 (collectively referred to as "Applicants"), have filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order exempting the Common Trust Fund of American Security and Trust Company of the District of Columbia for Credit Union Services Government Securities (the "Common Trust Fund") from all the provisions of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

CUSI, a District of Columbia corporation, was organized in May 1964 for the purpose of providing various administrative, financial and data processing services to credit unions. Except for director qualifying shares, CUSI is wholly-owned by the District of Columbia Credit Union League ("D.C. League"), a non-profit membership corporation composed of credit unions organized under the Federal Credit Union Act and located in the District of Columbia. The same individuals, who are either elected credit union officers or employees of credit unions which are members of the D.C. League, serve as directors for both CUSI and the D.C. League.

Applicants have proposed the establishment of the Common Trust Fund in order to permit credit unions to invest more efficiently in securities representing obligations of the United States Government and agencies thereof through the collective investment and reinvestment in a trust portfolio of such securities which are exempt securities under section 3(a)(2) of the Securities Act of 1933 (the "1933 Act"). The corpus of the Common Trust Fund will consist of monies contributed by participating trusts established with the Bank as trustee ("Participating Trusts") by individual credit unions. Participation in the Common Trust Fund will be limited to Participating Trusts. It is anticipated that the Common Trust Fund, because of its size and ability to diversify investments, will provide a greater yield and liquidity to participating credit unions than could be obtained through individual credit union investments.

Although it is expected that a majority of credit unions who will participate in the Common Trust Fund will be federal credit unions and will be located in the metropolitan Washington, D.C. area, the Common Trust Fund will be open to any credit union coming within the definitional sections of the Plan of Common Trust Fund (the "Plan"). Applicants have applied for a ruling from the National Credit Union Administration, which supervises and administers federal credit unions, that, under the Federal Credit Union Act, federal credit unions may invest their funds in the Common Trust Fund. If any state chartered credit union desires to participate in the Common Trust Fund, approval of such participation by the applicable state agency responsible for administering such credit union will be sought if the applicable state credit union act by its provisions does not explicitly permit such participation. It is asserted that the Common Trust Fund will be operated and maintained by the Bank in compliance with § 9.18 of the regulations of the Comptroller of the Currency relating to collective investment funds. The Bank has submitted copies of the Plan to the Office of the Comptroller of the Currency for review of its compliance with § 9.18.

The Trustee will have full discretionary powers of management and of investment and reinvestment of the Common Trust Fund and of each of the Participating Trusts provided such assets are invested or reinvested in units of the Common Trust Fund or solely in securities permitted under the Plan. Investments of the Common Trust Fund will be kept separate and apart from all other property belonging to or in the custody of the Bank. The Trustee represents that it will not sell securities from its own account to or buy securities for its own account from the Common Trust Fund for as long as it serves as the trustee of the Common Trust Fund. Credit unions participating in the Common Trust Fund will be provided a monthly report prepared by the Trustee setting forth all relevant information on the status of each Participating Trust. In addition, each credit union establishing a Participating Trust and the Comptroller of the Currency will be provided with a yearly audited financial report on the Common Trust Fund, a copy of which report has also been offered to the Commission.

Specific expenses incurred by the Trustee in administering each Participating Trust, which are not common to all Participating Trusts in connection with their participation in the Common Trust Fund, will be paid by each respective Participating Trust. Reasonable expenses incurred by the Trustee in the administration and preservation of the Common Trust Fund will be charged to the Common Trust Fund. For managing the Common Trust Fund, the Trustee will be paid an initial annual fee of .2 percent of the fair value of the Common Trust Fund which will be charged on a fractional proportionate basis on each bi-monthly valuation of the Common Trust Fund.

The Trustee has retained CUSI to provide advice and assistance concerning credit union participation and regulation of the Common Trust Fund. It is anticipated that, except for day-to-day money transfers and reporting obligations, CUSI will be responsible for all communications with participating credit unions. An initial annual fee of .2 percent of the fair market value of the Common Trust Fund will be paid to CUSI on a fractional proportionate basis on each valuation date as reimbursement for expenses payable by CUSI for its services to the Common Trust Fund. It is represented that any profit realized by

CUSI in any fiscal year of operation of the Common Trust Fund will not exceed $20,000 and that any profits in excess of $20,000 realized in any fiscal year of operation of the Common Trust Fund will be applied against the fee due CUSI in the next following fiscal year. All promotional materials of the Common Trust Fund will indicate that CUSI is a profit making corporation whose profits will indirectly inure to the benefit of the D.C. League.

Applicants submit that it is appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act for the Commission to enter an order exempting the Common Trust Fund from all the provisions of the Act for the following reasons: (1) Participation in the Common Trust Fund will be offered only to credit unions; (2) Participating credit unions would be subject to continuing reporting provisions, examination requirements, and other regulations of federal and state agencies which limit investments to government securities designated in the applicable enabling legislation; (3) The operation of the Common Trust Fund and the Participating Trusts will be supervised and examined by the Comptroller of the Currency to assure compliance with section 9 of the regulations of the Comptroller of the Currency pertaining to fiduciary accounts and collective investment funds; (4) The Common Trust Fund will involve organizations (credit unions) which are exempted from being investment companies by section 3(c)(4) of the Act and securities (government securities and government agency securities) which are exempt from the 1933 Act by section 3(a)(2); (5) The Common Trust Fund will operate to carry out the congressional policy of providing "a further market for securities of the United States" (Preamble to the Federal Credit Union Act, Act of June 26, 1934, 48 Stat. 1216, 12 U.S.C. 1751 et seq.); and (6) An additional layer of regulation will provide no additional protection and would cause only unnecessary burdens expenses and duplication of effort contrary to the interests of the members of credit unions and the general public.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any person or transaction from any provision of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than August 16, 1974, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the addresses stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following August 16, 1974, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74–17307 Filed 7–29–74;8:45 am]

[File No. 500–1]

FRANKLIN NATIONAL BANK

Suspension of Trading

JULY 23, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the preferred stock and 4.75 percent debentures of Franklin National Bank, New York, N.Y., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from July 24, 1974 through August 2, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74–17306 Filed 7–29–74;8:45 am]

[File No. 500–1]

FRANKLIN NEW YORK CORP.

Suspension of Trading

JULY 23, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common and preferred stock and 7.30 percent notes of Franklin New York Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from July 24, 1974 through August 2, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74–17305 Filed 7–29–74;8:45 am]

[File No. 500–1]

STRATTON GROUP, LTD.

Suspension of Trading

JULY 23, 1974.

The common stock of Stratton Group, Ltd. being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Stratton Group, Ltd. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from July 24, 1974 through August 2, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74–17308 Filed 7–29–74;8:45 am]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 1–A]

ASSOCIATE ADMINISTRATOR FOR OPERATIONS

Delegation of Authority

Delegation of Authority No. 1–A (Revision 4) (38 FR 4294) is hereby revised to read as follows:

I. Pursuant to authority vested in me by the Small Business Act, 72 Stat. 384, as amended, the Small Business Investment Act of 1958, 72 Stat. 689, as amended; and Title IV of the Economic Opportunity Act of 1964, 78 Stat. 526, as amended, authority is hereby delegated to the following officials in the following order:

1. Associate Administrator for Operations.
2. Assistant Administrator for Administration.
3. General Counsel.
4. Associate Administrator for Finance and Investment to perform, in the event of the absence or incapacity of the Administrator and the Deputy Administrator, any and all acts which the Administrator is authorized to perform, including but not limited to authority to issue,

modify, or revoke delegations of authority and regulations, except exercising authority under sections 7(a)(6), 9(d) and 11 of the Small Business Act, as amended.

II. This delegation is not in derogation of any authority residing in the above listed officials relating to the operations of their respective programs nor does it affect the validity of any delegations currently in force and effect and not specifically cited as revoked or revised herein.

Effective date: July 23, 1974.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.74-17311 Filed 7-29-74;8:45 am]

SUSQUEHANNA RIVER BASIN COMMISSION

PROPOSED LOCAL FLOOD PROTECTION FOR LOCK HAVEN, PENNSYLVANIA

Notice of Public Hearing

JULY 22, 1974.

Notice is hereby given that the Susquehanna River Basin Commission and the United States Army Corps of Engineers, Baltimore District, will hold a joint public hearing on August 20, 1974 at 7:30 p.m. in the Price Auditorium on the campus of Lock Haven State College, Lock Haven, Pennsylvania. The purpose of the hearing is to gather public comment and reaction to the Corps of Engineers proposed local flood protection project for Lock Haven, Pennsylvania.

The Commission is participating in the hearing to gather data on the proposed project to help the Commission to decide whether the project should be made a part of the Commission's Comprehensive Plan. Under Article 12.1 of the Susquehanna River Basin Compact, no Federal project will be deemed authorized unless it has first been included by the Commission in its Comprehensive Plan.

The Commission will separately review the testimony given at the hearing and its findings and recommendations will accompany the Corps' report to the United States Congress in connection with any request for authorization of the project or funding therefor.

Copies of a booklet describing the project and the area affected are available by writing to the U.S. Army Corps of Engineers, P.O. Box 1715, Baltimore, Maryland 21203.

All those wishing to testify are urged either to notify the Commission or the Corps as soon as possible. Those notifying the Commission should write to the Susquehanna River Basin Commission, 5012 Lenker Street, Mechanicsburg, Pennsylvania 17055.

[SEAL] ROBERT J. BIELO,
Executive Director.

[FR Doc.74-17316 Filed 7-29-74;8:45 am]

TARIFF COMMISSION

[337-L-66]

CHAIN DOOR LOCKS

Amended Complaint Received

The United States Tariff Commission hereby gives notice of the receipt on June 17, 1974, of an amended complaint under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) filed by Ideal Security Hardware Corporation of Saint Paul, Minnesota, alleging unfair methods of competition and unfair acts in the importation and sale of certain chain door locks said to be embraced within the claims of U.S. Patents No. 3,161,035; 3,275,364; and 3,395,556. The amended complaint adds U.S. Patent No. 3,161,035. All of the patents are owned by complainant.

Notice of receipt of the original complaint was published on July 31, 1973, in the FEDERAL REGISTER (38 FR 20381).

Issued: July 23, 1974.

By order of the Commission.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.74-17339 Filed 7-29-74;8:45 am]

[337-37]

GOLF GLOVES

Resumption of Hearing

Notice is hereby given that the United States Tariff Commission will resume its public hearing in connection with investigation No. 337-37, Golf Gloves, on August 23, 1974, at 10 a.m. e.d.t. in the Hearing Room of the U.S. Tariff Commission Building, 8th and E Streets, NW., Washington, D.C. Requests for appearances at the hearing should be received by the Secretary of the Tariff Commission, in writing, not later than noon, August 19, 1974.

Notice of the institution of the investigation and the ordering of a public hearing for July 1, 1974, was published in the FEDERAL REGISTER on May 29, 1974 (39 FR 18724).

Issued: July 24, 1974.

By order of the Commission.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.74-17340 Filed 7-29-74;8:45 am]

WRENCHES, PLIERS, SCREWDRIVERS, AND METAL-CUTTING SNIPS AND SHEARS FROM JAPAN

Investigation and Hearing

Having received advice from the Treasury Department on July 19, 1974, that wrenches, pliers, screwdrivers, and metal-cutting snips and shears from Japan are being, or are likely to be, sold at less than fair value, the United States Tariff Commission on July 24, 1974 instituted investigation No. AA1921-141 under section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Hearing. A public hearing in connection with the investigation will be held in the Tariff Commission's Hearing Room, Tariff Commission Building, 8th and E Streets, NW., Washington, D.C. 20436, beginning at 10 a.m., e.d.t., on Tuesday, August 20, 1974. All parties will be given an opportunity to be present, to produce evidence, and to be heard at such hearing. Requests to appear at the public hearing should be received by the Secretary of the Tariff Commission, in writing, at its office in Washington, D.C., not later than noon Friday, August 16, 1974.

Issued: July 24, 1974.

By order of the Commission.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.74-17341 Filed 7-29-74;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 558]

ASSIGNMENT OF HEARINGS

JULY 25, 1974.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the official docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

MC-217 Subs 16 & 17, Point Transfer, Inc., MC-13569 Subs 27 & 30, The Lake Shore Motor Freight Co., MC-14552 Subs 50 & 53, J. V. McNicholas Transfer Co., and MC-138286 Sub 2, John F. Scott Company, now assigned September 9, 1974, at Pittsburgh, Pa., is postponed to September 16, 1974, in Room 1112, New Federal Building, 1000 Liberty Ave., Pittsburgh, Pa.

MC 116073 Sub-31, Barrett Mobile Home Transport, Inc., Extension—Buildings (13 Western States), MC 116073 Sub-35, Barrett Mobile Home Transport, Inc., Extension—Buildings (Arizona) and MC 116073 Sub-85, Barrett Mobile Home Transport, Inc., Extension—Idaho (Moorhead, Minn.) is continued to September 23, 1974 (3 weeks), at Denver, Colo., in Room 587 Tax Court, U.S. Federal Building, 19th and Stout Streets; the continued hearing now assigned September 23, 1974, at Denver, Colo., will follow the continued hearing assigned September 9, 1974, at Washington, D.C., which remains as assigned.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-17356 Filed 7-29-74;8:45 am]

[Finance Docket No. 26582]

ATCHISON, TOPEKA AND SANTA FE RAILWAY CO.

Abandonment Emporia, Lyon County and Moline, Elk County, Kans.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available for public inspection upon request; and

It appearing, that no environmental impact statement need be issued in this

proceeding, because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in newspapers of general circulation in Lyon, Greenwood, and Elk Counties, Kans., within 15 days of the date of service of this order, and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by forwarding a copy to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 19th day of July, 1974.

By the Commission, Commissioner Tuggle.

[SEAL] ROBERT L. OSWALD,
Secretary.

[Finance Docket No. 26582]

ATCHISON, TOPEKA AND SANTA FE RAILWAY CO. ABANDONMENT EMPORIA, LYON COUNTY AND MOLINE, ELK COUNTY, KANS.

The Interstate Commerce Commission hereby gives notice that by order dated July 19, 1974, it has been determined that the proposed abandonment of the Howard Branch extending approximately 81.35 miles between Emporia and Moline, Kans., if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2(C) of the NEPA.

It was concluded, among other things, that traffic over the line has been at a consistently low volume, the area is rural and agriculturally oriented with no prospects of any substantial industrial development for the future and adequate highways and alternate rail transportation exists in the area. Some important wildlife habitats along the right-of-way will be lost if the right-of-way is returned to the titled landowners and converted to farmland. However, it was determined that responsibility for preservation of the natural environment rests with the interested State authorities.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available for public inspection upon request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone [202] 343-2086.

Interested parties may comment on this matter by the submission of representations to the Interstate Commerce Commission, Washington, D.C. 20423, on or before August 14, 1974.

[FR Doc.74-17352 Filed 7-29-74;8:45 am]

[Finance Docket No. 26757]

CHESAPEAKE & OHIO RAILWAY CO.

Abandonment Between Hatch's Crossing and Northport, Leelanau County, Michigan

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available for public inspection upon request; and

It appearing, that no environmental impact statement need be issued in this proceeding, because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Leelanau and Grand Traverse Counties, Mich., within 15 days of the date of service of this order, and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by forwarding a copy to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 17th day of July, 1974.

By the Commission, Commissioner Tuggle.

[SEAL] ROBERT L. OSWALD.
Secretary.

[Finance Docket No. 26757]

THE CHESAPEAKE & OHIO RAILWAY COMPANY ABANDONMENT BETWEEN HATCH'S CROSSING AND NORTHPORT, LEELANAU COUNTY, MICHIGAN

The Interstate Commerce Commission hereby gives notice that by order dated July 17, 1974, it has been determined that the proposed abandonment of the lines of the Chesapeake and Ohio Railway Company and the Leelanau Transit Company between a point 1.9 miles north of Traverse City and Northport, a distance of approximately 27.66 miles all in Leelanau and Grand Traverse Counties, Mich., if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the environmental effects of the proposed action are considered insignificant because (1) the amount of traffic moving to and from points on the line to be abandoned is minimal, (2) adequate alternative transportation is available over the surrounding highway system, and, (3) there is a lack of specific developmental planning in the area which would require rail service, although existing local firms expect some internal expansion.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available for public inspection upon request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone [202] 343-2086.

Interested parties may comment on this matter by the submission of representations to the Interstate Commerce Commission, Washington, D.C. 20423, on or before August 14, 1974.

[FR Doc.74-17353 Filed 7-29-74;8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

JULY 25, 1974.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1100.40) and filed on or before August 14, 1974.

FSA No. 42854—*Joint Water-Rail Container Rates—Japan Line, Ltd.* Filed by Japan Line, Ltd., (No. 5), for itself and interested rail carriers. Rates on general commodities, between ports in Japan, Korea, Hong Kong, and Taiwan, on the one hand, and rail stations on the U.S. Atlantic and Gulf Seaboard, on the other.

Grounds for relief—Water competition.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-17354 Filed 7-29-74;8:45 am]

[Rule 19; Ex Parte No. 241; 5th Rev. Exemption No. 75]

BURLINGTON NORTHERN, INC., ET AL.

Exemption Under Provision of Mandatory Car Service Rules

To: Burlington Northern, Inc., Chicago and North Western Transportation Company, Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Missouri Pacific Railroad Company.

It appearing, that there is a massive harvest of wheat in progress in the states of Kansas, Nebraska and South Dakota that present supplies of plain boxcars owned by the railroads serving these states are inadequate to move the newly harvested grain to terminal elevators for safe storage; that use of available plain boxcars owned by other carriers for movements of this grain will substantially augment the car supplies of the railroads named herein.

It is ordered, That pursuant to the authority vested in me by Car Service Rule 19, the railroads named herein, and their short line connections, are hereby authorized to use and to accept from shippers shipments of grain originating at stations located in Kansas, Nebraska, and South Dakota when loaded into plain 40-ft. narrow-door boxcars of various ownerships without regard to the requirements of Car Service Rule 2.

Exception. This exemption shall not apply to plain boxcars owned by railroads named above nor to cars subject to an order of this Commission requiring return to car owner nor to cars subject to a Car Relocation Directive issued by the Association of American Railroads.

Effective: July 10, 1974.

Expires: 11:59 p.m., July 31, 1974.

Issued at Washington, D.C., July 10, 1974.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.74-17350 Filed 7-29-74;8:45 am]

[Rule 19; Ex Parte No. 241; Exemption No. 81]

ERIE LACKAWANNA RAILWAY CO. AND LEHIGH VALLEY RAILROAD CO.

Exemption Under Provision of Mandatory Car Service Rules

It appearing, that the Erie Lackawanna Railway Company, Thomas F. Patton and Ralph S. Tyler, Jr., Trustees (EL) and the Lehigh Valley Railroad Company (John F. Nash and Robert C. Haldeman, Trustees) (LV) have each agreed to the unrestricted use by the other of its plain gondola cars less than 61 ft. in length; and that such mutual use of gondola cars will increase car utilization by reductions in switching and movements of empty gondola cars.

It is ordered, That, pursuant to the authority vested in me by Car Service Rule 19, plain gondola cars described in the Official Railway Equipment Register, I.C.C. R.E.R. No. 392, issued by W. J. Trezise, or successive issues thereof, as having mechanical designations "GA", "GB", "GD", "GE", "GH", "GRA", "GS", and "GW", which are less than 61 ft. 0 in. long, and which bear the reporting marks listed herein, may be used by the EL and the LV without regard to the requirements of Car Service Rules 1 and 2.

Reporting Marks:
EL—EL, ERIE, DLW.
LV—LV.

Effective: July 16, 1974.

Expires: September 30, 1974.

Issued at Washington, D.C., July 15, 1974.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.74-17359 Filed 7-29-74;8:45 am]

[Rule 19; Ex Parte No. 241; Exemption No. 82]

EXEMPTION UNDER PROVISION OF MANDATORY CAR SERVICE RULES

It appearing, that the U.S. railroads own numerous 40-ft. plain boxcars; that under present conditions, there are substantial surpluses of these cars on the lines of the car owners; that return of these cars to the car owners would result in their being stored idle on these lines; that such cars can be used by other carriers for transporting traffic offered for shipments to points remote from the car owners; and that compliance with Car Service Rules 1 and 2 prevents such use of plain boxcars, resulting in unnecessary loss of utilization of such cars.

It is ordered, That pursuant to the authority vested in me by Car Service Rule 19, plain boxcars of railroad ownership described in the Official Railway Equipment Register, I.C.C. R.E.R. No. 392, issued by W. J. Trezise, or successive issues thereof, as having mechanical designation XM, with inside length 44 ft. 6 in. or less, and bearing reporting marks assigned to United States railroads, shall be exempt from the provisions of Car Service Rules 1(a), 2(a), and 2(b). (See Note)

NOTE: This exemption does not supersede United States customs regulations applicable to cars owned by Canadian or Mexican railroads.

Effective: July 22, 1974.

Expires: August 5, 1974.

Issued as Washington, D.C., July 22, 1974.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.74-17362 Filed 7-29-74;8:45 am]

[Rev. S.O. 994; I.C.C. Order 117, Amdt. 1]

NEW YORK, SUSQUEHANNA AND WESTERN RAILROAD CO.

Rerouting or Diversion of Traffic

Upon further consideration of I.C.C. Order No. 117 (the New York, Susquehanna and Western Railroad Company), and good cause appearing therefor:

It is ordered, That:

I.C.C. Order No. 117 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., January 31, 1975, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m. July 31, 1974, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., July 23, 1974.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.74-17360 Filed 7-29-74;8:45 am]

[Rev. S.O. 994; Rev. I.C.C. Order 74]

PENN CENTRAL TRANSPORTATION CO.

Rerouting or Diversion of Traffic

In the opinion of R. D. Pfahler, Agent, the Penn Central Transportation Company, George P. Baker, Robert W. Blanchette and Richard C. Bond, Trustees, is unable to transport traffic to and from the following stations on its lines because of track damage caused by flooding:

Lebanon, Pennsylvania
Frederick, Maryland

It is ordered, That:

(a) *Rerouting traffic.* The Penn Central Transportation Company, George P. Baker, Robert W. Blanchette and Richard C. Bond, Trustees, being unable to transport traffic to and from Lebanon, Pennsylvania, or Frederick, Maryland, because of track damage caused by flooding, that carrier and its connections are hereby authorized to reroute or divert such traffic via any available route to expedite the movement. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) *Concurrence of receiving roads to be obtained.* The railroad desiring to divert or reroute traffic under this order shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted, before the rerouting or diversion is ordered.

(c) *Notification to shippers.* Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic is deemed to be due to carrier disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were

applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic. Divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) *Effective date.* This order shall become effective at 11:59 p.m., July 31, 1974.

(g) *Expiration date.* This order shall expire at 11:59 p.m., January 31, 1975, unless otherwise modified, changed, or suspended.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., July 23, 1974.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.74-17361 Filed 7-29-74;8:45 am]

[Exception No. 19 to Rev. S.O. No. 1173]

PACIFIC FRUIT EXPRESS CO., ET AL.

Suspension From Mandatory Car Service Rule

JULY 18, 1974.

Pursuant to the authority vested in me by section (a) of paragraph (4) of Revised Service Order No. 1173, the provisions of Revised Service Order No. 1173 are hereby suspended with respect to mechanical refrigerator cars bearing reporting marks assigned to the following companies:

Company:	*Marks*
Pacific Fruit Express Co	PFE
Southern Pacific Transportation Co	SPFE
Union Pacific Railroad Co	UPFE

Effective: July 17, 1974.

Expires: August 31, 1974.

Issued at Washington, D.C., July 17, 1974.

[SEAL] LEWIS R. TEEPLE,
Assistant Director.

[FR Doc.74-17358 Filed 7-29-74;8:45 am]

[Notice 132]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

JULY 30, 1974.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before August 19, 1974. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-75253. By order of July 18, 1974, the Motor Carrier Board approved the transfer to R. L. Walter, Paola, Kans., of Certificate No. MC-64575 issued by the Commission March 25, 1965, to James D. Newton, Hillsdale, Kans., authorizing the transportation of feed, seed, livestock, and agricultural implements and parts from Hillsdale, Kans., to Kansas City, Mo.; general commodities, with exceptions, from Kansas City, Mo., to Hillsdale, Kans.; feed, in bulk, from Kansas City, Mo., to Hillsdale, Kans.; and household goods and emigrant movables between Hillsdale, Kans., and points within ten miles thereof, on the one hand, and, on the other, points in Missouri. John L. Richeson, Esq., First National Bank Building, Ottawa, Kans. 66067.

No. MC-FC-75259. By order of July 22, 1974, the Motor Carrier Board approved the transfer to Salvatore Esposito, East Haven, Conn., of the operating rights in Certificate No. MC-136160 issued March 26, 1973, to Triple J. Trucking Co., Inc., Newark, N.J., authorizing the transportation of general commodities, with the usual exceptions, and also except liquor, livestock, and silk, between points in Monmouth County, N.J., and Lakewood and Point Pleasant, N.J., on the one hand, and, on the other, New York, N.Y. William J. Meuser, 86 Cherry Street, Milford, Conn. 06460, attorney for transferee and Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, N.J. 08904, registered practitioner for transferor.

No. MC-FC-75276. By order of July 22, 1974, the Motor Carrier Board approved the transfer to Bee Line Freight, Inc., Tahlequah, Okla., of the operating rights in Certificate No. MC-125419 issued May 31, 1974, to Gary Monroe Pendergraft, doing business as Bee Line Freight, Tahlequah, Okla., authorizing the transportation of general commodities, with exceptions, over regular routes, between Fort Smith, Ark., and Hulbert, Okla., serving specified intermediate points, and between Tahlequah, Okla., and Muskogee, Okla., serving all intermediate points. I. E. Chenoweth, 420 South Main St., Tulsa, Okla. 74103, attorney for applicants.

No. MC-FC-75280. By order of July 22, 1974, the Motor Carrier Board approved the transfer to Highway Pipeline Trucking Co., a corporation, McAllen, Tex., of Certificate of Registration No. MC-96992 (Sub-No. 1), issued May 6, 1969, to Central Plains Transport Company, a corporation, Dallas, Tex., evidencing the right to engage in transportation in interstate or foreign commerce corresponding in scope to the grant of authority in Certificate of Convenience and Necessity No. 6754 issued May 21, 1957, transferred and reissued September 11, 1967, by the Railroad Commission of Texas. William D. Lynch, P.O. Box 912, Austin, Tex. 78767, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-17355 Filed 7-29-74;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY—ELIMINATION OF GATEWAY LETTER NOTICES

JULY 25, 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 within 10 days from the date of this publication. 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-8535 (Sub-No. E1), filed May 21, 1974. Applicant: GEORGE TRANSFER AND RIGGING COMPANY, INCORPORATED, P.O. Box 500, Parkton, Md. 21120. Applicant's representative: James B. Nestor (same as above). Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Building and contractors' equipment, materials and supplies, machinery and machine parts, pipeline and plant construction materials and supplies, and steel* (except articles requiring the use of special equipment for their transportation), between points in New Jersey, on the one hand, and, on the other, points in North Carolina in and west of Warren, Nash, Wilson, Greene, Lenoir, Craven, and Carteret Counties. The purpose of this filing is to eliminate the gateways of Kenbridge, Victoria, and South Hill, Va.

No. MC–8535 (Sub-No. E2), filed May 21, 1974. Applicant: GEORGE TRANSFER AND RIGGING COMPANY, INCORPORATED, P.O. Box 500, Parkton, Md. 21120. Applicant's representative: James B. Nestor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building and contractors' equipment, materials and supplies, machinery and machine parts, pipeline and plant construction materials and supplies, and steel* (except articles requiring the use of special equipment for their transportation), between the District of Columbia, on the one hand, and, on the other, points in North Carolina (except points in Hertford, Gates, Camden, Currituck, Pasquotank, Perquimans, and Chowan Counties). The purpose of this filing is to eliminate the gateways of Kenbridge, Victoria, and South Hill, Va.

No. MC–8535 (Sub-No. E3), filed May 21, 1974. Applicant: GEORGE TRANSFER AND RIGGING COMPANY, INC., P.O. Box 500, Parkton, Md. 21120. Applicant's representative: James B. Nestor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building and contractors' equipment, materials and supplies, machinery and machine parts, pipeline and plant construction materials and supplies, and steel* (except articles requiring the use of special equipment for their transportation), between points in Delaware, on the one hand, and, on the other, points in North Carolina, in and west of Warren, Nash, Wilson, Greene, Lenoir, Jones, and Onslow Counties. The purpose of this filing is to eliminate the gateways of Kenbridge, Victoria, and South Hill, Va.

No. MC–8535 (Sub-No. E4), filed May 21, 1974. Applicant: GEORGE TRANSFER AND RIGGING COMPANY, INC., P.O. Box 500, Parkton, Md. 21120. Applicant's representative: James B. Nestor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building and contractors' equipment, materials and supplies, machinery and machine parts, pipeline and plant construction materials and supplies, and steel* (except articles requiring the use of special equipment for their transportation); (a) between points in West Virginia, on the one hand ,and, on the other, points in North Carolina in and east of Hertford, Bertie, Martin, Edgecomb, Wilson, Wayne, Duplin, Pender, and Brunswick Counties; (b) between points in Hancock, Brooke, Ohio, Marshall, Wetzel, Tyler, Doddridge, Harrison, Marion, Monongalia, Taylor, and Preston Counties, W. Va., on the one hand, and, on the other, points in North Carolina in an area bounded on the west by the western boundaries of Caswell, Alamance, Chatham, Moore, Hoke, and Scotland Counties, and on the east by the eastern boundaries of Northampton, Halifax, Nash, Johnston, Sampson, Bladen, and Columbus Counties; and (c) between points in Mineral, Hampshire, Morgan, Berkeley, and Jefferson Counties, W. Va., on the one hand, and, on the other, points in North Carolina in an area bounded on the west by the western boundaries of Alleghany, Wilkes, Alexander, Catawba, Lincoln, and Gaston Counties, and on the east, by the eastern boundaries of Northampton, Halifax, Nash, Johnston, Sampson, Bladen, and Columbus Counties. The purpose of this filing is to eliminate the gateways of Kenbridge, Victoria, and South Hill, Va.

No. MC–8535 (Sub-No. E5), filed May 21, 1974. Applicant: GEORGE TRANSFER & RIGGING COMPANY, INC., P.O. Box 500, Parkton, Md. 21120. Applicant's representative: James B. Nestor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building and contractors' equipment, materials and supplies, machinery and machine parts, pipeline and plant construction materials and supplies, and steel* (except articles requiring the use of special equipment for their transportation), (a) between points in New York on the one hand, and, on the other, points in North Carolina in and west of Northampton, Bertie, Washington, Beaufort, Pamplico, Craven, and Carteret Counties, (b) between points in New York in and west of Clinton, Franklin, St. Lawrence, Jefferson, Oswego, Onondaga, Cayuga, Tompkins, and Tioga Counties, on the one hand, and, on the other, points in North Carolina in and east of Hertford, Chowan, Tyrrell, and Hyde Counties. The purpose of this filing is to eliminate the gateways of Kenbridge, Va., and Snow Hill, Va.

No. MC–8535 (Sub-No. E6), filed May 21, 1974. Applicant: GEORGE TRANSFER & RIGGING COMPANY, INC., P.O. Box 500, Parkton, Md. 21120. Applicant's representative: James B. Nestor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building and contractors' equipment, materials and supplies, machinery and machine parts, pipeline and plant construction materials and supplies, and steel* (except articles requiring the use of special equipment for their transportation), (a) between points in Maryland on the one hand, and, on the other, points in North Carolina in an area bounded on the west by the western boundaries of Mecklenburg, Rowan, Davidson, Guilford, and Rockingham Counties and on the east by the eastern boundaries of Vance, Franklin, Johnston, Wayne, Duplin, Pender, New Hanover, and Brunswick Counties; (b) between points in Washington, Frederick, Carroll, Baltimore, Montgomery, Howard, Prince Georges, Anne Arundel, Calvert, Charles, and St. Marys Counties, and Baltimore, Md., on the one hand, and, on the other, points in North Carolina in and west of Stokes, Forsyth, Davie, Iredell, Lincoln, and Gaston Counties; (c) between points in Washington, Frederick, Carroll, Baltimore, Montgomery, Howard, Prince Georges, Anne Arundel, Calvert, Charles, and St. Marys Counties and Baltimore, Md., on the one hand, and, on the other, points in Warren, Halifax, Northampton, Nash, Edgecomb, Wilson, Greene, Pitt, Lenior, Craven, Jones, Onslow, and Carteret Counties, N.C.; (d) between points in Garrett and Allegany Counties, Md., on the one hand, and, on the other, points in North Carolina in and east of Warren, Nash, Wilson, Greene, Lenoir, Jones, and Onslow Counties; and (e) between points in Harford, Cecil, Kent, Queen Annes, Caroline, Talbot, Dorchester, Wicomico, Worcester, and Somerset Counties, Md., on the one hand, and, on the other, points in North Carolina in and west of Stokes, Forsyth, Davie, Iredell, Lincoln, and Gaston Counties. The purpose of this filing is to eliminate the gateways of Kenbridge, Victoria, and South Hill, Va.

No. MC–8535 (Sub-No. E7), filed May 22, 1974. Applicant: GEORGE TRANSFER & RIGGING COMPANY, INC., P.O. Box 500, Parkton, Md. 21120. Applicant's representative: James B. Nestor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building and contractors' equipment, materials and supplies, machinery and machine parts, pipeline and plant construction materials and supplies, and steel* (except articles requiring the use of special equipment for their transportation), (a) between points in Ohio on the one hand, and, on the other, points in North Carolina in and east of Vance, Franklin, Nash, Wilson, Wayne, Duplin, Pender, and Brunswick Counties; and (b) between points in Ohio in and north of Defiance, Henry, Hancock, Wyandot, Marion, Delaware, Knox, Coshocton, Tuscarawas, Harrison, and Belmont Counties, on the one hand, and, on the other, points in North Carolina in an area bounded on the west by the western boundaries of Caswell, Alamance, Chatham, Moore, Hoke, and Scotland Counties, and, on the east by the eastern boundaries of the Counties of Granville, Wake, Johnston, Sampson, Bladen, and Columbus. The purpose of this filing is to eliminate the gateways of Kenbridge, Victoria, and South Hill, Va.

No. MC–8535 (Sub-No. E8), filed May 22, 1974. Applicant: GEORGE TRANSFER & RIGGING COMPANY, INC.,

P.O. Box 500, Parkton, Md. 21120. Applicant's representative: James B. Nestor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building and contractors' equipment, materials and supplies, machinery and machine parts, pipeline and plant construction materials and supplies, and steel* (except articles requiring the use of special equipment for their transportation), between points in Kentucky in and north of Jefferson, Shelby, Franklin, Woodford, Fayette, Clark, Montgomery, Menifee, Morgan, and Lawrence Counties, on the one hand, and, on the other, points in North Carolina in and east of Vance, Franklin, Nash, Wilson, Wayne, Duplin, Pender, and New Hanover Counties. The purpose of this filing is to eliminate the gateways of Kenridge, Victoria, and South Hill, Va.

No. MC–8535 (Sub-No. E9), filed May 22, 1974. Applicant: GEORGE TRANSFER & RIGGING COMPANY, INC., P.O. Box 500, Parkton, Md. 21120. Applicant's representative: James B. Nestor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building and contractors' equipment, materials and supplies, machinery and machine parts, pipeline and plant construction materials and supplies, and steel* (except articles requiring the use of special equipment for their transportation), (a) between points in Pennsylvania on the one hand, and, on the other, points in North Carolina in an area bounded on the west by the western boundaries of Caswell, Alamance, Chatham, Montgomery, and Anson Counties, and on the east, by the eastern boundaries of Northampton, Halifax, Martin, Washington, Beaufort, Pamlico, Craven, and Carteret Counties; (b) between points in Pennsylvania in and west of Fulton, Huntingdon, Mifflin, Centre, Clinton, Lycoming, Sullivan, and Bradford Counties, on the one hand, and, on the other, points in North Carolina in and east of Hertford, Bertie, Washington, Beaufort, Pamlico, Craven, and Carteret Counties; (c) between points in Pennsylvania in and east of Erie, Venango, Clarion, Armstrong, Indiana, Cambria, and Bedford Counties, on the one hand, and, on the other, points in North Carolina in and west of Rockingham, Guilford, Randolph, Stanly, and Union Counties; and (d) between points in Pennsylvania (except points in Fayette, Greene, and Washington Counties), on the one hand, and, on the other, points in Mecklenburg, Union, Cabarrus, Stanly, Davidson, Randolph, and Guilford Counties, N.C. The purpose of this filing is to eliminate the gateways of Kenbridge, Victoria, and South Hill, Va.

No. MC–21958 (Sub-No. E1), filed May 23, 1974. Applicant: STARCK VAN LINES, INC., Route 2, Off Parkway West, Pittsburgh, Pa. 15230. Applicant's representative: Frances Jalet (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (1) (a) between points in Connecticut, on the one hand, and, on the other, points in Michigan and Indiana; (b) between points in Massachusetts, on the one hand, and, on the other, points in Michigan and Indiana; (c) between points in Rhode Island, on the one hand, and, on the other, points in Ohio, Kentucky, Missouri, and Illinois; (d) between points in New Jersey, on the one hand, and, on the other, points in Michigan and Indiana; (e) between points in New York, on the one hand, and, on the other, points in Michigan and Indiana; (f) between points in Delaware, on the one hand, and, on the other, points in Michigan and Indiana; (g) between points in Pennsylvania, on the one hand, and, on the other, points in Michigan and Indiana; (h) between points in Maryland, on the one hand, and, on the other, points in Michigan and Indiana; (i) between points in Virginia, on the one hand, and, on the other, points in Michigan; (j) between the District of Columbia, on the one hand, and, on the other, points in Michigan and Indiana; (k) between points in Kentucky, on the one hand, and, on the other, points in Rhode Island; (l) between points in Ohio, on the one hand, and, on the other, points in Rhode Island; (m) between points in Indiana, on the one hand, and, on the other, points in Pennsylvania, New York, Maryland, New Jersey, Connecticut, Massachusetts, Delaware, and the District of Columbia; (n) between points in Illinois, on the one hand, and, on the other, points in Rhode Island; (o) between points in Michigan, on the one hand, and, on the other, points in Pennsylvania, New York, Maryland, New Jersey, Connecticut, Massachusetts, Delaware, Virginia, and the District of Columbia; and (p) between points in Missouri, on the one hand, and, on the other, points in Rhode Island (Pittsburgh, Pa., or points in that part of Pennsylvania within 100 miles of Pittsburgh, or points in West Virginia)*.

(2) (a) Between points in Connecticut, on the one hand, and, on the other, points in South Carolina, Georgia, Florida, Michigan, Oklahoma, Texas, Ohio, Kentucky, Tennessee, Missouri, Illinois, and Indiana; (b) between points in Massachusetts, on the one hand, and, on the other, points in South Carolina, Georgia, Florida, Michigan, Oklahoma, Texas, Ohio, Kentucky, Tennessee, Missouri, Illinois, and Indiana; (c) between points in Rhode Island, on the one hand, and, on the other, points in North Carolina, South Carolina, Georgia, Florida, Michigan, Oklahoma, Texas, Ohio, Kentucky, Tennessee, Missouri, Illinois, and Indiana; (d) between points in New Jersey, on the one hand, and, on the other, points in Georgia, Florida, Michigan, Oklahoma, Texas, Ohio, Kentucky, Tennessee, Missouri, Illinois, and Indiana; (e) between points in New York, one the one hand, and, on the other, points in South Carolina, Georgia, Florida, Michigan, Oklahoma, Texas, Ohio, Kentucky, Tennessee, Missouri, Illinois, and Indiana; (f) between points in Delaware, on the one hand, and, on the other, points in Florida, Michigan, Oklahoma, Texas, Missouri, Illinois, and Indiana; (g) between points in Pennsylvania, on the one hand, and, on the other, points in Georgia, Florida, Michigan, Oklahoma, Texas, Ohio, Kentucky, Tennessee, Missouri, Illinois, and Indiana; (h) between points in Maryland, on the one hand, and, on the other, points in Michigan, Oklahoma, Texas, Ohio, Kentucky, Tennessee, Missouri, Illinois, and Indiana; (i) between points in Virginia, on the one hand, and, on the other, points in Michigan.

(j) Between the District of Columbia, on the one hand, and, on the other, points in Michigan, Oklahoma, Texas, Ohio, Kentucky, Tennessee, Missouri, Illinois, and Indiana; (k) between points in West Virginia, on the one hand, and, on the other, points in Oklahoma and Texas; (l) between points in Kentucky, on the one hand, and, on the other, points in Pennsylvania, New York, Maryland, New Jersey, Delaware, Rhode Island, and the District of Columbia; (m) between points in Tennessee, on the one hand, and, on the other, points in Pennsylvania, New York, Maryland, New Jersey, Connecticut, Massachusetts, Rhode Island, Delaware, and the District of Columbia; (n) between points in Ohio, on the one hand, and, on the other, points in Pennsylvania, New York, Maryland, New Jersey, Connecticut, Massachusetts, Delaware, Rhode Island, and the District of Columbia; (o) between points in Indiana, on the one hand, and, on the other, points in Pennsylvania, New York, Maryland, New Jersey, Connecticut, Massachusetts, Delaware, Rhode Island, and the District of Columbia; (p) between points in Illinois, on the one hand, and, on the other, points in Pennsylvania, New York, Maryland, New Jersey, Connecticut, Massachusetts, Rhode Island, Delaware, and the District of Columbia; (q) between points in Michigan, on the one hand, and, on the other, points in Pennsylvania, New York, Maryland, New Jersey, Virginia, North Carolina, South Carolina, Georgia, Florida, Connecticut, Massachusetts, Rhode Island, Delaware, and the District of Columbia; (r) between points in Missouri, on the one hand, and, on the other, points in Pennsylvania, New York, Maryland, New Jersey, Connecticut, Massachusetts, Rhode Island, Delaware, and the District of Columbia; (s) between points in Oklahoma, on the one hand, and, on the other, points in West Virginia, Pennsylvania, New York, Maryland, New Jersey, Connecticut, Massachusetts, Rhode Island, Delaware, and the District of Columbia.

(t) Between points in North Carolina, on the one hand, and, on the other, points in Rhode Island and Michigan; (u) between points in South Carolina, on the one hand, and, on the other, points in New York, Connecticut, Massachusetts, Rhode Island, and Michigan; (v) between points in Florida, on the one

hand, and, on the other, points in Pennsylvania, New York, New Jersey, Connecticut, Massachusetts, Rhode Island, Delaware, and Michigan; (w) between points in Georgia, on the one hand, and, on the other, points in Pennsylvania, New York, New Jersey, Connecticut, Massachusetts, Rhode Island, and Michigan; and (x) between points in Texas, on the one hand, and, on the other, points in West Virginia, Pennsylvania, New York, Maryland, New Jersey, Connecticut, Massachusetts, Rhode Island, Delaware, and the District of Columbia ((1) Pittsburgh, Pa., and (2) points in that part of Pennsylvania within 100 miles of Pittsburgh and within 125 miles of Brooke and Hancock Counties, W. Va., or (3) Brooke or Hancock Counties, W. Va., or (4) points in that part of West Virginia within 125 miles of Brooke and Hancock Counties, W. Va.)*; (3) (a) between points in New Jersey, on the one hand, and, on the other, points in Georgia, Florida, Oklahoma, and Texas; (b) between points in New York, on the one hand, and, on the other, points in South Carolina, Georgia, Florida, Oklahoma, and Texas; (c) between points in Pennsylvania, on the one hand, and, on the other, points in Georgia, Florida, Oklahoma, and Texas; (d) between points in Maryland, on the one hand, and, on the other, points in Oklahoma and Texas; (e) between the District of Columbia, on the one hand, and, on the other, points in Oklahoma and Texas.

(f) Between points in West Virginia, on the one hand, and, on the other, points in Oklahoma and Texas; (g) between points in Michigan, on the one hand, and, on the other, points in South Carolina, Georgia, and Florida; (h) between points in Oklahoma, on the one hand, and, on the other, points in West Virginia, Pennsylvania, New York, Maryland, New Jersey, and the District of Columbia; (i) between points in South Carolina, on the one hand, and, on the other, points in New York and Michigan; (j) between points in Florida, on the one hand, and, on the other, points in Pennsylvania, New York, New Jersey, and Michigan; (k) between points in Georgia, on the one hand, and, on the other, points in Pennsylvania, New York, New Jersey, and Michigan; and (l) between points in Texas, on the one hand, and, on the other, points in West Virginia, Pennsylvania, New York, Maryland, New Jersey, and the District of Columbia (Brooke or Hancock Counties, W. Va., or points within 125 miles of Brooke and Hancock Counties, W. Va.).* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC–29079 (Sub-No. E24), filed June 4, 1974. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., P.O. Box 395, Kokomo, Ind. 46901. Applicant's representative: Edward K. Wheeler, 15th & H Street NW., Washington, D.C. 20009. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Copper and brass products*, from Eminence, Ky., to points in New York on and west of U.S. Highway 62. The purpose of this filing is to eliminate the gateway of Columbiana, Ohio.

No. MC–31438 (Sub-No. E1), filed May 17, 1974. Applicant: ROY O. WETZ, d.b.a. R. O. WETZ TRANSPORTATION, 212 Pike St., Marietta, Ohio 45750. Applicant's representative: A. Charles Tell, 100 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Farm products, mine roof bolts, plates and wedges, expansion shells, precast concrete products and materials, parts and accessories moving with such products and used in erecting or assembling such products, ferro alloys, in containers, and lumber*, from points in that part of West Virginia east and south of a line beginning at the junction of the Ohio-West Virginia State line and U.S. Highway 35, extending along U.S. Highway 35 to junction West Virginia Highway 2, thence along West Virginia Highway 2 to junction U.S. Highway 33, thence along U.S. Highway 33 to junction U.S. Highway 119, thence along U.S. Highway 119 to the West Virginia-Pennsylvania State line, excluding points on the indicated portions of the highways specified, to points in that part of Indiana and Illinois on and north of U.S. Highway 50 (Marietta and Waterford, Ohio).*

(2) *Farm products, precast concrete products, and materials, parts and accessories* moving with such products and used in erecting or assembling such products, and ferro alloys, in containers, from points in that part of West Virginia east and south of a line beginning at the junction of the Ohio-West Virginia State line and U.S. Highway 35, extending along U.S. Highway 35 to junction West Virginia Highway 2, thence along West Virginia Highway 2 to junction U.S. Highway 33, thence along U.S. Highway 33 to junction U.S. Highway 119, thence along U.S. Highway 119 to the West Virginia-Pennsylvania State line, excluding points on the indicated portions of the highways specified, to points in Michigan (Marietta and Waterford, Ohio).*

(3) *Evaporated milk*, in quantities of not less than 20,000 pounds, from points in Kentucky to points in Pennsylvania (Waterford, Ohio).*

(4) *Farm produce*, from points in Kentucky to points in New York (Marietta, Ohio).*

(5) *Expansion shells*, from Solvay, N.Y., to points in Kentucky and points in that part of West Virginia east and south of a line beginning at the junction of the Ohio-West Virginia State line and U.S. Highway 35, extending along U.S. Highway 35 to junction West Virginia Highway 2, thence along West Virginia Highway 2 to junction U.S. Highway 33, thence along U.S. Highway 33 to junction U.S. Highway 119, thence along U.S. Highway 119 to junction U.S. Highway 19, thence south via U.S. Highway 19 to junction U.S. Highway 60, thence east via U.S. Highway 60 to the West Virginia-Virginia State line (Marietta, Ga.).*

(6) *Canned evaporated milk*, (a) from points in Kentucky to points in New York (except those in the New York, New York Commercial Zone and those in Long Island, N.Y.), and New Jersey (except Trenton, N.J., and points north of New Jersey Highway 33) (Waterford, Ohio)*; (b) from points in Kentucky on and west of U.S. Highway 68 to points in Maryland on and west of U.S. Highway 1 (except Baltimore, Md.) (Waterford, Ohio)*. (7) *Precast concrete products and materials, parts and accessories* moving with such products and used in erecting or assembling such products, from points in Kentucky to points in New York and New Jersey (Marietta, Ga.)*. (8) *Ferro alloys*, in containers; (a) from points in Kentucky to points in New York (except points in the Buffalo, N.Y., commercial zone), and New Jersey (Waterford, Ohio)*; and (b) from points in Kentucky on and west of U.S. Highway 68 to points in Maryland (except the Baltimore, Md., commercial zone), and Delaware (Waterford, Ohio)*. The purpose of this filing is to eliminate the gateways marked with asterisks above.

No. MC–57778 (Sub-No. E2), filed May 15, 1974. Applicant: MICHIGAN REFRIGERATED TRUCKING SERVICE, INC., 6134 West Jefferson Avenue, Detroit, Mich. 48209. Applicant's representative: William B. Elmer, 21635 East Nine Mile Road, St. Clair Shores, Mich. 48080. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*; (1) between Battle Creek, Mich., on the one hand, and, on the other, Athens and Orrville, Ohio; (2) between Bay City, Mich., on the one hand, and, on the other, Aurora, Cincinnati, Hamilton, Ironton, Orrville, Silverton, Springdale, Van Wert, Wooster, and Xenia, Ohio; (3) between Benton Harbor, Mich., on the one hand, and, on the other, Amherst, Athens, Aurora, Bellaire, Newark, N. Olmstead, Orrville, and Wooster, Ohio; (4) between Benzonia, Mich., on the one hand, and, on the other, Akron, Ashtabula, Athens, Aurora, Barberton, Barnsville, Bedford, Bellaire, Bellefontaine, Beria, Bowling, Green, Brooklyn, Bucyrus, Cambridge, Canton, Carrollton, Chillicothe, Cincinnati, Cleveland, Columbus, Coshocton, Cuyahoga Falls, Dayton, Defiance, Delaware, Eudid, Findlay, Fostoria, Gallipolis, Hamilton, Ironton, Lima, Lorain, Mansfield, Maple Heights, Marietta, Marion, Massilon, Middletown, Napoleon, Newark, N. Olmstead, Norwalk, Orrville, Painsville, Parma, Piqua, Port Clinton, Portsmouth, Ravenna, Salem, Sandusky, Shaker Heights, Sidney, Silverton, Solon, Springdale, Stubenville, Strongville, Tallmadge, Tiffin, Toledo, Uhricksville, Urbana, Van Wert, Wadsworth, Wapakoneta, Warren, Washington, Court House, Wellston, W. Carrollton, Willoughby, Wooster, Worthington, Xenia, Youngstown, and Zanesville, Ohio; (5)

between Berrien Springs, Mich., on the one hand, and, on the other, Aurora, Orrville, and Wooster, Ohio; (6) between Beulah, Mich., on the one hand, and, on the other, those points in Ohio listed in (4) above, and Amherst and Oberlin, Ohio; (7) between Big Rapids, Mich., on the one hand, and, on the other, Oberlin, Ohio, and those points in Ohio listed in (4) above (except Akron, Ashtabula, Athens, and Aurora); (8) between Borcule, Mich., on the one hand, and, on the other, those points in Ohio listed in (4) above and Amherst and Oberlin, Ohio; (9) between Cheboygan, Mich., on the one hand, and, on the other, those points in Ohio listed in (4) above and Amherst and Oberlin, Ohio; (10) between Coloma, Mich., on the one hand, and, on the other, Amherst, Athens, Aurora, and Bellaire, Ohio; (11) between Elk Rapids, Mich., on the one hand, and, on the other, those points in Ohio listed in (4) above and Amherst and Oberlin, Ohio; (12) between Frankfort, Mich., on the one hand, and, on the other, those points in Ohio listed in (4) above and Amherst and Oberlin, Ohio; (13) between Grand Rapids, Mich., on the one hand, and, on the other, Amherst and Oberlin, Ohio, and those points in Ohio listed in (4) above (except Toledo); and (14) between Grawn, Mich., on the one hand, and, on the other, those points in Ohio listed in (4) above and Amherst and Oberlin, Ohio. The purpose of this filing is to eliminate the gateway of Greenville, Mich.

No. MC–88368 (Sub-No. E25), filed May 15, 1974. Applicant: CARTWRIGHT VAN LINES, INC., 1109 Cartwright Ave., Grandview, Mo. 64030. Applicant's representative: Theodore Polydoroff, 1250 Connecticut Ave. NW., Suite 600, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vericle, over irregular routes, transporting: *Household goods:* (1) from points in Tennessee to points in California north of Sonoma, Napa, Yolo, Sutter, Yuba, and Nevada Counties, Calif. (Newton, Kans., and points within 15 miles thereof, points in Colorado, and points in Washington east of the Cascade Mountains) *, points in Colorado (Newton, Kans., and points within 15 miles thereof) *, points in Georgia in and south of Harris, Talbot, Crawford, Bibb, Twigs, Lavrens, Candler, Bulloch, Treutlen, and Effingham Counties (Florence, Sheffield, and Tuscumbia, Ala., and points in Alabama within 100 miles of Birmingham, except Montgomery, Ala.) *, points in Idaho (Newton, Kans., and points within 15 miles thereof, points in Colorado, Montana, and Wyoming, and points in Kimball, Banner, and Cheyenne Counties, Nebr.) *, points in Illinois within 25 miles of Bloomington, Ill. (points in Missouri) *, Harlan, Iowa, and points in Iowa within 15 miles thereof (points in Missouri) *, 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 Mexico (points in Cowley County, Kans., and points in Canadian County, Okla.) *, points in Oklahoma (Florence, Sheffield, and Tuscumbia, Ala., points in Arkansas, and points in Cowley County, Kans.) *, points in Oregon (Newton, Kans., and points within 15 miles thereof, points in Colorado, and points in Washington east of the Cascade Mountains) *, points in Washington (Newton, Kans., and points within 15 miles thereof, and points in Colorado) *, and points in Wyoming (Newton, Kans., and points within 15 miles thereof, and points in Kimball, Banner, and Cheyenne Counties, Nebr.) *; (2) from points in Tennessee in and west of Macon, Trousdale, Wilson, Rutherford, Bedford, Moore, and Lincoln Counties to points in Alabama (Florence, Sheffield, and Tuscumbia, Ala.) *, and points in Massachusetts (Florence, Sheffield, and Tuscumbia, Ala., points in Harlan County, Ky., points in Jefferson County, Ohio, and Philadelphia, Pa.) *; and (3) from points in Tennessee west of a line from the Mississippi-Tennessee State line along U.S. Highway 45 to the junction of U.S. Highway 45E, thence along U.S. Highway 45E to the Tennessee-Kentucky State line to points in New Hampshire (Florence, Sheffield, and Tuscumbia, Ala., points in Harlan County, Ky., points in Jefferson County, Ohio, Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof) *, points in Rhode Island (Florence, Sheffield, and Tuscumbia, Ala., points in Harlan County, Ky., points in Jefferson County, Ohio, Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof) *, and points in Virginia (Florence, Sheffield, and Tuscumbia, Ala., and points in Harlan County, Ky.) *. The purpose of this filing is to eliminate the gateways marked with asterisks above.

No. MC–88368 (Sub-No. E27), filed May 15, 1974. Applicant: CARTWRIGHT VAN LINES, INC., 1109 Cartwright Ave., Grandview, Mo. 64030. Applicant's representative: Theodore Polydoroff, Suite 600, 1250 Connecticut Ave. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, (1) from points in South Carolina to points in Humbolt, Trinity, Shasta, Del Norte, and Siskiyou Counties, Calif. (Valdosta, Ga., Birmingham, Ala., and points within 100 miles thereof, except Montgomery, Ala., points in Mississippi, Kansas, and Colorado, and points in Washington east of the Cascade Mountains) *, Harlan, Iowa, and points in Iowa within 15 miles thereof (Valdosta, Ga., Florence, Sheffield, and Tuscumbia, Ala., and points in Mississippi) *, points in New Mexico (Valdosta, Ga., Florence, Sheffield, and Tuscumbia, Ala., points in Canadian County, Okla.) *, points in Washington (Valdosta, Ga., Florence, Sheffield, and Tuscumbia, Ala., and points in Mississippi, Kansas, and Colorado) *; (2) from points in Berkeley, Dorchester, Colleton, Hampton, Jasper, Beaufort, and Charleston Counties, S.C., to points in Alabama in and south of Pickens, Tuscaloosa, Bibb, Chilton, Coosa, Tallapoosa, and Chambers Counties within 100 miles of Birmingham, Ala., not including Montgomery, Ala. (Valdosta, Ga.) *, points in Kansas (except points in Cowley County, Kans., and points within 15 miles of Newton) *, points in Nebraska (Valdosta, Ga., Florence, Sheffield, and Tuscumbia, Ala., and points in Mississippi and Tennessee) *, points in Oklahoma (except points in that area bounded by a line beginning at the Oklahoma-Texas State line near Goodwin, Okla., and extending along U.S. Highway 60 to Seiling, thence along U.S. Highway 270 to El Reno, thence along U.S. Highway 81 to the Oklahoma-Texas State line, thence west and north along the Oklahoma-Texas State line to the junction of U.S. Highway 60, the point of beginning) (Valdosta, Ga., Florence, Sheffield, and Tuscumbia, Ala., and points in Mississippi and Missouri) *, and points in El Paso, Hudspeth, and Culberson Counties, Tex., on and north of U.S. Highway 80 (Valdosta, Ga., Florence, Sheffield, and Tuscumbia, Ala., points in Mississippi, points in Cherokee County, Tex., and points in Oklahoma within an area bounded by a line beginning at the Oklahoma-Texas State line near Goodwin, Okla., and extending along U.S. Highway 60 to Seiling, thence along U.S. Highway 270 to El Reno, thence along U.S. Highway 81 to the Oklahoma-Texas State line, thence west and north along the Oklahoma-Texas State line to junction U.S. Highway 60, the point of beginning) *. The purpose of this filing is to eliminate the gateways marked with asterisks above.

No. MC–93649 (Sub-No. E1), filed May 22, 1974. Applicant: GAINES MOTOR LINES, INC., P.O. Box 1549, Hickory, N.C. 28601. Applicant's representative: Edward G. Villalon, 13th & Pennsylvania Ave. NW., Suite 1032, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods, commodities in bulk, and those requiring special equipment), from points in New Jersey within 50 miles of Columbus Circle, New York, N.Y., to Maiden, N.C., and points in North Carolina and South Carolina within 45 miles of Maiden. The purpose of this filing is to eliminate the gateway of New York, N.Y.

No. MC–95540 (Sub-No. E573), filed May 31, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to

the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Sioux Falls, S. Dak., to points in Louisiana on or east of a line beginning at the intersection of Louisiana Highway 82 and Louisiana Highway 27 on the Gulf Coast and extending along Louisiana Highway 27 to junction with Interstate Highway 10, thence along Interstate Highway 10 to junction with U.S. Highway 165, thence along U.S. Highway 165 to the Arkansas-Louisiana State line. The purpose of this filing is to eliminate the gateway of Humboldt or Union City, Tenn.

No. MC–95540 (Sub-No. E574), filed May 31, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Rosewell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and dairy products*, as defined by the Commission, from Sioux City, Iowa, to Denver, Colo. The purpose of this filing is to eliminate the gateway of Omaha, Nebr.

No. MC–95540 (Sub-No. E575), filed May 31, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Rosewell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, dairy products, and articles distributed by meat packinghouse*, as described in Sections A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except liquid commodities in bulk, in tank vehicles), from Sioux City, Iowa, to the plant site of Swift & Company, at Rochelle, Ill. The purpose of this filing is to eliminate the gateway of Omaha, Nebr.

No. MC–95540 (Sub-No. E576), filed May 31, 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: *Meats, meat products, and meat by-products*, as defined by the Commission, from Denver, Colo., to East St. Louis, Ill. The purpose of this filing is to eliminate the gateway of Omaha, Nebr.

No. MC–95540 (Sub-No. E577), filed May 31, 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: *Meats, meat products and meat by-products, and dairy products*, as defined by the Commission, from Denver, Colo., to Sioux City, Iowa. The purpose of this filing is to eliminate the gateway of Omaha, Nebr.

No. MC–95540 (Sub-No. E578), filed May 31, 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: *Meats, meat products, meat by-products, dairy products, and articles distributed by meat packinghouses*, as described in Sections A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except liquid commodities in bulk, in tank vehicles), from the plant site of Swift & Company, at Rochelle, Ill., to Sioux City, Iowa. The purpose of this filling is to eliminate the gateway of Omaha, Nebr.

No. MC–95540 (Sub-No. E579), filed May 31, 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: *Meats, meat products and meat by-products, and dairy products*, as defined by the Commission, from East St. Louis, Ill., to Denver, Colo. The purpose of this filing is to eliminate the gateway of Omaha, Nebr.

No. MC–95540 (Sub-No. E580), filed May 8, 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: *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Opelousas, La., to Omaha, Nebr. The purpose of this filing is to eliminate the gateway of East St. Louis, Ill.

No. MC–95540 (Sub-No. E581), filed May 8, 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: *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Opelousas, La., to Sioux City, Iowa. The purpose of this filing is to eliminate the gateway of East St. Louis, Ill.

No. MC–95540 (Sub-No. E583), filed May 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 Aberdeen, Frederick, and Baltimore, Md., to points in Oklahoma. RESTRICTION: The service authorized herein is restricted, (1) against the transportation of any traffic originating at points in Florida, and (2) to the transportation of traffic destined to points in the states named herein. The purpose of this filing is to eliminate the gateway of points in Pike or Spaulding Counties, Ga.

No. MC–95540 (Sub-No. E584), filed May 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 Frederick, Baltimore, and Aberdeen, Md., to points in Arkansas. RESTRICTION: The service authorized herein is restricted, (1) against the transportation of any traffic originating at points in Florida, and (2) to the transportation of traffic destined to points in the states named herein. The purpose of this filing is to eliminate the gateway of points in Pike or Spaulding Counties, Ga.

No. MC–95540 (Sub-No. E586), filed May 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: *Frozen foods*, from Chickasha, Okla., to points in New York. The purpose of this filing is to eliminate the gateway of Florence, Ala.

No. MC–95540 (Sub-No. E600), filed May 28, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pizza, salads, and sandwich spreads*, in vehicles, equipped with mechanical refrigeration, from Greensboro, N.C., to points in Kansas. The purpose of this filing is to eliminate the gateway of Doraville, Ga.

No. MC–95540 (Sub-No. E603), filed May 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: *Bananas*, from Tampa and Jacksonville, Fla., to points in Arizona. The purpose of this filing is to eliminate the gateway of Gulfport, Miss.

No. MC–95540 (Sub-No. E605), filed May 28, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Tampa and Jacksonville, Fla., to points in Nebraska. The purpose of this filing is to eliminate the gateway of Gulfport, Miss.

No. MC–95540 (Sub-No. E606), filed May 28, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Tampa and Jacksonville, Fla., to points in Montana. The purpose of this filing is to eliminate the gateway of Gulfport, Miss.

No. MC–95540 (Sub-No. E609), filed May 28, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Chickasha, Okla., to points in Pennsylvania. The purpose of this filing is to eliminate the gateway of Florence, Ala.

No. MC–95540 (Sub-No. E610), filed May 28, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Tampa and Jacksonville, Fla., to points in Nevada. The purpose of this filing is to eliminate the gateway of Gulfport, Miss.

No. MC–95540 (Sub-No. E611), filed May 13, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Des Moines, Iowa 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, and frozen vegetables*, from points in Tennessee to points in Vermont. The purpose of this filing is to eliminate the gateway of Swedesboro, N.J.

No. MC–95540 (Sub-No. E648), filed May 13, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen citrus products*, from points in Florida, to points in North Dakota. The purpose of this filing is to eliminate the gateway of points in Tennessee (except Memphis and its commercial zone).

No. MC–95540 (Sub–No. E649), filed May 13, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative, Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits and frozen vegetables*, from points in Florida on and east of U.S. Highway 29 (except Pensacola), to points in Arkansas. The purpose of this filing is to eliminate the gateway of Montezuma, Ga.

No. MC–107403 (Sub-No. E122), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, from Muskegon, Mich., to points in New York (except points in Long Island). The purpose of this filing is to eliminate the gateway of Painesville, Ohio.

No. MC–107403 (Sub-No. E131), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphatic fertilizer solutions* (except phosphoric acid), in bulk, in tank vehicle, from the plantsite of the Monsanto Chemical Company in Trenton, Mich., to points in Connecticut, Massachusetts, New Hampshire, Maine, and Rhode Island. The purpose of this filing is to eliminate the gateway of Zanesville, Ohio, Pittsburgh, Pa., and Newark, N.J.

No. MC–107403 (Sub-No. E132), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphatic fertilizer solutions* (except phosphoric acid), from the plant site of the Monsanto Chemical Company at Trenton, Mich., to points in Kentucky. The purpose of this filing is to eliminate the gateway of Delaware, Ohio.

No. MC–107403 (Sub-No. E 133), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphatic fertilizer solutions* (except phosphoric acid), from the plant site of the Monsanto Chemical Company at Trenton, Mich., to points in Wisconsin. The purpose of this filing is to eliminate the gateway of the plant site of the B. F. Goodrich Company, in Milan Township (Allen County), Ind. (approximately 13 miles east of Fort Wayne, Ind.).

No. MC–107403 (Sub-No. E134), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphatic fertilizer solution* (except phosphoric acid), in bulk, in tank vehicles, from the plant site of the Monsanto Chemical Company in Trenton, Mich., to points in Iowa, Minnesota, Missouri, and Nebraska. The purpose of this filing is to eliminate the gateway of the plant site of the Baird Chemical Industries, Inc., located at or near Mapleton, Ill.

No. MC–107403 (Sub-No. E135), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, in bulk, from points in Michigan to points in Kentucky. The purpose of this filing is to eliminate the gateway of Columbus, Ohio.

No. MC–107403 (Sub-No. E136), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, in bulk, from points in Michigan to points in West Virginia and Pennsylvania. The purpose of this filing is to eliminate the gateway of Zanesville, Ohio.

No. MC–107403 (Sub-No. E138), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, from Owosso Township and Mosherville, Mich., and points in Wayne County, Mich., to points in Delaware, New Jersey, and New York. The purpose of this filing is to eliminate the gateways of Toledo, Ohio, Neville Island, Pa., and Petrolia, Pa.

No. MC–107403 (Sub-No. E139), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry plastics*, in bulk, in tank vehicles, from points in Michigan, to points in Arkansas, Oklahoma, Missouri, Virginia, and Kentucky. The purpose of this filing is to eliminate the gateways of Pataskala, and Circelville, Ohio.

No. MC–107403 (Sub-No. E140), filed May 29, 1974. Applicant: MATLACK,

INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry phosphates*, in bulk, in tank vehicles, from the plant site of the Monsanto Chemical Company in Frenton, Mich., to points in West Virginia. The purpose of this filing is to eliminate the gateway of Mt. Vernon, and Zanesville, Ohio.

No. MC–107403 (Sub-No. E141), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry commodities*, in bulk, from points in Michigan to points in Jefferson, Adams, Athens, Coshocton, Franklin, Guernsey, Belmont, Licking, Pike, Pickaway, Ross, Washington, Lawrence, Hocking, Morgan, Scioto, Jackson, Vinton, Perry, Muskingum, Monroe, Noble, Fairfield, and Gallia Counties, Ohio. The purpose of this filing is to eliminate the gateway of Pataskala, Ohio.

No. MC–10743 (Sub-No. E142), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa., 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry plastic materials*, in bulk, in tank vehicles, from points in Michigan to points in New York west of U.S. Highway 11. The purpose of this filing is to eliminate the gateway of Painesville, Ohio.

No. MC–107403 (Sub-No. E143), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk (except cement and liquids) from points in Lenawee, Jackson, Monroe, Hillsdale, Washtenaw, and Wayne Counties, Mich., to points in West Virginia and Pennsylvania. The purpose of this filing is to eliminate the gateways of Birmingham and Zanesville, Ohio.

No. MC–107403 (Sub-No. E144), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry commodities* (except fly ash and cement), in bulk, from points in Michigan to points in Pennsylvania, West Virginia, Maryland, and Ohio, within 150 miles of Monongahela, Pa. The purpose of this filing is to eliminate the gateway of Zanesville, Ohio.

No. MC–107403 (Sub-No. E145), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from points in Michigan to points in New York east of U.S. Highway 11. The purpose of this filing is to eliminate the gateways of Zanesville, Ohio, and Lewistown, Pa.

No. MC–107496 (Sub-No. E314), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrochemicals*, in bulk, in tank vehicles, from points in Utah to points in Illinois. The purpose of this filing is to eliminate the gateways of points in Colorado and Fremont, Nebr.

No. MC–107496 (Sub-No. E328), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Methanol and anti-freezes*, in bulk, in tank vehicles, from the plant site of the Northern Petrochemical Company, located at or near Mapleton, Ill., to points in Colorado. The purpose of this filing is to eliminate the gateway of points in Nebraska on and west of U.S. Highway 83.

No. MC–107496 (Sub-No. E329), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid resins*, in bulk, in tank vehicles, from the plant site of Ashland Chemical Company, Division of Ashland Oil & Refining Company, at or near Mapleton, Ill., to points in New York. The purpose of this filing is to eliminate the gateway of Mishawaka, Ind.

No. MC–107496 (Sub-No. E330), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand and sand with additives*, in bulk, from Chicago, Ill., to points in Nebraska. The purpose of this filing is to eliminate the gateway of Troy Grove, Ill.

No. MC–107496 (Sub-No. E331), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand and sand with additives*, in bulk, from Chicago, Ill., to points in Kansas. The purpose of this filing is to eliminate the gateway of Troy Grove, Ill.

No. MC–107496 (Sub-No. E332), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from points in Iowa to points in Montana. The purpose of this filing is to eliminate the gateways of the site of the pipeline terminal outlets of Kaneb Pipeline Company at or near Le Mars, Iowa, and at or near Milford, Iowa, and points in Pennington County, S. Dak.

No. MC–107496 (Sub-No. E333), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed ingredients* (except animal fats and vegetables oils), in bulk, from the facilities of Cargill, Inc., at or near Buffalo, Iowa, to points in Ohio. The purpose of this filing is to eliminate the gateway of the plant site of the Occidental Chemical Company near Montpelier, Iowa.

No. MC–107496 (Sub-No. E334), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils*, in bulk, in tank vehicles, from points in Minnesota on and north of Minnesota Highway 14 to points in Texas. The purpose of this filing is to eliminate the gateway of Mankato, Minn., and the plant site of Archer-Daniels-Midland Company at or near Lincoln, Nebr.

No. MC–107496 (Sub-No. E336), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Inedible tallow*, in bulk, in tank vehicles, from Minneapolis, Minn., to points in New Mexico. The purpose of this filing is to eliminate the gateway of Denver, Colo.

No. MC–107496 (Sub-No. E337), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Inedible tallow*, in bulk, in tank vehicles, from Minneapolis, Minn., to points in Nevada. The purpose

of this filing is to eliminate the gateway of Denver, Colo.

No. MC–107496 (Sub-No. E338), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Inedible tallow*, in bulk, in tank vehicles, from Minneapolis, Minn., to points in Utah. The purpose of this filing is to eliminate the gateway of Denver, Colo.

No. MC–107496 (Sub-No. E339), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils*, in bulk, in tank vehicles, from points in Minnesota on and north of Minnesota Highway 60 to points in Indiana. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC–107496 (Sub-No. E340), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils*, in bulk, in tank vehicles, from points in Minnesota on and north of Minnesota Highway 60 and on and south of U.S. Highway 2 to points in Michigan. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC–107496 (Sub-No. E341), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* derived from petroleum, in bulk, in tank vehicles, from points in Iowa (except points south of U.S. Highway 34 and east of U.S. Highway 69) to points in Ohio. The purpose of this filing is to eliminate the gateway of the plant site of the Hawkeye Chemical Company, at or near Clinton, Iowa.

No. MC–107496 (Sub-No. E407), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen fertilizer solutions and ammoniating solutions*, in bulk, in tank vehicles, from the storage facilities of the Kaiser Agricultural Chemicals, Division of Kaiser Aluminum and Chemical Corporation, at Fulton, Ind., to points in Minnesota (except points in Moner, Filmore, Houston, Dodge, Omstead, Winona, Rice, Goodhue, Wabasha, Scott, and Dakota Counties. The purpose of this filing is to eliminate the gateway of Webster City, Iowa.

No. MC–107496 (Sub-No. E461), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients*, in bulk, in tank or in hopper type vehicles, from Burlington, Iowa, to points in Indiana. The purpose of this filing is to eliminate the gateways of Peoria and Mapleton, Ill.

No. MC–107496 (Sub-No. E462), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petrochemicals*, in bulk, in tank vehicles, from Fulton, Ill., and points within 5 miles thereof to points in Illinois. The purpose of this filing is to eliminate the gateway of plant site of the Hawkeye Chemical Co., at or near Clinton, Iowa.

No. MC–107496 (Sub-No. E463), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Phosphoric acid*, in bulk, in tank vehicles, from Lawrence, Kans., to points in Indiana on and north of Indiana Highway 46. The purpose of this filing is to eliminate the gateway of the plan site of Ashland Chemical Co., at or near Mapleton, Ill.

No. MC–107496 (Sub-No. E464), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Peoria, Ill., and points within 10 miles thereof, to points in South Dakota. The purpose of this filing is to eliminate the gateways of Ft. Madison, Iowa, and the terminal of the Kaneb Pipeline Co., at or near Milford, Iowa.

No. MC–107496 (Sub-No. E465), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Peru, Ill., and points within ten miles of Peru, to points in South Dakota. The purpose of this filing is to eliminate the gateways of points in Iowa and the terminal of Kaneb Pipe Line Co., at or near Milford, Iowa.

No. MC–107496 (Sub-No. E470), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bulk, from Nebraska City, Nebr., to points in Ohio. The purpose of this filing is to eliminate the gateway of Ft. Madison, Iowa.

No. MC–107496 (Sub-No. E471), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid animal feed supplement* (except molasses), in bulk, in tank vehicles, from Morrill, Nebr., to points in Oklahoma. The purpose of this filing is to eliminate the gateway of Fort Lupton, Colo.

No. MC–107496 (Sub-No. E472), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, nitrogen fertilizer solutions, and aqua ammonia*, in bulk, in tank vehicles, from La Platte, Nebr., to ponts in Indiana. The purpose of this filing is to eliminate the gateway of the plant site of the Stauffer Chemical Company (formerly the Des Plaines Chemical Company) at or near Morris, Ill.

No. MC–107496 (Sub-No. E475), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bulk, in hopper vehicles, from Fairbury, Nebr., to points in Michigan. The purpose of this filing is to eliminate the gateway of Clinton, Iowa.

No. MC–107496 (Sub-No. E486), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petrochemicals*, in bulk, in tank vehicles, from Ponca City, Okla., to points in Wisconsin on and south of Wisconsin Highway 29. The purpose of this filing is to eliminate the gateway of the plant site of Hawkeye Chemical Co., at or near Clinton, Iowa.

No. MC–107496 (Sub-No. E487), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Ponca City, Okla., to points in Wisconsin on and north of Wisconsin Highway 29. The purpose of this filing is to eliminate the gateway of the terminal of Kaneb Pipeline Company at or near Milford, Iowa.

No. MC–107496 (Sub-No. E488), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lecithin*, in bulk, in tank vehicles, from Des Moines, Iowa, to points in Kansas on and west of U.S. Highway 81. The purpose of this filing is to eliminate the gateway of the plant site of Ashland Chemical Co., at or near Mapleton, Ill.

No. MC–107496 (Sub-No. E489), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Eau Claire, Wis., and points within 20 miles thereof to points in North Dakota (except points south of North Dakota Highway 200 and west of State Highway 1). The purpose of this filing is to eliminate the gateway of Marshall, Minn.

No. MC–109397 (Sub-No. E12), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Source, special nuclear, and by-product materials, radioactive materials, and related reactor experiment equipment, component parts, and associated materials*, between points in that part of South Carolina on and east of South Carolina Highway 121, on the one hand, and, on the other, points in Delaware, New Jersey, Rhode Island, New York, Connecticut, Massachusetts, and those parts of Maryland and Pennsylvania on and east of U.S. Highway 15, restricted to the transportation of traffic requiring specialized handling or rigging. The purpose of this filing is to eliminate the gateway of the facilities of the General Electric Company located in New Hanover County, N.C.

No. MC–109397 (Sub-No. E13), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Source, special nuclear, and by-product materials, radioactive materials, and related reactor experiment equipment, component parts, and associated materials*, between points in that part of South Carolina on and east of South Carolina Highway 121, on the one hand, and, on the other, points in Idaho, Oregon, and that part of California on and west of Interstate Highway 5, restricted to the transportation of traffic requiring specialized handling or rigging. The purpose of this filing is to eliminate the gateways of the facilities of the General Electric Company located (1) in New Hanover County, N.C., and (2) near Morris in Grundy County, Ill.

No. MC–109397 (Sub-No. E14), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Source, special nuclear, and by-product materials, radioactive materials, and related reactor experiment equipment, component parts, and associated materials*, between points in that part of South Carolina on and east of South Carolina Highway 121, on the one hand, and, on the other, points in Vermont, New Hampshire, and Maine, restricted to the transportation of traffic requiring specialized handling or rigging. The purpose of this filing is to eliminate the gateways of (1) the facilities of the General Electric Company located in New Hanover County, N.C., and (2) the facilities of Combustion Engineering in Windsor, Conn.

No. MC–109397 (Sub-No. E15) filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Source, special nuclear, and by-product materials, radioactive materials, and related reactor experiment equipment, component parts, and associated materials* (except commodities which by reason of size or weight require the use of special equipment), between the facilities of Nuclear Engineering located at Maxey Flats, Ky., on the one hand, and, on the other, points in Vermont, New Hampshire, and Maine, restricted to the transportation of traffic requiring specialized handling or rigging. The purpose of this filing is to eliminate the gateways of, (1) the facility of the Martin Company located near Karthaus, Pa., and (2) the facilities of Combustion Engineering in Windsor, Conn.

No. MC–109397 (Sub-No. E16), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Source materials, special nuclear materials, and by-products materials, radioactive materials and related reactor experiment equipment, component parts, and associated materials*, from points in New Jersey, Delaware, that part of Maryland east of U.S. Highway 15, and that part of Pennsylvania east of a line beginning at the Maryland-Pennsylvania State line, thence along Interstate Highway 83 to junction Interstate Highway 81, thence along Interstate Highway 81 to the Pennsylvania-New York State line, to the facilities of Nuclear Engineering at or near Morehead, Ky., restricted to the transportation of traffic requiring specialized handling or rigging. The purpose of this filing is to eliminate the gateway of points in Campbell County, Va.

No. MC–109397 (Sub-No. E17), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Source, special nuclear, and by-product materials, radioactive materials and related reactor experiment equipment, component parts, and associated materials*, between points in that part of North Carolina on and east of U.S. Highway 321, on the one hand, and, on the other, points in California, restricted to the transportation of traffic requiring specialized handling or rigging. The purpose of this filing is to eliminate the gateway of the facilities of the General Electric Company located in New Hanover County, N.C.

No. MC–109397 (Sub-No. E18), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Source, special nuclear and by-product materials, radioactive materials and related reactor excomponent parts and associated materials, and radioactive material handling containers*, between points in Washington, on the one hand, and, on the other, points in Indiana, Ohio, Pennsylvania, New Jersey, Connecticut, Massachusetts, Rhode Island, Maryland, Delaware, West Virginia, Virginia, and North Carolina, restricted to the transportation of traffic requiring specialized handling or rigging. The purpose of this filing is to eliminate the gateway of the facilities of the General Electric Co., located near Morris, Grundy County, Ill.

No. MC–109397 (Sub-No. E19), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Source materials, special nuclear materials, and by-products materials, radioactive materials, and related reactor experiment equipment, component parts, and associated materials*, from points in those parts of New York and Pennsylvania on and east of U.S. Highway 214, to points in that part of Tennessee on and east of U.S. Highway 27, restricted to the transportation of traffic requiring specialized handling or rigging. The purpose of this filing is to eliminate the gateway of points in Campbell County, Va.

No. MC–109397 (Sub-No. E20), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common*

carrier, by motor vehicle, over irregular routes, transporting: *Source, special nuclear and by-product materials, radioactive materials, and related equipment, component parts and associated materials and radioactive material handling containers*, between points in Washington, Oregon, California, Arizona, Nevada, Idaho, Montana, Utah, Wyoming, Colorado, Nebraska, South Dakota, Minnesota, Iowa, and Wisconsin, on the one hand, and, on the other, points in Massachusetts, Connecticut, Rhode Island, New Jersey, New York, Pennsylvania, Maryland, Delaware, Virginia, West Virginia, Ohio, and that part of Indiana on and north of U.S. Highway 30, restricted to the transportation of traffic requiring specialized handling or rigging. The purpose of this filing is to eliminate the gateway of the facilities of the General Electric Co., located near Morris, Grundy County, Ill.

No. MC–109397 (Sub-No. E24), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Source, special nuclear and by-product materials, radioactive materials, and component parts and containers thereof*, between the Cimarron facilities of Kerr-McGee Corporation near Crescent, Okla., on the one hand, and, on the other, points in Vermont, New Hampshire, and Maine, restricted to the transportation of traffic requiring special handling or rigging. The purpose of this filing is to eliminate the gateway of (1) the facilities of Combustion Engineering in Windsor, Conn., and (2) the Portsmouth Gaseous Diffusion Plant and Feed Materials Plant near Portsmouth, Ohio.

No. MC–109397 (Sub-No. E25), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Source, special nuclear and by-product materials, radioactive materials, and related reactor experiment equipment, component parts, and associated materials* (except commodities which by reason of size or weight require the use of special equipment), between the facilities of Nuclear Engineering located at Maxey Flats, Ky., on the one hand, and, on the other, points in New York, Massachusetts, Connecticut, and Rhode Island, restricted to the transportation of traffic requiring specialized handling or rigging. The purpose of this filing is to eliminate the gateway of the facility of the Martin Company located near Karthaus, Pa.

No. MC–109397 (Sub-No. E26), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Explosives*, between points in Mississippi, that part of Louisiana east of the Mississippi River, and that part of Tennessee west of Interstate Highway 65, on the one hand, and, on the other, points in Delaware, Maryland, Virginia, and West Virginia. The purpose of this filing is to eliminate the gateway of points within 10 miles of Nashville, Tenn. (except Nashville and Fort Stewart Air Force Base, Tenn.).

No. MC–109397 (Sub-No. E27), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives*, (a) between points in that part of New Mexico on and south of U.S. Highway 70, and on and east of Interstate Highway 10, including White Sands Missile Range and Holloman Air Force Base, on the one hand, and, on the other, points in Utah, California, and Washington; and (b) between points in that part of New Mexico on the south of U.S. Highway 82, and one and east of Interstate Highway 10, including White Sands Missile Range and Holloman Air Force Base, on the one hand, and, on the other, points in Nevada, that part of Arizona on and west of U.S. Highway 89, and that part of Oregon on and west of U.S. Highway 97. The purpose of this filing is to eliminate the gateway of Anthony, Tex.

No. MC–109397 (Sub-No. E29), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Classes A and B explosives, blasting materials, blasting supplies, and blasting agents*, (1) from points in Arkansas, Texas, Oklahoma, and New Mexico, to points in Iowa (South Liberty, Mo.)*; (2) from Louviers, Colo., and points within 5 miles thereof, to points in that part of Iowa on and east of U.S. Highway 65 (Kansas City, Kans., and South Liberty, Mo.)*; and (3) from points in that part of Kansas on and south of U.S. Highway 36, to points in Des Moines County, Iowa (South Liberty, Mo.)*; and (b) *Classes A and B explosives*, (1) from points in Utah to points in that part of Iowa on and east of U.S. Highway 281, and on and south of Iowa Highway 92 (South Liberty, Mo.)*; and (2) from points in Louisiana to points in Iowa (Kansas City, Kans., and South Liberty, Mo.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC–109397 (Sub-No. E30), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Explosives*, between points in Louisiana, on the one hand, and, on the other, points within 5 miles thereof; and (b) *Classes A and B explosives*, (1) between points in Missouri and Arkansas, on the one hand, and, on the other, Louviers, Colo., and points within 5 miles thereof, and (2) between points in Louisiana, on the one hand, and, on the other, points in that part of Oklahoma on and north of U.S. Highway 60. The purpose of this filing is to eliminate the gateway of points in Kansas.

No. MC–109397 (Sub-No. E32), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Explosives*, (1) from points in West Virginia, Virginia, Maryland, and Delaware, to points in Iowa (West Jefferson, Ohio, and La Salle, Ill)*; (2) from points in Florida, Georgia, Mississippi, North Carolina, and South Carolina, to points in Iowa (Jerseyville, Ill.)*; and (3) from points in Kentucky and Ohio to points in Iowa (Jerseyville or La Salle, Ill.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC–109397 (Sub-No. E33), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives, blasting materials, blasting supplies, and blasting agents*, between points in Oregon, Idaho, California, New Mexico, Arizona, Colorado, Utah, Montana, and Nevada, on the one hand, and, on the other, Olympia, Mats Mats, and Bangor, Wash. The purpose of this filing is to eliminate the gateway of the plant site of the Hercules Powder Company near Tenino, Wash.

No. MC–109397 (Sub-No. E34), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Explosives*, (a) between points in that part of Minnesota east of the Mississippi River and the western boundaries of Itasca and Koochiching Counties, Wisconsin, Michigan, Illinois, and that part of Indiana on and north of U.S. Highway 40, on the one hand, and, on the other, points in Delaware, Maryland, Virginia, and West Virginia; (b) between points in that part of Indiana on and south of U.S. Highway 40, on the one hand, and, on the other, points in that part of West Virginia on and east of a line beginning at the Ohio-West Virginia State line, thence along Interstate Highway 77 to Charleston, thence along West Virginia

Highway 119 to the West Virginia-Kentucky State line (except Charleston, W. Va., and points within 10 miles thereof); (c) between points in that part of Ohio on, north, and west of a line beginning at Sandusky, thence along Ohio Highway 4 to Bucyrus, thence along Ohio Highway 98 to Waldo, thence along U.S. Highway 23 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction U.S. Highway 35, thence along U.S. Highway 35 to the Ohio-Indiana State line, on the one hand, and, on the other, points in Virginia and Delaware; (d) between points in that part of Ohio on and north of U.S. Highway 40, and on and west of U.S. Highway 23, on the one hand, and, on the other, points in Maryland and West Virginia (except Wheeling, Parkersburg, and Gallipolis, and parts within 12 miles of each); (e) between points in that part of Kentucky on and west of Interstate Highway 75, on the one hand, and, on the other, points in that part of West Virginia on and east of U.S. Highway 19, and on and north of U.S. Highway 60; and (f) between points in that part of Kentucky on and west of a line beginning at the Ohio-Kentucky State line, thence along Interstate Highway 75 to Lexington, thence along U.S. Highway 68 to junction Kentucky Highway 163, thence along Kentucky Highway 163 to the Kentucky-Tennessee State line, on the one hand, and, on the other, points in Virginia, Delaware, and Maryland. The purpose of this filing is to eliminate the gateway of (1) points within 5 miles of West Jefferson, Ohio (except West Jefferson), or (2) points within 3 miles of the Blue Grass Ordnance Depot, near Richmond, Ky.

No. MC–110420 (Sub-No. E7), filed June 4, 1974. Applicant: QUALITY CARRIERS, INC., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Vegetable oils*, in bulk, in tank vehicles, (a) from Rochester, N.Y., to points in Jo Daviess, Stephenson, Winnebago, Ogle, Carroll, Whiteside, and Lee Counties, Ill., Iowa, and Minnesota (Cudahy, Wis.)*; (b) from Rochester, N.Y., to points in that part of Missouri on and north of U.S. Highway 36 (Cudahy, Wis., and Chicago, Ill.)*. (2) *Shortening*, in bulk, in tank vehicles, from Cudahy, Wis., to Hamilton, Ohio, Louisville, Ky., Rochester, Downingtown, Lititz, and Philadelphia, Pa., Buffalo, Syracuse, and New York, N.Y., the District of Columbia, and points in Delaware, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Virginia, and West Virginia (Chicago, Ill.)*. (3) *Shortening*, in bulk, in tank vehicles, from Waterloo, Iowa, to Rochester, Downingtown, Lititz, Philadelphia, Pa., Buffalo, Syracuse, and New York, N..Y, the District of Columbia, and points in Delaware, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Virginia, and West Virginia (Chicago, Ill.)*. (4) *Shortening*, in bulk, in tank vehicles, from Louisville, Ky., to Omaha, Nebr., and points in Maine and New Hampshire (Gary, Ind., or Chicago, Ill.)*.

(5) *Shortening*, in bulk, in tank vehicles, (a) from points that part of Iowa in and bounded by the Wright, Franklin, Hardin, Grundy, Tama, Poweshiek, Jasper, Marion, Warren, Madison, Dallas, Guthrie, Audubon, Carroll, Calhoun and Webster Counties, to points in Delaware, Maine, Maryland (except Baltimore and Ellicott City), Massachusetts, New Hampshire, New Jersey (except Newark and points in that part of New Jersey within the New York, N.Y., and Philadelphia, Pa., commercial zones, as defined by the Commission), Virginia, West Virginia, that part of Georgia in and east of Fannin, Gilmer, Pickens, Cherokee, Cobb, Douglas, College Park, Coweta, Meriwether, Talbot, Marion, Webster, Terrell, Calhoun, Baker Miller, and Decatur Counties, and the District of Columbia; (b) from points in that part of Iowa in, north, and east of Winnebago, Hancock, Cerro Gordo, Floyd, Butler, Black Hawk, Benton, Linn, Jones and Jackson Counties, to points in Delaware, Georgia, Maine, Maryland (except Baltimore and Ellicott City), Massachusetts, New Hampshire, New Jersey (except Newark and points in that part of New Jersey within the New York, N.Y., and Philadelphia, Pa., commercial zones, as defined by the Commission), Virginia, West Virginia, and the District of Columbia; (c) from points in that part of Iowa in, south, and east of Wayne, Lucas, Monroe, Mahaska, Keokuk, Iowa, Johnson, Cedar and Clinton, to points in that part of Virginia in and east of Fairfax, Prince William, Stafford, Spotsylvania, Louisa, Fluvanna, Buckingham, Prince Edward, Charlotte, and Halifax Counties, Delaware, Maine, Massachusetts, New Hampshire, New Jersey (except Newark and points in that part of New Jersey within the New York, N.Y., and Philadelphia, Pa., commercial zones as defined by the Commission) and the District of Columbia; (d) from points in that part of Iowa in, and west of Harrison, Shelby, Cass, Adair, Union, Clarke, and Decatur Counties, to points in Chatham, Bryan, Liberty, McIntosh, Glynn, and Camden Counties, Ga.; Delaware, Maine, Maryland (except Baltimore and Ellicott City), Massachusetts, New Hampshire, New Jersey (except Newark and points in that part of New Jersey within the New York and Philadelphia commercial zones, as defined by the Commission), Virginia and West Virginia and the District of Columbia; (e) from points in that part of Iowa in, north, and west of Monona, Crawford, Sac, Bueno Vista, Pocahontas, Humboldt, and Kossuth Counties, to points in Delaware, Georgia, Maine, Maryland (except Baltimore and Ellicott City), Massachusetts, New Hampshire, New Jersey (except Newark and points in that part of New Jersey within the New York, N.Y., and Philadelphia, Pa., commercial zones as defined by the Commission), Virginia, West Virginia, and the District of Columbia (Cudahy, Wis., and Chicago, Ill.)*.

(6) *Shortening*, in bulk, in tank vehicles, (a) from points in that part of Illinois in and east of Massac, Johnson, Williamson, Franklin, Jefferson, Marion, Fayette, Effingham, Cumberland, and Clark Counties, to points in that part of Maine in and north of Somerset, Penobscot, and Hancock Counties; (b) from points in that part of Illinois in, north, and west of Henderson, Warren, Knox, Stark, Marshall, Putnam, Bureau, Lee, Ogle, and Winnebago Counties, to points in Delaware, Maine, Maryland (except Baltimore and Ellicott City), Massachusetts, New Hampshire, New Jersey (except Newark and points in that part of New Jersey in the New York, N.Y., and Philadelphia, Pa., commercial zones), Virginia, West Virginia, Georgia, and the District of Columbia; (c) from points in that part of Illinois in, north, and east of Boone, De Kalb, La Salle, Grundy, and Kankakee Counties, to points in that part of Georgia in and south of Troup, Meriwether, Pike, Lamar, Monroe, Jones, Baldwin, Hancock, Taliaferro, Wilkes, and Lincoln, that part of Virginia in and east of King George, Carolina, Hanover, Henrico, Chesterfield, Dinwiddie, and Brunswick Counties, Delaware, Maine, Massachusetts, New Hampshire, and New Jersey (except Newark and points in that part of New Jersey within the New York, N.Y., and Philadelphia, Pa., commercial zones, as defined by the Commission); (d) from points in that part of Illinois in, south, and west of Madison, Bond, Clinton, Washington, Perry, Jackson, Union, and Pulaski Counties, to points in Maine, Massachusetts, and New Hampshire; (e) from points in that part of Illinois, bounded by Hancock, McDonough, Fulton, Peoria, Woodford, Livingston, Ford, Iroquois, Jersey, Calhoun, Macoupin, Montgomery, Shelby, Coles, and Edgar Counties to points in Maine, Massachusetts, and New Hampshire; (f) from points in Minnesota, to points in Delaware, Georgia, Maine, Maryland (except Baltimore and Ellicott City), Massachusetts, New Hampshire, New Jersey (except Newark and points in the New York, N.Y., and Philadelphia, Pa., commercial zones, as defined by the Commission), Virginia, West Virginia, and the District of Columbia (Cudahy, Wis., and Chicago, Ill.)*. The purpose of this filing is to eliminate the gateways of those points indicated by asterisks above.

No. MC–111302 (Sub-No. E3), filed May 23, 1974. Applicant: HIGHWAY TRANSPORT, INC., P.O. Box 10470, Knoxville, Tennessee 37919. Applicant's representative: Clyde Carver (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except phosphatic food supplements), in bulk, in tank vehicles, from Tampa, Fla., to points in that part of Oklahoma on and north of a line beginning at the Arkansas-Oklahoma State line, thence along Interstate Highway 40 to junction Oklahoma Highway 99, thence along Oklahoma Highway 99 to Seminole, thence along U.S. Highway 270

to Tecumseh, thence along Oklahoma Highway 9 to the Oklahoma-Texas State line. The purpose of this filing is to eliminate the gateway of Knoxville, Tenn.

No. MC–111302 (Sub-No. E4), filed May 23, 1974. Applicant: HIGHWAY TRANSPORT, INC., P.O. Box 10470, Knoxville, Tennessee 37919. Applicant's representative: Clyde Carver (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except phosphatic food supplements), in bulk, in tank vehicles, from Tampa, Fla., to points in that part of Virginia on and north of a line beginning at the Tennessee-Virginia State line, thence along U.S. Highway 21 to Wytheville, thence along Interstate Highway 81 to junction Interstate Highway 581, thence along Interstate Highway 581 to Roanoke, thence along U.S. Highway 460 to junction Mayberry Parkway, thence along Mayberry Parkway to junction Interstate Highway 64, thence along Interstate Highway 64 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction Virginia Highway 20, thence along Virginia Highway 20 to junction Virginia Highway 3, thence along Virginia Highway 3 to Fredericksburg, thence along U.S. Highway 1 to the Potomac River, The purpose of this filing is to eliminate the gateway of Knoxville, Tenn.

No. MC–111545 (Sub-No. E355), filed June 4, 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 Virginia on and south of a line beginning at the Virginia-Tennessee State line thence along U.S. Highway 11 to Salem, thence along U.S. Highway 460 to Lynchburg, thence along U.S. Highway 2 to Amhurst, thence along U.S. Highway 60 to Richmond, thence along U.S. Highway 360 to Reedville, on the one hand, and, on the other, points in Maine. The purpose of this filing is to eliminate the gateway of Mt. Airy, N.C.

No. MC–111545 (Sub-No. E356), filed June 4, 1974. Applicant: HOME TRANSPORTATION CO., 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 Virginia on and south of a line beginning at the Virginia-Tennessee State line, thence along U.S. Highway 11 to Salem, thence along U.S. Highway 460 to Petersburg, thence along Virginia Highway 36, to Hopewell, thence along Virginia Highway 10 to junction Virginia Highway 156, thence along Virginia Highway 156 to junction Virginia Highway 5, thence along Virginia Highway 5 to Williamsburg, thence along the Colonial National Historical Parkway to Yorktown, on the one hand, and, on the other, points in Massachusetts. The purpose of this filing is to eliminate the gateway of points in North Carolina.

No. MC–111545 (Sub-No. E357), filed June 4, 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 Illinois on and south of a line beginning at Chester, thence along Illinois Highway 150 to junction Illinois Highway 154, thence along Illinois Highway 154 to Sesser, thence along Illinois Highway 183 to junction Illinois Highway 14, thence along Illinois Highway 14 to McLeansboro, thence along U.S. Highway 460 to the Illinois-Indiana State line, on the one hand, and, on the other, (a) points in that part of Maine on and east of a line beginning at Kent, thence along Maine Highway 161 to Caribou, thence along U.S. Highway 1 to Houlton, thence along Interstate Highway 95 to junction Maine Highway 25, thence along Maine Highway 25 to South Portland; (b) points in that part of Maryland on and east of U.S. Highway 15; (c) points in New Hampshire; (d) points in that part of New York on, east, and south of a line beginning at the New York-New Jersey State line, thence along U.S. Highway 209 to Kingston, thence along Interstate Highway 87 to junction New York Highway 23, thence along New York Highway 23 to the New York-Massachusetts State line; and (e) points in Rhode Island. The purpose of this filing is to eliminate the gateway of Ringgold, Ga.

No. MC–111545 (Sub-No. E359), filed June 4, 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: *Incinerators and refuse-treatment equipment, and parts, attachments, and accessories* for incinerators and refuse-treatment equipment, the transportation of which, because of size or weight, requires the use of special equipment, from points in that part of Tennessee within 175 miles of Chattanooga, Tenn., and on and east of U.S. Highway 231, to points in Wyoming. The purpose of this filing is to eliminate the gateways of Ringgold, Ga., and Springfield, Mo.

No. MC–111545 (Sub-No. E360), filed June 4, 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: *Incinerators and refuse-treatment equipment, and parts, attachments, and accessories* for incinerators and refuse-treatment equipment, the transportation of which, because of size or weight, requires the use of special equipment, (1) from points in that part of Florida on, east, and south of a line beginning at the Florida-Georgia State line, thence along U.S. Highway 301 to Waldo, thence along Florida Highway 24 to Cedar Key, to points in New Mexico (restricted against the transportation of agricultural machinery and implements, other than hand, as defined by the Commission) (Valdosta, Ga., and Springfield, Mo.)*; and (2) from points in that part of Georgia on and north of a line beginning at the Georgia-Alabama State line, thence along U.S. Highway 280 to Abbeville, thence along U.S. Highway 129 to Ocilla, thence along Georgia Highway 32 to Douglas, thence along U.S. Highway 441 to Pearson, thence along U.S. Highway 82 to Waycross, thence along U.S. Highway 23 to the Georgia-Florida State line, to points in New Mexico (Springfield, Mo)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC–111545 (Sub-No. E361), filed June 4, 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 Vermont on and east of a line beginning at the International Boundary line between the United States and Canada, thence along U.S. Highway 5 to Coventry, thence along Vermont Highway 14 to East Montpelier, thence along U.S. Highway 2 to Montpelier, thence along Interstate Highway 89 to junction Interstate Highway 91, thence along Interstate Highway 91 to the Vermont-Massachusetts State line, on the one hand, and, on the other, points in that part of Missouri on, west, and south of a line beginning at the Missouri-Arkansas State line, thence along Missouri Highway 39 to junction U.S. Highway 160, thence along U.S. Highway 160 to the Missouri-Kansas State line. The purpose of this filing is to eliminate the gateways of Ringgold, Ga., and Quapaw, Okla.

No. MC–111545 (Sub-No. E362), filed June 4, 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: *Buildings*, complete, knocked-down, or in sections, the transportation of

which, because of size or weight, requires the use of special equipment, between points in Alabama, on the one hand, and, on the other, points in Oklahoma. The purpose of this filing is to eliminate the gateway of Texarkana, Tex.

No. MC–111545 (Sub No. E363), filed June 4, 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: *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, between points in that part of Tennessee on and south of a line beginning at the Tennessee-Alabama State line, thence along U.S. Highway 431 to Franklin, thence along Tennessee Highway 96 to Murfreesboro, thence along U.S. Highway 70S to junction Tennessee Highway 30, thence along Tennessee Highway 30 to Athens, thence along Tennessee Highway 39 to Englewood, thence along U.S. Highway 411 to MCghee, thence along Tennessee Highway 72 to junction U.S. Highway 129, thence along U.S. Highway 29 to the Tennessee-North Carolina State line, on the one hand, and, on the other, points in Pennsylvania, restricted to the transportation of commodities which are transported on trailers and restricted against the transportation of knitting machines. The purpose of this filing is to eliminate the gateway of Ringgold, Ga.

No. MC–111545 (Sub-No. E364), filed June 4, 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 South Carolina, on the one hand, and, on the other, points in Virginia and West Virginia. The purpose of this filing is to eliminate the gateway of points in North Carolina.

No. MC–113459 (Sub-No. E60), filed May 14, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (I) *Earth drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe* incidental to, used in, or in connection with, (1) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (2) the completion of holes or wells drilled, (3) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (4) the injection or removal of commodities into or from holes or wells, the transportation of which, because of size or weight, requires the use of special equipment, between points in Bullitt, Hardin, Meade, Brekenridge, Crittenden, Hancock, Daviess, Henderson, Union, Webster, McLean, Hopkins, Ohio, Grayson, Edmonson, Hart, Warren, Butler, Muhlenberg, Logan, Todd, Christian, Trigg, Simpson, Lyon, Caldwell, and Jefferson Counties, Ky., on the one hand, and, on the other, points in Texas. II: (1) *Commodities*, the transportation of which, by reason of size or weight, require the use of special equipment, and (2) *Self-propelled articles*, each weighing 15,000 pounds or more, and related *machinery, tools, parts, and supplies* moving in connection therewith, between points in that part of Texas on and west of a line beginning at the Texas-Oklahoma State line, thence along U.S. Highway 75 to junction U.S. Highway 82, thence along U.S. Highway 82 to junction U.S. Highway 377, thence along U.S. Highway 377 to junction U.S. Highway 83, thence along U.S. Highway 83 to junction U.S. Highway 57, thence along U.S. Highway 57 to the United States-Mexico International Boundary line at or near Eagle Pass.

III: (1) *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, or used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof and (2) *Commodities*, the transportation of which, because of size or weight, require the use of special equipment (except those commodities described in III (1) above, between points in Texas, on the one hand, and on the other, points in Alaska; IV (1) *Machinery, equipment, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, or used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines including the stringing and picking up thereof (except the stringing and picking up of pipe in connection with main or trunk pipelines), (2) *Commodities*, the transportation of which, by reason of size or weight, require the use of special equipment (except those commodities described in IV (1) above, those commodities used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of main or trunk pipelines, and farm machinery), (3) *Self-propelled articles*, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith, (4) *Earth drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe* incidental to, used in, or in connection with, (a) the transportation, installation, removal operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells, and (5) *Parts* of commodities authorized in IV (2) above, either when incidental to the transportation of such commodities, or when transported as separate and unrestricted shipments, between points in that part of Kansas on and south of a line beginning at the Kansas-Colorado State line, thence along U.S. Highway 50 to junction U.S. Highway 154, thence along U.S. Highway 154 to junction U.S. Highway 54.

Thence along U.S. Highway 54 to the Kansas-Missouri State line, on the one hand, and, on the other, points in North Dakota; and V: (1) *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, or used in, or in connection with, the costruction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof (except the stringing and picking up of pipe in connection with main or trunk pipelines), (2) *Commodities*, the transportation of which, by reason of size or weight, require the use of special equipment (except the commodities described in V (1) above, those commodities used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of main or trunk pipelines, and farm machinery), (3) *Parts* of commodities, authorized in V (2) above, either when incidental to the transportation of such commodities, or when transported as separate and unrestricted shipments, (4) *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies*, moving in connection therewith, and (5) *Earth Drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe* incidental to, used in, or in connection with, (a) the transportation, installation, removal, operation, repair, servicing, maintenance and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes, or wells, between points in that part of Kansas on and south of a line beginning at the Kansas-Colorado State line, thence along Kansas Highway 96 to junction U.S. Highway 56, thence along U.S. Highway 56 to junction Kansas Highway 150, thence along Kansas Highway 150 to junction U.S. Highway 50 to

junction Kansas Highway 68, thence along Kansas Highway 68 to the Kansas-Missouri State line, on the one hand, and, on the other points in Montana. RESTRICTION: The operations authorized in II (1) and (2) above are restricted against the transportation or agricultural machinery and agricultural tractors. The operations authorized in III (1) above are restricted to pipelines used for the transmission of natural gas and petroleum and their products and their by-products, and restricted against the stringing or picking up of pipe in connection with main or trunk pipelines. The operation authorized in II (2), IV (3), and V (4) above are restricted to commodities which are transported on trailers. The purpose of this filing is to eliminate the gateways of points in that part of Illinois south of U.S. Highway 36 for points in I above, Sterling, Ill., for points in II above, points in Wyoming for points in III above, and points in Oklahoma for points in IV and V above.

No. MC-113893 (Sub-No. E1), filed June 4, 1974. Applicant: BULK TRANSPORT CO., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum products* (except asphalt and asphalt products) in bulk, in tank vehicles, from the storage facilities of the American Oil Company at Dubuque, Iowa, to points in the Upper Peninsula of Michigan. (2) *Asphalt products and road oil*, in bulk, in tank vehicles, from Rock Falls, Ill., to points in the Upper Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of the terminal outlets on the pipeline of the Great Northern Oil Co., at or near Junction City, Wis.

No. MC-123407 (Sub-No. E12) (CORRECTION), filed May 19, 1974 published in the FEDERAL REGISTER June 26, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Robert W. Carver (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, from Dubuque, Iowa, to points in South Dakota, Kansas, Indiana, Michigan, Ohio, and Pennsylvania. The purpose of this filing is to eliminate the gateway of Warren, Ill. The purpose of this correction is to include Indiana in the destination territories.

No. MC-127196 (Sub-No. E7) (CORRECTION), filed May 17, 1974, published in the FEDERAL REGISTER June 27, 1974. Applicant: KLINE TRUCKING INC., P.O. Box 355, Millville, Pa. 17846. Applicant's representative: James L. Kline (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, supplies*, and *component parts* used in the manufacture and assembly of mobile buildings (except commodities in bulk and those which, because of size or weight, require the use of special equipment), (3) from points in that part of New York east of a line beginning at the New York-Pennsylvania State line, thence along New York Highway 14 to junction New York Highway 13 near Horseheads, thence along New York Highway 13 to junction U.S. Highway 81 near Courtland, thence along U.S. Highway 81 to junction New York Highway 13 near Pulaski, thence along New York Highway 13 to Port Ontario (except New York, N.Y.), to points in Illinois and points in that part of Indiana south of U.S. Highway 40. The purpose of this correction is to exclude New York, N.Y., from the origin territory. The remainder of the letter-notice remains as previously published.

No. MC-127196 (Sub-No. E9), (CORRECTION), filed May 17, 1974, published in the FEDERAL REGISTER July 2, 1974. Applicant: KLINE TRUCKING INC., P.O. Box 355, Millville, Pa. 17846. Applicant's representative: James L. Kline (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, supplies, and component parts* used in the manufacture and assembly of mobile homes, (1) from points in that part of Texas south and west of a line beginning at the Oklahoma-Texas State line, thence along U.S. Highway 281 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction U.S. Highway 380 near Decatur, thence along U.S. Highway 380 to junction U.S. Highway 69 near Greenville, thence along U.S. Highway 69 to junction U.S. Highway 10 near Beaumont, thence along U.S. Highway 10 to the Texas-Louisiana State line to points in that part of Maryland east and north of a line beginning at the Pennsylvania-Maryland State line, thence along U.S. Highway 15 to junction U.S. Highway 70S, thence along U.S. Highway 70S to junction U.S. Highway 495, thence along U.S. Highway 495 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction U.S. Highway 301, thence along U.S. Highway 301 to the Maryland-Delaware State line; (2) from points in Kansas to points in that part of Maryland east and north of a line beginning at the Pennsylvania-Maryland State line, thence along U.S. Highway 15 to junction U.S. Highway 70S, thence along U.S. Highway 70S to junction U.S. Highway 495, thence along U.S. Highway 495 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction U.S. Highway 301, thence along U.S. Highway 301 to the Maryland-Delaware State line; (3) from points in Iowa to points in that part of Maryland east and north of a line beginning at the Pennsylvania-Maryland State line, thence along U.S. Highway 15 to junction U.S. Highway 70S, thence along U.S. Highway 70S to junction U.S. Highway 495, thence along U.S. Highway 495 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction U.S. Highway 301, thence along U.S. Highway 301 to the Maryland-Delaware State line; and (4) from points in that part of Pennsylvania east and north of a line beginning at the New York-Pennsylvania State line, thence along U.S. Highway 15 to junction U.S. Highway 83, thence along U.S. Highway 83 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Pennsylvania Highway 23, thence along Pennsylvania Highway 23 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction U.S. Highway 202, thence along U.S. Highway 202 to junction Pennsylvania Highway 491, thence along Pennsylvania Highway 491 to the Pennsylvania-Delaware State line, to points in Georgia. The purpose of this filing is to eliminate the gateway of Millville, Pa. The purpose of this correction is to indicate the correct destination routes.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-17349 Filed 7-29-74;8:45 am]

CUMULATIVE LIST OF PARTS AFFECTED—JULY

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during July.

3 CFR

PROCLAMATIONS:

2290 (See PLO 5424) 24902
3564 (Terminated in part by Proclamation 4304) 26277
4299 25445
4300 25447
4301 25449
4302 26015
4303 26017
4304 26277

EXECUTIVE ORDERS:

July 2, 1910 (revoked in part by PLO 5424) 24901
July 11, 1919 (revoked in part by PLO 5424) 24901
10481 (Revoked by EO 11793) 25631
10958 (Revoked by EO 11794) 25937
11793 25631
11794 25937
11795 25939

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:

Memoranda of June 21, 1974 ..... 24867, 24869
Memorandum of June 29, 1974 26703
Memorandum of June 30, 1974 26705

4 CFR

10 24345

5 CFR

213 ..... 24350, 24351, 24871, 26030, 26736, 26737, 27143, 27299, 27444, 27445
713 24351
870 26737

6 CFR

102 27445
601 24501

PROPOSED RULES:

Ch. I 24378

7 CFR

26 25050
27 27115
58 24511
245 26885
246 24217
270 25999
271 26000
272 26005
273 26007
274 26007
354 27299
401 ..... 24218, 26135
611 27553
631 24218
662 26135
701 ..... 24871, 27115
706 24352
722 27305
728 26707
775 25633

7 CFR—Continued

794 26712
905 24512
908 ..... 24512, 25639, 26289, 26713, 27115, 27449
910 ..... 24880, 25639, 26405, 27312, 27553
911 ..... 24881, 25640, 25946, 26137, 26713
916 27116
917 ..... 24625, 27117
919 26406
921 25311
922 ..... 25461, 26885
924 26138
925 27553
927 26714
931 27450
944 24513
945 25946
946 26885
947 25219
948 ..... 26139, 27554
958 25948
967 26629
980 ..... 25946, 26289
984 27451
989 24218
1040 24357
1046 25312
1137 24513
1421 ..... 24882, 25219, 25221, 25222, 25640, 26019, 26020, 26139, 26406, 27118, 27456
1425 27313
1427 24357
1446 ..... 25949, 26715
1464 24884
1822 24218
1832 ..... 25641, 25642
1843 25312
1861 25312
1886 27555

PROPOSED RULES:

27 24375
29 ..... 26427, 26428
52 ..... 24515, 24913, 26031, 26650, 27331
220 25952
722 26159
775 26159
900 ..... 24656, 25510
915 26292
916 25327
917 ..... 25952, 26159
919 27331
921 25515
922 25516
923 25516
924 25233
930 24656
945 26292
946 24234
947 27468
948 ..... 25516, 25517
993 26913
1040 26031
1049 26860
1068 27580
1421 ..... 26159, 26161
1427 ..... 26159, 26161
1443 ..... 26159, 26161
1464 ..... 26427, 26428

7 CFR—Continued

PROPOSED RULES—Continued

1701 ..... 24375, 26293
1842 26914

8 CFR

212 ..... 24626, 26895, 27555
214 24219
238 27555
242 25642
299 27555
499 27556

PROPOSED RULES:

252 27580

9 CFR

2 ..... 24219, 26279
20 ..... 25463, 27121
30 26279
31 26147
32 ..... 26148, 26397
35 26145
40 26279
50 ..... 24626, 26279, 27121
51 26279
70 ..... 26286, 27121
73 ..... 24626, 25462
78 27427
82 25462
90 25224
113 ..... 25463, 27427

PROPOSED RULES:

201 24913
319 25517

10 CFR

20 27121
50 27121
70 27121
211 ..... 24357, 24884, 25224, 25228, 25463, 25642
212 ..... 24358, 24922, 25359, 26286
Ruling 24359, 25228, 25472

PROPOSED RULES:

50 ..... 26293, 26296
202 25240
205 25602
210 25602
211 ..... 24669, 27121, 27149

12 CFR

207 24220
220 24220
221 24220
225 24220
505 26149
522 24885
528 ..... 24359, 27121
545 ..... 24886, 26286
563c 24220
572 24220
810 26397

PROPOSED RULES:

204 24243
541 24242
545 ..... 24242, 24518
563 24518

13 CFR — Page

121 — 27314

PROPOSED RULES:

113 — 27591
121 — 24669, 26430

14 CFR

21 — 25228
39 — 24501, 24502, 24627, 24628, 24886, 25472, 25644, 25645, 26020, 26629, 26630, 26887, 27314, 27315
71 — 25229, 25314, 25645, 25646, 26020, 26021, 26150, 26151, 26286, 26398, 26630, 26716–26718, 26887, 27126, 27315–27317, 27467
73 — 24888
75 — 24502, 26021, 26151
91 — 25315, 26022, 26888
95 — 26151
97 — 24888, 25646, 26152, 26888
141 — 25473
288 — 24502, 25941
373 — 24224
1204 — 25229

PROPOSED RULES:

21 — 24236
39 — 24664, 26428
49 — 25953
71 — 24665–24667, 25328, 25668, 25954, 26293, 26753, 26754, 26916, 27331
73 — 24238
75 — 24238, 24921, 26043
91 — 27147
121 — 24667
135 — 24667
159 — 26166
201 — 24517
207 — 24921, 27332
208 — 24921, 27332
211 — 24517
212 — 24921, 27332
214 — 27332
217 — 24921, 27332
221 — 24517
241 — 24238, 24921, 27332
243 — 26167
249 — 24921, 27332
261 — 24517
288 — 25330
293 — 24517
298 — 24517
302 — 24517
312 — 24517
369 — 24921, 27332
389 — 24921, 27332
399 — 24517

15 CFR

376 — 26719
377 — 24889, 27126

16 CFR

1 — 26398
4 — 26398
13 — 25315
1500 — 25473, 26100, 27317
1507 — 25473
1512 — 26100, 27127, 27317

PROPOSED RULES:

3 — 26171
257 — 25505

16 CFR—Continued — Page

PROPOSED RULES—Continued

301 — 24924
304 — 26429
423 — 26755
1025 — 26848
1512 — 26113

17 CFR

231 — 26719, 26720, 27556
239 — 24360
241 — 26719, 26720, 27556
249 — 24360, 27556
251 — 27556
271 — 26719

PROPOSED RULES:

1 — 24235
210 — 24379
240 — 24520

18 CFR

1 — 25647
3 — 24629
4 — 25316
141 — 24629
157 — 26631
401 — 25473

19 CFR

1 — 24630, 27127
4 — 26153
6 — 27431
24 — 27128
111 — 27128
112 — 27128

PROPOSED RULES:

10 — 24651
25 — 25502

20 CFR

410 — 26632
422 — 26721

PROPOSED RULES:

404 — 24915
405 — 24464, 24920, 25235
410 — 27471

21 CFR

2 — 25647
3 — 27128
8 — 24503, 24889
9 — 24503, 24889, 24890
20 — 27128
46 — 26632
121 — 24503, 24889, 25483, 25484, 25941, 25942, 26287, 27317
130 — 26889
135 — 25229, 26633, 26890
135b — 25485, 26890
135c — 26890
135d — 26890
135e — 25942
141e — 26891
146a — 26890
146b — 24360
146e — 25486, 26891, 27320
149b — 26891
452 — 27320
1000 — 27432
1220 — 24890
1301 — 26022

21 CFR—Continued — Page

PROPOSED RULES:

Ch. II — 25337
1 — 25328, 26747, 27538
3 — 26747
10 — 26747
15 — 26747
20 — 27144
26 — 24663
100 — 26747
102 — 26747
121 — 25502, 25953, 26743
135 — 24516
310 — 27538
312 — 27538
370 — 27538
610 — 25233, 26161
640 — 25233, 26161
660 — 25233
701 — 25328
1002 — 24913
1020 — 26651
1300 — 25327
1301 — 25327, 26031, 26424
1302 — 25327
1303 — 25327
1304 — 25327, 26424
1305 — 25327, 26424
1306 — 25327, 26424
1307 — 25327
1308 — 25327
1309 — 25327
1310 — 25327
1311 — 25327
1312 — 25327
1313 — 25327
1314 — 25327
1315 — 25327
1316 — 25327

22 CFR

41 — 26153, 26891

PROPOSED RULES:

42 — 26913

23 CFR

11 — 26406
130 — 26407, 26408
140 — 26410–26413
160 — 26413
630 — 26413, 26414
635 — 27130
655 — 26414, 27434
710 — 26416
712 — 26421
750 — 27436
752 — 24630

24 CFR

200 — 26022, 26895
203 — 27320
205 — 27321
207 — 26022, 27321
213 — 27321
220 — 27321
221 — 27321
232 — 27321
234 — 27321
235 — 27321
236 — 27321
241 — 26023, 27321
242 — 27321
244 — 27322
1276 — 24588
1279 — 25062
1914 — 24233, 24633–24635, 25648, 26422, 26903

45 CFR—Continued Page

PROPOSED RULES:

86 25667
102 27086
112 27232
113 27235
114 27240
115 27254
142 26749
190 24481
249 24914

46 CFR

42 25324
154 24632
502 26733
511 24506
546 24903

PROPOSED RULES:

40 26752
151 26042, 26752
252 26747
531 24519
536 24520, 26299
546 27332

47 CFR

0 25324, 26155
1 26156, 27562, 27565
2 25490, 26116
8 25324
11 24370
13 24370, 26156
17 26157
21 24372, 25490

47 CFR—Continued Page

73 24371, 24373, 24905, 25324, 25661, 26734, 26735, 27566
74 24372
76 24372, 25505, 27572
78 26024
81 24907, 25495
87 25662, 26736
89 26116
93 25663
97 24908

PROPOSED RULES:

2 27332
15 25669, 27332
63 25351
73 24922, 25504, 26044, 26170, 26918, 26920
76 24379, 25357, 25505, 26170, 26429
81 27332
83 26170, 27332
97 24922, 27590

49 CFR

173 24909, 27572
179 24909, 27572
215 25496, 27139
231 27327
390 27439
391 26403
393 26906, 26907
501 27139
570 26026
571 25943, 26404, 26736
921 26908

49 CFR—Continued Page

1033 24373, 24374, 24507–24510, 25663, 26030, 26288, 26911, 27329, 27574, 27575
1125 24294, 25232
1311 27444

PROPOSED RULES:

172 25235
173 25235
192 27589
195 27589
225 25955
227 25955
232 27331
571 25237, 25329, 27585
581 25237
1100 26172
1121 26755
1124 27333

50 CFR

20 27575
28 25501
32 24374, 26157, 26158, 27142, 27143, 27329
33 27143
245 27330
251 25325

PROPOSED RULES:

16 26427
20 26745
32 26292
216 25664
251 26650

FEDERAL REGISTER PAGES AND DATES—JULY

Pages	Date
24211–24338	July 1
24339–24491	2
24493–24617	3
24619–24859	5
24861–25212	8
25213–25301	9
25203–25437	July 10
25439–25624	11
25625–25930	12
25931–26008	15
26009–26126	16
26127–26270	17
26271–26390	18
26391–26621	July 19
26623–26696	22
26697–26876	23
26877–27107	24
27109–27292	25
27293–27419	26
27421–27545	29
27547–27635	30