

# federal register

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USDA—AGRICULTURE DEPARTMENT

AMS—Agricultural Marketing Service  
 ARS—Agricultural Research Service  
 ASCS—Agricultural Stabilization and Conservation Service  
 APHIS—Animal and Plant Health Inspection Service  
 CCC—Commodity Credit Corporation  
 CEA—Commodity Exchange Authority  
 EMS—Export Marketing Service  
 FmHA—Farmers Home Administration  
 FCIC—Federal Crop Insurance Corporation  
 FAS—Foreign Agricultural Service  
 FNS—Food and Nutrition Service  
 FS—Forest Service  
 PSA—Packers and Stockyards Administration  
 REA—Rural Electrification Administration  
 RTB—Rural Telephone Bank  
 SCS—Soil Conservation Service

COMMERCE—COMMERCE DEPARTMENT

Census—Census Bureau  
 DIBA—Domestic and International Business Administration  
 EDA—Economic Development Administration  
 MA—Maritime Administration  
 NBS—National Bureau of Standards  
 NOAA—National Oceanic and Atmospheric Administration  
 NTIS—National Technical Information Service  
 MBE—Minority Business Enterprise Office  
 Patent—Patent Office  
 SESA—Social and Economic Statistics Administration  
 USTS—United States Travel Service

DEFENSE DEPARTMENT

Air—Air Force Department  
 Army—Army Department  
 DIA—Defense Intelligence Agency  
 DSA—Defense Supply Agency  
 Engineers—Engineers Corps  
 Navy—Navy Department

HEW—HEALTH, EDUCATION, AND WELFARE DEPARTMENT

ODC—Disease Control Center  
 FDA—Food and Drug Administration  
 HRA—Health Resources Administration  
 HSA—Health Services Administration  
 NIH—National Institutes of Health

OE—Education Office  
 PHS—Public Health Service  
 SRS—Social and Rehabilitation Service  
 SSA—Social Security Administration  
 HUD—HOUSING AND URBAN DEVELOPMENT DEPARTMENT

FDA—Federal Disaster Assistance Administration  
 FIA—Federal Insurance Administration  
 GNMA—Government National Mortgage Association  
 ILSRO—Interstate Land Sales Registration Office

INTERIOR—INTERIOR DEPARTMENT

BPA—Bonneville Power Administration  
 BIA—Indian Affairs Bureau  
 BLM—Land Management Bureau  
 FWS—Fish and Wildlife Service  
 GS—Geological Survey  
 MESA—Mining Enforcement and Safety Administration  
 Mines—Mines Bureau  
 NPS—National Park Service  
 OHA—Hearings and Appeals Office  
 Oil & Gas—Oil and Gas Office  
 Reclamation—Reclamation Bureau

JUSTICE—JUSTICE DEPARTMENT

DEA—Drug Enforcement Administration  
 INS—Immigration and Naturalization Service  
 LEAA—Law Enforcement Assistance Administration

LABOR—LABOR DEPARTMENT

BLS—Labor Statistics Bureau  
 ESA—Employment Standards Administration  
 FCCO—Federal Contract Compliance Office  
 Manpower—Manpower Administration  
 OSHA—Occupational Safety and Health Administration  
 W&H—Wage and Hour Division

STATE—STATE DEPARTMENT

AID—Agency for International Development  
 DOT—TRANSPORTATION DEPARTMENT

CG—Coast Guard  
 FAA—Federal Aviation Administration  
 FHA—Federal Highway Administration  
 FRA—Federal Railroad Administration  
 NHTSA—National Highway Traffic Safety Administration  
 St. Lawrence Seaway—Saint Lawrence Seaway Development Corporation

UMTA—Urban Mass Transportation Administration

TREASURY—TREASURY DEPARTMENT

AT&F—Alcohol, Tobacco and Firearms Bureau  
 Customs—Customs Service  
 Comptroller—Comptroller of the Currency  
 ESO—Economic Stabilization Office (temporary)  
 FS—Fiscal Service  
 IRS—Internal Revenue Service

INDEPENDENT AGENCIES

AEC—Atomic Energy Commission  
 CAB—Civil Aeronautics Board  
 CASB—Cost Accounting Standards Board  
 CEQ—Council on Environmental Quality  
 CITA—Textile Agreements Implementation Committee  
 CPSC—Consumer Product Safety Commission  
 CRC—Civil Rights Commission  
 CSC—Civil Service Commission  
 EEOC—Equal Employment Opportunity Commission  
 EPA—Environmental Protection Agency  
 FCC—Federal Communications Commission  
 FDIC—Federal Deposit Insurance Corporation  
 FEA—Federal Energy Administration  
 FHLBB—Federal Home Loan Bank Board  
 FPC—Federal Power Commission  
 FTC—Federal Trade Commission  
 GSA—General Services Administration  
 GSA/FMPO—Federal Management Policy Office  
 GSA/FSS—Federal Supply Service  
 GSA/PBS—Public Buildings Service  
 HMRB—Hazardous Materials Regulations Board  
 ICC—Interstate Commerce Commission  
 ICP—Interim Compliance Panel  
 NARS—National Archives and Records Service  
 NASA—National Aeronautics and Space Administration  
 NCUA—National Credit Union Administration  
 OFR—Federal Register Office  
 OMB—Management and Budget Office  
 SBA—Small Business Administration  
 SEC—Securities and Exchange Commission  
 TVA—Tennessee Valley Authority  
 USIA—United States Information Agency  
 VA—Veterans Administration



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Title	Price
17	\$5.10
18 Parts:	
1-149	3.80
150-end	3.70
19	4.50
20 Parts:	
01-399	1.95
400-end	6.30
21 Parts:	
1-9	1.95
10-129	5.10
130-140	2.40
600-1299	1.75
1300-end	1.55
22	3.90
23	1.80
24	6.10
25	3.60
26 Parts:	
1 (§§ 1.0-1-1.169)	4.85
1 (§§ 1.170-1.300)	3.05
1 (§§ 1.301-1.400)	2.35
1 (§§ 1.401-1.500)	2.90
1 (§§ 1.501-1.640)	3.35
1 (§§ 1.641-1.850)	3.65
1 (§§ 1.851-1.1200)	4.40
1 (§ 1.1201-end)	5.70
2-29	2.70
30-39	2.85
40-169	4.40
170-299	5.90
300-499	2.95
500-599	3.15
600-end	1.40
27	1.30
45 Parts 100-199	3.95

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

Title	Price
28	\$2.20
32 Parts:	
40-399	4.85
400-589	4.10
590-699	1.95
1000-1399	1.70
1400-1599	3.05
1600-end	1.65
33 Parts:	
200-end	3.65
34	1.10
37	1.75

1973 CFR volumes previously announced are available from the Superintendent of Documents at the prices listed below:

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

Title	Price
42	\$2.85
43 Parts:	
1-999	2.85
1000-end	4.20
44 [Reserved]	

Title	Price
45 Parts:	
1-99	\$2.15
200-499	2.40
500-end	2.35
46 Parts:	
1-65	4.00
66-145	4.10
146-149	5.80
150-199	4.05
200-end	4.70
47 Parts:	
0-19	3.40
20-69	4.05
70-79	4.35
80-end	4.55
48 [Reserved]	
49 Parts:	
1-99	1.30
100-199	5.60
200-999	4.30
1000-1199	2.50
1200-1299	5.60
1300-end	2.20
50	2.55

**Title 5—Administrative Personnel**  
**CHAPTER I—CIVIL SERVICE COMMISSION**  
**PART 213—EXCEPTED SERVICE**  
**Treasury Department**

Section 213.3305 is amended to show that one position of Staff Assistant (Secretary) to the Secretary is excepted under Schedule C.

Effective on September 3, 1974, § 213.3305(a) (56) is added as set out below.

**§ 213.3305 Treasury Department.**

(a) *Office of the Secretary.* \* \* \*  
 (56) One Staff Assistant (Secretary) to the Secretary.

\* \* \* \* \*  
 (5 U.S.C. secs. 3301, 3302; E.O. 10577, 3 CFR 1954-58 Comp. p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,  
 [SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*  
 [FR Doc. 74-20242 Filed 8-30-74; 8:45 am]

**PART 213—EXCEPTED SERVICE**  
**Department of Commerce**

Section 213.3314 is amended to show that one position of Confidential Assistant to the Deputy Assistant Secretary for International Commerce is excepted under Schedule C.

Effective on September 3, 1974, § 213.3314(m) (18) is added as set out below.

## § 213.3314 Department of Commerce.

(m) *Office of the Assistant Secretary for Domestic and International Business.* \* \* \*

(18) One Confidential Assistant to the Deputy Assistant Secretary for International Commerce.

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

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*

[FR Doc.74-20244 Filed 8-30-74; 8:45 am]

## PART 213—EXCEPTED SERVICE

## Department of Health, Education, and Welfare

Section 213.3316 is amended to reflect the transfer of the functions of the Executive Director, President's Council on Physical Fitness and Sports, from the Office of the Secretary to the Office of the Assistant Secretary for Human Development, and placement of the affected Schedule C position under paragraph (n).

Effective on September 3, 1974, §§ 213.3316(a) (28) is revoked and (n) (13) is added as set out below.

§ 213.3316 Department of Health, Education, and Welfare.

(a) *Office of the Secretary.* \* \* \*  
(28) [Revoked]

(n) *Office of the Assistant Secretary for Human Development.* \* \* \*

(13) One Confidential Assistant to the Executive Director, President's Council on Physical Fitness and Sports.

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

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*

[FR Doc.74-20243 Filed 8-30-74; 8:45 am]

## PART 213—EXCEPTED SERVICE

## Department of Housing and Urban Development

Section 213.3384 is amended to show that the following positions are excepted under Schedule C: One Staff Assistant to the Assistant to the Secretary for Programs for the Elderly and Handicapped, One Private Secretary to the Deputy Assistant Secretary for Housing Production and Mortgage Credit—Federal Housing Administration Commissioner, and One Deputy Assistant Secretary for Research and Demonstration.

Effective on September 3, 1974, §§ 213.3384(a) (51), (b) (13) and (i) (4) are added as set out below.

## § 213.3384 Department of Housing and Urban Development.

(a) *Office of the Secretary.* \* \* \*

(51) One Staff Assistant to the Assistant to the Secretary for Programs for the Elderly and Handicapped.

(b) *Office of the Assistant Secretary for Housing Production and Mortgage Credit—Federal Housing Administration Commissioner.* \* \* \*

(13) One Private Secretary to the Deputy Assistant Secretary.

(i) *Office of the Assistant Secretary for Policy Development and Research.* \* \* \*

(4) One Deputy Assistant Secretary for Research and Demonstration.

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

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*

[FR Doc.74-20245 Filed 8-30-74; 8:45 am]

## Title 7—Agriculture

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

## PART 26—GRAIN STANDARDS

## Fees and Charges

Pursuant to the authority contained in section 7 of the United States Grain Standards Act (7 U.S.C. 79), the Department of Agriculture is amending § 26.72 (a) of the regulations (7 CFR 26.72(a)) under the Act with respect to the hourly charge for certain appeal inspection services in the United States.

*Statement of considerations.* The United States Grain Standards Act provides that fees for appeal inspection services shall, as nearly as practicable and after taking into consideration any proceeds from the sale of samples, cover the costs of the Department of Agriculture incident to the performance of such services. Section 26.72 of the regulations needs to be amended to:

1. Increase charges for regular time from \$8.80 to \$12.20 per man-hour and for overtime from \$12.00 to \$18.30 per man-hour.

2. Assess certain charges whether or not a material error is found in the inspection from which the appeal was taken, to be consistent with past and present practices.

3. Increase the reimbursement to official inspection agencies for locating and furnishing file samples for appeal inspections from \$0.50 to \$1.50 to more nearly reimburse the agencies for locating and forwarding the samples.

4. Expand the definition of "holiday" to include any day declared to be a holi-

day by Federal statute or Executive Order.

Section 26.72(a) (6) and (9) (ii) are amended as follows:

## § 26.72 Appeal inspection services in the United States.

(a) \* \* \*

(6) Hourly rates (per man-hour):

(i) Applicable to subparagraphs (1) through (5):

	<i>Fee or Charge</i>
Standby time during regular time (normal office hours).....	\$12.20
Holiday, <sup>4</sup> night, or overtime, and standby time during holiday, night, or overtime.....	18.30

(ii) Applicable to inspection services<sup>2</sup> described in § 26.6(g), (h), (i), and (j), and standby time:

Regular time (normal office house)...	\$12.20
Holiday, <sup>4</sup> night, or overtime.....	18.30
Minimum fee per inspection.....	12.20

<sup>1</sup>The fee for an appeal inspection on the basis of an official file sample retained by an official inspection agency, includes a surcharge of \$1.50 which is forwarded to the official inspection agency as reimbursement for locating and furnishing samples.

<sup>4</sup>Holiday shall mean the legal public holidays specified in paragraph (a) of section 6103, title 5, of the United States Code (5 U.S.C. 6103(a)) and any other day declared to be a holiday by Federal statute or Executive Order: *Provided*, That, if the specified legal public holiday falls on a Saturday, the preceding Friday shall be deemed to be the holiday, or if the specified legal public holiday falls on a Sunday, the following Monday shall be deemed to be the holiday.

(9) \* \* \*

(ii) The charges for standby time, and for holiday, night, or overtime work, and for traveltime for which employees receive overtime compensation shall be assessed in all cases whether or not a material error is found in the inspection from which the appeal was taken.

The establishment of the above fees and charges depends upon facts within the knowledge of the Agricultural Marketing Service. It is to the benefit of the public that this amendment become effective at the earliest practicable date. Therefore, pursuant to the provisions of 5 U.S.C. 553, it is found upon good cause that notice and other public procedures on the amendment are impracticable and unnecessary.

(Sec. 16, 82 Stat. 768, (7 U.S.C. 87e); 37 FR 28464 and 28476.)

*Effective date.* This amendment shall become effective October 13, 1974.

Done in Washington, D.C., on August 27, 1974.

E. L. PETERSON,  
*Administrator,*  
*Agricultural Marketing Service.*

[FR Doc.74-20216 Filed 8-30-74; 8:45 am]

CHAPTER III—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—Imported Fire Ant

ADDITIONS TO REGULATED AREAS

This document amends the supplemental regulation which lists regulated areas for purposes of the Federal Imported Fire Ant Quarantine by adding to the regulated areas all or parts of the following previously nonregulated counties: Cherokee, Franklin, Lawrence, and Winston in Alabama; Columbia in Arkansas; Hendry, Indian River, and Okeechobee in Florida; Cobb and Morgan in Georgia; Duplin in North Carolina; Allendale, Darlington, Dillon, Fairfield, Lee, and Marion in South Carolina; Atascosa, Brazos, Burleson, Cherokee, Comal, De Witt, Ellis, Jackson, Kendall, Lavaca, Madison, Marion, Matagorda, Medina, San Patricio, and Wilson in Texas under generally infested area. Also, Bowie is added in Texas under suppressive area. It further amends the regulation by extending the regulated area in the following previously regulated counties: Jasper, Newton, Putnam, Screven, and Walton in Georgia; Holmes, Humphreys, Lafayette, and Prentiss in Mississippi; Columbus, Craven, Jones, and Onslow in North Carolina; Aiken, Barnwell, Clarendon, Florence, Hampton, Kershaw, Lexington, Marlboro, and Williamsburg in South Carolina; Collin, Fayette, Harrison, Nueces, Panoia, Rusk, Smith, Tarrant, Victoria and Washington in Texas. The entire State of Louisiana is now regulated.

Under sections 8 and 9 of the Plant Quarantine Act, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), and § 301.81-2 of the Imported Fire Ant Quarantine regulations, 7 CFR 301.81-2, as amended, a supplemental regulation designating regulated areas, 7 CFR 301.81-2a, is hereby amended as set forth below:

§ 301.81-2a Regulated areas; suppressive and generally infested areas.

The civil divisions and parts of civil divisions described below are designated as imported fire ant regulated areas within the meaning of the provisions of this subpart; and such regulated areas are hereby divided into generally infested areas or suppressive areas as indicated below:

ALABAMA

(1) Generally infested areas.

- Autauga County. The entire county.
- Baldwin County. The entire county.
- Babour County. The entire county.
- Bibb County. The entire county.
- Blount County. The entire county.
- Bullock County. The entire county.
- Butler County. The entire county.
- Calhoun County. The entire county.
- Chambers County. The entire county.
- Cherokee County. That portion of the county lying south of the north line of T 11 S.
- Chilton County. The entire county.
- Choctaw County. The entire county.

- Clarke County. The entire county.
- Clay County. The entire county.
- Cleburne County. The entire county.
- Coffee County. The entire county.
- Conecuh County. The entire county.
- Coosa County. The entire county.
- Covington County. The entire county.
- Crenshaw County. The entire county.
- Cullman County. The entire county.
- Dale County. The entire county.
- Dallas County. The entire county.
- Elmore County. The entire county.
- Escambia County. The entire county.
- Etowah County. The entire county.
- Fayette County. The entire county.
- Franklin County. T. 7 S., Pa. 14 and 15 W., and that portion of the county lying south of the north line of T. 8 S.
- Geneva County. The entire county.
- Greene County. The entire county.
- Hale County. The entire county.
- Henry County. The entire county.
- Houston County. The entire county.
- Jefferson County. The entire county.
- Lamar County. The entire county.
- Lawrence County. Secs. 31, 32, 33, 34, 35, and 36, T. 5 S., R. 6 W.; secs. 35 and 36, T. 5 S., R. 7 W.; secs. 1, 2, 3, 4, 5, and 6, T. 6 S., R. 6 W.; secs. 1 and 2, T. 6 S., R. 7 W.
- Lee County. The entire county.
- Limestone County. S $\frac{1}{2}$ , T. 3 S., R. 4 W.; T. 4 S., R. 4 W.; all of T. 5 S., R. 4 W., lying north of the Tennessee River; SE $\frac{1}{4}$ , T. 3 S., R. 5 W.; and that part of the E $\frac{1}{2}$ , T. 4 S., R. 5 W., lying north of the Tennessee River.
- Lowndes County. The entire county.
- Macon County. The entire county.
- Marengo County. The entire county.
- Marion County. The entire county.
- Mobile County. The entire county.
- Monroe County. The entire county.
- Montgomery County. The entire county.
- Morgan County. N $\frac{1}{2}$ , T. 6, Rs. 4 and 5 W.; and those portions of T. 5 S., Rs. 4 and 5 W., and T. 4 S., R. 5 W., lying south of the Tennessee River.
- Perry County. The entire county.
- Pickens County. The entire county.
- Pike County. The entire county.
- Randolph County. The entire county.
- Russell County. The entire county.
- St. Clair County. The entire county.
- Shelby County. The entire county.
- Sumter County. The entire county.
- Talladega County. The entire county.
- Tallapoosa County. The entire county.
- Tuscaloosa County. The entire county.
- Walker County. The entire county.
- Washington County. The entire county.
- Wilcox County. The entire county.
- Winston County. T. 9 and 10 S., R. 10 W., and that portion of the county lying south of the north line of T. 11 S.

(2) Suppressive areas. None.

ARKANSAS

(1) Generally infested area.

- Ashley County. That portion of the county lying south of the south line of T. 16 S.; secs. 35 and 36, T. 16 S., R. 8 W.
- Bradley County. That portion of the county lying south of the south line of T. 15 S.
- Chicot County. That portion of the county lying south of the south line of T. 16 S., including all of Pickett Island.
- Columbia County. That portion of the county lying north of the north line of T. 17 S. and east of the east line of R. 20 W.
- Gadsden County. The entire county.
- Gilchrist County. The entire county.
- Glades County. The entire county.
- Gulf County. The entire county.
- Hamilton County. The entire county.
- Hardee County. The entire county.
- Hendry County. The entire county.
- Hernando County. The entire county.
- Highlands County. The entire county.
- Hillsborough County. The entire county.

- Holmes County. The entire county.
- Indian River County. The entire county.
- Jackson County. The entire county.
- Jefferson County. The entire county.
- Lafayette County. The entire county.
- Lake County. The entire county.
- Lee County. The entire county.
- Leon County. The entire county.
- Levy County. The entire county.
- Liberty County. The entire county.
- Madison County. The entire county.
- Manatee County. The entire county.
- Marion County. The entire county.
- Nassau County. The entire county.
- Okealoosa County. The entire county.
- Okeechobee County. The entire county.
- Orange County. The entire county.
- Osceola County. The entire county.
- Pasco County. The entire county.
- Pinellas County. The entire county.
- Polk County. The entire county.
- Putnam County. The entire county.
- St. Johns County. The entire county.
- Santa Rosa County. The entire county.
- Sarasota County. The entire county.
- Seminole County. The entire county.
- Sumter County. The entire county.
- Suwanee County. The entire county.
- Taylor County. The entire county.
- Union County. The entire county.
- Volusia County. The entire county.
- Wakulla County. The entire county.
- Walton County. The entire county.
- Washington County. The entire county.

(2) Suppressive areas. None.

GEORGIA

(1) Generally infested areas.

- Appling County. The entire county.
- Atkinson County. The entire county.
- Bacon County. The entire county.
- Baker County. The entire county.
- Baldwin County. The entire county.
- Ben Hill County. The entire county.
- Berrien County. The entire county.
- Bibb County. The entire county.
- Bleckley County. The entire county.
- Branley County. The entire county.
- Brooks County. The entire county.
- Bryan County. The entire county.
- Bulloch County. The entire county.
- Butts County. The entire county.
- Calhoun County. The entire county.
- Camden County. The entire county.
- Carroll County. That portion of the county lying within Georgia Militia Districts 1163, 1541, 682, 713, 1533, and 1310.
- Charlton County. The entire county.
- Chatham County. The entire county.
- Chattahoochee County. The entire county.
- Clay County. The entire county.
- Clayton County. The entire county.
- Clinch County. The entire county.
- Cobb County. That portion of the county lying east of I-285.
- Coffee County. The entire county.
- Colquitt County. The entire county.
- Columbia County. That portion of the county lying within Georgia Militia Districts 129 and 125.
- Cook County. The entire county.
- Coweta County. The entire county.
- Crawford County. The entire county.
- Crisp County. The entire county.
- Decatur County. The entire county.
- De Kalb County. The entire county.
- Dodge County. The entire county.
- Dooly County. The entire county.
- Dougherty County. The entire county.
- Early County. The entire county.
- Echols County. The entire county.
- Effingham County. The entire county.
- Emanuel County. That portion of the county lying within Georgia Militia Districts 1748 and 395.
- Evans County. The entire county.
- Fayette County. The entire county.

*Fulton County.* That portion of the county lying in the corporate limits of Hapeville, College Park, East Point, and Atlanta; that portion of the county lying north of the corporate limits of Atlanta to the Chattahoochee River; and that portion of the county lying within Georgia Militia Districts 1204, 1725, 499, 479, and 1762.

*Glynn County.* The entire county.  
*Grady County.* The entire county.  
*Gwinnett County.* That portion of the county lying south and west of Georgia Highway 120 and Georgia Highway 124, including all of the area in the corporate limits of Snellville, Lawrenceville, and Duluth.  
*Haralson County.* That portion of the county lying within Georgia Militia District 653.

*Harris County.* The entire county.  
*Heard County.* The entire county.  
*Henry County.* The entire county.  
*Houston County.* The entire county.  
*Irwin County.* The entire county.  
*Jasper County.* The entire county.  
*Jeff Davis County.* The entire county.  
*Jenkins County.* That portion of the county lying within Georgia Militia District 1640.

*Johnson County.* The entire county.  
*Jones County.* The entire county.  
*Lamar County.* The entire county.  
*Lanier County.* The entire county.  
*Laurens County.* The entire county.  
*Lee County.* The entire county.  
*Liberty County.* The entire county.  
*Long County.* The entire county.  
*Lowndes County.* The entire county.  
*Macon County.* The entire county.  
*Marion County.* The entire county.  
*McIntosh County.* The entire county.  
*Meriwether County.* The entire county.  
*Miller County.* The entire county.  
*Mitchell County.* The entire county.  
*Monroe County.* The entire county.  
*Montgomery County.* The entire county.  
*Morgan County.* That portion of the county lying within Georgia Militia Districts 283, 282, 400, 396, 397, 286, 1463, 285, 278, and 279.

*Muscogee County.* The entire county.  
*Newton County.* The entire county.  
*Peach County.* The entire county.  
*Pierce County.* The entire county.  
*Pike County.* The entire county.  
*Pulaski County.* The entire county.  
*Putnam County.* The entire county.  
*Quitman County.* The entire county.  
*Randolph County.* The entire county.  
*Richmond County.* That portion of the county lying north of Spirit Creek, Browns Road, Georgia Secondary Road S-2169, and Fort Gordon Military Reservation.

*Rockdale County.* The entire county, except Georgia Militia District 475.

*Schley County.* The entire county.  
*Screven County.* That portion of the county lying within Georgia Militia Districts 1653, 35, 259, 1676, 34, 36, 80, 37, and 260.

*Seminole County.* The entire county.  
*Spalding County.* The entire county.  
*Stewart County.* The entire county.  
*Sumter County.* The entire county.  
*Talbot County.* The entire county.  
*Tattnall County.* The entire county.  
*Taylor County.* The entire county.  
*Telfair County.* The entire county.  
*Terrell County.* The entire county.  
*Thomas County.* The entire county.  
*Tift County.* The entire county.  
*Toombs County.* The entire county.  
*Treutlen County.* The entire county.  
*Troup County.* The entire county.  
*Turner County.* The entire county.  
*Twiggs County.* The entire county.  
*Upson County.* The entire county.

*Walton County.* That portion of the county lying within Georgia Militia Districts 419, 417, 416, 502, 1675, 418, 503, and 421.

*Ware County.* The entire county.  
*Washington County.* The entire county.  
*Wayne County.* The entire county.  
*Webster County.* The entire county.  
*Wheeler County.* The entire county.  
*Wilcox County.* The entire county.  
*Wilkinson County.* The entire county.  
*Worth County.* The entire county.  
 (2) *Suppressive areas.* None.

## LOUISIANA

(1) *Generally infested areas.* The entire State.

(2) *Suppressive areas.* None.

## MISSISSIPPI

(1) *Generally infested areas.*  
*Adams County.* The entire county.  
*Amite County.* The entire county.  
*Attala County.* The entire county.  
*Bolivar County.* T. 20 N., Rs. 6 and 7 W.  
*Carroll County.* That portion of the county lying east of the west line of R. 4 E.  
*Calhoun County.* The entire county.  
*Chickasaw County.* The entire county.  
*Choctaw County.* The entire county.  
*Claiborne County.* The entire county.  
*Clarke County.* The entire county.  
*Clay County.* The entire county.  
*Copiah County.* The entire county.  
*Covington County.* The entire county.  
*Forrest County.* The entire county.  
*Franklin County.* The entire county.  
*George County.* The entire county.  
*Greene County.* The entire county.  
*Grenada County.* That portion of the county lying east of the west line of R. 5 E.  
*Hancock County.* The entire county.  
*Harrison County.* The entire county.  
*Hinds County.* The entire county.  
*Holmes County.* The entire county.  
*Humphreys County.* T. 13 N., Rs. 3 and 4 W.; T. 16 N., Rs. 3 and 4 W.; and that portion of T. 17 N., R. 3 W. lying in the county.  
*Issaquena County.* The entire county.  
*Itawamba County.* The entire county.  
*Jackson County.* The entire county.  
*Jasper County.* The entire county.  
*Jefferson County.* The entire county.  
*Jefferson Davis County.* The entire county.  
*Jones County.* The entire county.  
*Kemper County.* The entire county.  
*Lafayette County.* That portion of the county lying south of the north line of T. 10 S.; and T. 9 S., Rs. 1 and 2 W.  
*Lamar County.* The entire county.  
*Lauderdale County.* The entire county.  
*Lawrence County.* The entire county.  
*Leake County.* The entire county.  
*Lee County.* The entire county.  
*Lincoln County.* The entire county.  
*Lowndes County.* The entire county.  
*Madison County.* The entire county.  
*Marion County.* The entire county.  
*Monroe County.* The entire county.  
*Montgomery County.* The entire county.  
*Neshoba County.* The entire county.  
*Newton County.* The entire county.  
*Noxubee County.* The entire county.  
*Oktibbeha County.* The entire county.  
*Pearl River County.* The entire county.  
*Perry County.* The entire county.  
*Pike County.* The entire county.  
*Pontotoc County.* The entire county.  
*Prentiss County.* All R. 9 E. lying in the county; those portions of T. 7 S., Rs. 7 and 8 E. lying in the county; and ½ T. 6 S., R. 8 E.  
*Rankin County.* The entire county.  
*Scott County.* The entire county.  
*Sharkey County.* The entire county.  
*Simpson County.* The entire county.  
*Smith County.* The entire county.  
*Stone County.* The entire county.  
*Tishomingo County.* That portion of the county lying south of the north line of T. 6 S.  
*Union County.* The entire county.  
*Walthall County.* The entire county.  
*Warren County.* The entire county.

*Washington County.* The entire county.  
*Wayne County.* The entire county.  
*Webster County.* The entire county.  
*Wilkinson County.* The entire county.  
*Winston County.* The entire county.  
*Yalobusha County.* All of Tps. 10, 11, and 12 S., Rs. 3 and 4 W.; all of Tps. 23 and 24 N., Rs. 5, 6, and 7 E.; and T. 25 N., Rs. 6 and 7 E.

*Yazoo County.* The entire county.  
 (2) *Suppressive areas.* None.

## NORTH CAROLINA

(1) *Generally infested area.*  
*Brunswick County.* The entire county.  
*Carteret County.* The entire county.  
*Columbus County.* That area bounded by a line beginning at a point where North Carolina Highway 130 junctions with State Secondary Road 1170, thence southeast along said highway to its junction with State Secondary Road 1924, thence east along said road to its junction with State Secondary Road 1001, thence north along said road to its intersection with U.S. Highway 74, thence east along said highway to the Brunswick, Columbus County line, thence south and west along said county line to the North Carolina-South Carolina State line, thence northwest along said State line to its junction with the Tabor City boundary line, thence north and east along said boundary line to its intersection with the Seaboard Coast Line Railroad, thence northeast and north along said railroad to its intersection with State Secondary Road 1004, thence northeast along said road to its junction with U.S. Highway 701, thence north along said highway to its junction with State Secondary Road 1170, thence east along said road to the point of beginning, including all the towns of Brunswick and Hallsboro.

*Craven County.* That portion of the county bounded by a line beginning at the junction of the Trent River with the Neuse River, thence east and northeast along the Neuse River to the Craven-Carteret County line, thence southeast and west along said county line to its junction with the Craven-Jones County line, thence north along said county line to its junction with the Trent River, thence northeast and north along said river to the point of beginning.

*Duplin County.* That area bounded by a line beginning at the intersection of State Secondary Road 1704 and State Secondary Road 1705, thence northeast along State Secondary Road 1705 to its junction with the Duplin-Lenoir County line, thence southeast along said county line to its junction with the Duplin-Jones County line, thence southeast along said county line to its intersection with North Carolina Highway 41, thence southwest along said highway to its junction with State Secondary Road 1700, thence west along said road to its intersection with North Carolina Highway 111, thence northwest along said highway to its junction with State Secondary Road 1704, thence northeast along said road to the point of beginning.

*Jones County.* That area bounded by a line beginning at the intersection of the Seaboard Coast Line Railroad and State Secondary Road 1004, thence northeast along said road to the Jones-Craven County line, thence south and east along said county line to the Jones-Carteret County line, thence south and west along said county line to the White Oak River, thence northwest along said river to its intersection with the Seaboard Coast Line Railroad, thence north along said railroad to the point of beginning, excluding the towns of Maysville and Pollockville.

*Onslow County.* The entire county.  
*Pamlico County.* That portion of the county bounded by a line beginning at a point where Goose Creek intersects North

Carolina Highway 55, thence east and southeast along said highway to its junction with State Secondary Road 1322, thence east along said road to its junction with State Secondary Road 1321, thence northeast along said road to its junction with Broad Creek, thence east along said creek to its junction with Pamlico Sound, thence southwest along said sound to its junction with the Neuse River, thence southwest and northwest along said river to its junction with Goose Creek, thence northwest along said creek to the point of beginning, excluding the corporate limits of Alliance, Bayboro, and Stonewall.

**Robeson County.** That area bounded by a line beginning at a point where the Lumber River intercepts Interstate Highway 95, thence east and south along said river to the Columbus-Robeson County line, thence southwest along said county line and Lumber River to their intersection with the North Carolina-South Carolina State line, thence northwest along said State line to the Seaboard Coast Line Railroad, thence northeast along said railroad to its intersection with the Lumber River, thence southeast and east along said river to the point of beginning.

(2) *Suppressive areas.* None.

**SOUTH CAROLINA**

(1) *Generally infested areas.*

**Aiken County.** That portion of the county bounded by a line beginning at a point where the Savannah River and the Aiken-Edgefield County line junction, thence northeast along said county line to its intersection with the South Fork Edisto River, thence southeast along said river to its junction with the Aiken-Barnwell County line, thence southwest along said county line to its intersection with U.S. Highway 278, thence west along said highway to its junction with State Primary Highway 28, thence west along said highway to its junction with the Savannah River, thence northwest along said river to the point of beginning.

**Allendale County.** That portion of the county bounded by a line beginning at a point where State Primary Highway 3 intersects the Allendale-Barnwell County line, thence east along said county line to its junction with the Salkehatchie River, thence southeast along said river to its junction with the Allendale-Hampton County line, thence southwest along said county line to its junction with the Southern Railway, thence north along said railway to its intersection with State Secondary Highway 47, thence northwest along said highway to its intersection with State Primary Highway 3, thence north along said highway to the point of beginning.

**Bamberg County.** The entire county.

**Barnwell County.** That portion of the county bounded by a line beginning at a point where State Primary Highway 39 intersects the South Fork Edisto River, thence east along said river to its junction with the Barnwell-Bamberg County line, thence south along said county line to its junction with the Barnwell-Allendale County line, thence west along said county line to its intersection with State Primary Highway 3, thence northeast along said highway to its junction with U.S. Highway 278, thence north along said highway to its junction with State Primary Highway 37, thence north along said highway to its junction with State Primary Highway 39, thence northeast along said highway to the point of beginning.

**Beaufort County.** The entire county.

**Berkeley County.** The entire county.

**Calhoun County.** The entire county.

**Charleston County.** The entire county.

**Clarendon County.** The entire county.

**Colleton County.** The entire county.

**Darlington County.** That portion of the county bounded by a line beginning at a

point where U.S. Highway 52 intersects the Darlington-Florence County line, thence northwesterly along said highway to its intersection with State Primary Highway 34, thence northeasterly along said highway to its intersection with the Great Pee Dee River, thence southeasterly along said river to its junction with the Darlington-Florence County line, thence southwesterly along said line to the point of beginning.

**Dillon County.** That portion of the county bounded by a line beginning at a point where State Primary Highway 34 intersects the Dillon-Marlboro County line, thence northwest along said highway to its junction with State Secondary Highway 28, thence northeasterly along said highway to its junction with State Primary Highway 9, thence northwesterly along said highway to its intersection with State Secondary Highway 23, thence northeasterly along said highway to its intersection with the Little Pee Dee River, thence southeasterly along said river to its intersection with U.S. Highway 301, thence southwesterly along said highway to its intersection with the Dillon-Marion County line, thence southwesterly, northwesterly, and northeasterly along the Dillon County line to the point of beginning.

**Dorchester County.** The entire county.

**Edgefield County.** That portion of the county bounded by a line beginning at a point where State Secondary Highway 53 intersects the Edgefield-McCormick County line, thence easterly along said highway to its junction with State Secondary Highway 34, thence southeast along said highway to its intersection with the Edgefield-McCormick County line, thence southwest along said county line to its junction with the Savannah River, thence northwest along said river to its junction with the Edgefield-McCormick County line, thence northeast along said county line to the point of beginning.

**Fairfield County.** That portion of the county lying south of a line beginning at a point where State Primary Highway 213 intersects the Broad River, thence northeast and east along said highway to its junction with State Primary Highway 34, thence southeast and east along said highway to its junction with State Secondary Highway 3, thence northeast and east along said highway to a point where it intersects the Fairfield-Kershaw County line.

**Florence County.** That portion of the county bounded by a line beginning at a point where the Lynches River junctions with the Florence-Darlington County line, and extending northeasterly and southeasterly along the Florence County line to its intersection with U.S. Highway 301, thence west along said highway to its junction with State Primary Highway 327, thence southerly and southwesterly along said highway to its junction with U.S. Highway 52, thence south along said highway to its junction with State Primary Highway 541, thence westerly along said highway to its intersection with State Primary Highway 403, thence northwesterly along said highway to its intersection with the Florence-Sumter County line, thence northeast along said line to its junction with the Lynches River, thence northwesterly along said river to the point of beginning.

**Georgetown County.** The entire county.

**Hampton County.** That portion of the county lying south of a line beginning at a point where the Savannah River junctions with the Hampton-Allendale County line, thence east and northeast along said county line to its junction with State Secondary Highway 100, thence east along said highway to its junction with U.S. Highway 321, thence north along said highway to its junction with State Primary Highway 363, thence northeast along said highway to its intersection with the Coosawatchie River, thence

southeast along said river to its intersection with U.S. Highway 278, thence north along said highway to its junction with State Secondary Highway 68, thence southeast along said highway to its junction with State Secondary Highway 140, thence northeast along said highway to its junction with State Secondary Highway 13, thence southeast along said highway to its intersection with Deep Branch, thence east along said branch to its junction with the Combahee River, where the line ends.

**Horry County.** The entire county.

**Jasper County.** The entire county.

**Kershaw County.** That portion of the county lying west and south of a line beginning at a point where the Kershaw-Lancaster County line junctions with State Secondary Highway 58, thence southerly along said highway to its junction with U.S. Highway 521, thence southerly along said highway to its intersection with State Primary Highway 34, thence easterly along said highway to its intersection with the Kershaw-Lee County line, where the line ends.

**Lee County.** That portion of the county bounded by a line beginning at a point where State Primary Highway 34 intersects the Lee-Kershaw County line, thence easterly along said highway to its junction with State Primary Highway 341, thence southeasterly along said highway to its junction with State Secondary Highway 34, thence westerly along said highway to its junction with U.S. Highway 15, thence southwesterly along said highway to its junction with State Primary Highway 441, thence southwesterly along said highway to its junction with State Secondary Highway 25, thence northwesterly along said highway to its intersection with the Lee-Kershaw County line, thence northeast along said line to the point of beginning.

**Lexington County.** That portion of the county lying east of a line beginning at a point where the Lexington-Richland County line intersects State Primary Highway 6, thence south along said highway to its junction with State Primary Highway 215, thence south along said highway to its intersection with the Lexington-Aiken County line, where the line ends.

**Marion County.** That portion of the county bounded by a line beginning at a point where the Great Pee Dee River junctions with the Marion-Dillon County, thence northeasterly along said line to its intersection with State Secondary Highway 83, thence northeast along said highway to its junction with State Secondary Highway 263, thence southerly and east along said highway to its intersection with U.S. Highway 501, thence southerly along said highway to its junction with U.S. Highway 501 By-pass, thence northeasterly along said by-pass to its junction with U.S. Highway 76, thence northwesterly along said highway to its intersection with the Great Pee Dee River, thence northerly along said river to the point of beginning; that portion of the county lying south of U.S. Highway 378.

**Marlboro County.** That portion of the county lying south of a line beginning at a point where the Three Creek junctions with the Great Pee Dee River, thence northeasterly along said creek to a point where its south fork intersects State Secondary Highway 18, thence southeast along said highway to its junction with State Secondary Highway 299, thence southeasterly along said highway to its intersection with the Marlboro-Dillon County line, where the line ends.

**Orangeburg County.** The entire county.

**Richland County.** The entire county.

**Sumter County.** That portion of the county bounded by a line beginning at a point where State Primary Highway 261 intersects the Sumter-Kershaw County line, thence in a southerly direction along said highway to

its junction with State Primary Highway 763, thence east along said highway to its intersection with the corporate limits of the City of Sumter; thence in a southerly and easterly direction along said city limits to its intersection with U.S. Highway 521, thence in a southeasterly direction along said highway to its intersection with the Sumter-Clarendon County line, thence in a southwesterly direction along said line to its junction with the Santee River, thence northwesterly along said river to its junction with the Wateree River, thence northerly along said river to its junction with the Sumter-Kershaw County line, thence northeasterly and easterly along said county line to the point of beginning.

**Williamsburg County.** That portion of the county bounded by a line beginning at a point where the Seaboard Coast Line Railroad intersects the Williamsburg-Florence County line, thence southwest along said railroad to its intersection with U.S. Highway 521, thence southeasterly along said highway to its junction with State Secondary Highway 30, thence northeast along said highway to its junction with State Secondary Highway 254, thence northeasterly along said highway to its intersection with State Primary Highway 527, thence southeasterly along said highway to its junction with State Secondary Highway 383, thence northeast and east along said highway to its intersection with the Seaboard Coast Line Railroad, thence northeasterly along said railroad to its intersection with State Primary Highway 512, thence southeast along said highway to its intersection with the Williamsburg-Georgetown County line, thence in a clockwise direction along the Williamsburg County line to the point of beginning.

(2) *Suppressive areas.* None.

**TEXAS**

(1) *Generally infested areas.*

**Angelina County.** The entire county.  
**Atascosa County.** That portion of the county bounded by a line beginning where Atascosa County line intersects the Medina County line, thence southeasterly along the Atascosa County line to its junction with Texas Highway 97, thence southwesterly along said highway to its intersection with Texas Highway 16, thence north along said highway to its junction with Texas Highway 173, thence northwesterly along said highway to its intersection with the west boundary line of Atascosa County, thence north along said boundary line to the point of beginning, excluding the Cities of Pleasanton and Jourdanon.  
**Austin County.** The entire county.  
**Bexar County.** The entire county.  
**Brazoria County.** The entire county.  
**Brazos County.** The entire county.  
**Burleson County.** That portion of the county lying south and east of Texas Highway 21, excluding the City of Caldwell.  
**Chambers County.** The entire county.  
**Cherokee County.** That portion of the county lying south of U.S. Highway 84, including the City of Rusk.  
**Collin County.** That portion of the county bounded by a line beginning at a point where U.S. Highway 380 intersects the Collin-Denton County line, thence easterly along said highway to its intersection with Texas Highway 78, thence southwesterly along said highway to its intersection with the Dallas-Collin County line, thence westerly along said county line to its junction with the Collin-Denton County line, thence northerly along said county line to the point of beginning, including the Cities of McKinney, Princeton, Renner, and Richardson, excluding the Cities of Farmersville and Wiley.

**Colorado County.** The entire county.  
**Comal County.** That portion of the county lying south and west of the Guadalupe River, excluding the City of New Braunfels.  
**Dallas County.** The entire county.  
**Denton County.** The entire county.  
**De Witt County.** That portion of the county bounded by a line beginning where Farm to Market Road 443 intersects the De Witt-Gonzales County line, thence northwesterly along said county line to its junction with the De Witt-Lavaca County line, thence southwesterly along said county line to its intersection with Farm to Market Road 1447, thence southwesterly along said road to its intersection with U.S. Highway 183, thence northerly along said highway to its junction with Farm to Market Road 443, thence northerly along said road to the point of beginning, excluding the City of Cuero and the Town of Hochheim.  
**Ellis County.** That portion of the county lying within the corporate limits of the Cities of Ennis and Ferris.  
**Fayette County.** That portion of the county bounded by a line beginning at the point where Interstate Highway 10 intersects the Fayette-Gonzales County line, thence easterly along said highway to its intersection with Texas Farm to Market Road 609, thence northeasterly along said road to its junction with Texas Highway 71, thence east along said highway to its junction with Texas Highway 159, thence northeasterly along said highway to its junction with Texas Highway 237, thence northeasterly along said highway to its intersection with the eastern boundary line of Fayette County, thence south along said boundary to its junction with the Fayette-Colorado County line, thence southwesterly along said county line to its junction with the Fayette-Lavaca County line, thence west along said county line to its junction with the Fayette-Gonzales County line, thence northeasterly and northwesterly along said county line to the point of beginning and including the towns of Flatonia and La Grange.  
**Fort Bend County.** The entire county.  
**Galveston County.** The entire county.  
**Gregg County.** The entire county.  
**Grimes County.** The entire county.  
**Hardin County.** The entire county.  
**Harris County.** The entire county.  
**Harrison County.** The entire county.  
**Houston County.** The entire county.  
**Jackson County.** The entire county.  
**Jasper County.** The entire county.  
**Jefferson County.** The entire county.  
**Kendall County.** The entire county.  
**Lavaca County.** The entire county.  
**Liberty County.** The entire county.  
**Madison County.** The entire county.  
**Marion County.** That portion of the county bounded by a line beginning at a point where Texas Highway 49 intersects Texas Highway 43, thence easterly along Texas Highway 49 to its junction with the Texas-Louisiana State line, thence south along said State line to its junction with the Marion-Harrison County line, thence westerly along said county line to its intersection with Texas Highway 43, thence northerly along said highway to the point of beginning.  
**Matagorda County.** That portion of the county bounded by a line beginning at the point where Texas Highway 111 intersects the Matagorda-Jackson County line, thence north along said county line to the point where Jackson, Wharton, and Matagorda Counties join, thence northeast along the Matagorda-Wharton County line to its junction with the Matagorda-Brazoria County line, thence southeasterly along said county line to its intersection with Texas Farm to Market Road 521, thence southwesterly along said road to its intersection with Texas Farm to Market Road 457, thence northwesterly

along said road to its intersection with Texas Farm to Market Road 2540, thence southerly along said road to its junction with Steinmeyer Road, thence west, north, and west along said road to its junction with a dual pipe line 2.5 miles west of the Steinmeyer Triangulation Station, thence west along said pipe line to its intersection with Texas Highway 60, thence northerly along said highway to its intersection with Texas Highway 35, thence west and southwest along said highway to its junction with Texas Farm to Market Road 2431, thence westerly along said road to its junction with Texas Highway 111, thence westerly along said highway to the point of beginning and including the entire Cities of Bay City, Markham, and Midfield.  
**Medina County.** That portion of the county bounded by a line beginning at a point where Texas Farm to Market Road 689 intersects the Medina-Bandersa County line, thence easterly, southerly, and northeasterly along said county line to its junction with the Medina-Bexar County line, thence south along said county line to its junction with the Medina-Frio County line, thence west along said county line to its intersection with Texas Farm to Market Road 462, thence northwest and north along said road to its intersection with U.S. Highway 90, thence east along said highway to its junction with Texas Farm to Market Road 689, thence northerly along said highway to the point of beginning, excluding the Towns of Yancey and Hondo.  
**Montgomery County.** The entire county.  
**Nacogdoches County.** The entire county.  
**Newton County.** The entire county.  
**Nueces County.** The entire county.  
**Orange County.** The entire county.  
**Panola County.** The entire county.  
**Polk County.** The entire county.  
**Rusk County.** That portion of the county lying south of U.S. Highway 79, and including the City of Henderson.  
**Sabine County.** The entire county.  
**San Augustine County.** The entire county.  
**San Jacinto County.** The entire county.  
**San Patricio County.** The entire county.  
**Shelby County.** The entire county.  
**Smith County.** The entire county.  
**Tarrant County.** That portion of the county bounded by a line beginning at a point where Texas Highway 114 intersects the Denton-Tarrant County line, thence east along said county line to the Tarrant-Dallas County line, thence south along said county line to its intersection with Harwood-Dallas County line road, thence westerly along said road to its junction with Arlington-Webb-Britton Road, thence south along said road to its junction with Poly-Webb Road, thence westerly along said road to its junction with U.S. Highway 287, thence northwesterly along said highway to its junction with U.S. Loop 820, thence northerly along said loop to its junction with Texas Highway 121, thence northeasterly along said highway to its intersection with Texas Highway 114, thence northwesterly along said highway to the point of beginning, including the Cities of Colleyville, Grapevine, and Hurst, but excluding the Cities of Fort Worth, South Lake, and West Lake.  
**Trinity County.** The entire county.  
**Tyler County.** The entire county.  
**Victoria County.** The entire county.  
**Walker County.** The entire county.  
**Waller County.** The entire county.  
**Washington County.** The entire county.  
**Wharton County.** The entire county.  
**Wilson County.** That portion of the county bounded by a line beginning at a point where Farm to Market Road 536 intersects the meeting point of the Atascosa-Bexar-Wilson County lines, thence northeasterly along the Bexar-Wilson County line to its junction with Cibolo Creek, thence southerly along

said creek to its intersection with Farm to Market Road 775, thence westerly along said road, to its junction with U.S. Highway 87, thence southeasterly along said highway to its junction with Texas Highway 97, thence southwesterly along said highway to its junction with Farm to Market Road 536, thence westerly along said road to the point of beginning, excluding the City of Floresville and the Towns of LaVernia and Sutherland Springs.

(2) *Suppressive areas.*

*Bowie County.* That area within a circle having a radius of 3 miles with the center at the intersection of Interstate Highway 30 and Texas Highway 8.

(Secs. 8, 9, 37 Stat. 318, as amended, sec. 106, 71 Stat. 33 (7 U.S.C. 161, 162, 150ee); 37 FR 28464, 28477; 38 FR 19140; 7 CFR 301.81-2, 39 FR 21117)

This amendment shall become effective on September 3, 1974.

The Deputy Administrator of the Plant Protection and Quarantine Programs has determined that the imported fire ant has been found or there is reason to believe it is present in the civil divisions and parts of civil divisions listed as regulated areas or that it is necessary to regulate such areas because of their proximity to imported fire and infestation or their inseparability for quarantine enforcement purposes from imported fire ant infested localities. Further, he has also determined that the areas designated as suppressive and generally infested areas eligible for such designation under § 301.81-1.

The Deputy Administrator has also determined that each of the quarantined States, wherein only portions of the State are designated as regulated areas, has adopted and is enforcing a quarantine or regulation which imposes restrictions on the intrastate movement of the regulated articles which are substantially the same as those which are imposed with respect to the interstate movement of such articles under the quarantine and regulations in this subpart, and that the designation of less than the entire State as a regulated area will otherwise be adequate to prevent the interstate spread of the imported fire ant. Therefore, such civil divisions and parts of civil divisions listed above are designated as imported fire ant regulated areas.

This document imposes restrictions that are necessary in order to prevent the dissemination of the imported fire ant and should be made effective promptly to accomplish its purpose in the public interest. Accordingly, it is found upon good cause, under the administrative procedure provisions of 5 U.S.C. 553, that notice and other public procedure with respect to the foregoing amendment are impracticable and unnecessary, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 27 day of August 1974.

T. G. DARLING,  
*Acting Deputy Administrator,  
Plant Protection and Quarantine Programs.*

[FR Doc.74-20220 Filed 8-30-74; 8:45 am]

CHAPTER VI—SOIL CONSERVATION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER F—SUPPORT ACTIVITIES

PART 650—COMPLIANCE WITH NEPA

Subpart A—Guidelines for Preparation of Environmental Impact Statements

FINAL GUIDELINES; CORRECTION

On June 3, 1974, the Soil Conservation Service (SCS) published in the FEDERAL REGISTER (39 FR 19646) final guidelines for preparation of environmental impact statements in compliance with the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 et seq.), in accordance with the guidelines of the Council on Environmental Quality (CEQ) appearing as 40 CFR Part 1500, published in the FEDERAL REGISTER August 1, 1973, and the guidelines of the Department of Agriculture appearing May 20, 1974 (39 FR 18678).

SCS final guidelines were published as Part 650—Preparation of Environmental Impact Statements—Guidelines.

SCS herewith changes the heading of the final guidelines (39 FR 19646) effective this date to read as set forth above.

KENNETH E. GRANT,  
*Administrator.*

[FR Doc.74-20200 Filed 8-30-74; 8:45 am]

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

[Bartlett Pear Reg. 9, Amdt. 1]

PART 931—FRESH BARTLETT PEARS GROWN IN OREGON AND WASHINGTON

Limitation of Shipments

This amendment extends the effective period for the regulatory requirements specified in Bartlett Pear Regulation 9 from September 16, 1974, through August 31, 1975.

On August 6, 1974, notice of proposed rulemaking was published in the FEDERAL REGISTER (39 FR 28291) regarding a proposed amendment of Bartlett Pear Regulation 9 which was issued pursuant to the marketing agreement and Order No. 931 (7 CFR Part 931) regulating the handling of fresh Bartlett Pears grown in Oregon and Washington. This notice allowed interested persons until August 23, 1974, to submit written data, views, or arguments pertaining to this proposed amendment. None were submitted. The proposed amendment was recommended by the Northwest Fresh Bartlett Pear Marketing Committee established pursuant to the said marketing agreement and Order. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). It is hereby found that the amendment, as hereinafter set forth, would tend to effectuate the declared policy of the act.

This action reflects the Department's appraisal of the need for continued regulation on and after September 16, 1974,

based on current and prospective market conditions. The Washington-Oregon Bartlett Pear crop is estimated at 199,000 tons, compared with last season's production of 193,000. This amendment to Bartlett Pear Regulation 9 is designed to prevent the handling on and after September 16, 1974, of lower quality and smaller size Bartlett pears and provide orderly marketing of an adequate supply of acceptable quality Bartlett pears in the interest of producers and consumers, consistent with the objectives of the act.

It is hereby further found that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of such pears are expected to continue on and after September 16, 1974, when Bartlett Pear Regulation 9 would terminate without amendment and Bartlett Pear Regulation 9 should be applicable to all such shipments in order to effectuate the declared policy of the act; (2) notice of proposed rulemaking concerning this amendment to Bartlett Pear Regulation 9, with an effective date as hereinafter specified, was published in the FEDERAL REGISTER (39 FR 28291), and no objection to either this amendment or such effective date was received; and (3) compliance with this amendment will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

Order. The provisions of paragraph (b) of § 931.309 are hereby amended to read as follows:

§ 931.309 Pear Regulation 9.

Order. (a) \* \* \*

(b) During the period August 1, 1974, through August 31, 1975, no handler shall handle any lot of Bartlett pears unless such pears meet the following applicable requirements, or are handled in accordance with subparagraphs (4) or (5) of this paragraph:

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

Dated: August 27, 1974.

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

[FR Doc.74-20214 Filed 8-30-74; 8:45 am]

[Amdt. 10]

PART 947—IRISH POTATOES GROWN IN MODOC AND SISKIYOU COUNTIES IN CALIFORNIA AND IN ALL COUNTIES IN OREGON EXCEPT MALHEUR COUNTY

Subpart—Rules and Regulations

ESTABLISHMENT OF LIST OF MANUFACTURERS OF POTATO PRODUCTS

This document amends the Oregon-California Potato Committee's administrative rule pertaining to the potato products manufacturers list, to further implement the safeguard that potatoes for processing do not find their way into

## RULES AND REGULATIONS

fresh market channels. The amendment requires that persons who wish to be placed on the committee's list of manufacturers of potato products, shall, in addition to the other information called for, certify to the Secretary of Agriculture that the potatoes received for processing will not be diverted to fresh market. The amendment also authorizes the committee to remove from the list of manufacturers of potato products the name of any person who fails to comply with the safeguard provisions of this part. In § 947.134 *Establishment of list of manufacturers of potato products*, under paragraph (b), subparagraph (4) is renumbered as subparagraph (5), and a new subparagraph (4) is inserted. Also paragraph (d) is revised.

The committee is the administrative agency established under Marketing Agreement No. 114 and Order No. 947, both as amended (7 CFR Part 947), regulating the handling of Irish potatoes grown in Modoc and Siskiyou Counties in California and in all counties in Oregon except Malheur County. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

Notice of rulemaking was published in the August 5, 1974, FEDERAL REGISTER (39 FR 28162), regarding this proposal. It afforded interested persons an opportunity to file written data, views, or arguments pertaining thereto not later than August 23, 1974. None was filed.

**Findings.** After consideration of all relevant matters presented, including the proposal set forth in the notice, it is hereby found and determined that the amendment will tend to effectuate the declared policy of the act.

It is further found that good cause exists for not postponing the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) these administrative rules are required to conform with the authorities specified in the amended order; (2) shipments of potatoes grown in the production area are currently being marketed and the amended rules should become effective at the time herein provided to improve operations of the Oregon-California Potato Committee; (3) information regarding the provisions of the recommendations by the committee has been disseminated among the growers and handlers of potatoes in the production area; (4) notice hereof has been given by publication in the FEDERAL REGISTER of August 5, 1974 (39 FR 28162); and (5) compliance with this amendment will not require any special preparation on the part of handlers subject thereto which cannot be completed on or before the effective time hereof.

In § 947.134 paragraph (b), subparagraph (4) is renumbered as subparagraph (5) and a new subparagraph (4) is inserted; and paragraph (d) is revised.

The amendment is as follows:

§ 947.134 Establishment of list of manufacturers of potato products.

(b) \* \* \*

(4) Certification to the Secretary that potatoes received for processing will not be diverted to the fresh market,

(d) The committee may remove from the list of manufacturers of potato products the name of any person who fails to comply with the safeguard requirements of this part.

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

Dated August 27, 1974, to become effective September 9, 1974.

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

[FR Doc.74-20215 Filed 8-30-74;8:45 am]

Title 9—Animals and Animal Products

CHAPTER III—ANIMAL AND PLANT HEALTH INSPECTION SERVICE (MEAT AND POULTRY PRODUCTS INSPECTION), DEPARTMENT OF AGRICULTURE

SUBCHAPTER A—MANDATORY MEAT INSPECTION

PART 317—LABELING, MARKING DEVICES, AND CONTAINERS

PART 318—ENTRY INTO OFFICIAL ESTABLISHMENTS; REINSPECTION AND PREPARATION OF PRODUCTS

SUBCHAPTER C—MANDATORY POULTRY PRODUCTS INSPECTION

PART 381—POULTRY PRODUCTS INSPECTION REGULATIONS

Calendar Date on Labeling of Meat and Poultry Products; Change in Effective Date

**Statement of considerations.** On August 8, 1974, the Animal and Plant Health Inspection Service of the United States Department of Agriculture published in the FEDERAL REGISTER (38 FR 28515-28516) amendments to §§ 317.8 and 318.11 of the meat inspection regulations and §§ 381.126 and 381.129 of the poultry products inspection regulations. These amendments contain provisions relating to voluntary open dating of meat and poultry products produced under Federal inspection. An explanatory statement adjacent to the open date is required and the use of other approved qualifying phrases which would provide additional product information to the consumer is permitted. The effective date of these amendments was September 8, 1974.

Comments from consumers on an earlier proposal with regard to open dating (38 FR 7398) indicated that there was considerable confusion with regard to the meaning of open dates placed on packages without an explanatory state-

ment. Thus, it was the intent of the Department in issuing its final amendments on this matter to remove from labeling material open dates for which no explanatory statement was present to indicate to consumers the meaning of such dates. This intent has not been changed.

It has recently been called to the Department's attention that many food chains are requiring their suppliers to place open dates on meat and poultry products. Most of these open dates, however, have no explanatory phrase to let the consumer know what they represent. Also, the meaning of open dating may vary from one retailer to another.

However, according to the National Association of Food Chains, some food chains have initiated consumer education programs to let their customers know the meaning of open dating as used in their stores. Thus, the National Association of Food Chains requested that an extension of time be granted to permit continuity in the transition of individual open dating programs to the general, uniform plan which has been outlined by the Department of Agriculture. This would also permit retail chains to remain in compliance with some State and local laws which call for unqualified open dates.

The Department has carefully reviewed the matter and weighed information received from retailers participating in open dating programs, as well as their federally inspected suppliers. It is the judgment of the Department that an extension should be given so as to not disrupt several ongoing programs which have proven to be beneficial in bringing improved product information to consumers. Likewise, we do not wish to place federally inspected packers and their retail customers in conflict with any State or local ordinances.

During this transition period, the Department and the National Association of Food Chains are urging retailers to emphasize and increase their consumer education programs in the matter of open dating—most specifically in regard to the meaning of the calendar date being used. Courses of action recommended to retailers included the use of newspaper ads and consumer columns to promote and explain open dating, particularly noting this feature on packaged USDA-inspected meat and poultry products as examples. Similar in-store education programs utilizing bag-stuffers, store posters, or point-of-sale signs were also recommended. It was also suggested that consumer advisors and home economists include an explanation of open dating in their discussions with the public and/or consumer groups.

Therefore, the effective date of the cited amendments providing for the Department's open dating program is postponed to December 8, 1974.

Further, the Department will, upon request, grant individual postponements

beyond December 8, 1974, on a case-by-case basis to packers, who in the interim have been taking all possible action to comply, but are unable to do so because of an inability to secure supplies or make necessary equipment modifications, or because they face other similar hardship situations which are beyond their control. All requests for extensions will be thoroughly reviewed and developments closely followed to assure that labeling materials come into compliance with these amendments in the shortest possible time.

It does not appear that publication of a notice of rulemaking or other public procedure in connection with this action would make additional information available to this Department, and in order to avoid disruption of marketing of meat and poultry products, this postponement action must be made effective not later than September 8, 1974, when the aforesaid amendments otherwise would become effective. Therefore under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that such public procedure is impracticable and contrary to the public interest and good cause is found for making this action effective less than 30 days after publication hereof in the FEDERAL REGISTER. Therefore this postponement action shall become effective on September 3, 1974.

Done at Washington, D.C., on August 28, 1974.

G. H. WISE,  
*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc.74-20331 Filed 8-30-74;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 74-SO-73]

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

Alteration of Transition Area

On July 18, 1974, a notice of proposed rulemaking was published in the FEDERAL REGISTER (39 FR 26293) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Ahoskie, N.C., transition area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., November 7, 1974, as hereinafter set forth.

In § 71.181 (39 FR 440), the Ahoskie, N.C., transition area is amended as follows:

“ \* \* \* 13 miles west of the VORTAC \* \* \* is deleted and “ \* \* \* 8 miles west of the VORTAC \* \* \* ” is substituted therefor.

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

Issued in East Point, Ga., on August 23, 1974.

DUANE W. FREER,  
*Acting Director,  
Southern Region.*

[FR Doc.74-20188 Filed 8-30-74;8:45 am]

[Docket No. 13987, Amdt. 931]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

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

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

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Document Inspection Facility, HQ-405, 800 Independence Avenue, SW., Washington, D.C. 20591 or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of \$150.00 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the same address may be ordered for \$30.00 each.

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

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

1. Section 97.23 is amended by originating, amending, or canceling the following VOR-VOR/DME SIAPs, effective October 10, 1974:

- Aberdeen-Amory, Miss.—Monroe County Arpt., VOR Rwy 19, Amdt. 4.
- Bay City, Mich.—James Clements Muni Arpt., VOR-A, Amdt. 3.
- Centralia, Ill.—Centralia Municipal Arpt., VOR Rwy 36, Amdt. 10.

- Christiansted, St. Croix, V.I.—Alexander Hamilton Arpt., VOR Rwy 27, Amdt. 11.
- Clinton, Okla.—Clinton-Sherman Arpt., VOR Rwy 35, Amdt. 1.
- East St. Louis, Ill.—Bi-State Parks Arpt., VOR/DME-A, Amdt. 2.
- Eugene, Oreg.—Mahlon-Sweet Field, VOR TAC Rwy 34, Amdt. 2.
- Ft. Myers, Fla.—Page Field, VOR Rwy 5, Amdt. 5.
- Ft. Myers, Fla.—Page Field, VOR Rwy 31, Amdt. 1.
- Hammonton, N.J.—Hammonton Muni Arpt., VOR-A, Amdt. 2.
- Hilton Head Island, S.C.—Hilton Head Arpt., VOR/DME-A, Amdt. 3.
- Kokomo, Ind.—Kokomo Municipal Arpt., VOR Rwy 22, Amdt. 9.
- Kokomo, Ind.—Kokomo Municipal Arpt., VOR Rwy 31, Amdt. 11.
- Midland, Mich.—Jack Barstow Arpt., VOR-A, Amdt. 2.
- Moses Lake, Wash.—Grant County Arpt., VOR Rwy 14L, Amdt. 6.
- Moses Lake, Wash.—Grant County, Arpt., VOR Rwy 32R, Amdt. 11.
- San Diego, Calif.—Montgomery Field, VOR/DME-C, Amdt. 1.
- Toms River, N.J.—Robert J. Miller Air Park, VOR Rwy 6, Amdt. 3.

\* \* \* effective September 5, 1974:

- Muncie, Ind.—Delaware County-Johnson Field, VOR Rwy 32, Amdt. 5.

2. Section 97.25 is amended by originating, amending, or canceling the following SDF-LOC-LDA SIAPs, effective October 10, 1974:

- Atlanta, Ga.—The William B. Hartsfield Atlanta Int'l Arpt., LOC (BC) Rwy 9R, Amdt. 1.
- Clinton, Okla.—Clinton-Sherman Airport, LOC (BC) Rwy 17, Amdt. 1.
- Miami, Fla.—Miami Int'l Arpt., LOC (BC) Rwy 9L, Amdt. 1.
- Miami, Fla.—Miami Int'l Arpt., LOC (BC) Rwy 9R, Amdt. 8.

\* \* \* effective September 5, 1974:

- Denver, Colo.—Jeffco Arpt., LOC Rwy 29R, Orig., canceled.

3. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAPs, effective October 10, 1974:

- Clinton, Okla.—Clinton-Sherman Airport, NDB Rwy 17, Amdt. 1.
- East St. Louis, Ill.—Bi-State Parks Arpt., NDB Rwy 30, Amdt. 6.
- Ft. Myers, Fla.—Page Field, NDB Rwy 5, Amdt. 7.
- Houston, Tex.—Hull Field, NDB Rwy 17, Amdt. 2.
- Jackson, Miss.—Hawkins Field, Copter NDB 183, Orig.
- Maxton, N.C.—Laurinburg-Maxton Arpt., NDB Rwy 5, Amdt. 1.
- Miami, Fla.—Miami Int'l Arpt., NDB Rwy 9L, Amdt. 11.
- Miami, Fla.—Miami Int'l Arpt., NDB Rwy 27L, Amdt. 10.
- Moses Lake, Wash.—Grant County Arpt., NDB Rwy 32R, Amdt. 6.
- Orangeburg, S.C.—Orangeburg Arpt., NDB-A, Amdt. 3.
- Rawlins, Wyo.—Rawlins Municipal Arpt., NDB-A, Amdt. 4.
- Sylvester, Ga.—Sylester Arpt., NDB Rwy 1, 2.
- Twin Falls, Idaho—Twin Falls City-County (Joslin Field) Arpt., NDB Rwy 25, Amdt.

\* \* \* effective September 12, 1974.

Carbondale - Murphysboro, Ill.—Southern Illinois Arpt., NDB-A, Amdt. 1.  
 Carbondale - Murphysboro, Ill.—Southern Illinois Arpt., NDB Rwy 6, Amdt. 2.  
 Carbondale - Murphysboro, Ill.—Southern Illinois Arpt., NDB Rwy 18, Orig.

\* \* \* effective August 16, 1974:

Rochester, Ind.—Fulton County Arpt., NDB Rwy 29, Amdt. 5.

4. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAPs, effective October 10, 1974:

Atlanta, Ga.—The William B. Hartsfield Atlanta Int'l Arpt., ILS Rwy 8, Amdt. 45.  
 Atlanta, Ga.—The William B. Hartsfield Atlanta Int'l Arpt., ILS Rwy 9R, Amdt. 6.  
 Atlanta, Ga.—The William B. Hartsfield Atlanta Int'l Arpt., ILS Rwy 26, Amdt. 8.  
 Atlanta, Ga.—The William B. Hartsfield Atlanta Int'l Arpt., ILS Rwy 27L, Amdt. 2.  
 Chicago, Ill.—Chicago O'Hare Int'l Arpt., ILS Rwy 22L, Amdt. 1.

Clinton, Okla.—Clinton-Sherman Arpt., ILS Rwy 35, Amdt. 1.

Miami, Fla.—Miami Int'l Arpt., ILS Rwy 9L, Amdt. 18.

Miami, Fla.—Miami Int'l Arpt., ILS Rwy 27L, Amdt. 14.

Miami, Fla.—Miami Int'l Arpt., ILS Rwy 27R, Amdt. 3.

Minneapolis, Minn.—Minneapolis-St. Paul Int'l. Wold-Chamberlain Arpt., ILS BC Rwy 11R, Amdt. 4.

Minneapolis, Minn.—Minneapolis-St. Paul Int'l. Wold-Chamberlain Arpt., ILS BC Rwy 22, Amdt. 4.

Moses Lake, Wash.—Grant County Arpt., ILS Rwy 32R, Amdt. 8.

Roanoke, Va.—Roanoke Municipal Arpt., ILS Rwy 33, Amdt. 3.

Twin Falls, Idaho—Twin Falls City-County (Joslin Field) Arpt., ILS Rwy 25, Amdt. 2.

\* \* \* effective September 12, 1974:

Carbondale-Murphysboro, Ill.—Southern Illinois Arpt., ILS Rwy 18, Orig.

\* \* \* effective September 12, 1974:

Redding, Calif.—Redding Municipal Arpt., ILS Rwy 34, Amdt. 4.

\* \* \* effective September 5, 1974:

Denver, Colo.—Jeffco Arpt., ILS Rwy 29R, Orig.

5. Section 97.31 is amended by originating, amending, or canceling the following RADAR SIAPs, effective October 10, 1974:

Ft. Smith, Ark.—Ft. Smith Municipal Arpt., RADAR-1, Amdt. 1.

Huntington, W. Va.—Tri-State (Walker Long Field) Arpt., RADAR-1, Amdt. 1.

6. Section 97.33 is amended by originating, amending, or canceling the following RNAV SIAP's, effective October 10, 1974.

East St. Louis, Ill.—Bi-State Parks Arpt., RNAV Rwy 30, Orig.

Hilton Head Island, S.C.—Hilton Head Arpt., RNAV Rwy 3, Orig.

Hilton Head Island, S.C.—Hilton Head Arpt., RNAV Rwy 21, Orig.

Houston, Tex.—Hull Field, RNAV Rwy 17, Orig.

Moses Lake, Wash.—Grant County Arpt., RNAV Rwy 21, Amdt. 3.

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

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

JAMES M. VINES,  
 Chief,  
 Aircraft Programs Division.

NOTE: Incorporation by reference provisions in §§ 97.10 and 97.20 (35 FR 5610) approved by the Director of the Federal Register on May 12, 1969.

[FR Doc.74-20189 Filed 8-30-74;8:45 am]

## CHAPTER II—CIVIL AERONAUTICS BOARD

### SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-871, Amdt. 26]

#### PART 221—CONSTRUCTION, PUBLICATION, FILING AND POSTING OF TARIFFS OF AIR CARRIERS AND FOREIGN AIR CARRIERS

##### Implementation of Section 205 of the Antihijacking Act of 1974

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., August 28, 1974.

Section 205 of the Antihijacking Act of 1974<sup>1</sup> amends Title XI of the Federal Aviation Act of 1958 (49 U.S.C. 1501-1513) by adding a new section 1116, which reads:

The Civil Aeronautics Board shall issue such regulations or orders as may be necessary to require that any air carrier receiving for transportation as baggage any property of a person traveling in air transportation, which property cannot lawfully be carried by such person in the aircraft cabin by reason of any Federal law or regulation, shall assume liability to such person, at a reasonable charge and subject to reasonable terms and conditions, within the amount declared to the air carrier by such person, for the full actual loss or damage to such property caused by such air carrier.

In implementation of the above, the Board is hereby amending section 221 of the Economic Regulations. Since the amendment is confined to literal compliance with the Congressional directive, the Board finds that notice and public procedure thereon are unnecessary.

Accordingly, the Civil Aeronautics Board hereby amends Part 221 of the Economic Regulations (14 CFR Part 221) effective November 4, 1974, by adding a new paragraph (1) to § 221.38 to read as follows:

#### § 221.38 Rules and regulations.

(1) *Passenger tariffs; property which cannot lawfully be carried in the aircraft*

<sup>1</sup> Pub. L. 93-366, 93rd Congress, 2d Session, approved August 5, 1974.

*cabin.* Each air carrier shall set forth in its tariffs governing the transportation of persons, including passengers' baggage, charges, rules, and regulations providing that such air carrier receiving as baggage any property of a person traveling in air transportation, which property cannot lawfully be carried by such person in the aircraft cabin by reason of any Federal law or regulation, shall assume liability to such person, at a reasonable charge and subject to reasonable terms and conditions, within the amount declared to the air carrier by such person, for the full actual loss or damage to such property caused by such air carrier.

(Secs. 204(a), 1116, Federal Aviation Act of 1958, as amended, 72 Stat. 743, 88 Stat. 418; (49 U.S.C. 1324, 1516))

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,  
 Secretary.

[FR Doc.74-20293 Filed 8-30-74;8:45 am]

## Title 28—Judicial Administration

### CHAPTER I—DEPARTMENT OF JUSTICE

#### PART 2—PAROLE, RELEASE, SUPERVISION AND RECOMMITMENT OF PRISONERS, YOUTH OFFENDERS, AND JUVENILE DELINQUENTS

##### Consideration and Revocation

The rules for the Northeast Region of the United States Board of Parole, published at 39 FR 20028 et seq. (June 5, 1974), and made effective to the Western and South Central Regions on July 1, 1974, 39 FR 23261 (June 27, 1974), will become effective in the Board's Southeast Region on September 3, 1974.

The Southeast Region is comprised of the following states: Tennessee, Mississippi, Alabama, Kentucky, North Carolina, South Carolina, Georgia, and Florida.

Federal prisoners in the North Central Region (Minnesota, Wisconsin, Michigan, Iowa, Missouri, Kansas, Nebraska, Illinois, Indiana, and Ohio) will continue to be considered for parole and parole revocation under the Board's present rules until such time as these revised rules are made applicable to that region as it becomes operational.

(28 CFR Part O, Subpart V, and (18 U.S.C. 4201-4210, 5001-5037))

Dated: August 27, 1974.

MAURICE H. SIGLER,  
 Chairman,  
 U.S. Board of Parole.

[FR Doc.74-20310 Filed 8-30-74;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—UNITED STATES 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 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.

By a notice of proposed rulemaking published in the FEDERAL REGISTER of March 18, 1974 (39 FR 10158), notification was given that the Secretary of the Interior proposed 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 U.S. Fish and Wildlife Service, 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 for waterfowl, coots, cranes, snipe, and gallinules. 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 except for those species for which seasons were established in the FEDERAL REGISTER of July 8, 1974 (39 FR 24911) and July 30, 1974 (39 FR 27575) and Federal Regulatory Announcement 93. The amendments will permit taking of the designated species within specified periods of time, beginning as early as September 28, 1974, 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 28, 1974.

Open season dates published in 39 FR 27575 and Regulatory Announcement No. 93 of August 1974 for sea ducks (§ 20.105 (a)) for the States of Maryland, New Jersey, New York, North Carolina, Rhode Island and Virginia are amended to conform with provisions of the Migratory Bird Treaty Act which limits the total hunting period (during sea duck and regular duck seasons combined) for these species to 107 days or less.

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:

Section 20.104 is amended to read as follows:

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

(a) 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.

(b) The season dates, bag limits, and shooting hours published in this paragraph in the FEDERAL REGISTER of July 30, 1974 (39 FR 27575) have been expanded to include season dates for previously deferred seasons and to include snipe season dates for the Pacific Flyway.

	Rails (Sora and Virginia)	Rails (King and Clapper)	Woodcock	Common Snipe (Wilson's)
Daily bag limit.....	25 <sup>1</sup>	See footnote 2	5	8
Possession limit.....	25 <sup>1</sup>	See footnote 2	10	16

Shooting hours: One-half hour before sunrise until sunset daily on all species. Check State regulations for additional restrictions.

Seasons in the Atlantic Flyway:

Connecticut.....	Sept. 2 to Nov. 9	Sept. 2 to Nov. 9	Oct. 19 to Dec. 21	Oct. 19 to Dec. 21
Delaware.....	Sept. 2 to Nov. 9	Sept. 2 to Nov. 9	Oct. 21 to Nov. 7, Nov. 18 to Jan. 2	Oct. 21 to Nov. 7, Nov. 18 to Jan. 2
Florida.....	Sept. 1 to Nov. 9	Sept. 1 to Nov. 9	Dec. 21 to Feb. 23	Nov. 9 to Feb. 23
Georgia.....	Sept. 14 to Nov. 22	Sept. 14 to Nov. 22	Nov. 20 to Jan. 23	Dec. 20 to Feb. 22
Maine.....	Sept. 1 to Nov. 9	Closed	Sept. 23 to Nov. 15	Sept. 23 to Nov. 15
Maryland.....	Sept. 2 to Nov. 9	Sept. 2 to Nov. 9	Oct. 5 to Dec. 7	Oct. 5 to Nov. 28, Dec. 9 to Dec. 13
Massachusetts.....	Sept. 7 to Nov. 15	Sept. 7 to Nov. 15	Oct. 10 to Nov. 30	Sept. 7 to Nov. 10
New Hampshire.....	Closed	Closed	Oct. 1 to Dec. 1	Oct. 1 to Dec. 1
New Jersey.....	Sept. 2 to Nov. 9	Sept. 2 to Nov. 9	Oct. 12 to Dec. 7, Dec. 21 to Dec. 28	Oct. 9 to Nov. 2, Nov. 27 to Jan. 4
New York: <sup>4,5</sup>				
Northern zone.....	Sept. 1 to Nov. 9	Closed	Sept. 20 to Nov. 23	Sept. 20 to Nov. 23
Southern zone.....	Sept. 1 to Nov. 9	Closed	Oct. 1 to Nov. 23	Oct. 1 to Nov. 23
Long Island area.....	Closed	Closed	Oct. 1 to Nov. 23	Closed
North Carolina.....	Sept. 2 to Nov. 9	Sept. 2 to Nov. 9	Dec. 6 to Feb. 8	Dec. 6 to Feb. 8
Pennsylvania.....	Sept. 2 to Nov. 9	Closed	Oct. 12 to Nov. 30	Oct. 12 to Nov. 30
Rhode Island.....	Sept. 23 to Dec. 1	Sept. 23 to Dec. 1	Oct. 19 to Dec. 6, Dec. 16 to Dec. 31	Oct. 19 to Dec. 6, Dec. 16 to Dec. 31
South Carolina.....	Sept. 12 to Nov. 20	Sept. 12 to Nov. 20	Dec. 20 to Feb. 22	Dec. 14 to Jan. 25, Feb. 7 to Feb. 28
Vermont.....	Sept. 28 to Dec. 6	Closed	Sept. 28 to Dec. 1	Sept. 28 to Dec. 1
Virginia.....	Sept. 14 to Nov. 22	Sept. 14 to Nov. 22	Nov. 1 to Jan. 4	Nov. 18 to Jan. 20
West Virginia.....	Oct. 12 to Dec. 20	Closed	Oct. 12 to Dec. 15	Oct. 12 to Dec. 15

Seasons in the Mississippi Flyway:

Alabama.....	Nov. 12 to Jan. 20	Nov. 12 to Jan. 20	Dec. 26 to Feb. 28	Dec. 26 to Feb. 28
Arkansas.....	Sept. 1 to Nov. 9	Closed	Dec. 1 to Feb. 3	Dec. 1 to Feb. 3
Illinois.....	Sept. 1 to Nov. 9	Closed	Oct. 15 to Dec. 15	Oct. 15 to Dec. 15
Indiana.....	Sept. 7 to Nov. 15	Closed	Sept. 28 to Dec. 1	Sept. 28 to Dec. 1
Iowa.....	Sept. 7 to Nov. 10	Closed	Sept. 21 to Nov. 24	Sept. 7 to Nov. 10
Kentucky.....	Nov. 21 to Jan. 20	Closed	Oct. 15 to Dec. 18	Oct. 15 to Dec. 18
Louisiana.....	Nov. 9 to Jan. 17	Nov. 9 to Jan. 17	Dec. 7 to Feb. 9	Dec. 7 to Feb. 9
Michigan: <sup>8</sup>				
Zones 1 and 2.....	Sept. 15 to Nov. 14	Closed	Sept. 15 to Nov. 14	Sept. 15 to Nov. 14
Zone 3.....	Sept. 15 to Nov. 14	Closed	Oct. 21 to Nov. 14	Sept. 15 to Nov. 14
Minnesota.....	Sept. 7 to Nov. 9	Closed	Sept. 7 to Nov. 9	Sept. 7 to Nov. 9
Mississippi.....	Nov. 2 to Jan. 10	Nov. 2 to Jan. 10	Dec. 14 to Feb. 16	Dec. 14 to Feb. 16
Missouri.....	Sept. 1 to Nov. 9	Closed	Oct. 1 to Dec. 4	Oct. 1 to Dec. 4
Ohio.....	Sept. 2 to Nov. 9	Closed	Sept. 14 to Nov. 16	Sept. 14 to Nov. 16
Tennessee.....	Nov. 20 to Dec. 1, Dec. 11 to Dec. 17	Closed	Oct. 12 to Dec. 15	Dec. 25 to Feb. 27
Wisconsin.....	Oct. 2 to Nov. 20	Closed	Sept. 14 to Nov. 17	Oct. 2 to Dec. 5

Seasons in the Central Flyway:

Colorado <sup>6</sup> .....	Sept. 1 to Nov. 9	Closed	Closed	Sept. 1 to Nov. 4
Kansas.....	Sept. 7 to Nov. 15	Closed	Oct. 12 to Dec. 15	Sept. 7 to Nov. 10
Montana <sup>9</sup> .....	Closed	Closed	Closed	Closed
Nebraska.....	Sept. 1 to Nov. 9	Closed	Closed	Sept. 15 to Nov. 18
New Mexico <sup>4</sup> .....	Closed	Closed	Closed	Closed
North Dakota.....	Closed	Closed	Closed	Closed
Oklahoma.....	Sept. 1 to Nov. 9	Closed	Nov. 20 to Jan. 23	Sept. 14 to Nov. 17
South Dakota.....	Closed	Closed	Closed	Oct. 19 to Dec. 22
Texas.....	Sept. 1 to Nov. 9	Sept. 1 to Nov. 9	Nov. 16 to Jan. 19	Sept. 1 to Oct. 31
Wyoming <sup>6</sup> .....	Oct. 5 to Dec. 14	Closed	Closed	Nov. 16 to Jan. 19, Oct. 5 to Nov. 3, Nov. 27 to Dec. 31

See footnotes at end of table.

	Rails (Sora and Virginia)	Rails (King and Clapper)	Woodcock	Common Snipe (Wilson's)
<i>Seasons in the Pacific Flyway:</i>				
Arizona	Closed	Closed	Closed	Nov. 16 to Jan. 19.
California	Closed	Closed	Closed	Oct. 19 to Jan. 19.
Colorado <sup>1</sup>	Closed	Closed	Closed	Sept. 28 to Oct. 11, Nov. 2 to Jan. 19.
Idaho:				
Columbia Basin	Closed	Closed	Closed	Oct. 5 to Jan. 12.
Remainder of State	Closed	Closed	Closed	Oct. 5 to Jan. 5.
Montana <sup>2</sup>	Closed	Closed	Closed	Sept. 28 to Dec. 29.
Nevada:				
Clark and Lincoln Counties	Closed	Closed	Closed	Nov. 16 to Jan. 19.
Remainder of State	Closed	Closed	Closed	Oct. 12 to Jan. 12.
New Mexico <sup>3</sup>	Closed	Closed	Closed	Closed.
Oregon	Closed	Closed	Closed	Oct. 12 to Jan. 12.
Utah	Closed	Closed	Closed	Oct. 5 to Jan. 5.
Washington	Closed	Closed	Closed	Oct. 12 to Jan. 12.
Wyoming <sup>4</sup>	Closed	Closed	Closed	Sept. 28 to Dec. 29.

<sup>1</sup> The bag and possession limits for sora and Virginia rails apply singly or in the aggregate of these two species.

<sup>2</sup> 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.

<sup>3</sup> In New Jersey the season for woodcock is closed on November 8 and reopens on November 9 at 9 a.m.

<sup>4</sup> In the State of New York, the shooting hours for woodcock are sunrise to sunset daily.

<sup>5</sup> For description of zones within a State, see the State's regulations.

<sup>6</sup> Seasons apply to Central Flyway portion of State only.

<sup>7</sup> Seasons apply to Pacific Flyway portion of State only.

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 Miamogee 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 bays 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 AND DELINEATIONS OF GEOGRAPHICAL AREAS WITHIN STATES.

*Seasons in the Atlantic Flyway*

Connecticut	Sept. 20 to Jan. 4.
Delaware	Sept. 20 to Jan. 4.
Georgia	Closed.
Maine	Sept. 28 to Jan. 11.
Maryland <sup>1</sup>	Oct. 2 to Jan. 16.
Massachusetts	Sept. 21 to Jan. 5.
New Hampshire	Sept. 21 to Jan. 5.
New Jersey <sup>1</sup>	Sept. 25 to Jan. 9.
New York <sup>1</sup>	Sept. 24 to Jan. 8.
North Carolina <sup>1</sup>	Oct. 2 to Jan. 16.
Rhode Island <sup>1</sup>	Oct. 2 to Jan. 16.
South Carolina	Oct. 4 to Jan. 18.
Virginia <sup>1</sup>	Oct. 6 to Jan. 20.

<sup>1</sup> This open season date supersedes and replaces that published in the FEDERAL REGISTER of July 30, 1974 (39 FR 27575) and Regulatory Announcement No. 93 of August 1974.

(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.

(c) *Gallinules.*

Limits in the Atlantic, Mississippi, and Central Flyways:  
Daily bag limit..... 15  
Possession limit..... 30

Limits in the Pacific Flyway: The daily bag and possession limits are 25 gallinules and coots, singly or in the aggregate of these two species.

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

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS AND DELINEATIONS OF GEOGRAPHICAL AREAS WITHIN STATES

*Seasons in the Atlantic Flyway*

Connecticut	Sept. 2 to Nov. 9.
Delaware	Sept. 2 to Nov. 9.
Florida <sup>1</sup>	Sept. 1 to Nov. 9.
Georgia	Nov. 13 to Jan. 20.
Maine	Sept. 1 to Nov. 9.
Maryland	Sept. 2 to Nov. 9.
Massachusetts	Sept. 7 to Nov. 15.
New Hampshire	Closed.
New Jersey	Sept. 2 to Nov. 9.
New York:	
Northern and Southern zones	Sept. 1 to Nov. 9.
Long Island area	Closed.
North Carolina	Sept. 2 to Nov. 9.
Pennsylvania	Sept. 2 to Nov. 9.
Rhode Island	Sept. 23 to Dec. 1.
South Carolina	Sept. 12 to Nov. 20.
Vermont	Sept. 28 to Dec. 6.
Virginia	Nov. 27* to Jan. 20.
West Virginia	Oct. 12 to Dec. 20.

*Seasons in the Mississippi Flyway*

Alabama	Nov. 12 to Jan. 20.
Arkansas	Nov. 7 to Jan. 18.
Illinois	Closed.
Indiana	Sept. 7 to Nov. 15.
Iowa	Closed.
Kentucky	Nov. 21 to Jan. 20.
Louisiana	Sept. 21 to Nov. 29.
Michigan:	
Zone 1	Oct. 2* to Nov. 20.
Zones 2 and 3	Oct. 9 to Nov. 20.
Minnesota	Oct. 2* to Nov. 15.
Mississippi	Nov. 2 to Jan. 10.
Missouri	Sept. 1 to Nov. 9.
Ohio	Sept. 2 to Nov. 9.
Tennessee	Nov. 20* to Dec. 1.
	Dec. 11* to Jan. 17.
Wisconsin	Oct. 2* to Nov. 20.

*Seasons in the Central Flyway*

Colorado <sup>2</sup>	Closed.
Kansas	Closed.
Montana <sup>3</sup>	Closed.
Nebraska	Closed.
New Mexico <sup>2</sup>	Nov. 16 to Jan. 10.
North Dakota	Closed.
Oklahoma	Sept. 1 to Nov. 9.
South Dakota	Closed.
Texas	Sept. 1 to Nov. 9.
Wyoming <sup>2</sup>	Closed.

*Seasons in the Pacific Flyway*

Arizona	Sept. 28 to Oct. 25.
	Nov. 16 to Jan. 19.
California:	
Tule Lake Area	Oct. 12 to Jan. 12.
Colorado River Area	Sept. 28 to Oct. 25.
	Nov. 16 to Jan. 19.
Remainder of State	Oct. 19 to Jan. 19.
Colorado <sup>1</sup>	Sept. 28 to Oct. 11.
	Nov. 2 to Jan. 19.
Idaho:	
Columbia Basin	Oct. 5 to Jan. 12.
Remainder of State	Oct. 5 to Jan. 5.
Montana <sup>3</sup>	Sept. 28 to Dec. 29.

See footnotes at end of table.

Nevada:	
Clark and Lincoln Counties.	Sept. 28 to Oct. 25. Nov. 16 to Jan. 19.
Remainder of State...	Oct. 12 to Jan. 12.
New Mexico <sup>2</sup> -----	Do.
Oregon:	
Columbia Basin.....	Oct. 12 to Jan. 19.
Remainder of State...	Oct. 12 to Jan. 12.
Utah-----	Oct. 5 to Jan. 5.
Washington:	
Columbia Basin.....	Oct. 12* to Jan. 19.
Remainder of State...	Oct. 12* to Jan. 12.
Wyoming <sup>3</sup> -----	Sept. 28 to Dec. 29.

<sup>1</sup> The gallinule season in Florida applies to the Florida gallinule only. No open season on purple gallinule in Florida.

<sup>2</sup> Seasons apply to Central Flyway portion of State only.

<sup>3</sup> Seasons apply to Pacific Flyway portion of State only.

\* NOTE.—Season opens at noon local time.

(d) Canada geese in the Horicon Zone.

(e) Atlantic, Mississippi, and Central Flyways.

Atlantic Flyway

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

Flywaywide Restrictions

In all States in the Atlantic Flyway:

Wood ducks—no more than 2 wood ducks may be taken daily nor more than 4 wood ducks may be in possession.

Canvasbacks and redheads—the season is closed on canvasbacks and redheads.

Hooded mergansers—no more than 1 hooded merganser may be taken daily nor more than 2 hooded mergansers may be in possession.

Blue and snow geese—the season is closed on blue and snow geese.

Brant—the season is closed on brant.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS AND DELINEATIONS OF GEOGRAPHICAL AREAS WITHIN STATES

The season dates for mergansers and coots are the same as those for ducks in the following tables:

	Season dates	Limits	
		Bag	Possession
<b>Connecticut:</b>			
Coastal Area only:			
Ducks.....	Oct. 16* to Oct. 18.....	4	8
Including no more than: Black ducks.....		2	4
Mergansers.....		5	10
Coots.....		15	30
Statewide:			
Ducks.....	Oct. 19 to Oct. 26; Nov. 27* to Jan. 4.....	4	8
Including no more than: Black ducks.....		2	4
Mergansers.....		5	10
Coots.....		15	30
Geese.....	Oct. 19 to Dec. 27.....	3	6
<b>Delaware:</b>			
Ducks.....	Nov. 6* to Nov. 30; Dec. 11* to Jan. 4.....	5	10
Including no more than: Black ducks.....		1	2
Mergansers.....		5	10
Coots.....		15	30
Geese.....	Nov. 6* to Dec. 7; Dec. 11* to Jan. 17.....	3	6
<b>Florida:</b>			
Ducks.....	Nov. 27* to Jan. 20.....	Point system	Point system
Coots.....		15	30
Geese.....	Closed.....		
<b>Georgia:</b>			
Ducks.....	Nov. 27* to Dec. 5; Dec. 11* to Jan. 20.....	5	10
Including no more than: Black ducks.....		1	2
Mergansers.....		5	10
Coots.....		15	30
Geese.....	Closed.....		
<b>Maine:</b>			
Ducks.....	Oct. 2* to Oct. 19; Nov. 13* to Dec. 14.....	4	8
Including no more than: Black ducks.....		2	4
Mergansers.....		5	10
Coots.....		15	30
Geese.....	Oct. 2* to Dec. 10.....	3	6
<b>Maryland:</b>			
Ducks.....	Nov. 6* to Nov. 29; Dec. 18* to Jan. 16.....	Point system	Point system
Coots.....		15	30
Geese.....	Nov. 1 to Nov. 29; Dec. 9 to Jan. 18.....	3	6
<b>Massachusetts:</b>			
Ducks.....	Oct. 16* to Nov. 2; Nov. 27* to Dec. 28.....	4	8
Including no more than: Black ducks.....		2	4
Mergansers.....		5	10
Coots.....		15	30
Geese.....	Oct. 16* to Nov. 9; Nov. 28 to Jan. 11.....	3	6
<b>New Hampshire:</b>			
Ducks.....	Oct. 2* to Oct. 26; Nov. 20* to Dec. 14.....	4	8
Including no more than: Black ducks.....		2	4
Mergansers.....		5	10
Coots.....		15	30
Geese.....	Oct. 2* to Oct. 26; Nov. 20* to Jan. 3.....	3	6
<b>New Jersey:</b>			
Ducks.....	Oct. 9* to Oct. 19; Nov. 27* to Jan. 9.....	Point system	Point system
Coots.....		15	30
Geese.....	Oct. 9* to Nov. 2; Nov. 27* to Jan. 10.....	3	6
<b>New York:</b>			
Long Island Area:			
Ducks.....	Nov. 20* to Jan. 8.....	4	8
Including no more than: Black ducks.....		2	4
Mergansers.....		5	10
Coots.....		15	30
Geese.....	Nov. 20* to Jan. 20.....	3	6

See footnotes at end of table.

	Season dates	Limits	
		Bag	Possession
<b>Lake Champlain Area:</b>			
Ducks	Oct. 9 <sup>1</sup> to Nov. 27	4	8
Including no more than: Black ducks		2	4
Mergansers		5	10
Coots		15	30
Geese	Oct. 9 <sup>1</sup> to Dec. 17	3	6
<b>Upstate New York:</b>			
Ducks	Oct. 16 <sup>1</sup> to Nov. 23; Dec. 25 <sup>1</sup> to Jan. 4	4	8
Including no more than: Black ducks		2	4
Mergansers		5	10
Coots		15	30
Geese	Oct. 16 to Dec. 24	3	6
<b>North Carolina:</b>			
Ducks	Oct. 9 <sup>1</sup> to Oct. 12; Nov. 27 <sup>1</sup> to Jan. 10	Point system	Point system
Coots		15	30
Geese	Nov. 28 to Jan. 16	1	2
<b>Pennsylvania:<sup>1</sup></b>			
Ducks	Oct. 12 to Oct. 19; Nov. 8 to Dec. 14	4	8
Including no more than:			
Black ducks		2	4
Wood ducks		2	2
Mergansers		5	10
Coots		15	30
Geese	Oct. 12 to Dec. 20	3	6
<b>Rhode Island:</b>			
Ducks	Oct. 23 <sup>1</sup> to Oct. 26; Nov. 27 <sup>1</sup> to Jan. 16	Point system	Point system
Coots		15	30
Geese	Nov. 12 to Jan. 20	3	6
<b>South Carolina:</b>			
Ducks	Nov. 20 <sup>1</sup> to Nov. 30; Dec. 11 <sup>1</sup> to Jan. 18	5	10
Including no more than: Black ducks		1	2
Mergansers		5	10
Coots		15	30
Geese	Nov. 20 to Nov. 30; Dec. 11 to Jan. 18	1	2
<b>Vermont:</b>			
Ducks	Oct. 9 <sup>1</sup> to Nov. 27	4	8
Including no more than: Black ducks		2	4
Mergansers		5	10
Coots		15	30
Geese	Oct. 9 <sup>1</sup> to Dec. 17	3	6
<b>Virginia:</b>			
Ducks	Nov. 27 <sup>1</sup> to Jan. 20	Point system	Point system
Coots		15	30
Geese:			
Back Bay Area	Nov. 27 to Jan. 15	1	2
Remainder of State	Nov. 12 to Jan. 20	3	6
<b>West Virginia:</b>			
Ducks	Oct. 2 <sup>1</sup> to Oct. 19; Dec. 18 <sup>1</sup> to Jan. 18	4	8
Including no more than: Black ducks		2	4
Mergansers		5	10
Coots		15	30
Geese	Oct. 2 to Dec. 10	3	6

<sup>1</sup> In the Pennsylvania counties of Butler, Clarion, Crawford, Erie, Forest, Jefferson, Lawrence, Mercer, Venango, and Warren, on October 12, the shooting hours for ducks and geese are sunrise to sunset.  
 \* NOTE: Season opens at noon local time.

**Mississippi Flyway**

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

**Flywaywide Restrictions**

In all States in the Mississippi Flyway: Wood ducks—no more than 2 wood ducks may be taken daily nor more than 4 wood ducks may be in possession.

Canvasbacks and redheads—except in closed areas, the limit on canvasbacks and redheads is 1 canvasback daily and 1 in possession or 1 redhead daily and 1 in possession. Under the point system canvasbacks and redheads count 100 points each except in closed areas. The areas closed to canvasback and redhead hunting are:

Mississippi River. Entire river, both sides, from Alton Dam upstream to Prescott, Wis-

consin, at confluence of St. Croix River.  
 Alabama ----- Baldwin and Mobile Counties.  
 Louisiana ----- Caddo, St. Charles, and St. Mary Parishes; that portion of Ward 1 formerly designated as Ward 6 of St. Martin Parish; and Catahoula Lake in La-Salle and Rapides Parishes.  
 Michigan ----- Arenac, Bay, Huron, Macomb, Monroe, St. Clair, Tuscola, and Wayne Counties, and those adjacent waters of Saginaw Bay south of a line extending from Point au Gres in Sec. 6, T18N, R7E (Arenac County) to Sand Point in Sec. 11,

T17N, R9E (Huron County), the St. Clair River, Lake St. Clair, the Detroit River and Lake Erie, under jurisdiction of the State of Michigan.

Minnesota ----- That area south of U.S. Highway 2 from the North Dakota border to Bemidji; west of U.S. Highway 71 from Bemidji to its intersection with U.S. Highway 52 (Interstate Highway 94); southwest of U.S. Highway 52 (Interstate Highway 94) from U.S. Highway 71 to Minneapolis/St. Paul; northwest of U.S. Highway 169 from Minneapolis/St. Paul to Mankato; north of U.S. Highway 14 from Mankato to Sleepy Eye; east of State Highway 4 from Sleepy Eye to State Highway 7; north of State Highway 7 from State Highway 4 to intersection with U.S. Highway 212; north of U.S. Highway 212 to the North Dakota border.

Ohio ----- Land and water areas comprising Erie, Ottawa and Sandusky Counties.

Tennessee ----- Kentucky Lake lying north of Interstate Highway 40.

Wisconsin ----- In the Mississippi River Zone, all that part of Wisconsin west of the CB&Q railroad in Grant, Crawford, Vernon, La Crosse, Trempealeau, Buffalo, Pepin, and Pierce Counties. Also, Dodge and Winnebago Counties and the land and water areas extending 100 yards from the shorelines of Lake Poygan in Waushara County, Lake Winnebago in Calumet and Fond du Lac Counties, and Rush Lake, Fond du Lac County.

Hooded mergansers—no more than 1 hooded merganser may be taken daily nor more than 2 hooded mergansers may be in possession.

White-fronted geese—no more than 2 white-fronted geese may be taken daily or held in possession.

**CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS AND DELINEATIONS OF GEOGRAPHICAL AREAS WITHIN STATES**

The season dates for mergansers and coots are the same as those for ducks in the following tables:

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	Season dates	Limits	
		Bag	Possession
<b>Alabama:</b>			
Ducks	Dec. 4 * to Jan. 20	Point system	Point system
Coots		15	30
<b>Geese:</b>			
In Russell and Barbour Counties	Closed season		
In remainder of State	Nov. 12 to Jan. 20	5	5
Including no more than:			
Canada geese		1	2
White-fronted geese		2	2
Canada and white-fronted combined		2	4
Blue and snow geese		5	5
<b>Arkansas:</b>			
Ducks	Nov. 20 * to Dec. 7; Dec. 18 * to Jan. 18	Point system	Point system
Coots		15	30
Geese		5	5
Including no more than:			
Canada geese	Dec. 20 to Jan. 18 only	1	2
White-fronted geese	Nov. 10 to Jan. 18	2	2
Blue and snow geese	Nov. 10 to Jan. 18	5	5
<b>Illinois:</b>			
Ducks	Oct. 23 * to Dec. 11	Point system	Point system
Coots		15	30
<b>Geese: 1 2</b>			
In Alexander, Jackson, Union, and Williamson Counties, 3	Nov. 25 to Jan. 20	5	5
In remainder of the State	Oct. 23 * to Dec. 31		
For the entire State			
Including no more than:			
Canada geese		2	4
White-fronted geese		2	2
Canada and white-fronted combined		2	4
Blue and snow geese		5	5
<b>Indiana:</b>			
Ducks	Oct. 30 * to Dec. 1; Dec. 18 * to Dec. 29	4	8
Including no more than:			
Mallards		2	4
Black ducks		2	4
Mallards and black ducks combined		2	4
Mergansers		5	10
Coots		15	30
Geese	Oct. 26 to Dec. 14; Jan. 1 to Jan. 20	5	5
Including no more than:			
Canada geese		1	2
White-fronted geese		2	2
Canada and white-fronted combined		2	4
Blue and snow geese		5	5
<b>Iowa:</b>			
Ducks	Oct. 5 to Oct. 12; Oct. 26 to Dec. 1	Point system	Point system
Coots		15	30
Geese		5	5
Including no more than:			
Canada geese	Oct. 1 to Nov. 14 only	1	2
White-fronted geese	Oct. 1 to Dec. 9	2	2
Canada and white-fronted combined		3	4
Blue and snow geese	Oct. 1 to Dec. 9	5	5
<b>Kentucky:</b>			
Ducks	Nov. 20 * to Nov. 28; Dec. 11 * to Jan. 20	Point system	Point system
Coots		15	30
Geese 1	Nov. 12 to Jan. 20	5	5
In Ballard, Hickman, Fulton and Carlisle Counties, including no more than:			
Canada geese		2	4
White-fronted geese		2	2
Canada and white-fronted combined		2	4
Blue and snow geese		5	5
In remainder of State, including no more than:			
Canada geese		1	2
White-fronted geese		2	2
Canada and white-fronted combined		2	4
Blue and snow geese		5	5
<b>Louisiana:</b>			
Ducks	Nov. 6 * to Dec. 7; Dec. 18 * to Jan. 4	Point system	Point system
Coots		15	30
Canada geese	Closed season		
Geese (except Canada geese):			
In areas east of Mississippi River (31° to 33° North latitude)	Same as Mississippi		
In remainder of State	Nov. 7 to Dec. 7; Dec. 19 to Jan. 26	5	5
Including no more than:			
White-fronted geese		2	2
Blue and snow geese		5	5
<b>Michigan</b>			
Ducks:		Point system	Point system
Zone 1	Oct. 2 * to Nov. 20		
Zones 2 and 3	Oct. 9 to Nov. 20		
Coots		15	30
Geese		5	5
Zone 1	Oct. 2 to Nov. 30		
Zones 2 and 3	Oct. 9 to Nov. 30		
Including no more than:			
Canada geese		1	1
White-fronted geese		2	2
Canada and white-fronted combined		2	3
Snow and blue geese		5	5

See footnotes at end of table.

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	Season dates	Limits	
		Bag	Possession
<b>Minnesota:</b>			
Ducks	Oct. 2 <sup>1</sup> to Nov. 15	4	8
Including no more than:			
Mallards		2	4
Black ducks		2	4
Mallards and black ducks combined		2	4
Mergansers		5	10
Coots		15	30
Geese		5	5
In Southeastern Zone (Canada, snow, blue, and white-fronted geese).			
	Oct. 2 <sup>1</sup> to Dec. 10		
In remainder of State (snow, blue, and white-fronted geese).			
	Oct. 2 <sup>1</sup> to Nov. 15		
Canada geese.			
	Oct. 2 <sup>1</sup> to Oct. 31		
In both areas, including no more than:			
Canada geese		1	2
White-fronted geese		2	2
Canada and white-fronted combined		2	4
Blue and snow geese		5	5
<b>Mississippi:</b>			
Ducks	Nov. 27 <sup>1</sup> to Dec. 5; Dec. 11 <sup>1</sup> to Jan. 20	Point system	Point system
Coots		15	30
Geese:			
In areas west of Mississippi River (31° to 33° North latitude).			
Same as Louisiana			
In remainder of State			
	Oct. 5 to Nov. 5; Dec. 14 to Jan. 20	5	5
Including no more than:			
Canada geese:			
In Issaquena, Sharkey, Washington, Lowndes, Noxubee, Oktibbeha and Winston Counties			
	Closed season		
In Lafayette, Marshall, and Panola Counties.			
		1	2
In remainder of State			
		2	2
White-fronted geese			
		2	2
Canada and white-fronted combined:			
		3	4
In Lafayette, Marshall, and Panola Counties.			
		4	4
In remainder of State			
		5	5
Blue and snow geese			
<b>Missouri:</b>			
Ducks	Oct. 30 <sup>1</sup> to Dec. 18	Point system	Point system
Coots		15	30
Geese		5	5
Including no more than, Canada geese:			
Lower Mississippi Area, east of Interstate Highway 55 and south of Crystal City.			
	Dec. 1 to Jan. 20	2	4
In Swan Lake area <sup>2</sup> .			
	Oct. 30 <sup>1</sup> to Jan. 7	1	2
In remainder of State			
	Oct. 30 <sup>1</sup> to Dec. 18	1	2
White-fronted geese			
	Oct. 30 <sup>1</sup> to Jan. 7	2	2
Canada and white-fronted combined			
		2	4
Blue and snow geese			
	Oct. 30 <sup>1</sup> to Jan. 7	5	5
<b>Ohio:</b>			
In Pymatuning Area:			
Ducks	Oct. 12 to Oct. 19; Nov. 8 to Dec. 14	4	8
Including no more than, Black ducks			
		2	4
Mergansers		5	10
Coots		15	30
Geese (except blue and snow)	Oct. 12 to Dec. 20	3	6
In remainder of State:			
Ducks	Oct. 16 <sup>1</sup> to Nov. 30; Jan. 1 <sup>1</sup> to Jan. 4	Point system	Point system
Coots		15	30
Geese	Oct. 16 <sup>1</sup> to Dec. 20; Jan. 1 <sup>1</sup> to Jan. 4	5	5
Including no more than:			
Canada			
		1	2
White-fronted geese			
		2	2
Canada and white-fronted combined			
		2	4
Blue and snow geese			
		5	5
<b>Tennessee:</b>			
Ducks	Nov. 20 <sup>1</sup> to Dec. 1; Dec. 11 <sup>1</sup> to Jan. 17	Point system	Point system
Coots		15	30
Geese	Nov. 12 to Jan. 20	5	5
Including no more than: Canada geese:			
In Shelby, Lake, Tipton, Lauderdale, Dyer and Obion Counties.			
		2	2
In remainder of State			
		1	2
White-fronted geese			
		2	2
Canada and white-fronted combined:			
		4	4
In Shelby, Lake, Tipton, Lauderdale, Dyer and Obion Counties.			
		3	4
In remainder of State			
		5	5
Blue and snow geese			

See footnotes at end of table.

	Season dates	Limits	
		Bag	Possession
Wisconsin:			
Ducks.....	Oct. 2 <sup>1</sup> to Nov. 20.....	Point system	Point system
		15	30
Coots.....			
Geese:			
In Horizon zone.....	Oct. 10 to Oct. 27.....	1	1
In remainder of State.....	Oct. 2 <sup>1</sup> to Dec. 10.....	5	5
Including no more than:			
Canada geese <sup>2</sup> .....		1	2
White-fronted geese.....		2	2
Canada and white-fronted combined.....		2	4
Blue and snow geese.....		5	5

\* Note: Season opens at noon, local time.  
<sup>1</sup> Notwithstanding the provisions of § 20.39, geese taken in the States of Illinois, Kentucky, and Missouri may not be transported or delivered for transportation by common carrier, the Postal Service, or by any person except as the personal baggage of the hunter who took the birds.  
<sup>2</sup> In the States of Illinois and Wisconsin, the kill of Canada geese will be limited to 28,000 birds in each State. In the Swan Lake area of Missouri, the kill of Canada geese will be limited to 20,000 birds. When it is determined by the Director, U.S. Fish and Wildlife Service, that the quota of Canada geese allotted to the State of Illinois or to the Swan Lake area of Missouri will have been killed, the season for taking Canada geese in the respective areas will be closed by the Director upon giving public notice through local information media at least 48 hours in advance of the time and day of closing.  
<sup>3</sup> Shooting hours for geese are sunrise until 3 p.m. local time.

**Central Flyway**

Including Central Flyway portions only of Colorado, Montana, New Mexico, and Wyoming.

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

**Flywaywide Restrictions**

In all States in the Central Flyway:  
 Mallards—no more than 3 mallards of which not more than 1 mallard may be a hen may be taken daily nor more than 6 mallards of which not more than 2 mallards may be hens may be in possession.

Wood ducks—no more than 2 wood ducks may be taken daily nor more than 4 wood ducks may be in possession.

Canvasbacks and redheads—except in closed areas, the limit on canvasbacks and redheads is 1 canvasback daily and 1 in possession or 1 redhead daily and 1 in possession. Under the point system canvasbacks and redheads count 100 points each except in closed areas. The areas closed to canvasback and redhead hunting are:

North Dakota.... All that portion east of State Highway 3, including all or portions of 27 counties.

South Dakota... The Counties of Brookings, Codington, Day, Kingsbury, Lake, Roberts, Marshall, and Hamlin.  
 Texas..... The Counties of Aransas, Brazoria, Calhoun, Cameron, Chambers, Galveston, Harris, Jackson, Jefferson, Kenedy, Kleberg, Matagorda, Nueces, Refugio, San Patricio, and Willacy.

Hooded mergansers—no more than 1 hooded merganser may be taken daily nor more than 2 hooded mergansers may be in possession.

Canada geese—no more than 2 Canada geese may be taken daily or held in possession.

White-fronted geese—no more than 2 white-fronted geese may be taken daily or held in possession.

Ross' geese—no more than 1 Ross' goose may be taken daily or held in possession.

**CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS AND DELINEATIONS OF GEOGRAPHICAL AREAS WITHIN STATES**

The season dates for mergansers and coots are the same as those for ducks in the following tables:

	Season dates	Limits	
		Bag	Possession
Colorado:			
Ducks.....	Oct. 5 to Oct. 13; Nov. 9 to Jan. 3.....	Point system	Point system
		15	30
Coots.....			
Geese.....	Oct. 26 to Jan. 19.....	2	4
Kansas:			
Ducks:			
In High Plains area.....	Oct. 19 to Dec. 8; Dec. 23 to Jan. 5.....	Point system	Point system
		Point system	Point system
In remainder of State.....	Oct. 19 to Dec. 8; Dec. 23 to Dec. 29.....	15	30
Coots.....			
Geese.....		5	5
Including no more than:			
Canada geese.....	Oct. 19 to Dec. 15.....	1	2
White-fronted geese.....	Oct. 19 to Dec. 29.....	1	1
Canada and white-fronted combined.....		2	2
Blue and snow geese.....	Oct. 19 to Dec. 29.....	5	5
Montana:			
Ducks.....	Sept. 28 to Nov. 15; Dec. 21 to Jan. 5.....	Point system	Point system
		15	30
Coots.....			
Geese.....	Sept. 28-Dec. 29.....	2	4

## RULES AND REGULATIONS

	Season dates	Limits	
		Bag	Possession
<b>Nebraska:</b>			
Ducks:			
In High Plains area.....	Oct. 5 to Nov. 17; Dec. 14 to Jan. 3.....	Point system	Point system
In remainder of State.....	Oct. 12 to Dec. 8.....	Point system	Point system
Coots.....		15	30
Geese.....	Sept. 28 to Dec. 8.....	5	5
West of Highway 183, through Nov. 24, including no more than:			
Canada geese.....		2	2
White-fronted geese.....		1	1
Canada and white-fronted combined.....		2	2
Blue and snow geese.....		5	5
East of Highway 183, and west of Highway 183 after Nov. 24, including no more than:			
Canada geese.....		1	2
White-fronted geese.....		1	1
Canada and white-fronted combined.....		2	2
Blue and snow geese.....		5	5
<b>New Mexico:</b>			
Ducks (except Mexican duck).....	Nov. 16 to Jan. 19.....	Point system	Point system
Mexican ducks.....	Season closed.....	Point system	Point system
Coots.....		15	30
Geese:			
In Bernalillo, Sandoval, Sierra, Socorro, and Valencia Counties.....	Dec. 28 to Jan. 12.....	1	2
In remainder of State.....	Nov. 16 to Jan. 19.....	2	4
<b>North Dakota:</b>			
Ducks.....	Sept. 28 to Nov. 17.....	5	10
Mergansers.....		5	10
Coots.....		15	30
Geese.....	Sept. 28 to Nov. 17.....	5	5
Including no more than:			
Canada geese.....		1	2
White-fronted geese.....		2	2
Canada and white-fronted combined.....		2	2
Blue and snow geese.....		5	5
<b>Oklahoma:</b>			
Ducks:			
In High Plains area.....	Oct. 19 to Nov. 16; Dec. 7 to Jan. 11.....	Point system	Point system
In remainder of State.....	Oct. 26 to Nov. 16; Dec. 7 to Jan. 11.....	Point system	Point system
Coots.....		15	30
Geese.....		5	5
In Alfalfa, Bryan, Johnson, and Marshall Counties.....	Nov. 2 to Nov. 16; Dec. 7 to Jan. 11.....		
In remainder of State.....	Oct. 12 to Nov. 16; Dec. 7 to Jan. 11.....		
Including no more than:			
Canada geese.....		2	2
White-fronted geese.....		1	1
Canada and white-fronted combined.....		2	2
Blue and snow geese.....		5	5
<b>South Dakota:</b>			
Ducks:			
In High Plains area.....	Oct. 5 to Nov. 29; Dec. 21 to Dec. 29.....	Point system	Point system
In remainder of State.....	Oct. 5 to Dec. 1.....	Point system	Point system
Coots.....		15	30
Geese.....	Oct. 5 to Dec. 1.....	5	5
Including no more than:			
Canada geese.....		1	2
White-fronted geese.....		1	1
Canada and white-fronted combined.....		2	2
Blue and snow geese.....		5	5
<b>Texas:</b>			
Ducks (except Mexican, fulvous tree and black-bellied tree duck):			
In High Plains area.....	Nov. 4 to Nov. 24; Dec. 7 to Jan. 19.....	Point system	Point system
In remainder of State.....	Nov. 9 to Nov. 24; Dec. 9 to Jan. 19.....	Point system	Point system
Mexican, fulvous tree and black-bellied tree ducks.....	Closed season.....		
Geese:			
East of Highway 81.....	Oct. 28 to Nov. 24; Dec. 7 to Jan. 19.....		
Including no more than:			
Canada geese.....		1	2
White-fronted geese.....		1	1
Canada and white-fronted combined.....		1	2
West of Highway 81.....	Oct. 19 to Jan. 19.....		
Including no more than:			
Canada geese.....		2	4
White-fronted geese.....		1	1
Canada and white-fronted combined.....		2	2
Statewide: Blue and snow geese.....		5	5
<b>Wyoming:</b>			
Ducks.....	Oct. 12 to Nov. 3; Nov. 18 to Dec. 29.....	Point system	Point system
Coots.....		15	30
Geese.....	Oct. 12 to Jan. 12.....	2	4

(f) *Pacific Flyway* including Pacific Flyway portions only of Colorado, Montana, New Mexico, and Wyoming.

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

*Flywaywide Restrictions*

In all States in the Pacific Flyway: Canvasbacks—except in closed areas, the limit on canvasbacks is 1 canvasback daily and 1 in possession. The areas closed to canvasback hunting are:

California

San Francisco Bay-Suisun area—beginning at Golden Gate Bridge, north on U.S. Highway 101 to State Highway 37; then east on State Highway 37 to U.S. Highway 80; then north on U.S. Highway 80 to State Highway 12 at Fairfield; then east on State Highway 12 to Rio Vista at State Highway 84 (160); then south on State Highway 84 (160) to State Highway 4; then west on State Highway 4 to U.S. Highway 80; then south on U.S. Highway

80 to State Highway 17; then south on State Highway 17 to U.S. Highway 101 at San Jose; then north on U.S. Highway 101 to point of beginning.

Salton Sea—entire water area of Salton Sea.

Nevada ----- Churchill County.  
Oregon ----- Lincoln and Harney Counties.

Washington --- Grays Harbor and Pacific Counties.

Redheads—no more than 2 redheads may be taken daily nor more than 4 may be in possession.

Hooded mergansers—no more than 1 hooded merganser may be taken daily nor more than 2 may be in possession.

Dark Geese—no more than 3 dark (Canada and white-fronted) geese may be taken daily nor more than 6 may be in possession.

Ross' geese—no more than 1 Ross' goose may be taken daily or held in possession.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS AND DELINEATIONS OF GEOGRAPHICAL AREAS WITHIN STATES.

The season dates for mergansers, coots, and gallinules are the same as those for ducks in the following tables:

	Season dates	Limits	
		Bag	Possession
<b>Arizona:</b>			
Ducks (except Mexican)	Sept. 28 to Oct. 25; Nov. 16 to Jan. 19	5	10
Mexican ducks	Closed season	2	4
Pintails (additional bag)		5	10
Mergansers		25	25
Coots and/or gallinules (singly or in the aggregate)		6	6
Geese	Nov. 16 to Jan. 5	2	2
Including no more than: Canada geese			
<b>California:</b>			
<b>Tule Lake:</b>			
Ducks	Oct. 12 to Jan. 12	5	10
Pintails (additional bag)		2	4
Mergansers		5	10
Coots and/or gallinules (singly or in the aggregate)		25	25
Geese	Oct. 12 to Jan. 12	6	6
<b>Tehachapi area (except District 22):</b>			
Ducks	Oct. 19 to Jan. 19	5	10
Pintails (additional bag)		2	4
Mergansers		5	10
Coots and/or gallinules (singly or in the aggregate)		25	25
Geese	Oct. 19 to Jan. 19	6	6
Including not more than: Canada geese			
<b>District 22 except Colorado River area:</b>			
Ducks	Oct. 19 to Jan. 19	5	10
Pintails (additional bag)		2	4
Mergansers		5	10
Coots and/or gallinules (singly or in the aggregate)		25	25
Geese:		6	6
Canada geese	Nov. 2 to Jan. 5	1	1
Other than Canada	Oct. 19 to Jan. 19	6	6
<b>Colorado River Area:</b>			
Ducks	Sept. 28 to Oct. 25; Nov. 16 to Jan. 19	5	10
Pintails (additional bag)		2	4
Mergansers		5	10
Coots and/or gallinules (singly or in the aggregate)		25	25
Geese	Nov. 16 to Jan. 5	6	6
Including no more than: Canada geese			
<b>Remainder of State:</b>			
Ducks	Oct. 19 to Jan. 19	5	10
Pintails (additional bag)		2	4
Mergansers		5	10
Coots and/or gallinules (singly or in the aggregate)		25	25
Geese	Oct. 19 to Jan. 19	6	6
Brant	Jan. 18 to Feb. 23	4	8
<b>Colorado:</b>			
Ducks	Sept. 28 to Oct. 11; Nov. 2 to Jan. 1	5	10
Pintails (additional bag)		2	4
Mergansers		5	10
Coots and/or gallinules (singly or in the aggregate)		25	25
Geese	Oct. 12 to Dec. 15	6	6
including no more than: Canada geese			

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	Season dates	Limits	
		Bag	Possession
<b>Idaho:</b>			
Ducks:			
Columbia Basin.....	Oct. 5 to Jan. 12.....	6	12
Remainder of State.....	Oct. 5 to Jan. 5.....	5	10
Pintails (additional bag, except in Columbia Basin).....		2	4
Mergansers:			
Columbia Basin.....	Oct. 5 to Jan. 12.....	5	10
Remainder of State.....	Oct. 5 to Jan. 5.....	5	10
Coots and/or gallinules (singly or in the aggregate).....		25	25
Columbia Basin.....	Oct. 5 to Jan. 12.....		
Remainder of State.....	Oct. 5 to Jan. 5.....		
Geese:			
Not including more than: Canada geese.....		3	6
East of Highway 93.....	Oct. 12 to Dec. 15.....	2	2
West of Highway 93 (except 10 north counties).....	Oct. 12 to Dec. 29.....		
10 north counties.....	Oct. 5 to Jan. 5.....		
<b>Montana:</b>			
Ducks.....			
Pintails (additional bag).....	Sept. 28 to Dec. 29.....	5	10
Mergansers.....		2	4
Coots and/or gallinules (singly or in the aggregate).....		5	10
Geese.....		25	25
Including no more than: Canada geese.....		6	6
East of Continental Divide.....	Sept. 28 to Dec. 1.....	2	2
West of Continental Divide.....	Sept. 28 to Dec. 29.....		
<b>Nevada:</b>			
Clark and Lincoln Counties:			
Ducks.....	Sept. 28 to Oct. 25; Nov. 16 to Jan. 19.....	5	10
Pintails (additional bag).....		2	4
Mergansers.....		5	10
Coots and/or gallinules (singly or in the aggregate).....		25	25
Geese.....	Nov. 16 to Jan. 5.....	6	6
Including no more than: Canada geese.....		2	2
Remainder of State:			
Ducks.....	Oct. 12 to Jan. 12.....	5	10
Pintails (additional bag).....		2	4
Mergansers.....		5	10
Coots and/or gallinules (singly or in the aggregate).....		25	25
Geese.....	Oct. 19 to Jan. 19.....	6	6
<b>New Mexico:</b>			
Ducks.....			
Pintails (additional bag).....	Oct. 12 to Jan. 12.....	5	10
Mergansers.....		2	4
Coots and/or gallinules (singly or in the aggregate).....		5	10
Geese.....		25	25
Including no more than: Canada geese.....		6	6
South of U.S. Highway 66.....	Oct. 12 to Dec. 15.....	2	2
North of U.S. Highway 66.....	Closed.....		
<b>Oregon:</b>			
Baker and Malheur Counties:			
Ducks.....	Oct. 12 to Jan. 19.....	6	12
Mergansers.....		5	10
Coots and/or gallinules (singly or in the aggregate).....		25	25
Geese.....	Oct. 12 to Dec. 29.....	6	6
Including no more than: Canada geese.....		2	2
Union and Wallowa Counties:			
Ducks.....	Oct. 12 to Jan. 19.....	6	12
Mergansers.....		5	10
Coots and/or gallinules (singly or in the aggregate).....		25	25
Geese.....	Oct. 12 to Jan. 12.....	6	6
Morrow, Umatilla, Gilliam, Sherman and Wasco Counties:			
Ducks.....	Oct. 12 to Jan. 19.....	6	12
Mergansers.....		5	10
Coots and/or gallinules (singly or in the aggregate).....		25	25
Geese.....	Oct. 12 to Jan. 19.....	6	6
Remainder of State:			
Ducks.....	Oct. 12 to Jan. 12.....	5	10
Pintails (additional bag).....		2	4
Mergansers.....		5	10
Coots and/or gallinules (singly or in the aggregate).....		25	25
Geese.....	Oct. 12 to Jan. 12.....	6	6
Brant.....	Nov. 23 to Feb. 23.....	4	8
<b>Utah:</b>			
Ducks.....			
Pintails (additional bag).....	Oct. 5 to Jan. 5.....	5	10
Mergansers.....		2	4
Coots and/or gallinules (singly or in the aggregate).....		5	10
Geese.....		25	25
including no more than: Canada geese.....		6	6
Washington County.....	Nov. 9 to Jan. 5.....	2	2
Daggett and Uinta Counties.....	Nov. 16 to Dec. 15.....		
Remainder of State.....	Oct. 12 to Dec. 15.....		
<b>Washington:</b>			
East 10 county area:			
Ducks.....	Oct. 12 noon to Jan. 19.....	6	12
Mergansers.....		5	10
Coots and/or gallinules (singly or in the aggregate).....		25	25
Geese.....	Oct. 12 noon to Jan. 19.....	3	6

	Season dates	Limits	
		Bag	Possession
<b>Remainder east of Cascade Mountains:</b>			
Ducks	Oct. 12 noon to Jan. 19	6	12
Mergansers		5	10
Coots and/or gallinules (singly or in the aggregate)		25	25
Geese	Oct. 12 noon to Jan. 12	3	6
<b>West of Cascade Mountains:</b>			
Ducks	Oct. 12 noon to Jan. 12	5	10
Pintails (additional bag)		2	4
Mergansers		5	10
Coots and/or gallinules (singly or in the aggregate)		25	25
Geese	Oct. 12 noon to Jan. 12	3	6
Brant	Nov. 23 to Feb. 23	4	8
<b>Wyoming:</b>			
Ducks	Sept. 28 to Dec. 29	5	10
Pintails (additional bag)		2	4
Mergansers		5	10
Coots and/or gallinules (singly or in the aggregate)		25	25
Geese	Oct. 5 to Nov. 18; Nov. 30 to Dec. 29	6	6
Including no more than: Canada geese		2	2

(g) **Point system—Ducks, mergansers, and coots.** The States selecting the point system bag limits on designated species on a statewide basis in place of

the conventional bag limits are listed in the table under § 20.105 (e).

(1) The point values for the species and sexes taken are as follows:

**ATLANTIC FLYWAY**

100 points	70 points	10 points	25 points
Fulvous tree duck (Florida only).	Hen mallard, black duck, mottled duck, wood duck, hooded merganser.	Blue-winged teal, scaup, sea ducks, mergansers, (excluding hooded).	All other sexes and species of ducks except canvasbacks and redheads.

**MISSISSIPPI FLYWAY**

100 points	90 points	35 points	15 points
Canvasback and redhead, except where closed.	Hen mallard, wood duck, black duck, hooded merganser.	Drake mallard, ring-necked duck, mottled duck.	All other sexes and species of ducks.

**CENTRAL FLYWAY**

100 points	70 points	15 points	35 points
Canvasback and redhead, except where closed.	Hen mallard, wood duck, hooded merganser.	Blue-winged teal, cinnamon teal, wigeon, scaup, pintail, gadwall, shoveler, merganser (except hooded).	All other sexes and species of ducks (season is closed on Mexican ducks in Texas and New Mexico).

Pacific Flyway: There is no point system in the Pacific Flyway.

Coots have no point value but conventional bag limits of 15 daily and 30 in possession apply.

Mergansers are included in the duck bag under the point system.

(2) The daily bag limit is reached when the point value of the last bird taken added to the sum of the point values of the other birds already taken during that day reaches or exceeds 100 points. The possession limit is the maximum number of birds of species and sex which could have legally been taken in 2 days. The shooting hours are one-half hour before sunrise until sunset daily.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS AND DELINEATIONS OF GEOGRAPHICAL AREAS WITHIN STATES

(h) **Scaup only season.** A special open hunting season for scaup only is prescribed according to the following table in those areas which are described, de-

lined, and designated in the hunting regulations of the respective States.

Daily bag limit..... 5  
Possession limit..... 10

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

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS AND DELINEATIONS OF GEOGRAPHICAL AREAS WITHIN STATES

**Seasons in the Atlantic Flyway**

Connecticut	Jan. 10 to Jan. 25.
Florida	Jan. 21 to Jan. 31.
Maryland	Nov. 30 to Dec. 14.
Massachusetts	Dec. 30 to Jan. 14.
New Hampshire	Dec. 15 to Dec. 30.
New Jersey	Jan. 10 to Jan. 25.
New York: Long Island only.	Jan. 11 to Jan. 26.
Rhode Island	Jan. 17 to Jan. 31.

**Seasons in the Mississippi Flyway**

Louisiana	Jan. 11 to Jan. 26.
Michigan	Nov. 21 to Dec. 6.
Wisconsin	Nov. 21 to Dec. 6.

(i) **Extra teal during regular season.** An open hunting season for teal ducks

(blue-winged only) is prescribed according to the following table. The daily bag and possession limits specified here are in addition to any other bag and possession limits specified elsewhere.

Daily bag limit..... 2  
Possession limit..... 4  
Shooting hours: One-half hour before sunrise until sunset.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS AND DELINEATIONS OF GEOGRAPHICAL AREAS WITHIN STATES

**Seasons in the Atlantic Flyway**

Connecticut	Oct. 19 to Oct. 26.
Delaware	Nov. 6 to Nov. 14.
Georgia	Nov. 27 to Dec. 5.
Maine	Oct. 2* to Oct. 10.
New Hampshire	Oct. 2* to Oct. 10.
New York:	
Upstate	Oct. 16 to Oct. 24.
Lake Champlain	Oct. 9 to Oct. 17.
Long Island	Closed.
South Carolina	Nov. 20 to Nov. 28.
Vermont	Oct. 9* to Oct. 17.
West Virginia	Oct. 3 to Oct. 11.

**Seasons in the Mississippi Flyway**

None.

**Seasons in the Central Flyway**

North Dakota..... Sept. 28 to Oct. 6.

**Seasons in the Pacific Flyway**

None.

\*NOTE.—Season opens at noon local time.

(j) **Extra scaup during regular season.** The following States may take an extra bag limit on scaup of two daily and four in possession during the regular duck hunting season. This extra limit is in addition to the regular duck bag limits and unless otherwise specified, it may be taken during the entire regular duck season.

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS AND DELINEATIONS OF GEOGRAPHICAL AREAS WITHIN STATES

**Seasons in the Atlantic Flyway**

Delaware	Nov. 6* to Nov. 30; Dec. 11* to Jan. 4.
Georgia	Nov. 27* to Dec. 5; Dec. 11* to Jan. 20.
Maine	Oct. 2* to Oct. 19; Nov. 13* to Dec. 14.
New York: Upstate only	Oct. 16* to Nov. 23; Dec. 25* to Jan. 4.
Pennsylvania	Oct. 12 to Oct. 19; Nov. 8 to Dec. 14.
South Carolina	Nov. 20* to Nov. 30; Dec. 11* to Jan. 18.
West Virginia	Oct. 2* to Oct. 19; Dec. 18* to Jan. 18.

**Seasons in the Mississippi Flyway**

Indiana	Oct. 30* to Dec. 1; Dec. 18* to Dec. 29.
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\*NOTE.—Season opens at noon local time.

(k) **Special scaup and goldeneye season.** A special open hunting season for scaup and goldeneye is prescribed according to the following table in the Lake Champlain areas which are described, delineated, and designated in the hunting regulations of the respective States.

The daily bag limit is 3 scaup or 3 goldeneyes or 3 in the aggregate. The possession limit is 6 scaup or 6 goldeneyes or 6 in the aggregate.

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

CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS AND DELINEATIONS OF GEOGRAPHICAL AREAS WITHIN STATES

Seasons in the Lake Champlain Area Only

New York..... Nov. 28 to Dec. 13.  
Vermont..... Nov. 28 to Dec. 13.

§ 20.106 Seasons, limits, and shooting hours for little brown cranes.

Subject to the applicable provisions of the preceding sections of this part, open seasons are prescribed for taking little brown cranes with a daily bag limit of three and a possession limit of six, and with shooting hours from one-half hour before sunrise until sunset, in the following areas for the dates indicated:

(a) In the Central Flyway portion of Colorado, except in the San Luis Valley area, season dates are October 1 through November 5, 1974.

(b) In the New Mexico counties of Chaves, Curry, De Baca, Eddy, Lea, Quay, and Roosevelt, and in that portion of the State of Texas lying west of a line running south from the Oklahoma border along U.S. Highway 287 to U.S. Highway 87 at Dumas, along U.S. Highway 87 and including all of Howard and Lynn Counties to U.S. Highway 277 at San Angelo, and along U.S. Highway 277 to the International Toll Bridge in Del Rio, season dates are October 26, 1974, through January 26, 1975.

(c) In that portion of Oklahoma lying west of U.S. Highway 81, and in that portion of Texas lying east of a line running south from the Oklahoma border along U.S. Highway 287 to U.S. Highway 87 at Dumas, then along U.S. Highway 87 to San Angelo, and lying west of a line running north from San Angelo along U.S. Highway 277 to Abilene, along State Highway 351 to Albany, along U.S. Highway 283 to Vernon, and then along U.S. Highway 183 east to the Oklahoma border, season dates are November 30, 1974, through January 26, 1975.

(d) In the North Dakota counties of Kidder, Stutsman, Benson, Emmons, Pierce, McLean, Sheridan, and Burleigh, and in part of South Dakota described as follows: from the North Dakota border, south on U.S. Highway 83 to U.S. Highway 212, west on U.S. Highway 212 to the Promise Road, north on the Promise Road to State Highway 20, north on State Highway 20 to U.S. Highway 12, northwest on U.S. Highway 12 to State Highway 63, north on State Highway 63 to the North Dakota border, the season dates are November 9 through December 8, 1974.

(e) In Phillips County, Montana, the season dates are September 28 through November 3, 1974.

(f) In Platte and Goshen Counties, Wyoming, the season dates are October 12 through November 10, 1974.

Section 20.107 is amended as follows.

§ 20.107 Seasons, limits, and shooting hours for whistling swans.

Subject to the applicable provisions of the preceding sections of this part, open seasons are prescribed for taking a limited number of whistling swans in the States of Montana, Nevada, and Utah, subject to the following conditions:

(a) The season must run concurrently with the season for ducks.

(b) In Montana, no more than 500 permits may be issued authorizing each permittee to take one whistling swan in the County of Teton.

(c) In Nevada, no more than 500 permits may be issued authorizing each permittee to take one whistling swan in the County of Churchill.

(d) In Utah, no more than 2,500 permits may be issued authorizing each permittee to take one whistling swan.

(e) Permit forms and correspondingly numbered metal locking seals furnished by the Service must be issued by the appropriate Department of Game and Fish on an equitable basis without charge. Each person must have been issued, and carry on his person while hunting, a properly validated 1974-75 whistling swan permit. When a whistling swan has been killed by a hunter and reduced to possession, the hunter must immediately attach and lock the metal seal and the proper portion of his numbered permit around the right wing of the swan close to its body.

Effective: September 28, 1974.

(40 Stat. 755; 16 U.S.C. 703 et seq.)

DOUGLAS WHEELER,  
Acting Assistant Secretary  
for Fish and Wildlife and Parks.

AUGUST 26, 1974.

[FR Doc.74-20064 Filed 8-30-74; 8:15 am]

PART 33—SPORT FISHING

Certain National Wildlife Refuges in Alaska

The following special regulations are issued and are effective on September 3, 1974.

§ 33.5 Special regulations: sport fishing; for individual wildlife refuge areas.

*General condition.* Fishing shall be in accordance with all applicable State regulations.

ALASKA

ALEUTIAN ISLANDS NATIONAL WILDLIFE REFUGE

Eastern Aleutians—Pouch #2, Cold Bay, Alaska 99571.

Western Aleutians—P.O. Box 5251, Adak, Alaska 98791.

ARCTIC NATIONAL WILDLIFE RANGE

Arctic National Wildlife Range, 1412 Airport Way, Fairbanks, Alaska 99701.

BERING SEA NATIONAL WILDLIFE REFUGE

Bering Sea National Wildlife Refuge headquarters: Clarence Rhode National Wildlife Range, P.O. Box 346, Bethel, Alaska 99559.

CAPE NEWENHAM NATIONAL WILDLIFE REFUGE

Cape Newenham National Wildlife Refuge headquarters: Clarence Rhode National Wildlife Range, P.O. Box 346, Bethel, Alaska 99559.

CLARENCE RHODE NATIONAL WILDLIFE RANGE

Clarence Rhode National Wildlife Range, P.O. Box 346, Bethel, Alaska 99559.

IZEMBEK NATIONAL WILDLIFE RANGE

Izembek National Wildlife Range, Pouch #2, Cold Bay, Alaska 99571.

KENAI NATIONAL MOOSE RANGE

Kenai National Moose Range, P.O. Box 500, Kenai, Alaska 99611.

KODIAK NATIONAL WILDLIFE REFUGE

Kodiak National Wildlife Refuge, Box 825, Kodiak, Alaska 99615.

NUNIVAK NATIONAL WILDLIFE REFUGE

Nunivak National Wildlife Refuge headquarters: Clarence Rhode National Wildlife Range, P.O. Box 346, Bethel, Alaska 99559.

The provisions of these special regulations supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through August 31, 1975.

GORDON W. WATSON,  
Area Director, U.S. Fish and  
Wildlife Service, Anchorage,  
Alaska.

AUGUST 23, 1974.

[FR Doc.74-20263 Filed 8-30-74; 8:45 am]

Title 17—Commodity and Securities Exchanges

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release Nos. 33-5520, 34-10961, AS-159]

PART 211—INTERPRETATIVE RELEASE RELATING TO ACCOUNTING MATTERS (ACCOUNTING SERIES RELEASES)

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

Guidelines for Registration and Reporting

The Securities and Exchange Commission today authorized the adoption of amendments to Guide 22, "Summary of Earnings," of the guides for preparation and filing of registration statements under the Securities Act of 1933 ("Securities Act"). The Commission also authorized the adoption of Guide 1, "Summary of Operations," of guides for preparation and filing of reports and registration statements under the Securities Exchange Act of 1934 ("Exchange Act"). These guides are not rules of the Commission nor are they published as bearing the Commission's official approval;

they represent policies and practices followed by the Commission's Division of Corporation Finance and, in this instance, the Commission's Office of the Chief Accountant in administering the disclosure requirements of the federal securities laws. The proposals to amend Guide 22 under the Securities Act and adopt Guide 1 under the Exchange Act were originally published for comment on December 19, 1972 (Securities Act Release No. 5342) (38 FR 1748) and then were reissued in revised form for additional comment on December 12, 1973 (Securities Act Release No. 5442) (39 FR 829). These guides will require disclosure to clarify and explain the financial information called for by the Summary of Earnings and Statement of Income items of certain forms under the Securities Act and similar summaries required by certain forms under the Exchange Act.

The relevant forms under the Securities Act provide in part that, in addition to the columnar presentation of summary financial data, registrants must supply information of material significance to investors in appraising the results shown. Securities Act Guide 22, as amended, indicates the type of supplementary information needed to explain periodic changes in financial data included in the summary of earnings. In order to apply disclosure standards similar to those required by Securities Act Guide 22, as amended, to filings under the Exchange Act, the new Exchange Act Guide 1 is adopted.

In issuing the guides for additional comment in December 1973, the Commission pointed out that it has long recognized the need for narrative explanation of financial statements. Over the years the rules under the various securities acts have been amended a number of times to require additional narrative disclosure of complex financial transactions. Securities Act Guide 22 and Exchange Act Guide 1 require an explanation of the summary of earnings and summary of operations to enable investors to appraise the quality of earnings. Investors should understand the extent to which accounting changes, as well as changes in business activity, have affected the comparability of year-to-year data and should be in a position to assess the source and probability of recurrence of net income (or loss). Thus, whenever there are material changes in the amount and source of revenues and expenses, including tax expenses, or changes in accounting principles or methods or their application that have a material effect on net income, an appropriate analysis and explanation is required. In addition, this analysis should include a discussion of material facts, whether favorable or unfavorable, required to be disclosed or disclosed in the prospectus, registration statement, or report which in the opinion of management may make historical operations or earnings as reported in the summary of earnings not indicative of current or future operations or earnings.

Some commentators on the revised guides felt that the standards for de-

termining materiality were too inclusive and that items that were not material would still fall within the percentage test set forth in the guides. The guides, as adopted, provide that if in management's opinion an explanation of a change is not necessary to an understanding of the summary of earnings, even though the change meets the percentage tests set forth in the guides, the issuer should furnish the Division as supplemental information a written statement of the reasons for such opinion. On the other hand, if the issuer believes an explanation of a change is necessary to an understanding of the summary, it should be given notwithstanding the fact that the change does not meet such percentage tests. For example, if sales and net earnings increased only 2 percent in the most recent period after having increased by 10 percent or more in previous periods an explanation of the 2 percent change would be appropriate. Also in response to comments, the guides as finally adopted limit the issuer's explanation of material periodic revenue and expense item changes to changes beginning after the third most recent fiscal year of the summary of earnings (summary of operations) and provide that this explanation of material periodic changes in revenues and expenses be included in a section captioned "Management's Discussion and Analysis of the Summary of Earnings" immediately following the summary of earnings (summary of operations).

A number of commentators also objected to the requirement that management discuss facts that would indicate that historical earnings were not indicative of present and future earnings. Difficulty in deciding what "facts" would have to be included and in presenting forward looking information were cited. These comments have been taken into consideration in revising the guides, which as adopted require discussion of only material facts required to be disclosed or disclosed in the relevant document which, in management's opinion, may make historical operations or earnings not indicative of current or future operations or earnings. The discussion called for would be in broad terms only; no specific quantitative estimates or projections would be required. Commentators also raised the question whether the guide calls for disclosure relating to anticipated changes in the trend of earnings or in absolute numbers. Depending on the facts and circumstances, discussion of material facts indicating changes in either absolute amounts or in trends would be required.

It should be noted that the disclosures proposed would be in addition to "Information as to Lines of Business" called for by Item 9(b) of Form S-1 and Item 5(b) (1) of Form S-7 under the Securities Act and similar disclosure required by Item 1(c) (1) of Forms 10 and 10-K under the Exchange Act.

The text of Securities Act Guide 22, as amended, is as follows:

#### 22. Summary of Earnings.

Note: This Guide applies to the items of the registration forms under the Act that provide for a summary of earnings, statement of income, summary financial data, or condensed financial information, i.e., Forms S-1, S-7, S-8, S-9, S-11 and S-14.

(a) The content of the summary of earnings is specified in general in the instructions to the pertinent items of the form. The necessity of disclosing items in addition to those specified in such instructions will depend upon the circumstances. These instructions cannot, of course, cover all situations which may arise nor is it practicable to set forth a guideline dealing specifically with all possible situations.

(b) To enable investors to understand and evaluate material periodic changes in the various items of the summary of earnings, a separately captioned section (entitled "Management's Discussion and Analysis of the Summary of Earnings") immediately following such summary should include a statement explaining (1) material changes from period to period in the amounts of the items of revenues and expenses, and (2) changes in accounting principles or practices or in the method of their application that have a material effect on net income as reported. The purpose of this statement is to provide investors with management's analysis of the financial data included in the summary through a discussion of the causes of material changes in the items of the summary and of disclosure of the dollar amount of each such change and the effect of each such change on the reported results for the applicable periods. This discussion is necessary to enable investors to compare periodic results of operations and to assess the source and probability of recurrence of earnings (losses). The analysis should include a discussion of material facts, whether favorable or unfavorable, required to be disclosed or disclosed in the prospectus which, in the opinion of management, may make historical operations or earnings as reported in the summary of earnings not indicative of current or future operations or earnings.

(c) In general, the discussion of material periodic changes should be limited to: (1) The latest interim period presented and the comparable interim period in the immediately preceding fiscal year; (2) the most recent fiscal year presented and the fiscal year immediately preceding it; and (3) the second most recent fiscal year presented and the fiscal year immediately preceding it. There may be circumstances, however, under which an explanation of revenue or expense item changes between two or more of the earlier periods of the five year summary may be material to an understanding of the summary. Further, to better explain revenue and expense item changes for interim periods it may be necessary to give an analysis of changes between consecutive fiscal quarters.

(d) While it is not feasible to specify all subjects which should be covered in the discussion and analysis of the summary, the following are examples which registrants should consider in making disclosure:

1. Material changes in product mix or in the relative profitability of lines of business;
2. Material changes in advertising, research, development, product introduction or other discretionary costs;
3. The acquisition or disposition of a material asset other than in the ordinary course of business;
4. Material and unusual charges or gains, including credits or charges associated with discontinuation of operations;
5. Material changes in assumptions underlying deferred costs and the plan for amortization of such costs;
6. Material changes in assumed investment return and in actuarial assumptions used to

calculate contributions to pension funds; and

7. The closing of a material facility or material interruption of business or completion of a material contract.

(e) The textual analysis should be presented in a manner that will best communicate the significant elements necessary to a clear understanding by the investor of the financial results. Favorable as well as unfavorable trends and changes should be discussed. Tables and charts may be used where appropriate. A mechanistic approach to this analysis which uses boiler plate or compliance jargon should be avoided.

(f) For purposes of this Guide discussion of a change in an item of revenue or expense generally is required when an item required to be set forth in the summary or disclosed pursuant to Rule 12-16 of Regulation S-X (17 CFR 210.12-16) increased or decreased by more than 10 percent as compared to the prior period (but only if such prior period is presented), and increased or decreased by more than 2 percent of the average net income or loss for the most recent three years presented. In calculating average net income, loss years should be excluded. If losses were incurred in each of the most recent years, the average loss shall be used for purposes of this test. Should the issuer be of the opinion that an explanation of a change is not necessary to an understanding of the summary even though the change meets the foregoing standards, the issuer shall furnish the Division, as supplemental information, a written statement of the reasons for the omission.

Note: If an income statement in the form prescribed by Regulation S-X is used in lieu of the summary, then the discussion should cover the period to period changes in revenue and expense items required by such Regulation.

(g) Notwithstanding the fact that a change in an item of revenue or expense does not meet the standards set forth in paragraph (f), it should be discussed if the issuer believes an explanation of such a change is necessary to an understanding of the summary.

(h) When the text of the prospectus contains a discussion of factors indicating a material change in operating results, whether favorable or unfavorable, subsequent to the latest period included in the summary of operations, the management discussion and analysis should call attention to the change and refer to the place in the prospectus where it is discussed.

The text of Securities Exchange Act Guide 1 is as follows:

1. Summary of operations. (a) The content of the summary of operations is specified in general in the instructions to the pertinent items of Forms 10 and 10-K. The necessity of disclosing items in addition to those specified in such instructions will depend upon the circumstances. These instructions cannot, of course, cover all situations which may arise nor is it practicable to set forth a Guideline dealing specifically with all possible situations.

(b) To enable investors to understand and evaluate material periodic changes in the various items of the summary of operations, a separately captioned section (entitled "Management's Discussion and Analysis of The Summary of Operations") immediately following such summary should include a statement explaining (1) material changes from period to period in the amounts of the items of revenues and expenses, and (2) changes in accounting principles or practices or in the method of their

application that have a material effect on net income as reported. The purpose of this statement is to provide investors with management's analysis of the financial data included in the summary through a discussion of the causes of material changes in the items of the summary and of disclosure of the dollar amount of each such change and the effect of each such change on the reported results for the applicable periods. This discussion is necessary to enable investors to compare periodic results of operations and to assess the source and probability of recurrence of earnings (losses). The analysis should include a discussion of material facts, whether favorable or unfavorable, required to be disclosed or disclosed in the registration statement or report which, in the opinion of management, may make historical operations or earnings as reported in the summary of operations not indicative of current or future operations or earnings.

(c) In general, the discussion of material periodic changes should be limited to: (1) The latest interim period presented and the comparable interim period in the immediately preceding fiscal year; (2) the most recent fiscal year presented and the fiscal year immediately preceding it; and (3) the second most recent fiscal year presented and the fiscal year immediately preceding it. There may be circumstances, however, under which an explanation of revenue or expense item changes between two or more of the earlier periods of the five year summary may be material to an understanding of the summary. Further, to better explain revenue and expense item changes for interim periods it may be necessary to give an analysis of changes between consecutive fiscal quarters.

(d) While it is not feasible to specify all subjects which should be covered in the discussion and analysis of the summary, the following are examples which registrants should consider in making disclosure:

1. Material changes in product mix or in the relative profitability or lines of business;
2. Material changes in advertising, research, development, product introduction or other discretionary costs;
3. The acquisition or disposition of a material asset other than in the ordinary course of business;
4. Material and unusual charges or gains, including credits or charges associated with discontinuation of operations;
5. Material changes in assumptions underlying deferred costs and the plan for amortization of such costs;
6. Material changes in assumed investment return and in actuarial assumptions used to calculate contributions to pension funds; and

7. The closing of a material facility or material interruption of business or completion of a material contract.

(e) The textual analysis should be presented in a manner that will best communicate the significant elements necessary to a clear understanding by the investor of the financial results. Favorable as well as unfavorable trends and changes should be discussed. Tables and charts may be used where appropriate. A mechanistic approach to this analysis which uses boiler plate or compliance jargon should be avoided.

(f) For purposes of this Guide discussion of a change in an item of revenue or expense generally is required when an item required to be set forth in the summary or disclosed pursuant to Rule 12-16 (17 CFR 210.12-16) of Regulation S-X increased or decreased by more than 10 percent as compared to the prior period (but only if such prior period

is presented), and increased or decreased by more than 2 percent of the average net income or loss for the most recent three years presented. In calculating average net income, loss years should be excluded. If losses were incurred in each of the most recent years, the average loss shall be used for purposes of this test. Should the issuer be of the opinion that an explanation of a change is not necessary to an understanding of the summary even though the change meets the foregoing standards, the issuer shall furnish the Division, as supplemental information, a written statement of the reasons for the omission.

Note: If an income statement in the form prescribed by Regulation S-X is used in lieu of the summary, then the discussion should cover the period to period changes in revenue and expense items required by such regulation.

(g) Notwithstanding the fact that a change in an item of revenue or expense does not meet the standards set forth in paragraph (f), it should be discussed if the issuer believes an explanation of such a change is necessary to an understanding of the summary.

(h) When the text of the registration statement or report contains a discussion of factors indicating a material change in operating results, whether favorable or unfavorable, subsequent to the latest period included in the summary of operations, the management discussion and analysis should call attention to the change and refer to the place in the registration statement or report where it is discussed.

The Commission has authorized the adoption of Guide 22 and Guide 1 pursuant to authority in sections 6, 7, 10 and 19(a) of the Securities Act, as amended, and sections 12, 13, 15(d) and 23(a) of the Exchange Act, as amended. The amendments will be effective September 30, 1974 and will apply to registration statements under the Securities Act and to reports and registration statements under the Exchange Act filed on or after that date, but not to such registration statements and reports filed before that date.

(Secs. 6, 7, 10, 19, 48 Stat. 78, 81, 85; secs. 12, 13, 23, 205, 209, 48 Stat. 892, 894, 901, 906, 908; sec. 203(a), 49 Stat. 704; secs. 1, 8, 49 Stat. 1375, 1379; secs. 8, 202, 68 Stat. 685, 686; secs. 3, 4, 79 Stat. 565-68, 69; sec. 1, 79 Stat. 1051; secs. 1, 2, 82 Stat. 454; sec. 28(c), 84 Stat. 1435; secs. 1, 2, 84 Stat. 1497; (15 U.S.C. 77f, 77i, 77j, 77s(a), 78l, 78m, 78(w)(a)))

Effective date: September 30, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

AUGUST 14, 1974.

[FR Doc.74-20208 Filed 8-30-74;8:45 am]

## Title 18—Conservation of Power and Water Resources

### CHAPTER VI—WATER RESOURCES COUNCIL

#### PART 703—GRANTS TO STATES FOR COMPREHENSIVE WATER AND RELATED LAND RESOURCES PLANNING

##### Grant Formula

In the FEDERAL REGISTER of June 12, 1974 (39 FR 20612), the Water Resources

Council proposed amendments under the authority contained in section 402 of the Water Resources Planning Act, 79 Stat. 244.42 U.S.C. 1962 d.1 to revise §§ 703.3 and 703.5, 18 CFR Part 703.

Part 703 contains rules and regulations under which States may apply for financial assistance from the Water Resources Council to carry out comprehensive water and related land resources planning.

Written comments on the proposed rulemaking were invited and were to be submitted to the Water Resources Council on or before July 12, 1974. All written comments are on file with the Council. Certain of these comments have been adopted or substantially satisfied by editorial changes, deletions from, or additions to the proposed regulations.

While the majority of the respondents supported the proposed rules change, many comments indicated a need for additional and more specific criteria regarding the distribution of funds based on planning needs. Accordingly the proposed § 703.3 has been revised to provide for more specific and additional criteria.

The revised § 703.3 changes the formula for computing the Title III grant from 40 percent to 70 percent of funds available for distribution on the basis of planning need.

In the previous eight years of the Title III Program, considerable emphasis was placed on building planning staff capability within the States; under the revised rules and regulations, greater importance is placed on activities aimed toward better State understanding of water and related land problems and on realizing comprehensive solutions to water and related land problems. This new emphasis requires that planning activities be undertaken within a framework that provides for coordination with all Federal, State, and local agencies and nongovernment entities having responsibilities in those fields affected by comprehensive planning, and that the full breadth of existing and prospective demands for water and related land resources be fully considered in the planning process.

Federal review of the State water resource planning activities will be limited to a determination that the planning process is consistent with the new emphasis stated herein and will not be directed to the substance of the plan(s) or the specific planning process.

The Council believes that these changes will improve the water resources planning program by providing priority consideration to allocate funds on the basis of participation in regional and river basin planning and the development of State water and related land resources plans.

The Council recognizes that prior to FY 1975 some States have not actively participated in river basin commissions, interagency committees, or other formal organizations designed to facilitate full planning coordination. Some States have placed less emphasis on geographic and structure oriented planning and more emphasis on developing needed legisla-

tion, regulations, and policies and the evolution of institutional mechanisms; some States have participated extensively in Federal interstate studies which are now nearing completion; some States have approached the development of a State plan by sequentially attacking critical problems areas, rather than formulating a plan for the entire State at one time; and some States have stressed the building of staff capability as a prerequisite to future participation in regional, river basin and State comprehensive planning. Therefore during FY 1975 a transition will be made in many States to orient State planning activities to accommodate the revised rules and regulations.

It is recognized that there are States within regions where formal organizations have not been present to facilitate full planning coordination prior to FY 1975. However, States which indicate in FY 1975 grant applications that steps will be taken to establish Federal-State interagency organizations or to initiate participation therein will receive priority consideration over those States which could, but have chosen not to take such steps. Equal emphasis will be given to structural planning and nonstructural planning. The Council will place emphasis on local and State comprehensive planning, equal to Federal-interstate comprehensive planning in those States where Federal-interstate plans are already largely accomplished. The development of "critical problem" oriented State planning is satisfactory provided that such planning is based on documentation of a systematic evaluation of (a) Statewide problems and opportunities; and (b) the range of Federal, State, local agency and non-governmental contributions which could be made toward the development of fully coordinated comprehensive solutions to critical problems.

The building of staff capability to conduct comprehensive planning will be considered on an equal basis with participation in and contributions to comprehensive regional, river basin and Statewide planning, in those cases where it can be shown that State capability is not adequate to participate in and contribute to comprehensive planning.

Because of the importance of promptly making known to the States, Federal agencies and other interests the content of these amendments and because FY 1975 grants to States are conditioned upon meeting the criteria set forth therein, these amendments are effective immediately upon publication.

1. Paragraphs (b), (c) and (d) of § 703.3 are amended to read as follows:

§ 703.3 Allotments.

(b) \* \* \*

(1) Seven and a half percent of the funds in the ratio that the population of each State bears to the population of all the States.

(2) Seven and a half percent of the funds in the ratio that the land area of each State bears to the land area of all the States.

(3) Fifteen percent of the funds in the ratio that the reciprocal of all per capita income of a State bears to the sum of the reciprocals for all States, and

(4) Seventy percent of the funds according to need for comprehensive water and related land resources planning programs in each State as determined by the Council.

(c) In determining the need of a State for comprehensive water and related land resources planning as specified in paragraph (b) (4) of this section, the Council shall consider the following:

(1) The participation in and contribution to regional and river basin planning for water and related land resource use and development,

(2) Active involvement in the development of a comprehensive State water plan or components of a State plan,

(3) The scope, magnitude, complexity and immediacy of the water and related land resources problems, and

(4) Other factors determined to be relevant to carry out State contribution to comprehensive planning related to paragraph (c) (1) (2) and (3) of this section which include but are not limited to (i) training of personnel; (ii) use of comprehensive planning methodology which takes into account, economic, environmental, social well-being and other relevant factors; (iii) extent of public participation in the planning process; (iv) extent of cooperation with adjacent States in water and related land resources planning; and (v) relationship of ongoing and proposed studies by various federal agencies which require input by the State and cooperation and coordination of study efforts with concerned State and local agencies.

(d) Within 30 days after publication of the President's Budget each year, the Council shall publish a tabulation showing the tentative distribution of funds to each State of the amounts computed under paragraphs (b) (1), (2), and (3) of this section. This computation is based on the appropriation requested by the President for the next fiscal year. This publication does not confer entitlement to such funds; it is simply a preliminary figure that can be used by the States for budgetary planning purposes.

2. Paragraph (h) of § 703.5 is amended to read as follows:

§ 703.5 Contents of applications.

(h) Need for augmented planning: Include statements on at least the criteria set forth in § 703.3(c) (1), (2), (3), and (4) to assist the Council in appraising the need for comprehensive water and related land resources planning among the States for the purpose of allotting the 70 percent of Federal Title III funds available for distribution on the basis of planning need.

Dated: August 26, 1974.

WARREN D. FAIRCHILD,  
Director.

[FR Doc.74-20233 Filed 8-30-74; 8:45 am]

## Title 21—Food and Drugs

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

## SUBCHAPTER A—GENERAL

## PART 2—ADMINISTRATIVE FUNCTIONS, PRACTICES, AND PROCEDURES

## Subpart H—Delegations of Authority

## REGIONAL FOOD AND DRUG DIRECTORS, ET AL.

The Commissioner of Food and Drugs is amending "Part 2—Administrative Functions, Practices, and Procedures" (21 CFR Part 2) to provide for revised delegations to heads of field activities and to update position titles which were changed by reorganizations. A statement or organization, functions, and delegations of authority for the Food and Drug Administration, published in the FEDERAL REGISTER of May 29, 1974 (39 FR 18696), set forth the position title changes.

Further redelegation of the authority redelegated hereby is not authorized. Authority redelegated hereby to a position by title may be exercised by a person officially designated to serve in such position in an acting capacity or on a temporary basis, unless prohibited by a restriction written into the document designating him as "acting" or unless not legally permissible.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 2 is amended in § 2.121 by revising paragraphs (b), (c), (q), and (v) to read as follows:

§ 2.121 Redelegations of authority from the Commissioner to other officers of the Administration.

(b) *Delegations regarding hearings and review boards.* (1) The Directors and Deputy Directors of Bureaus, Regional Food and Drug Directors, Deputy Regional Food and Drug Directors, and District Directors are authorized to designate officials to hold informal hearings which relate to their assigned functions under sections 305, 404(b), and 801(a) of the Federal Food, Drug, and Cosmetic Act, section 6 of the Fair Packaging and Labeling Act, section 9(b) of the Federal Caustic Poison Act, and section 5 of the Federal Import Milk Act. Officials so designated are delegated authority vested in the Secretary of Agriculture by 7 U.S.C. 2217 (43 Stat. 803) to administer or to take from any person an oath, affirmation, affidavit, or deposition for use in any prosecution or proceeding under or in enforcement of any law as cited in this section.

(2) The Director, Deputy Director, and Associate Director of the Bureau of Biologics are authorized to appoint review boards as provided by § 601.41 of this chapter.

(3) The Director and Deputy Director of the Bureau of Radiological Health are authorized to hold hearings under section 360(a) of the Public Health Service Act, and to designate officials to hold informal hearings under section 360(a) of the act.

(c) *Delegations regarding imports.* (1) The Regional Food and Drug Directors, Deputy Regional Food and Drug Directors, and District Directors are authorized to designate officials who may request, under section 801(a) of the Federal Food, Drug, and Cosmetic Act, from the Secretary of the Treasury samples of foods, drugs, devices or cosmetics imported, or offered for import, in order to determine whether such articles are in compliance with the act.

(2) The Director and Deputy Director of the Bureau of Radiological Health, and the Director of the Division of Compliance of that Bureau are authorized to request, under section 360(a) of the Public Health Service Act, from the Secretary of the Treasury samples of electronic products imported or offered for import in order to determine whether such articles are in compliance with that act.

(3) The Director and Deputy Director of the Bureau of Radiological Health, and the Director of the Division of Compliance of that Bureau may, under section 360B(b) of the Public Health Service Act, exempt persons from issuing a certification as required by section 358 (h) of the act, for electronic products imported into the United States for testing, evaluation, demonstration, or training, which will not be introduced into commerce and upon completion of their function, will be destroyed or exported in accord with Bureau of Customs regulations.

(q) *Delegations regarding certification following inspections.* Regional Food and Drug Directors, Deputy Regional Food and Drug Directors, and District Directors are authorized to issue certificates of sanitation under 42 CFR 72.181.

(v) *Delegations regarding detention of meat, poultry, eggs, and related products.* The Regional Food and Drug Directors, Deputy Regional Food and Drug Directors, and District Directors are authorized to perform and to designate other officials to perform all the functions of the Commissioner of Food and Drugs under:

(1) Section 409(b) of the Federal Meat Inspection Act (21 U.S.C. 679(b)) which relate to the detention of any carcass, part thereof, meat, or meat product of cattle, sheep, swine, goats, or equines.

(2) Section 24(b) of the Poultry Products Inspection Act (21 U.S.C. 467(b)) which relate to the detention of any poultry carcass, part thereof, or poultry product.

(3) The Egg Products Inspection Act (21 U.S.C. 1031 et seq.)

*Effective date.* This order shall be effective on September 3, 1974.

(Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371 (a)))

Dated: August 27, 1974.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc.74-20221 Filed 8-30-74;8:45 am]

## SUBCHAPTER B—FOOD AND FOOD PRODUCTS

## PART 53—TOMATO PRODUCTS

## Tomato Juice; Stay of Effective Date of Order Amending Identity Standards

An order amending the standard of identity for tomato juice was published in the FEDERAL REGISTER of June 14, 1974 (39 FR 20882). The order provided for optional use of ascorbic acid (Vitamin C).

In response to the order, an objection and request for public hearing was filed by an adversely affected person.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended by 70 Stat. 919 and 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120): *It is ordered*, That the effective date of revised § 53.1 be stayed in its entirety pending resolution of the issues raised by the objection at a public hearing. An announcement scheduling the hearing and specifying the issues therefor will be published in the FEDERAL REGISTER at a later date.

The Commissioner advises that he has received an inquiry as to whether tomato juice enriched with vitamin C, in accordance with the stayed standard, may be lawfully marketed as a nonstandardized food pending resolution of the issues raised in the objection filed on this matter. The Commissioner's opinion is that such a product, prominently designated as "enriched with vitamin C" in accordance with 21 CFR 100.1 or "with added vitamin C" or a similar statement on the principal display panel as permitted in the stayed standard, would not purport to be the standardized product and thus may lawfully be marketed outside the standard of identity as a nonstandardized food provided that all ingredients, not just the optional ingredients, are declared on the label. A copy of this opinion is on public display in the office of the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852.

Dated: August 27, 1974.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc.74-20222 Filed 8-30-74;8:45 am]

[FRL 259-3]

**PART 121—FOOD ADDITIVES**

**Subpart D—Food Additives Permitted in Food for Human Consumption**

**TRICYCLOHEXYLTIN HYDROXIDE**

In response to a food additive petition (FAP 3H5040) submitted by Dr. C. C. Compton, Interregional Research Project No. 4, State Agricultural Experiment Station, Rutgers University, New Brunswick, NJ 08903, on behalf of the IR-4 Technical Committee and the Agricultural Experiment Stations of California, Idaho, Oregon, and Washington, a notice was published by the Environmental Protection Agency in the FEDERAL REGISTER of July 15, 1974 (39 FR 25953), proposing establishment of a tolerance (21 CFR Part 121) for combined residues of the insecticide tricyclohexyltin hydroxide and its organotin metabolites (calculated as tricyclohexyltin hydroxide) in dried hops at 90 parts per million. No comments or requests for referral to an advisory committee were received.

It is concluded that the proposal should be adopted. (For a related document, see this issue of the FEDERAL REGISTER, page 31903.)

The Reorganization Plan No. 3 of 1970, published in the FEDERAL REGISTER of October 6, 1970 (35 FR 15623), transferred (effective December 2, 1970) to the Administrator of the Environmental Protection Agency the functions vested in the Secretary of Health, Education, and Welfare for establishing tolerances for pesticide chemicals under sections 406, 408, and 409 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346, 346a, and 348).

Therefore, pursuant to provisions of the act (sec. 409(d), 72 Stat. 1787; 21 U.S.C. 348(d)), 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), § 121.1247 is revised to read as follows:

**§ 121.1247 Tricyclohexyltin hydroxide.**

Tolerances are established for combined residues of the insecticide tricyclohexyltin hydroxide and its organotin metabolites (calculated as tricyclohexyltin hydroxide) in or on the following processed foods when present therein as result of application of the insecticide to the growing crops:

- 90 parts per million in dried hops.
- 4 parts per million in dried prunes.

Any person who will be adversely affected by the foregoing order may at any time on or before October 3, 1974, file with the Hearing Clerk, Environmental Protection Agency, Room 1019E, 4th & M Streets, SW., Waterside Mall, Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of

the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

*Effective date.* This order shall become effective on September 3, 1974.

(Sec. 409(d), 72 Stat. 1787; (21 U.S.C. 348(d))

Dated: August 26, 1974.

HENRY J. KOPP,  
Deputy Assistant Administrator  
for Pesticide Programs.

[FR Doc. 74-20174 Filed 8-30-74; 8:45 am]

**Title 32—National Defense**  
**CHAPTER I—OFFICE OF THE SECRETARY OF DEFENSE**  
**SUBCHAPTER F—TRANSPORTATION**  
**PART 174—OCEAN TRANSPORTATION SERVICE**

The Secretary of Defense has designated the Secretary of the Navy as the "Single Manager for Ocean Transportation." Pursuant to the above, the Commander, Military Sealift Command, has been designated as the Executive Director for Sealift Service. Pertinent regulations within the Department of the Navy relating thereto have been revised, and those having general applicability and legal effect warrant a corresponding revision of the Code of Federal Regulations. Accordingly, effective September 1, 1974, Part 174 of Chapter I of Title 32 of the Code of Federal Regulations is revised to read as follows:

- Sec.
- 174.1 Authority and responsibility.
  - 174.2 Background.
  - 174.3 Organization.
  - 174.4 Relationships.
  - 174.5 Engineering.
  - 174.6 Fiscal.

AUTHORITY: 5 U.S.C. 301; 10 U.S.C. 125, 133.

**§ 174.1 Authority and responsibility.**

(a) The Secretary of Defense has designated the Secretary of the Navy as the "Single Manager for Ocean Transportation" with authorities and responsibilities as assigned by the Secretary of Defense (21 FR 4022).

(b) The Single Manager Operating Agency for Sealift Service is titled the Military Sealift Command (MSC).

(c) The Single Manager has designated the Commander, Military Sealift Command, as the Executive Director for the Single Manager Operating Agency for Sealift Service.

(d) The Military Sealift Command (MSC) is a major component of the U.S. Navy and is commanded by a flag officer designated by the Chief of Naval Operations, subject to the approval of the Secretary of the Navy and the Secretary of Defense (32 FR 6300). MSC is a part of the Operating Forces of the Navy, and the Commander, Military Sealift Command, is under the military command of

the Chief of Naval Operations, except that the Assistant Secretary of the Navy (Installations and Logistics) exercises policy supervision in procurement, administrative, and management principles affecting the Military Sealift Command including, inter alia; (1) determinations and findings authorizing negotiation of contracts and (2) business clearance as required by Navy Procurement Directive 1-403. Also, the Assistant Secretary of the Navy (Financial Management) exercises policy supervision with respect to fiscal reporting, as well as statistical, analytical accounting, and budgeting procedures consistent with DoD Directive 7410.4.

(e) The Commander, Military Sealift Command, provides ocean transportation service for the movement of personnel, cargo, bulk petroleum, and mail for all components of the Department of Defense (excluding that transported by units of the fleet) and as authorized for other agencies of the U.S. Government, subject to the policies of the Secretary of Defense. MSC also operates ships in support of scientific projects, fleet service forces, and other programs for agencies or departments of the United States. The primary mission of MSC is to provide immediate sealift capability in an emergency. MSC operates Government-owned ships and augments this capability by shipping cargo and passengers in commercially operated ships, chartering ships, and exercising operational control over ships activated from the National Defense Reserve Fleet to meet emergency needs.

**§ 174.2 Background.**

The Military Sealift Command (formerly the Military Sea Transportation Service) was originally established by directive of the Secretary of Defense dated August 2, 1949 (14 FR 5203). Pursuant to this directive, terms of reference, preliminary agreements and procedures were determined by designated representatives of the Chief of Staff, U.S. Army, the Chief of Naval Operations, and the Chief of Staff, U.S. Air Force. These were promulgated by the Deputy Chief of Naval Operations (Logistics) on September 2, 1949, and concerned those matters incident to the formation of MSC, including the transfer of ships, the assignment of personnel, and pertinent details of support and operational procedures. All required actions have been accomplished and the terms of reference have been superseded.

**§ 174.3 Organization.**

(a) The organization of MSC is structured to provide prompt and efficient means for accomplishing the ocean transportation, fleet support, and ships for purposes other than transportation (such as research), and to meet the requirements of the Department of Defense including sufficient flexibility to permit ready transition from peacetime to war or other emergency operations.

(b) Under the Commander, Military Sealift Command, with the headquarters

## RULES AND REGULATIONS

at Washington, D.C., are area commands, with headquarters as follows:

Eastern Atlantic and Mediterranean (MSCELM), Bremerhaven, Germany  
Atlantic (MSCLANT), New York, New York  
Pacific (MSCPAC), Oakland, California  
Far East (MSCFE), Yokohama, Japan

Subarea commands and MSC offices have been established at seaport locations within area commands. MSC offices are subject to inactivation or relocation as circumstances warrant to meet the sea transportation needs of the Department of Defense cargo and personnel.

(c) The MSC fleet is composed of Government-owned ships which are public vessels and are designated U.S. Naval Ships (USNS). This fleet is comprised of dry-cargo ships, tankers, special-project ships, and fleet-support ships, all civilian-manned. Operational and administrative control of this fleet, with the exception of tankers, is accomplished by MSC area commands. Tankers are controlled at MSC headquarters, Washington, D.C.

(d) Augmentation of MSC USNS fleet capability is accomplished by shipping less-than-shipload lots of cargo in commercially-operated berth line merchant ships under the terms of MSC Shipping Agreements or MSC Shipping Contracts, and by the chartering of commercial ships, dry-cargo ships and tankers. Chartered ships are under the operational control of MSC and become part of the MSC controlled fleet during the tenure of the charters. Merchant ships activated from the National Defense Reserve Fleet to meet emergency needs are placed under MSC operational control by means of U.S. Maritime Administration General Agency Agreements (GAA).

(e) The negotiation, execution, and administration of ship charters are accomplished at MSC headquarters, Washington, D.C. Negotiation and execution of MSC shipping agreements and shipping contracts are also accomplished at MSC headquarters. However, the administration of these contracts is the responsibility of MSC area commanders. Policy concerning MSC operation and maintenance of National Defense Reserve Fleet ships is also determined at MSC headquarters; scheduling and other operational matters for these ships are accomplished at MSC area commands.

(f) The public may secure information, make submittals, requests, or obtain decisions on matters affecting the public which concern MSC use of commercial shipping or other matters relative to the administration of MSC, either in person or by telephone during regular working hours, or by mail or telegram. The mail address and points of contact where information and decisions can be obtained from COMSC headquarters and MSC area commands are listed below:

Mail address:

Commander, Military Sealift Command, Department of the Navy, Washington, D.C. 20390

Street address:

4228 Wisconsin Avenue, NW., Washington, D.C. 20016

Telephone numbers:

Commander—(202 area code) 282-2800  
Deputy Executive Director for Transportation—282-2805

Legislative and Public Affairs Officer—282-2808

Fleet Support Program Coordinator—282-2891

Civilian Personnel Officer—282-2871  
Assistant Chief of Staff (Administration & Manpower)—282-2616

Assistant Chief of Staff (Operations)—282-2900

Contracting Officer—282-2671

Engineering Officer—282-2633

Supply Officer—282-2600

Comptroller—282-2814

Counsel—282-2692

Commander, Military Sealift Command, Atlantic, 58th Street and First Avenue, Brooklyn, New York 11250

Commander—(212 area code) 439-5400 Ext 5100

Civilian Personnel Officer—Ext 5120

Assistant Chief of Staff (Operations)—Ext 5300

Engineering Officer—Ext 5140

Supply Officer—Ext 5228

Comptroller—Ext 5250

Counsel—Ext 5270

Public Affairs—Ext 5108

Commander, Military Sealift Command, Pacific, Naval Supply Center, (Bldg. 310), Oakland, California 94625

Commander—(415 area code) 466-6111

Civilian Personnel Officer—466-5261

Assistant Chief of Staff (Operations)—466-6281

Engineering Officer—466-6456

Supply Officer—466-5337

Comptroller—466-5641

Counsel—466-6481

Public Affairs—466-5864

Commander, Military Sealift Command, Eastern Atlantic and Mediterranean, (Mailing address) FPO New York 09514 (location: not to be included in mailing address) U.S. Army Staging Area, Bldg. 227, Bremerhaven, Germany.

Commander—place call with overseas operator and ask for Bremerhaven military 8773.

Public inquiries may be addressed to the Commander, Military Sealift Command, Eastern Atlantic and Mediterranean, who will direct the inquiry to cognizant members of his staff.

Commander, Military Sealift Command, Far East, (Mailing address) FPO San Francisco 98760 (location: not to be included in mailing address) North Pier, Yokohama, Japan.

Commander—place call with overseas operator and ask for Yokohama, North Pier, Ext. 218 or 418.

Public inquiries may be addressed to the Commander, Military Sealift Command, Far East, who will direct the inquiries to cognizant members of his staff.

#### § 174.4 Relationships.

(a) *Seller/customer relationships.* The Military Sealift Command maintains a seller/customer relationship principally with the Army, Air Force, Navy, and Marine Corps. Shipping services are also rendered to other governmental agencies by special agreement. Charges for services rendered are made on the basis of predetermined billing and per diem rates approved by the Assistant Secretary of Defense (Comptroller).

(b) *Department headquarters.* The following departmental headquarters offices are the points of contact with the Military Sealift Command for the ocean transportation requirements of their respective department.

Department of the Army: Headquarters, U.S. Army Material Command

Department of the Air Force: U.S. Air Force Logistics Command

Department of the Navy: Navy (Cargo), U.S. Naval Supply Systems Command Headquarters; (Personnel) Bureau of Naval Personnel

Marine Corps (Cargo) Naval Supply Systems Command Headquarters; (Personnel), Bureau of Naval Personnel.

(c) *Joint policies.* The Assistant Secretary of Defense (Installations and Logistics) [ASD (I&L)] is responsible for issuing policy direction in connection with the single manager assignment except as otherwise specifically designated in Department of Defense Directive 5160.10. In developing such policies, ASD (I&L) will collaborate with the Assistant Secretary of Defense (Comptroller) to assure maximum utilization of the assignment for budgetary purposes. Similarly he will collaborate with the Assistant Secretary of Defense (System Analysis) to assure maximum application of the assignment for manpower utilization effectiveness purposes. The ASD (I&L) will also collaborate with other elements of the Office of Secretary of Defense, as appropriate.

(d) *Reporting shipping requirements.* Procedures for reporting shipping requirements have been established by the Joint Chiefs of Staff, in coordination with the Military Sealift Command, the Military Traffic Management and Terminal Service, and the military departments/services.

(e) *Coastwise and intercoastal lift capacity.* Procedures have been developed by the Military Sealift Command to keep the Military Traffic Management and Terminal Service and Common User Ocean Terminals informed as to the availability of opportune ocean lift, coastwise and intercoastal lift capacity.

(f) *Ocean transport coordination.* In accordance with the policies of the Department of Defense for implementation of Single Manager Assignments, the Secretary of the Navy provides for direct coordination with the other military services and the Office of the Secretary of Defense on matters relating to the operation of the ocean transportation service.

#### § 174.5 Engineering.

(a) *Technical and material matters concerning ships assigned to MSC.* The responsibilities of the Commander, Military Sealift Command, and the Commander, Naval Sea Systems Command, for technical and material matters concerning ships assigned to or to be assigned to the Military Sealift Command have been promulgated by the Chief of Naval Operations.

(b) *Maintenance and repair.* MSC ships are maintained, repaired, overhauled, and where necessary, modified under Department of Defense Master Ship Repair Contracts. Awards under these contracts are made by the responsible area commanders.

(c) *Inspection and certification of ships by U.S. Coast Guard.* An agreement exists with the U.S. Coast Guard for the periodic inspection and certification of MSC vessels of commercial types in accordance with the Coast Guard's Merchant Marine Safety Manual.

(d) *Ship classification.* MSC ships of a commercial type are constructed and classified according to the American Bureau of Shipping rules, then surveyed and retained in the assigned class after construction.

(e) *Design.* Conceptual, general, and detailed design work applicable to MSC ships is accomplished by the Military Sealift Command for ship repair, overhaul, modification, or acquisition.

(f) *Allowances.* Lists of equipment and parts required for MSC ship operation and repair are prepared and maintained by the Military Sealift Command to ensure that ships assigned are repaired with minimum delay and are equipped for the mission assigned.

**§ 174.6 Fiscal.**

(a) The operations of the Military Sealift Command are financed under the Navy Industrial Fund. (DoD Instruction 7410.4 of Sep. 25, 1972.)

(b) The Military Sealift Command follows a double-entry commercial-type accounting system, maintained on an accrual basis and observes fiscal procedures in accordance with the directives of the Assistant Secretary of Defense (Comptroller) and the Comptroller of the Navy.

(c) Bills are submitted monthly by the Military Sealift Command to each agency for services rendered. Charges are computed on the basis of predetermined billing and per diem rates and other factors calculated to recover the overall cost of operations.

(d) To keep the customer services apprised of the results of its operations, the Military Sealift Command prepares and distributes quarterly statistical and financial reports.

H. B. ROBERTSON, Jr.,  
Rear Admiral, JAGC, U.S. Navy,  
Acting Judge Advocate General.

AUGUST 22, 1974.

[FR Doc.74-20262 Filed 8-30-74;8:45 am]

**Title 33—Navigation and Navigable Waters**

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

**SUBCHAPTER Q—POLLUTION  
[CGD 74-163]**

**PART 151—OIL POLLUTION  
REGULATIONS**

**Seagoing Tankship and Tank Barge Cargo  
Tank Arrangement and Size Limitation  
Correction**

In FR Doc. 74-19308 appearing at page 30125 in the issue of Wednesday, Au-

gust 21, 1974. In the fifth line of item 3.2 of § 151.50, change "400DW" to read "400√DW."

**Title 38—Pensions, Bonuses, and  
Veterans' Relief**

**CHAPTER I—VETERANS  
ADMINISTRATION  
PART 17—MEDICAL**

**Grants and Assistance for Development,  
Expansion and Improvement of Medical  
and Allied Health Manpower**

The Veterans' Administration Medical School Assistance and Health Manpower Training Act of 1972 (Pub. L. 92-541) provides for assistance in establishment of new State medical schools, and for grants and other assistance to existing medical schools and other health manpower training institutions which are affiliated with Veterans Administration medical facilities. Rules and Regulations to implement Pub. L. 92-541 were published on pages 26190 through 26193 of the FEDERAL REGISTER of September 19, 1973.

Section 17.404(d) is amended to correctly set forth the requirement for State and areawide planning and development clearinghouse review within the established project notification and review system between Federal agencies and State and local governments (OMB Circular A-95).

Changes to §§ 17.405 and 17.408 are editorial in nature.

Compliance with the provisions of § 1.12 of this chapter, as to notice of proposed regulatory development and delayed effective date, is deemed unnecessary since the changes are nonrestrictive.

1. In § 17.404, paragraph (d) is revised to read as follows:

**§ 17.404 Application.**

(d) Such application shall include a statement from the appropriate State and areawide planning and development clearinghouse indicating the compatibility and relationship of the proposed program or projects to the overall health care and training plans of the State, region or locality, as required in the Office of Management and Budget Circular No. A-95.

2. In § 17.405, the introductory portion of paragraphs (a) (2), (b) (1) and (c) (1) preceding subdivision (1) are amended to read as follows:

**§ 17.405 Agreements and grant awards.**

(a) For the purposes of 38 U.S.C. 5071-5074: \* \* \*

(2) The terms of any agreement and the amount of any funds to be awarded shall be determined by the Administrator on the basis of:

(b) For the purposes of 38 U.S.C. 5081-5083: (1) Within the limits of funds available for such purposes, the Administrator, upon recommendation of the Chief Medical Director and after consultation with the Special Medical Advisory Group, may award grants and other assistance to those applicants

whose projects or programs will in his judgment best promote the purposes of 38 U.S.C. 5081, taking into consideration:

(c) For the purposes of 38 U.S.C. 5091-5093: (1) Within the limits of funds available for such purpose, the Administrator, upon recommendation of the Chief Medical Director and after consultation with the Special Medical Advisory Group, may award grants to those applicants whose projects or programs will in his judgment best promote the purposes of 38 U.S.C. 5091, taking into consideration:

3. In § 17.408, paragraph (a) is revised to read as follows:

**§ 17.408 Nondiscrimination.**

(a) Grants made under 38 U.S.C. Chapter 82 shall be subject to Title IX of the "Education Amendments Act of 1972" (effective July 1, 1972) and regulations promulgated by the Department of Health, Education, and Welfare. Such title prohibits sex discrimination in all federally assisted education programs.

*Effective date.* These VA Regulations are effective September 3, 1974.

Approved: August 26, 1974.

By direction of the Administrator.

[SEAL] R. L. ROUDEBUSH,  
Deputy Administrator.  
[FR Doc.74-20255 Filed 8-30-74;8:45 am]

**PART 21—VOCATIONAL  
REHABILITATION AND EDUCATION**

**Subpart B—Veterans' Educational Assistance  
Under 38 U.S.C. Chapter 34**

**Subpart C—War Orphans' and Widows'  
Educational Assistance Under 38 U.S.C.  
Chapter 35**

**CHARGES AGAINST ENTITLEMENT**

On page 25358 of the FEDERAL REGISTER of July 10, 1974, there was published a notice of proposed regulatory development to amend §§ 21.1045 and 21.3045 to clarify the charges made to entitlement in waiver cases and when an eligible person interrupts training. Section 21.3045 was also amended to incorporate into its cross references those portions of § 21.1045 which now also apply in Chapter 35 cases. In addition minor editorial changes were made to §§ 21.1045 (a) and (b) and 21.3046. Interested persons were given 30 days in which to submit comments, suggestions, or objections regarding the proposed regulations.

No written comments have been received and the proposed regulations are hereby adopted without change and are set forth below.

*Effective date.* Sections 21.1045 (f) and (g) and 21.3045 are effective August 27, 1974.

Approved: August 27, 1974.

By direction of the Administrator.

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

1. In § 21.1045, paragraphs (a) (5) and (b) (2) are amended and paragraphs (f) and (g) are added so that the amended and added material reads as follows:

§ 21.1045 Entitlement charges.

(a) *Residence courses.* \* \* \*

(5) *Secondary school training; Chapter 35 wife, husband, widow, or widower.* No charge will be made against the entitlement of a wife, husband, widow, or widower based on a course pursued under the circumstances outlined in § 21.4237, special assistance for the educationally disadvantaged. (38 U.S.C. 1733)

(b) *Correspondence courses.* \* \* \*

(2) *Other courses.* Except as provided in paragraph (b) (1) of this section, the period of entitlement of any eligible veteran who is pursuing a program of education exclusively by correspondence will be charged with 1 month for each \$175 paid to the veteran as an educational assistance allowance for such course, for contracts entered into before January 1, 1973. For agreements entered into after December 31, 1972, the period of entitlement of any eligible veteran, wife, husband, widow, or widower who is pursuing a program of education exclusively by correspondence will be charged with 1 month for each \$220 paid to the veteran, wife, husband, widow, or widower as an educational assistance allowance for such course. Where the computation results in a period of time other than a full month, or other than exactly three-fourths, one-half or one-fourth fractional part of a month, the figure will be reduced to the next lower quarter. (38 U.S.C. 1786 (a) (2)).

(f) *Overpayment cases.* Entitlement will be charged for an overpayment in educational assistance allowance only if the overpayment is waived and is not recovered. The charge will be at the appropriate rate for the elapsed period covered by the overpayment.

(g) *Interruption to conserve entitlement.* A certified period of enrollment may not be interrupted for the purpose of conserving entitlement. Nor may a period of enrollment be certified for a fractional part of the normal term, quarter or semester if the eligible veteran is actually enrolled for the term, quarter or semester. Entitlement will be charged for the entire period of enrollment certified, if otherwise eligible for benefits, except when benefits are interrupted under any one of the following conditions:

(1) Enrollment is actually terminated;

(2) Enrollment is canceled and no educational benefits check has been negotiated for any part of the certified period of enrollment;

(3) Enrollment is interrupted at the scheduled end of any term, quarter, semester or school year within the certified period of enrollment and no check for educational benefits has been negotiated for the succeeding term, quarter, semester or school year;

(4) Interruption or cancellation is requested for any break when a school was

closed during a certified period of enrollment and payments were continued under an established policy based upon an Executive order of the President or due to an emergency situation whether or not a check for educational benefits for the certified period has been negotiated.

2. Section 21.3045 is revised to read as follows:

§ 21.3045 Entitlement charges.

Charges against the period of entitlement of an eligible person pursuing a program of education will be made in accordance with § 21.1045 (a) through (c) and (e) through (g).

3. In § 21.3046, the headnote, introduction preceding paragraph (a), the headnotes of paragraphs (a) and (b) and paragraphs (a) (2) and (c) are amended to read as follows:

§ 21.3046 Periods of eligibility; wives, husbands, widows, and widowers.

The period of eligibility cannot exceed 8 years and can be extended only as provided in paragraph (c) of this section. If eligibility arises before October 24, 1972, educational assistance based on a course of apprentice or other on-the-job training, or correspondence approved under the provisions of §§ 21.4256, 21.4261, and 21.4262 will not be afforded later than October 23, 1980. The period of eligibility of a wife or husband computed under the provisions of paragraph (a) of this section, however, will be recomputed under the provisions of paragraph (b) of this section if her or his status changes to that of widow or widower.

(a) *Wives or husbands.* \* \* \*

(2) If the permanent total rating is effective on or after December 1, 1968, or the notification to the veteran of such rating was on or after that date, the beginning date of the 8-year period of eligibility is the effective date of the rating or the date of notification, whichever is more advantageous to the wife or husband.

(b) *Widows or widowers.* \* \* \*

(c) *Extension to ending date.* Wife or husband is enrolled and eligibility ceases for a reason specified in paragraph (c) (1), (2), or (3) of this section: Extended to end of quarter or semester for schools operating on quarter or semester system, or for schools not operating on quarter or semester system, to end of course or for 9 weeks, whichever is earlier. In a course pursued exclusively by correspondence, the period of eligibility will be extended to the end of the course or for the total additional amount of instruction that § 462 will provide, whichever is less. No extension may exceed maximum entitlement or extend beyond the 8-year delimiting date specified in paragraph (a) of this section. Extension is authorized without regard to whether the midpoint of the quarter, semester or term has been reached. No extension of the period of eligibility will be made where training is pursued in a training

establishment as defined in § 21.4200(c).

(1) Veteran is no longer rated permanently and totally disabled.

(2) Wife or husband is divorced from veteran without fault on her or his part.

(3) Spouse no longer is listed in any of the categories of § 21.3021(a) (3) (ii). (38 U.S.C. 1711(b), 1712(b)).

[FR Doc. 74-20259 Filed 8-30-74; 8:45 am]

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

Subpart D—Administration of Educational Benefits; 38 U.S.C. Chapters 34, 35 and 36

LIBERALIZATION OF CERTIFICATION REQUIREMENTS

On page 20087 of the FEDERAL REGISTER of June 6, 1974 there was published a notice of proposed regulatory development to amend §§ 21.4135, 21.4137, 21.4203, 21.4204 and 21.4205 to liberalize certification requirements and for other purposes. Interested persons were given 30 days in which to submit comments, suggestions, or objections regarding the proposed regulations.

No written comments have been received and the proposed regulations are hereby adopted without change and are set forth below.

*Effective date.* These VA Regulations are effective August 26, 1974.

Approved: August 26, 1974.

By direction of the Administrator.

R. L. ROUDEBUSH,  
Deputy Administrator.

1. In § 21.4135, paragraph (h) is revised to read as follows:

§ 21.4135 Discontinuance dates.

(h) *Required certifications not received after certification of enrollment (§§ 21.4203 and 21.4204).* (1) If required certification is not timely received, payments will be suspended. If not received within 2 months (two quarters for correspondence) after month due, discontinuance date of last payment. If certification is later received, adjustment will be made based on facts found.

(2) If verification of enrollment and certificate of delivery of the check is not received within 60 days, in the case of an advance payment, the actual facts will be determined and adjustment made, if required, on the basis of facts found. If student failed to enroll, termination will be effective the beginning date of the enrollment period.

2. In § 21.4137(g), subparagraphs (2) and (3) are revised to read as follows:

§ 21.4137 Rates; educational assistance allowance; 38 U.S.C. Ch. 35.

(g) \* \* \*

(2) *Payment.* The amount of the payment is not to exceed the allowance for the month or fraction thereof in which

the course will commence plus the allowance for the following month. Upon receipt of an application, together with an enrollment certification or other information as required by paragraph (g) (3) and if there is no evidence in the eligible person's file showing that he is not eligible for such an advance, the check, made payable to the eligible person, shall be mailed to the institution for delivery to the eligible person upon registration. No delivery shall be made more than 30 days in advance of commencement of the program. Subsequent payments shall be made each month in advance subject to certification requirements set out in §§ 21.4138, 21.4203, 21.4204, and 21.4205. Final payment will be withheld if absence reporting is required until the required certification is received and any necessary adjustments made.

(3) *Certification.* Advance payment will be authorized initially and at the beginning of each subsequent term within an enrollment period preceded by an interval of nonpayment for one full calendar month or more provided the application, enrollment certification or other document signed either by an authorized official of the institution or the eligible person contains the following information:

- (i) The eligible person is eligible for educational benefits;
- (ii) The eligible person has been accepted by the institution or is eligible to continue training there;
- (iii) The eligible person has notified the institution of his intention to attend that institution or to reenroll in it;
- (iv) The number of semester, clock or Carnegie hours to be pursued by the eligible person; and
- (v) The beginning and ending dates of the enrollment period.

3. In § 21.4203, the introductory portion of paragraph (b) and paragraphs (b) (1) and (f) are revised to read as follows:

§ 21.4203 Reports by schools; requirements.

(b) *Entrance or reentrance.* The certification must clearly specify the course. Upon receipt of a certification of enrollment, an official authorization will be issued showing the beginning and ending dates of each period for which an allowance may be paid. Except as provided in paragraph (d) of this section the authorization will be for the period of enrollment to completion of the course or the extent of the eligible person's entitlement, whichever is the lesser.

(1) Schools organized on a term, quarter or semester basis will generally report enrollment for the complete course to the expected date of graduation. If a certification for the complete course covers two or more terms the school will report the dates for the break between terms or school years if a term or school year ends and the following term or school year does not begin in the same or the next calendar month. No allowances

are payable for these intervals. The school will report the period between each term, quarter or semester, if the eligible veteran or student elects not to be paid for the intervals between terms. At the discretion of the Administrator, payment may be made for breaks, including intervals between terms, within a certified period of enrollment during which the school is closed under an established policy based upon an order of the President or due to an emergency situation. Enrollment will be for the complete course, except where the student is a veteran or eligible person pursuing a program on a less than half-time basis or is a serviceman. For these students a separate enrollment certification will be required for each term, quarter or semester.

(f) *Certification.*—(1) *Courses not leading to a standard college degree.* A certification must be submitted quarterly, except for those courses pursued by servicemen while on active duty or on less than one-half time basis, and except as provided in paragraph (e) and (g) of this section, for each veteran and eligible person enrolled in a course which does not lead to a standard college degree. (See § 21.4204.) A report also will be required before release of the final allowance check. The report will consist of a certification containing the information required for release of payment, signed by the veteran or eligible person and the school on or after the final date of the reporting period. The date on which each person signed must be clearly shown. The only exception to the requirement to two signatures is a certification of interruption of training when the veteran or eligible person is not available for signature.

(2) *Courses leading to a standard college degree.* Schools which have veterans or eligible persons enrolled in courses which lead to a standard college degree are not required to submit periodic certifications for students enrolled in such courses. Certifications are, however, required under paragraphs (b), (c) and (d) of this section.

(3) *Apprentice or other on-the-job training.* A certification of attendance must be submitted monthly during the period of enrollment in the same manner as certifications required in paragraph (f) (1) of this section.

4. In § 21.4204, paragraphs (a) and (e) are revised to read as follows:

§ 21.4204 Periodic certifications.

(a) *Reports by schools, veterans and eligible persons.* For a veteran or eligible person enrolled in a course which leads to a standard college degree, excepting those on active duty and veterans or eligible persons pursuing the course on a less than half-time basis there must be verification of continued enrollment in and pursuit of the course for the entire enrollment period. Verification of continued enrollment will be made by a

Veterans Administration representative in direct contact with the school at least once a year and in the last month of enrollment if the enrollment period ends more than 3 months after the last verification. In the case of a veteran or eligible person who completed, interrupted or terminated his course, any communication from the student or other authorized person notifying the Veterans Administration of the veteran's or eligible person's completion of course as scheduled or earlier termination date, will be accepted to terminate payments accordingly. Reports by other veterans and eligible persons will be submitted in accordance with § 21.4203 (e), (f) or (g).

(e) *Farm cooperative courses.* The quarterly certification will cover only those periods of classroom instruction which are included in the prescheduled institutional portion of the course.

5. In § 21.4205, the introductory portion preceding paragraph (a) is revised to read as follows:

§ 21.4205 Absences.

Absences must be reported on the quarterly certification of pursuit of a course which does not lead to a standard college degree.

[FR Doc. 74-20254 Filed 8-30-74; 8:45 am]

Title 40—Protection of Environment  
CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY  
SUBCHAPTER C—AIR PROGRAMS  
[FRL 259-1]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Tennessee; Approval of Plan Revisions; Correction

FR Doc. 74-18060, published at page 28529 in the issue dated Thursday, August 8, 1974, incorrectly disapproves Chapter IV, section II of the general regulations of the Tennessee Air Pollution Control Board. The disapproval of § 52-2231 is corrected to cite Chapter XIV, section II of the general regulations of the Tennessee Air Pollution Control Board.

Dated: August 26, 1974.

ARSEN J. DARNAY JR.,  
Acting Assistant Administrator  
for Air and Waste Management.

[FR Doc. 74-20175 Filed 8-30-74; 8:45 am]

SUBCHAPTER E—PESTICIDE PROGRAMS  
[FRL 259-2]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Tricyclohexyltin Hydroxide

In response to a petition (PP 3E1405) submitted by Dr. C. C. Compton, Inter-regional Research Project No. 4, State Agricultural Experiment Station, Rutgers University, New Brunswick, NJ

08903, on behalf of the IR-4 Technical Committee and the Agricultural Experiment Stations of California, Idaho, Oregon, and Washington, a notice was published by the Environmental Protection Agency in the FEDERAL REGISTER of July 15, 1974 (39 FR 25960), proposing establishment of a tolerance (40 CFR Part 180) for combined residues of the insecticide tricyclohexyltin hydroxide and its organotin metabolites (calculated as tricyclohexyltin hydroxide) in or on the raw agricultural commodity fresh hops at 30 parts per million. No comments or requests for referral to an advisory committee were received.

It is concluded that the proposal should be adopted. (For a related document, see this issue of the FEDERAL REGISTER, page 31899.)

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514; (21 U.S.C. 346a(e))), 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), § 180.144 is amended by adding the new paragraph, "30 parts per million \* \* \*" after the paragraph "60 parts per million \* \* \*", as follows:

§ 180.144 Tricyclohexyltin hydroxide; tolerances for residues.

\* \* \* \* \*

30 parts per million in or on hops.

\* \* \* \* \*

Any person who will be adversely affected by the foregoing order may at any time on or before October 3, 1974, file with the Hearing Clerk, Environmental Protection Agency, Room 1019E, 4th & M Streets, SW., Waterside Mall, Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

*Effective date.* This order shall become effective on September 3, 1974.

(Sec. 408(e), 68 Stat. 514; (21 U.S.C. 346a(e)))

Dated: August 26, 1974.

HENRY J. KOPF,  
Deputy Assistant Administrator  
for Pesticide Programs.

[FR Doc.74-20173 Filed 8-30-74;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 114—DEPARTMENT OF THE INTERIOR

PART 114-43—UTILIZATION OF PERSONAL PROPERTY

Subpart 114-43.3—Utilization of Excess PERFORMANCE REPORTS

Pursuant to the authority of the Secretary of the Interior contained in 5 U.S.C. 301 and sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c), Subpart 114-43.3 of Chapter 114, Title 41 of the Code of Federal Regulations, is amended as set forth below.

This amendment relates only to matters of internal Department practice. It is, therefore, determined that the public rulemaking procedure is unnecessary and this amendment shall become effective September 3, 1974.

RICHARD R. HITE,  
Deputy Assistant Secretary  
of the Interior.

AUGUST 23, 1974.

Section 114-43.319, *Performance reports*, is revised to read as follows:

§ 114-43.319 Performance reports.

(a) The Annual Report of Utilization and Disposal of Excess and Surplus Personal Property, Standard Form 121, shall be prepared and submitted in accordance with § 101-43.4907 of this title and the supplemental instructions set forth in §§ 114-43.319-50, 51 and 52.

(b) The annual report of the utilization of foreign excess property shall be submitted to the Director of Management Services by July 25, of each year. Negative reports, when applicable, may be submitted in memorandum form in lieu of the prescribed Standard Form 365.

Section 114-43.319-50 is revised to read as follows:

§ 114-43.319-50 Preparation of S.F. 121.

(a) *Line 1.* Reassigned within reporting agency. For the purposes of this report, the major organizational components of this Department are its Bureaus and Offices and it would not be feasible to report reassignments within these major components. Only transfers to other Bureaus and Offices should be reported.

(b) *Line 2.* Include, as property not reported to GSA on Standard Form 120, all non-reportable items made available to GSA and State Surplus Property Agencies. Do not include property previously declared excess which was withdrawn for use within the reporting bureau or office.

(c) *Line 3.* Do not include transfers to another Bureau or Office in the Department of the Interior.

(d) *Line 4 and 5.* Property expended to scrap and abandoned or destroyed. Property reported on these lines shall have been processed in accordance with Board of Survey procedures in § 114-60.9 of this chapter.

(e) *Line 6.* Donated to public bodies. Report only property donated under the provisions of § 101-44.5 of this title, and include property donated to any Indian tribe as a public body.

(f) *Line 7.* Other donations. Any entry on this line must be fully explained and justified.

(g) *Lines 8 thru 11.* No supplemental instructions.

(h) *Remarks.* In addition to the explanations required by GSA, the following data shall be entered in this space or in an attachment to the Standard Form 121:

(1) The value of available property transferred in from other Interior Bureaus and Offices with or without reimbursement, in terms of original acquisition costs,

(2) The value of excess property acquired from Federal agencies outside of Interior, whether with or without reimbursement, in terms of original acquisition cost (estimated if not known).

Section 114-43.319-52 is amended so the last sentence will read as follows:

§ 114-43.319-52 Submission and due date.

\* \* \* Reports should be submitted, in original only, to the Director of Management Services within 30 calendar days after the close of each fiscal year.

§ 114-43.320 [Amended]

Section 114-43.320 is amended to delete reference to paragraphs (a) thru (d) as being reserved, and to change paragraph (e) to (c).

[FR Doc.74-20198 Filed 8-30-74;8:45 am]

Title 47—Telecommunications

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19986; FCC 74-887]

PART 43—REPORTS OF COMMUNICATION COMMON CARRIERS AND CERTAIN AFFILIATES

Monthly Report

Report and order. (Proceeding terminated). In the matter of amendment of FCC Form 903 and Form 905, conversion of these forms to computer format and related amendment of Part 43 of the Commission's rules, Docket No. 19986.

1. On March 28, 1974, the Commission adopted a notice of proposed rulemaking in the above entitled matter. This notice was published in the FEDERAL REGISTER on April 16, 1974 (39 FR 13676).

2. The notice presented for comment on or before May 14, 1974, a proposal to amend § 43.31 of Part 43 of the rules to require Radiotelegraph, Ocean-Cable, and Wire-Telegraph common carriers which had operating revenues for the preceding year in excess of \$250,000 to file monthly reports of financial, operating and statistical information on Automatic Data Processing (ADP) media (punched cards) and to revise FCC Form 903, "Monthly Report of Revenues, Expenses, and Other Items" (Radiotelegraph and Ocean-Cable), and FCC Form

905, "Monthly Report of Revenues, Expenses, and Other Items" (Wire-Telegraph), to expand the information reported thereon and to provide instructions for reporting on ADP media. It was further proposed that parallel reporting be required on ADP media and on manually-prepared report forms for a period not to exceed twelve months.

3. Comments were received from the Institute for Computer Sciences and Technology, National Bureau of Standards, U.S. Department of Commerce, (ICST) and ITT World Communications Inc. (ITT). No comments or briefs in reply to the original comments were received.

4. ICST stated that certain cards code requirements for special characters (Appendix A, part 1, page 23 and Appendix A, part 2, page 23) did not conform to those specified in the American National Standard for the "Hollerith Punched Card Code," which had been adopted as a mandatory Federal Information Processing Standard (FIPS). Since a primary objective of the proposed rulemaking is collecting data for reporting purposes, ICST believes that significant advantages would be gained through the use of recognized standards.

5. ITT stated that it endorses the adoption of the proposal, but it requests that definitive procedures be set up by the Commission under which interested parties could obtain duplicate copies of Commission computer tapes (containing non-privileged statistical material) which are prepared from the ADP media filed by the carriers, just as procedures are now available to obtain duplicate copies of non-privileged printed material in the Commission's files. ITT believes that it is in the public interest and within the policy objectives of the Freedom of Information Act, as amended, 5 U.S.C. 522, to make such data available for duplication in the existing ADP format, when the desired results can be obtained at minimal cost and effort, rather than require the public to undertake the needless effort and expenditure involved in order to transform a hard copy computer printout into computer readable media.

6. The Commission has considered the comments of ICST concerning the use of uniform codes as provided under FIPS. Having found that the FIPS codes are compatible with the Commission's newly operational ADP system, we believe that this will facilitate the exchange of data on both the Public-to-Commission and Interagency levels. Therefore, this recommendation is incorporated into Appendix A of this Report and Order.

7. In regard to the ITT request that definitive procedures be set up for ADP media duplication, the Staff is presently involved in developing a system in conjunction with the National Technical Information Service, U.S. Department of Commerce, for the public sale and dis-

tribution of non-privileged ADP media data files. At the present, requests for duplication of ADP media are being informally processed in compliance with §§ 0.465(a) and (c) (3) of the Commission's rules.

8. After reconsideration based upon the experience from existing informal ADP submittal arrangements with some of the affected carriers, the Staff is of the opinion that the parallel reporting (ADP media and manually-prepared report forms) requirement discussed in paragraphs 4 and 5 of the notice of proposed rulemaking is unnecessary since arithmetic consistency audits are inherent in the reporting system through the use of detail, subtotal and total comparisons. Accordingly, the provision for parallel reporting is being deleted. However, the comparative (corresponding month one year earlier) figures, which were to be reported on the manually-prepared parallel reports, are still required for historical comparisons. These comparative figures will be reported for the first twelve monthly reports (January 1973 through December 1973 data) only. These figures can be submitted in either the ADP media format (Appendix A) or the manually-prepared format (Appendix B), at the carrier's option.

9. In order to conform to the recent Common Carrier Bureau reorganization structure, minor editorial revisions have been made in attached Appendix A.

10. Section 43.31 of Part 43 of the Commission's rules is being amended as proposed in the notice of proposed rulemaking for the reasons mentioned therein.

11. Accordingly, it is ordered, That, under authority contained in sections 4 (i), 201, 219 and 220 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 201, 219 and 220, FCC Form 903, "Monthly Report of Revenues, Expenses, and Other Items" (Radiotelegraph and Ocean-Cable), and FCC Form 905, "Monthly Report of Revenues, Expenses, and Other Items" (Wire-Telegraph), are amended as set forth in attached Appendices A and B,<sup>1</sup> effective beginning for the reported monthly data of January 1974, with comparable 1973 data, and § 43.31 of Part 43 of the Commission's rules is amended, effective October 3, 1974, as set forth below and

12. It is further ordered, That this proceeding is hereby terminated.

(Secs. 4, 201, 219, 220, 48 Stat., as amended, 1066, 1070, 1077, 1078 (47 U.S.C. 154, 201, 219, 220))

Adopted: August 21, 1974.

Released: August 30, 1974.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>2</sup>

[SEAL] VINCENT J. MULLINS,  
Secretary.

<sup>1</sup> Filed as part of the original document.

<sup>2</sup> Commissioners Reid and Hooks absent.

Section 43.31 of Chapter I of Title 47 of the Code of Federal Regulations is revised to read as follows:

§ 43.31 Monthly reports of communication common carriers.

(a) Each telephone common carrier which had operating revenues for the preceding year in excess of \$1 million, and each oceanable, radiotelegraph, and wire-telegraph common carrier which had operating revenues for the preceding year in excess of \$250,000 shall file with the Commission, within forty (40) days after the end of each calendar month, a certified report on computer media as prescribed by the Commission.

(b) A copy of each such report (i.e., a printout from the computer media) shall be retained in the principal office of the carrier and shall be filed in such manner as to be readily available for public reference and inspection. The monthly reports shall contain all the information called for therein as prescribed by the Commission.

[FR Doc. 74-20240 Filed 8-29-74; 8:45 am]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE  
COMMISSION

SUBCHAPTER D—TARIFFS AND SCHEDULES

[Ex Parte No. 261; Special Permission  
Nos. 70-275; 73-123]

PART 1300—FREIGHT SCHEDULES;  
RAILROADS

PART 1307—FREIGHT RATE TARIFFS,  
SCHEDULES, AND CLASSIFICATIONS  
OF MOTOR CARRIERS

Joint Rates and Transportation of Property  
Correction

In FR Doc. 74-19332 appearing at page 30145 in the issue of Wednesday, August 21, 1974, the following changes should be made:

1. In § 1300.67(b):

a. In the eighth line of subparagraph (2), delete "of this chapter".

b. In the fourteenth line of subparagraph (3), insert a period after the word "charges".

c. In subparagraph (6) (i), in the first column on page 30147, in the fifth line, the word "carriers" should read "carrier's".

d. In the last line of subparagraph (6) (v), "paragrpah" should read "paragraph".

e. In the first line of subparagraph (6) (vi) (a), "publication" should read "publications".

2. In the seventh line of § 1307.49(b) (4), "portaion" should read "portation".

# proposed rules

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

## DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ 43 CFR Part 2800 ]

### RIGHTS-OF-WAY PROCEDURES, INCLUDING OUTER CONTINENTAL SHELF

#### Reimbursement of Costs

The primary purpose of this amendment is to provide for the recovery of costs incurred by the United States in processing applications for rights-of-way and permits incident to rights-of-way across the public lands and the Outer Continental Shelf. In accordance with the policy expressed in Title V of the Independent Offices Appropriations Act of 1952 (31 U.S.C. 483a); authority contained in sections 201 and 204 of the Public Land Administration Act (43 U.S.C. 1371, 1374); and the requirements of section 28(1) of the 1973 amendments to the Mineral Leasing Act (87 Stat. 576, 579), as to oil and gas pipelines, an applicant for a right-of-way or permit incident thereto under Part 2800 of Title 43, Code of Federal Regulations, would be required to pay the United States for the cost of processing the application, including preparation of reports and statements concerning the impact of the proposal upon the environment. Reimbursable costs would also include those costs incurred by the United States on behalf of a potential applicant, prior to the filing of a formal application. Following issuance of a right-of-way or permit, the holder thereof would be required to pay the United States for costs incurred by the United States in monitoring construction, operation, maintenance, and termination of authorized facilities, and the protection and rehabilitation of the land involved.

Applicants for and holders of rights-of-way or permits incident to rights-of-way across public lands are identifiable recipients of services above and beyond those which accrue to the public at large. The services rendered in reviewing applications and in monitoring holder activities are made necessary by such applications, and costs for them would not be incurred by the United States in the absence of such applications. The value to the recipient of such services and of the right-of-way or permit granted exceed the public policy or interest served by such rights-of-way or permits. In addition, such applicants and holders receive many other Federal services for which no charge is made, such as the maintenance of offices and personnel available to process applications, the maintenance of records needed in processing applications, and the availability

of environmental, technical, economic and other studies done at Federal expense and used in application processing.

Accordingly, it is fair and equitable, pursuant to Title V of the Independent Offices Appropriations Act of 1952 (31 U.S.C. 483a(1970)), that the direct and indirect costs to the Government incurred in the processing of applications for such rights-of-way and permits and for monitoring the construction, operation, maintenance and termination of authorized facilities, and protection and rehabilitation of the lands, should be recovered from applicants for and holders of such rights-of-way or permits.

The regulations contained herein do not apply to State or local governments or agencies or instrumentalities thereof except as to rights-of-way or permits under section 28 of the Mineral Leasing Act of 1920, as amended (87 Stat. 576), or to Federal Government agencies.

The proposed rulemaking amends existing regulations as follows:

1. The service fee of \$10.00 now submitted with applications is replaced by payment of an amount set forth in § 2802.1-2(d) of the proposed rules. These payments represent the Department's average cost for processing applications for different types and sizes of rights-of-way, based on cost data collected for the year 1972. The proposal provides for periodic payments of additional amounts where the authorized officer determines the cost of processing an application, or providing services to a potential applicant prior to the filing of a formal application, will exceed the payment required by § 2802.1-2(d) by an appreciable amount.

The proposed regulations require the payment of an amount set forth in § 2802.1-2(f) within 60 days following issuance of the right-of-way or permit incident thereto. This amount represents the Department's average cost for monitoring the construction, operation, maintenance and termination of authorized facilities, and the protection and rehabilitation of the lands involved. The proposal provides for the periodic payment of additional amounts where the authorized officer determines that the costs will exceed the payment required by § 2802.1-2(f) by an appreciable amount.

2. Regulations presently contained in § 2802.2-1 discuss actions to be taken on completed applications and reports. These provisions are administrative in nature and would be deleted from the regulations.

Section 2802.2-2 provides for timely construction of facilities after the grant

of a right-of-way. This section indicates that the holder of a right-of-way or permit may, at his own risk, deviate from the location of the approved right-of-way. This provision is no longer appropriate or in keeping with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and would be removed by this rulemaking. This proposal would require that any deviation from the location of an approved right-of-way be approved in advance.

3. Present regulations found at § 2802.4-2 require that a \$10.00 service fee be submitted with applications for transfers of rights-of-way. This rulemaking would increase the payment to \$100.00, commensurate with the actual cost to the United States for providing this service.

4. Regulations governing the grant of rights-of-way across the Outer Continental Shelf lands would be amended to incorporate the reimbursement of cost requirements for rights-of-way set forth in proposed § 2802.1-2. Applicants for assignment of a right-of-way would pay \$100.00 rather than the present \$10.00.

It is hereby determined that the publication of this proposed rulemaking is not a major Federal action significantly affecting the quality of the human environment and that no detailed statement pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) is required.

In accordance with the Department's policy on public participation in rulemaking (36 FR 8336) interested parties may submit written comments, suggestions, or objections with respect to the proposed rules to the Director (210), Bureau of Land Management, Washington, D.C. 20240 until October 1, 1974.

Copies of comments, suggestions, or objections made pursuant to this notice will be available for public inspection in the Office of Public Affairs, Bureau of Land Management, Room 5643, Interior Building, Washington, D.C., during regular business hours (7:45 a.m.-4:15 p.m.).

Subchapter B of Chapter II is amended as follows:

1. Section 2802.1-2 is revised to read as follows:

#### § 2802.1-2 Reimbursement of costs.

(a) The regulations contained in this section do not apply to State or local governments or agencies or instrumentalities thereof except as to rights-of-way or permits under section 28 of the Mineral Leasing Act of 1920, as amended (87 Stat. 576), or to Federal Government agencies.

(b) (1) Applications for rights-of-way or permits incident to rights-of-way must

reimburse the United States for administrative and other costs incurred by the United States in processing applications, including the preparation of reports and statements pursuant to the National Environmental Policy Act (42 U.S.C. 4331-4347), before a right-of-way or permit incident thereto will be issued under the regulations of this part. Reimbursement is also required of costs incurred by the United States on behalf of a potential applicant.

(2) After issuance of a right-of-way or permit incident to a right-of-way, holders thereof must reimburse the United States for costs incurred by the United States in monitoring the construction, operation, maintenance, and termination of authorized facilities, and protection and rehabilitation of the lands involved.

(c) (1) Applicants must submit with their formal applications a nonreturnable payment in accordance with the schedule in paragraph (d) of this section.

(2) Where the paragraph (d) of this section payment is estimated to be substantially below anticipated costs, the authorized officer shall require an applicant or potential applicant to make periodic payments in advance of the estimated reimbursable costs. Such payments shall be refundable as provided by paragraph (g) of this section.

(3) Prior to the issuance of any authorization for a right-of-way or permit incident thereto, the applicant will be required to pay additional amounts to the extent the United States' costs have exceeded the payments required by subparagraphs (1) and (2) of this paragraph, by an appreciable amount.

(d) Advance payments required by paragraph (c) (1) of this section are as follows:

(1) Rights-of-way and/or permits incident thereto, for the crossing of the public lands (e.g. powerlines, pipelines, roads and other linear facilities).

Length	Payment
Less than 5 miles----	\$250.
5 to 20 miles-----	\$500.
20 miles and over----	\$500 for each 20 miles or fraction thereof.

(2) Rights-of-way and/or permits incident thereto, not included in subparagraph (1) of this paragraph (e.g. communication sites, reservoir sites and plant sites)—\$250 for each 640 acres or fraction thereof.

(3) Where applications contain the features of subparagraphs (1) and (2) of this paragraph in combination, the payment shall be the combined amount as required by subparagraphs (1) and (2) of this paragraph.

(e) (1) Holders of rights-of-way or permits incident thereto, must submit within 60 days of issuance of a right-of-way a nonreturnable payment in accordance with the schedule in paragraph (f) of this section.

(2) Where the paragraph (f) of this section, payment is estimated to be substantially below anticipated costs, the authorized officer shall require the holder of a right-of-way or permit incident

thereto to make periodic payments in advance of the estimated reimbursable costs. Such payments shall be refundable as provided by paragraph (g) of this section.

(3) Following termination of a right-of-way or permit incident thereto, the holder will be required to pay additional amounts to the extent the United States' costs have exceeded the payments required by subparagraphs (1) and (2) of this paragraph by an appreciable amount.

(f) Payments required by paragraph (e) (1) of this section are as follows:

(1) Rights-of-way and/or permits incident thereto, for the crossing of the public lands (e.g. powerlines, pipelines, roads, and other linear facilities).

Length	Payment
Less than 5 miles----	\$100.
5 to 20 miles-----	\$200.
20 miles and over----	\$200 for each 20 miles or fraction thereof.

(2) Rights-of-way and/or permits incident thereto, not included in subparagraph (1) of this paragraph (e.g. communication sites, reservoir sites and plant sites)—\$100 for each 640 acres or fraction thereof.

(3) Where rights-of-way and/or permits contain the features of subparagraphs (1) and (2) of this paragraph in combination, the payment shall be the combined amount as required by subparagraphs (1) and (2) of this paragraph.

(g) If payment, as required by paragraphs (c) (2) and (e) (2) of this section exceeds actual costs to the United States, a refund shall be made by the authorized officer from applicable funds, under authority of 43 U.S.C. 1374.

(h) When two or more applications for rights-of-way are filed which the authorized officer determines to be in competition with each other, each applicant shall reimburse the United States according to paragraphs (a) through (d) of this section, except that costs which are not readily identifiable with one of the applications, such as costs for an environmental impact statement on all the proposals, shall be paid by each of the applicants in equal shares.

(i) When an applicant for a right-of-way is a partnership, corporation, association or other legal entity or controlled by one or more other legal entities, the owning or controlling entity or entities may, in the discretion of the authorized officer, be required to assume joint and several liability for costs under § 2802.1-2.

(j) When two or more applications for rights-of-way are received for what, in the judgment of the authorized officer, is one right-of-way system, all such applicants shall be jointly and severally liable for costs under § 2802.1-2 for the entire system, subject, however, to the provisions of paragraph (i) of this section.

(k) The provisions of paragraph (e) (2) and (3) of this section are applicable to rights-of-way or permits granted before the effective date of these regulations.

2. Sections 2802.2, 2802.2-1 and 2802.2-2 are revised to read as follows:

§ 2802.2 Construction of right-of-way.  
 § 2802.2-1 Timely construction.

Unless otherwise provided by law, a period of up to 5 years from the date a right-of-way application is approved may be allowed for completion of construction. Upon completion of construction, proof thereof shall be submitted to the authorized officer, consisting of a statement and certificate furnished by the holder of the right-of-way. The statement and certificate are embodied in Forms 5 and 6, Appendix B, which should be appropriately modified to reflect the act pursuant to which the right-of-way was granted and the nature of the project.

§ 2802.2-2 Deviation from approved right-of-way.

Deviation from the location of an approved right-of-way must be approved in advance by the authorized officer. Filing of an application in accordance with § 2802.1 will be required where the authorized officer determines that the deviation is substantial.

3. Section 2802.4-2 is revised to read as follows:

§ 2802.4-2 Reimbursement of costs.

All filings of transfers, by assignment, lease, operating agreement, or otherwise, made pursuant to this section, except by State or local governments or agencies or instrumentalities thereof, or Federal Government agencies must be accompanied by a nonrefundable payment of \$100.

§ 2883.2-1 [Amended]

4. Section 2883.2-1 is amended by deleting the words "a filing fee of \$10 and" from the last sentence of paragraph (a).

§ 2883.2-4 [Amended]

5. Section 2883.2-4 is amended by deleting the last sentence and inserting the following: A nonrefundable payment of \$100 must accompany the application for the assignment of a right-of-way under this section.

6. A new § 2883.2-5 is added to read as follows:

§ 2883.2-5 Reimbursement of costs.

The provisions of § 2802.1-2 apply to right-of-way applications and grants made pursuant to this subpart.

ROLAND G. ROBISON, Jr.,  
 Acting Deputy Assistant  
 Secretary of the Interior.

AUGUST 26, 1974.  
 [FR Doc.74-20217 Filed 8-30-74;8:45 am]

Fish and Wildlife Service  
 [ 50 CFR Part 32 ]  
 CERTAIN NATIONAL WILDLIFES IN  
 OREGON AND WASHINGTON  
 Proposed Hunting

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory

## PROPOSED RULES

Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715), and the National Wildlife Refuge System Administration Act of 1966 (80 Stat. 927 as amended; 16 U.S.C. 668dd), as delegated to the Director, Fish and Wildlife Service by Chapter 2, Part 242 of the Departmental Manual, it is proposed to amend 50 CFR Part 32 by the addition of Lewis and Clark National Wildlife Refuge, Oregon, and Columbian White-tailed Deer National Wildlife Refuge, Washington and Oregon, to the list of areas open to hunting of migratory birds.

It has been determined that regulated hunting of waterfowl may be permitted as designated on the above refuges without detriment to the objectives for which the areas were established.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions or objections with respect to the proposed amendment, to the Regional Director, Fish and Wildlife Service, P.O. Box 3737, Portland, Oregon 97208, on or before October 3, 1974.

Accordingly, it is proposed that § 32.11, list of open areas; migratory gamebirds, be amended by the following additions:

## OREGON

COLUMBIAN WHITE-TAILED DEER NATIONAL WILDLIFE REFUGE

LEWIS AND CLARK NATIONAL WILDLIFE REFUGE

## WASHINGTON

COLUMBIAN WHITE-TAILED DEER NATIONAL WILDLIFE REFUGE

DOUGLAS P. WHEELER,  
Deputy Assistant Secretary  
for Fish and Wildlife and Parks.

AUGUST 26, 1974.

[FR Doc.74-20224 Filed 8-30-74; 8:45 am]

## [ 50 CFR Part 32 ]

## DEER FLAT NATIONAL WILDLIFE REFUGE, OREG.

## Proposed Hunting

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715) and the National Wildlife Refuge System Administration Act of 1966 (80 Stat. 927 as amended; 16 U.S.C. 668dd), as delegated to the Director, Fish and Wildlife Service by Chapter 2, Part 242 of the Departmental Manual, it is proposed to amend 50 CFR Part 32 by the addition of Deer Flat National Wildlife Refuge, Oregon, to the list of areas open to hunting of migratory birds, upland game, and big game.

The portion of Deer Flat National Wildlife Refuge in Idaho is currently open to hunting of migratory birds, up-

land game and big game under 50 CFR Part 32.

It has been determined that regulated hunting of migratory birds, upland game and big game may be permitted as designated on the Oregon segment of the above refuge without detriment to the objectives for which the area was established.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions or objections, with respect to the proposed amendment, to the Director, Fish and Wildlife Service, Washington, D.C. 20240, on or before October 3, 1974.

Accordingly, § 32.11, *List of open areas; migratory game birds*, §§ 2.21, *List of open areas; upland game*, and § 32.31, *List of open areas; big game*, are amended by the following addition:

## OREGON

DEER FLAT NATIONAL WILDLIFE REFUGE

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

[FR Doc.74-20225 Filed 8-30-74; 8:45 am]

## DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[ 7 CFR Part 948 ]

## IRISH POTATOES GROWN IN COLORADO IN AREA NO. 2

## Proposed Handling Limitations

This proposal, designed to promote orderly marketing of Colorado Area No. 2 potatoes, would impose minimum quality standards and would require inspection of fresh shipments to keep undesirable, low quality potatoes from being shipped to consumers.

Consideration is being given to issuing a handling regulation which was recommended by the Colorado Area No. 2 Committee. It is established under Marketing Agreement No. 97 and Order No. 948, both as amended (7 CFR Part 948). This marketing order program regulates the handling of Irish potatoes grown in the State of Colorado and is issued under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The recommendations of the committee reflect its appraisal of the composition of the 1974 crop in Area No. 2 and of the marketing prospects for this season. Shipments are expected to be in significant volume by late September so the regulation should become effective by that time. The grade, size, and maturity requirements provided herein are necessary to prevent potatoes of lesser maturities, undesirable sizes, or low quality from being distributed in fresh market channels. They will also provide consumers with good quality potatoes consistent with the overall quality of the crop.

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

Shipments may be made to certain special purpose outlets without regard to the grade, size, maturity and inspection requirements, provided that safeguards are met to prevent such potatoes from reaching unauthorized outlets. Seed is so exempted because requirements for this outlet differ greatly from those for fresh market. Shipments for use as livestock feed are likewise exempt. 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.

All persons who desire to submit written data, views, or arguments in connection with this proposal may file the same, in two copies, with the Hearing Clerk, Room 112-A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than September 20, 1974. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)). The proposed regulation is as follows:

## § 948.372 Handling regulation.

From the effective date of this handling regulation, through June 30, 1975, no person shall handle any lot of potatoes grown in Area No. 2 unless such potatoes meet the requirements of paragraphs (a), (b), and (c) of this section, or unless such potatoes are handled in accordance with paragraph (d), (e), or (f) of this section. The maturity requirements specified in paragraph (b) shall terminate October 31, 1974, at 11:59 p.m., m.s.t.

(a) *Minimum grade and size requirements*—(1) *Round varieties*. U.S. No. 2, or better grade, 2 inches minimum diameter.

(2) *Long varieties*. U.S. No. 2, or better grade, 1 7/8 inches minimum diameter.

(3) *All varieties*. Size B, if U.S. No. 1, or better, grade.

(b) *Maturity (skinning) requirements*—(1) *Russet Burbank and Red McClure varieties*. For U.S. No. 2 grade not more than "moderately skinned" and for other grades not more than "slightly skinned."

(2) *All other varieties*. Not more than "moderately 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 purposes 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 inspection 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 and the assessment requirements of this part shall not be applicable to shipments of potatoes for:

- (i) Livestock feed;
- (ii) Relief or charity; or
- (iii) Canning, freezing, and "other processing" as hereinafter defined.

(2) The grade, size, maturity and inspection requirements of paragraphs (a), (b) and (c) of this section shall not be applicable to shipments of seed pursuant to § 948.6 but such shipments shall be subject to assessments.

(e) *Safeguards.* Each handler of potatoes which do not meet the grade, size, and maturity requirements of paragraphs (a) and (b) of this section and which are handled pursuant to paragraph (d) for any of the special purposes set forth therein shall.

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

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

(3) Bill each shipment directly to the applicable processor 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 without regard to the requirements of paragraphs (a), (b) and (c) of this section, but this exception shall not apply to any shipment which exceeds 1,000 pounds of potatoes.

(g) *Definitions.* The terms "U.S. No. 1," "U.S. No. 2," "slightly skinned," and "moderately skinned" shall have the same meaning as when used in the U.S. Standards for Potatoes (§§ 51.1540-51.1566 of this title, effective September 1, 1971, as amended), including the tolerances set forth therein. The term "other processing" has the same meaning as the term appearing in the act and includes, but is not restricted to, potatoes for dehydration, chips, shoestrings, starch, and flour. It includes 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." Other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97, as amended, and this part.

(h) *Applicability to imports.* Pursuant to section 8e of the act and § 980.1,

*Import regulations* (7 CFR 980.1), Irish potatoes of the red skinned round type, except certified seed potatoes, imported into the United States during the effective date of this handling regulation through June 30, 1975, shall meet the grade, size, and quality requirements specified in paragraph (a) of this section, and during the effective date of this handling regulation through October 31, 1974, shall be not more than "moderately skinned."

Dated: August 28, 1974.

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

[FR Doc.74-20307 Filed 8-30-74; 8:45 am]

Soil Conservation Service

[ 7 CFR Part 650 ]

RELATED ENVIRONMENTAL CONCERNS

Proposed Guidelines

Proposed Subpart B—"Related Environmental Concerns" to be added to Part 650 is herein published for review and comment by interested parties. The proposals were developed with informal consultation of other agencies with leadership roles or major concerns for the specific sections.

Comments will be received on or before October 3, 1974, after which final guidelines for related environmental concerns will be published. Comments and suggestions should be sent to Kenneth E. Grant, Administrator, Soil Conservation Service, Washington, D.C., 20250.

KENNETH E. GRANT,  
Administrator.

PART 650—COMPLIANCE WITH NEPA

Subpart B—Related Environmental Concerns Sec.

- 650.20 Archeological and historical data and historic sites.
- 650.21 Working relations with the U.S. Environmental Protection Agency (EPA) and related state environmental agencies.
- 650.22 Rare, threatened, and endangered species of plants and animals.
- 650.23 Natural areas.
- 650.24 Scenic beauty (visual resource).

AUTHORITY: Pub. L. 86-523, 74 Stat. 220 as amended, Pub. L. 93-291, 88 Stat. 174 (16 U.S.C. 469); Pub. L. 89-665, 80 Stat. 915 (16 U.S.C. 470); Pub. L. 93-205, 87 Stat. 884 (16 U.S.C. 1531 et seq.); Secretary of Agriculture Memorandum 1695, May 28, 1970.

Subpart B—Related Environmental Concerns

§ 650.20 Archeological and historical data and historic sites.

(a) *Background.* (1) Executive Order 11593 (36 FR 8921, 3 CFR 1971 Comp. p. 154), Protection and Enhancement of the Cultural Environment, provides that the federal government shall furnish leadership in preserving, restoring, and maintaining the historic and cultural environment of the nation, and that federal agencies shall administer the cultural

properties under their control in a spirit of stewardship and trusteeship for future generations; initiate measures necessary to direct their policies, plans, and programs in such a way that federally owned sites, structures, and objects of historical, architectural, or archeological significance are preserved, restored, and maintained; and in consultation with the Advisory Council on Historic Preservation, institute procedures to assure that federal plans and programs contribute to the preservation and enhancement of nonfederally owned sites, structures, and objects of historical, architectural, or archeological significance.

(2) The Act of June 27, 1960 relating to the preservation of historical and archeological data, Pub. L. 86-523, 74 Stat. 220, as amended May 24, 1974; Pub. L. 93-291, 88 Stat. 174 (16 U.S.C. 469), provides for the preservation of historical and archeological materials or data, including relics and specimens, that might otherwise be lost or destroyed as a result of flooding, building of access roads, relocation of railroads and highways, or other alterations of the terrain caused by the construction of a dam with assistance from or licensed by an agency of the United States, or any alteration of the terrain caused as a result of any federal construction project or federally licensed project, activity, or program; and that:

(i) Written notice to the Secretary of the Interior is required when a federal agency undertakes construction of or issuance of a license for certain dams, or finds, or is notified in writing by an appropriate authority, that its activities in connection with any federal construction project or federally licensed project, activity, or program will cause irreparable loss or destruction of significant scientific, prehistorical, historical, or archeological data.

(ii) Federal construction or licensing agencies may request the Secretary of the Interior to undertake recovery, protection, and preservation of such data; may transfer project funds to the Secretary of the Interior for this purpose; or may undertake such preservation activities with funds appropriated for the project, program, or activity.

(iii) The Secretary of the Interior may conduct and pay for data preservation and recovery which he determines is necessary as a result of any federal or federally assisted or licensed project, activity, or program.

(3) The National Historic Preservation Act, Pub. L. 89-665, 80 Stat. 915 (16 U.S.C. 470) provides for the preservation of certain properties including historic districts, sites, buildings, structures, and objects that are significant in American history, architecture, archeology, and culture and for an Advisory Council on Historic Preservation appointed by the President that will maintain a National Register of such sites. This law relates primarily to the preservation of such things as buildings, structures, sites, areas, places, and objects as listed in the National Register of Historic Places as opposed to preservation of archeological artifacts. Section 106 of the Act (16 U.S.C.

470f) requires that no federal funds may be expended on such work until the Advisory Council on Historic Preservation has had a reasonable opportunity to comment.

(b) *Policy.* SCS recognizes that archeological and historical resources are an important part of our national heritage and that appropriate measures must be taken to protect those which should be preserved. Accordingly, SCS will comply with applicable federal and state laws relating to archeological and historical data and historic sites and will take all reasonable precautions to avoid damaging any place, building structure, or object that has national, state or local significance. SCS will also encourage conservation districts and other units of government, organizations and cooperators to do likewise.

(c) *Responsibility.*—(1) *SCS national office.* The Administrator is responsible for establishing and maintaining necessary contacts with other agencies and councils at the national level, and for collecting, preparing and distributing pertinent material to state conservationists.

(2) *SCS state office.* The state conservationist is responsible for implementing the provisions of this section in his state. He is also responsible for establishing and maintaining necessary contacts with state agencies, preparing and distributing pertinent information to SCS personnel under his jurisdiction, appraising each situation and determining the best course of action to take, and distributing current data from the National Register of Historic Places to each field office with instructions on use of the material.

(d) *Coordination and implementation.*

(1) Federal property under SCS custody. Inventories and evaluations will be made by SCS whenever federal property under SCS custody that might qualify for inclusion in the National Register of Historic Places is to be sold, transferred, demolished, substantially altered, or affected by proposed actions of other agencies, or that is to be acquired for and placed under SCS custody.

(2) Applicability to Conservation Operations Technical Assistance, Part 610 of this chapter, and to the Great Plains Conservation Program, Part 631 of this chapter.

(i) State conservationists, under SCS policy, will notify the Secretary of the Interior, through the National Park System Archeological or Service Center serving their states, of evidence indicating that significant scientific, prehistorical, historical, or archeological data might be irrevocably lost or destroyed as a result of any SCS assisted activity. For activities involving SCS technical assistance furnished to another federal agency, the state conservationist will notify the responsible agency. The Secretary is authorized, with the consent of all persons, associations, or public entities having a legal interest in the property involved, to conduct a survey of the affected site; undertake the recovery, protection, and preservation of

such data; and to compensate any person, association, or public entity damaged as a result of delays in construction or as a result of the temporary loss of the use of private or nonfederally owned lands.

(ii) National Register of Historic Places. Each field office will consult current data from the National Register of Historic Places prior to the approval of the expenditure of any federal funds, for any undertaking, including the furnishing of SCS technical assistance. If the undertaking is likely to affect places listed in the National Register of Historic Places, the field office will request the state conservationist to determine the course of action in accordance with paragraphs (a) (3) and (c) (2) of this section.

(iii) Other sites. In addition to historic and archeological sites, structures, or objects of national significance, including those listed in the National Register of Historic Places, there are various others that may have state or local significance. Existing federal laws do not cover these specifically but it is appropriate for the federal government to assist state and local governments in expanding and accelerating their preservation programs and activities. If sites not listed in the National Register of Historic Places are found in the course of SCS work, persons in state or local government or other concerned institutions are to be requested by the state conservationist to appraise their significance. A decision as to the best course of action should be reached jointly, preferably including consultation with local conservation district governing body or other sponsoring organization(s). Final decisions must be retained as a part of the administrative file for the action at the appropriate SCS state or field office.

(3) Applicability to project-type activities (Watershed and Flood Prevention Programs, Parts 622 and 623 of this chapter, and Resource Conservation and Development Projects (RC&D), Parts 640 through 643 of this chapter).

(i) *Planning activities.* (A) Consideration of cultural and scientific resources will begin at the earliest stages of planning in project-type programs. Instructions for each stage of environmental assessment, plan formulation, review, and approval are contained in Subpart A of this part.

(B) The state conservationist will establish procedures to assure that the state historic preservation officer and the state archeologist, or equivalent, are contacted at the earliest stage of planning or environmental assessment and request assistance in determining needed survey procedures, sources of assistance, and whether a plan (watershed or RC&D measure plan) may affect historical, archeological, or cultural values. Places in or eligible for inclusion in the National Register of Historic Places will be considered. Other available expertise will be invited to participate in this determination.

(C) The state conservationist will establish a procedure for a records check

and field surveys to the extent necessary and as determined in (B) of this subdivision. He will employ professional expertise as needed and not otherwise available.

(D) If significant values are likely to be adversely affected by a project measure, the state conservationist will notify the Secretary of the Interior in writing, provide appropriate information and, in accordance with paragraph (a) (2) (ii) of this section, request the Secretary of the Interior to undertake recovery, protection and preservation of significant values with funds available to the Department of the Interior for that purpose. After receiving a written response from the Secretary of the Interior, the state conservationist may provide for the use of SCS funds during the operations phase of the project to undertake, or to assist with, the salvage and recovery operations discussed in paragraph (a) (2) (ii) of this section if necessary to accomplish the salvage and recovery operations in a timely manner. The provisions for salvage, estimated costs, and responsible agency must be included in the plan. Further guidance on actions to be taken if significant values are or may be affected and the functions of the U.S. National Park Service and the Council on Historic Preservation in this respect are contained in 36 CFR Part 800.

(ii) *Operations activities.* (A) Following authorization to provide the federal installation assistance, if a need develops for recovery, protection, and preservation which was not provided for during planning, the state conservationist will notify the Secretary of the Interior in writing, provide appropriate information, and request him to undertake these activities with funds available to the Department of the Interior for that purpose. After receiving a written response from the Secretary of the Interior, the state conservationist may use SCS funds to undertake, or to assist with, the salvage and recovery operations discussed in paragraph (a) (2) (ii) of this section if necessary to accomplish the salvage and recovery actions in a timely manner. In any event, the state conservationist will notify the Secretary of the Interior whenever he intends to assist with the construction of any dam that creates a reservoir of 40 surface acres or more and any floodwater retarding dam providing 5000 acre-feet or more of detention capacity. For smaller dams and reservoirs, the state conservationist will notify the Secretary of the Interior if he finds or is presented with evidence indicating that historical or archeological materials exist or may be present in a proposed reservoir area. For dams involving SCS technical assistance furnished to another federal agency, the state conservationist will notify the responsible agency.

(B) State conservationist will send required SCS notifications to the National Park System Archeological or Service Center serving their states. Notification will be given as early as possible after authorization of federal installation assistance and before construction. The notice

will include site location, approximate area to be flooded, approximate area to be disturbed, such additional data as may be useful to the Secretary of the Interior in making his decision, and a request that the Secretary undertake the recovery, protection, and preservation of data as needed. Construction should not begin or be continued until the Secretary has responded to the notice and request. The Secretary of the Interior is to initiate the survey or recovery effort within 60 days after notification or within such other time as may be agreed upon with the Administrator, and to keep SCS informed at all times of the survey or recovery effort so there will be as little disruption or delay as possible in carrying out SCS functions. The survey and recovery programs will terminate at a time mutually agreed upon by the Secretary and the Administrator, SCS.

(C) Prior to undertaking surveys and recovery operations, the Secretary of the Interior is to obtain the consent of all persons, associations, or public entities having a legal interest in the property involved. He is to compensate any person, association, or public entity damaged as a result of delays in construction or as a result of the temporary loss of the use of private or any nonfederally owned lands. No survey or recovery work will be required which in the determination of the Administrator would impede SCS activities in connection with any emergency.

(D) National Register of Historic Places. Each field office will consult current data from the National Register of Historic Places prior to the approval of the expenditure of any federal funds for any undertaking, including the furnishing of SCS technical assistance. If the undertaking is likely to affect places listed in the National Register of Historic Places, the field office will request the state conservationist to determine the course of action in accordance with paragraphs (a)(3) and (c)(2) of this section.

(E) Other sites. In addition to historic and archeological sites, structures or objects of national significance, including those listed in the National Register of Historic Places, there are various others that may have state or local significance. Existing federal laws do not cover these specifically, but it is appropriate for the federal government to assist state and local governments in expanding and accelerating their preservation programs and activities. If sites not listed in the National Register of Historic Places are found in the course of SCS work, persons in state or local government or other concerned institutions are to be requested by the state conservationist to appraise their significance. A decision as to the best course of action should be reached jointly, preferably including consultation with local conservation district governing body or other sponsoring organization(s). Final decisions must be retained as part of the administrative file for the action at the appropriate SCS state or field office.

**§ 650.21 Working relations with the U.S. Environmental Protection Agency (EPA) and state environmental agencies.**

(a) *Background.* The authorities and missions of SCS, EPA, and state environmental agencies make it imperative that an effective cooperative and coordinative working relationship be developed and maintained in areas of mutual concern. These common areas include air quality, water quality, pesticides, waste recycling and disposal, environmental considerations in land use, Environmental Impact Statements (EIS's) and environmental considerations in the conservation and development of natural resources.

(b) *Policy.* SCS will work closely with EPA in accordance with the provisions of the EPA-USDA Memorandum of Understanding July 31, 1974, at all administrative levels and with related state agencies to meet statutory requirements and to achieve harmonious implementation of all actions of mutual concern directed to improving or maintaining the quality of the environment.

(c) *Responsibility.*—(1) *SCS national office.* The Deputy Administrator for Field Services is responsible for overall coordination with EPA at the national office level. The Deputy Administrator for Water Resources is responsible for contacts with EPA in relation to activities of the Water Resources Council on water and related land resource planning and for coordinating work with EPA on EIS development.

(2) *Technical service center.* The TSC director is responsible for contacts and coordination with EPA regional offices within the group of states served by the TSC.

(3) *SCS state office.* The state conservationist is responsible for contacts and coordination with regional representatives of EPA and state environmental agencies in matters of mutual concern within his state.

(d) *Coordination and implementation.* (1) The SCS national office will:

(i) Within the framework of USDA agreements and guidelines, develop agreements for undertaking specific activities or projects of national significance and mutual advantage.

(ii) Assist EPA as requested in developing EPA policy, guidelines, and standards.

(iii) Consider EPA needs in soil survey and land, inventory, and monitoring activities.

(iv) Maintain needed liaison and develop mutual guidelines with EPA on water resources work and in coordinating EIS's.

(v) Advise EPA regarding soils, plant materials, and soil and water conservation techniques, including erosion and sediment control.

(vi) Establish procedures for periodic review of SCS national standards for treatment systems and practices for agricultural pollution abatement.

(2) The TSC director will:

(i) Within the framework of SCS memorandums and guidelines coordinate

with the EPA regional administrator the development of needed agreements for undertaking specific activities or projects of multistate significance and mutual advantage.

(3) The state conservationist will:

(i) Obtain early input of EPA and interested state and local environmental agencies in the planning process for projects or measures within the state impacting on the environment.

(ii) Coordinate preparation of SCS practice standards and procedures for agricultural pollution abatement within the state with EPA and related state agencies.

(iii) Encourage the development of a coordinated review and approval process within the state with EPA and appropriate state and local agencies including conservation districts for actions of mutual concern.

(iv) Attempt to resolve all EPA areas of concern on SCS assisted project-type actions within the state before a final EIS is prepared.

**§ 650.22 Rare, threatened, and endangered species of plants and animals.**

(a) *Background.* (1) A variety of plant and animal species of the United States are so reduced in numbers that they are threatened with extinction. The disappearance of any of these would be a biological, cultural, and in some instances an economic loss. Their existence contributes to scientific knowledge and understanding, and their presence adds interest and variety to life.

(2) The principal hazard to threatened and endangered species is the destruction or deterioration of their habitats by human activities such as industrialization, urbanization, agriculture, lumbering, recreation, and transportation. These activities of man will continue but the necessity of recognizing their adverse impacts and selecting alternatives that minimize or eliminate such impacts on threatened and endangered species is imperative.

(3) The Endangered Species Act of 1973 (Pub. L. 93-205, 87 Stat. 884 (16 U.S.C. 1531 et seq.)) provides a means whereby the ecosystems upon which endangered and threatened species depend may be maintained and a program for the conservation of such species. The Act also provides that, in addition to the Department of the Interior, "All other federal departments and agencies shall, in consultation with and with the assistance of the Secretary (of Interior), utilize their authorities for the conservation of endangered species and threatened species listed pursuant to section 4 of this Act and by taking such action necessary to insure that actions authorized, funded, or carried out by them do not jeopardize the continued existence of such endangered species and threatened species or result in the destruction or modification of habitat of such species which is determined by the Secretary, after consultation as appropriate with the affected states, to be critical." The Act also:

(i) Defines endangered species as any species in danger of extinction throughout all or a significant portion of its

range and threatened species as any species likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range. The Act uses the category "threatened". The term "rare" is not used.

(ii) Further defines species as including any subspecies of fish or wildlife or plants and any other group of fish and wildlife of the same species or smaller taxa in common spatial arrangements that interbreed when mature.

(iii) Provides for the Secretary of the Interior to enter into cooperative agreements with states for the purpose of implementing state programs for the conservation of endangered and threatened fish and wildlife. This assistance may include financial grants.

(iv) Provides national lists of endangered and threatened animal and plant species to be maintained by the Secretary of the Interior and published in the FEDERAL REGISTER. When resident fish and wildlife are added to the list, the affected states are to be consulted by the Secretary. The Secretary of the Smithsonian Institution is preparing a list of endangered or threatened plant species.

(b) *Policy.* The Act gives SCS additional direction for participation in the conservation and protection of endangered and threatened species. As the principal federal agency concerned with land use planning of privately owned rural land and with professional conservation employees headquartered in almost every county, SCS is uniquely capable of playing a vital role. Additional training will be provided as needed to meet SCS responsibilities. SCS will assist in the conservation of threatened and endangered species and consistent with other compelling needs avoid or prevent activities detrimental to such species. SCS concern for these species will not be limited to those listed by the Secretary of the Interior and published in the FEDERAL REGISTER, but will include species designated by state agencies as rare, threatened, endangered, etc.

(c) *Responsibility*—(1) *SCS national office.* The Administrator will arrange for consultation and coordination of SCS national office activities with the U.S. Fish and Wildlife Service, other federal agencies, and national organizations.

(2) *Technical service center.* The TSC director will, within the group of states served by the TSC arrange for consultation and coordination with regional representatives of the U.S. Fish and Wildlife Service, other federal agencies, and national and regional organizations.

(3) *SCS state office.* The state conservationist will arrange for consultation and coordination with the state fish and game or conservation agency, other state agencies, state organizations and foundations, conservation districts, and state representatives of federal agencies and national organizations.

(d) *Coordination and implementation.* (1) The SCS national office will:

(i) Within the framework of national legislation, USDA agreements, and SCS

objectives, develop SCS policies and directives for guiding agency efforts that will protect threatened and endangered species and for avoiding actions that jeopardize the continued existence of such species.

(ii) Maintain needed liaison and develop mutual understanding with the U.S. Fish and Wildlife Service and other concerned federal agencies.

(iii) Establish procedures for periodic review of SCS participation in the national effort to conserve these species.

(2) The TSC director will: (i) Within the framework of SCS policies and guidelines, arrange for needed liaison and understanding with regional counterparts of other federal agencies within the group of states served by the TSC and keep state conservationists informed of developments within such states.

(ii) Provide guidance and assistance to state conservationists in carrying out SCS policies and guidelines.

(3) The state conservationist will develop procedures to establish working relationships with other concerned federal agencies, state fish and wildlife or conservation agencies, conservation districts, concerned scientists in state university systems and natural history museums, and other informed persons and organizations to offer assistance in:

(i) Preparing or maintaining lists of the state's threatened and endangered species.

(ii) Determining the geographic occurrence of these species and the nature of the habitat occupied by them.

(iii) Discussing the kinds of measures important to preserve their habitat.

(iv) A monitoring program that would obtain advance warning of actions or conditions that could further endanger these species, thereby enabling SCS and others to take appropriate protective action.

(v) Assisting recovery teams, as appropriate, in preparing species recovery plans of those endangered and threatened species included in Federal lists.

(4) The state conservationist will also:

(i) Keep SCS area and field offices informed of species listed as being threatened or endangered, geographic area in which they are found, and information such as their numbers, preferred habitat, and critical factors.

(ii) Review the status of threatened and endangered species each December and send a report of the review to the Administrator.

(5) SCS district conservationists within the geographic range of threatened and endangered species will examine conservation district programs and SCS operations to evaluate their effects on these species, and recommend to district officials and the state conservationist any action needed for their protection.

(6) SCS field employees within the geographic range of threatened and endangered species will be continually alert to conditions, actions, or trends that may adversely affect the welfare of these species and report adverse situations to the state conservationist.

#### § 650.23 Natural areas.

(a) *Background.* (1) Natural areas are defined as land or water units where natural conditions are maintained insofar as possible. Natural conditions usually result from allowing ordinary physical and biological processes to operate with a minimum of human intervention. Manipulations may be required on natural areas to maintain or restore features that the areas were established to protect.

(2) Natural areas may be designated areas of federal, nonfederal government, or privately controlled land. Designation may be formal as provided for under federal regulations for areas of federal land to be administered as natural areas or by foundations or conservation organizations specifically created to acquire and maintain natural areas. Designation may be informal in the case of private landowners who designate a specific area as a natural area and manage it accordingly. Several professional societies concerned with renewable natural resources encourage establishment of natural areas withdrawn from economic uses and recognition of natural areas maintained and managed in economic enterprises.

(3) Natural areas are established and maintained for a variety of purposes including:

(i) *Furthering science and education.* Natural areas provide sites for research and outdoor classrooms for study of plant and animal communities in environments with particular ecological conditions.

(ii) *Monitoring the surrounding environment.* Natural areas serve as gauges against which to evaluate changes in land use, vegetation, animal life, air quality, or other environmental values.

(iii) *Providing recreation attractions.* Natural areas are valued by many people for their scenic, wild, and undisturbed character but must be protected, as needed, to prevent disturbance or alteration of the resources.

(iv) *Preserving unique values.* Natural areas may be established to protect scenic, biologic, geologic, or paleontologic features.

(v) *Serving as a genetic base for native plants and animals.* Natural areas may be established to preserve examples of land and water ecosystems with their full range of genetic diversity of native plants and animals including threatened and endangered species.

(b) *Policy.* SCS will recognize natural areas, if so dedicated, as a land use, and will support the designation of appropriate natural areas.

(c) *Responsibility*—(1) *SCS national office.* The Administrator will designate a member of the national office staff to act as SCS representative on the Federal Committee for Ecological Preserves and to provide appropriate liaison with other federal agencies and nonfederal groups concerned with natural areas.

(2) *Technical service center.* The TSC director will designate a TSC plant sciences discipline leader to provide leadership, appropriate liaison, and assistance on natural areas to SCS state offices.

(3) *SCS state office.* The state conservationist will designate an appropriate SCS representative to work with other agencies and groups, and will coordinate assistance on natural areas needed by area and field offices.

(d) *Coordination and implementation.* (1) SCS technical assistance will be furnished to representatives of administering agencies, foundations, groups, and individuals when requested through conservation districts. Conservation district officers will be encouraged to recognize appropriate natural areas concepts and programs and to participate in them.

(2) SCS employees will report to state conservationists abuses and potential or actual damages to natural areas that may be found in the course of ordinary business.

(3) SCS will cooperate with professional societies, groups, and individuals in locating areas suitable for and needed as natural areas.

(4) SCS employees providing technical assistance to land users must inform them about the impact their decisions may have on adjacent or nearby natural areas. Land users will be encouraged to consult with concerned agencies, societies, and individuals to arrive at mutually satisfactory land use and treatment.

(5) Recommended classification systems for characterizing areas designated as ecological preserves or as natural areas are contained in the following publications:

Soil Taxonomy, a Basic System of Soil Classification for Making and Interpreting Soil Surveys, USDA-SCS Agricultural Handbook 436.

Forest Cover Types of North America Exclusive of Mexico, Report of the Committee on Forest Cover Types, Society of American Foresters, 1964.

Potential Natural Vegetation of Coterminous United States, A. W. Kuchler, American Geographical Society Special Publication 36, 1964.

Wetlands classification described by the U.S. Fish and Wildlife Service in its Circular 39.

SCS will, to the extent feasible, use these classification systems when providing technical assistance on public and private natural areas and ecological preserves.

(6) The SCS published National List of Scientific Plant Names will be used when scientific names or name symbols are needed for automatic data processing.

#### § 650.24 Scenic beauty (visual resource).

(a) *Background.* Contributions to scenic beauty are a normal product of SCS work. Strip-cropping, field borders, field windbreaks, and ponds are examples. Emphasis is given to those soil and water conservation measures that contribute to a productive and efficient agriculture and increase the attractiveness of rural America and are in line with goals and objectives of conservation districts. This is best accomplished by considering the landscape visual resource when providing planning assistance to individual landowners, groups, units of government, and watershed and resource

conservation development project sponsors. SCS responsibilities in recreation also offer opportunities to develop the scenic beauty of the rural landscape. Department of Agriculture Secretary's Memorandum 1695, May 28, 1970, "Protecting and Improving The Quality of the Environment," includes scenic beauty as an objective of the Department's programs.

(b) *Policy.* SCS will: (1) Provide technical assistance with full consideration of alternative management and development systems that preserve scenic beauty or improve the visual resource; (2) emphasize the application of conservation practices having scenic beauty or visual resource values particularly in waste management systems; field borders, field windbreaks wetland management, access roads, critical area treatment; design and management of ponds, stream margins odd areas, and farmsteads; siting or positioning of structures and buildings to be in harmony with the landscape while reducing the potential for erosion; using native and other adaptable plants for conservation which enhance scenic beauty and create variety while linking beauty with utility; (3) promote personal pride in landowners in the installation, maintenance, and appearance of conservation practices and their properties; (4) select suitable areas for waste products and use of screens to hide "eye-sore" areas, and (5) encourage conservation districts to include practices which promote scenic beauty in their annual and long-range programs.

(c) *Responsibility.* The Soil Conservation Service will provide technical assistance through conservation districts to landowners, operators, communities, and state and local governments in developing programs relating to scenic beauty.

(1) *SCS national office.* The Administrator will:

(i) Assign appropriate SCS national office leadership to insure that enhancement of scenic beauty is included in national information, policy, guidelines, standards, guides to specifications for conservation practices without impairing basic soil and water conservation functions.

(ii) Emphasize in plant material center management and in plant materials functions that locating and evaluating plants for forage, erosion control, and recreation or wildlife uses be carried out with full attention to visual resource value.

(2) *SCS state office.* The state conservationist will:

(i) Assign appropriate staff member(s) to provide leadership in carrying out scenic beauty policy and procedure within the state.

(ii) Develop and keep current a landscape management plan to improve and maintain the appearance of all real properties under SCS control, and provide appropriate assistance to owners and managers of properties leased or rented by SCS.

(iii) Give emphasis to preserving scenic beauty and contributing to the

visual resource in the SCS information program whenever opportunities exist.

(d) *Coordination and implementation.*

(1) The governing body of each conservation district will be encouraged to revise or update its district program to appropriately provide for beautification of the countryside through applicable land use changes and effective soil and water conservation treatment.

(2) In providing assistance to watershed and resource conservation and development project sponsors and other resource planning groups for soil, water, and related resources, emphasis will be given to measures that preserve natural beauty or contribute to the quality of the visual resource.

(3) Local organizations and groups interested in scenic beauty will be contacted and consulted for cooperation in and coordination with SCS and conservation district efforts.

[FR Doc. 74-20201 Filed 8-30-74; 8:45 am]

## DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[ 14 CFR Part 121 ]

[Docket No. 13989; Notice No. 74-30]

AIRBORNE VIBRATION MONITORS

Notice of Proposed Rulemaking

The Federal Aviation Administration is considering amending § 121.307 of the Federal Aviation Regulations to provide that no person may conduct an operation under Part 121 of the Federal Aviation Regulations in a Boeing Model B-747, Lockheed Model L-1011, or McDonnell Douglas Model DC-10 aircraft without having installed in the aircraft an indicator to indicate to the flight crew rotor system unbalance for each engine.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, SW., Washington, D.C. 20591. All communications received on or before November 4, 1974, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

The FAA believes that the utilization of operable airborne vibration monitor (AVM) system in the wide body jet fleet would result in a significant reduction in the frequency of uncontained engine failures with a minimum economic burden being placed on the aviation industry.

In the past, AVM systems have been installed in older jet aircraft to detect

engine rotor unbalance that would indicate to the pilot the possibility of an impending engine failure. Those earlier systems provided varying degrees of reliability. Because of the problems with the earlier systems and because of the advent of the wide body jets that incorporate engines with massive moving parts which could, during an engine failure, penetrate the cabin and cause serious damage to the aircraft and injuries to its occupants, the aircraft manufacturers have applied updated technology and have developed AVM systems that do provide a reliable indication of rotor system unbalance in wide body jets.

All U.S. registered wide body jets incorporate AVM systems of a type that would be required under the proposal; however, a number of the AVM systems have been disconnected instead of repaired when it appeared that the AVM system was malfunctioning. By amending § 121.307 to require the incorporation of AVM systems, operations with an aircraft so equipped would not be permitted unless such equipment were in an operable condition under the provisions of § 121.303(d)(2).

It should be noted that Amendments 25-35 and 33-5, issued January 8, 1974 and made effective March 1, 1974 (39 FR 1831), added requirements to Parts 25 and 33 of the Federal Aviation Regulations to require that for the type certification of turbojet engine powered transport category airplanes an indicator to indicate rotor system unbalance be installed and that for the type certification of turbojet engines a means of connecting the indicating system be provided.

This amendment is proposed under the authority of sections 313(a), 601, and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1424), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend § 121.307 of Part 121 of the Federal Aviation Regulations by adding a new paragraph (m) to read as follows:

§ 121.307 Engine instruments.

(m) For Boeing Model B-747, Lockheed Model L-1011, and McDonnell Douglas Model DC-10 aircraft, an indicator to indicate rotor system unbalance for each engine to the flight crew.

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

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

[FR Doc. 74-20190 Filed 8-30-74; 8:45 am]

## ACTION

[45 CFR Part 1215]

### INSPECTION AND COPYING OF RECORDS Compliance With Public Information Act

The provisions of the Public Information Act, 5 U.S.C. 552, require that each

agency of the Federal Government make available to the public at established places identifiable records of the agency as therein specified.

Notice is hereby given that the Director of ACTION proposes to amend Chapter XII of Title 45, Code of Federal Regulations, to add a new Part 1215 to provide for regulations permitting the inspection and copying of documents of the ACTION agency.

Inquiries may be addressed and comments and views concerning the proposed new part may be submitted to ACTION, 806 Connecticut Avenue, NW., Washington, D.C., 20525, Attn: The Deputy Director. All comments received on or before October 3, 1974 will be considered. All comments and responses to this proposal will be available for public inspection during normal business hours at the foregoing address.

It is therefore proposed to add a new part 1215 to Chapter XII of Title 45 of the Code of Federal Regulations as follows:

### PART 1215—INSPECTION AND COPYING OF RECORDS: RULES FOR COMPLIANCE OF PUBLIC INFORMATION ACT

Sec.	
1215.1	Purpose.
1215.2	Definitions.
1215.3	Availability of records.
1215.4	Records which may be exempt from disclosure.
1215.5	Authority to release and certify records.
1215.6	Location of records.
1215.7	Records generally available.
1215.8	Identification of records.
1215.9	Manner of requesting records.
1215.10	Schedule of fees.

AUTHORITY: Sec. 402(12), 3420, Pub. L. 93-113, 87 Stat. 394, 414.

#### § 1215.1 Purpose.

The purpose of this part is to prescribe rules for the inspection and copying of opinions, policy statements, staff manuals, instructions, and other records of ACTION pursuant to 5 U.S.C. 552.

#### § 1215.2 Definitions.

As used in this part, the following definitions shall apply:

(a) "The Agency" means ACTION.  
(b) "Record" includes all books, papers, maps, photographs, or other documentary material or copies thereof, regardless of physical form or characteristics, made in or received by ACTION and preserved as evidence of its organization, functions, policies, decisions, procedures, operations or other activities, but does not include books, magazines, or other materials acquired solely for library purposes and available to any officially designated library of the office.

(c) "Identifiable" means, in the context of a request for a record, a reasonably specific description of the particular record sought, such as dates, format, and subject matter, which will permit its location.

#### § 1215.3 Availability of records.

All identifiable records of ACTION requested under 5 U.S.C. 552 shall be made available to the public upon compliance

with the procedures established in this part, except to the extent that the determination is made, in accord with the procedures set forth herein, that a record is exempt from disclosure and is to be withheld in the public interest. All publications, and other documents heretofore provided by ACTION in the normal course of business will continue to be made available without charge, upon request to the appropriate unit of the Agency.

#### § 1215.4 Records which may be exempt from disclosure.

The following categories are examples of records maintained by ACTION which, under 5 U.S.C. 552(b), may be exempted from disclosure:

(a) Records required to be withheld by Executive Order or other authority, relating to national defense or foreign policy. Included in this category are records required by Executive Order No. 10501, as amended, to be kept secret in the interest of national defense or foreign policy.

(b) Records related solely to internal personnel rules and practices. Included in this category are internal rules and practices relating to management operations which cannot be disclosed to the public without substantial prejudice to the effective performance of a significant function of the agency.

(c) Records specifically exempted from disclosure by statute. Included in this category are records relating to the officers and employees of the Agency.

(d) Information given in confidence. Included in this category are records reflecting commercial and financial information, as well as other information, obtained from any person and customarily regarded as privileged and confidential by the person from whom they were obtained, such as information provided to physicians or psychologists regarding volunteers or volunteer applicants for Peace Corps, VISTA, or other ACTION volunteer programs.

(e) Interagency or intra-agency memoranda or letters. Included in this category are records such as interagency communications and internal drafts, memoranda between officials and between agencies, opinions and interpretations prepared by staff or consultants; records of the deliberations of staff; and records the premature disclosure of which would interfere with the achievement of the purpose for which they were being prepared.

(f) Personnel, medical and other files. Included in this category are personnel and medical files of staff and volunteers and other files containing private or personnel information, the public disclosure of which would amount to a clearly unwarranted invasion of the privacy of any person to whom the information pertains.

(g) Investigatory files. Included in this category are files compiled for the enforcement of all laws, or prepared in connection with government litigation and adjudicative proceedings, except for those portions of such files which are by

law available to persons in litigation with the government, in which case such portion shall be made available to such litigant.

**§ 1215.5 Authority to release and certify records.**

(a) Authority is hereby delegated to the Chief of the Administrative Services Division, Office of Administration and Finance, to furnish, pursuant to these regulations, copies of records to any person entitled thereto, and upon request to provide certified copies thereof for use in judicial proceedings or other official matters as provided below.

(1) The Chief of the Administrative Services Division, and his deputy, are hereby designated to act as authentication officers. When the authentication officer is unavailable, any other person within such division delegated by the Director may act in his place instead. The authentication officer is hereby authorized to sign and initial certificates of authentication for and in the name of the Director of ACTION. The form of authentication shall be as follows:

In testimony whereof, I \_\_\_\_\_, Director of ACTION, have hereunder caused my name to be subscribed by the authentication officer of said agency at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Director of ACTION

By \_\_\_\_\_  
Authentication Officer  
ACTION

(2) The authentication officer is also hereby authorized to issue such statements, certificates, or other documents as may be required in connection with judicial proceedings or other official matters to show that, after thorough search of ACTION records, a requested record has not been found (See Rule 44(b), Federal Rules of Civil Procedure for the U.S. District Court).

**§ 1215.6 Location of records.**

(a) The agency will maintain a central records room at its headquarters in Washington, D.C. The headquarters of ACTION is presently located at 806 Connecticut Avenue, NW., Washington, D.C. The specific location of the central records room shall be the ACTION library, the location of which may change from time to time. The specific location of the library may be determined by requesting such information from the ACTION receptionist in the Office of the Director of ACTION.

(b) The agency has regional offices in the following places:

- Region I  
John W. McCormack Federal Building  
Room 1405  
Boston, Massachusetts 02109
- Region II  
26 Federal Plaza  
New York, New York 10007
- Region III  
1405 Locust Street  
Philadelphia, Pennsylvania 19102

Region IV  
730 Peachtree Street, NE.  
Atlanta, Georgia 30308

Region V  
1 North Wacker Drive  
Chicago, Illinois 60606

Region VI  
212 No. St. Paul Street  
Dallas, Texas 75202

Region VII  
Two Gateway Center  
5th & State  
Kansas City, Kansas 66101

Region VIII  
514 Prudential Plaza  
1050 17th Street  
Denver, Colorado 80202

Region IX  
100 McAllister Street  
San Francisco, California 94102

Region X  
1602 2nd Avenue  
Seattle, Washington 98101

Although it may not always be feasible in these offices to set aside rooms for the exclusive or primary use of the public, every reasonable effort will be made to accommodate members of the public who wish to use regional office facilities for the purpose of inspecting and copying records. The office will also endeavor to maintain and have readily available in its regional offices materials generally available in the central records room and each regional office will designate a records officer to receive and handle requests submitted pursuant to this part.

**§ 1215.7 Records generally available.**

The agency will attempt to make promptly available to any member of the public the following documents subject to the limitations contained in § 1215.4: (a) All final opinions and orders made in the adjudication of cases which have or may have precedential effect; (b) statements of policy and interpretation adopted by the office which have not been published in the FEDERAL REGISTER which have been or may be cited and relied upon as precedents; (c) administrative staff manuals and instructions to the staff which affect the public; (d) a current index covering so much of the foregoing materials as may have been issued, adopted or promulgated after October 1, 1973.

**§ 1215.8 Identification of records.**

(a) In order for the Agency to locate records and make them available it is necessary that it be able to identify the specific records sought. Persons wishing to inspect or secure copies of records should therefore seek to identify them as fully and as accurately as possible. In cases where requests are submitted which are not sufficient to permit identification, the records officer receiving the request will endeavor to assist the person seeking the records in filling in necessary details.

(b) Among the kinds of information which a person seeking records should try to provide in order to permit an identification of a record are the following:

(1) The unit or program of the agency which may be responsible for or may have produced the record such as VISTA, Peace Corps, or UYA.

(2) The specific event or action, if any, and if known, to which the record refers.

(3) The date of the record or the period to which it refers or relates if known.

(4) The type of record, such as an application, a contract, a grant or a report.

(5) Personnel of the office who may have prepared or have knowledge of the record.

(6) Citation to newspapers or publications which are known to have referred to the record.

**§ 1215.9 Manner of requesting records.**

(a) Requests under the Freedom of Information Act (5 U.S.C. 552) for access to ACTION records may be filed in person or by mail with the Chief of Administrative Services of the aforesaid at ACTION headquarters, 806 Connecticut Avenue, NW., Washington, D.C. 20525. Personal requests shall be received from between 10 a.m. and 4 p.m., Monday through Friday, except for official holidays. Records will be made available as promptly as is reasonably possible under the particular circumstances involved.

(b) Requests relating to any other Federal agency's records, copies of which are on file in ACTION, will normally be referred to that agency for consideration.

(c) Personal requests for access to records shall be made on ACTION forms, copies of which are available in the ACTION library in the Office of the Chief of Administrative Services. In the case of requests made by mail, the form will be completed by the Office of the Chief of Administrative Services.

(d) Upon receipt of request for a record, the Chief of the Office of Administrative Services will make an initial determination as to whether the request of the record is identifiable within the meaning of § 1215.8 hereof. Upon making an initial affirmative determination, he shall refer the request to the head of the unit concerned and so advise the requestor. Upon the receipt of the request the head of the unit shall determine whether the record is identifiable within the meaning of § 1215.8.

(e) If the Chief of Administrative Services or the head of the unit concerned determines that a requestor's record is not identifiable within the meaning of § 1215.8 hereof, the requestor shall be so advised and shall be permitted to amend his request to provide any additional information that would make the record identifiable. The requestor may seek appropriate assistance from the head of the unit concerned or the Chief of Administrative Services or any member of their staff.

(f) If the record requested is identifiable, the head of the unit concerned shall make it available unless he determines

that disclosure may be contrary to the public interest in accord with the exceptions described in § 1215.4. When he so determines, he shall immediately refer the request and record concerned to the Director of the office in which his unit is located. If that Director determines that the requestor's record should be withheld as exempt from disclosure from public interest, he shall immediately refer the request and the record concerned to the General Counsel.

(g) The General Counsel shall promptly advise the appropriate director whether or not the record concerned is exempt under 5 U.S.C. 552(b).

(h) If the General Counsel advises that the record is exempt, the Office Director, in consultation with the Chief of Administrative Services, shall then determine whether or not the record should, in the public interest, be withheld. If the decision is to withhold the record, the General Counsel's Office shall notify the requestor in writing, clearly stating the reasons for the decision reached.

(i) If the requestor's record is identifiable and the unit head of office director concerned has found no reason to withhold it, or if after receiving the General Counsel's advice, the Office Director decides not to withhold the record, the requested record shall be made available to the requestor.

(j) Any requester may request the Director of ACTION, or his designate, to review a determination that an identifiable record be withheld. Requests for review may be made by a letter or other written statement setting forth the pertinent facts. The Director will promptly consider each request for review and notify the requester involved, in writing, of his decision.

#### § 1215.10 Schedule of fees.

It is the policy of ACTION to encourage the widest possible distribution of information concerning programs under this jurisdiction. To the extent practicable, that policy will be applied under this part so as to permit requests for inspection or copies of records to be met without substantial cost to the person making the request. The following charges will be made for any copies requested by a requester.

(a) Copies made by photostat or otherwise (per page)—\$.10.

(b) Certification of any record as a true copy—\$.75.

(c) Certified statement of failure to locate record—\$.75.

(d) When no specific fee has been established for a service or the requested service does not fall in one of the above categories, the Chief of the Administrative Services Division is authorized to establish an appropriate fee pursuant to criteria established in Office of Management and Budget Circular No. A-25 entitled "User Charges."

(e) Payment shall be made to the Chief of the Administrative Services Division in cash or by personal check, money order, etc. Checks or other remittances shall be made payable to ACTION. A

receipt for any fees paid will be provided upon request.

Issued at Washington, D.C., on August 28, 1974.

JOHN L. GANLEY,  
Deputy Director, ACTION.

[FR Doc.74-20191 Filed 8-30-74; 8:45 am]

## CONSUMER PRODUCT SAFETY COMMISSION

[16 CFR Part 1120]

### CONSUMER PRODUCT SAFETY COMPLAINTS: RECORDS, ACCESS, AND INFORMATION

#### Proposed Recordkeeping Requirements.

The purpose of this notice is to propose requirements that manufacturers, importers, private labelers, and distributors of consumer products maintain and permit access to records and provide information relating to consumer product safety complaints. These requirements are proposed under section 16(b) of the Consumer Product Safety Act (15 U.S.C. 2065(b)). Comments on this proposal are invited on or before October 3, 1974.

Section 16(b) of the Act requires every manufacturer (including importer), private labeler, or distributor of a consumer product to establish and maintain such records, make such reports, and provide such information as the Consumer Product Safety Commission may by rule reasonably require for the purposes of implementing the Act or to determine compliance with rules or orders prescribed under the Act. Section 16(b) also requires every manufacturer (including importer), private labeler, or distributor of a consumer product, upon request of an officer or employee duly designated by the Commission, to permit the inspection of appropriate books, records, and papers relevant to determining whether such person has acted for is acting in compliance with the Act and rules under the Act.

The proposal under consideration would require records of all consumer product safety complaints to be maintained in an accessible location for a period of at least five years from receipt. All complaints, even those deemed by persons subject to the rule to be of no merit, would have to be maintained, so that the Commission could obtain a full picture of all consumer product safety complaints received in regard to any particular consumer product. The proposed rule would also require that duly designated officers, agents, or employees of the Commission be given immediate access to the records required to be maintained and that information required by the Commission be supplied immediately upon request.

Under the proposal, importers would be subject to the same requirements manufacturers are required to follow, since the term manufacturer, as defined in section 3(a)(4) of the Act (15 U.S.C. 2052(a)(4)), includes the term importer.

The rule, as proposed, would apply to manufacturers, importers, private labelers, and distributors of consumer

products subject to regulation under the Consumer Product Safety Act and under authority of the Acts transferred to the Commission by section 30 of the Act (15 U.S.C. 2079), namely, the Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.), the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 et seq.), the Flammable Fabrics Act (15 U.S.C. 1191 et seq.) and the Refrigerator Safety Act (15 U.S.C. 1211 et seq.).

Section 30(d) of the Consumer Product Safety Act states that risks of injury associated with a consumer product which could be eliminated or reduced to a sufficient extent by action taken under the transferred acts may be regulated by the Commission only in accordance with the provisions of those acts. The proposed rule is based, in part, on the premise that these requirements as to Consumer Product Safety Complaints are essential to the purpose of protecting the public against unreasonable risks of injury associated with consumer products and, moreover, that it is essential for the Commission to be able to obtain information on consumer product safety complaints from all manufacturers, importers, private labelers, and distributors of consumer products. At this time the Commission believes that risks of injury associated with consumer products cannot be eliminated or reduced to a sufficient extent by action taken under the transferred acts and proposes this rule to apply to manufacturers, importers, private labelers, and distributors of consumer products subject to the transferred acts and the Consumer Product Safety Act. Comments and legal arguments on this issue may, of course, be presented in response to this notice.

Information collected under any final rule would allow the Commission to determine the number and extent of consumer product safety complaints which have been received relating to a specific product. It would help the Commission determine priorities for future rules and determine the hazards which future regulations should address. It would also assist the Commission in determining compliance with the Consumer Product Safety Act, particularly sections 15 and 17 of the Act, and the transferred acts, as well as with consumer product safety rules or other rules and orders prescribed by the Commission.

Although the proposed rule may have an effect on private products liability litigation, the Commission believes that the proposed rule is within its authority and it believes that the benefit to be obtained from the ability to monitor consumer product safety complaints requires that the rule proposed be issued. One of the purposes of this notice is to provide opportunity for comment and legal argument on this issue.

Failure to comply with the requirements of any rule that may be promulgated in final form would constitute a violation of section 19(a)(3) of the Consumer Product Safety Act (15 U.S.C. 2068(a)(3)), and could subject the violator to the civil and criminal penalties set forth in sections 20 and 21 of the Act (15 U.S.C. 2069, 2070).

The Commission does not view the proposed rule as the sole rule to be issued under section 16(b) of the Act. Rather, it will consider adoption of such additional rules under section 16(b) as it finds are necessary for implementing the Act or determining compliance with rules or orders prescribed under the Act.

The Commission proposes that any final rule promulgated would (1) become effective thirty days after its publication in the FEDERAL REGISTER, and (2) apply to all consumer product safety complaints received after the effective date of the rule.

Therefore, under the authority of section 16(b) of the Consumer Product Safety Act (Pub. Law 92-573, 86 Stat. 1222, 15 U.S.C. 2065(b)), the Consumer Product Safety Commission proposes the following Part 1120:

#### PART 1120—RECORDKEEPING

##### Subpart A—Consumer Product Safety Complaints: Records, Access, and Information

- Sec.  
1120.1 Purpose and scope.  
1120.2 Definitions.  
1120.3 Records.  
1120.4 Access.  
1120.5 Information.

AUTHORITY: sec. 16(b), Pub. L. 92-573; 86 Stat. 1222; 15 U.S.C. 2065(b)

##### Subpart A—Consumer Product Safety Complaints: Records, Access, and Information

#### § 1120.1 Purpose and scope.

(a) This subpart is promulgated under the authority of section 16(b) of the Consumer Product Safety Act. (15 U.S.C. 2065(b)).

(b) The purpose of this subpart is to state requirements for all manufacturers, importers, private labelers, and distributors of consumer products to maintain records of all consumer product safety complaints received, to make reports of consumer product safety complaints as required in this subpart, and, upon request, to provide certain information to the Consumer Product Safety Commission concerning consumer product safety complaints. This subpart also requires that those subject to this subpart permit the inspection and copying of all consumer product safety complaints and books, records, and papers related to those complaints.

(c) This subpart applies to all consumer product safety complaints received by every manufacturer (including importer), private labeler, and distributor of a consumer product on or after the effective date of this section.

(d) This subpart applies, pursuant to section 30(d) of the Consumer Product Safety Act (15 U.S.C. 2079), to every manufacturer, importer, private labeler, and distributor of a consumer product subject to regulation under the Consumer Product Safety Act and under authority of the Acts transferred to the Commission by section 30 of Act, namely, the Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.), the Poison Prevention Packaging Act of 1970 (15 U.S.C.

1471 et seq.), the Flammable Fabrics Act (15 U.S.C. 1191 et seq.) and the Refrigerator Safety Act (15 U.S.C. 1211 et seq.).

#### § 1120.2 Definitions.

(a) The definitions of terms set forth in the Consumer Product Safety Act (15 U.S.C. 2051 et seq.) shall apply to such terms as used in this subpart.

(b) (1) The term "consumer product safety complaint" means any oral or written communication, regardless of the truth of the allegations contained therein, received by a manufacturer, importer, private labeler, or distributor, from any individual or organization, concerning a death, illness, or injury or potential death, illness, or injury related to a consumer product or any complaint related to the safety of a consumer product. The term also includes written memoranda of any oral communication, and records of law suits related to consumer product safety.

(2) The term "consumer product safety complaint" includes the analysis, if any, by those subject to this subpart (and their agents or contractors) of any consumer product safety complaint and the written response and/or written memorandum of the oral response, if any, to any consumer product safety complaint. The analysis of the consumer product safety complaint includes such records as technical studies, tests, or other records of investigation of the complaint and the conclusion thereon, if any.

#### § 1120.3 Records.

(a) Every manufacturer, importer, private labeler, or distributor of any consumer product shall maintain, for a period of at least five years from date of receipt of consumer product safety complaints, records as described in paragraph (d) of this section, organized according to the consumer product about which the complaint was made. The records so required shall be identifiable and readily accessible for inspection and copying, upon request, to duly designated officers, agents, or employees of the Consumer Product Safety Commission.

(b) Such records shall be maintained at the main corporate headquarters or principal place of business in the United States of each person subject to this section: *Provided*, That the records may be maintained at such other location(s) within the United States as may be designated by the manufacturer, importer, private labeler, or distributor subject to this subpart, if a list of the location(s) of such records is additionally maintained at such location where records are maintained and at the main corporate headquarters or principal place of business in the United States of each person subject to this subpart.

(c) The distributor or private labeler of a consumer product may delegate the responsibility for maintaining records required by this subpart to the manufacturer or importer of the consumer product: *Provided*,

(1) The manufacturer or importer agrees, in writing, to maintain the rec-

ords required by this subpart in accordance with the provisions of this subpart; and

(2) The distributor or private labeler agrees, in writing, to transmit to the manufacturer or importer, all consumer product safety complaints related to the safety of the consumer product; and

(3) The distributor or private labeler maintains a copy of the delegation of responsibility and agreements required by this paragraph and a list of the person(s) to whom and location(s) to which the consumer product safety complaints have been transmitted at the main corporate headquarters or principal place of business in the United States of the distributor or private labeler; and

(4) The distributor or private labeler immediately provides the Commission access (for inspection and copying) to and information about such delegation, agreement, and list pursuant to §§ 1120.4 and 1120.5.

(d) The records of consumer product safety complaints shall contain at least the following:

(1) At least one copy of any written consumer product safety complaint;

(2) A written memorandum of each oral consumer product safety complaint;

(3) A record of any law suit(s) filed regarding or related to a consumer product safety complaint, including the date filed, the court and the docket number involved, a copy of the complaint filed, and the outcome of any such law suit, if concluded;

(4) An analysis, if any, by those persons subject to this section (and their agents or contractors) of the allegations of any consumer product safety complaint;

(5) The written response, if any, by those subject to this section to any consumer product safety complaint. If the response is oral, a written memorandum of the response shall be maintained.

(e) The records required by this subpart may be maintained in hard copies or microfilm or microfiche, or other similar manner. They may not be maintained, for the purposes of this section, on computer tape.

#### § 1120.4 Access.

(a) Immediately upon an oral or written request of an officer, agent, or employee duly designated by the Commission, every manufacturer, importer, private labeler, or distributor of a consumer product shall permit inspection and copying of books, records, and papers relating to consumer product safety complaints required by this subpart.

(b) Immediately upon an oral or written request of an officer, agent, or employee duly designated by the Commission, every manufacturer, importer, private labeler, or distributor of a consumer product shall permit access to and copying of list(s) of location(s) at which the records required by this subpart are maintained.

#### § 1120.5 Information.

Each manufacturer, importer, private labeler, or distributor of a consumer

product shall immediately provide to the Commission upon oral or written request of any duly designated officer, agent, or employee of the Commission:

(a) A list of the locations of records kept in compliance with this subpart; and

(b) Answers to questions from the Commission as to whether any consumer product safety complaints have been received with regard to any particular consumer product.

Comments and views on this notice may be submitted, preferably with five copies, to the Secretary, Consumer Product Safety Commission, Room 1025, 1750 K Street, NW., Washington, D.C. 20207, until October 3, 1974. Comments received after that date will not be considered. All comments timely received will be on public view in the Office of the Secretary during normal working hours, Monday through Friday.

(Sec. 16(b), Pub. L. 92-573, 86 Stat. 1222; (15 U.S.C. 2065(b)))

Dated: August 27, 1974.

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

[FR Doc.74-20186 Filed 8-30-74; 8:45 am]

## ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

[FRL 256-5]

### TENNESSEE

#### Proposed Compliance Schedules

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

On May 31, 1972 (37 FR 10842), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved portions of the Tennessee State implementation plan. On June 20, 1973 (38 FR 16144), the Administrator approved a number of individually negotiated compliance schedules, but noted that the Tennessee plan failed to meet the requirements of 40 CFR 51.15(c) since compliance schedules with adequate increments of progress had not been submitted by the State for every source for which they were required.

On March 19, 1974 (39 FR 10273), the Administrator announced that Tennessee had submitted additional individual compliance schedules, some of which were proposed for approval. In the present notice, the Administrator announces the submittal of still more individual schedules, proposes certain of them for approval, and invites public comment on his proposal.

The schedules which are the subject of this notice were submitted, pursuant to 40 CFR 51.6 and 51.15, on October 16 and December 26, 1973, and on February 20, 1974, for the Agency's approval, and are, in effect, plan revisions. Each proposed revision establishes a new date by which an individual air pollution source must attain compliance with an emission limitation of the State implementation plan. This date is indicated in the succeeding table under the heading "Final Compliance Date." In many cases the schedule includes incremental steps toward compliance, with interim dates for achieving those steps. While the table below does not list these interim dates, the actual schedules do. These schedules are proposed as additions to the table published at 40 CFR 52.2223(c)(1). They are available for public inspection at the following locations:

Air Programs Office  
Environmental Protection Agency  
Region IV  
1421 Peachtree St., NE.  
Atlanta, Georgia 30309

Division of Air Pollution Control  
Tennessee Department of Public Health  
C2-212, Cordell Hull Building  
Nashville, Tennessee 37219

Each compliance schedule was adopted by the Tennessee Air Pollution Control Board, and was submitted to the Agency after notice and public hearing in accordance with the procedural requirements of 40 CFR 51.4. Moreover, each has

been determined to be consistent with the approved control strategies of the Tennessee plan. An evaluation of the Tennessee compliance schedule submittal may be consulted by the public at the Atlanta location given above.

All interested parties are encouraged to submit written comments on these proposed plan revisions. All relevant comments will be weighed carefully by the Agency before it approves or disapproves these changes in the Tennessee plan. Comments will be accepted on or before October 3, 1974, and should be addressed to the Acting Director, Air Programs Office Environmental Protection Agency, Region IV, 1421 Peachtree St., NE., Atlanta, Georgia 30309, Attention: Mr. Thomas A. Strickland.

(Sec. 110(a), Clean Air Act, as amended 1970 (42 U.S.C. 1857c-5(a)))

Dated: August 16, 1974.

JACK E. RAVAN,  
Regional Administrator,  
Region IV.

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

#### Subpart RR—Tennessee

Section 52.2223 is amended by adding new lines to the table in paragraph (c)(1) as follows:

#### § 52.2223 Compliance schedules.

\* \* \* \* \*

(c)(1) \* \* \*

#### Tennessee

Source	Location	State regulation involved	Date of adoption	Effective date	Final compliance date
Aluminum Co. of America, sources 22 and 23 (carbon anode baking).	Alcoa	Ch. V, sec. II.B.	Nov. 28, 1973	Immediately	July 9, 1974
Berkline Corp., plant No. 1, collector No. 6.	Morristown	Ch. V, sec. II.B; ch. VII, sec. II.	do	do	June 9, 1974
E. I. DuPont: 3 steam boilers, particulate emissions, SO <sub>2</sub> emissions.	New Johnsonville	Ch. V, sec. II.B; ch. V, sec. II.A(2).	Feb. 6, 1974	do	June 1975
Industrial Products Co., Inc.: Control equipment.	Mt. Pleasant	Ch. V, sec. II.B; ch. VII, sec. II.	Nov. 28, 1973	do	Jan. 1, 1974
Interstate Foundry & Maching Co.: Cupola.	Johnson City	Ch. V, sec. II.B; ch. VII, sec. IX.B.	do	do	Feb. 9, 1974
Laminite Plastics Corp.: Moldow system (phase I only).	Morristown	Ch. V, sec. II.B; ch. VII, sec. II.	do	do	Apr. 30, 1974
Lea Industries: Plant No. 4: process emissions	do	do	do	do	Jan. 1, 1974
Plant No. 5: process emissions	do	do	do	do	Aug. 9, 1974
Plant No. 6: process emissions	do	do	do	do	Do.
Plant No. 6, boiler	do	Ch. V	do	do	Feb. 1, 1974
Lewisburg Casting Co., Inc.: Cupola.	Lewisburg	do	do	do	June 6, 1974
A. B. Long Quarries, Inc.: Limestone quarry and crusher.	Harriman	Ch. V, sec. II.B; ch. VII, sec. II; ch. VII.	do	do	Mar. 30, 1974
Monsanto Industrial Chemical Co.	Columbia	Ch. VII	Feb. 6, 1973	do	July 1, 1975
Penn-Dixie Cement Corp.: Cement plant.	Richard City	Ch. V, sec. II.B; ch. VII, sec. II.	Nov. 28, 1973	do	June 1, 1975
Plough, Inc.: Boiler	Shelbyville	Ch. V, sec. II.B; ch. VI, sec. II.A(2).	do	do	May 30, 1974
Powermatic-Houdaille, Inc.: Two No. 5 cupolas.	McMinnville	Ch. V, sec. II.B; ch. VII, sec. II.	do	do	Aug. 9, 1974
Royal Oak Charcoal Co.: Kilns 1, 2, 3, 4, 5.	Cookeville	do	do	do	Do.
Don P. Smith Chair Co.: Drying kiln.	Loudin	do	do	do	June 30, 1974
Temple Industries: Coniale burner.	Savannah	Ch. V, sec. II.B; ch. VI, sec. H.D.	do	do	Apr. 30, 1974

Tennessee

Source	Location	State regulation involved	Date of adoption	Effective date	Final compliance date
Tennlite, Inc.: Two rotary kilns.	Green Brier	Ch. V, sec. II.B; ch. VII, sec. II.	do	do	July 30, 1974
Tenn. Asphalt Co. & Road Builders, Inc.: Asphalt batching plant.	Cumberland City	Ch. V, sec. II.B; ch. VII, secs. II and IX.G; ch. VIII.	do	do	Dec. 17, 1974
Vulcan Materials Co.: Furniture sanding machine.	Emory Gap	Ch. V, sec. II.B; ch. VII, sec. II; ch. VIII.	do	do	Mar. 31, 1974
Do.	Savannah	Ch. V, sec. II.B; ch. VII, sec. II; ch. VIII.	do	do	June 21, 1974
Do.	Parsons	do	do	do	Feb. 18, 1974
Cities Service (41-0073)	Copperhill	Ch. VII, sec. 8.	June 19, 1973	do	July 1, 1975
Cities Service (42-0073)	do	do	do	do	Do.
Penn Dixie Cement	Kingsport	Ch. VII, sec. 2.	Oct. 9, 1973	do	Do.

[FR Doc.74-19978 Filed 8-30-74;8:45 am]

[ 40 CFR Part 180 ]

[FRL 259-6]

ISOBUTYRIC ACID

Proposal To Exempt From Requirement of Tolerances

Tolerances have been established (§ 180.320) for residues of isobutyric acid in or on various raw agricultural commodities at 17,000 parts per million from postharvest application of the fungicides ammonium isobutyrate and/or isobutyric acid. W. R. Grace & Co., Washington Research Center, Columbia, MD 21044, now proposes that residues of isobutyric acid resulting from these uses of ammonium isobutyrate be exempted from the requirement of a tolerance and the restriction that limits application to grains and grasses intended for use as animal feed be deleted.

Based on consideration given data submitted it is concluded that:

1. Residues of isobutyric acid resulting from application of ammonium isobutyrate to the raw agricultural commodities specified in § 180.320 should be exempted from the requirement of tolerances.

2. Further, residues of isobutyric acid resulting from application of isobutyric acid to the raw agricultural commodities specified in § 180.320 should likewise be exempted from the requirement of tolerances.

3. The restriction in § 180.320 that limits application of ammonium isobutyrate or isobutyric acid to raw agricultural commodities intended for use as animal feed should be deleted.

4. The above revisions will protect the public health. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e)), it is proposed that Part 180 be amended as follows:

§ 180.320 [Deleted]

1. Section 180.320 *Isobutyric acid; tolerances for residues* is deleted from Subpart C.

2. The following new section is established in Subpart D:

§ 180.1030 *Isobutyric acid; exemption from the requirement of a tolerance.*

The fungicide isobutyric acid is exempted from the requirement of a tolerance for residues resulting from postharvest application of isobutyric acid and/or the fungicide ammonium isobutyrate in or on raw agricultural commodities as follows:

Alfalfa, Bermuda grass, brome grass, clover, fescue, lespedeza, orchard grass, sorghum grain, and timothy from postharvest application of ammonium isobutyrate.

Grains of barley, oats, sorghum, and wheat from postharvest application of isobutyric acid.

Corn from postharvest application of ammonium isobutyrate and/or isobutyric acid.

Any person who has registered or submitted an application for the registration of a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act containing any of the ingredients listed herein may request, on or before October 3, 1974, that this proposal be referred to an advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments with reference to this notice to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, Room B-1, East Tower, 401 M Street, SW., Washington, D.C. 20460. Three copies of the comments should be submitted to facilitate the work of the Environmental Protection Agency and others interested in inspecting the documents. The comments must be received on or before October 3, 1974, and should bear a notation indicating the subject. All written comments filed pursuant to this notice will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 5 p.m. Monday through Friday.

Dated: August 23, 1974.

DOUGLAS D. CAMPT,  
Acting Director,  
Registration Division.

[FR Doc.74-20176 Filed 8-30-74;8:45 am]

## [ 40 CFR Part 180 ]

[FRL 260-3]

## CERTAIN INERT INGREDIENTS IN PESTICIDE FORMULATIONS

## Proposed Exemptions From Requirement of Tolerance

The Administrator of the Environmental Protection Agency has received requests to exempt additional inert (or occasionally active) ingredients in pesticide formulations from tolerance requirements under the provisions of section 408 of the Federal Food, Drug, and Cosmetic Act. Based on a review of the history of use and available information on the chemistry and toxicity of these

substances, the Administrator finds that these substances are useful as adjuvants and, when used in accordance with good agricultural practice, will not result in a hazard to the public health.

Therefore, pursuant to provisions of the act (sec. 408(c), (e), 68 Stat. 512, 514; 21 U.S.C. 346a(c) (e)), it is proposed that § 180.1001(d) be amended by revising the item "Diethylene glycol \* \* \*" in the table and by alphabetically inserting new items, as follows:

## § 180.1001 Exemptions from the requirement of a tolerance.

\* \* \* \* \*

(d) \* \* \*

Inert Ingredients	Limits	Uses
Coal (derived only from anthracite and bituminous coals).	Soil application only	Carrier, extender.
Coke (from anthracite and bituminous coals only and petroleum).	do	Do.
Cyclohexanol		Solvent, cosolvent.
Diethylene glycol and diethylene glycol mono-butyl, monoethyl, and monomethyl ethers.		Deactivator for formulations used before crop emerges from soil, stabilizer.
Dipropylene glycol monomethyl ether		Stabilizer.
Ferric chloride	Not greater than 2 percent of pesticide formulation.	Suspending, dispersing agent.
Isobutyl alcohol		Solvent.
Maleic anhydride methylvinyl ether copolymer; average molecular weight 250,000.	Not more than 3 percent of pesticide formulation.	Suspending, dispersing agent.
Propylene glycol monomethylether		Solvent.
Sodium pentachlorophenate	Not more than 0.2 percent of pesticide formulation.	Preservative.

Any person who has registered or submitted an application for the registration of a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act containing any of the ingredients listed herein may request, on or before October 3, 1974, that this proposal be referred to an advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments with reference to this notice to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, Room B-1, East Tower, 401 M Street, SW., Washington, D.C. 20460. Three copies of the comments should be submitted to facilitate the work of the Environmental Protection Agency and others interested in inspecting the documents. The comments must be received on or before October 3, 1974, and should bear a notation indicating the subject. All written comments filed pursuant to this notice will be available for public inspection in the office of the Federal Register Section

from 8:30 a.m. to 4:00 p.m. Monday through Friday.

Dated: August 23, 1974.

DOUGLAS D. CAMPT,  
Acting Director,  
Registration Division.

[FR Doc.74-20177 Filed 8-30-74;8:45 am]

## FEDERAL ENERGY ADMINISTRATION

[ 10 CFR Part 211 ]

## WEEKLY PETROLEUM REPORTING SYSTEM

## Proposed Modification of Definition

The Federal Energy Administration hereby gives notice of a proposal to amend Title 10 of the Code of Federal Regulations, Part 211, to make certain changes in the Weekly Petroleum Reporting System.

This proposal would modify the definitions of "Crude oil pipeline" and "Petroleum products pipeline" set forth in § 211.224(b), to specify that crude oil and petroleum products contained in in-

trastate and intracompany pipelines, as well as interstate pipelines, must be reported to FEA under § 211.224.

Interested persons are invited to participate in this rulemaking by submitting data, views, or arguments with respect to the proposed regulations set forth in this notice to the Executive Secretariat, Federal Energy Administration, Box AX, Washington, D.C. 20461.

Comments should be identified on the outside envelope and on documents submitted to the FEA Executive Secretariat with the designation "Weekly Petroleum Reporting System". Fifteen copies should be submitted. All comments received by September 13, 1974, and all relevant information, will be considered by the Federal Energy Administration before final action is taken on the proposed regulations.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159, Federal Energy Administration Act of 1974, Pub. L. 93-275; E.O. 11790, 39 FR 23185)

In consideration of the foregoing, it is proposed to amend Part 211, Chapter II of Title 10, Code of Federal Regulations, as set forth below.

Issued in Washington, D.C., August 29, 1974.

ROBERT E. MONTGOMERY, Jr.,  
General Counsel,  
Federal Energy Administration.

Section 211.224 is revised in paragraph (b) in the definitions of "Crude oil pipeline" and "Petroleum products pipeline" to read as follows:

## § 211.224 Weekly petroleum reporting system.

(b) Definitions. \* \* \*

"Crude oil pipeline" means a pipeline which performs the trunk function as defined in 49 CFR 1204.4-3(b) and which carries crude oil, including interstate, intrastate and intracompany pipelines.

"Petroleum products pipeline" means a pipeline which performs the trunk function as defined in 49 CFR 1204.4-3(b) and which carries petroleum products, including interstate, intrastate and intracompany pipelines.

[FR Doc.74-20384 Filed 8-29-74;4:55 pm]

## SECURITIES AND EXCHANGE COMMISSION

[ 17 CFR Part 240 ]

[Release No. 34-10969; Filed No. S7-432]

## QUOTATIONS OF SPECIALISTS AND OVER-THE-COUNTER MARKET MAKERS

## Proposed Reporting Requirements

The Commission is releasing for public comment a revision of proposed Rule 17a-14 (17 CFR 240.17a-14) under the Securities Exchange Act of 1934 (the "Act"). The rule, which differs substantially from the version in which it was proposed in March of 1972, and published

in the FEDERAL REGISTER (37 FR 5760), has been revised in view of the many comments which were received thereon, the recommendations of the Commission's Advisory Committee on Market Disclosure (the "Advisory Committee") regarding a composite quotation system, which were submitted on November 21, 1972, and the Commission's experience to date with Rule 17a-15 (17 CFR 240.17a-15) under the Act.

The revised rule incorporates the recommendation of many commentators on the original proposal that it require the reporting of quotations pursuant to a plan similar to that required by Rule 17a-15. Accordingly, it provides that every registered national securities exchange and national securities association having one or more members which act as market makers or specialists in listed securities must report to the Commission quotations of their respective members in such securities, and every broker-dealer which is not a member of such a self-regulatory organization and which acts as a market maker in listed securities must report to the Commission its quotations, in each case by making such quotations available on a real-time, current and continuing basis in accordance with the terms and provisions of a plan providing for the collection, processing and dissemination of such quotations filed with and declared effective by the Commission.

It is the Commission's view that the self-regulatory organizations, because of their unique role in the statutory scheme, including their obligation to enforce the federal securities laws subject to the Commission's review, are the most appropriate bodies to collect, process and make available consolidated, real-time quotation data. In keeping with this concept of self-regulation embodied in the federal securities laws, therefore, any exchange or association (individually or jointly with any other exchange, association or other person) would, if the proposed version of Rule 17a-14 is adopted, have the first opportunity to file such a plan with the Commission. Vendors would be permitted to contract with the sponsor or sponsors of any plan for access to the quotation data stream and could compete for customers by offering to resell the data coupled with various equipment and software packages.

The Commission is aware that, for a variety of reasons, it is possible that no self-regulatory organization will file a plan under the rule, or that no plan will be filed which can be declared effective within a reasonable time after adoption of the rule. In order to maximize the prompt availability of consolidated quotation information in the unlikely event this occurs, the rule provides that if no such plan from a self-regulatory organization has been received and declared effective by February 1, 1975 (or such later date as the Commission may determine), the Commission will entertain such a plan from any person. The Commission is par-

ticularly interested in receiving comment on this aspect of the proposed rule.

The Advisory Committee and many of the commentators on the rule as proposed originally recommended that the rule permit self-regulatory organizations to establish joint procedures for collecting, processing, distributing and displaying quotations. Such joint procedures would be permitted under the revised rule. Since it appears to the Commission that it is appropriate in the public interest and for the protection of investors to effect the centralization of all quotations in listed securities, with a view to the rapid and efficient development of a central market system, the Commission recognizes that, to a significant degree, a uniformity of approach to the development of a composite quotation system will be necessary. Thus, the revised rule would require all self-regulatory organizations to report to the Commission the quotations of their members by making such quotations available on a real-time, current and continuing basis in accordance with the provisions of an effective plan, the terms of which will ensure such uniformity.

To ensure the comprehensiveness of quotations disseminated pursuant to an effective plan, the revised rule would provide further that after any plan has been declared effective and has become operational no person (including a market maker or specialist) may communicate market makers' or specialists' quotations in listed securities otherwise than in accordance with the provisions of such a plan. Consequently, a subscriber to the system will have access to all quotations available in any security quoted in the system.

The revised rule would not impose any minimum market-making obligations upon specialists or market makers whose quotations are to be reported in accordance with an effective plan. Commentators should be aware that the question of an appropriate regulatory framework to govern the activities of all specialists, market makers and block positioners in the context of a central market system is currently being considered both by the Commission's Advisory Committee on the Implementation of a Central Market System (the "CMS Advisory Committee") and the Commission's staff. The Commission believes that it is neither necessary nor appropriate to defer the prompt development of a communications system offering current information concerning quotations in the various markets pending resolution of the complex central market system questions now before the CMS Advisory Committee and the Commission's staff. Nevertheless, the Commission does contemplate that each plan filed under the revised rule will specify those characteristics which each quotation reported in accordance therewith must share. These specifications should include such matters as a requirement that every bid and offer submitted as a specialist's or a market maker's quotation represent, un-

til superseded by a new quotation from that same specialist or market maker, a standardized minimum amount of the security quoted which such specialist or market maker will be obligated to buy and sell at the prices quoted. Additionally, each plan should specify the circumstances under which and the manner in which a specialist or market maker may communicate his willingness to buy or sell securities in a specified quantity at a price away from either side of his current quotation, without being required to report such a bid or offer as a quotation to be disseminated pursuant to an effective plan and without being required to change his current quotation.

The quotation system contemplated by the Commission under the revised rule would reflect only two-sided quotations made on a regular and continuing basis by specialists and market makers. The Commission is aware, however, that it might be appropriate at some point to permit (or, perhaps, under some circumstances, even to require) so-called block positioners and others to reflect their buy and sell interest in the system, but the Commission believes that it would be premature for it to attempt to resolve such questions in the absence of specific proposals with respect to the operation of the system.

The provisions of the revised rule have been made parallel, in a number of respects, to those of Rule 17a-15, adopted by the Commission in November of 1972 (37 FR 24172). For example, to ensure access to the quotations reported pursuant to the rule on a non-discriminatory basis, the revised rule would provide for Commission review of denials of access and would require that any plan provide that no display of quotations disseminated pursuant thereto may exclude quotations based upon the market from which a quotation was entered. Additionally, as with Rule 17a-15, it is the Commission's intention to place any plan filed with the Commission in its public file so that the Commission may secure the benefits of public comment thereon. Before the Commission would impose changes in or otherwise condition the effectiveness of any plan or any amendment thereto, or itself initiate any amendment to the plan after effectiveness, the plan's sponsors would be afforded an opportunity to comment on any such action.

The Commission recognizes that a test of the composite quotation system may be appropriate before it becomes fully operational. In view of the provisions in the consolidated tape plan declared effective by the Commission for such a test of that system, the Commission will permit any plan filed pursuant to revised Rule 17a-14 to provide that the composite quotation system will not become fully operational until after a test phase.

#### TEXT OF PROPOSED RULE

The Securities and Exchange Commission, acting pursuant to the provisions of the Securities Exchange Act of 1934,

and particularly sections 2, 6, 9, 10, 11, 15, 15A, 17, 19 and 23 thereof, hereby proposes to amend Part 240 of Title 17 of the Code of Federal Regulations by adopting § 240.17a-14 as follows:

**§ 240.17a-14 Reporting of market quotations for securities listed or traded on exchanges.**

(a) Every registered national securities exchange ("exchange") and every registered national securities association ("association") having one or more members which act as market makers or specialists (as defined in paragraph (i) hereof) in securities registered on an exchange pursuant to section 12(b) of the Securities Exchange Act of 1934 (the "Act") or admitted to unlisted trading privileges on an exchange pursuant to section 12(f) of the Act ("listed securities") shall report to the Commission all bids for and offers of such securities ("quotations") made by such members or broker or dealer, and every broker or dealer which is not a member of an exchange or association ("non-member broker or dealer") and which acts as a market maker in such securities shall report to the Commission its quotations in each case by making such quotations available on a real-time, current and continuing basis in accordance with the terms and provisions of a plan providing for the collection, processing and dissemination of such quotations filed with and declared effective by the Commission pursuant to paragraph (b) of this section.

(b) Plans may be filed under this rule as follows:

(1) Any exchange or association (individually or jointly with any other exchange, association or other person) may file with the Commission a plan for the collection, processing and dissemination of quotations to be made available pursuant to paragraph (a) of this section, which plan shall comply with the requirements of paragraphs (c), (d) and (e) of this section.

(2) In the event a plan filed with the Commission pursuant to paragraph (b) (1) of this section is not effective by February 1, 1975 (or such later date as the Commission may determine), any person thereafter may file with the Commission such a plan.

(3) The Commission, having due regard for the maintenance of fair and orderly markets, the public interest and the protection of investors, may declare any plan and any amendments thereto filed pursuant to paragraphs (b) (1) or (2) of this section effective upon such terms and conditions relating to the provisions thereof as the Commission may deem necessary or appropriate. After any plan is declared effective, the Commission, having due regard for the maintenance of fair and orderly markets, the public interest and the protection of investors, may initiate such changes with respect thereto as the Commission may deem necessary or appropriate.

(c) Each plan filed pursuant to paragraph (b) of this section shall include

copies of all rules, by-laws and other constituent instruments (including instruments relating to: any entity which may be established to implement such plan, any exchange, association or non-member broker or dealer from whom quotations are to be collected and any quotation vendor, as defined in paragraph (i) of this section, or other person to whom quotations are to be disseminated) and all other documents pertaining to its implementation and operation. Each such plan shall specify, among other things:

(1) The manner, method and place of collecting, processing, disseminating and displaying quotations made available pursuant to paragraph (a) of this section in compliance with the requirements of this rule, including the functions to be performed by quotation vendors;

(2) The standards and methods to be utilized to ensure promptness of the collection, processing and dissemination of quotations and the accuracy and completeness of such quotations;

(3) The terms and conditions upon which users (including quotation vendors) of quotations disseminated pursuant to the plan will be granted or denied access thereto, including (i) specific standards and procedures governing the granting or denial of such access; (ii) specific provisions governing the sale of quotations to users and the resale thereof by users; and (iii) the basis for computing any fee to be charged in connection with the purchase and sale of quotations;

(4) That no display of quotations disseminated pursuant thereto may (i) exclude quotations based upon the market in which a quotation was entered; (ii) fail to identify the specialist or market maker which entered a quotation; or (iii) fail to specify any minimum number of round lots or other units of trading of the security which a market maker or specialist indicates that it is willing to buy at the bid price and sell at the offer price comprising its quotation (the "quotation size"), if such market maker or specialist elects to make such quotation size available in accordance with the provisions of the plan; and

(5) An estimate of (i) the time required to implement and make fully operational the procedures contemplated by the plan, and (ii) the aggregate costs of implementing the plan, identifying each component thereof which amounts to 5 percent or more of such aggregate costs associated with making the plan fully operational or of costs to be incurred subsequently on a regular basis to continue the plan in operation.

(d) Every member of an exchange or association shall maintain and keep current, and promptly transmit on a real-time, current and continuing basis to the exchange or association of which it is a member, all information required to be reported to the Commission by such exchange or association pursuant to para-

graph (a) of this section in the manner prescribed in any effective plan.

(e) The Commission may entertain appeals in connection with the operation of any effective plan as follows:

(1) Any action taken or any failure to act by any person in connection with an effective plan (including but not limited to denial, limitation or termination of access to quotations) shall be subject to review by the Commission on its own motion, or upon application by any person aggrieved thereby (including but not limited to exchanges, associations, brokers, dealers, issuers, quotations vendors and other users of quotations) filed within 30 days after such action or failure to act or within such longer period as the Commission may determine.

(2) Application to the Commission for review, or the institution of review by the Commission on its own motion, shall not operate as a stay of any such action, unless the Commission determines otherwise, after notice and opportunity for hearing on the question of a stay (which hearing may consist only of affidavits or oral arguments).

(3) In any proceeding for review, if the Commission, after appropriate notice and opportunity for hearing, and upon consideration of any proceedings conducted in connection with such action or failure to act and such other evidence as it deems relevant, determines that the action or failure to act is in accord with the applicable provisions of such plan and is consistent with the maintenance of fair and orderly markets, the public interest and the protection of investors, the Commission shall dismiss the proceeding. Otherwise, the Commission shall require the taking of such action with respect to the matter reviewed as the Commission deems appropriate in accordance with the public interest and consistent with such plan.

(f) After the date on which any plan filed with and declared effective by the Commission pursuant to paragraph (b) of this section becomes operational in accordance with its terms, no person may communicate any market makers' or specialists' quotations in any manner otherwise than in accordance with the provisions of such a plan.

(g) To the extent any provision of this section or of any effective plan is inconsistent with any rule, contractual arrangement or practice of any exchange or association, the provisions of this section and of any such plan shall prevail.

(h) The Commission may exempt from any of or all the provisions of this section, either unconditionally or on specified terms and conditions, any exchange, association, broker, dealer, quotation vendor, other person or class of securities if the Commission determines that it is not necessary for the maintenance of fair and orderly markets, the public interest or for the protection of investors that any such person or class of securities be subject to such provisions.



# notices

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

## DEPARTMENT OF STATE

[Public Notice CM-159]

### LAW OF THE SEA ADVISORY COMMITTEE

#### Notice of Closed Meeting

In accordance with section 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that the Advisory Committee on the Law of the Sea will hold a closed meeting on Thursday and Friday, September 19 and 20 and on the morning of Saturday, September 21, 1974. There will be a session open to the general public from 3 until 5 p.m. on September 21 at Constitution Hall in Washington, D.C. Attendees are asked to use the Main Entrance on 18th St. NW. between "C" and "D" Streets.

The purpose of these meetings is to discuss issues relating to the Third United Nations Conference on the Law of the Sea. During the closed session, documents classified under the provisions of Executive Order 11652 will be discussed. These classified documents contain background information and proposals relating to the issues which the U.S. is negotiating at the Conference, and are exempt under 5 U.S.C. 552(b) (1) and that in the public interest are required to be withheld from disclosure. The issues cover such subjects as transit rights through international straits, access to marine resources, the breadth of the territorial sea, and other related topics involving U.S. national security matters.

The Advisory Committee on the Law of the Sea comprises a broad cross-section of industries, professions, academic disciplines and other public groups. As such, it will comprehensively review the issues which will come before the Conference.

Dated: August 27, 1974.

OTHO E. ESKIN,  
*Acting Staff Director.*

[FR Doc.74-20229 Filed 8-30-74;8:45 am]

[Public Notice 431; Delegation of Authority No. 120-1]

### PROJECT MANAGER OF THE INTERNATIONAL CENTER PROJECT

#### Delegation of Authority

Pursuant to authority contained in section 4 of the Act of May 26, 1949 (63 Stat. 111; 22 U.S.C. 2658), as amended, and by virtue of authority vested in me by Delegation of Authority No. 120 (Public Notice No. 318, 34 FR 18095, November 8, 1969), I hereby delegate to the Project Manager of the International

Center Project, the authority to sign contracts, as contracting officer for the Department of State, pursuant to his duties as project manager.

The authority hereby delegated is subject to the policies and regulations prescribed in the Foreign Affairs Manual and the Department of State Procurement Regulations.

The delegation of authority is retroactive to August 19, 1974.

Dated: August 21, 1974.

[SEAL] J. M. THOMAS,  
*Assistant Secretary  
for Administration.*

[FR Doc.74-20218 Filed 8-30-74;8:45 am]

[Public Notice CM-158]

### SHIPPING COORDINATING COMMITTEE

#### Notice of Meeting

A meeting of the Shipping Coordinating Committee will be held at 9:30 a.m. on Wednesday, September 25, 1974, in Room 7200, Coast Guard Headquarters, 400 Seventh Street SW., Washington, D.C. The meeting will be open to the public.

The purpose of the meeting is to discuss preparations for the Thirty-third Session of the IMCO Council meeting scheduled to meet in London, October 1, 1974.

Dated: August 23, 1974.

RICHARD K. BANK,  
*Acting Chairman,  
Shipping Coordinating Committee.*

[FR Doc.74-20199 Filed 8-30-74;8:45 am]

## DEPARTMENT OF THE TREASURY

### Bureau of Alcohol, Tobacco and Firearms

#### ADVISORY COMMITTEE ON EXPLOSIVES TAGGING

#### Notice of Closed Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. 10(a)(2)), notice is hereby given that a meeting of the Advisory Committee on Explosives Tagging will be held on October 16, 1974, at the Benjamin Franklin Post Office Building, beginning at 9:30 a.m. in Room 5041ABC.

The Technical Subcommittee will report to the Advisory Committee and disclose detailed proprietary scientific and technical data concerning various candidate explosive tagging systems that can be used in the detection and identification of explosives.

The information which will be reported by the Technical Subcommittee

during the meeting will constitute trade secrets and commercial or financial information obtained from a person and confidential within the ambit of Title 5, United States Code, section 552(b)(4). Accordingly, the meeting of the Advisory Committee will, under the authority of section 10(d) of the Federal Advisory Committee Act (5 U.S.C. App. 10(d)), not be open to the public.

All communications regarding this Advisory Committee meeting should be addressed to the Bureau of Alcohol, Tobacco and Firearms, Washington, D.C. 20226, Attention: Mr. Robert F. Dexter, Committees Manager, Technical Services Division, Explosive Technology Branch, Room 8239.

Dated: August 23, 1974.

[SEAL] REX D. DAVIS,  
*Director.*

[FR Doc.74-20291 Filed 8-30-74;8:45 am]

### Internal Revenue Service

[Order No. 148]

#### ASSISTANT COMMISSIONER (COMPLIANCE), ET AL.

#### Delegation of Authority

1. The authority granted the Commissioner of Internal Revenue by Treasury Department Order No. 233-1 is hereby re-delegated to the Assistant Commissioner (Compliance), Regional Commissioners, Assistant Regional Commissioners (Audit) and District Directors and also to Key District Directors to exercise in and for the related Associate Districts. Key District Directors will exercise functional supervision over Stabilization activities in related Associate Districts.

2. This authority may be re-delegated by the Assistant Commissioner (Compliance), Regional Commissioners, Assistant Regional Commissioners (Audit) and District Directors and may not be further re-delegated.

3. This delegation shall be effective as of July 1, 1974.

Date of issue: August 16, 1974.

[SEAL] DONALD C. ALEXANDER,  
*Commissioner.*

[FR Doc.74-20292 Filed 8-30-74;8:45 am]

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### DEFENSE INTELLIGENCE AGENCY SCIENTIFIC ADVISORY COMMITTEE

#### Notice of Closed Meeting

Pursuant to the provisions of section 10 of Pub. L. 92-463, effective January 5,

1973, notice is hereby given that a closed Panel meeting of the DIA Scientific Advisory Committee will be held at the Pentagon, Washington, D.C. on:

Tuesday & Wednesday, 10-11 September 1974

The entire meeting commencing at 0900 hrs. is devoted to the discussion of classified information as defined in section 552(b), title 5 of the U.S. Code, therefore will be closed to the public.

MAURICE W. ROCHE,  
Director, Correspondence and  
Directives OASD (Comptroller).

AUGUST 27, 1974.

[FR Doc.74-20212 Filed 8-30-74;8:45 am]

## DEPARTMENT OF JUSTICE

Office of the Attorney General

### EXAMINERS APPOINTMENT, TWIGGS COUNTY, GEORGIA

#### Certification of Attorney General of Voting Rights Act of 1965

In accordance with section 6 of the Voting Rights Act of 1965, I hereby certify that in my judgment the appointment of examiners is necessary to enforce the guarantees of the Fifteenth Amendment to the Constitution of the United States in Twiggs County, Georgia. This county is included within the scope of the determinations of the Attorney General and the Director of the Census made on August 6, 1965, under section 4(b) of the Voting Rights Act of 1965 and published in the FEDERAL REGISTER on August 7, 1965 (30 FR 9897).

WILLIAM B. SAXBE,  
Attorney General  
of the United States.

AUGUST 29, 1974.

[FR Doc.74-20407 Filed 8-30-74;10:38 am]

## DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

### COLORADO RIVER INTERNATIONAL SALINITY CONTROL PROJECT

#### Public Hearing on Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior, in cooperation with the Department of State, has prepared a draft environmental statement for the Colorado River International Salinity Control Project and a supplement to that statement. The draft statement (INT DES 74-39, dated April 1, 1974) was made available to the public on April 11, 1974. The supplemental statement (INT DES 74-83, dated August 27, 1974) was made available to the public on August 30, 1974.

The draft environmental statement deals with the construction of a desalting complex to treat saline return flows from the Wellton-Mohawk Irrigation and Drainage District; construction of an extension of the main outlet drain to bypass the desalting complex reject stream to the Santa Clara Slough in

Mexico; lining of the first 49 miles of the Coachella Canal; and modification of irrigation practices in the Wellton-Mohawk area. The supplemental statement considers modifications to the proposed project, with particular consideration to protective and regulatory ground-water pumping, as a result of enactment of Pub. L. 93-320, the "Colorado River Basin Salinity Control Act," dated June 24, 1974.

A public hearing will be held in Yuma, Arizona, in the auditorium of the Mary Elizabeth Post School, 400 West Fifth Street, Yuma, Arizona, at 9:30 a.m. on October 5, 1974, to receive views and comments from interested organizations or individuals relating to the environmental impacts of the project. Oral statements at the hearing will be limited to a period of 15 minutes. Speakers will not trade their time to obtain a longer oral presentation; however, the person authorized to conduct the hearing may allow any speaker to provide additional comment after all persons wishing to comment have been heard. Speakers will be scheduled according to the time preference mentioned in their letters or telephone requests whenever possible, and any scheduled speaker not present when called will lose his or her privilege in the scheduled order, and his or her name will be recalled at the end of the scheduled speakers. Requests for scheduled presentations will be accepted up to 4 p.m., October 3, 1974, and any subsequent requests will be handled on a first-come-first-served basis following the scheduled presentations.

Organizations or individuals desiring to present statements at the hearing should contact Regional Director E. A. Lundberg, Bureau of Reclamation, PO Box 427, Boulder City, Nevada 89005, telephone (702) 293-8411, and announce their intentions to participate. Written comments from those unable to attend, and from those wishing to supplement their oral presentations at the hearing, should be received by October 15, 1974, for inclusion in the hearing record.

Dated: August 28, 1974.

G. G. STAMM,  
Commissioner of Reclamation.

[FR Doc.74-20231 Filed 8-30-74;8:45 am]

### EASTERN NEW MEXICO WATER SUPPLY PROJECT, NEW MEXICO

#### Public Hearing on Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental statement for the Eastern New Mexico Water Supply Project, New Mexico. This statement (INT DES 74-78, dated July 24, 1974) was filed with the Council on Environmental Quality on July 24 and was made available to the public on August 5, 1974.

The draft environmental statement covers the impacts on the environment of

the proposed project, which consists of constructing a 248-mile aqueduct system to deliver a supplemental supply of municipal and industrial water from State owned and operated Ute Reservoir on the Canadian River to nine eastern New Mexico cities in Quay, Curry, Roosevelt, and Lea Counties.

A public hearing will be held in Portales, New Mexico, in the ZIA room, Eastern New Mexico University, 10 a.m., m.d.t., October 8, 1974, and will continue into the evening if necessary, to receive views and comments from interested organizations or individuals relating to the environmental impacts of this project. Oral statements at the hearing will be limited to a period of 10 minutes. Speakers will not trade their time to obtain a longer oral presentation; however, the person authorized to conduct the hearing may allow any speaker to provide additional oral comment after all persons wishing to comment have been heard. Speakers will be scheduled according to the time preference mentioned in their letter or telephone request whenever possible, and any scheduled speaker not present when called will lose his privilege in the scheduled order and his name will be recalled at the end of the scheduled speakers. Requests for scheduled presentation will be accepted up to 4 p.m., c.d.t., October 4, 1974, and any subsequent requests will be handled on a first-come-first-served basis following the scheduled presentation.

Organizations or individuals desiring to present statements at the hearing should contact the Office of the Regional Director, Bureau of Reclamation, Herring Plaza, Room 1418, 317 East Third, Amarillo, Texas 79101; telephone 376-2401, and announce their intention to participate. Written comments from those unable to attend and from those wishing to supplement their oral presentation at the hearing should be received by October 14, 1974, for inclusion in the hearing record.

Dated: August 28, 1974.

G. G. STAMM,  
Commissioner of Reclamation.

[FR Doc.74-20232 Filed 8-30-74;8:45 am]

### Fish and Wildlife Service CHARLES A. REPENNING

#### Issuance of Permit for Marine Mammals

On May 28, 1974, a notice was published in the FEDERAL REGISTER (39 FR 18484) that an application had been filed with the Fish and Wildlife Service by the Branch of Paleontology and Stratigraphy, U.S. Geological Survey, 345 Middlefield Road, Menlo Park, California, (C. A. Repenning), for a permit to import skeletal parts of one polar bear already obtained and being held by the Canadian Wildlife Service, for scientific purposes.

Notice is hereby given that on August 6, 1974, as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), the Fish and Wildlife Service issued a permit to Mr.

Charles A. Repenning, subject to certain conditions set forth therein. The permit is available for public inspection during normal business hours at the Fish and Wildlife Service's office in Suite 600, 1612 K Street, NW., Washington, D.C. 20240.

Dated: August 21, 1974.

LORON K. PANCHOR,  
Acting Chief, Division of Law  
Enforcement, U.S. Fish and  
Wildlife Service.

[FR Doc. 74-20299 Filed 8-30-74; 8:45 am]

#### ENDANGERED SPECIES PERMIT 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: Dr. Thomas G. Scott, Director, Denver Wildlife Research Center, Building 16, Federal Center, Denver, Colorado 80225.

To: Director, U.S. Fish and Wildlife Service, Washington, D.C. (WR).

From: Director, Denver Wildlife Research Center, Denver, Colorado.

SUBJECT: APPLICATION FOR PERMIT TO IMPORT  
ENDANGERED FOREIGN WILDLIFE

JUNE 4, 1974.

I wish to apply for a permit to import endangered foreign wildlife into the United States through nondesignated ports of entry for the calendar years of 1974 and 1975 effective as soon as possible. This permit is necessary to facilitate research by my staff on the relationships between pesticides and the population status of the brown pelican on the Pacific Coast of North America.

The permit should be issued to:

Dr. Thomas G. Scott  
Director  
Denver Wildlife Research Center  
Bldg. 16, Federal Center  
Denver, Colorado 80225  
Phone number (303) 234-2283

My staff wishes to annually import skins, skulls, and frozen tissues of 20 brown pelicans (*Pelecanus occidentalis*) of mixed sexes, 20 pelican eggs, and skulls, bones and other parts of birds found dead, all of which will be collected in Mexico. At the time of this application, birds to be collected are still in the wild. No live birds will be imported. Collection dates, and thereby importation dates, will vary each year depending on the chronology of the pelican breeding season. An exception is requested, therefore, to import these samples over the specific period of time between March 1 through November 30 each year. As samples must be maintained in a frozen condition, we request authority to import the samples through nondesignated ports of entry (Nogales and Tucson, Arizona) to prevent deterioration of samples and loss of their scientific value. Samples will be carried by a Center biologist and imported either in a U.S. Government vehicle at the port of Nogales, or on Aero Mexico Airlines at Tucson.

Samples to be imported will be used to assess the pesticide residue levels, hormone levels, and body condition of pelicans breeding in the Gulf of California, Mexico. Laboratories at the Denver Wildlife Research Center are well equipped with facilities and staff to perform these analyses. Tissues and eggs of the pelicans will be destroyed after laboratory work is completed.

Reproductive success in Mexican colonies has recently been highly variable and may be insufficient to maintain the migratory population that is found on the Pacific Coast of the United States in fall and winter. Our objective is to evaluate the factors responsible for poor reproduction success and to assess the population status of the species on the Pacific Coast. As field collections are to be coordinated with our field studies, it is not possible to obtain the necessary samples from other sources, which would preclude the removal of additional animals from the wild.

A copy of our permit issued by the Mexican Government to authorize collecting brown pelicans in Mexico is attached.

I hereby certify that the importation of specimens of brown pelicans is necessary in our research program and that I have read and am familiar with the regulations contained in Title 50, Part 13, of the Code of Federal Regulations and the other applicable parts in Subchapter 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 the criminal penalties of 18 U.S.C. 1001.

THOMAS G. SCOTT.

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 on or before October 3, 1974, will be considered.

Dated: August 21, 1974.

LORON K. PANCHOR,  
Acting Chief, Division of Law  
Enforcement, U.S. Fish and  
Wildlife Service.

[FR Doc. 74-20300 Filed 8-30-74; 8:45 am]

#### ENDANGERED SPECIES PERMIT 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: Great Adventure, Inc., 320 East 65th Street, New York, N.Y. 10021.

1. Great Adventure, a subsidiary corporation of Hardwicke Companies Incorporated (hereinafter referred to as "Company") applies for permission to purchase animals of an endangered species, namely 4 Bengal tigers (*Panthera tigris tigris*) as follows:

Sex, and date of birth	Origin
1.1 Nov. 5, 1973---	Busch Gardens, Tampa, Fla.
1.1 Oct. 12, 1973---	Salt Lake City Zoo, Utah.

2. These tigers will be purchased specifically for purposes of propagation, education exhibition and scientific research. The tigers will be exhibited on a 1500 acre wild animal preserve located in Jackson Town-

ship, New Jersey (see Appendix I). Great Adventure wishes to purchase this group of tigers to add to our existing group of Bengal tigers in order to increase the potential for reproduction. The enhanced reproduction of the species will benefit the species due to the growth of the population and its potential to supply captive-born animals for dissemination to parks within our own Company and zoological parks throughout the U.S. The larger population of Bengal tigers within our own borders decreases the demand for the animals to be taken from the wild and thereby allows the existing foreign, native population to flourish.

In other words, conservation is the first priority. Management has developed methods to insure reproduction in captivity and it is confidentially expected that the tigers will breed when maturity is reached.

The display will be of prime educational value. The public will view the animals in an environment similar to the natural habitat of the Bengal tiger.

3. The tigers we wish to purchase are all captive-born and therefore represent no damage to the wild stock. In this regard, the intent of the Lacey Act is fully upheld. (Since all animals were born in captivity, the Lacey Act provisions for lawful capture do not apply.)

4. The tigers will be maintained in enclosures encompassing an area of approximately 15 acres containing trees, shrubs, and other vegetation; they will be provided shade and shelter and water sources such as streams and ponds (see attached map, Appendix I). The shelters have indoor and outdoor sections. Sleeping dens are provided within the shelters.

Food preparation and feeding facilities, with easy access, are conveniently located. Individual dens and shelters are provided so that the tigers may enter the shelters voluntarily to find seclusion. Individual animals may also be isolated from the group for the sake of parturition, lactation, breeding and treatment of injury or illness. Facilities will be available in a central location to facilitate medical treatment or surgery should this become necessary. This facility will be located on the premises. Should intensive medical care be required, Dr. Klein's medical facility, located within fifteen minutes from the park is well equipped to render such care.

The tiger enclosure will be surrounded by a 14' high chain link fence 9 gauge x 2" mesh with a two foot overhang toward the tigers of 2" x 11 gauge set at an angle of 90°. Tension wire to be fixed at the top, bottom and middle of the fence.

An underground skirt 18" wide of 2" chain link is buried at an angle of 45° along the bottom and firmly attached to the main fence. In all cases where the fence adjoins the boundary of the park an inner fence 8' high is constructed 15' inside the main fence.

This arrangement has proved entirely safe in other safari parks. Visitors drive through the enclosure on a winding road, observing the animals from the security of their cars. Entry and exit are provided through a lock arrangement of double gates. The two sets of gates are never opened simultaneously, thereby affording full security. A plan of the area and the central location is attached.

5. The animal collection at Great Adventure is managed by experienced keeper personnel who have looked after a similar group of tigers at our park in Canada.

Rodney Dring (see Resumé, Appendix 2) Director of Wildlife of the animal preserve has been responsible for the housing, feeding, care and acclimation of a similar group of tigers at our park in Canada. Mr. Dring is experienced in all matters of animal husbandry.

Rodney Dring was trained in the British Safari Parks owned and managed by the Chipperfield Organization since the inception of the Safari Park concept.

The preserve in Parc Safari Africain was established on the basis of the experience and knowledge of the Chipperfield Organization, which originated the Safari Park concept in England in 1965. Since 1965, the Chipperfield Organization has either owned or managed on behalf of others, 12 safari parks in six different countries. Their experience in the operation of safari parks is the most comprehensive in the world. Tigers are exhibited in most of the Chipperfield parks.

6. Great Adventure has employed as a Consultant Harold Tong (see Appendix 3) former Director of Whipsnade Zoo for 23 years. Mr. Tong is an expert in the field of maintaining mammals in similar parks to that of Great Adventure and was employed as General Manager of Woburn Wild Animal Kingdom for a period of two years.

During Mr. Tong's 23 years at Whipsnade, tigers were bred and reared; and a breeding group of cheetahs established. Cheetahs were first bred under the jurisdiction of Harold Tong. These animals have continued to breed since Mr. Tong's retirement and second generation animals are now breeding. Additionally, five cheetahs have been bred and reared at Beekse Bergen Park in Holland under the jurisdiction of Julian Tong, (in consultation with his father, Harold Tong).

The Company has retained two veterinarians who will be responsible for the health of the tigers as well as the rest of the animal population. A local veterinarian, Dr. Richard A. Klein (see Resume, Appendix 4) will be making routine calls and will be available on a 24-hour basis for emergency medical care of the animals. Dr. Klein has had extensive experience in the care of exotic species.

In addition, the Company has retained, as a consultant, Dr. Martin R. Dinnes (see Resume, Appendix 5) of Los Angeles, California. Dr. Dinnes has had considerable experience in the care and maintenance of large populations of adult tigers, including setting up breeding programs and maintenance of their offspring. He has extensive experience with exotic animals in zoos and drive-through safari parks throughout the country. Dr. Dinnes is the Chairman of the Research Committee of the American Association of Zoo Veterinarians. A major project of this Committee is the collection of normal physiological data to be retained in a computer system for dissemination to any zoo or park which requests such information.

Great Adventure will be a major contributor, by virtue of the size of its proposed animal population, for the gathering of data in support of the above project.

7. Since the animals are already in captivity, no capture operation needs to be accomplished. The origins of the tigers are listed on Page 1, Paragraph 1.

It is Great Adventure's plan to purchase 1.1 Bengal tigers from Busch Gardens, Tampa, Florida and 1.1 Bengal tigers from Charles P. Chase, Miami, Florida.

8. While a formal studbook does not exist at the present time, Great Adventure is most willing to contribute to same if one should be initiated.

Our plans are to actively participate in cooperative breeding programs relative to this species. Proper records will be kept for identification of the animals and their offspring.

All useful information gained through experience in the maintenance and breeding of these animals will be made available to all interested parties through various publications and upon requested consultation. The physiological data gained while working with

these animals will be disseminated to all interested parties through the proper channels.

To the best of our knowledge, broad spectrum, cooperative breeding programs for this species do not exist at present. By virtue of the number of animals which we will have, we will be in an excellent position to cooperate with other zoos and parks in an active program for the exchange of breeding stock and the dissemination of the progeny. To minimize in-breeding, we shall also be interested in an exchange to preserve the strength and purity of the species.

9. Great Adventure is a member, in good standing, of the AAZPA as defined by the by-laws of the AAZPA—Article V, Section VI.

10. The objective of this organization is to follow the aims and objectives of other zoos and organizations in establishing natural environmental habitats for Endangered Species.

It has been established by some of the major zoos that animals will breed in their natural habitat and we are following the suggestions and recommendations of these zoos resulting from studies of animals in the wild, i.e. Cheetah, San Diego Wild Animal Park; Toledo Zoo; Lion Country Safari Park, Atlanta, the Portland Oregon Wild Life Park, etc.

The Company has invested considerable funds in designing one of the outstanding wildlife parks in the world. It has drawn on its expertise in developing and operating similar parks in Canada and England.

As a successful corporation, with vast amounts of funds being invested in the establishment of wildlife in a near natural habitat, no talent or funds has been spared to engage top personnel, advisors and consultants in the management of this wild animal park.

In addition, the Company is the major shareholder of Wild Animal Kingdoms, Limited, which operates a Safari Park outside Madrid, Spain and will open one Safari Park in France and one in Germany in 1974.

Furthermore, the Company is fully confident that with the help of organizations such as the AAZPA there will be little difficulty in relocating any animals, should it become necessary. This will be done in accordance with recommendations made by these organizations based upon the needs of its constituent members for the species.

11. The tigers will be shipped in chartered air space. The flights will originate in Florida and will arrive at Kennedy Airport, New York.

The animals will be shipped in steel reinforced wooden crates. Each shipping crate will have sliding doors at each end. Each door will carry a padlock (attendant will have keys). There will be an inward opening flap at the bottom of each crate in order to facilitate feeding and watering of the tigers.

Crates will be wide enough to allow each animal to turn around and lie in lateral recumbency and there will be at least two feet of height above the head of each animal.

The animals will be transported from Kennedy Airport to our facility in Jackson, New Jersey on a flat bed stake truck with hydraulic lift gates in order to facilitate adequate ventilation. Each crate will be individually latched to the bed and to the stakes on the truck. The truck will carry a tarpaulin for additional shielding of wind or rain, should such conditions exist.

The trip from Florida to our facility in New Jersey will be accomplished in approximately 7 hours.

12. I hereby certify that I have read and am familiar with the regulations contained in Title 50, Part 13, of the Code of Federal Regulations and other applicable part in Subchapter B of Chapter I of Title 50, and I further certify that the information sub-

mitted 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 the criminal penalties of 18 U.S.C. 1001.

GREAT ADVENTURE, INC.,  
FRANK GRANAT,  
Executive Vice President.

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 on or before October 3, 1974, will be considered.

Dated: August 21, 1974.

LORON K. PANCHOR,  
Acting Chief, Division of Law  
Enforcement, U.S. Fish and  
Wildlife Service.

[FR Doc.74-20301 Filed 8-30-74;8:45 am]

#### SEA WORLD, INC.

#### Receipt of Amendments to Marine Mammal Permit

A permit to take Pacific Walrus for public display was issued to Sea World, Inc., on May 7, 1974, pursuant to the Marine Mammal Protection Act of 1972. A notice containing the application for the permit was published in the FEDERAL REGISTER on March 21, 1974 (39 FR 10635), soliciting public comment for a period of 30 days. A notice of the issuance of the permit was published on May 17, 1974 (39 FR 17571).

The permittee has submitted a request for significant amendments to the permit. Published herewith is a copy of the terms of the permit, and the permittee's request for amendments. This request is being considered pursuant to § 13.23 of Fish and Wildlife Regulations, Title 50 of the Code of Federal Regulations (see 39 FR 1162).

JUNE 7, 1974.

Please consider this letter a formal request to amend Marine Mammal Public Display Permit No. PD MM-1 issued to Sea World, Inc., 1720 South Shores Road, San Diego, California 92109, on May 7, 1974. This permit was issued to Sea World, Inc. pursuant to the Marine Mammal Protection Act of 1972 in accordance with section 101 and the regulations issued thereunder and pursuant to the letter of application submitted by Sea World, Inc. on January 15, 1974 to take in a humane manner by capturing by hand eight (8) immature live Pacific Walrus, *Odobenus rosmarus divergens*.

SECTION 3, Part D. Each animal, until it reaches the age of two months, shall be provided with at least 150 square feet of haulout area and access to water for active swimming (pool size should be at least 4 x 8 x 2 feet for up to, but not more than, two animals).

It has been our experience in the past several years of raising, successfully to adulthood, live walrus pups that a pool size as indicated in the permit is more than adequate for animals in excess of the age of

two months old and in fact that these animals at this age are still in such a delicately balanced condition that should they be placed in a larger facility they may become emotionally depressed and unable to cope with their environment, i.e. normal weight gain. Further, it has been our experience in the past that if we separated the animals at this age into groups of two that we would be making a mistake from several aspects. First of all, the animals are extremely gregarious and are fond of getting together in groups of four to six or more for the purpose of sleeping and for general emotional fulfillment. The separation of these young animals into groups of two at this age would obviate the need for mere intimate contact with others of their companions and would place undue stress upon them. It has further been our experience in the past that as many as twelve animals would play with each other in a pool of this size and enjoy the experience tremendously on a day-to-day basis. It has been our experience in the past to allow the animals access to several pools of this approximate size and their swimming and haulout areas. We have allowed the animals free access to all areas where these pools exist. This accentuates the normal pairing off process these animals undergo as they mature and allows them to emotionally develop at a rate which they set for themselves, not one that is forced upon them arbitrarily.

We therefore request that part D be changed to read: "Each animal until it reaches the age determined by the attending veterinary medical and curatorial staff shall be provided with approximately 150 square feet of haulout area and access to water for active swimming (pool size should be approximately 4 x 8 x 2 feet and the animals shall be allowed to utilize this pool area at their own discretion). If more than one pool and area of this size is provided, the animals shall be allowed access to two or more of these areas at their own discretion under the supervision of the attending veterinary medical and curatorial staff."

SECTION 3, Part E. Each animal, after it reaches the age of two months, shall be provided with permanent living quarters containing a pool of at least 30 feet in diameter and of 6 feet in depth with a haulout area of 250 square feet, such a facility being adequate for up to, but not more than, four animals.

We would request that part E also be amended for the same reasons given in part D, part E to read: "Each animal, at the discretion of the attending veterinary medical and curatorial staff and upon their recommendation, shall be provided with permanent living quarters containing a pool of adequate size to allow for swimming to develop normal muscular tone and allow regular exercise. Pool structure and design can be of varying shape and consistency, but a distance of approximately 20 to 30 feet in length, 15 feet in width, and at least 6 feet deep shall be provided along with a haulout area of 250 square feet or larger, such a facility being adequate for up to six animals provided that sexual dominance does not become an emotional or health hazard to any of the animals contained." (It can be noted here that walrus and elephant seals and certain other types of seals require very little haulout area space because they do not generally move actively on land but utilize the haulout area as a sleeping area the great majority of the time.)

SECTION 3, Part F. Animals, when public display, shall not be permitted direct access to the public and be screened in such a way as to prevent foreign objects from entering their pools.

Part F should be amended for the following reasons: In my experience of almost eleven years as a veterinarian, I have found that the incidence of foreign body ingestion as a health hazard by marine mammals is so small as to almost be nonexistent. Further, in a recent hearing held by the National Marine Fisheries Service it was stated by several veterinarians in testimony that they also rarely encountered health problems as a result of the ingestion of foreign bodies by marine mammals. I believe that we generally feel that the incidence of other types of diseases is much greater than the possibility of the ingestion of a foreign object. It was further stated at this hearing by numerous veterinarians that animals on public display allowed contact with the public are generally the healthiest animals in any given aspect as a result of their constant low-grade exposure to immunizing agents (i.e. the public) that allows them to develop immunity to a greater variety of disease processes than those animals kept in exclusion. Further, and probably most important, the educational experience made available to the general public by the one-to-one contact with a marine mammal in a public display institution is undeniable and in fact it is probably this type of experience that has provided the public education which provided the support for the Marine Mammal Protection Act of 1972. We therefore request that part F be amended to read:

"Animals, when on public display, shall be observed closely to assure that the possibility of foreign objects entering their pools be kept to an absolute minimum."

SECTION 3, Part G. Adequate access to water shall be provided to assume heat dissipation and recreational opportunities.

Part G should be deleted from the permit in its entirety for the following reason: Parts D and E adequately provide for the accessibility of water; therefore, part G is redundant and in fact unnecessary.

SECTION 3, Part H. Food shall be tested, as determined necessary by the resident veterinarian, to insure fitness for human consumption. (A report of the diet being fed and the tests conducted on the ingredients shall be submitted to the Director (FSF/LE), U.S. Fish and Wildlife Service every month for the first year. These tests shall include, but are not limited to, testing for heavy metals.)

This is an acceptable and in fact practiced procedure for many years and we feel there is no reason to change or delete it.

SECTION 3, Part I. Weights and measurements of the animals shall be recorded at capture and subsequently at least every second day for one month, weekly for three months, and thence monthly. (A report of such weights by individual animal shall be submitted to the Director (FSF/LE), U.S. Fish and Wildlife Service every month for the first year.)

Part I should also be amended. Again we must site that part I, as it now is stated, would provide for unnecessary harassment of the animals in that if the animals are handled for the weighing and measuring process it generally takes a day or so for them to calm down enough to get back on their regular schedule. Therefore, if we weigh the animals and measure them every other day as is indicated by part I, the animals will very likely be under constant stress and be unable to consume normal quantities of food and may even be stressed enough to cause secondary disease processes to occur. We would recommend that part I be changed to read as follows:

"Weights and measurements of the animals shall be recorded at capture and subsequently on a weekly basis until it is no longer feasible to handle the animals because of undue weight or equipment capabilities."

SECTION 3, Part J. At the first sign of ill health, Permittee shall obtain the services of a qualified marine mammal veterinarian, in addition to their resident veterinarian, and take all steps possible to insure the health and safety of the animals.

Part J is certainly an acceptable and in fact in the past often practiced procedure. However, it should be noted that it is the consensus of most veterinarians that no outside consulting veterinarian could possibly do more than advise in any given situation since he first of all has no responsibility toward the animals, and secondly does not know the animals as intimately as would the resident veterinarian.

SECTION 3, Part K. Research on nutrition and tusk wear shall be initiated, noting there is some indication that tusk wear may be alleviated by cypress (or other non-splintering) wooden haulout.

Part K should be amended in that a search of the literature reveals that there has been no research done that would indicate that cypress or other non-splintering wooden haulout areas would have any alleviative effect on tusk wear. Tusk wear has historically been caused by the animals' normal rooting and bottom-searching activities against a concrete surface at the bottom and sides of the pools. Many varieties of materials have been tried at the various parks maintaining walrus and none of those tried have been found suitable to withstand the wear and tear placed upon them by the animals in the pool as a surfacing agent. In addition, the use of wooden haulout areas would provide for a horrendous and filthy unsanitary facility. The death rate among animals kept on such structures would, we think, be phenomenal. Such a structure would not be capable of being disinfected through any means known to man except ultra-high temperature sterilization, which is impossible. Such a porous object as a wooden haulout area would provide for the growth of untold numbers of bacterial and viral agents. Such a structure would also remain constantly unsightly and covered by fecal material and dropped food. I think for these reasons the use of wooden facilities in zoos and marine parks was discarded many, many years ago. We would also like clarification on part K in that if research on tusk wear and nutrition is initiated as we plan it to be and was suggested by the Marine Mammal Commission, as it must have been, we assume that monies will be made available by the Marine Mammal Commission for use on such a project.

SECTION 4: Permittee shall submit a complete and full written report to the Director (FSF/LE), U.S. Fish and Wildlife Service, within 20 days at the completion of the collecting trip describing the operation in full, including but not limited to the number of animals taken and imported, the date and location of each taking, the number of fatalities, the approximate age and condition of each animal, and the identification assigned to each animal.

We feel this is a satisfactory and meaningful regulation and would encourage its use in the future.

SECTION 5: The death of any walrus obtained under this permit must be reported in writing to the Director (FSF/LE), U.S. Fish and Wildlife Service, within 48 hours. A necropsy of the animal must be conducted by two pathologists with marine mammal experience, at least one of which must not be employed by Permittee on a permanent or retainer basis, and a certified copy of the report of necropsy must be submitted to the Director within 30 days of death. The remains of the animal will be disposed of to a scientific institution approved by the Director. Escape must be reported by telephone or telegraph, within a period of 48 hours.

We feel this is a useful regulation and we would encourage its use in the future, except that as it is stated the use of two pathologists with marine mammal experience to conduct a necropsy will very likely be impossible since there are very few marine mammal pathologists within the confines of the United States, and their availability is very limited. We would assume that what the Commission actually meant was that a necropsy would be conducted by two veterinarians with marine mammal experience and in addition pathologists would be used for histopathological studies, cultures, etc. This procedure is commonly used by all veterinarians caring for exotic animals of all types in the United States today and is the basis for the practice of veterinary medicine.

SECTION 6: No walrus obtained under this permit, nor any progeny thereof, may be sold, donated, or transferred to any other institution or individual unless such person or institution has the prior approval of the Director, U.S. Fish and Wildlife Service.

Section 6 is a useful regulation and we do not recommend a change.

SECTION 7: This permit must be in the possession of the person to whom it is issued, or an authorized agent of such person, during:

(A) The time of the taking or importation;  
(B) The period of any transit by such person or agent which is incidental to such taking; and

(C) Any other time any walrus or parts thereof, taken or imported under this permit is in the possession of such person or agent.

Section 7 is a useful regulation and we do not recommend a change.

SECTION 8: A duplicate copy of this permit must be physically attached to the container, package, enclosure, or other means of containment, in which the walrus or parts are placed for the purposes of storage, transit, supervision, or care.

Section 8 is a useful regulation and we do not recommend a change, except that we would request clarification in that we do not understand just exactly where the Department would like to have the permit attached or displayed, or if it is enough to maintain a copy of the permit in the files of the establishment holding the animals.

SECTION 9: An employee of the U.S. Fish and Wildlife Service shall accompany the Permittee during the time of taking. The Permittee shall make all necessary arrangements for food, lodging and transportation for the observer, but shall not be responsible for the costs thereof.

Section 9 is a useful regulation and we feel in addition that the observer that was sent with us on this expedition, Mr. Don Fortenbery, was an extremely valuable member of our expedition. While he did not possess any marine mammal experience, he was an experienced field trip individual and provided much help to all of us during the expedition. We would recommend that this man and more men of his calibre continue to do this type of work in the future and we would be proud to work with him in the future.

SECTION 10: The Permittee shall allow inspection of his facilities and records by any authorized employee of the U.S. Fish and Wildlife Service during regular business hours.

Section 10 we feel is a useful regulation and we assume that this will be true in any case whether regulated or not as it has been in the past.

SECTION 11: The grant of this permit acknowledges receipt of a permit fee of \$200.

We realize that the permit must be processed and that some fee must be paid. However, it may be noted that we felt that this fee could be considered slightly excessive.

The suggested amendments to Public Display Permit No. PD MM-1 issued May 7, 1974 to Sea World, Inc. I am recommending after great consideration and much experience in handling marine mammals of all types, and specifically years of experience in the care of walrus by both myself, and Mr. Ed Asper, Curator of Mammals and Birds, Sea World of Florida, as well as a search of the literature including papers written on the original walrus housed at Marineland of the Pacific, which we both in the past have cared for, and other information gathered by us in the course of our studying this material.

We hope that these amendments will be undertaken by your department for the safety and well-being of these five remaining walrus pups. Thank you for your consideration on this matter.

Sincerely yours,

LANNY H. CORNELL, B.S., D.V.M.,  
Curator of Mammals.

Date: May 7, 1974.

Effective: May 7, 1974.

Expires: July 15, 1974.

Permittee, Sea World, Inc., 1720 South Shores Road, Mission Bay, San Diego, California 92109.

[Marine Mammal; Public Display; Permit No. PDMM-1]

1. In accordance with section 101 of the Marine Mammal Protection Act of 1972 and the regulations issued thereunder, and pursuant to the letter of application submitted on January 15, 1974; Sea World of San Diego, through its authorized agent, is authorized: **TO TAKE**—in a humane manner by capturing by hand up to eight (8) immature live **PACIFIC WALRUS** (*Odobenus rosmarus divergens*) in and around the offshore waters including the ice floes and/or other locations as they may inhabit around St. Lawrence Island, Little Diomedede Island, or from the offshore mainland of Alaska, and **TO IMPORT**—said eight animals into the United States for public display purposes. In order to minimize harassment, the Permittee is limited to the actual capture of eight (8) immature live Pacific walrus. The Permittee may not replace any walrus lost after actual capture.

2. All the activities authorized in this permit must be carried out in accordance with and for the purposes described in the letter of application and subject to all conditions and requirements of this permit, the applicable regulations, and applicable State and Federal law. The conditions and requirements of this permit, shall continue in relation to the animals taken hereunder beyond the expiration date hereof, until amended or modified.

3. The eight (8) Pacific walrus authorized to be taken and imported pursuant to this permit must be held by the Permittee under the following conditions:

(a) Warm (approximately 15°C thermo-neutral zone), dry, clean holding facilities shall be provided at the capture site;

(b) Animals may be held at the capture site no longer than one week;

(c) A veterinarian shall be in attendance during capture and care at the capture site and accompany the animals during transportation to Sea World, San Diego;

(d) Each animal, until it reaches the age of two months, shall be provided with at least 150 square feet of haulout area and access to water for active swimming (pool size should be at least 4' x 8' x 2' for up to, but not more than, two animals);

(e) Each animal, after it reaches the age of two months, shall be provided with permanent living quarters containing a pool of at

least 30 feet in diameter and 6 feet in depth with a haulout area of 250 square feet, such a facility being adequate for up to, but not more than, four animals;

(f) Animals, when on public display, shall not be permitted direct access to the public and be screened in such a way as to prevent foreign objects from entering their pools;

(g) Adequate access to water shall be provided to assure heat dissipation and recreational opportunities;

(h) Food shall be tested, as determined necessary by the resident veterinarian, to insure fitness for human consumption, [A report of the diet being fed and the tests conducted on the ingredients shall be submitted to the Director (FSF/LE), U.S. Fish and Wildlife Service every month for the first year. These tests shall include, but are not limited to, testing for heavy metals.];

(i) Weights and measurements of the animals shall be recorded at capture and subsequently at least every second day for one month, weekly for three months, and thence monthly, [A report of such weights by individual animal shall be submitted to the Director (FSF/LE), U.S. Fish and Wildlife Service every month for the first year.];

(j) At the first sign of ill health, Permittee shall obtain the services of a qualified marine mammal veterinarian, in addition to their resident veterinarian, and take all steps possible to insure the health and safety of the animals; and

(k) Research on nutrition and tusk wear shall be initiated, noting there is some indication that tusk wear may be alleviated by cypress (or other non-splintering) wooden haulout.

4. Permittee shall submit a complete and full written report to the Director (FSF/LE), U.S. Fish and Wildlife Service, within 20 days of the completion of the collecting trip describing the operation in full, including but not limited to the number of animals taken and imported, the date and location of each taking, the number of fatalities, the approximate age and condition of each animal, and the identification assigned to each animal.

5. The death of any walrus obtained under this permit must be reported in writing to the Director (FSF/LE), U.S. Fish and Wildlife Service, within 48 hours. A necropsy of the animal must be conducted by two pathologists with marine mammal experience, at least one of which must not be employed by Permittee on a permanent or retainer basis, and a certified copy of the report of necropsy must be submitted to the Director within 30 days of death. The remains of the animal will be disposed of to a scientific institution approved by the Director. Escape must be reported by telephone or telegraph, within a period of 48 hours.

6. No walrus obtained under this permit, nor any progeny thereof, may not be sold, donated, or transferred to any other institution or individual unless such person or institution has the prior approval of the Director, U.S. Fish and Wildlife Service.

7. This permit must be in the possession of the person to whom it is issued, or an authorized agent of such person, during:

(a) The time of the taking or importation;

(b) The period of any transit by such person or agent which is incidental to such taking; and

(c) Any other time any walrus or parts thereof, taken or imported under this permit is in the possession of such person or agent.

8. A duplicate copy of this permit must be physically attached to the container, package, enclosure, or other means of containment, in which the walrus or parts are

## NOTICES

placed for the purposes of storage, transit, supervision, or care.

9. An employee of the U.S. Fish and Wildlife Service shall accompany the Permittee during the time of taking. The Permittee shall make all necessary arrangements for food, lodging and transportation for the observer, but shall not be responsible for the costs thereof.

10. The Permittee shall allow inspection of his facilities and records by any authorized employee of the U.S. Fish and Wildlife Service during regular business hours.

11. The grant of this permit acknowledges receipt of a permit fee of \$200.

C. R. BAVIN,  
Chief, Division of Law Enforcement.

In keeping with the spirit of the Marine Mammal Protection Act of 1972, this notice is being published to allow public comment on the request for amendments. Interested persons may comment on these amendments 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 on or before October 3, 1974, will be considered.

Dated: August 21, 1974.

LORON K. PANCHOR,  
Acting Chief, Division of Law  
Enforcement, U.S. Fish and  
Wildlife Service.

[FR Doc. 74-20298 Filed 8-30-74; 8:45 am]

National Park Service  
NATIONAL REGISTER OF HISTORIC  
PLACES

Additions, Deletions, and Corrections

By notice in the FEDERAL REGISTER of February 19, 1974, Part II, there was published a list of the properties included in the National Register of Historic Places. This list has been amended by a notice in the FEDERAL REGISTER of March 5, 1974 (pp. 8357-8362), April 2, (pp. 12042-12046), May 7, 1974 (pp. 16173-16177), June 4, 1974 (pp. 19791-19796), July 2, 1974 (pp. 24383-24388), and August 6, 1974 (pp. 28295-28301). Further notice is hereby given that certain amendments or revisions in the nature of additions, deletions, or corrections to the previously published list are adopted as set out below.

It is the responsibility of all Federal agencies to take cognizance of the properties included in the National Register as herein amended and revised in accordance with section 106 of the National Historic Preservation Act of 1966, 80 Stat. 915, (16 U.S.C. 470).

The following properties have been added to the National Register since August 6, 1974:

ARIZONA

Yavapai County

Clarkdale vicinity, *Hatalacva Ruin*, north-east of Clarkdale (7-24-74).

ARKANSAS

Clark County

Arkadelphia, *Barkman, James E. M., House*, 406 North 10th (7-30-74).

Desha County

Rohwer, *Rohwer Relocation Center Site*, Arkansas 1 (7-30-74).

Jefferson County

Pine Bluff, *Trinity Episcopal Church*, Third and Oak Streets (7-30-74).

Newton County

Boxley vicinity, *Villines Mill (Whiteley Mill)*, north of Boxley on Arkansas 43 (7-31-74).

Pulaski County

Little Rock, *Capital Hotel*, 117 West Markham (7-30-74).

Little Rock, *Hornibrook House*, 2120 South Louisiana (7-30-74).

COLORADO

Lake County

Twin Lakes, *Twin Lakes District*, both sides of Colorado 82 (7-30-74).

Pueblo County

Pueblo, *Rosemount*, 419 West 14th Street (7-30-74).

Pueblo vicinity, *Goodnight Barn*, west of Pueblo at Colorado 96 West and Siloam Road (7-30-74).

FLORIDA

Collier County

Chokoloskee Island, *Smallwood, Ted, Store*, Florida 29 in Everglades National Park (7-24-74).

Dade County

Coconut Grove, *Plymouth Congregational Church*, 3429 Devon Road (7-23-74).

Coral Gables, *Coral Gables City Hall*, 406 Biltmore Way (7-24-74).

Miami, *Gesu Church*, 118 Northeast Second Street (7-18-74).

Escambia County

Pensacola, *Dorr, Clara Barkley, House*, 311 South Adams Street (7-24-74).

Hillsborough County

Ruskin, *Miller, George McA., House*, 508 Tamiami Trail (7-23-74).

Tampa, *Centro Asturiano*, 1913 Nebraska Avenue (7-24-74).

Tampa, *Chapin House*, 4607 Bayshore Boulevard (7-24-74).

Tampa, *El Centro Espanol of West Tampa*, 2306 North Howard Street (7-30-74).

Tampa, *Johnson-Wolff House*, 6823 South DeSoto Street (7-24-74).

Tampa, *Levick House*, 2202 North Highland Street (7-30-74).

GEORGIA

Meriwether County

Warm Springs, *Warm Springs Historic District*, south of Georgia 194 and west of Georgia 85 west (7-30-74).

HAWAII

Hawaii County

Hilo vicinity, *Kilauea Crater*, southwest of Hilo in Hawaii Volcanoes National Park (7-24-74).

Hilo vicinity, *Old Volcano House #42*, southwest of Hilo on Hawaii 11 in Hawaii Volcanoes National Park (7-24-74).

Hilo vicinity, *Whitney Seismograph Vault #29*, southwest of Hilo on Hawaii 11 in Hawaii Volcanoes National Park (7-24-74).

Hilo vicinity, *Wilkes Campsite*, west of Hilo at summit of Mauna Loa Volcano in Hawaii Volcanoes National Park (7-24-74).

IDAHO

Franklin County

Weston vicinity, *Weston Canyon Rock-shelter*, northwest of Weston in Caribou National Forest (7-25-74).

Idaho County

White Bird vicinity, *White Bird Battlefield*, north of White Bird off U.S. 95 (7-18-74).  
White Bird vicinity, *White Bird Grade*, northeast of White Bird (7-30-74).

ILLINOIS

Cook County

Chicago, *Delaware Building*, 36 West Randolph (7-18-74).

Evanston, *Carter, Frederick B. Jr., House*, 1024 Judson Avenue (7-30-74).

Madison County

Alton, *Guertler House*, 101 Blair Street (7-30-74).

Alton, *Haskell Playhouse*, Henry Street in Haskell Park (7-30-74).

Sangamon County

Springfield, *Dana, Susan Lawrence, House*, 301 Lawrence Avenue (7-30-74).

INDIANA

Marion County

Indianapolis, *Indianapolis Union Railroad Station*, 39 Jackson Place (7-19-74).

IOWA

Clayton County

Clayton, *Clayton School*, First Street (7-30-74).

Guthrie County

Panora, *Panora-Linden High School*, bounded by Main, Vine, Market, and Second Streets (7-23-74).

Muscatine County

Muscatine, *Old Jail*, 411 East Fourth Street (7-24-74).

Muscatine vicinity, *Sinnett Octagon House*, north of Muscatine near Iowa 38 (7-18-74).

Scott County

Davenport, *Schick Apartments*, 310-314 Gaines Street (7-24-74).

MAINE

Androscoggin County

Poland, *Maine State Building*, Poland Spring (7-18-74).

Cumberland County

Cape Elizabeth, *Brown, C. A., Cottage*, 9 Delano Park (7-30-74).

Franklin County

Farmington, *First Congregational Church, United Church of Christ*, Main Street (7-25-74).

Kennebec County

Augusta, *Kennebec County Courthouse*, 95 State Street (7-25-74).

Augusta, *Lithgow Library*, Winthrop Street (7-24-74).

Augusta, *Morrill, Lot, House*, 113 Winthrop Street (7-18-74).

Augusta, *Old Post Office*, Water Street (7-18-74).

Penobscot County

Bangor, *Wheelwright Block*, 34 Hammond Street (7-18-74).

Corinna, *Stewart Free Library*, Maine 11/43 (7-30-74).

**Somerset County**

Skowhegan, *Coburn, Governor Abner, House*, Main Street (7-30-74).

**MARYLAND****Anne Arundel County**

Davidsonville vicinity, *Summer Hill*, east of Davidsonville off Maryland 214 (7-25-74).

**Baltimore County**

Phoenix, *Eagle's Nest*, Jarrettsville Pike (Maryland 146) (7-25-74).

**Charles County**

Mason's Springs vicinity, *Araby*, southeast of Mason's Springs off Maryland 225 (7-25-74).

Patuxent vicinity, *Maxwell Hall*, east of Patuxent on Teagues Point Road (7-30-74).

**Frederick County**

Frederick, *Scheifferstadt*, West Second and Rosemont Street (7-22-74).  
Libertytown, *Jones, Abraham, House*, Main Street (7-24-74).

**Talbot County**

Easton vicinity, *Anchorage*, northwest of Easton off Maryland 370 (7-30-74).  
St. Michaels, *Crooked Intention*, west of Maryland 33 (7-24-74).  
Trappe vicinity, *Compton*, west of Trappe on Howell Point Road (7-25-74).  
Trappe vicinity, *Wilderness*, southwest of Trappe on Island Neck Road (7-25-74).

**Washington County**

Boonsboro vicinity, *Keedy House*, northwest of Boonsboro off U.S. 40A on Barnes Road (7-25-74).  
Hagerstown vicinity, *Brightwood*, north of Hagerstown off Maryland 80 (7-30-74).  
Williamsport vicinity, *Springfield Farm*, south of U.S. 11 (7-30-74).

**MASSACHUSETTS****Hampden County**

Chicopee, *City Hall*, Market Square (7-30-74).

**Middlesex County**

Arlington, *Arlington Town Center District*, bounded by Massachusetts Avenue, Academy, Pleasant, and Maple Streets (7-18-74).

**MICHIGAN****Calhoun County**

Battle Creek, *Federal Center, Main Building*, 74 North Washington Street (7-30-74).

**Ionia County**

Ionia, *Blanchard, John C., House*, 253 East Main Street (7-24-74).  
Ionia, *Loveil-Webber House*, 111 East Main Street (7-30-74).

**MINNESOTA****Blue Earth County**

Mankato, *Old First National Bank of Mankato*, 229 South Front Street (7-30-74).

**MISSISSIPPI****Bolivar County**

Alligator vicinity, *Alligator Mounds*, west of Alligator (7-24-74).

**MISSOURI****New Madrid County**

La Forge vicinity, *La Plant Archaeological Site*, east of La Forge (7-25-74).  
Portageville vicinity, *Double Bridges Archaeological Site*, east of Portageville (7-25-74).

**Pemiscot County**

Cooter vicinity, *Campbell Archaeological Site*, southeast of Cooter (7-24-74).  
Portageville vicinity, *Delta Center Mound*, southeast of Portageville (7-24-74).

**Perry County**

Perryville, *Shelby-Nicholson-Schindler House*, 701 West St. Joseph Street (7-24-74).

**Phelps County**

St. James vicinity, *Verkamp Shelter*, southeast of St. James (7-30-74).

**St. Louis County**

Chesterfield, *Thornhill*, Olive Street Road in Faust County Park (7-18-74).  
Florissant vicinity, *Sioux Passage Park Archaeological Site*, Old Jamestown Road west of Valle (7-24-74).

**Vernon County**

Shell City vicinity, *Halley's Bluff Site*, west of Shell City (7-24-74).

**NEBRASKA****Cedar County**

St. Helena vicinity, *Schulte Archeological Site*, north of St. Helena (7-30-74).

**Colfax County**

Schuyler vicinity, *Wolfe Archeological Site*, northwest of Schuyler (7-30-74).

**Hitchcock County**

Trenton vicinity, *Massacre Canyon Battlefield*, northeast of Trenton (7-25-74).

**Pawnee County**

Pawnee City, *Hotel Pawnee*, 700 G Street (7-24-74).

**Sherman County**

Sweetwater vicinity, *Sweetwater Archeological Site*, northwest of Sweetwater (7-29-74).

**NEVADA****Mineral County**

Hawthorne vicinity, *Aurora*, southwest of Hawthorne (7-30-74).

**Washoe County**

Carson City vicinity, *Old Winters Ranch/Winters Mansion*, north of Carson City on U.S. 395 (7-30-74).

**NEW JERSEY****Monmouth County**

Shrewsbury, *Wardell House*, 419 Sycamore Avenue (7-24-74).

**Morris County**

Chester, *Chester House Inn*, Main Street and Hillside Road (7-18-74).

**Passaic County**

Haledon, *Botto, Pietro, House*, 83 Norwood Street (7-30-74).

**NEW MEXICO****Dona Ana County**

Las Cruces vicinity, *Fort Fillmore*, southeast of Las Cruces (7-30-74).

**Rio Arriba County**

Santa Fe vicinity, *San Juan Pueblo (Oke'onwi)*, north of Santa Fe (7-30-74).

**NEW YORK****Albany County**

Albany, *Cathedral of All Saints*, South Swan Street (7-25-74).

Albany, *Nut Grove*, McCarty Avenue (7-30-74).

**Columbia County**

Kinderhook, *Kinderhook Village District*, both sides of U.S. 9 (7-24-74).

**Genesee County**

Batavia, *Richmond Memorial Library*, 19 Ross Street (7-24-74).

**Nassau County**

Hicksville, *Heitz Place Courthouse*, Heitz Place (7-30-74).

**New York County**

New York, *Salmagundi Club*, 47 Fifth Avenue (7-25-74).

**Niagara County**

Lewiston, *Lewiston Portage Landing Site*, Lewiston State Park on Niagara River (7-18-74).

**Oneida County**

Rome, *Arsenal House*, 514 West Dominick Street (7-18-74).

**Onondaga County**

Syracuse, *Crouse College, Syracuse University*, Syracuse University campus (7-30-74).

**Orange County**

Campbell Hall, *Bull Stone House*, Hamptonburgh Road (7-18-74).

**Rensselaer County**

Schodack, *Muitzes Kill Historic District*, in an irregular pattern on both sides of Schodack Landing Road (7-24-74).

**Richmond County**

Staten Island, *Ft. Tompkins Quadrangle*, Building No. 137, Fort Wadsworth (7-30-74).

**NORTH CAROLINA****Nash County**

Red Oak vicinity, *Black Jack*, North of Red Oak (7-31-74).

**Stokes County**

Danbury vicinity, *Moratock Iron Furnace*, east of Danbury off North Carolina 8/89 (7-30-74).

**OHIO****Adams County**

Stout vicinity, *Wamsely Village Site*, west of Stout (7-30-74).

Wrightsville vicinity, *Dayton Power and Light Company Mound*, east of Wrightsville (7-30-74).

**Allen County**

Lima, *Allen County Courthouse*, Courthouse Square (7-24-74).

**Ashtabula County**

Conneaut, *Conneaut Works*, off Mill Road (7-30-74).

Rays Corner, *House, Colonel Erastus, House*, Ohio 46 and Richmond-Footville Road (7-30-74).

Wayne vicinity, *Boice Fort and Village Site*, southeast of Wayne (7-24-74).

**Butler County**

Ross vicinity, *Shaw Farm*, 3357 Cincinnati-Brookville Road (7-24-74).

Oxford vicinity, *Unzicker-Cook House*, 2975 Oxford-Middletown Road (7-24-74).

**Champaign County**

Urbana, *Ward, John Q. A., House*, 335 College Street (7-30-74).

**Clark County**

Springfield, *Westcott House*, 1340 East High Street (7-24-74).

## NOTICES

*Clermont County*

Neville, *Snead Mound*, off U.S. 52 (7-30-74).

*Cuyahoga County*

Bratenahl, *Hanna, Howard M. Jr., House*, 11505 Lake Shore Boulevard (7-24-74).  
Cleveland, *Dunham Tavern*, 6709 Euclid Avenue (7-25-74).  
North Olmsted vicinity, *Fort Hill*, east of North Olmstead off Ohio 252 (7-25-74).  
Seven Hills, *Froelich, John, House*, 7095 Broadview Road (7-30-74).

*Delaware County*

Delaware vicinity, *Uferman Site*, north of Delaware (7-24-74).

*Erie County*

Milan, *Andrews, Ebenezer, House*, 200 South Main Street (7-25-74).

*Fairfield County*

Rushville vicinity, *Winegardner Village*, northwest of Rushville (7-30-74).

*Franklin County*

Columbus, *Coe Mound*, west of High Street (7-18-74).  
Columbus, *Ohio State Arsenal*, 139 West Main Street (7-18-74).

*Hamilton County*

Cincinnati, *Benham Mound*, Grand Vista Avenue (7-30-74).  
Cincinnati, *Court Street Firehouse*, 311 West Court Street (7-18-74).  
Springdale vicinity, *Becker House*, 179 West Crescentville Road (7-18-74).

*Hardin County*

Roundhead vicinity, *Zimmerman Kame*, northeast of Roundhead (7-30-74).

*Harrison County*

Cadiz, *Harrison County Courthouse*, Courthouse Square (7-18-74).

*Holmes County*

Millersburg, *Holmes County Courthouse and Jail*, Courthouse Square (7-25-74).

*Lake County*

Madison vicinity, *Madison Fort*, southeast of Madison (7-30-74).  
Painesville, *Octagon House*, 1615 Mentor Avenue (7-25-74).  
Painesville vicinity, *Indian Point Fort*, east of Painesville (7-30-74).

*Logan County*

Huntsville vicinity, *Dunns Pond Mound*, northwest of Huntsville (7-30-74).

*Madison County*

West Jefferson vicinity, *Skunk Hill Mounds*, south of West Jefferson (7-30-74).

*Mahoning County*

Canfield, *Newton, Judge Eben, House*, 105 North Broad Street (7-18-74).  
Youngstown vicinity, *Austintown Log House*, west of Youngstown on Raccoon Road (7-30-74).

*Marion County*

Marion, *Marion County Courthouse*, Courthouse Square (7-25-74).

*Morrow County*

Mount Gilead, *Morrow County Courthouse and Jail*, Courthouse Square (7-25-74).

*Pickaway County*

Circleville vicinity, *Arledge Mounds I and II*, southeast of Circleville (7-30-74).  
Circleville vicinity, *Mound Oval (Tolbert House)*, off U.S. 23 (7-25-74).

*Portage County*

Kent, *Masonic Temple*, 409 West Main Street (7-18-74).

*Stark County*

Alliance, *Haines House*, 186 West Market Street (7-30-74).

*Summit County*

Twinsburg vicinity, *Herrick, Jonathan, House*, 8327 Darrow Road (7-18-74).

*Union County*

Marysville vicinity, *Ellis Mounds*, northeast of Marysville (7-30-74).

*Van Wert County*

Van Wert, *Van Wert County Courthouse*, 121 East Main Street (7-30-74).

*Wayne County*

Wooster, *McSweeney, John, House*, 531 North Market Street (7-30-74).

## PENNSYLVANIA

*Allegheny County*

Pittsburgh, *Butler Street Gatehouse*, 4734 Butler Street (7-30-74).

*Fayette County*

Mill Run vicinity, *Fallingwater*, off Pennsylvania 381 (7-23-74).

*Washington County*

Washington, *Washington County Courthouse*, South Main Street (7-30-74).  
Washington, *Washington County Jail*, Cherry Street (7-30-74).

## RHODE ISLAND

*Kent County*

Coventry, *Waterman Tavern*, Maple Valley Road (7-24-74).

*Providence County*

Saylesville vicinity, *Great Road Historic District*, west of Saylesville at Great and Breakneck Hill roads (7-22-74).  
Union Village, *Arnold, Peleg, House*, Woonsocket Hill Road (7-30-74).

## SOUTH CAROLINA

*Cathoun County*

St. Matthews vicinity, *Prehistoric Indian Village—Arant's Field*, north of St. Matthews (7-30-74).

St. Matthews vicinity, *Puritan Farm*, west of St. Matthews (7-25-74).

*Charleston County*

Edisto Island vicinity, *Windsor Plantation*, northeast of Edisto Island off South Carolina 174 (7-23-74).  
McClellanville vicinity, *Fairfield Plantation*, north of McClellanville (7-25-74).

*Dillon County*

Bingham vicinity, *Selkirk Farm*, east of Bingham on old Cashua Perry Road (7-24-74).

*Dorchester County*

St. George vicinity, *Carroll Place*, intersection of Quaker and Wire Roads (7-25-74).

*Fairfield County*

Jenkinsville vicinity, *Kincaid-Anderson House (Fairfield)*, northeast of Jenkinsville off South Carolina 213 (7-30-74).

*Florence County*

Mars Bluff, *Slave Houses, Gregg Plantation*, Francis Marion College campus (7-22-74).

*Laurens County*

Laurens, *Simpson, William Dunlap, House*, 726 West Main (7-24-74).

*Spartanburg County*

Roebuck vicinity, *Smith's Tavern*, southeast of Roebuck off South Carolina 49 (7-29-74).

## TEXAS

*Bezar County*

San Antonio, *Pershing House (Quarters No. 6, Staff Post)*, Staff Post Road, Fort Sam Houston (7-30-74).

San Antonio, *Quadrangle*, Grayson Street, Fort Sam Houston (7-30-74).

*Hill County*

Lake Whitney Estates vicinity, *Buzzard Cave*, northwest of Lake Whitney Estates (7-18-74).

*Travis County*

Austin, *Brizendine House*, 507 West 11th (7-22-74).

## UTAH

*Salt Lake County*

Salt Lake City, *Dinwoody, Henry, House*, 411 East 100 South (7-24-74).

## VERMONT

*Caledonia County*

Lyndon, *Chamberlin Mill Covered Bridge*, west of Vermont 114 (7-30-74).

*Orange County*

East Randolph vicinity, *Gifford Covered Bridge*, south of East Randolph off Vermont 14 (7-30-74).

East Randolph vicinity, *Kingsbury Covered Bridge*, south of East Randolph off Vermont 14 (7-30-74).

North Tunbridge vicinity, *Larkin Covered Bridge*, northeast of North Tunbridge off Vermont 110 (7-30-74).

Tunbridge, *Mill Covered Bridge*, west of Vermont 110 (7-30-74).

## VIRGINIA

*Accomack County*

Accomac, *Bank Building*, No. 1 Court House Avenue (7-23-74).

*Albermarle County*

Cobham vicinity, *Cobham Park*, south of Virginia 22 (7-18-74).

*Botetourt County*

Fincastle vicinity, *Santillane*, west of U.S. 220 (7-24-74).

*Charles City County*

Charles City vicinity, *Belle Air*, north of Virginia 5 (7-18-74).

*Colonial Heights (independent city)*

Oak Hill, 151 Carroll Avenue (7-30-74).  
*Violet Bank*, Royal Oak Avenue (7-30-74).

*Hanover County*

Montpelier vicinity, *Oakland*, north of Montpelier off Virginia 715 (7-30-74).

Montpelier vicinity, *Sycamore Tavern*, southwest side of U.S. 33 (7-24-74).

*Loudoun County*

Lincoln, *Goose Creek Meetinghouse Complex*, south of Virginia 7 (7-24-74).

*Lynchburg (independent city)*

Western Hotel, Fifth and Madison Streets (7-22-74).

*Norfolk (independent city)*

Boush-Tazewell House, 6225 Powhatan Avenue (7-18-74).

*Roanoke (independent city)*

Buena Vista, Penmar Avenue and Ninth Southeast (7-30-74).

*Roanoke County*

Roanoke vicinity, Monterey, Tinker Creek Lane, Northeast (7-30-74).

*Washington County*

Abingdon, Montcalm, west of Virginia 75 (7-18-74).

**WASHINGTON***Garfield County*

Pomeroy, Garfield County Courthouse, Eighth and Main Street (7-24-74).

*King County*

Snoqualmie, Snoqualmie Depot, 109 King Street (7-24-74).

*Pierce County*

Stellacoom, Stellacoom Catholic Church, 1810 Nisqually (7-30-74).

*Whitman County*

Uniontown vicinity, Collins House and Granary, southeast of Uniontown off U.S. 195 (7-30-74).

**WEST VIRGINIA***Kanawha County*

Charleston, Sunrise, 746 Myrtle Road (7-24-74).

*Nicholas County*

Kessler's Cross Lanes vicinity, Carnifex Ferry State Park, south of Kessler's Cross Lanes off West Virginia 129 (7-24-74).

*Wirt County*

Elizabeth, Beauchamp-Newman House, Court Street (7-24-74).

*Wood County*

Williamstown, Tomlinson Mansion, 901 West Third Street (7-24-74).

**WISCONSIN***Dane County*

Madison, Jacobs, Herbert A., House, 441 Toepfer Avenue (7-24-74).

*Dunn County*

Menomonie, Tainter, Louis Smith, House, Broadway at Crescent (7-18-74).

*Eau Claire County*

Eau Claire, Community House, First Congregational Church, 310 Broadway (7-18-74).

Eau Claire, Drummond, David, House, Oakwood Place and Park Avenue (7-30-74).

*Iowa County*

Spring Green vicinity, Unity Chapel, south of Spring Green off Wisconsin 23 (7-18-74).

*Milwaukee County*

St. Francis, Henni Hall, 3257 South Lake Drive (7-24-74).

St. Francis, Old St. Peter's Church, 3257 South Lake Drive (7-25-74).

*St. Croix County*

Hudson, Moffat, John S., House, 1004 Third Street (7-18-74).

The following are corrections for properties previously listed in the FEDERAL REGISTER:

**FLORIDA***Brevard County*

Sebastian vicinity, Salvors Camp for Spanish Wrecks (1715), between the town of Sebastian and Sebastian Inlet on the Atlantic Ocean (8-12-70).

**GEORGIA***Thomas County*

Thomasville, Hansell, Augustine, House (Jeffries House), 429 South Hansell Street (6-22-70).

**IOWA***Washington County*

Washington, Conger, Jonathan Clark, House, 903 East Washington Street (6-28-74).

**KENTUCKY***Clark County*

Winchester, Clark, Governor James, Mansion (Holly Road), Burns Avenue and Belmont Street (6-13-74).

**OHIO***Montgomery County*

Dayton, \*Dunbar, Paul Laurence, House, 219 North Summit Street.

**RHODE ISLAND***Providence County*

Providence, Hope-Power-Cooke Streets Historic District, roughly bounded by Angell, Governor, Williams, and Brook Streets (1-16-73).

**SOUTH CAROLINA***Union County*

Union vicinity, Padgett's Creek Baptist Church, southwest of Union on South Carolina 18 (5-6-71).

The following property has been removed from the National Register:

**MAINE***Cumberland County*

Portland, Gothic House (John J. Brown House), 86 Spring Street.

Historic properties which are either (1) eligible for nomination to the National Register of Historic Places or (2) nominated but not yet listed are entitled to protection under Executive Order 11593. Before an agency of the Federal Government may undertake any project which may have an effect on such a property, the Advisory Council on Historic Preservation shall be given an opportunity to comment on the proposal. Authorization for such comment are in section 1(3) and section 2(b) of Executive Order 11593.

The Secretary of the Interior has determined that the following properties may be eligible for inclusion in the National Register of Historic Places and are therefore entitled to protection under section 1(3) and section 2(b) of Executive Order 11593 and other applicable Federal legislation. All determinations of eligibility are made under the Secretary of the Interior's authorities in sections 2(b) and 3(f) of Executive Order 11593. This list is not complete. As required by Executive Order 11593, an agency head shall refer any questionable actions to the Secretary of the Interior for an opinion respecting the property's eligibility for inclusion in the National Register.

**ALABAMA***Dallas County*

Selma, Gill House, 1109 Selma Avenue.

*Madison County*

Huntsville, Lee House, Red Stone Arsenal.

**ALASKA***Northwestern District*

Little Diomed Island, Iyapana, John, House.

**ARIZONA***Cochise County*

Sierra Vista, Garden Canyon Petroglyphs, Garden Canyon Road.

Sierra Vista vicinity, Old Fort Huachuca, west of Sierra Vista.

*Coconino County*

Grand Canyon, El Tovar Hotel, Park Route. Grand Canyon, Grand Canyon Railroad Station, Park Route 8a.

Grand Canyon National Park, Old Post Office.

Grand Canyon National Park, O'Neill, Buckey, Cabin.

Grand Canyon National Park, Ranger's Dormitory.

Grand Canyon National Park, Stables-Blacksmith Shop Complex.

Grand Canyon National Park, Superintendent's Residence.

Grand Canyon National Park, Water Disposal Plant.

Sedona vicinity, Mayhew's Lodge, north of Sedona on U.S. 89A in Coconino National Forest.

*Pima County*

Tucson vicinity, Old Santan, northwest of Tucson.

*Yuma County*

Yuma, Southern Pacific Depot.

**ARKANSAS***Ouachita County*

Camden, Old Post Office, Washington Street.

*Pulaski County*

North Little Rock, Fort Loban H. Roots Military Post, Scenic Hill Drive.

**CALIFORNIA***Imperial County*

Glamis vicinity, Chocolate Mountain Archeological District.

*Marin County*

Point Reyes, Point Reyes Light Station.

*Modoc County*

Alturas vicinity, Rail Spring, about 30 miles north of Alturas in Modoc National Forest.

Alturas vicinity, Yellowjackets Landing, northwest of Alturas in Modoc National Forest.

Canby vicinity, Sevenmile Flat, northwest of Canby in Modoc National Forest.

*Monterey County*

Big Sur, Point Sur Light Station.

King City vicinity, Painted Cave, southwest of King City in Hunter Liggett Military Reservation.

Pacific Grove, Point Pinos Light Station.

*Riverside County*

Blythe vicinity, Blythe Intaglios, Indian Intaglios, north of Blythe on U.S. 95.

*San Luis Obispo County*

San Luis Obispo, San Luis Obispo Light Station.

*San Mateo County*

Ano Nuevo vicinity, Pigeon Point Light Station.

Hillsborough, Point Montara Light Station.

*Shasta County*

Whiskeytown, Irrigation System (165 and 166), Whiskeytown National Recreation Area.

**Sonoma County**

Dry Creek-Warm Springs Valley Archeological District.  
Santa Rosa, Santa Rosa Post Office.

**COLORADO****Denver County**

Denver, Eisenhower Memorial Chapel, Building No. 27, Reeves Street, on Lowry AFB.

**Eagle County**

Wolcott, Wolcott Stage Station.

**Rio Blanco County**

Meeker vicinity, Thornburgh Monument, northeast of Meeker on Thornburgh Road, 9 miles from junction Colorado 13 and 789. Rangely vicinity, Canon Pintado, south of Rangely on Highway 139. Rangely vicinity, Carrot Men Pictograph Site, southwest of Rangely and west of Rangely Dragon Road.

**CONNECTICUT****Hartford County**

Hartford, Church of the Good Shepherd and Parish House, intersection of Wyllys Street and Van Block Avenue.

Hartford, Colt Factory Housing, Huyshope Avenue between Sequassen and Weehasset Streets.

Hartford, Colt Factory Housing ("Potsdam Village"), Curcombe Street between Hendrixsen Avenue and Locust Street.

Hartford, Colt Park, bounded by Wethersfield Avenue, Stonington Street, Wawarme, Curcombe, and Marseek Streets, and by Huyshope and Van Block Avenues.

Hartford, Colt, Colonel Samuel, Armory, and related factory buildings, Van Dyke Avenue.

Hartford, Flat-iron Building (Motto Building), intersection of Congress Street and Maple Avenue.

Hartford, Houses on both sides of Congress Street.

Hartford, Houses on Charter Oak Place.

Hartford, Houses on Wethersfield Avenue, between Morris and Wyllys Streets, particularly Nos. 97-81, 65.

**Middlesex County**

Middletown, Mather - Douglas - Santangelo House, 11 South Main Street.

**New Haven County**

New Haven, Tannery Building and appended office, 202 George Street.

**New London County**

New London, Thames Shipyard, west bank of Thames River north of U.S. Coast Guard Academy.

**DELAWARE****Suffolk County**

Lewes, Delaware Breakwater.

Lewes, Harbor of Refuge Breakwater.

**DISTRICT OF COLUMBIA**

Auditors' Building, 201 14th Street southwest. Riggs Bank, 800 17th Street northwest.

**FLORIDA****Hillsborough County**

Tampa, Firehouse No. 10, Ybor City.

**GEORGIA****Bryan County**

Fort Stewart, Site of Old Fort Argyle, northeast of Headquarters via Georgia 144, east Georgia 67 North, east to Ogeechee River.

**Chatham County**

Archeological Site, north end of Skidway Island.

**Clay County**

Archeological Site WGC-73, downstream from Walter F. George Dam.

**Heard County**

Philpott Homesite and Cemetery, on bluff above Chattahoochee River where Grayson Trail leads into river.

**Stewart County**

Rood Mounds.

**Sumter County**

Americus, Aboriginal Chert Quarry, Souther Field.

**HAWAII**

Moanalua Valley.

**Hawaii County**

Hawaii Volcanoes National Park, Mauna Loa Trail.

**Mauai County**

Hana vicinity, Kipahulu Historic District, southwest of Hana on Route 31.

**IDAHO****Ada County**

Boise, Ada Theater, 700 Main Street.

Boise, Alexanders, 826 Main Street.

Boise, Falks Department Store, 100 North Eighth Street.

Boise, Idaho Building, 216 North Eighth Street.

Boise, Simplot Building (Boise City National Bank), 805 Idaho Street.

Boise, Union Building, 712½ Idaho Street.

**Clearwater County**

Orofino vicinity, Canoe Camp—Site 18, west of Orofino on U.S. 12 in Nez Perce National Historical Park.

**Custer County**

Challis, Challis Bison Jump.

**Idaho County**

Kamiah vicinity, East Kamiah—Site 15, southeast of Kamiah on U.S. 12 in Nez Perce National Historical Park.

**Lemhi County**

Tendoy, Lewis and Clark Trail First Flag Unfurling.

Tendoy, Lewis and Clark Trail Pattee Creek Camp.

**Lewis County**

Jacques Spur vicinity, St. Joseph's Mission (Slickpool), south of Jacques Spur on Mission Creek off U.S. 95.

**Nez Perce County**

Lapwai, Fort Lapwai Officer's Quarters, Phinney Drive and C Street in Nez Perce National Park.

Lapwai, Spalding.

**ILLINOIS****Cook County**

Chicago, McCarthy Building (Landfield Building), northeast corner of Dearborn and Washington.

Chicago, Methodist Book Concern (later Stop and Shop Warehouse), 12 West Washington.

Chicago, Ogden Building, 130 West Lake Street.

Chicago, Oliver Building, 159 North Dearborn Street.

Chicago, Springer Block (Bay, State and Kranz Buildings), 126-146 North State.

Chicago, Unity Building, 127 North Dearborn Street.

**De Kalb County**

De Kalb, Haish Barbed Wire Factory, corner of Sixth and Lincoln Streets.

**Lake County**

Fort Sheridan, Water Tower, Building 49, Leonard Wood Avenue.

**INDIANA****Monroe County**

Bloomington, Carnegie Library.

**KENTUCKY****Jefferson County**

Louisville, Old Louisville Historic District, bounded on north by Broadway; on the west by Seventh and the Louisville/Nashville Railroad tracks; on the east by Interstate 65 and Brook Street; on the south by Eastern Parkway and Gaubert Avenue.

**MARYLAND****Anne Arundel County**

Annapolis, Thomas Point Shoals Light Station, on Kent Island in Chesapeake Bay. Chestertown, Bloody Point Bar Light, on Chesapeake Bay.

Skidmore, Sandy Point Shoal Light, on Chesapeake Bay.

**Baltimore County**

Fort Howard, Craighill Channel Upper Range Front Light, on Chesapeake Bay.

Sparrows Point, Craighill Channel Range Front Light, on Chesapeake Bay.

**Cecil County**

Perryville, Perry Point Mansion House, Veterans Administration Hospital Grounds.

Perryville, Perry Point Mill, Veterans Administration Hospital Grounds.

Sassafras Elk Neck, Turkey Point Light, at Elk River and Chesapeake Bay.

**Dorchester County**

Hoopersville, Hooper Island Light, Chesapeake Bay—Middle Hooper Island.

**Harford County**

Havre De Grace, Havre De Grace Light.

**St. Marys County**

Piney Point, Piney Point Light Station.

St. Ingoes, St. Ingoes Manor House, Naval Electronics Systems Test and Evaluation Detachment.

St. Marys City, Point No Point Light, on Chesapeake Bay.

**Talbot County**

Tilgman Island, Sharps Island Light, on Chesapeake Bay.

**MICHIGAN****Livingston County**

Fenton, Fenton Downtown Historic District, east and west sides of Leroy Street in two blocks bounded by Ellen on the south and Silver Lake on the north, north side of Caroline Street and east side of River Street.

**MINNESOTA****Cook County**

Grand Marais vicinity, Height of Land, northwest of Grand Marais in Superior National Forest.

**Winona County**

Winona, Second Street Commercial Block.

## MISSOURI

Leslie, *Noser's Mill and adjacent Miller's House, Rural Route 1.*

*Buchanan County*

St. Joseph, *Hall Street Historic District*, bounded by Fourth Street on West, Robidoux on South, 10th on East, and Michel, Corby, and Ridenbaugh on North.

*Clay County*

Smithville, *Aker Cemetery.*

*Dent County*

Lake Spring, *Hyer, John, House.*

*Jackson County*

Kansas City, *Folly's (Standard) Theater*, 12th and Central Streets.

## MONTANA

*Carbon County*

Barry's Landing, *Bad Pass Trail (Sioux Trail)*, Big Horn Canyon National Recreation Area.

Hardin, *Pretty Creek Site (Hough Creek Site)*, Big Horn Canyon National Recreation Area.

*Lewis and Clark County*

Marysville, *Marysville Historic District.*

*Park County*

Mammoth, *Chapel at Fort Yellowstone*, Yellowstone National Park.

*Ravalli County*

Conner vicinity, *Alta Ranger Station*, south of Conner in Bitterroot National Forest.

## NEBRASKA

*Madison County*

Norfolk, *Federal Building (U.S. Post Office and Courthouse)*, corner of Fourth Street and Madison Avenue.

## NEVADA

*Nye County*

Las Vegas vicinity, *Emigrant's Trail*, about 75 miles northwest of Las Vegas on U.S. 95.

*Storey County (also in Washoe County)*

Sparks vicinity, *Derby Diversion Dam*, on the Truckee River 19 miles east of Sparks, along Interstate 80.

## NEW HAMPSHIRE

*Grafton County*

Bedell Covered Bridge.

## NEW JERSEY

*Middlesex County*

New Brunswick, *Delaware and Raritan Canal*, between Albany Street Bridge and Landing Lane Bridge.

*Warren County (also in Sussex County)*

Old Mine Road Historic District.

## NEW YORK

*Bronx County*

New York, *North Brothers Island Light Station*, in center of East River.

*Greene County*

New York, *Hudson City Light Station*, in center of Hudson River.

*Richmond County*

New York, *Romer Shoal Light Station*, located in lower bay area of New York Harbor.

*Suffolk County*

New York, *Fire Island Light Station*, U.S. Coast Guard Station.

New York, *Little Gull Island Light Station*, off North Point of Orient Point, Long Island.

New York, *Plum Island Light Station*, off Orient Point, Long Island.

New York, *Race Rock Light Station*, located south of Fishers Island, 10 miles north of Orient Point.

*Ulster County*

Kingston vicinity, *Esopus Meadows Light Station*, middle of Hudson River.

New York, *Rondout North Dike Light*, center of Hudson River at junction of Rondout Creek and Hudson River.

New York, *Saugerties Light Station*, Hudson River.

*Westchester County*

Port Washington vicinity, *Execution Rocks Light Station*, lower southwest portion of Long Island Sound.

White Plains, *Westchester County Courthouse Complex*, corner of Main and Court Streets.

## NORTH CAROLINA

U.S.S. *Monitor*, Outer Continental Shelf, about 15 miles off coast of North Carolina.

*Brunswick County*

Southport, *Fort Johnston*, Moore Street.

*Cumberland County*

Fayetteville, *Veterans Administration Hospital Confederate Breastworks*, 23 Ramsey Street.

*Dare County*

Buxton, *Cape Hatteras Light*, Cape Hatteras National Seashore.

*Hyde County*

Ocracoke, *Ocracoke Lighthouse.*

*New Hanover County*

Wilmington, *Market Street Mansions District*, both sides of Market Street between 17th and 18th Streets.

## OHIO

*Clermont County*

Neville vicinity, *Maynard House*, 2 miles east of Neville off U.S. 52.

*Pickaway County*

Williamsport vicinity, *The Shack (Daugherty, Harry, House)*, 5.5 miles northwest of Williamsport.

*Seneca County*

Tiffin, *Old U.S. Post Office*, 215 South Washington Street.

## OKLAHOMA

*Haskell County*

Keota vicinity, *Otter Creek Archeological Site (34HS25)*, southwest of Keota.

*Kay County*

Newkirk vicinity, *Bryson Archeological Site*, northeast of Newkirk.

## OREGON

*Coos County*

Charleston, *Cape Arago Light Station.*

*Curry County*

Port Orford, *Cape Blanco Light Station*, Wolf Creek, *Rogue River Ranch*, Star Route, Box 78.

*Douglas County*

Winchester Bay, *Umpqua River Light House.*

*Josephine County*

Whisky Creek Cabin.

*Klamath County*

Crater Lake National Park, *Crater Lake Lodge.*

*Lane County*

Roosevelt Beach, *Heceta Head Light House*, Roosevelt Beach, *Heceta Head Light Station.*

*Lincoln County*

Agate Beach, *Yaquina Head Lighthouse.*

*Sherman County*

Grass Valley vicinity, *Mack Canyon Archeological Site*, at end of BLM access road adjacent to Deschutes River 25 miles north of Maupin.

*Tillamook County*

Tillamook, *Cape Meares Lighthouse.*

## PENNSYLVANIA

Brumbaugh Homestead, Raystown Lake Project.

*Adams County*

Gettysburg, *Barlow's Knoll*, adjacent to Gettysburg National Military Park.

Gettysburg, *Gettysburg Battlefield Historic District.*

*Allegheny County*

Bruceton, *Experimental Mine*, U.S. Bureau of Mines, off Cochran Mill Road.

*Clinton County*

Lockhaven, *Apsley House*, 302 East Church Street.

Lockhaven, *Harvey, Judge, House*, 29 North Jay Street.

Lockhaven, *McCormick, Robert, House*, 234 East Church Street.

Lockhaven, *McCormick, Robert, House*, 234 Jay Street.

*Mercer County*

Greenville vicinity, *Kidd's Mills Historical Area (Shenango River Lake)*, via 58 and Township Road 653.

Greenville vicinity, *New Hamburg Historical Area*, south of Greenville on both banks of the Shenango River, off Pennsylvania 58.

*Northampton County*

Dorneyville, *King George Inn and two other stone houses*, intersection of Hamilton and Cedar Crest Boulevards.

*Westmoreland County*

Blairsville vicinity, *Western Division-Pennsylvania Canal (Conemaugh River Lake)*, east of Blairsville.

## TENNESSEE

*Cheatham County*

Achland City, vicinity, *Indian Town Bluff*, near confluence of Harpeth and Cumberland Rivers.

## TEXAS

*Galveston County*

Galveston, *U.S. Customhouse*, bounded by Avenue B, 17th, Water, and 18th Streets.

*Potter County*

Lake Meredith Recreation Area, *McBride Ranch House.*

## UTAH

*Tooele County*

Wendover vicinity, *Wendover Air Force Base*, south of Wendover.

**VERMONT***Franklin County*

Highgate Falls, *Lenticular or Parabolic Truss Bridge, over Missisquoi River.*

*Windsor County*

Weathersfield, *Historic Crown Point Road.*  
Windsor, *Post Office Building.*

**WASHINGTON***Clallam County*

Seguim, *New Dungeness Light Station.*

*Clark County*

Vancouver, *Officers Row, Fort Vancouver Barracks.*

*Grays Harbor County*

Westport, *Grays Harbor Light Station.*

*King County*

Burton, *Point Robinson Light Station.*  
Seattle, *Alki Point Light Station.*  
Seattle, *West Point Light Station.*

*Kitsap County*

Hansville, *Point No Point Light Station.*

*Pacific County*

Ilwaco, *Cape Disappointment Light Station.*  
Ilwaco, *North Head Light Station.*

*Pierce County*

Fort Lewis Military Reservation, *Captain Wilkes, July 4, 1841, Celebration Site.*

*San Juan County*

San Juan Islands, *Patos Island Light Station.*

*Snohomish County*

Mukilteo, *Mukilteo Light Station.*

**WEST VIRGINIA***Cabell County*

Huntington, *Old Bank Building, 1208 Third Avenue.*

*Wood County*

Parkersburg, *Wood County Courthouse.*

**WISCONSIN***Door County*

Chambers Island, *Chambers Island Light-house Dwelling, northern tip, Chambers Island in Green Bay, Lake Michigan.*

**WYOMING***Goshen County*

Torrington, *Union Pacific Depot.*

**PUERTO RICO**

Mona Island, *Sardínero Site and Ball Courts.*

ERNEST A. CONNALLY,  
*Associate Director,  
Professional Services.*

[FR Doc. 74-20069 Filed 8-30-74; 8:45 am.]

**DEPARTMENT OF AGRICULTURE**

## Farmers Home Administration

[Notice of Designation Number A065]

**TEXAS****Designation of Emergency Areas**

The Secretary of Agriculture has found that a general need for agricultural credit exists in the following counties in Texas:

Briscoe  
Fisher

The Secretary has found that this need exists as a result of a natural disaster consisting of drought October 1973 to May 1974; windstorms and hailstorms May 21 and June 1, 2, and 3, 1974; and excessive rainfall June 13, 1974, in Briscoe County; and drought September 15, 1973, through July 23, 1974, in Fisher County.

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Dolph Briscoe that such designation be made.

Applications for Emergency loans must be received by this Department no later than October 18, 1974, for physical losses and May 20, 1975, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rule-making and invite public participation.

Done at Washington, D.C., this 26th day of August 1974.

FRANK B. ELLIOTT,  
*Administrator,  
Farmers Home Administration.*

[FR Doc. 74-20219 Filed 8-30-74; 8:45 am.]

**DEPARTMENT OF COMMERCE**

## Domestic and International Business Administration

**CHILDREN'S HOSPITAL OF PHILADELPHIA**

## Decision on Application for Duty-Free Entry of Scientific Article

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

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

Docket Number: 74-00321-33-46040. Applicant: The Children's Hospital of Philadelphia, Department of Pathology, 1740 Bainbridge Street, Philadelphia, Pa. 19146. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article will be used in the following research and clinical diagnostic projects:

(1) Research into the role of bilirubin in the pathogenesis of intrahepatic cholestasis, as investigated through the

manganese-bilirubin model, with studies on bile composition;

(2) Research into the effect of Novoblocin on bile flow rate, and the pathogenesis of such effects, with studies of bile composition;

(3) Research into the evolution of the pathologic lesions of childhood inherited renal disease, particularly cystinosis, in order to elucidate the mechanisms of tissue injury in this disease;

(4) Study of renal biopsy material for the purposes of diagnosis, prognostication, and evaluation of therapeutic approaches in childhood renal disease;

(5) Examination of tumors for the purposes of diagnosis classification, and evaluation of therapy; and

(6) Examination of various other tissues removed in the course of surgical and/or autopsy procedures for diagnosis of conditions in which this procedure is of established value (e.g., primary myopathies, storage disorders, etc.)

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

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

Reasons: This application is a resubmission of Docket Number 74-00021-37-46040 which was denied without prejudice to resubmission on October 31, 1973 for informational deficiencies. In the reply to Question 8 the applicant alleged that the foreign article provided the following pertinent characteristics:

- (1) New design.
- (2) Simplicity of operation.
- (3) Outstanding stability.
- (4) Good frequency of repair record.
- (5) Readily available service.
- (6) A magnification range of from 200x to 200,000x without the change of pole piece or the necessity of breaking or interrupting the column using the same sample holder.
- (7) Outstanding illumination and contrast due to the new minicondenser lens which allows high contrast and coherence in the face of minimum specimen charge.
- (8) Use for study of negatively stained sections.

The Department of Health, Education, and Welfare (HEW) reviewed this application and compared the article to the most closely comparable domestic instrument, the Model EMU-4C electron microscope available from the Adam David Company.

HEW advises in its memorandum dated May 6, 1974 that the applicant's intended research and teaching purposes do not establish a pertinent characteristic within the meaning of § 701.2(n) of the regulations that upholds duty-free entry. Specifically, with respect to the alleged pertinent characteristics listed above, HEW advises that the Model EMU-4C provides an equivalent magnification range (6), may be equipped with one or two condenser lenses (7), and may be used for study of negative stained specimens (8). HEW also advises that the

other features alleged pertinent, (1), (2), (3), (4), and (5), must be classed as either conveniences or cost-related features that are not relevant to duty-free entry.

For these reasons, we find the Model EMU-4C is of equivalent scientific value to the foreign article for such purposes as the article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,  
Director,

Special Import Programs Division.

[FR Doc.74-20295 Filed 8-30-74; 8:45 am]

#### STATE UNIVERSITY OF NEW YORK AT BUFFALO, ET AL.

##### Consolidated Decision on Applications for Duty-Free Entry of Accessories for Foreign Instruments

The following is a consolidated decision on applications for duty-free entry of accessories for foreign instruments pursuant to section 6(c) of the Educational Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.). (See especially § 701.11(e).)

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

Docket Number: 74-00479-00-46500. Applicant: State University of New York at Buffalo, Department of Pathology, Bell Facility, 180 Race Street, Buffalo, N.Y. 14207. Article: Cryokit, Model LKB 14800-1. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used to obtain ultrathin frozen sections of the adrenal gland for the study of the processes by which steroids are secreted from the cell in the adrenal gland of normal animal models and animals in which hypertension has been experimentally induced. In addition to research the article will be demonstrated as part of the laboratory for a course in electron microscopy. Application received by Commissioner of Customs: May 15, 1974. Advice submitted by the Department of Health, Education, and Welfare on: August 7, 1974.

Docket Number: 74-00491-00-46040. Applicant: Rutgers Medical School, College of Medicine and Dentistry of New Jersey, Hoes Lane, Piscataway, New Jersey 08854. Article: High Resolution Universal Goniometer, Model IB 1003. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is an accessory to an existing electron microscope to permit the viewing of one specimen from different tilt angles (45°) and the rotation of a specimen up to 360°. The article will greatly enhance the usefulness of the electron microscope in

interpreting the ultrastructure of cells and subcellular fractions. Medical students enrolled in special summer sessions will be instructed in the use of one or more of the capabilities of the electron microscope equipped with the high resolution goniometer. Application received by Commissioner of Customs: May 22, 1974. Advice submitted by the Department of Health, Education, and Welfare on: August 8, 1974.

Docket Number: 74-00495-00-46040. Applicant: National Bureau of Standards, Institute for Materials/Polymers Division, National Bureau of Standards, Wash., D.C. 20234. Article: Scanning Attachment (PW6570/00). Manufacturer: Philips Electronic Instruments, NVD, The Netherlands. Intended use of article: The article is intended to be used for the investigation of synthetic organic polymers. The properties and phenomena to be investigated will include:

(1) The fine structure of polymers crystallized under a variety of conditions—studies are aimed at characterizing the nature of the molecular organization and the nature of disorder in such objects.

(2) The mechanisms of deformation of polymeric materials—studies involve the examination of how single polymer crystals and spherulites deform and what are the morphological changes which occur on a fine scale at different strain levels.

(3) Polymer surfaces—studies include the examination of a variety of samples such as synthetic fibers, films, synthetic polymer implants, permeation tubes, and polymer surfaces which have been exposed to radiofrequency gas discharges. The overall objectives of these various investigations are, the detailed characterization of the fine structure of polymers, the manner in which they deform, the dependence of mechanical properties upon fine structure, and the modification of surfaces and surface properties. Application received by Commissioner of Customs: May 29, 1974. Advice submitted by the Department of Health, Education, and Welfare on: August 8, 1974.

Docket Number: 74-00497-00-46040. Applicant: USDA-ARS, Southern Regional Research Center, 1100 Robert E. Lee Blvd., New Orleans, La. 70179. Article: Goniometer Stage. Manufacturer: Philips Analytical Equipment, The Netherlands. Intended use of article: The article is intended to be used with an existing electron microscope for the purposes of studying ultrastructural morphology of agricultural commodities as well as an interface between said microscope and an energy dispersive x-ray analyzer which will allow essential elemental analysis of said commodities. In particular, the combination microscope, goniometer stage and energy dispersive x-ray analyzer will be used in a research effort to ascertain the location and amount of chemical reactants in micro-samples of cotton fibers which have been removed from fabrics chemically modified to instill flame retardancy. Application received by Commissioner of Cus-

toms: May 29, 1974. Advice submitted by the Department of Health, Education, and Welfare on August 8, 1974.

Comments: No comments have been received with respect to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for the purposes for which the articles are intended to be used, is being manufactured in the United States. Reasons: The applications relate to compatible accessories for instruments that have been previously imported for the use of the applicant institutions. The articles are being manufactured by the manufacturers which produced the instruments with which they are intended to be used. We are advised by the Department of Health, Education, and Welfare in the respectively cited memoranda that the accessories are pertinent to the applicants' intended uses and that it knows of no comparable domestic articles.

The Department of Commerce knows of no similar accessories manufactured in the United States which are interchangeable with or can be readily adapted to the instruments with which the foreign articles are intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,  
Director,

Special Import Programs Division.

[FR Doc.74-20297 Filed 8-30-74; 8:45 am]

#### YALE UNIVERSITY, ET AL.

##### Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before October 14, 1974.

Amended regulations issued under cited Act, as published in the February 24, 1972 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket Number: 75-00021-33-46040. Applicant: Yale University, Purchasing Department, 260 Whitney Avenue, New Haven, Conn. 06520. Article: Electron

Microscope, Model EM 10 with Goniometer Stage. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used to examine the ultrastructural characteristics of a variety of transporting epithelia. The tissues which will be studied will include kidney tubules from rats, and tubules and urinary bladders of several species of amphibians and several species of fish. The structural characteristics of various transporting epithelia will be studied in a variety of normal and pathologic states and it is intended to correlate the ultrastructure with function at the cellular level and with function at the cellular level and to approach renal physiology and pathology from an integrated standpoint. Of particular interest from the ultrastructural standpoint are the characteristics of the cell membranes, the junctional complexes between cells, the basal labyrinthine spaces and the structure of intracellular organelles. The article will also be used in the postgraduate training of pathologists, physiologists and cell biologists preparing for a career in the investigation of transporting epithelia. Residents and trainees will be familiarized with the methods and techniques of electron microscopy as applied to the study of transporting epithelia. Application received by Commissioner of Customs: July 17, 1974.

Docket Number: 75-00046-33-46500. Applicant: Massachusetts General Hospital, Department of Renal Biophysics, Fruit Street, Boston, Mass. 02114. Article: Ultramicrotome, Model LKB 8800A and accessories. Manufacturer: LKB Produkter AB, Sweden.

Intended use of article: The article is intended to be used for the investigation of ultrastructural changes in the urinary bladder of amphibians under various experimental conditions. Experiments will be conducted to show structural changes in the rate-limiting tight junctions (extracellular path) with paralleled changes in the electrical characteristics of the epithelium. Application received by Commissioner of Customs: August 8, 1974.

Docket Number: 75-00047-80-23900. Applicant: University of California, Los Alamos Scientific Laboratory, P.O. Box 990, Los Alamos, New Mexico 87544. Article: Microplotter, Lighted Surface. Manufacturer: Mutoh Industries Limited, Japan. Intended use of article: The article is intended to be used for highly precise point to point measurements of radiographs for the Laboratory's weapons' program. Application received by the Commissioner of Customs: August 8, 1974.

Docket Number: 75-00048-33-46040. Applicant: University of Texas Medical Branch, Galveston, Texas 77550. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for ultrastructural studies on human pituitary tissue obtained from autopsies and surgical specimens, a major component of an ongoing

correlated light and electron microscopic study of the normal and pathological human pituitary gland. The article will also be used for ultrastructural studies of human brain and muscle biopsies. In addition the article will be used for training to familiarize residents in neurosurgery, neurology and pathology with the diagnostic potential of electron microscopy and the necessity for proper procedure in obtaining tissue for electron microscopy as well as to impart factual knowledge regarding the ultrastructural characteristics of various neurological and muscular disorders. Application received by Commissioner of Customs: August 9, 1974.

Docket Number: 75-00050-33-46040. Applicant: University of Massachusetts, Massachusetts Agricultural Exp. Station, College of Food and Natural Resources, Stockbridge Hall, Amherst, Massachusetts 01002. Article: Electron Microscope, Model EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for the resolution of many different research problems. The planned research includes the following:

(1) Studies of virus diseases of apple trees and vegetable crops for accurate identification of the viruses, viroids, and mycoplasmas that are causative organisms.

(2) Localization of pectic enzymes produced by a soft-rot bacterium in potato and cucumber storage tissues, and the relationship of these enzymes to destruction and death of these storage tissues, and the relationship of these enzymes to destruction and death of these stored foods.

(3) Identification of mosquito viruses, with the goal of cataloging the naturally occurring mosquito viruses in Massachusetts so that their value for biological control may be assessed.

(4) Study of the roles of hormones in reproduction by mosquitoes.

(5) Study of the role of various glands of the adult apple maggot and their relationship to infestation of apple fruits.

(6) Study of the nature of ammonium toxicity to tomato plants, and the ability of some mutants to resist ammonium toxicity.

(7) Study of the role of calcium in delaying deterioration and death of stored apples.

(8) Determination of the fine structure of chicken and beef muscle as well as of banana, potato, and carrot tissues.

(9) Identification of food-spoilage bacteria and determination of their molecular biology.

(10) Localization, study and control of viruses causing tumors in soft tissues of domestic animals.

(11) Studies on the relationship between cytogenetics and reduced fitness in domestic animals.

The article will also be used in the courses Plant Pathology-Plant Virology and Entomology-Insect Microbiology and Pathology, to familiarize students with the preparation of material and the operation of the electron microscope.

Application received by Commissioner of Customs: August 9, 1974.

Docket Number: 75-00051-33-74700. Applicant: Indiana University, Purchasing Department, 1101 East 17th Street, Bloomington, IN 47401. Article: OVE-III Digitally Controlled Serial Speech Synthesizer. Manufacturer: AB Fonema, Sweden. Intended use of article: The article is intended to be used for basic research into the perception of speech sounds primarily in real time computer controlled perceptual experiments dealing with speech synthesis, perception and analysis, dichotic listening, selective attention, information processing and short-term memory. The article will be used by the principal investigator in collaboration with faculty and graduate students in Psychology, Linguistics and Speech Science for original independent research and teaching of course in these areas. Application received by Commissioner of Customs: August 9, 1974.

Docket Number: 75-00052-01-77030. Applicant: University of North Carolina, Department of Chemistry, Chapel Hill, N.C. 27514. Article: NMR Pulse Spectrometer, CPS-2. Manufacturer: Spin-Lock Electronics Co., Canada. Intended use of article: The article is intended to be used to study glasses, molecular solids, proteins in solution, and gases. In these studies the following quantities will be measured:

(a) The nuclear spin relaxation times  $T_1$ ,  $T_{1\rho}$ , and  $T_2$  for nuclei in the solids.

(b) The NMR line shapes for the solids by Fourier transforming the free induction decays.

(c) The nuclear relaxation time  $T_2$  for liquids and the diffusion coefficient  $D$ .

(d) The relaxation time  $T_1$  for nuclei in gases.

(e) The frequency dependence for  $T_1$  for nuclei in solids.

The article will also be used in the training of graduate students and post doctoral research associates in the graduate course entitled Research Methodology in Physical Chemistry and Doctoral Dissertation. The students will learn to use the equipment and will carry out original research projects. Application received by Commissioner of Customs: August 13, 1974.

Docket Number: 75-00053-33-10100. Applicant: University of Miami School of Medicine, Department of Pharmacology, P.O. Box 520875 Biscayne Annex, 1600 N.W. 10th Ave., 4th Flr., Miami, Florida 33156. Article: Temperature Jump Apparatus. Manufacturer: Bodo Schmidt, West Germany. Intended use of article: The article is intended to be used in a project in which the kinetics of  $Ca^{2+}$  binding, and the attendant membrane structural changes are to be studied with fluorescent and absorption indicators, and by the use of fluorescent probes in conjunction with the temperature jump technique. Application received by Commissioner of Customs: August 13, 1974.

Docket Number: 75-00054-33-46040. Applicant: Kean College of New Jersey, Pathology Department, Morris Avenue,

Union, New Jersey 07083. Article: Electron Microscope, Model EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article:

The article is intended to be used for studies of tissues, cells, bacteria and viruses to localize enzymatic activity at the subcellular level and to develop selective stains for cellular components. The article will also be used in a course, Biology 4200, to teach biochemical concepts governing the preparation of biological specimens for electron microscopy. Application received by Commissioner of Customs: August 13, 1974.

Docket Number: 75-00055-01-77040. Applicant: New York State Department of Health, Division of Laboratories and Research, New Scotland Avenue, Albany, N.Y. 12201. Article: Mass Spectrometer, MS 30. Manufacturer: AEI Scientific Apparatus Ltd., United Kingdom. Intended to be used for studies of epoxy and phenolic metabolites of polychlorinated biphenyl (PCB) arising from metabolism by liver microsomal mixed functional oxidases of commercially produced PCB plasticizer mixtures. Investigations will be conducted (a) to determine the metabolites and intermediates produced in liver metabolism of PCB, (b) to determine which oxidase is responsible for metabolism of PCB and (c) to determine whether the metabolites characterized are implicated in the toxicity of PCB preparations.

In another research project, phenolic and alcoholic metabolites of "warfarin" produced by liver metabolism in the rat and human will be studied in pursuit of the following:

- elucidation of the path of detoxification of warfarin in rodents,
- a search for possible substitutes for warfarin for rodent control and also in human medicine, and
- elucidation of the mechanism of liver mixed functional oxidase metabolism of aromatic compounds.

Organic constituents of lake and stream water extracted from large volumes of natural waters at different pH and with different extracting solvents will also be investigated. Application received by Commissioner of Customs: August 13, 1974.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,  
Director,  
Special Import Program Division.

[FR Doc. 74-20296 Filed 8-30-74; 8:45 am]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education  
NATIONAL ADVISORY COUNCIL ON  
ADULT EDUCATION

### Notice of Public Meeting

Notice is hereby given, pursuant to section 10(a) (2) of the Federal Advisory Committee Act (Pub. L. 92-463), that the next meeting of the National Advisory

Council on Adult Education will be held on September 19-20, 1974, from 9 a.m. to 9 p.m., and on September 21, 1974, from 9 a.m. to 12 noon, at the Portland Hilton, 921 SW. Sixth Avenue, Portland, Oregon.

The National Advisory Council on Adult Education is established under section 311 of the Adult Education Act (80 Stat. 1216.20 U.S.C. 1201). The Council is directed to:

Advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including policies and procedures governing the approval of State plans under section 306 and policies to eliminate duplication, and to effectuate the coordination of programs under this title and other programs offering adult education activities and services.

The Council shall review the administration and effectiveness of programs under this title, make recommendations with respect thereto, and make annual reports to the President of its findings and recommendations (including recommendations for changes in this title and other Federal laws relating to adult education activities and services). The President shall transmit each such report to the Congress together with his comments and recommendations.

The meeting of the Council shall be open to the public. The proposed agenda includes:

- Committee assignments, duties, and responsibilities.
- Executive Director's report.
- Proposed rules and regulations for the Education Amendments of 1974.
- Annual Report content and format.
- Regional program officer's report for Region X.
- Meetings with the adult education state directors from Alaska, Idaho, Oregon, Washington.
- Council committee meetings.

Records shall be kept of all Council proceedings (and shall be available for public inspection at the Office of the National Advisory Council on Adult Education located in Room 323, Pennsylvania Bldg., 425 13th Street, NW., Washington, D.C. 20004).

Signed at Washington, D.C., on August 26, 1974.

GARY A. EYRE,  
Executive Director, National  
Advisory Council on Adult  
Education.

[FR Doc. 74-20196 Filed 8-30-74; 8:45 am]

## NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION (EXECUTIVE COMMITTEE)

### Notice of Meeting

Notice is hereby given, pursuant to section 10(a) (2) of the Federal Advisory Committee Act (Pub. L. 92-463), that the next meeting of the National Advisory Council on Indian Education (Executive Committee) will be held on September 17, 1974 at 11 a.m. at 400 Maryland Ave., South West, Washington, D.C.

The National Advisory Council on Indian Education is established under section 401 of the Indian Education Act

(Pub. L. 92-318, Title IV). The Council is directed to:

Advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including policies and procedures governing the approval of State plans under section 318 and policies to eliminate duplication, and to effectuate the coordination of programs under this title and other programs offering Indian Education activities and services.

The Council shall review the administration and effectiveness of programs under this title, make recommendations with respect thereto, and make annual reports to the President of its findings and recommendations (including recommendations for changes in this title and other federal laws relating to Indian Education activities and services). The President shall transmit each such report to the Congress together with his comments and recommendations.

The first portion of this meeting of the Council and the U.S. Commissioner of Education will meet from 11 a.m. to 11:30 a.m., shall be closed to the public, under the authority of the Federal Advisory Committee Act (Pub. L. 92-463) and under the exemptions contained in section 552(b) (2) and (6) of the Freedom of Information Act (Pub. L. 90-23).

Discussion of the second portion of the agenda will be open to the public beginning at 11:30 a.m. to 1 p.m. Both meetings will be held in Room 3000, FOB #6, 400 Maryland Ave., SW., Washington, D.C. (small conference room).

The proposed agenda includes:

- Identifying the candidates for the position of Deputy Commissioner of Indian Education.
- National Advisory Council on Indian Education's responsibilities, functions and their relationship with the Office of Education.

Because of limited space persons who plan to attend the open portion of the meeting, please notify the Executive Director at 202/963-3544, Room 326, 425 13th St., NW., Washington, D.C. 20004

Records shall be kept of all Council proceedings (and shall be available for public inspection at the Office of the National Advisory Council on Indian Education located at 425 13th St., NW., Room 326, Washington, D.C. 20004).

Signed at Washington, D.C., on August 27, 1974.

DORRANCE D. STEELE,  
Acting Executive Director, National  
Advisory Council on  
Indian Education.

[FR Doc. 74-20211 Filed 8-30-74; 8:45 am]

## RIGHT TO READ SCHOOL BASED PROJECTS

### Closing Date for Receipt of Non-Competing Continuation Applications

Notice is hereby given that pursuant to the authority contained in the Cooperative Research Act (Pub. L. 83-531, as amended, 20 U.S.C. 331), applications are being accepted for continuation of grants under the Right to Read School Based Program. No new grants will be awarded under this program.

Applications must be received by the U.S. Office of Education, Application Control Center on or before October 8, 1974.

A. *Applications sent by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue, SW., Washington, D.C. 20202, Attention: 13:533. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than the fifth calendar day prior to the closing date (or if such fifth calendar day is a Saturday, Sunday, or Federal holiday, not later than the next following business day), as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.)

B. *Hand delivered applications.* An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, SW., Washington, D.C.

Hand delivered applications will be accepted daily between the hours of 8:30 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays or Federal Holidays. Applications will not be accepted after 4 p.m. on the closing date.

C. *Authority.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Part 100a) and the General Provisions for Right to Read (45 CFR Part 151, Subpart A; published in the FEDERAL REGISTER on June 20, 1974, at 39 FR 22147). In addition, a notice of proposed rulemaking providing rules specifically governing the School-Based Program was published in the FEDERAL REGISTER on August 19, 1974, at 39 FR 29929.

D. *Program information and forms.* Information and application forms may be obtained from the Right to Read Program, U.S. Office of Education, Room 2131, 400 Maryland Avenue, SW., Washington, D.C. 20202.

(20 U.S.C. 331a(a)(1))

(Catalog of Federal Domestic Assistance Number 13.533; Right to Read—Elimination of Illiteracy)

Dated: August 28, 1974.

T. H. BELL,  
U.S. Commissioner of Education.

[FR Doc. 74-20275 Filed 8-30-74; 8:45 am]

Social Security Administration  
ADVISORY COUNCIL ON SOCIAL SECURITY  
Notice of Public Meeting

Notice is hereby given, pursuant to Pub. L. 92-463, that the Advisory Council on Social Security, established pursuant to section 706(a) of the Social Security Act, as amended, will meet on Saturday, September 21, 1974, from 10 a.m. to 4 p.m., and Sunday, September 22, 1974, from 9 a.m. to 5 p.m. in Room 5051 HEW-North Building, Third and Independence Avenues, SW., Washington, D.C. Beginning at 4 p.m. on Saturday, September 21, two subcommittees of the Advisory Council will meet. One subcommittee deals with social security financing, the other with treatment of men and women under social security with respect to sex and marital status. A task force on the purposes, objectives, and principles of the social security program will meet at 4 p.m. on Saturday, September 21. The meetings of the Advisory Council, its subcommittees, and the task force are open to the public.

Further information on the Council and the task force may be obtained from John Trout, Executive Secretary of the Council, Room 440 Altmeyer Building, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235, telephone (301) 594-2510. Further information on the Council's subcommittee on financing may be obtained from Mary Ross, Executive Secretary of the Subcommittee, Room 438 Altmeyer Building, telephone (301) 594-2514. Further information on the Council's subcommittee on treatment of men and women under social security may be obtained from James Crum, Executive Secretary of the Subcommittee, Room 454 Altmeyer Building, telephone (301) 594-2834. Members of the public planning to attend should send written notice of intent to the Executive Secretary.

(Catalog of Federal Domestic Assistance Programs Numbers 13.800-13.807, Social Security Programs)

Dated: August 28, 1974.

JOHN TROUT,  
Executive Secretary, Advisory  
Council on Social Security.

[FR Doc. 74-20276 Filed 8-30-74; 8:45 am]

ATOMIC ENERGY COMMISSION

[Docket Nos. 50-295 & 50-304]

COMMONWEALTH EDISON CO.

Proposed Issuance of Amendments to  
Facility Operating Licenses

The Atomic Energy Commission (the Commission) is considering issuance of an amendment to Facility Operating License Nos. DPR-39 and DPR-48 issued to Commonwealth Edison Company for operation of the Zion Nuclear Power Station, Unit 1 and Unit 2, located in Zion, Lake County, Illinois.

These licenses presently authorize operation of the facilities at steady state power levels up to a maximum of 2760 megawatts (thermal) each, the power limit (85 percent of rated power) being based on the functional capabilities of

the initially installed and temporarily modified main steam line check valves.

The proposed amendments would remove this power restriction based on the capabilities of the newly modified main steam line check valves and would therefore increase the authorized steady state power level up to a maximum of 3250 megawatts (thermal) each in accordance with Commonwealth Edison Company's application dated April 16, 1974.

The initial decision of the Atomic Safety and Licensing Board dated October 5, 1973, authorized the issuance of a license up to 3250 megawatts (100 percent of rated power). However, after reviewing the dockets for 50-295 and 50-304, the Director of Regulation had determined that the docket did not contain sufficient information on the steam line check valves to justify operation in excess of 85 percent of rated power and, thus, issued the license for that maximum power level. Commonwealth Edison Company submitted the required information by letter dated December 28, 1973, that transmitted Supplement D to the Zion Station Special Report No. 8, "Main Steam Line Check Valve Final Modification".

The Commission has issued a safety evaluation relating to this proposed action concluding, inter alia, that there is reasonable assurance that the issuance of this amendment will not be inimical to the health and safety of the public. Prior to issuance of the proposed license amendment, the Commission will have made the remainder of the findings required by the Act and the Commission's regulations.

By October 3, 1974, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's rules of practice in 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this action, see (1) the application for amendment dated April 16, 1974, and (2) the Commission's related safety evaluation which are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Waukegan Public Library, 128 North County Street, Waukegan, Illinois 60085. A copy of item (2) may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing—Regulation.

Dated at Bethesda, Md., this 22nd day of August, 1974.

For the Atomic Energy Commission.

ROBERT A. PURPLE,  
Chief, Operating Reactors  
Branch No. 1, Directorate of  
Licensing.

[FR Doc. 74-20241 Filed 8-30-74; 8:45 am]

[Docket No. 50-263]

**NORTHERN STATES POWER CO.****Establishment of Atomic Safety and Licensing Board**

Pursuant to delegation by the Commission dated December 29, 1972, published in the FEDERAL REGISTER (27 FR 28710) and §§ 2.105, 2.700, 2.702, 2.714, 2.714a, 2.717 and 2.721 of the Commission's regulations, all as amended, an Atomic Safety and Licensing Board is being established to rule on petitions and/or requests for leave to intervene in the following proceeding:

Northern States Power Co. (Monticello Nuclear Generating Plant) Docket No. 50-263, Provisional Operating License No. DPR-22.

This action is in reference to the proposed issuance of amendment to provisional operating license published by the Commission in the above matter on July 22, 1974 (39 FR 26661).

The members of the Board are:

Robert M. Lazo, Esq., Chairman  
Atomic Safety and Licensing Board Panel  
U.S. Atomic Energy Commission  
Washington, D.C. 20545

Dr. John C. Geyer, Member  
Department of Geography and Environmental Engineering

513 Ames Hall  
Johns Hopkins University  
Baltimore, Maryland 21218

Dr. Walter H. Jordan, Member  
881 W. Outer Drive  
Oak Ridge, Tennessee 37830

Dated at: Bethesda, Md., this 28th day of August 1974.

ATOMIC SAFETY AND LICENSING  
BOARD PANEL,  
NATHANIEL H. GOODRICH,  
*Chairman.*

[FR Doc.74-20240 Filed 8-30-74; 8:45 am]

[Docket Nos. 50-496-A, 50-497-A]

**NORTHEAST NUCLEAR ENERGY COMPANY, ET AL.**

Receipt of Application for Construction Permits and Facility Licenses and Availability of Applicants' Environmental Report; Time for Submission of Views on Antitrust Matters

Northeast Nuclear Energy Company, acting for itself and as the representative of the other applicants listed below, pursuant to section 103 of the Atomic Energy Act of 1954, as amended, has filed an application which was docketed on July 12, 1974, for authorization to construct and operate two generating units utilizing two boiling water nuclear reactors. It is proposed that Northeast Nuclear Energy Company will design, construct, and operate these units, but will not participate in ownership interest in the units. The application was tendered on May 2, 1974. Following a preliminary review for completeness, the application was accepted for docketing on June 13, 1974. Docket Nos. 50-496 and 50-497 have been assigned to the application and these numbers should be referenced in any correspondence relating to the application.

The proposed facilities, designated by the applicants as the Montague Nuclear Power Station, Units 1 & 2 are located on a 1900-acre site in the northern Massachusetts town of Montague, Franklin County, 1.8 miles east of the Connecticut River. Each unit is designed for initial operation at approximately 3579 megawatts thermal with a net electrical output of approximately 1150 megawatts.

The proposed Montague units are to be jointly owned by a minimum of nine and a maximum of twenty-nine of the below-named applicants. The nine applicants which are committed to become owners of the units and the maximum percentage of ownership of each are as follows: The Connecticut Light and Power Company (39.75%); The Hartford Electric Light Company (21.00%); Western Massachusetts Electric Company (14.25%); New England Power Company (13.00%); Central Maine Power Company (3.00%); New Bedford Gas and Edison Light Company (4.50%); Montaup Electric Company (2.00%); Central Vermont Public Service Corporation (1.74%); and Fitchburg Gas and Electric Light Company (0.76%). Twenty consumer-owner systems may exercise their respective options to acquire portions of the ownership interests which the aforementioned nine applicants are committed to acquire. Those consumer-owned systems and the maximum ownership interests which they may respectively acquire are: Burlington Electric Department (0.22%); Town of Reading Municipal Light Department (0.29%); City of Chicopee Municipal Lighting Plant (0.26%); City of Holyoke Gas and Electric Department (0.16%); Peabody Electric Department (0.16%); City of Westfield Gas and Electric Light Department (0.16%); Town of Shrewsbury Municipal Light Department (0.12%); Town of Wakefield Municipal Light Department (0.11%); Town of South Hadley Electric Light Department (0.09%); Town of Hudson Light and Power Department (0.08%); Marblehead Municipal Light Department (0.07%); North Attleborough Electric Department (0.07%); Holden Municipal Light Department (0.06%); Town of Littleton Electric Light and Water Department (0.05%); Town of West Boylston Municipal Lighting Plant (0.04%); Ashburnham Municipal Light Plant (0.02%); Town of Boylston Municipal Light Department (0.02%); Paxton Municipal Light Department (0.02%); Sterling Municipal Electric Light Department (0.02%); Templeton Municipal Light Plant (0.02%).

A Notice of Hearing with opportunity for public participation is being published separately.

Any person who wishes to have his views on the antitrust matters of the application presented to the Attorney General for consideration should submit such views to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Office of Antitrust and Indemnity, Directorate of Licensing, on or before October 12, 1974. The request

should be filed in connection with Docket Nos. 50-496-A and 50-497-A.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545, and at the Carnegie Library, Avenue A, Turners Falls, Massachusetts 01376.

The applicants have also filed, pursuant to the National Environmental Policy Act of 1969 and the regulations of the Commission in Appendix D to 10 CFR Part 50, an Environmental Report, dated July 12, 1974. The report, which discusses environmental considerations related to the construction and operation of the proposed facilities is being made available for public inspection at the aforementioned locations and at the Office of State Planning and Management, Leverett Saltonstall Building, 100 Can Bridge Street, Room 909, Boston, Massachusetts 02202, and at the Franklin County Planning Department, 425 Main Street, Greenfield, Massachusetts 01301.

After the Environmental Report has been analyzed by the Commission's Director of Regulation or his designee, a draft environmental statement will be prepared by the Commission's Regulatory staff. Upon preparation of the draft environmental statement, the Commission will, among other things, cause to be published in the FEDERAL REGISTER a summary notice of availability of the draft statement with a request for comments from interested persons on the draft statement. The summary notice will also contain a statement to the effect that comments of Federal agencies and State and local officials will be made available when received. Upon consideration of comments submitted with respect to the draft environmental statement, the Regulatory staff will prepare a final environmental statement, notice of the availability of which will be published in the FEDERAL REGISTER.

Dated at Bethesda, Md., this 31st day of July 1974.

For the Atomic Energy Commission,

WALTER A. PAULSON,  
*Acting Chief, Light Water Reactors Branch 1-2, Directorate of Licensing.*

[FR Doc.74-18315 Filed 8-12-74; 8:45 am]

**CIVIL AERONAUTICS BOARD**

[Order No. 74-8-68; Docket No. 25280; Agreement Nos. C.A.B. 24289 R-1 through R-6, C.A.B. 24265 R-3]

**INTERNATIONAL AIR TRANSPORT ASSOCIATION**

Cargo Rate Matters

Correction

In FR Doc. 74-19311, appearing at page 30188, of the Wednesday, August 21, 1974 issue, make the following changes:

1. The bracket should read as set forth above.

2. In the twelfth line of the first paragraph of the second column on page 30188, insert "IATA" between "initial"

and "proposals", so that the corrected line read, "Board disapproval of initial IATA proposals".

3. In the second column on page 30189, transpose the last two lines.

### CIVIL RIGHTS COMMISSION

#### CONNECTICUT STATE ADVISORY COMMITTEE

##### Agenda and Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Connecticut State Advisory Committee (SAC) will convene at 7 p.m. on September 18, 1974, at the Holiday Inn, 900 East Main Street, Meriden, Connecticut 06450.

Persons wishing to attend this meeting should contact the Committee Chairman or the Northeastern Regional Office of the Commission, Room 1639, Federal Building, 26 Federal Plaza, New York, New York 10007.

The purpose of this meeting shall be to (1) discuss projects proposed for study by the Connecticut SAC during the balance of FY 1975, and (2) consider re-chartering the Connecticut SAC.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., August 28, 1974.

ISALIAH T. CRESWELL, Jr.,  
Advisory Committee  
Management Officer.

[FR Doc.74-20237 Filed 8-30-74; 8:45 am]

#### MASSACHUSETTS STATE ADVISORY COMMITTEE

##### Notice of Meeting; Correction

In FR Doc. 74-18558, appearing at page 29044 of the issue of Tuesday, August 13, 1974, the date of the Massachusetts State Advisory Committee meeting in Springfield, Massachusetts, now reading "September 5, 1974," should read "September 6, 1974."

Dated at Washington, D.C., August 28, 1974.

ISALIAH T. CRESWELL, Jr.,  
Advisory Committee  
Management Officer.

[FR Doc.74-20236 Filed 8-30-74; 8:45 am]

#### MONTANA STATE ADVISORY COMMITTEE

##### Cancellation of Meeting

The meeting of the Montana State Advisory Committee to the United States Commission on Civil Rights, originally scheduled for September 6, 1974, a notice of which was previously published on page 29044 in the FEDERAL REGISTER on Tuesday, August 13, 1974 (39 FR Doc. 74-18560), is cancelled.

Dated at Washington, D.C., August 28, 1974.

ISALIAH T. CRESWELL, Jr.,  
Advisory Committee  
Management Officer.

[FR Doc.74-20235 Filed 8-30-74; 8:45 am]

#### NEW HAMPSHIRE STATE ADVISORY COMMITTEE

##### Agenda and Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the New Hampshire State Advisory Committee (SAC) to this Commission will convene at 7 p.m. on September 25, 1974, at the New Hampshire Highway Motel, Concord, New Hampshire 03301.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Northeastern Regional Office of the Commission, Room 1639, 26 Federal Plaza, New York, New York 10007.

The purpose of this meeting shall be to (1) discuss New Hampshire SAC project proposals for FY 75 and (2) give consideration to the proposed followup to the New Hampshire Prison Project.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., August 28, 1974.

ISALIAH T. CRESWELL, Jr.,  
Advisory Committee  
Management Officer.

[FR Doc.74-20238 Filed 8-30-74; 8:45 am]

#### UTAH STATE ADVISORY COMMITTEE

##### Cancellation of Meeting

The meeting of the Utah State Advisory Committee to the United States Commission on Civil Rights, originally scheduled for September 16, 1974, a notice of which was previously published on page 29044 in the FEDERAL REGISTER on Tuesday, August 13, 1974 (39 FR Doc. 74-18561) has been cancelled.

Dated at Washington, D.C., August 28, 1974.

ISALIAH T. CRESWELL, Jr.,  
Advisory Committee  
Management Officer.

[FR Doc.74-20234 Filed 8-30-74; 8:45 am]

#### CIVIL SERVICE COMMISSION

##### DEPARTMENT OF AGRICULTURE

##### Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Agriculture to fill by noncareer executive assignment in the excepted service the position of Director, Commodity Operations Division, Agricultural Stabilization and Conservation Service.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
Executive Assistant  
to the Commissioners.

[FR Doc.74-20246 Filed 8-30-74; 8:45 am]

#### DEPARTMENT OF DEFENSE

##### Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Principal Deputy Assistant Secretary (Public Affairs), Office of the Assistant Secretary of Defense (Public Affairs), Office of the Secretary of Defense.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
Executive Assistant  
to the Commissioners.

[FR Doc.74-20249 Filed 8-30-74; 8:45 am]

#### DEPARTMENT OF DEFENSE

##### Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary (Operations), Office of the Assistant Secretary of Defense (Public Affairs), Office of the Secretary of Defense.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
Executive Assistant  
to the Commissioners.

[FR Doc.74-20252 Filed 8-30-74; 8:45 am]

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

##### Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Housing and Urban Development to fill by noncareer executive assignment in the excepted service the position of Administrator, New Communities Administration.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
Executive Assistant  
to the Commissioners.

[FR Doc.74-20247 Filed 8-30-74; 8:45 am]

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

##### Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Housing and Urban Development to fill by noncareer executive assignment in the excepted service the position of Director, Office of New Communities Development, Office of the

Director, Office of the Assistant Secretary for Community Planning and Management.

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*  
[FR Doc.74-20253 Filed 8-30-74;8:45 am]

**DEPARTMENT OF THE INTERIOR**  
**Revocation of Authority To Make Noncareer Executive Assignment**

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of the Interior to fill by noncareer executive assignment in the excepted service the position of Deputy Director, Bureau of Outdoor Recreation.

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*  
[FR Doc.74-20250 Filed 8-30-74;8:45 am]

**DEPARTMENT OF THE ARMY**  
**Grant of Authority To Make Noncareer Executive Assignment**

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of the Army to fill by noncareer executive assignment in the excepted service the position of Principal Deputy Assistant Secretary of the Army (Installations and Logistics), Office, Assistant Secretary of the Army (Installations and Logistics), Office, Secretary of the Army.

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*  
[FR Doc.74-20248 Filed 8-30-74;8:45 am]

**DEPARTMENT OF THE NAVY**  
**Revocation of Authority To Make Noncareer Executive Assignment**

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of the Navy to fill by noncareer executive assignment in the excepted service the position of Principal Deputy General Counsel, Office of the General Counsel, Executive Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*  
[FR Doc.74-20251 Filed 8-30-74;8:45 am]

**COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS**

**CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN MEXICO**

**Entry or Withdrawal From Warehouse for Consumption**

AUGUST 27, 1974.

On February 27, 1974, there was published in the FEDERAL REGISTER (39 FR 7612) a letter dated February 22, 1974, from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs directing that additional amounts of ex-quota cotton yarn and/or fabric be permitted entry into the United States for consumption from the countries indicated, pursuant to the ad hoc offer of October 30, 1973 by the United States Government to each of its cotton textile agreement partners. (38 FR 30050)

When the offer was made, the Government of Mexico requested, and the United States Government acceded to the request that the following increments from the previously-allocated 12 million square yards be permitted entry into the United States in the categories indicated during the twelve-month period which began on May 1, 1974:

	<i>Ex-quota amounts</i> <i>(square yards)</i>
5-27, part 64 (knit fabrics) ----	3,490,000
9/10 -----	1,343,000
22/23 -----	582,000
26/27 and part of 64 (knit fabrics) -----	1,565,000

Accordingly, there is published below a letter of August 27, 1974, from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs, directing that the specified additional amounts should be permitted entry during the twelve-month period which began on May 1, 1974.

SETH M. BODNER,  
*Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.*

**COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS**

COMMISSIONER OF CUSTOMS  
*Department of the Treasury*  
Washington, D.C. 20229

AUGUST 27, 1974.

DEAR MR. COMMISSIONER: This directive further amends, but does not cancel, the directive issued to you on February 22, 1974 by the Chairman of the Committee for the Implementation of Textile Agreements pursuant to the offer by the United States Government to all of its bilateral cotton textile agreement partners to export on a one-time basis additional quantities of cotton yarn and/or fabric. This directive was previously amended on April 22, 1974 and June 4, 1974.

Pursuant to the foregoing directive of February 22, 1974, you are hereby directed to permit entry of the following ex-quota amounts from Mexico in Categories 9/10, 22/23, and 26/27 and part 64 (knit fabrics) during the twelve-month period which began on May 1, 1974:

Category:	<i>Ex-Quota Amount</i> <i>(square yards)</i>
5-27, part 64 (knit fabrics) ----	3,490,000
9/10 -----	1,343,000
22/23 -----	582,000
26/27 and part of 64 (knit fabrics) -----	1,565,000

The actions taken with respect to the Government of Mexico and with respect to imports of cotton textiles and cotton textile products from Mexico have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementations of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

SETH M. BODNER,  
*Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.*

[FR Doc. 74-20294 Filed 8-30-74;8:45 am]

**CONSUMER PRODUCT SAFETY COMMISSION**

**BICYCLES**

**Notice of Meeting**

The Consumer Product Safety Commission gives notice that a public meeting concerning the Commission's regulations which establish safety requirements for bicycles (16 CFR 1500.18 (a) (12) and 16 CFR Part 1512) will be held on September 9, 1974, at 10 a.m. in Room 450 of the Westwood Towers Building, 5401 Westbard Avenue, Bethesda, Maryland. The purpose of this meeting is to receive information supporting requests for delayed effective date and changes in various requirements of these regulations.

The regulations which are the subject for discussion at this meeting were published in the FEDERAL REGISTER on July 16, 1974 (39 FR 20100), to become effective on January 1, 1975. They were issued by the Commission under the Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.) and section 30(a) of the Consumer Product Safety Act (15 U.S.C. 2079(a)). Provisions of 16 CFR Part 1512 establish safety-related design and performance requirements for bicycles. Provisions of 16 CFR 1500.18(a) (12) classify any bicycle which is introduced into interstate commerce on or after January 1, 1975, and which does not comply with the requirements of 16 CFR Part 1512 as a banned toy or other article intended for use by children. Introduction or receipt in interstate commerce of any banned toy or article intended for use by children is prohibited by section 4 of the Federal Hazardous Substances Act (15 U.S.C. 1263) and is made punishable by fine or imprisonment or both by section 5 of the Act (15 U.S.C. 1264). Additionally, section 6 of the Act (15 U.S.C. 1265) authorizes seizure of any such toy or article which is introduced into interstate commerce; and section 15 of the Act (15 U.S.C. 1274)

and regulations issued by the Commission (16 CFR 1500.202) require repurchase of any banned toy or other article intended for use by children which is introduced into interstate commerce.

On August 12, 1974, Schwinn Bicycle Company (Schwinn) submitted to the Commission a list of written objections to the regulations issued on July 16, 1974, and requested a public hearing in accordance with provisions of 16 CFR 1500.201, a procedural regulation issued by the Commission which is applicable to the issuance, amendment, or repeal of certain regulations under the Federal Hazardous Substances Act. The Commission also received documents which state objections to the bicycle safety regulations and request a public hearing in accordance with 16 CFR 1500.201 from Bicycle Manufacturers Association of America (BMA); Bendix Corporation, Bicycle and Ignition Components Division (Bendix); Raleigh Industries of America, and Raleigh Industries Limited (Raleigh); and Shimano American Corporation, and Shimano Industrial Company, Ltd. (Shimano).

The provisions of 16 CFR 1500.201 are applicable to the "issuance, amendment, or repeal of any regulation provided for in section 3(a) or 2(q) of the act, declaring particular substances to be hazardous substances or banned hazardous substances." The regulations establishing safety requirements for bicycles were issued in accordance with section 3(e) of the Federal Hazardous Substances Act, which prescribes the procedures to be followed for issuing regulations to classify a toy or other article intended for use by children that presents an electrical, mechanical, or thermal hazard as a "hazardous substance" as that term is defined in section 2(f)(1)(D) of the Act. Although section 2(q)(1)(A) of the Act does define the term "banned hazardous substance" to include "any toy, or other article intended for use by children, which is a hazardous substance \* \* \*" and for that reason was included in the citation of authority for issuing the bicycle safety regulations in the notice of July 16, 1974, the procedures for issuing certain regulations which are set forth elsewhere in section 2(q) of the Act are not applicable to and were not used in the proceeding by which the bicycle regulations were issued.

Because the bicycle safety regulations were not issued in accordance with the procedures of sections 3(a) or 2(q) of the Act, the Commission concludes that provisions of 16 CFR 1500.201, relating to the filing of objections and requests for public hearings are not applicable in this matter.

The Schwinn submission requested that if the Commission deemed that provisions of 16 CFR 1500.201 were not applicable, the list of objections should be considered as a petition to amend 16 CFR 1500.18(a)(12) and 16 CFR Part 1512 in accordance with the procedures specified in 5 U.S.C. 553. Submissions from BMA and Bendix also contain recommendations for modification of various

provisions of the regulation, as do written communications which have been received by the Commission since July 16, 1974, from several other interested persons. The Commission considers all of these documents to be petitions for the amendment of the bicycle safety regulations under 5 U.S.C. 553. Copies of all petitions objecting to or requesting modification of the bicycle regulations are available for inspection in the Office of the Secretary, 10th Floor, 1750 K Street NW., Washington, D.C.

The purpose of the public meeting on September 9, 1974, is to allow these petitioners, and any other interested persons, to present information to be used by the Commission staff in the evaluation of the petitions, and in the preparation of a recommendation to the Commission for disposition of these petitions.

The Schwinn petition requests that the effective date of 16 CFR 1500.18(a)(12) and 16 CFR Part 1512 be changed from January 1, 1975, to July 1, 1975, or that the Commission repropose the provisions in those regulations for an effective date to give interested persons an opportunity to comment on the suitability of the proposed effective date. Several other petitions request an extension of the effective date for some or all of the provisions of 16 CFR Part 1512 until July 1, 1975.

Several petitions state that the stopping distances specified in § 1512.5 Requirements for braking system, are too short and should be increased. Several petitions also allege that various sections of 16 CFR Part 1512 contain requirements which were not present in the proposed regulation published on May 10, 1973, and were not subject to comment by interested persons. Sections which were subjects of this objection include § 1512.5(c)(3) *Crank differential*; § 1512.9(a) *Chain guard*; § 1512.16(d) *Rear reflector*; § 1512.18(h)(1)(ii) *Handlebar stem-to-fork clamp test criteria*; § 1512.18(k)(1) *Fork test* by its reference to Figure 1. The petitions also contain allegations that the language of several sections is ambiguous or unclear, or contradicts language appearing elsewhere in the regulation. According to the petitions, these sections include § 1512.4(e) *Protrusions*; § 1512.4(g) *Projections*; § 1512.5(b)(9) *Hand Lever Extensions*; § 1512.12(a) *Locking devices*; § 1512.14 Requirements for Frame and § 1512.18(k)(2)(ii) *Criteria* (for frame test); § 1512.18(o)(2)(iii) and (iv) *Retroreflective tire test procedures for Measurement and Criteria*; and the title of Table 3. Some of the petitions also allege that provisions of the following sections either detract from bicycle safety or add significant costs to manufacturing bicycles without improving safety: § 1512.4(j) *Control cables*; *abrasion*; § 1512.7(b) *Toe clips*; § 1512.9(a) *Chain guard*; and § 1512.5(e)(3) *Sidewalk bicycles*.

The meeting on September 9, 1974, will be attended by members of the Commission staff from the Office of the General Counsel, Office of Field Coordination, Office of the Medical Director, Bureau of

Epidemiology, Bureau of Engineering Sciences, Bureau of Information and Education, Bureau of Compliance, Bureau of Economic Analysis, and Office of Standards Coordination and Appraisal. Any person who wishes to attend this meeting should notify Don Early, Office of Standards Coordination and Appraisal, Consumer Product Safety Commission, Washington, D.C. 20207; telephone (301) 496-7197.

Neither the decision to conduct a public meeting on September 9, 1974, to receive information concerning these petitions, nor anything contained in this notice shall extend the 60-day period specified in Section 3(e)(3)(A) of the Federal Hazardous Substances Act (15 U.S.C. 1262(e)(3)(A)) during which any adversely affected person may file a petition in an appropriate U.S. Court of Appeals to request judicial review of 16 CFR 1500.18(a)(12) and 16 CFR Part 1512.

Dated: August 27, 1974.

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

[FR Doc.74-20187 Filed 8-30-74; 8:45 am]

## ENVIRONMENTAL PROTECTION AGENCY

[FRL 259-7; OPP-180019]

### NEW HAMPSHIRE DEPARTMENT OF AGRICULTURE AND DIVISION OF PUBLIC HEALTH

#### Issuance of Specific Exemption To Use DDT for Emergency Rabid Bat Control

The Environmental Protection Agency (EPA) has granted a specific exemption to the New Hampshire Department of Agriculture and Division of Public Health to use DDT for emergency rabid bat control as provided in section 16 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 995) and the regulations thereunder (40 CFR Part 166 et seq.).

**Background.** The rabies virus is endemic to New Hampshire populations of the big brown bat (*Eptesicus fuscus*) and the little brown bat (*Myotis lucifugus*). Both species of bats cohabit with humans in New Hampshire from April to September or October. Some bats will remain year round in areas of houses or other structures which offer protection and warmth. Nine bat bites were reported in humans in New Hampshire in 1972 and nine more in 1973. Bites by confirmed rabid bats necessitate the long series of painful rabies post-exposure shots. Bat bites in domestic animals particularly in cats which are often in contact with bats (especially downed bats which may well be diseased) is believed to occur frequently.

Cats in New Hampshire are not generally immunized against rabies.

There is a real possibility that rabies may be transmitted from bats to humans. Even though this possibility is small, the fact that it exists creates a fear in the

minds of people and can lead to widespread concern. Naphthalene is the only pesticide registered with the EPA for use against bats. However, this chemical is only partially effective. Furthermore, since it is only a repellent, it would not kill those populations suspected of having rabies, but only drive them from one location to another. The registration of DDT, the only toxicant ever registered for bat control, has been cancelled except for control of vector diseases by the U.S. Public Health Service, pursuant to the Order of the Administrator, filed June 14, 1972, and published in the FEDERAL REGISTER of July 7, 1972 (37 FR 13369).

**Conclusion.** The EPA granted a specific exemption to the New Hampshire Department of Agriculture and Division of Public Health to use DDT against bats if a danger to human health exists with the following provisions:

1. The bats are cohabiting with humans.
2. The above is confirmed by local health agents, with concurrence that control measures are necessary.
3. No application of DDT is made until the licensed applicator obtains a permit from the New Hampshire Department of Agriculture.
4. The DDT is placed in exits and/or in places where bats rest, if such are accessible or access can be provided.
5. The property owner or occupant agrees to make the necessary structural modifications to prevent reinfestations.
6. The applicator reports to the New Hampshire Department of Agriculture within three days after treatment the amount of DDT used.
7. All pest control operators exposed to bats have preexposure, duck-embryo rabies vaccine. Operators refusing the vaccine must not be used.
8. The actual control operation be under the supervision of State health officials or competent local health agents approved by State officials.
9. A final report be submitted to the EPA Regional Office detailing the use of DDT (names, locations, dates, amounts used, reason for use, etc.).
10. The program be terminated on October 30, 1974.

Since DDT will only be applied in a judiciously supervised program to the attics of houses or to the exit holes of roofs where bats may be located, no irreversible adverse environmental effects are anticipated as a result of the proposed use of DDT in this control program.

The official file on this subject is available during regular business hours (8 a.m. to 4:30 p.m.) in the Office of the Director, Registration Division (WH-567), Office of Pesticide Programs, Room 347, East Tower, Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460.

Notice of this exemption is given pursuant to the provisions of section 18 of

the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 995), and the regulations thereunder (40 CFR 166.10).

Dated: August 27, 1974.

JAMES L. AGEE,  
Acting Assistant Administrator  
for Water and Hazardous  
Materials.

[FR Doc.74-20185 Filed 8-30-74;8:45 am]

[FRL 260-1]

ANSUL CO.

**Filing of Petition for Food Additive**

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b) (5), 72 Stat. 1786; 21 U.S.C. 348(b) (5)), notice is given that a petition (FAP 5H5060) has been filed by The Ansul Co., Marinette, WI 54143, proposing establishment of food additive tolerances (21 CFR Part 121) for residues of the herbicide methanearsonic acid (expressed as As<sub>2</sub>O<sub>3</sub>) in or on bagasse, molasses, sirup, and sugar at 1 part per million resulting from application of its di- and monosodium salts to sugarcane.

Dated: August 23, 1974.

DOUGLAS D. CAMPT,  
Acting Director,  
Registration Division.

[FR Doc.74-20178 Filed 8-30-74;8:45 am]

[FRL 259-5]

FMC CORP.

**Filing of Petition Regarding Pesticide Chemical**

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (1), 68 Stat. 512; 21 U.S.C. 346a(d) (1)), notice is given that a petition (PP 5F1530) has been filed by FMC Corp., 100 Niagara Street, Middleport, NY 14105, proposing establishment of a tolerance for combined residues of the insecticide carbofuran (2,3-dihydro-2,2-dimethyl-7-benzofuranyl-N-methylcarbamate), its carbamate metabolite 2,3-dihydro-2,2-dimethyl-3-hydroxy-7-benzofuranyl-N-methylcarbamate, and the phenolic metabolites 2,3-dihydro-2,2-dimethyl-7-benzofuranol, 2,3-dihydro-2,2-dimethyl-3-oxo-7-benzofuranol and 2,3-dihydro-2,2-dimethyl-3,7-benzofurandiyl in or on the raw agricultural commodity cottonseed at 1 part per million, of which no more than 0.2 part per million is carbamates.

The analytical method proposed in the petition for determining residues of carbofuran and its carbamate metabolite is a gas chromatographic procedure using a nitrogen specific microcoulometric detector. The analytical method proposed for determining residues of the phenolic metabolites is one in which the residues are converted to 2,4-dinitrophenyl ethers with 1-fluoro-2,4-dinitrobenzene and de-

termined by gas chromatography using a nitrogen specific detector.

Dated: August 23, 1974.

DOUGLAS D. CAMPT,  
Acting Director,  
Registration Division.

[FR Doc.74-20183 Filed 8-30-74;8:45 am]

[FRL 260-2]

FMC CORP.

**Filing of Petition Regarding Pesticide Chemical**

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (1), 68 Stat. 512; 21 U.S.C. 346a(d) (1)), notice is given that a petition (PP 5F1527) has been filed by FMC Corp., 100 Niagara Street, Middleport, NY 14105, proposing establishment of a tolerance for combined residues of the insecticide carbofuran (2,3-dihydro-2,2-dimethyl-7-benzofuranyl-N-methylcarbamate), its carbamate metabolite 2,3-dihydro-2,2-dimethyl-3-hydroxy-7-benzofuranyl-N-methylcarbamate, and the phenolic metabolites 2,3-dihydro-2,2-dimethyl-7-benzofuranol, 2,3-dihydro-2,2-dimethyl-3-oxo-7-benzofuranol, and 2,3-dihydro-2,2-dimethyl-3,7-benzofurandiyl in or on the raw agricultural commodity sweetpotatoes at 2 parts per million, of which no more than 0.6 part per million is carbamates.

The analytical method proposed in the petition for determining residues of carbofuran and its carbamate metabolite is a gas chromatographic procedure using a nitrogen detector. The analytical method proposed for determining residues of the phenolic metabolites is one in which the residues are converted to 2,4-dinitrophenyl ethers with 1-fluoro-2,4-dinitrobenzene and determined by gas chromatography using a nitrogen specific detector.

Dated: August 23, 1974.

DOUGLAS D. CAMPT,  
Acting Director,  
Registration Division.

[FR Doc.74-20182 Filed 8-30-74;8:45 am]

[FRL 260-4]

RHODIA, INC.

**Filing of Petition for Food Additive**

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b) (5), 72 Stat. 1786; 21 U.S.C. 348(b) (5)), notice is given that a petition (FAP 5H5058) has been filed by Rhodia, Inc., Chipman Division, 23 Belmont Drive, Somerset, NJ 08873, proposing establishment of a food additive tolerance (21 CFR Part 121) for residues of the insecticide phosalone (S-[6-chloro-3-(mercaptomethyl)-2-benzoxazinone] O,O-diethyl phosphorodithioate) in dried grape pomace at 45 parts per million

resulting from application of the insecticide to growing grapes.

Dated: August 23, 1974.

DOUGLAS D. CAMPT,  
Acting Director,  
Registration Division.

[FR Doc.74-20181 Filed 8-30-74;8:45 am]

[FRL 259-4]

**SHELL CHEMICAL CO.**

**Filing of Petition Regarding Pesticide Chemical**

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (1), 68 Stat. 512; 21 U.S.C. 346a(d) (1)), notice is given that a petition (PP 5F1532) has been filed by Shell Chemical Co., 1025 Connecticut Avenue, NW., Washington, DC 20036, proposing establishment of tolerances (40 CFR Part 180) for negligible residues of the herbicide 2 - [14 - chloro-6-(ethylamino)-s-triazin-2-yl]amino - 2 - methylpropionitrile in or on the raw agricultural commodities sorghum fodder, forage, and grain at 0.05 part per million.

The analytical method proposed in the petition for determining residues of the herbicide is a gas chromatographic procedure using an alkali flame ionization detector.

Dated: August 23, 1974.

DOUGLAS D. CAMPT,  
Acting Director,  
Registration Division.

[FR Doc.74-20184 Filed 8-30-74;8:45 am]

[FRL 259-8]

**UNIROYAL CHEMICAL**

**Filing of Petition Regarding Pesticide Chemical**

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (1), 68 Stat. 512; 21 U.S.C. 346a(d) (1)), notice is given that a petition (PP 4F1520) has been filed by Uniroyal Chemical, Bethany, CT 06525, proposing establishment of tolerances (40 CFR Part 180) for residues of the insecticide propargite (2-(p-tert-butylphenoxy) cyclohexyl 2-propynyl sulfite) in or on the raw agricultural commodities beans (succulent) at 20 parts per million; sorghum fodder, forage, and grain at 10 parts per million; and beans (dry) at 0.2 part per million.

The analytical method proposed in the petition for determining residues of the insecticide is a gas chromatographic procedure using a specific sulfur detector. Flame photometric or microcoulometric detectors are suitable.

Dated: August 23, 1974.

DOUGLAS D. CAMPT,  
Acting Director,  
Registration Division.

[FR Doc.74-20179 Filed 8-30-74;8:45 am]

[FRL 260-5]

**UNIROYAL CHEMICAL**

**Filing of Petition Regarding Pesticide Chemical**

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (1), 68 Stat. 512; 21 U.S.C. 346a(d) (1)), notice is given that a petition (PP 5F1525) has been filed by Uniroyal Chemical, Bethany, CT 06525, proposing establishment of tolerances for combined residues of the fungicide carboxin (5,6-dihydro-2-methyl-1,4-oxathiin-3-carboxanilide) and its metabolite 5,6-dihydro-3-carboxanilide-2-methyl-1,4-oxathiin-4-oxide (calculated as carboxin) in or on the raw agricultural commodities corn grain, rice, and rice straw at 0.2 part per million.

The analytical method proposed in the petition for determining residues of the fungicide is a procedure in which caustic digestion cleaves aniline from the fungicide. The aniline is removed by steam distillation and analyzed with a gas chromatograph using a microcoulometric nitrogen detector.

Dated: August 23, 1974.

DOUGLAS D. CAMPT,  
Acting Director,  
Registration Division.

[FR Doc.74-20180 Filed 8-30-74;8:45 am]

[FRL 257-2; OPP-32000/105]

**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 November 4, 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, Tech-

nical 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 November 4, 1974.

**APPLICATIONS RECEIVED**

EPA Reg. No. 264-243. Amchem Products, Inc., Brookside Ave., Ambler PA 19002. ORNAMENTAL WEEDER A GRANULAR HERBICIDE. Active Ingredients: Ammonium salt of chloramben (3-amino-2,5-dichlorobenzoic acid) 3.9%; Ammonium salts of related aminodichlorobenzoic acids 0.4%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 264-105. Amchem Products, Inc. BUTYRAC 200. Active ingredients: 4-2,4-Dichlorophenoxy) Butyric acid, dimethylamine salt 26.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 264-2. Amchem Products, Inc. WEEDAR 64 BROAD LEAF HERBICIDE. Active Ingredients: Dimethylamine salt of 2,4-dichlorophenoxyacetic acid 49.3%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 241-94. American Cyanamid Co., PO Box 400, Princeton NJ 08540. CYGON 267 SYSTEMIC INSECTICIDE. Active Ingredients: Dimethoate [O,O-dimethyl S-(N-methylcarbamoylmethyl) phosphorodithioate] 80.5%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 30565-E. Arapahoe Chemicals, Inc., 2855 Walnut St., Boulder CO 80301. ARAPAOHE TECHNICAL BUTYL DIMETHYL DIHYDRO-GAMMA-PYRONE CARBOXYLATE. Active Ingredients: Technical Butyl dimethyl dihydro-gamma-pyrone carboxylate 100%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 7078-U. Arbrook Inc., PO Box 130, Arlington TX 76010. AQUEOUS CIDEX 4. Active Ingredients: Glutaraldehyde 2.0%. Method of Support: Application proceeds under 2(a) of interim policy.

EPA File Symbol 32690-T. Bio-Chemical, Inc., 1353 Ellsworth Ind., Dr., N.W., Atlanta GA 30318. BIO-CHEMICAL CONCENTRATED SWIMMING POOL ALGAE-CIDE. Active Ingredients: N-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%. Method of Support: Application proceeds under 2(c) of interim policy.

- EPA File Symbol 5185-ELO. Bio-Lab, Inc., PO Box 1489, Decatur GA 30031. BIO-GUARD WCF-SUPRA 200 CHERRY BOUQUET. Active Ingredients: Alkyl (C14 90%, C12 5%, C16 5%) dimethyl dichlorobenzyl ammonium chloride 2.50%; Alkyl (C14 90%, C12 5%, C16 5%) dimethyl ethyl benzyl ammonium chloride 1.25%; Alkyl (C14 90%, C12 5%, C16 5%) dimethyl ethyl ammonium bromide 1.25%; Sodium carbonate 1.00%; Ethylenediaminetetraacetic acid, tetrasodium salt 0.38%; Essential Oils 0.50%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 5185-EAT. Bio-Lab, Inc. BIO-GUARD MBQ-SUPRA 200 MINT BOUQUET. Active Ingredients: Alkyl (C14 90%, C12 5%, C16 5%) dimethyl dichlorobenzyl ammonium chloride 2.50%; Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 1.25%; Alkyl (C14 90%, C12 5%, C16 5%) dimethyl ethyl ammonium bromide 1.25%; Sodium carbonate 1.00%; Sodium metasilicate 1.00%; Essential Oils 1.00%; Ethylenediaminetetraacetic acid, tetrasodium salt 0.38%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 5185-EAA. Bio-Lab, Inc. BIO-GUARD CBQ-SUPRA 100 CHERRY BOUQUET. Active Ingredients: Alkyl (C14 90%, C12 5%, C16 5%) dimethyl dichlorobenzyl ammonium chloride 1.250%; Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 0.625%; Alkyl (C14 90%, C12 5%, C16 5%) dimethyl ethyl ammonium bromide, 0.625%; Sodium carbonate 0.500%; Sodium metasilicate 0.500%; Essential oils 0.500%; Ethylenediaminetetraacetic acid, tetrasodium salt 0.190%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 5185-ELT. Bio-Lab, Inc. BIO-GUARD OBQ-SUPRA 200 ORANGE BOUQUET. Active Ingredients: Alkyl (C14 90%, C12 5%, C16 5%) dimethyl dichlorobenzyl ammonium chloride 2.50%; Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 1.25%; Alkyl (C14 90%, C12 5%, C16 5%) dimethyl ethyl ammonium bromide 1.25%; Sodium carbonate 1.00%; Sodium metasilicate 1.00%; Essential Oils 1.00%; Ethylenediaminetetraacetic acid, tetrasodium salt 0.38%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 5185-ELI. Bio-Lab, Inc. BIO-GUARD MBQ-SUPRA 100 MINT BOUQUET. Active Ingredients: Alkyl (C14 90%, C12 5%, C16 5%) dimethyl dichlorobenzyl ammonium chloride 1.250%; Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 0.625%; Alkyl (C14 90%, C12 5%, C16 5%) dimethyl ethyl ammonium bromide 0.625%; Sodium carbonate 0.500%; Sodium metasilicate 0.500%; Essential oils 0.500%; Ethylenediaminetetraacetic acid, tetrasodium salt 0.190%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 5185-EAG. Bio-Lab, Inc. BIO-GUARD WOF-100 ORANGE BOUQUET. Active Ingredients: Alkyl (C14 90%, C12 5%, C16 5%) dimethyl dichlorobenzyl ammonium chloride 1.250%; Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 0.625%; Alkyl (C14 90%, C12 5%, C16 5%) dimethyl ethyl ammonium bromide 0.625%. Sodium carbonate 0.500; Ethylenediaminetetraacetic acid, tetrasodium salt 0.190%; Essential Oils 0.250%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 5185-EAE. Bio-Lab, Inc. BIO-GUARD WLF-SUPRA 100 LEMON FRAGRANT. Active Ingredients: Alkyl (C14 90%, C12 5%, C16 5%) dimethyl dichlorobenzyl ammonium chloride 1.250%; Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 0.625%; Alkyl (C14 90%, C12 5%, C16 5%) dimethyl ethyl ammonium bromide 0.625%; Sodium carbonate 0.500%; Ethylenediaminetetraacetic acid, tetrasodium salt 0.190%; Essential Oils 0.500%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 5185-EAR. Bio-Lab, Inc. BIO-GUARD LBQ-SUPRA 100 LEMON BOUQUET. Active Ingredients: Alkyl (C14 90%, C12 5%, C16 5%) dimethyl dichlorobenzyl ammonium chloride 1.250%; Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 0.625%; Alkyl (C14 90%, C12 5%, C16 5%) dimethyl ethyl ammonium bromide 0.625%; Sodium carbonate 0.500%; Sodium metasilicate 0.500%; Essential oils 0.500%; Ethylenediaminetetraacetic acid, tetrasodium salt 0.190%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 5185-EAI. Bio-Lab, Inc. BIO-GUARD CBQ-200 CHERRY BOUQUET. Active Ingredients: Alkyl (C14 90%, C12 5%, C16 5%) dimethyl dichlorobenzyl ammonium chloride 2.50%; Alkyl (C15 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 1.25%; Alkyl (C14 90%, C12 5%, C16 5%) dimethyl ethyl ammonium bromide 1.25%; Sodium carbonate 1.00%; Sodium metasilicate 1.00%; Ethylenediaminetetraacetic acid, tetrasodium salt 0.38%; Essential Oils 0.25%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 5185-ETN. Bio-Lab, Inc. BIO-GUARD MBQ-100 MINT BOUQUET. Active Ingredients: Alkyl (C14 90%, C12 5%, C16 5%) dimethyl dichlorobenzyl ammonium chloride 1.250%; Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 0.625%; Alkyl (C14 90%, C12 5%, C16 5%) dimethyl ethyl ammonium bromide 0.625%; Sodium carbonate 0.500%; Sodium metasilicate 0.500%; Essential Oils 0.250%; Ethylenediaminetetraacetic acid, tetrasodium salt 0.190%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 5185-EAO. Bio-Lab, Inc. BIO-GUARD WMF-100 MINT FRAGRANT. Active Ingredients: Alkyl (C14 90%, C12 5%, C16 5%) dimethyl dichlorobenzyl ammonium chloride 1.250%; Alkyl (C14 58%, C15 28%, C12 14%) dimethyl benzyl ammonium chloride 0.625%; Alkyl (C14 90%, C12 5%, C16 5%) dimethyl ethyl ammonium bromide 0.625%; Sodium carbonate 0.500%; Ethylenediaminetetraacetic acid, tetrasodium salt 0.190%; Essential Oils 0.250%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 5185-EAN. Bio-Lab, Inc. BIO-GUARD WCF-200 CHERRY BOUQUET. Active Ingredients: Alkyl (C14 90%, C12 5%, C16 5%) dimethyl dichlorobenzyl ammonium chloride 2.50%; Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 1.25%; Alkyl (C14 90%, C12 5%, C16 5%) dimethyl ethyl ammonium bromide 1.25%; Sodium carbonate 1.00%; Ethylenediaminetetraacetic acid, tetrasodium salt 0.38%; Essential oils 0.25%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 5185-EAU. Bio-Lab, Inc. BIO-GUARD WOF-SUPRA 200 ORANGE BOUQUET. Active Ingredients: Alkyl (C14 90%, C12 5%, C16 5%) dimethyl dichlorobenzyl ammonium chloride 2.50%; Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 1.25%; Alkyl (C14 90%, C12 5%, C16 5%) dimethyl ethyl ammonium bromide 1.25%; Sodium carbonate 1.00%; Ethylenediaminetetraacetic acid, tetrasodium salt 0.38%; Essential Oils 0.50%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 5185-EAL. Bio-Lab, Inc. BIO-GUARD WLF-SUPRA 200 LEMON FRAGRANT. Active Ingredients: Alkyl (C14 90%, C12 5%, C16 5%) dimethyl dichlorobenzyl ammonium chloride 2.50%; Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 1.25%; Alkyl (C14 90%, C12 5%, C16 5%) dimethyl ethyl ammonium bromide 1.25%; Sodium carbonate 1.00%; Ethylenediaminetetraacetic acid, tetrasodium salt 0.38%; Essential Oils 0.50%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 5185-ELA. Bio-Lab, Inc. BIO-GUARD CBQ-100 CHERRY BOUQUET. Active Ingredients: Alkyl (C14 90%, C12 5%, C16 5%) dimethyl dichlorobenzyl ammonium chloride 1.250%; Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 0.625%; Alkyl (C14 90%, C12 5%, C16 5%) dimethyl ethyl ammonium bromide 0.625%; Sodium carbonate 0.500%; Sodium metasilicate 0.500%; Essential oils 0.250%; Ethylenediaminetetraacetic acid, tetrasodium salt 0.190%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 19760-O. Cardinal Chemical Co., 257 Dutchess Tnpk, Poughkeepsie NY 12603. CARDINAL RODENT-RID. Active Ingredients: Warfarin (3-(a-acetylbenzyl)-4-Hydroxycoumarin 0.025%; Malathion (O,O-Dimethyl Dithiophosphate of Diethyl Mercaptosuccinate) 0.010%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA Reg. No. 239-2286. Chevron Chemical Co., Ortho Division, 940 Hensley St., Richmond CA 94804. ORTHO 'GRAMOXONE' CL. Active Ingredients: Paraquat dichloride (1,1'-dimethyl-4,4'-bipyridinium dichloride) 29.1%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 59-RTI. Cooper U.S.A., Inc., PO Box 12338, Research Triangle Park NC 27709. COOPER-PHOS LIVESTOCK SPRAY AND DIP. Active Ingredients: 2-Chloro-1-(2,4-dichlorophenyl) vinyl diethyl phosphate 21.1%; Aromatic Petroleum Distillates 63.3%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 677-GEA. Agricultural Chemicals Div., Diamond Shamrock Corp., 1100 Superior Ave., Cleveland OH 44114. CHLOROTHALONIL FLOWABLE 2.88. Active Ingredients: Chlorothalonil (tetrachloroisophthalonitrile) 29.6%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 5736-UL. DuBois Chemicals, Div., of Chemed Corp., 3630 E. Kemper Road, Sharonville OH 45241. WATER BASE TROUNGE SYNTHETIC INSECT KILLER. Active Ingredients: (5-Benzyl-3-furyl)methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropane carboxylate, Related compounds, d-trans allethrin (allyl homolog of Cinerin I), Related compounds 0.278%. Method of Support: Application proceeds under 2(c) of interim policy.

- EPA File Symbol 10854-A. Environmental Control Systems, Inc., 2951 East 56th St., Indianapolis IN 46220. STERI PLUS II DISINFECTANT-CLEANER ODOR COUNTER-ACTANT. Active Ingredients: n-Alkyl (C14 60%, C16 30%, C12 5%, C18 5%) dimethyl benzyl ammonium chlorides 2.25%; n-Alkyl (C12 68%, C14 32%) dimethylethyl benzyl ammonium chlorides 2.25%; Sodium carbonate 3.00%; Tetrasodium ethylenediamine tetraacetate 1.00%; Essential oils 0.20%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA Reg. No. 279-2715. Niagara Chemical Division, FMC Corp., 100 Niagara St., Middleport NY 14105. NIAGARA PYRENONE CROP SPRAY INSECTICIDE. Active Ingredients: Technical piperonyl butoxide 60.0%; Pyrethrins 6.0%; Petroleum Distillates 16.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 279-EIIG. FMC Corp., Agricultural Chemical Div., 100 Niagara St., Middleport NY 14105. TRIODAN 2 BAIT. Active Ingredients: Endosulfan; Hexachlorohexahydromethano-2,4,3-benzodioxathiepin oxide 2.00%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 34294-R. Foresight, Inc., 4275 Broadway, Denver CO 80202. FORESIGHT F-101 INDUSTRIAL AND INSTITUTIONAL CLEANER-DISINFECTANT. Active Ingredients: Glycol Ether 3.7%; Non-Ionic Surfactant 7.3%; Amine Tallow Soap 5.5%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA Reg. No. 5785-11. Great Lakes Chemical Corp., c/o Lawrence, Laurence & Wellan, Crystal Plaza One, Suite 805, 2001 Jefferson Davis Hwy., Arlington VA 22202. METH-O-GAS. Active Ingredients: Methyl Bromide 100%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 569-AA. Haver-Lockhart Laboratories, PO Box 390, Shawnee Mission KA 66201. PARA-S-1 BOMB AEROSOL. Active Ingredients: Pyrethrins 0.06%; Piperonyl butoxide, technical 0.48%; Methoxychlor, technical 0.50%; Carbaryl (1-Naphthyl N-methylcarbamate) 0.50%; 2,3,4,5-bis (2 butylene) tetrahydro-2-furaldehyde 0.24%; Petroleum distillate 22.84%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 1658-ER. Hillyard Chemical Co., 4th & Jules St., St. Joseph MO 64502. #119 CLEAN-O-LITE II. CONCENTRATED DISINFECTANT-DETERGENT-DEODORIZER. Active Ingredients: n-alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 4.5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 4.5%; Tetrasodium ethylenediamine tetraacetate 2.0%; Sodium Carbonate 4.0%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 453-EAU. Koppers Co., Inc., Wood Treating Chemicals Dept., 5137 Southwest Ave., St. Louis MO 63110. KOPPERS TIMBERTOX 7½ WOOD PRESERVATIVE. Active Ingredients: Pentachlorophenol 6.721%; Other Chlorophenols and Related Compounds 0.782%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA Reg. No. 1471-79. Elanco Products Co., A Div. of Eli Lilly and Co., PO Box 1750, Indianapolis IN 46206. ELANCO PAARLAN EMULSIFIABLE CONCENTRATE. Active Ingredients: Isopropalin (2,6-dinitro-N, N-dipropylcumidine 68.6%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA Reg. No. 1471-35. Elanco Products Co., A Div. of Eli Lilly and Co., PO Box 1750, Indianapolis IN 46206. ELANCO TREFLAN E.C. Active Ingredients: Trifluralin (a,a,a-trifluoro-2,6-dinitro-N,N-dipropyl-p-toluidine) 44.5%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA Reg. No. 2224-37. Mobil Chemical Co., PO Box 26683, Richmond VA 23261. MOBIL MOCAP 10% GRANULAR NEMATOCIDE-INSECTICIDE. Active Ingredients: O-Ethyl S,S-Dipropyl Phosphorodithioate 10%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 3635-ENR. Oxford Chemicals, PO Box 80202, Atlanta GA 30341. SUPER CHLOR-AVAIL. Active Ingredients: Sodium dichloro-s-triazinetrione dihydrate 34%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA Reg. No. 2217-355. PBI-Gordon Corp., 300 South Third St., Kansas City KS 66118. GORDON'S CHEMICALS 50% MALATHION GARDEN SPRAY. Active Ingredients: Malathion 50.00%; Xylene 40.81%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 335-ERU. Pennwalt Corp., Three Parkway, Phila. PA 19102. PENBRITE-S POWDERED BACTERIOSTATIC LAUNDRY DETERGENT. Active Ingredients: 5-Chloro-2-[2,4-Dichlorophenoxy] 1.0%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 4581-GEN. Pennwalt Corp., Agchem-Decco Div., Three Parkway Phila. PA 19102. PENNALT PENNACAP M TOBACCO SPRAY. Active Ingredients: O,O-Dimethyl O-(p-nitrophenyl) thiophosphate 22.00%; Xylene base Aromatic Solvent 5.61%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 24053-T. Peterson Exterminating Co., 559 East 63rd St., Chicago IL 60637. PETERSON'S PDQ INSECT SPRAY. Active Ingredients: O,O-diethyl O-(2-Isopropyl-4-methyl-6-pyrimidinyl) phosphorothioate 0.5%; Pyrethrins 1%; Technical piperonyl Butoxide 0.5%; 6-propylpiperonyl ether and other related compounds 0.52%; Petroleum Distillates 98.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 5009-EL. Petrolite Corp., Tretolite Div., 369 Marshall Ave., St. Louis MO 63119. X-CIDE 18 INDUSTRIAL MICROBICIDE. Active Ingredients: 2,2-Dibromo-3-nitrilo propionamide 20%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA Reg. No. 572-175. Rockland Chemical Co., Inc. PO Box 204 West Caldwell NJ 07006. ROCKLAND 3% CIODRIN INSECTICIDE. Active Ingredients: Dimethyl Phosphate of Alpha-Methylbenzyl 3-hydroxy-cis-crotonate 3.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA Reg. No. 10226-9. Rockwood Chemical Co., PO Box 34, Rawley CA 92217. ROCKWOOD BRAND MALATHION-PERTHANE DUST NO. 4-10. Active Ingredients: Malathion (O,O-dimethyl dithiophosphate of diethyl mercaptosuccinate) 4.21%; Diethyl diphenyl dichloroethane 9.50%; Related reaction products 0.50%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 1193-TL. 707 Co., 1530 Stillwell Ave., New York NY 10461. 707 FORMULA ROACH AND INSECT BOMB NT-FORMULA 40 Active Ingredients: Pyrethrins 0.20%; N-Octyl Bicycloheptene Dicarbonylimide 1.00%; Petroleum Distillates 18.73%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA Reg. No. 201-158. Shell Chemical Co., A Div. of Shell Oil Co., 1025 Conn. Ave. N.W., Suite 300, Washington, DC 20036. VAPONA EMULSIFIABLE FLY MOSQUITO CONTROL. Active Ingredients: 2,2-Dichlorovinyl dimethyl phosphate 21.8%; Related Compounds 1.6%; Petroleum Hydrocarbons 71.6%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA Reg. No. 201-227. Shell Chemical Co., 1700 K St. N.W., Suite 300, Washington, DC 20006. RABON 50 WP LIVESTOCK, POULTRY & PREMISE SPRAY. Active Ingredients: 2-chloro-1-(2,4,5-trichlorophenyl) vinyl dimethyl phosphate 50.0%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 4000-AG. Southern Chemical Products Co., PO Box 205, Macon GA 31202. NON-CONDUCTING WASP AND HORNET KILLER. Active Ingredients: (5-Benzyl-3-furyl) methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 0.150%; Related Compounds 0.020%; Aromatic petroleum hydrocarbons 0.331%; Petroleum distillate 26.375%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 12434-A. Springbok, Chemical Co., PO Box 398, Pendleton OR 97801. SPRINGBOK CHEMICAL CO CHLORDANE 8-E AN EMULSIFIABLE INSECTICIDE LIQUID. Active Ingredients: Technical Chlordane 71.9%; Xylene Range Aromatic Hydrocarbon Solvent 22.5%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 9897-0. Star Chemical Co., 2530 N.W. 77th St., Miami FL 33147. SF-110. Active Ingredients: Disodium cyanodithioimidocarbonate 4.23%; Ethylenediamine 1.60%; Potassium N-methylthiocarbamate 5.83%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA Reg. No. 148-1117. Thompson-Hayward Chemical Co., PO Box 2382, Kansas City, KS 66110. DED-WEED LFB. Active Ingredients: 2,4-dichlorophenoxyacetic acid isooctyl ester 67.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA Reg. No. 148-615. Thompson-Hayward Chemical Co., PO Box 2382, Kansas City, KS 66110. CASORON W-50. Active Ingredients: Dichlobenil 50.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 15596-R. Troy Chemical Industries, Inc., 14576 West Park, Burton, OH 44021. TROY 1609 DETERGENT DISINFECTANT HOSPITAL TYPE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 2.25%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 2.25%; Sodium Carbonate 3.00%; Tetrasodium ethylenediamine tetraacetate 1.00%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 15596-E. Troy Chemical Industries, Inc., 14576 West Park, Burton, OH 44021. TROY 1612 HEAVY DUTY DETERGENT DISINFECTANT. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 0.8%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 0.8%; Sodium Metasilicate 2.4%; Tetrasodium ethylenediamine tetraacetate 1.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 7547-RT. Western Chemical Co., 1345 Taney North Kansas City, MO 64116. WESTERN ALGAE & SLIME CONTROL NO CONCENTRATED LIQUID. Active Ingredients: Disodium cyanodithioimidocarbonate 6.35%; Ethylenediamine 2.40%; Potassium N-methyldithiocarbamate 8.75%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 7547-RI. Western Chemical Co., 1345 Taney North Kansas City MO 64116. WESTERN ALGAE & SLIME CONTROL NR REGULAR LIQUID. Active Ingredients: Disodium cyanodithioimidocarbonate 3.18%; Ethylenediamine 1.20%; Potassium N-methyldithiocarbamate 4.37%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 1270-RTA. Zep Manufacturing Co., PO Box 2015, Atlanta, GA 30301. ZEP SUPER-3 INSECTICIDE. Active Ingredients: Pyrethrins 3%; Piperonyl butoxide, technical 6%; N-octyl bicyclopentene dicarboximide 10%; Petroleum distillate 81%. Method of Support: Application proceeds under 2(c) of interim policy.

Dated: August 22, 1974.

DOUGLAS D. CAMPT,  
Acting Director,  
Registration Division.

[FR Doc.74-19975 Filed 8-30-74;8:45 am]

## FEDERAL MARITIME COMMISSION

### AMERICAN EXPORT LINES AND ITALIAN LINES

#### Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126, or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., San Juan, Puerto Rico and San Francisco, California. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before September 13, 1974. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

James N. Jacobi, Esquire  
Kurrus and Jacobi  
2000 K Street NW.  
Washington, D.C. 20008

Agreement No. 10106-1 between the above named parties, extends the effective period of approval of the basic agreement through April 30, 1975.

Dated: August 28, 1974.

By order of the Federal Maritime Commission.

JOSEPH C. POLKING,  
Assistant Secretary.

[FR Doc.74-20279 Filed 8-30-74;8:45 am]

## FEDERAL POWER COMMISSION

[Docket No. G-4485, CI73-46]

### AMERADA HESS CORP. AND AMOCO PRODUCTION CO.

#### Certificates of Public Convenience; Correction

AUGUST 21, 1974.

In the findings and order after statutory hearing issuing certificates of public convenience and necessity, amending orders issuing certificates, cancelling docket numbers, granting petition to intervene, and accepting rate schedules and rate schedule supplements for filing, issued July 23, 1974, and published in the FEDERAL REGISTER on July 31, 1974, 39 FR 27724, Page 27726, Docket No. CI73-46, fifth column: Change "583" to read "593".

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-20290 Filed 8-30-74;8:45 am]

[Docket No. E-8938]

## KANSAS GAS & ELECTRIC CO.

### Electric Interconnection Agreement

AUGUST 27, 1974.

Take notice that by letter dated July 26, 1974 the Kansas Gas & Electric Company filed with the Federal Power Commission an Electric Interconnection Agreement dated July 2, 1967 and Service Schedules with the City of Augusta, Kansas. The Service Schedules cover the quantity, conditions and the period of time that electric power will be made available by the Kansas Gas & Electric Company. Additionally, the Agreement covers electric power which may be supplied by one party to the other under emergency conditions. Under the Agreement the monthly rate is \$1.725 per kw per month of billing demand, plus 4.5 mills per kwh for energy delivered thereunder; or cost of procurement, plus 0.6 mills per kwh if necessary for seller to purchase firm power from other sources.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 9, 1974 file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to partic-

ipate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc. 74-20281 Filed 8-30-74;8:45 am]

[Docket No. E-8426]

## MINNESOTA POWER & LIGHT CO.

### Supplemental Filing

AUGUST 27, 1974.

Take notice that by letter dated May 13, 1974, the Minnesota Power & Light Company submitted for filing with the Commission certain information supplementing the filing of an initial rate agreement between the Minnesota Power & Light Company and the Lake Superior District Power Company on September 25, 1973. By letter dated November 2, 1973, the Commission had advised Minnesota Power & Light Company that the filing was deficient with regard to the requirements of § 35.12b of the Commission's regulations and that cost supporting data to justify the proposed capacity changes contained in the submittal should be provided.

The proposed capacity changes are the same as the 4th step of the increases provided for by Supplement No. 14 dated February 9, 1971 to the Upper Mississippi Valley Power Pool Agreement (UMVPP). Minnesota Power & Light Company and Lake Superior District Power Company are members of the UMVPP, which agreement was filed with the Commission by Northern States Power Company.

Supplement No. 14 provides for increasing the capacity charge for Seasonal Participation Power Interchange Service, Schedule B, in four steps from \$1,250.00 per month per MW to \$1,666.66 per MW, the final step to be effective November 1, 1974. This Supplement was filed on February 18, 1971 and correspondence has been exchanged between Northern States Power Company and the Commission since that time regarding the rates contained in the Supplement. Included in the exchange is an explanation of how the rates were arrived at and data to support the increase.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 9, 1974 file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

The application is on file with the Commission and available for public inspection.

**KENNETH F. PLUMB,**  
*Secretary.*

[FR Doc.74-20278 Filed 8-30-74;8:45 am]

[Docket No. RP74-35]

**NATIONAL FUEL GAS SUPPLY CORP. SUCCESSOR TO UNITED NATURAL GAS CO.**

**Proposed PGA Rate Adjustment; Correction**

AUGUST 20, 1974.

Take notice that the notice of proposed PGA rate adjustment issued on August 14, 1974 and published in the FEDERAL REGISTER on August 21, 1974, 39 FR 30204, in National Fuel Gas Supply Corporation, Docket No. RP74-35 should be corrected to read:

National Fuel Gas Supply Corporation, Successor to United Natural Gas Company, Docket No. RP74-35.

Due to the possibility of confusion regarding the company involved in this proceeding the protest and intervention filing date is hereby extended to August 30, 1974.

**KENNETH F. PLUMB,**  
*Secretary.*

[FR Doc.74-20288 Filed 8-30-74;8:45 am]

[Docket No. RP74-100]

**NATIONAL FUEL GAS SUPPLY CORP.**

**Suspension of Proposed Rate Increase; Correction**

AUGUST 21, 1974.

In the order accepting tariff sheets for filing, suspending proposed rate increase, permitting intervention and establishing procedures, issued August 9, 1974 and published in the FEDERAL REGISTER on August 19, 1974, 39 FR 29969, ordering paragraph (C) on page 29970: change "November 13, 1974" (Intervenor Service Date) to "December 13, 1974".

**KENNETH F. PLUMB,**  
*Secretary.*

[FR Doc.74-20287 Filed 8-30-74;8:45 am]

**NATIONAL POWER SURVEY TECHNICAL ADVISORY COMMITTEE ON FINANCE**

**Designation of Additional Member**

AUGUST 27, 1974.

The Federal Power Commission, by order issued September 28, 1972, established the National Power Survey Technical Advisory Committee on Finance.

2. Membership. An additional member of the Technical Advisory Committee on Finance, as selected by the Chairman of the Commission, with the approval of the Commission, is as follows:

Mr. Dan E. Albertson, Director, Public Utility Management, General Services Administration.

Mr. Albertson replaces Mr. H. Dean Miller.

By the Commission.

[SEAL] **KENNETH F. PLUMB,**  
*Secretary.*

[FR Doc.74-20282 Filed 8-30-74;8:45 am]

**NATIONAL POWER SURVEY EXECUTIVE ADVISORY COMMITTEE**

**Designation of Additional Member**

AUGUST 27, 1974.

The Federal Power Commission, by order issued August 11, 1972, established the Executive Advisory Committee of the National Power Survey.

2. Membership. An additional member of the Executive Advisory Committee, as selected by the Chairman of the Commission, with the approval of the Commission, is as follows:

Lieutenant-General William C. Gribble, Chief of Engineers, Department of the Army.

Lieutenant-General Gribble replaces Lieutenant-General F. J. Clarke.

By the Commission.

[SEAL] **KENNETH F. PLUMB,**  
*Secretary.*

[FR Doc.74-20283 Filed 8-30-74;8:45 am]

**NATIONAL POWER SURVEY TECHNICAL ADVISORY COMMITTEE ON THE IMPACT OF INADEQUATE ELECTRIC POWER SUPPLY**

**Designation of Additional Members**

AUGUST 27, 1974.

The Federal Power Commission, by order issued February 28, 1974, established the National Power Survey Technical Advisory Committee on the Impact of Inadequate Electric Power Supply.

2. Membership. Additional members of the Technical Advisory Committee on the Impact of Inadequate Electric Power Supply, as selected by the Chairman of the Commission, with the approval of the Commission are as follows:

Dr. Lawrence I. Moss, President, Sierra Club.  
Mr. Michael Maupin, Attorney, Hunton, Williams, Gay and Gibson.

By the Commission.

[SEAL] **KENNETH F. PLUMB,**  
*Secretary.*

[FR Doc.74-20284 Filed 8-30-74;8:45 am]

[Docket No. E-8925]

**PHILADELPHIA ELECTRIC CO.**

**Interconnection Agreement**

AUGUST 27, 1974.

Take notice that on July 22, 1974, Philadelphia Electric Company (PE) with the concurrence of Delmarva Power and Light Company (DPL) tendered for

filing pursuant to section 205 of the Federal Power Act and part 35 of the regulations issued thereunder a June 1, 1974, supplemental agreement to the original interconnection agreement between PE and DPL, dated November 29, 1967, as supplemented, providing for further strengthening of operational coordination between the parties.

The supplemental agreement requires each party to plan to meet its forecast electric generating obligations by (1) its own installed system capacity, (2) purchase of capacity independent of the Interconnection Agreement, and (3) capacity purchase from the other party having excess capacity under terms of the interconnection agreement.

The capacity rate under the supplemental agreement will continue to be the same as the then-prevailing capacity rate under the Pennsylvania-New Jersey-Maryland Agreement.

The supplemental agreement also reflects (1) revised investments in the 230 kv line extending from Keeney switching station via Harmony, Edge Moore and Claymont in Delaware to Chichester Substation in Pennsylvania (2) the retirement by DPL of the 69 kv transmission circuits between Christiana Substation of DPL and Deepwater Substation of Atlantic City Electric Company, and (3) the continued use of the existing 69 kv transmission circuits extending between Chichester Substation of PE and Christiana of DPL.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 9, 1974 file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

**KENNETH F. PLUMB,**  
*Secretary.*

[FR Doc.74-20286 Filed 8-30-74;8:45 am]

[Docket No. E-8926]

**PHILADELPHIA ELECTRIC CO.**

**Interconnection Agreement**

AUGUST 27, 1974.

Take notice that by letter dated July 22, 1974, Philadelphia Electric Company with the concurrence of Atlantic City Electric Company tendered for filing pursuant to section 205 of the Federal Power Act and part 35 of the regulations issued thereunder a supplemental agreement to an original interconnection agreement

between Philadelphia Electric Company and Atlantic City Electric Company dated November 17, 1967. This agreement provides for further strengthening of planning operation coordination between the parties through the determination of forecast electric generating obligations and the establishment of responsibilities and accounting pursuant thereto.

The supplemental agreement requires each party to plan to meet its forecast electric generating obligations by (1) its own installed system capacity, (2) purchase of capacity independent of the interconnection agreement, and (3) capacity purchase from the other party having excess capacity under terms of the interconnection agreement.

The capacity rate under the supplemental agreement will continue to be the same as the then-prevailing capacity rate under the Pennsylvania-New Jersey-Maryland Agreement, dated September 26, 1956 as amended and supplemented.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 9, 1974 file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.3 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-20285 Filed 8-30-74; 8:45 am]

[Docket Nos. RI75-18, etc.]

#### TEXACO INC., ET AL.

Proposed Rate Changes: Correction  
August 16, 1974.

In the order providing for hearing on and suspension of proposed changes in rates, and allowing rate changes to become effective subject to refund, issued August 7, 1974 and published in the FEDERAL REGISTER on August 15, 1974, 39 FR 29424, Appendix "A" page 29424, first paragraph, 3rd line, change "699" to "662".

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-20289 Filed 8-30-74; 8:45 am]

[Docket No. E-8939]

WISCONSIN PUBLIC SERVICE CORP.  
Filing of New Service Schedule  
Agreement

August 27, 1974.

Take notice that on July 25, 1973 the Wisconsin Public Service Corporation

tendered for filing with the Federal Power Commission a Service Schedule A revision effective July 15, 1974 to the Power Pool Agreement dated July 26, 1973 between the Wisconsin Power and Light Company, the Wisconsin Public Service Corporation and Madison Gas and Electric Company. Also included in the filing was a Service Schedule A to the master Interconnection Agreement dated January 5, 1966 between Wisconsin Public Service Corporation and Wisconsin Power and Light Company.

These service schedules set the contract energy charges equal to the selling parties' total fuel expense of FPC Accounts 501 and 547 per net kwh generated for the 3 month period beginning 4 months prior to the first day of the calendar month of contract energy delivery multiplied by 1.20.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 9, 1974 file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.3 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-20280 Filed 8-30-74; 8:45 am]

#### FEDERAL RESERVE SYSTEM BRONSON AGENCY, INC.

Formation of Bank Holding Company and Retention of Insurance Agency Activities

Bronson Agency, Inc., Bronson, Kansas, has applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842(a) (1)) to become a bank holding company through acquisition of 80 percent or more of the voting shares of The Bank of Bronson, Bronson, Kansas ("Bank"). The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)). Applicant has also applied, pursuant to section 4(c) (8) of the Bank Holding Company Act (12 U.S.C. 1843(c) (8)) and § 225.4(b) (2) of the Board's Regulation Y, for permission to continue its present general agency business in a community not exceeding 5,000 people. Such activity has been determined by the Board in § 225.4(a) (9) (iii) (a) of Regulation Y as permissible for bank holding companies subject to Board approval of individual proposals in accordance with the procedures of § 225.4 (b).

Notice of the applications, affording opportunity for interested persons to submit comments and views has been given. The time for filing comments and views has expired, and the Board has considered the applications and all comments received in light of the factors set forth in sections 3(c) and 4(c) (8) of the Act.

Applicant was recently organized by the present owners of Bank and conducts a general insurance business from the premises of Bank (deposits of \$3.2 million dollars).<sup>1</sup> Bank ranks second among three commercial banks located in the relevant banking market with approximately 43 percent of the deposits in commercial banks there.<sup>2</sup> This proposal to acquire Bank merely represents a restructuring of the ownership of Bank from individuals to a corporation with the same individuals as shareholders. Since Applicant has no banking subsidiaries, the acquisition of Bank by Applicant would have no adverse effects on competition and the Board concludes that competitive considerations are consistent with approval of the application.

The financial and managerial resources and future prospects of Applicant and Bank are satisfactory and consistent with approval of the application. Similarly, considerations relating to the convenience and needs of the community to be served are consistent with approval of the application. It is the Board's judgment that consummation of the acquisition of Bank by Applicant would be in the public interest and that such application should be approved.

Concurrently with the application by Applicant to acquire Bank, Applicant has filed a 4(c) (8) application to retain its present general insurance agency business pursuant to § 225.4(a) (9) (iii) (a) of Regulation Y. Bronson is a town with a population not exceeding 5,000 persons and the operation of a general insurance agency in such a community is an activity the Board has found to be closely related to banking. There is no evidence in the record that would indicate that Applicant's retention of its general insurance agency business would result in an undue concentration of resources, decreased or unfair competition, conflicts of interests, unsound banking practices or any other adverse effects on the public interest. On the contrary, approval of the retention application would insure that a convenient source of insurance services would remain available to consumers in the Bronson area, which result the Board regards as being in the public interest.

In its consideration of this application, the Board has considered certain covenants not to compete given by shareholders of The Bank of Bronson. The Board finds that the provisions of these covenants are reasonable in scope, duration and geographic area and do not constitute grounds for denying these applications.

<sup>1</sup> All banking data are as of December 31, 1973.

<sup>2</sup> The relevant banking market is approximated by Bourbon and Allen Counties.

Based on the foregoing and other considerations reflected in the record,<sup>2</sup> the Board has determined that the balance of the public interest factors that the Board is required to consider under section 4(c) (8) is favorable, and the application should be approved.

Accordingly, the applications are approved for the reasons summarized above. The acquisition of Bank shall not be made (a) before the 30th calendar day following the effective date of this order or (b) later than 3 months after the effective date of this order unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Kansas City pursuant to delegated authority. The determination as to Applicant's insurance activities is subject to the conditions set forth in § 225.4 (c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of the holding company or any of its subsidiaries as the Board finds necessary to insure compliance with the provisions and purposes of the Act and to the Board's regulations and orders issued thereunder or to prevent evasion thereof.

By order of the Board of Governors,<sup>4</sup> effective August 26, 1974.

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

[FR Doc.74-20260 Filed 8-30-74;8:45 am]

#### BANK OF FLORIDA CORP. Formation of Bank Holding Co.

Bank of Florida Corporation, St. Petersburg, Florida, has applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842(a) (1)) to become a bank holding company through acquisition of 100 percent of the voting shares (less directors' qualifying shares) of Bank of Florida in St. Petersburg, St. Petersburg, Florida. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than September 20, 1974.

Board of Governors of the Federal Reserve System, August 22, 1974.

[SEAL] THEODORE E. ALLISON,  
Assistant Secretary of the Board.

[FR Doc.74-20270 Filed 8-30-74;8:45 am]

<sup>2</sup> Dissenting Statement of Governor Brimmer filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Kansas City.

<sup>4</sup> Voting for this action: Vice Chairman Mitchell and Governors Sheehan, Holland, and Wallich. Voting against this action: Governor Brimmer. Absent and not voting: Chairman Burns and Governor Bucher.

#### FIRST INTERNATIONAL BANCSHARES, INC.

##### Acquisition of Bank

First International Bancshares, Inc., Dallas, Texas, has applied for the Board's approval under section 3(a) (3) of the Bank Holding Company Act (12 U.S.C. 1842(a) (3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of International Bank of Commerce of Laredo, Laredo, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit his views in writing to the Reserve Bank to be received not later than September 19, 1974.

Board of Governors of the Federal Reserve System, August 22, 1974.

[SEAL] THEODORE E. ALLISON,  
Assistant Secretary of the Board.

[FR Doc.74-20271 Filed 8-30-74;8:45 am]

#### CENTRAL STATES BANCOR, INC. Order Denying Formation of Bank Holding Co.

Central States Bancor, Inc., Des Moines, Iowa, has applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842(a) (1)) of formation of a bank holding company through acquisition of 90.31 percent of the voting shares of Capital City State Bank, Des Moines, Iowa ("Bank").

Notice of receipt of the application, affording an opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act, and the time for filing comments and views has expired. The Board has considered the application and all comments received in the light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, a nonoperating corporation with no subsidiaries, was organized for the purpose of becoming a bank holding company through the acquisition of Bank. Bank (\$51 million in deposits) is the fifth largest of 23 banks in the Des Moines SMSA banking market and controls approximately 4.2 percent of the total deposits held by commercial banks in the market.<sup>1</sup> Upon acquisition of Bank, Applicant would control 0.5 percent of total commercial bank deposits in the State. Since the purpose of the proposed transaction is essentially a reorganization to effect a transfer of the ownership of Bank from individuals to a corporation owned by the same individuals, consummation of the proposal would not eliminate any existing competition, nor would it appear to have any adverse effects on other banks or on the development of competition in the relevant market. Therefore, competitive consider-

<sup>1</sup> Banking data are as of December 31, 1973.

ations are consistent with approval of the application.

Under the Bank Holding Company Act, the Board is required to take into consideration the financial and managerial resources and future prospects of the proposed holding company and the bank to be acquired. In the exercise of that responsibility, the Board finds that considerations relating to the financial resources of Applicant warrant denial of the application. Applicant's earnings prospects are entirely dependent upon the earnings of Bank; Applicant expects to service a \$4.5 million debt over a 12-year period through Bank dividends of 60 percent of Bank's projected annual income. The projected earnings for Bank do not, in the Board's view, provide Applicant with the necessary financial flexibility to meet its annual debt servicing requirements as well as any unexpected problems that might arise at Bank. Furthermore, if Bank's rate of growth is consistent with the average annual growth rate for banks in Iowa, total capital funds as related to its total assets would become insufficient because of Applicant's inability to augment Bank's capital due to its substantial debt servicing requirements. The above factors strongly suggest that these financial requirements could place an undue strain on the financial condition of Bank and thus impair Bank's ability to remain a viable banking organization in meeting the banking needs of the community which it serves. Such considerations lend weight toward denial of the application.

The Board notes that the principals of Applicant are already principals in another bank holding company which controls a bank with a capital ratio which has been declining under the policy of its present management. This precedent lends support to the view that the similar financial plan in the instant case may not generate sufficient income from the earnings of Bank to service its acquisition debt and to maintain Bank's capital under a financially sound program.

With respect to questions of acquisition debt and debt-equity ratios, the Board has been relatively liberal in the standards it has applied in cases where a current or prospective owner-chief executive is establishing, or has established, a one-bank holding company to hold the direct equity interest in his bank. Such relative liberality is regarded as in the public interest in order to facilitate management succession on the community level at the nation's many smaller independent banks. However, in situations such as the instant proposal where this special consideration does not pertain, the Board believes it is prudent to apply somewhat more restrictive standards, as is regularly done in analyzing multibank holding companies.

Under the above circumstances, in addition to other facts of record, considerations relating to the financial condition and prospects of Applicant lend weight for denial of the application. While the

Board recognizes that denial of the application would not necessarily affect immediately the control of Bank, the Board cannot sanction the use of a holding company structure that, because of limited financial resources, could impair the financial condition of the bank to be acquired, nor would the public interest be served by such Board action.

Consummation of the transaction would have no immediate effect on area banking needs. Applicant has proposed some changes which could ultimately benefit the community, but at the same time Applicant has also indicated that certain other banking services will be curtailed in order to help alleviate Applicant's debt servicing problem. Thus, considerations relating to the convenience and needs of the community to be served lend no weight toward approval of the application.

On the basis of all the facts in the record, and in light of the factors set forth in section 3(c) of the Act, it is the Board's judgment that the proposed acquisition would result in a bank holding company with financial resources inadequate to service its debt while maintaining Bank's capital account and that such condition could impair the ability of Bank to meet the needs of the community which it serves. Accordingly, the Board concludes that consummation of the proposal would not be in the public interest and that the application should be denied.

By order of the Board of Governors,<sup>2</sup> effective August 22, 1974.

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

[FR Doc.74-20267 Filed 8-30-74; 8:45 am]

**COMMERCIAL BANK INVESTMENT CO.  
AND COMMERCIAL BANCORPORATION  
OF COLORADO**

**Acquisition of Bank**

Commercial Bank Investment Company ("CBIC") and its subsidiary, Commercial Bancorporation of Colorado ("Bancorporation"), both of Sterling, Colorado, which are bank holding companies within the meaning of the Bank Holding Company Act, have applied, in separate applications, for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 95 percent or more of the voting shares of The Bank of Colorado, Colorado Springs, Colorado ("Bank"). The acquisition will be made by Bancorporation and as a result CBIC will indirectly acquire voting shares of Bank. Inasmuch as CBIC's principal asset is its ownership interest in Bancorporation, the applications are treated herein as the proposed acquisition of Bank by Bancorporation.

<sup>2</sup> Voting for this action: Vice Chairman Mitchell and Governors Sheehan, Bucher, Holland, and Wallich. Absent and not voting: Chairman Burns and Governor Brimmer.

Notice of the proposed acquisition, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the proposal and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Bancorporation controls one bank, Commercial Savings Bank of Sterling, Sterling, Colorado, with deposits of \$26.2 million, representing 0.4 per cent of the total deposits in commercial banks in the State.<sup>1</sup> Bank, with deposits of \$7.4 million, is the 17th largest of 20 banks in the Colorado Springs banking market and holds 1.5 percent of total deposits therein. Colorado Springs is located on the eastern slope of the Rocky Mountains approximately 70 miles south of Denver. Of the twenty banks in the market, nine are subsidiaries of multi-bank holding companies, which companies control in the aggregate approximately 68 percent of total deposits in the market. Bancorporation's subsidiary bank is located 190 miles northeast of Colorado Springs; accordingly, no competition exists between Bancorporation and Bank, and it appears that none is likely to develop in the future. On the other hand, approval of the proposal should save a salutary effect on competition by introducing an alternative multibank holding company to compete with the much larger banking organizations in the State. Therefore, competitive considerations are consistent with approval of the proposal.

The financial and managerial resources of Bancorporation, its banking subsidiary, and Bank are generally satisfactory and future prospects for each appear favorable. While Bancorporation has assumed large debt in connection with the proposal, the amount of this indebtedness is not considered excessive in view of the overall capital position of Bancorporation and the ability of its subsidiary bank and Bank to generate sufficient income to meet the annual debt servicing requirements of Bancorporation. There is no evidence that the convenience and needs of the community to be served are not being adequately met. However, approval would enable Bank to more readily obtain participations in loans over its present lending limit and should improve Bank's overall ability to compete more effectively in its market. Considerations relating to the convenience and needs of the community to be served are consistent with approval. It is the Board's judgment that the proposed acquisition would be in the public interest and that the applications should be approved.

On the basis of the record, the applications are approved for the reasons

<sup>1</sup> All banking data are as of December 31, 1973, and reflect bank holding company formation and acquisitions approved by the Board through July 31, 1974.

summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Kansas City pursuant to delegated authority.

By order of the Board of Governors,<sup>2</sup> effective August 23, 1974.

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

[FR Doc.74-20261 Filed 8-30-74; 8:45 am]

**FIRST INTERNATIONAL BANCSHARES,  
INC.**

**Acquisition of Bank**

First International Bancshares, Inc., Dallas, Texas, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to Bank of Alameda, Houston, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received not later than September 20, 1974.

Board of Governors of the Federal Reserve System, August 23, 1974.

[SEAL] THEODORE E. ALLISON,  
Assistant Secretary of the Board.

[FR Doc.74-20266 Filed 8-30-74; 8:45 am]

**FIRST NATIONAL CHARTER CORP.**

**Acquisition of Bank**

First National Charter Corporation, Kansas City, Missouri, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of First National Bank of Cassville, Cassville, Missouri. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than September 20, 1974.

<sup>2</sup> Voting for this action: Chairman Burns and Governors Brimmer, Sheehan, Bucher, and Wallich. Absent and not voting: Governors Mitchell and Holland.

Board of Governors of the Federal Reserve System, August 22, 1974.

[SEAL] THEODORE E. ALLISON,  
Assistant Secretary of the Board.  
[FR Doc.74-20273 Filed 8-30-74; 8:45 am]

#### FUJI BANK, LTD.

##### Formation of Bank Holding Co.

The Fuji Bank, Limited, Tokyo, Japan, has applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842(a) (1)) to become a bank holding company through acquisition of 100 percent of the voting shares of The Fuji Bank and Trust Company, New York, New York, a proposed new bank. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of New York. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than September 20, 1974.

Board of Governors of the Federal Reserve System, August 23, 1974.

[SEAL] THEODORE E. ALLISON,  
Assistant Secretary of the Board.  
[FR Doc.74-20264 Filed 8-30-74; 8:45 am]

#### LANDMARK BANKING CORPORATION OF FLORIDA

##### Acquisition of Banks

Landmark Banking Corporation of Florida, Fort Lauderdale, Florida, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a) (3) of the Act (12 U.S.C. 1842(a) (3)) to acquire 80 percent or more of the voting shares of Brandon State Bank, Brandon, Florida, ("Brandon Bank"), and Bank of Riverview, Riverview, Florida, ("Riverview Bank").

Notice of the applications affording opportunity for interested persons to submit comments and views has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and this Federal Reserve Bank has considered the applications and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the eighth largest banking organization in Florida, controls 16 banks (existing and approved) which have deposits of \$715.9 million or 3.1 percent of deposits in all commercial banks of the state. (All banking data are as of December 31, 1973, and reflect acquisitions and formations approved by the Board through July 1, 1974.) Acquisition of Brandon Bank, having deposits of \$28 million, and Riverview Bank, having deposits of \$3 million, would increase Applicant's share of Florida commercial

bank deposits by less than one percent and would not change Applicant's rank in size among other banking organizations in the state as measured by aggregate commercial bank deposits. No undue concentration of lending resources in Florida would result.

Applicant is the fourth largest banking organization in the relevant banking market, which includes Tampa, Hillsborough County, and Land O'Lakes in Pasco County, with two banks holding \$66 million or 4 percent of commercial bank deposits in the market. By acquiring Banks which have deposits representing 2 percent of the market, Applicant will not be gaining a dominant position.

Applicant's closest subsidiary bank is located in Tampa, and is 18 miles northwest of Riverview Bank and 20 miles northwest of Brandon Bank. Applicant would be acquiring two affiliated banks. No significant direct competition exists between Applicant's two subsidiary banks in the market and Banks. Applicant's non-banking subsidiary, North American Mortgage Company, makes VA-FHA loans in Brandon and Riverview, while Banks make only conventional mortgage loans for shorter terms; however, both North American Mortgage and Banks have relatively small shares of the total mortgage originations in the market and it appears that any existing competition between them is insignificant.

Several factors make the development of future competition unlikely between Applicant and Brandon Bank and Riverview Bank. These are the distances between Brandon Bank and Riverview Bank and Applicant's other subsidiaries in the market; the lack of overlap between the primary service areas of Applicant's other market subsidiaries and either Brandon Bank or Riverview Bank; the number of intervening banks; Florida's restrictions on branching; and the relatively small size of both Brandon Bank and Riverview Bank. Accordingly, consummation of the proposed transaction would not adversely affect competition in any relevant area.

The financial and managerial resources of Applicant, its subsidiaries, and Banks are considered to be satisfactory in light of Applicant's commitment to increase equity capital; future prospects for all are favorable. There is no evidence that the banking needs of the community are not being served; however, acquisition by Applicant will strengthen Brandon Bank's and Riverview Bank's ability to provide existing services. Therefore, considerations relating to convenience and needs of the community to be served lend weight toward approval. It is this Federal Reserve Bank's judgment that consummation of the proposed acquisitions is in the public interest and that the applications should be approved.

On the basis of the record, the applications are approved for the reasons summarized above. The transactions shall not be consummated (a) before the thirtieth calendar day following the effective date of this order, or (b) later than three months after the effective

date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Federal Reserve Bank of Atlanta acting under delegated authority for the Board of Governors of the Federal Reserve System effective August 20, 1974.

[SEAL] KYLE K. FOSSUM,  
First Vice President.  
[FR Doc.74-20268 Filed 8-30-74; 8:45 am]

#### NBC CORP.

##### Formation of Bank Holding Co.

NBC Corporation, Altus, Oklahoma, has applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842(a) (1)) to become a bank holding company through acquisition of more than 80 percent of the voting shares of The National Bank of Commerce of Altus, Altus, Oklahoma. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than September 19, 1974.

Board of Governors of the Federal Reserve System, August 22, 1974.

[SEAL] THEODORE E. ALLISON,  
Assistant Secretary of the Board.  
[FR Doc.74-20269 Filed 8-30-74; 8:45 am]

#### SOUTHLAND BANCORPORATION

##### Formation of Bank Holding Co.

Southland Bancorporation, Mobile, Alabama, has applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842(a) (1)) to become a bank holding company through acquisition of 100 percent (less directors' qualifying shares) of the voting shares of the successors by merger to The Merchants National Bank of Mobile, Mobile, Alabama, and City National Bank of Birmingham, Birmingham, Alabama. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received not later than September 20, 1974.

Board of Governors of the Federal Reserve System, August 22, 1974.

[SEAL] THEODORE E. ALLISON,  
Assistant Secretary of the Board.  
[FR Doc.74-20273 Filed 8-30-74; 8:45 am]

## GENERAL SERVICES ADMINISTRATION

[Federal Property Management Regs.;  
Temporary Reg. G-17]

### REDUCTION IN MOTOR VEHICLE FUEL CONSUMPTION

#### Policies and Procedures

1. *Purpose.* This regulation prescribes policies and procedures to be followed to achieve and maintain a 15 percent reduction in fuel consumed by Government-owned, commercially leased or rented, and privately owned vehicles authorized for use on official Government business.

2. *Effective date.* This regulation is effective upon publication in the FEDERAL REGISTER.

3. *Expiration date.* This regulation expires June 30, 1975, unless sooner revised or superseded.

4. *Applicability.* The provisions of this regulation apply to all executive agencies. Other Federal agencies are urged to establish similar policies and procedures to ensure that maximum benefits may be realized in reducing fuel consumption by Government-owned and operated motor vehicles and privately owned vehicles used on official Government business.

5. *Background.* a. In support of the President's program to reduce energy consumption by Federal agencies and in consonance with the energy conservation policy in Federal Management Circular (FMC) 74-1, GSA issued two FPMR temporary regulations restricting the use of motor vehicles used in the conduct of official Government business. These regulations are FPMR Temporary Regulations G-15, as amended, dated January 28, 1974; and G-16, as amended, dated March 12, 1974; titled respectively, Reduction in motor vehicle fuel consumption, and Reduction in fuel consumed by certain types of motor vehicles in the Interagency Motor Pool System.

b. Revisions are required to FPMR Temporary Regulations G-15 and G-16 to encourage improvement of individual vehicle utilization and to provide for changes in vehicle usage patterns. Therefore, it is appropriate to cancel those temporary regulations and, in lieu thereof, publish revised policies and procedures in a single regulation.

6. *General policy.* a. Executive agencies shall reduce by 15 percent the total number of miles operated by sedans, station wagons, and trucks in the categories of motor vehicles listed in (1) through (3), below. Such reduction shall be based upon fiscal year 1973 mileage, as adjusted for changes in program requirements affecting total vehicle travel. Vehicles affected by this regulation are:

(1) Government-owned motor vehicles including vehicles in the Interagency Motor Pool System;

(2) Commercially leased or rented motor vehicles; and

(3) Privately owned motor vehicles used on official Government business.

b. When agencies fail to meet the objective in a, above, for any quarter of

fiscal year 1975, GSA may reduce the number of Interagency Motor Pool System vehicles in service. The number of vehicles to be removed will be sufficient to enable agencies to meet the above stated objective. However, such removals will occur only after consultation with national headquarters officials of the affected agencies.

7. *Reporting requirements.* a. Each agency shall prepare a quarterly mileage report, in accordance with the format shown in attachment A, for agency motor vehicle operations subject to the provisions of this regulation. Agency reports shall be submitted to the General Services Administration (FZ), Washington, D.C. 20406, within 45 calendar days following the end of the reporting period. (The report required by this regulation is in conformance with the provisions of FPMR 101-11.11 and has been assigned Interagency Reports Control Number 0018-GSA-OG-W.)

b. Upon receipt of each agency's reports, GSA will review the reports and forward a consolidated report to the Federal Energy Administration with appropriate comments.

8. *Assistance.* Agencies may request the assistance of GSA in complying with the provisions of this regulation by contacting the General Services Administration (FZT), Washington, D.C. 20406, telephone number: (703) 557-3075.

9. *Appeal procedures.* An agency which cannot achieve a 15 percent overall reduction in agency-wide mileage because of mileage required for emergency and essential health services shall appeal in writing to the Administrator of General Services (A), Washington, D.C. 20405, for exceptions of such mileage. GSA will review the appeal and submit it with recommendations to the Federal Energy Administration for a final decision.

10. *Agency comments.* Comments concerning the effect or impact of this regulation on agency operations should be submitted to the General Services Administration (FF), Washington, D.C. 20406, no later than October 31, 1974, for possible incorporation into the permanent regulation.

11. *Effect on other issuances.* FPMR Temporary Regulation G-15 dated January 28, 1974 (and its Supplements 1 and 2) and FPMR Temporary Regulation G-16, dated March 12, 1974, (and its Supplements 1 and 2) are canceled.

ARTHUR F. SAMPSON,  
Administrator of General Services.

AUGUST 29, 1974.

#### AGENCY QUARTERLY MILEAGE REPORT

1. Agencies are to achieve a 15 percent reduction in total miles operated for the categories of vehicles listed in the report format shown below. The adjusted baseline for measuring agency mileage reduction is the total miles operated in the corresponding period of the base year (fiscal year 1973) as adjusted for changes in program requirements affecting total vehicle travel.

2. To assist agencies in establishing adjusted baseline mileage and in reporting mileage for fiscal year 1975, GSA will furnish mileage data for the base period and for each quarter of fiscal year 1975 to each agency utilizing Interagency Motor Pool System vehicles. The adjusted baseline developed from information on Interagency Motor Pool System vehicles is to be added to the adjusted baseline data for agency-held, commercially leased and rented, and privately owned vehicles as developed by each agency to establish the total adjusted baseline.

3. If, in addition to any adjustments to baseline mileage made to reflect program changes in fiscal year 1974, further adjustments are necessary to reflect program changes in fiscal year 1975, such adjustments are to be justified in an attachment to the agency's quarterly report. The justification is to show:

a. For an expanding program, correlation between change in either personnel levels, funding, or workload and change in required vehicle mileage; or

b. For a new program, a projection of mileage by comparison to vehicle utilization in similar programs.

4. Each agency shall submit to GSA a quarterly mileage report in accordance with the following format:

REDUCTION IN MILES OPERATED	
Agency .....	Report for quarter ending .....
Refer questions to .....	Telephone .....
Vehicle category:	Miles
Agency-held .....	.....
Commercially leased .....	.....
Commercially rented .....	.....
Privately owned .....	.....
Interagency motor pool system .....	.....
Total .....	.....
Adjusted baseline .....	.....
Percent reduction .....	.....

5. As used in this regulation, the following terms have the definitions stated below:

a. "Commercially leased" means those vehicles leased for 30 or more calendar days from other than the interagency Motor Pool System.

b. "Commercially rented" means those vehicles rented for less than 30 calendar days, excluding charter services and vehicles obtained from the Interagency Motor Pool System.

c. "Privately owned" means those vehicles which are privately owned and authorized for use on official Government business.

[FR Doc. 74-20411 Filed 8-30-74; 11:03 am]

[GSA Bulletin FPMR G-99]

### CONSERVATION OF MOTOR VEHICLE FUELS

#### Revised Program

1. *Purpose.* This bulletin sets forth a revised program for the conservation of motor vehicle fuels through proper driving techniques and recommended service and operating procedures.

2. *Expiration date.* This bulletin provides information of a continuing nature and will remain in effect until revised or canceled.

3. *Background.* During the early stages of the Nation's energy crisis, GSA Bulletin FPMR G-82, Conservation of motor

vehicle fuels, was issued. The fuel conservation guidance provided by the bulletin has been instrumental in enabling agencies to achieve a reduction in fuel consumed in their motor vehicle operations. Therefore, that guidance has been revised and updated so that it may continue to be available as an effective source from which agencies may develop instructions to their vehicle operators on conserving fuel.

4. *Suggested action.* a. The Federal Government should take the lead in conserving fuels by ensuring that motor vehicle travel is curtailed to the maximum extent practicable without jeopardizing essential business.

b. Each agency should take positive action to conserve fuels by giving wide publication to the driving techniques listed below and requiring that all vehicle operators diligently follow them.

(1) Travel at reduced speeds. Fuel consumption increases significantly with speed. Limit maximum speed to 55 miles per hour.

(2) Avoid sudden bursts of speed and pumping the accelerator pedal while the vehicle is not in motion.

(3) Use routes with a minimum number of traffic signals and stop signs.

(4) Avoid sudden stops to the extent practicable. Plan ahead to avoid waiting for traffic signals.

(5) Do not idle engine for long periods of time. Limit idle time to approximately 1 minute.

(6) Eliminate weight unnecessary to the particular trip; empty trunk and storage compartments of excess tires, chains, tools, etc.

(7) Minimize air resistance; remove any unneeded appurtenances such as hang-on type luggage racks.

(8) Refuel vehicle during the early part of the day.

(9) Avoid over-filling the fuel tank to prevent spillage caused by fuel expansion.

(10) Use the air-conditioner sparingly (disconnecting will damage seals and cause excess maintenance), but operate at least 10 minutes each week throughout the year.

(11) Avoid one-person trips. Use one vehicle for several passengers traveling in the same general area. Always consider, "Is this trip necessary?" "Can the job be accomplished by some other means?" Use the telephone when practicable.

(12) Travel during off-peak traffic times.

(13) Rent an appropriate size vehicle to accommodate the number of passengers and luggage when using authorized commercial rental vehicles.

(14) Use the smallest vehicle that is feasible for the job.

(15) Use fuel with the minimum octane rating recommended by the vehicle manufacturer.

c. Each agency should take positive action by enforcing the following service and operating procedures:

(1) Tune the engine in accordance with the provisions of FPMR 101-38-1003, following the manufacturer's latest specifications with special attention to these items:

(a) Check the air cleaner element and replace it if necessary.

(b) Inspect and adjust the choke to specifications.

(c) Clean or replace the PCV valve: remove gum or sludge from hoses and exhaust recirculating valves with approved cleaning solution available from the Federal Supply Schedule program.

(d) Check all electrical ignition circuits and connections for voltage drop and resistance. Clean, tighten, and replace as necessary.

(e) Inspect ignition points and condenser; replace if necessary.

(f) Check the ignition advance mechanism (mechanical and vacuum). Test vacuum check valves.

(g) Check the cooling system. Flush and replace the antifreeze only if it is contaminated. Remove bugs and foreign matter from front of radiator and air-conditioner condenser.

(h) Check the muffler for clogging or restrictions.

(1) Check the exhaust and tail pipes for kinks or restrictions that would impede the flow of exhaust.

(2) Maintain tire pressure to tire manufacturers' recommendations to reduce rolling resistance. Check pressure at least once each month.

(3) Check and adjust wheel alignment to manufacturer's specifications. Proper alignment will reduce rolling resistance.

5. *Cancellation.* GSA Bulletin FPMR G-82, dated July 5, 1973, and Supplement 1 thereto, are canceled.

ARTHUR F. SAMPSON,  
*Administrator of General Service.*

AUGUST 29, 1974.

[FR Doc.74-20412 Filed 8-30-74; 11:03 am]

### INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

W & B COAL CO., ET AL.

Applications for Renewal Permits, Electric Face Equipment Standard, Opportunity for Public Hearing

Applications for renewal permits for non-compliance with the Electric Face Equipment Standard prescribed by the Federal Coal Mine Health and Safety Act of 1969 have been received for items of equipment in underground coal mines as follows:

(1) ICP Docket No. 4261-000, W & B Coal Company, Elkhorn Seam No. 3 and No. 3 Mine, Mine ID No. 15 02307 0, Mousie, Kentucky.

ICP Permit No. 4261-002 (Kersey Rubber Tired Mining Scoop, Ser. No. 69107).

(2) ICP Docket No. 4374-000, Buchanan County Coal Corporation, Mine No. 8, Mine ID No. 44 01748 0, Big Rock, Virginia.

ICP Permit No. 4374-002 (Mescher HD-12 Tractor, I.D. No. L4-1).

(3) ICP Docket No. 4384-000, Blankenship & Compton Coal Company, Mine No. 1, Mine ID No. 44 00462 0, Grundy, Virginia.

ICP Permit No. 4384-001 (Jeffrey 100 L Continous Miner, Ser. No. 34336).

In accordance with the provisions of § 504.7(b) of Title 30, Code of Federal Regulations, notice is hereby given that requests for public hearing as to an application for a renewal permit may be filed on or before September 18, 1974. Requests for public hearing must be filed in accordance with 30 CFR Part 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the Panel upon request.

A copy of each application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Room 800, 1730 K Street NW., Washington, D.C. 20006.

C. DONALD NAGLE,  
*Vice Chairman,*  
*Interim Compliance Panel.*

AUGUST 27, 1974.

[FR Doc.74-20197 Filed 8-30-74; 8:45 am]

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (74-52)]

#### NASA APPLICATIONS COMMITTEE

##### Notice of Meeting

The NASA Applications Committee will meet on September 18, 1974, at the Headquarters of the National Aeronautics and Space Administration. The meeting will be held in room 226 of Federal Office Building 10B, 600 Independence Avenue, SW., Washington, D.C. 20546. Members of the public will be admitted to the meeting beginning at 9:00 a.m., on a first come first served basis up to the seating capacity of the room, which can accommodate about 35 persons. The approved agenda for the meeting is noted below.

The NASA Applications Committee serves in an advisory capacity only. It is concerned with the total range of applications of space-derived, space-related technology including communications, meteorology, earth resources survey (includes agriculture/forestry, cartography, geography, geology/hydrology, oceanography), earth and ocean physics, solar energy conversion, space processing, and other technology applications. Currently, the Committee comprises 11 members, and a recording secretary, Louis B. C. Fong, who can be contacted for further information at (202) 755-2070.

The following is the approved agenda and schedule for the September 18, 1974, meeting of the SPAC Applications Committee:

Time:	Topic
9:00 a.m.-----	<i>Chairman's Remarks.</i> a. Follow-up action from May 1, 1974, meeting on NASA's potential role in the solar energy field generally. b. National Academy of Engineering (NAE) Space Applications Board (SAB) response to concerns of the Applications Committee on NASA's continuing role in the satellite communications program.
10:15 a.m.-----	<i>The 1974 NAE Applications Summer Study.</i> Some personal observations.
1:15 p.m.-----	<i>Future Activities of the Applications Committee.</i>
2:15 p.m.-----	<i>New Members.</i>
3:30 p.m.-----	<i>Adjourn.</i>

BOYD C. MYERS II,  
Assistant Associate Administrator for Organization and Management, National Aeronautics and Space Administration.

AUGUST 29, 1974.

[FR Doc.74-20333 Filed 8-30-74;8:45 am]

## NATIONAL SCIENCE FOUNDATION ENERGY RESEARCH AND DEVELOPMENT ADVISORY COUNCIL

### Notice of Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the Energy Research and Development Advisory Council to be held at 9 a.m. on September 17, 1974, in Room 540 of the National Science Foundation, 1800 G Street NW., Washington, D.C. 20550.

The purpose of the Council is to help ensure the development of comprehensive technological programs to meet the Nation's energy needs.

The agenda for this meeting shall include discussions on the following topics:

1. Status Report of Project Independence Blueprint.
2. Proposed Council Resolution on Helium Conservation.
3. Report by Fission Energy Working Group.

This meeting shall be open to the public. Individuals who wish to attend should inform Dr. Paul P. Craig, Director, Office of Energy R&D Policy, by telephone (202) 632-7800 or by mail (Room 537, 1800 G Street NW., Washington, D.C. 20550) prior to the meeting. Persons requiring further information concerning this meeting should contact Dr. Paul P. Craig at the above address. Summary minutes of this meeting may be obtained from the Management Analysis Office, Room K-720, 1800 G Street NW., Washington, D.C. 20550.

FRED K. MURAKAMI,  
Committee Management Officer.

AUGUST 28, 1974.

[FR Doc.74-20330 Filed 8-30-74;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 August 28, 1974 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (x) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this Daily List may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503, (202-395-4529).

#### NEW FORMS

#### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Departmental: Health Insurance Study, Medical History, Form A, Form OS 36-74, Occasional, Caywood, Enrolled households in Dayton.

#### DEPARTMENT OF THE INTERIOR

Departmental: Alaska Natives Survey, Form ----, single time, Planchon, Individuals.

#### DEPARTMENT OF TRANSPORTATION

Departmental: Minneapolis Area Traffic Survey, Form ----, Single time, Strasser, Drivers of motor vehicles in Minn., Central Business District.

#### REVISIONS

#### DEPARTMENT OF JUSTICE

Immigration and Naturalization Service: Application for Certificate of Citizenship, Form N-600, Occasional, Sheftel, Citizen who derived citizenship at or after birth.

#### EXTENSIONS

#### DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service: Livestock Feed Program Regulations, Form Part 1475, Occasional, Evinger, Firms handling feeds.

Statistical Reporting Service: Lamp Crop and Wool Production—July, Form ----, Annual, Evinger, Sheep ranchers.

#### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social and Rehabilitation Service: Assistance for United States Citizens Returned from Foreign Countries—Expenditure Statement and Claim for Reimbursement Form APA 2048, Occasional, Evinger (x).

Assistance for U.S. Citizens Returned from Foreign Countries—Report of Referral, Form APA 2061, Occasional, Evinger (x).

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Community Planning and Development: Loan Management Report Revenue Bonds—Public Facility Loans Program, Form HUD 4370, Occasional, CVA.  
Supplement No. 4, Land Acquisition and Relocation—Water and Sewer Facilities Grant Program, Form 41401.4, Occasional, CVA.  
Land Acquisition Policy and Relocation Payments and Assistance Requirements—Water and Sewer Facilities Grant Program, Form 41401.4A, Occasional, CVA.  
Loan Management Report—General Obligation Bonds—Public Facility Loans Program, Form HUD 4370A, Occasional, CVA.  
Preliminary Proposal for Development of Water or Sewer Facility by Private Non-profit Corporation "Public Facility Loans Program, Form HUD 4701P, Occasional, CVA.  
Code Enforcement Project Budget—Under Sec. 117 of the Housing Act of 1949 as Amended, Form HUD 6171, Occasional, CVA.  
Certificate of Financial Settlement—Neighborhood Development Program, Form HUD 6282, Annual, CVA.

PHILLIP D. LARSEN,

Budget and Management Officer.

[FR Doc.74-20327 Filed 8-30-74;8:45 am]

## SECURITIES AND EXCHANGE COMMISSION

[812-3656]

### ASHLAND OIL FINANCE CORP.

#### Filing of Application

AUGUST 26, 1974.

Notice is hereby given that Ashland Oil Finance Corporation, 1409 Winchester Avenue, Ashland, Kentucky 41101 ("Applicant"), a Delaware corporation, has filed an application, pursuant to section 6(c) of the Investment Company Act of 1940 ("Act"), for an order of the Commission exempting Applicant from all 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.

Applicant was organized under the laws of the State of Delaware, and all its outstanding shares of capital stock are owned by Owensboro-Ashland Company ("Owensboro"), a Delaware corporation. All the outstanding shares of capital stock of Owensboro are owned by Ashland Pipe Line Company, an Ohio corporation, all the outstanding shares of capital stock of which are owned by Ashland Oil, Inc. ("Ashland"), a Kentucky corporation. Applicant represents that it does not intend to issue any securities to any person other than Ashland or other companies all the outstanding capital stock of which is owned, directly or indirectly, by Ashland (collectively the "Ashland Group"), and Ashland and any such companies will not dispose of any such securities except to Applicant, Ashland or members of the

Ashland Group. Ashland engages, directly or through its subsidiary corporations, in producing, refining and distributing petroleum products and related items.

On June 28, 1974, Ashland Overseas Finance Corporation ("Overseas"), a Delaware corporation, was merged into Applicant. Overseas was organized in December 1967 in order to raise funds abroad for use in financing Ashland's expanding foreign operations in a manner which would not adversely affect the United States balance of payments. Overseas sold \$20,000,000 of its 5 percent Subordinated Guaranteed Debentures Due 1988 ("Debentures") to a group of underwriters for offering outside of the United States. The Debentures are bearer coupon debentures in the principal amount of \$1,000 and are convertible into shares of common stock of Ashland at a conversion price of \$40 per share. This conversion price is substantially in excess of the current market value of Ashland's common stock. Ashland unconditionally guaranteed the principal and interest payments on, and conversion rights of, the Debentures, such guarantee being subordinated to certain outstanding indebtedness of Ashland.

Applicant represents that the assets of Overseas, exclusive of United States Government securities and cash items and short-term investments in foreign government and commercial paper, were invested in or loaned to companies which are either foreign companies or domestic companies all or substantially all of whose business is carried on abroad, and which are primarily engaged in a business or businesses other than that of investing, reinvesting, owning, holding or trading in securities and with respect to which Ashland or Overseas owned directly or indirectly 10 percent or more of the voting stock. Overseas did not acquire the securities representing its loans or investments for the purpose of resale and did not trade in such securities.

By financing its foreign operations through Overseas rather than through the sale of its own debt obligations, Ashland utilized an instrumentality the acquisition of whose debt obligations by United States persons would, generally, have subjected United States persons (as defined in the Interest Equalization Tax Act) to the interest equalization tax, thus discouraging them from purchasing such debt obligations. The Underwriting Agreement, Agreement Among Underwriters and Selling Agreement regarding the distribution of the Debentures contained provisions which in substance provided that the underwriters and selected dealers would not offer, sell or deliver any Debentures in the United States of America or its territories or possessions, or to citizens, nationals or residents of, or corporations or partnerships created or organized in, the United States of America or its territories or to possessions, or to others for reoffering, resale or delivery in the United States of America or its territories or possessions, or to such citizens, nationals, residents, corporations or

partnerships. Ashland, Overseas and Applicant represent that they have no reason to believe any of the Debentures are presently owned by a citizen, national or resident of, or a corporation or partnership created or organized in, the United States of America or its territories or possessions.

Overseas was originally exempted upon application from all provisions of the Act by order of the Commission (Investment Company Act Release No. 5244, January 24, 1968). Such order was subsequently rescinded in connection with the Commission's adoption of Rule 6c-1 which thereafter afforded a general exemption for subsidiaries organized to finance the foreign operations of domestic companies. Applicant represents that, except for its initial capitalization of \$1,000, its assets and liabilities are identical to those of Overseas immediately prior to the merger of Overseas into Applicant.

Applicant now wishes to be in a position to lend a portion or all of its assets to Ashland as well as other members of the Ashland Group within the United States. Applicant states that this would permit maximization of the investment and credit potential of Applicant's cash resources by enabling Ashland to deploy the assets of all members of the Ashland Group in the most efficient manner, instead of requiring Applicant to make such investments or loans for Ashland. Monies loaned to Ashland for investment in the Ashland Group would be retained for use by Ashland or, within a short period of time, invested in other members of the Ashland Group, as either loans or equity investments. Applicant intends that all its assets will be invested in or loans to companies which are primarily engaged in a business or businesses other than that of investing, reinvesting, owning, holding or trading in securities and which will be members of the Ashland Group. Applicant will not acquire the securities representing its loans or investments for the purpose of resale and will not trade in such securities.

The application states that the assets of Ashland and other members of the Ashland Group (excluding Applicant) presently invested in or loaned to companies which are either foreign companies or domestic companies all or substantially all of whose business is carried on abroad, and which are primarily engaged in a business or businesses other than the business of investing, reinvesting, owning, holding or trading in securities and with respect to which Ashland or other members of the Ashland Group owned directly or indirectly 10 percent or more of the voting stocks, if held by Applicant would exceed the amount of the assets presently held by it. In addition, the result desired to be accomplished by the requested order could have been achieved by merging Overseas into Ashland which would have eliminated any need for an exemption from the Act, but such a merger would have been undesirable for business reasons.

The application states that under the Internal Revenue Code as amended in 1971, it is no longer necessary, in order to exempt securities of a United States company from United States withholding tax, that 80 percent of the company's gross income be derived from sources without the United States. Debt obligations will be exempt from such withholding tax if, prior to June 30, 1974, they were assumed by a United States affiliate of the obligor and designated as being subject to the Interest Equalization Tax and if certain other conditions were met. Applicant has designated the Debentures as subject to the Interest Equalization Tax and, because the other requirements for exemption from withholding taxes have also been met, no withholding tax will be due on the interest paid on the Debentures.

Applicant states that it will constitute an investment company subject to the provisions of the Act in the absence of an order exempting it from the provisions of the Act or the availability of an exemption under a rule of general application. Rule 6c-1 under the Act afforded such a general exemption for Overseas. However, because Applicant proposes to loan a portion of its assets to Ashland (its parent corporation), Applicant will not comply with subparagraphs (6) and (7) of paragraph (b) of Rule 6c-1, which requires 80 percent of the finance subsidiary's assets to be invested in foreign companies (or domestic companies, substantially all the business of which is conducted outside the United States) and 90 percent of the finance subsidiary's assets to be invested in or loaned to companies at least 10% of the equity securities of which are owned by the parent company. Therefore, the exemption provided by Rule 6c-1 will not be available to Applicant. However, since the proceeds of the Debentures which Applicant proposes to invest were borrowed outside the United States in a manner which improved the balance of payments position of the United States and since the Internal Revenue Code no longer requires that 80 percent of Applicant's gross income be derived from sources outside the United States in order to avoid the payment of withholding tax on interest payments to holders of the Debentures, Applicant perceives no policy reason for continuing to insist upon compliance with such a requirement in order to be entitled to an exemption from the Act. Moreover, Applicant asserts, no policy reason exists for not permitting Ashland, which is the guarantor of the payment of the Debentures, to receive assets of Applicant for retention or distribution.

Applicant further represents that (1) Applicant will not deal or trade in securities; (2) the public policy underlying the Act is not applicable to it; (3) the security holders of Applicant do not require the protection of the Act because the payment of the Debentures does not depend on the operations or investment policy of Applicant, but rather, since the

payment of the Debentures is guaranteed by Ashland, the Debentureholders look primarily to the business enterprise of Ashland; (4) none of the equity securities of Applicant will be held by any person other than Ashland or a member of the Ashland Group; (5) the Debentures were offered and sold abroad to foreign nationals under circumstances which were intended to preclude any reoffering or resale in the United States, its territories or possessions or to any United States national, citizen or resident, and, to the best of Ashland's and Applicant's knowledge, no Debenture is owned by any United States national, citizen, or resident; (6) Applicant's security holders have had and will continue to have the benefit of the disclosure and reporting provisions of the New York Stock Exchange and the Luxembourg Stock Exchange and of the Securities Exchange Act of 1934; and (7) it is irrelevant for purposes of the Act whether investments in members of the Ashland Group are made through advances to Ashland or by direct loans to or investments in members of the Ashland Group.

Section 6(c) of the Act provides that the Commission may conditionally or unconditionally exempt any person or transaction from any provision or provisions of the Act to the extent 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.

Applicant agrees and consents that, if the Commission grants an order exempting it from all provisions of the Act, such order be subject to the following conditions:

(1) Applicant will comply with all the requirements of subparagraphs (1)-(5) and (8) of paragraph (b) of Rule 6c-1;

(2) at least 90 percent of the assets of Applicant, exclusive of United States Government securities and cash items and short-term investments in foreign government and commercial paper, will be invested in or loaned to its parent company and companies at least 10 percent of the equity securities of which are, or at the completion of the investment will be, owned, directly or indirectly, by the parent company; and any assets of Applicant not invested in its parent company and such companies will only be invested in or loaned to companies which are customers or suppliers of the parent company or a subsidiary of the parent company; and any of the assets invested in or loaned to investment companies will only be invested in or loaned to investment companies which are wholly owned subsidiaries of the parent company; and

(3) in the event the Interest Equalization Tax is not reenacted, or is reenacted and expires or is repealed or the rate thereof is reduced to zero and such tax is not replaced by another tax providing a comparable deterrent to the purchase of Applicant's securities by United States persons, Applicant will not issue (except

to Ashland or a member of the Ashland Group which is not an investment company) any securities without a further order of the Commission; provided, however, that in the event that Applicant becomes exempt from each and every provision of the Act or the Commission adopts, amends, or interprets a Rule under the Act which would exempt Applicant from each and every provision of the Act, nothing contained in the order requested by this application, or the conditions to which it may be subject, shall preclude Applicant from being exempt from the Act by virtue solely of the applicability of said Rule or interpretation.

Notice is further given that any interested person may, not later than September 20, 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 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 Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-20203 Filed 8-30-74;8:45 am]

[File No. 500-1]

#### BBI, INC.

#### Suspension of Trading

AUGUST 26, 1974.

The common stock of BBI, Inc., being traded on the American Stock Exchange and the Philadelphia-Baltimore-Washington Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of BBI, Inc., being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities

on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchanges and otherwise than on a national securities exchange is suspended, for the period from August 27, 1974 through September 5, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-20204 Filed 8-30-74;8:45 am]

[File No. 500-1]

#### NICOA CORP.

#### Suspension of Trading

AUGUST 26, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Nicoa Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from August 27, 1974 through September 5, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-20205 Filed 8-30-74;8:45 am]

[Release No. 34-10980]

#### NATIONAL STOCK EXCHANGE

#### Plan To Regulate Floor Trading

On April 23, 1974, in Securities Exchange Act Release No. 10735 (39 FR 13819), the Securities and Exchange Commission announced that it had under consideration a proposed plan of the National Stock Exchange ("NSE"), filed pursuant to Securities Exchange Act Rules 17a-8 (17 CFR 240.17a-8), 11a-1 (17 CFR 240.11a-1) and 19b-2 (17 CFR 240.19b-2), for the regulation of floor trading on the NSE, even though the NSE, together with a number of regional stock exchanges, has been exempted from the requirements of Rule 11a-1. The NSE filed its plan with the Commission so that transactions effected by its members in accordance with the plan may be classified as "public securities business" for purposes of Securities Exchange Act Rule 19b-2.

In adopting Rule 19b-2, it was the Commission's intention that paragraph (a)(6) of that rule incorporate the standards imposed by Rule 11a-1(b)(7) under the Securities Exchange Act for qualification of an acceptable floor trading plan. The plan must therefore be

declared effective by the Commission, having due regard for the maintenance of fair and orderly markets, the public interest and the protection of investors. The background of Rule 11a-1 and the harmful aspects of floor trading which are intended to be eliminated by the provisions of an acceptable plan are discussed in Securities Exchange Act Release Nos. 7290 dated April 9, 1964 (29 FR 5168) and 7330 dated June 2, 1964 (29 FR 7380).

The plan filed by the NSE, which is discussed in detail in Release No. 10735, consists of essentially the following provisions.

1. A minimum net capital requirement of \$25,000 for registered traders (the minimum permitted by Rule 15c3-1 (17 CFR 240.15c3-1) under the Act).

2. A flexible standard for suspension of registered traders where the provisions of the plan have been violated.

3. A rule providing that in establishing or increasing a position on the floor for an account in which he has an interest, a registered trader must yield priority, parity and precedence to an off-floor order.

4. A rule providing that in liquidating a position on the floor for an account in which he has an interest, a registered trader must yield precedence based on size to an off-floor order.

5. An interpretation prohibiting more than three registered traders from being present in the trading crowd for one stock at the same time when liquidating, as well as establishing or increasing, a position.

6. An interpretation classifying as "on-floor" orders transactions for a member firm which result from an order entered off the floor following a conversation relating thereto with, or the unsolicited submission of a quotation in a stock and the size of the market by, an employee, a partner or a stockholder of such member firm on the floor.

The Commission, acting pursuant to the Securities Exchange Act, particularly sections 11(a), 19(b), and 23(a) thereof and Rules 11a-1 and 19b-2 thereunder, having due regard for the maintenance of fair and orderly markets, the public interest and the protection of investors, and finding that the floor trading plan of the NSE filed with the Commission on February 20, 1974 is designed to eliminate floor trading activities not beneficial to the market, hereby declares such plan effective as of August 23, 1974. If at any time it appears to the Commission to be necessary or appropriate in the public interest, or for the protection of investors, or for the maintenance of fair and orderly markets, whether because the plan has not eliminated the harmful effects of floor trading or for other reasons, the Commission may suspend or terminate the effectiveness of the plan upon sixty days written notice to the NSE.

(Secs. 11(a), 19b, 23a; 48 Stat. 891, as amended 68 Stat. 686, 48 Stat. 898 as amended, 75 Stat. 465, 76 Stat. 247, 82 Stat. 453, 83 Stat. 141, 84 Stat. 862, 48 Stat. 901, as amend-

ed, 48 Stat. 901, 49 Stat. 704, 49 Stat. 1329, 78 Stat. 580; (15 U.S.C. 78k, 15 U.S.C. 78s, 15 U.S.C. 78w))

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

AUGUST 23, 1974.

[FR Doc.74-20206 Filed 8-30-74; 8:45 am]

[70-5425]

#### NORTHEAST UTILITIES ET AL.

##### Bank Credit Lines and Utility Subsidiary Matters

AUGUST 26, 1974.

Northeast Utilities ("NU"), a registered holding company, The Connecticut Light and Power Company, Selden Street, Berlin, Connecticut 06037, ("CL&P"), The Hartford Electric Light Company, 176 Cumberland Avenue, Wethersfield, Connecticut 06109, ("HELCO") and Western Massachusetts Electric Company, 174 Brush Hill Avenue, West Springfield, Massachusetts 01089, ("WMECO"), each a wholly-owned electric utility subsidiary company of NU, have filed a post-effective amendment to their previously amended application-declaration filed in this proceeding pursuant to sections 6, 7 and 12(b) of the Public Utility Holding Company Act of 1935 ("Act") and rules 45 and 50(a)(2) promulgated thereunder regarding the following transactions. All interested persons are referred to the amended application-declaration, as further amended by said post-effective amendment, which is summarized below, for a complete statement of the proposed transactions.

By order dated January 14, 1974 (Holding Company Act Release No. 18255), the Commission authorized applicants-declarants, among other things, to issue and sell through March 31, 1975, short-term notes to banks and commercial paper to a dealer in commercial paper, the aggregate amount of all such short-term indebtedness at any time outstanding not to exceed \$150,000,000 in the case of NU, and in the cases of CL&P, HELCO and WMECO, \$168,000,000, \$73,000,000 and \$53,600,000, respectively. It was contemplated that upon the sale of additional common shares by NU prior to March 31, 1975, the maximum amount of authorized short-term borrowings which NU may have outstanding at any one time would be reduced by the amount of the net proceeds of such sale of common shares.

Applicants-declarants state, however, that in view of the present climate of the securities markets and the depressed prices of utility stocks generally, it will not be possible for NU to raise the additional amounts of capital through the sale of its common shares which had been contemplated as a means to reduce its outstanding short-term borrowings. NU states it proposes to issue 5,000,000 additional common shares through a negotiated underwriting in September, 1974, with estimated net proceeds therefrom at approximately \$35,000,000 (File No. 70-5520). This compares with estimated net

proceeds which had earlier been anticipated of approximately \$60,000,000 for the same number of shares. NU asserts that it is committed to make a \$35,000,000 capital contribution to CL&P in October, 1974 and that CL&P, HELCO and WMECO are presently unable to issue additional long-term debt or preferred stock because of their inability to meet coverage requirements. For these reasons, NU states that it is necessary for it to retain its present short-term borrowing limits of \$150,000,000 through March 31, 1975, after the issue and sale of the additional common shares.

Applicants-declarants, particularly NU, state that it has become more difficult to issue commercial paper at an effective interest rate cost competitive with bank notes and as a result propose to substantially increase bank credit lines. Borrowings thereunder will be evidenced by notes issued to banks ("Notes") dated the date of issue (in no event later than March 31, 1975), will mature within 9 months with right of renewal, will bear interest at various rates ranging from the prime rate up to 120 percent of prime, depending on the lending bank, and will be subject to prepayment at any time without penalty.

Such borrowings will be effected from banks as follows:

	New York banks	Non-New York banks
Northeast Utilities	6	30
The Connecticut Light & Power Co.	7	21
The Hartford Electric Light Co.	7	7
Western Massachusetts Electric Co.	7	15

In those banks (primarily the New York banks) where the borrowing company's normal working balances are insufficient to support credit lines, compensating balances ranging from 10 percent-20 percent of credit lines are required. Based upon a 12-percent prime interest rate, a 10 percent-20 percent balance will result in an effective cost of borrowing of 13.33 percent-15.00 percent per annum.

Applicants-declarants additionally propose to increase the maximum limit on short-term indebtedness in the case of WMECO from the presently authorized amount of \$53,600,000 to \$60,300,000 (an amount represented to be equal to 20 percent of WMECO's capitalization), in order to provide WMECO with needed flexibility to meet its short-term obligations.

NU further proposes, in addition to the presently authorized amount of \$3,000,000, to make an open-account advance and/or capital contributions of not more than \$2,000,000 to the Holyoke Water Power Company ("HWP"), a wholly-owned subsidiary of NU, in order that HWP be in a position to make a fuel oil commitment for its Mt. Tom generating station.

No State or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than September 19, 1974, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration as further amended by said post-effective amendment which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney-at-law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended by said post-effective amendment or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-20312 Filed 8-30-74; 8:45 am]

[70-5540]

#### SYSTEM FUELS, INC.

##### Acquisition of Land for Coal Production

August 26, 1974.

Notice is hereby given that System Fuels, Inc., 225 Baronne Street, New Orleans, Louisiana 70112 ("SFI"), a jointly-owned nonutility subsidiary company of Arkansas Power & Light Company, Louisiana Power & Light Company, Mississippi Power & Light Company, and New Orleans Public Service, Inc., each an electric utility subsidiary company of Middle South Utilities, Inc. ("Middle South"), a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 9(a) and 10 of the Act as applicable to the proposed transaction. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transaction.

The application states that, pursuant to authority heretofore granted to SFI and in fulfillment of its responsibilities as the supplier of fuel for the Middle

South Utilities System ("System") and to meet the System's increasing coal supply needs, SFI has, at a cost of \$19,200, acquired through a nominee an option from an unaffiliated person to purchase by warranty deed ("Option Agreement") a 3,840 acre (more or less) cattle-grazing ranch in the Powder River Basin of Wyoming ("Ranch"), under which 425,000,000 to 475,000,000 tons of coal have been estimated to be located. The option to purchase the Ranch under the Option Agreement excludes any interest of the present owner in the oil, gas, and minerals underlying the land, except coal now owned or in any manner hereafter acquired. The option to purchase the Ranch, which expires on October 1, 1974, was acquired on the advice of a coal consulting firm, which firm has been conducting an exploration program for SFI in the Powder River Basin. Should the estimate of the coal consulting firm not be significantly diminished within the option period, SFI intends to exercise its option to purchase the Ranch for a price of \$1,920,000, subject to certain adjustments stated in the option agreement.

Ownership of the Ranch does not insure that SFI will obtain the rights to remove the underlying coal. The coal deposits under the Ranch and the rights to mine such coal were reserved by the United States of America at the time the Federal Government originally transferred title to the land. The Secretary of the Interior is authorized to offer for leasing, at his discretion, deposits of coal owned by the Federal Government. Such offers are made through a public offer of the deposits by means of competitive bidding, and SFI is in a position to initiate this process by filing an application with the Bureau of Land Management, Department of the Interior. Should SFI fail to be the successful bidder, and thus have only surface rights to the Ranch, SFI intends to divest itself of the Ranch.

If SFI purchases the Ranch, it would proceed, as and when the coal reserves are required by the System, to seek to acquire the rights to remove the coal located under the Ranch and to attain any regulatory approvals then required to mine such coal, and, upon receipt of such approvals, to contract for the development and operation of a mine on the Ranch. The developer and operator of the mine will be unaffiliated with the System. Prior to proceeding with contractual arrangements for the development and operation of the mine, SFI will furnish the Commission with details of such arrangements, including the identity of the developer of the mine, the identity of the operator of the mine, the form of the development and operation contracts, and estimated costs of development and operation.

SFI will obtain funds to purchase the Ranch by means of loans from Arkansas Power & Light Company, Louisiana Power & Light Company, Mississippi Power & Light Company, and New Orleans Public Service Inc., pursuant to the Loan Agreement dated January 1, 1974, previously authorized by the Commission in File No. 70-5415.

Fees and expenses to be incurred in connection with the proposed transaction are estimated at \$22,500, including legal fees estimated not to exceed \$20,000. No State or Federal commission, other than this Commission has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than September 23, 1974, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-20202 Filed 8-30-74; 8:45 am]

[Release No. 34-10977]

#### STOCK EXCHANGE COMMISSION RATE PROPOSALS

##### Public Investigatory Hearing

The Securities and Exchange Commission announced on August 20, 1974, that it has issued an order for the institution of an investigation and a public investigatory hearing, pursuant to section 21(a) of the Securities Exchange Act of 1934, to consider whether any changes should be made in the rules, policies, practices, and procedures of one or more registered national securities exchanges concerning commission rate schedules.

In an August 7, 1974 letter to Chairman Garrett, the New York Stock Exchange ("NYSE") stated that on August 5, 1974 its Board of Directors authorized submission to the Securities and Exchange Commission of a request for a commission rate increase of up to 10 percent on orders valued between \$2,000 and \$300,000. The effect of inflation on member firm costs and profits and the continuing unprofitability of many of these firms were cited as the cause behind the

request. In a letter dated August 15, 1974, the NYSE stated that the amount of the rate increase requested would be 6 to 8 percent, the exact amount to be announced when compilation of economic data has been completed. The NYSE plans to have the economic data and the report in support of the increase completed during the first week in September. That report will be available to all interested persons in the Public Reference Section, Room 6101, 1100 L Street, NW., Washington, D.C. 20005 and at each of the Commission's regional offices. Persons who wish to obtain a copy of that report may do so by writing to Dr. William C. Freund, Vice President and Chief Economist, New York Stock Exchange, Inc., Eleven Wall Street, New York, New York 10005.

The Commission announced that the public investigatory hearing on stock exchange commission rate proposals will convene at 10 a.m. Tuesday, September 24, 1974 at the Commission's headquarters, 500 North Capitol Street, NW., Washington, D.C., to receive testimony and other relevant data on the foregoing NYSE commission rate proposal. The Commission has requested representatives of the NYSE to appear at that time to present testimony and relevant data and invites all other interested persons to submit their views. Persons who wish to appear and present factual material at the hearing are invited to notify the hearing officer (William E. Toomey, Room 788, Securities and Exchange Commission, 500 North Capitol Street, NW., Washington, D.C. 20549 (202) 755-1240) of that desire as soon as possible and not later than September 24, 1974.

Witnesses will be expected to file with the hearing officer 25 copies of their prepared statements 48 hours prior to their appearance and are invited to make available additional copies at the time of their appearance for the benefit of the press and other interested persons.

Persons wishing to transmit written submissions for inclusion in the record in lieu of personally appearing should file 25 copies thereof to facilitate examination of the record by all interested persons. Such material should be submitted not later than October 4, 1974. All other communications should be filed in triplicate. All communications should refer to File No. 4-174, and will be available for public inspection in the Commission's Public Reference Room.

(Sec. 21(a); 48 Stat. 899; 15 U.S.C. 78u(a).)

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

AUGUST 20, 1974.

[FR Doc.74-20311 Filed 8-30-74; 8:45 am]

[File No. 500-1]

#### WESTGATE CALIFORNIA CORP.

##### Suspension of Trading

It appearing to the Securities and Exchange Commission that the summary

suspension of trading in the common stock (class A and B), the cumulative preferred stock (5 percent and 6 percent), the 6 percent subordinated debentures due 1979 and the 6½ percent convertible subordinated debentures due 1987 being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from August 28, 1974 through September 6, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-20313 Filed 8-30-74; 8:45 am]

#### TARIFF COMMISSION

[337-L-75]

##### CERTAIN ELECTRONIC PRINTING CALCULATORS

###### Complaint Received

The United States Tariff Commission hereby gives notice of the receipt on August 1, 1974, of a complaint under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337), filed by Addmaster Corporation, of San Gabriel, California, alleging unfair methods of competition and unfair acts in the importation and sale of certain electronic printing calculators by reason of their being embraced within the claim(s) in U.S. Patent No. 3,094,278 owned by the complainant, Eiko Business Machines Company, Ltd., PO. Box 24, Trade Center, Tokyo 105, Japan, and Unitrex of America, Inc., 350 5th Avenue, New York City, New York, has been named as either offering for sale or importing the subject product.

In accordance with the provisions of § 203.3 of its rules of practice and procedure (19 CFR 203.3), the Commission has initiated a preliminary inquiry into the issues raised in the complaint for the purpose of determining whether there is good and sufficient reason for a full investigation, and if so whether the Commission should recommend to the President the issuance of a temporary exclusion from entry under section 337(f) of the Tariff Act.

A copy of the complaint is available for public inspection at the Office of the Secretary, United States Tariff Commission, 8th and E Streets, NW., Washington, D.C., and at the New York office of the Tariff Commission located at 6 World Trade Center.

Information submitted by interested persons which is pertinent to the aforementioned preliminary inquiry will be considered by the Commission if it is received not later than October 14, 1974. Extensions of time for submitting information will not be granted unless good and sufficient cause is shown thereon. Such information should be sent to the Secretary, United States Tariff Commission, 8th and E Streets, NW., Washing-

ton, D.C. 20436. A signed original and nineteen (19) true copies of each document must be filed.

Issued: August 28, 1974.

By order of the Commission:

KENNETH R. MASON,  
Secretary.

[FR Doc.74-20277 Filed 8-30-74; 8:45 am]

#### VETERANS ADMINISTRATION

##### CHIEF MEDICAL DIRECTOR'S AD HOC ADVISORY COMMITTEE ON SPINAL CORD INJURY

###### Notice of Meeting

The Veterans Administration gives notice pursuant to Pub. L. 92-463 that a meeting of the Chief Medical Director's Ad Hoc Advisory Committee on Spinal Cord Injury will be held in Room 817 at the Veterans Administration Central Office, 810 Vermont Avenue, NW., Washington, D.C. on October 1 and 2, 1974 at 9 a.m. The meeting will be for the purpose of receiving consumer advice on program plans, specialized facilities and equipment as they relate to the treatment of spinal cord injured patients in Veterans Administration hospitals.

The meeting will be open to the public up to the seating capacity of the room. Because of the limited seating capacity of the room, those who plan to attend should contact Dr. Peter C. Hofstra, Director, Spinal Cord Injury Service, Veterans Administration Central Office, 810 Vermont Avenue NW., Washington, D.C., (202-389-3032) prior to September 24, 1974.

Dated: August 27, 1974.

By direction of the Administrator.

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

[FR Doc.74-20256 Filed 8-30-74; 8:45 am]

#### VETERANS ADMINISTRATION WAGE COMMITTEE

###### Notice of Meetings

Pursuant to the provisions of section 10 of Pub. L. 92-463, notice is hereby given that meetings of the Veterans Administration Wage Committee will be held on:

Thursday, October 10, 1974  
Thursday, October 24, 1974  
Thursday, November 7, 1974  
Thursday, November 21, 1974  
Thursday, December 5, 1974  
Thursday, December 19, 1974

The meetings will convene at 2:30 p.m. and will be held in Room 1144C, Veterans Administration Central Office, 810 Vermont Avenue NW., Washington, D.C.

The Committee's primary responsibility is to consider and make recommendations to the Chief Medical Director, Department of Medicine and Surgery, on all matters involved in the development and authorization of wage rate schedules for Federal Wage System employees.

At these scheduled meetings, the Committee will consider wage survey specifications, wage survey data, local committee reports and recommendations, statistical analyses, and proposed wage schedules derived therefrom.

Under the provisions of section 10(d) of Pub. L. 92-463, the Administrator of Veterans Affairs has determined that these meetings will be closed to the public based on the review of wage data for which confidentiality has been assured to companies participating in Federal wage surveys.

However, members of the public who wish to do so are invited to submit material in writing to the Chairman regarding matters believed to be deserving of the Committee's attention. Additional information concerning these meetings may be obtained by contacting the Chairman, Veterans Administration Wage Committee, Room 1175, 810 Vermont Avenue, NW., Washington, D.C.

Dated: August 27, 1974.

By direction of the Administrator.

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

[FR Doc.74-20258 Filed 8-30-74; 8:45 am]

## DEPARTMENT OF LABOR

Office of the Secretary

### EMPLOYMENT RETIREMENT INCOME SECURITY ACT OF 1974

Notices Due September 12, 1974 for Certain Plan Terminations Occurring After June 30, 1974 and Before September 2, 1974

Certain private pension plans which have been terminated after June 30, 1974, and before September 2, 1974, may qualify for payment of benefits under terms of the Employee Retirement Income Security Act of 1974, which was signed into law by the President on Monday, September 2, 1974. Notice of eligibility for such coverage must be filed with the Secretary of Labor, and received by him not later than Thursday, September 12, 1974 (10 days after the date of enactment of the Act) in order to qualify for such payment. However, if reasonable cause is shown for failure to meet this 10-day deadline, notice may be filed with the Secretary of Labor later, provided that it is received by him not later than October 31, 1974. Section 4082(b) of the Act provides that the corporation shall not pay benefits guaranteed under Title IV with respect to any plan unless the corporation finds substantial evidence that the plan was terminated for a reasonable business purpose and not for the purpose of obtaining the payment of benefits by the corporation under Title IV or for the purpose of avoiding the liability which might be imposed under subtitle D of Title IV if the plan terminated on or after the date of enactment of the Act.

#### CONTENT OF NOTICE

Each notice must allege that the private pension plan for which such notice is being given

- (1) Was not a multiemployer plan,
- (2) Was terminated after June 30, 1974 and before the date of enactment of the Act; and
- (3) Was a plan to which section 4021 of the Act would have applied if that section had been effective beginning on July 1, 1974.

Each notice shall include the name, address, and telephone number of the plan administrator, the Internal Revenue Service employer identification number of the employer and of each trust under the plan, the number assigned to the plan by the U.S. Department of Labor under the Welfare and Pension Rules Disclosure Act, if any such number has been so assigned, and the signature and relationship to the plan of the person filing the notice.

#### ADDRESS AND DELIVERY

Each notice must be submitted, in an envelope, to the Secretary of Labor, United States Department of Labor, Room 3311, 14th Street and Constitution Avenue NW., Washington, D.C. 20210. Notices may be filed by mail (preferably by certified or registered mail), by telegram, or by presentation at the above address during normal working hours of the Department of Labor. Upon request, the Secretary will provide a receipt showing time of delivery for any notice so presented at Room 3311.

#### FILING DEADLINES

Each notice must be received by the Secretary of Labor not later than Thursday, September 12, 1974 (10 days after the date of enactment of the Act). The Pension Benefit Guaranty Corporation is not authorized to pay benefits with respect to a plan for which no notice is received within 10 days of the date of enactment of the Act, except where reasonable cause for later filing is shown and notice is received by the Secretary of Labor not later than October 31, 1974.

The following guidelines, stated by the Senate and House conferees on H.R. 2, will be followed in ruling on the adequacy of cause for late filing of notices:

The opportunity to give notice as late as October 31, 1974 (where good cause is shown), is not intended to apply to situations where the failure to give timely notice was the result of inconvenience or inadvertence. In determining where there is reasonable cause shown for not having given notice within the 10-day period, it is intended that the showing be by clear and convincing evidence that it was not reasonably possible to have given notice within the time allowed (H. Rept. 93-1280, 93rd Cong., 2d Sess. 381).

Signed at Washington, D.C., this 2d day of September 1974.

PETER J. BRENNAN,  
Secretary of Labor.

[FR Doc.74-20417 Filed 8-30-74; 4:00 pm]

### Pension Benefit Guaranty Corporation PENSION PLAN

Filing of Notice of Intent To Terminate  
Section 4041 of the Employee Retirement Income Security Act of 1974 pro-

vides for the filing, under certain enumerated circumstances, of a notice that a plan covered under the terms of section 4021 of the Act is to be terminated on a proposed date.

Pending the development by the Corporation of permanent rules for the content and processing of such notices, and in order to provide an interim method of processing them, it has been determined that the plan administrator (within the meaning of section 3(16)(A) of the Act) shall file such a notice, signed by him, with the Corporation by certified or registered mail. Each notice shall be mailed to the Pension Benefit Guaranty Corporation, P.O. Box 7119, Washington, D.C. 20044 and shall include the name, address and telephone number of the plan administrator, the Internal Revenue Service employer identification number of the employer and of each trust under the plan, and the number assigned to the plan by the U.S. Department of Labor under the Welfare and Pension Rules Disclosure Act, if any such number has been so assigned.

In order to comply with the provisions of section 4041 of the Act, each notice must be filed not later than 10 days before the proposed termination date.

Signed at Washington, D.C., this 2d day of September 1974.

PETER J. BRENNAN,  
Chairman, Board of Directors,  
Pension Benefit Guaranty  
Corporation.

[FR Doc.74-20416 Filed 8-30-74; 4:00 pm]

## INTERSTATE COMMERCE COMMISSION

[Notice 582]

### ASSIGNMENT OF HEARINGS

AUGUST 28, 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 September 3, 1974.

MC 139343 Sub 2, Mexicoach, Inc., now assigned September 12, 1974, will be held in the Embassy Auditorium, 847 South Grand Street, Suite 201, Los Angeles, Calif.

MC 113678 Sub 523, Curtis, Inc., now assigned September 16, 1974, will be held in the Embassy Auditorium, 847 S. Grand St., Suite 201, Los Angeles, Calif.

MC 56640 Sub 31, Delta Lines, Inc., now assigned September 17, 1974, will be held in the Embassy Auditorium, 847 South Grand St., Suite 201, Los Angeles, Calif.

MC 19227 Sub 200, Leonard Brothers Trucking Co., Inc., now assigned September 23, 1974, will be held in Room 422, 312 N. Spring St., Los Angeles, Calif.

MC-F-12113, Nationwide Carriers, Inc.—Purchase—Mabel Lynn Michael (Nevin H. Fiery, Executor), now being assigned November 4, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-F-12155, Ace Doran Hauling & Rigging Co.—Purchase (Portion—Tri-State Motor Transit Co., now being assigned November 11, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-C-8332, Chemical Leaman Tank Lines, Inc.—v. Central Transport, Inc., now being assigned November 13, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 128383 Sub-47, Pinto Trucking Service, Inc., now being assigned November 13, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 55896 Sub-44, R-W Service System, Inc., now being assigned November 19, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 123407 Sub-156, Sawyer Transport, Inc., now being assigned November 20, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 109689 Sub 265, W. S. Hatch Co., now assigned September 24, 1974, will be held in Room 422, 312 North Spring St., Los Angeles, Calif.

MC 106644 Sub 174, Superior Trucking Company, Inc., now assigned September 26, 1974 will be held in Room 422, 312 North Spring St., Los Angeles, Calif.

NO. 35794, Northville Dock Pipe Line Corp. and Consolidated Petroleum Terminal, Inc.—Petition For Declaratory Order Or Investigation, and NO. 35852, Northville Dock Pipe Line Corp., Northville Industries Corp., Consolidated Petroleum Terminal, Inc. and Total Resources, Inc.—Investigation of Operations—now assigned for pre-hearing conference on September 18, 1974, at Washington, D.C., is postponed to October 18, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

NO. 35940, Investigation into the Lawfulness of Interchange Arrangements Between the Bangor and Aroostook Railroad and CP Rail at Brownville Junction, Maine, NO. 35987, Maine Central Railroad Company-V-Bangor and Aroostook Railroad Company, NO. 36013, Penn Central Transportation Company, George P. Baker, Robert W. Blanchette and Richard C. Bond, Trustees-V-Bangor and Aroostook Railroad Company, and NO. 36013 (Sub-1), Boston and Maine Corporation, Robert W. Meserve and Benjamin H. Lacy, Trustees-V-Bangor and Aroostook Railroad Company, now assigned pre-hearing conference September 11, 1974, at Washington, D.C., postponed to September 24, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

[SEAL]

ROBERT L. OSWALD,  
Secretary.

[FR Doc. 74-20303 Filed 8-30-74; 8:45 am]

#### IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY—ELIMINATION OF GATEWAY LETTER NOTICES

AUGUST 28, 1974.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's *Gateway Elimination* rules (49 CFR 1065 (a)), and notice thereof

to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before September 13, 1974. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC-730 (Sub-No. E46), filed May 8, 1974. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., 1417 Clay Street, Oakland, California 94612. Applicant's representative: R. N. Cooledge (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from points in Wyoming to points in Nevada. The purpose of this filing is to eliminate the gateway of Salt Lake City, Utah, and points within 10 miles thereof.

No. MC-730 (Sub-No. E58), filed May 13, 1974. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., P.O. Box 638, Oakland, Calif. 94612. Applicant's representative: R. N. Cooledge (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Portland, Linnton, Willbridge, The Dalles, and Astoria, Oreg., to points in that part of Idaho in and north of Idaho County. The purpose of this filing is to eliminate the gateway of Pasco, Wash.

No. MC-730 (Sub-No. E63), filed May 31, 1974. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., 1417 Clay Street, Oakland, California 94612. Applicant's representative: R. N. Cooledge (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Sacramento, Stockton, and Coalinga, Calif., points within 30 miles of Coalinga, Calif., and points in those parts of Alameda, Contra Costa, and Solano Counties, Calif., on and south of California Highway 12, to points in that part of Washington in and east of Benton, Grant, Chelan, and Okanogan Counties. The purpose of this filing is to eliminate the gateways of Sparks, Nev., and Baker, Oreg.

No. MC-3468 (Sub-No. E2), filed May 16, 1974. Applicant: F. J. BOUTELL DRIVEAWAY CO., INC., P.O. Box 308, Flint, Mich. 48501. Applicant's representative: Wilmer B. Hill, 666 Eleventh Street

NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobile*, in secondary movements, in truckaway service, from Detroit, Mich., to points in that part of Indiana or and west of a line beginning at Jeffersonville, thence along Indiana Highway 3 to Greensburg, thence along U.S. Highway 421 to junction Indiana Highway 9, thence along Indiana Highway 9 to Greenfield, thence along Indiana Highway 13 to Fortville, thence along Indiana Highway 238 to Noblesville, thence along Indiana Highway 38 to Antioch, thence along Indiana Highway 39 to the Indiana-Michigan State line. The purpose of this filing is to eliminate the gateway of Flint, Mich.

No. MC-3468 (Sub-No. E5), filed May 16, 1974. Applicant: F. J. BOUTELL DRIVEAWAY CO., INC., P.O. Box 308, Flint, Mich. 48501. Applicant's representative: Wilmer B. Hill, 666 Eleventh Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles*, in secondary movements, in truckaway service, from New York, N.Y., and Port Newark and Port Elizabeth, N.J., to points in that part of Indiana on and west of a line beginning at the Indiana-Illinois State line, thence along Indiana Highway 26 to Lafayette, thence along Indiana Highway 25 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction Indiana Highway 9, thence along Indiana Highway 9 to the Indiana-Michigan State line. The purpose of this filing is to eliminate the gateway of Flint, Mich.

No. MC-3468 (Sub-No. E7), filed May 16, 1974. Applicant: F. J. BOUTELL DRIVEAWAY CO., INC., P.O. Box 308, Flint, Mich. 48501. Applicant's representative: Wilmer B. Hill, 666 Eleventh Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles and new trucks*, in secondary movements, in truckaway service, during the season of open navigation on the Great Lakes, from points in Michigan, that part of Ohio west and north of a line beginning at Ironton, thence along Ohio Highway 93 to junction Ohio Highway 39, thence along Ohio Highway 39 to junction Interstate Highway 77, thence along Interstate Highway 77 to junction U.S. Highway 224, thence along U.S. Highway 224 to the Ohio-Pennsylvania State line, and that part of Pennsylvania north and west of a line beginning at the Ohio-Pennsylvania State line, thence along U.S. Highway 224, to junction U.S. Highway 422, thence along U.S. Highway 422 to junction Interstate Highway 79, thence along U.S. Highway 79 to Erie, to points in Connecticut, Maine, New Hampshire, Rhode Island, and Vermont. The purpose of this filing is to eliminate the gateway of Erie, Pa.

No. MC-3468 (Sub-No. E8), filed May 16, 1974. Applicant: F. J. BOUTELL DRIVEAWAY CO., INC., P.O. Box 308, Flint, Mich. 48501. Applicant's representative: Wilmer B. Hill, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles and new trucks*, in secondary movements, in driveaway service, during the season of open navigation on the Great Lakes, from points in Indiana, Kentucky, and the Chicago, Ill., Commercial Zone, to points in Maine, New Hampshire, Vermont, Connecticut, and Rhode Island. The purpose of this filing is to eliminate the gateway of Cleveland, Ohio.

No. MC-3468 (Sub-No. E9), filed May 16, 1974. Applicant: F. J. BOUTELL DRIVEAWAY CO., INC., P.O. Box 308, Flint, Mich. 48501. Applicant's representative: Wilmer B. Hill, 666 Eleventh Street, NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles and new trucks*, in secondary movement, in truckaway and driveaway service, during the season of open navigation on the Great Lakes, from Pittsburgh, Pa., to points in Maine, New Hampshire, and Vermont. The purpose of this filing is to eliminate the gateway of Erie, Pa.

No. MC-3468 (Sub-No. E10), filed May 16, 1974. Applicant: F. J. BOUTELL DRIVEAWAY CO., INC., P.O. Box 308, Flint, Mich. 48501. Applicant's representative: Wilmer B. Hill, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles*, in secondary movements, in truckaway service, from Lansing, Mich., to Evansville, Ind. The purpose of this filing is to eliminate the gateway of Flint, Mich.

No. MC-3468 (Sub-No. E12), filed May 16, 1974. Applicant: F. J. BOUTELL DRIVEAWAY CO., INC., P.O. Box 308, Flint, Mich. 48501. Applicant's representative: Wilmer B. Hill, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles*, in secondary movements, in truckaway and driveaway service, during the season of open navigation on the Great Lakes, from points in that part of New York on, north, and west of a line beginning at St. Regis, thence along New York Highway 37 to junction New York Highway 56, thence along New York Highway 56 to junction U.S. Highway 11, thence along U.S. Highway 11 to junction New York Highway 104, thence along New York Highway 104 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction New York Highway 19, thence along New York Highway 19 to junction New York Highway 38, thence along New York Highway 38 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction New York Highway

474, thence along New York Highway 474 to the New York-Pennsylvania State line, to points in Virginia, North Carolina, and South Carolina. The purpose of this filing is to eliminate the gateway of Buffalo, N.Y.

No. MC-5470 (Sub-No. E45), filed May 29, 1974. Applicant: TAJON, INC., R.D. 5 Box 146, Mercer, Pa. 16137. Applicant's representative: Patrick McEligot, 918 Sixteenth Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alloys, minerals, ores, and silicon metals* (that can be unloaded by dumping), from any railhead in East Liverpool, Ohio, to points in Delaware. The purpose of this filing is to eliminate the gateway of Monaca, Pa.

No. MC-5470 (Sub-No. E46), filed May 29, 1974. Applicant: TAJON, INC., R.D. 5 Box 146, Mercer, Pa. 16137. Applicant's representative: Patrick McEligot, 918 Sixteenth Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alloys, ores, pig iron, and silicon metals* (that can be unloaded by dumping), from West Elizabeth, Pa., to points in New Jersey (except points in Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, and Salem Counties). The purpose of this filing is to eliminate the gateway of Monaca, Pa.

No. MC-5470 (Sub-No. E53), filed May 29, 1974. Applicant: TAJON, INC., R.D. 5 Box 146, Mercer, Pa. 16137. Applicant's representative: Patrick McEligot, 918 Sixteenth Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pig iron*, in dump vehicles, from Erie, Pa., to points in Kentucky. The purpose of this filing is to eliminate the gateway of Portsmouth, Ohio.

No. MC-5470 (Sub-No. E74), filed May 29, 1974. Applicant: TAJON, INC., R.D. 5, Box 146, Mercer, Pa. 16137. Applicant's representative: Patrick McEligot, 918 Sixteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ferro-alloys*, in bulk in dump vehicles, from Bridgeport, Conn., Newark, N.J., and Newport News, Va., to points in Michigan and Illinois. The purpose of this filing is to eliminate the gateway of Van Coram, Ohio.

No. MC-5470 (Sub-No. E76), filed May 29, 1974. Applicant: TAJON INC., R.D. 5 Box 146, Mercer, Pa. 16137. Applicant's representative: Patrick McEligot, 918 Sixteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ferro-alloys*, in bulk in dump vehicles, from Philadelphia, Pa., to points in Kentucky, Indiana, Michigan, and Illinois. The purpose of this filing is to

eliminate the gateway of Van Coram, Ohio.

No. MC-6870 (Sub-No. E1), filed June 4, 1974. Applicant: NEWBURGH MOVING AND STORAGE, INC., Newburgh, N.Y. Applicant's representative: Arthur J. Piken, Suite 1515, One Lefrak City Plaza, Flushing, N.Y. 11368. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (1) between points in Maine, New Hampshire, and Vermont, on the one hand, and, on the other, points in New Jersey and Pennsylvania; (2) between points in Maine and Vermont, on the one hand, and, on the other, points in that part of Connecticut on, west, and south of U.S. Highway 91; (3) between points in New Hampshire, on the one hand, and, on the other, points in that part of Connecticut on, west, and south of Connecticut Highway 8; (4) between points in New Hampshire and Vermont, on the one hand, and, on the other, points in that part of New York on and south of a line beginning at the Massachusetts-New York State line, thence along New York Highway 23 to junction New York Highway 145, thence along New York Highway 145 to junction New York Highway 30, thence along New York Highway 30 to junction Interstate Highway 90, thence along Interstate Highway 90 to Buffalo; and (5) between points in Maine, on the one hand, and, on the other, points in that part of New York on and south of a line beginning at the New York-Vermont State line, thence along the northern boundary lines of Rensselaer, Albany, and Schenectady Counties to junction Interstate Highway 90, thence along Interstate Highway 90 to the New York-Pennsylvania State line. The purpose of this filing is to eliminate the gateway of Millbrook, N.Y., and points within 30 miles thereof.

No. MC-29886 (Sub-No. E6), filed May 23, 1974. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Front end shovel loaders*, assembled, and industrial lift trucks, assembled, which because of size or weight require special equipment, (1) between South Carolina, Georgia, and Florida, on the one hand, and, on the other, points in California (except Inyo, Tulare, Kings, Kern, San Bernardino, Ventura, Los Angeles, Orange, Riverside, San Diego and Imperial Counties, Calif.), points in Washoe, Churchill, Storey, Ormsby, Douglas, Lyon, and Mineral Counties, Nev., and points in Tillamook, Yamhill, Polk, Lincoln, Benton, Linn, Lane, Deschutes, Douglas, Coos, Curry, Josephine, Jackson, Klamath, and Lake Counties, Oreg.; (2) between Michigan, Indiana, and Ohio, on the one hand, and, on the other, points in California (except Mono, Inyo, Tulare, Kern, San

Bernardino, Los Angeles, Ventura, Riverside, San Diego, Imperial Counties, Calif.), points in Ormsby and Douglas Counties, Nev., and points in Douglas, Coos, Curry, Josephine, Jackson, and Klamath Counties, Oreg. (3) between Wisconsin, on the one hand, and, on the other, points in California (except in Mono, Inyo, San Bernardino, Riverside, San Diego, Imperial, Modoc, and Lassen Counties, Calif.). The purpose of this filing is to eliminate the gateway of San Leandro, Calif.

No. MC-29886 (Sub-No. E11), filed May 23, 1974. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample St., South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dump truck bodies*, (1) from points in Michigan to points in Florida, Georgia, South Carolina, North Carolina, West Virginia, Virginia, Maryland, Delaware, New Jersey, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, and the District of Columbia, and points in that part of Pennsylvania east of U.S. Highway 219; (2) from points in that part of Indiana on and north of a line beginning at the Indiana-Illinois State line and extending along U.S. Highway 24 to junction U.S. Highway 224, thence along U.S. Highway 224 to the Ohio-Indiana State line to points in West Virginia, Maryland, Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, the District of Columbia, and points in that part of Pennsylvania east of U.S. Highway 219; (3) from points in that part of Indiana bounded by a line beginning at Illinois-Indiana State line and extending along U.S. Highway 24 to junction U.S. Highway 224, thence along U.S. Highway 24 to junction U.S. Highway 224, thence along U.S. Highway 224 to the Ohio-Indiana State line, thence south along the Ohio-Indiana State line to junction U.S. Highway 50, thence along U.S. Highway 50 to the Illinois-Indiana State line, thence north along the Illinois-Indiana State line to the point of beginning to points in Maine, New Hampshire, Vermont, Rhode Island, Massachusetts, Connecticut, New York, New Jersey, Delaware, the District of Columbia, and points in that part of Pennsylvania on and east of U.S. Highway 219; (4) from points in that part of Indiana on and south of U.S. Highway 50 to points in Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and points in that part of Pennsylvania east of U.S. Highway 219. The purpose of this filing is to eliminate the gateways of Marion, Ohio, in (1) above; Galion, Ohio, in (2) and (3) above, and Galion, Ohio, in (4) above.

No. MC-43670 (Sub-No. E1), filed May 14, 1974. Applicant: DELCHER BROTHERS STORAGE CO., P.O. Box 507, Jacksonville, Fla. 32201. Applicant's representative: Sheldon Silverman, Suite 550, 1819 H St. NW., Wash-

ington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (1) between points in Texas, on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, that part of Ohio on, south, and east of a line beginning at Sandusky, thence along Ohio Highway 4 to junction U.S. Highway 33, thence along U.S. Highway 33 to the Ohio-Indiana State line, that part of Tennessee on and east of a line beginning at the Tennessee-Kentucky State line, thence along U.S. Highway 79 to Clarksville, thence along Tennessee Highway 13 to Cunningham, thence along Tennessee Highway 48 to Dickson, thence along Tennessee Highway 46 to junction Tennessee Highway 100, thence along Tennessee Highway 100 to Linden, thence along Tennessee Highway 13 to junction Tennessee Highway 128, thence along Tennessee Highway 128 to Pickwick Dam, thence along Tennessee Highway 57 to the Tennessee-Mississippi State line, and the District of Columbia (Florence, Ala.)\*; (2) between points in Texas, on the one hand, and, on the other, points in that part of Tennessee east of and including Wayne, Lewis, Hickman, Dickson, and Montgomery Counties, that part of Kentucky east of a line beginning at the Kentucky-Indiana State line, thence along U.S. Highway 41 to junction Alternate U.S. Highway 41, thence along Alternate U.S. Highway 41 to the Kentucky-Tennessee State line, and Adams, Allen, Bartholomew, Clark, Crawford, Dearborn, Decatur, Floyd, Franklin, Harrison, Ohio, Perry, Posey, Randolph, Ripley, Scott, Spencer, Switzerland, Steuben, and De Kalb Counties, Ind. (Florence, Ala.)\*.

(3) Between points in that part of Texas south of a line beginning at the Texas-New Mexico State line, thence along the Texas-New Mexico State line to junction El Paso-Hudspeth County line, thence along the El Paso-Hudspeth County line to junction U.S. Highway 80, thence along U.S. Highway 80 to Big Spring, thence along U.S. Highway 87 to junction Tom Green-Coke County line, thence along the Tom Green-Coke County line, the Tom Green-Runnels County line, and the Tom Green-Concho County line to junction U.S. Highway 87, thence along U.S. Highway 87 to Fredericksburg, thence along U.S. Highway 290 to junction Harris-Waller County line, thence along the Harris-Waller County line, the Harris-Montgomery County line, the Harris-Liberty County line, and the Harris-Chambers County line to junction Interstate Highway 10, thence along Interstate Highway 10 to the Texas-Louisiana State line, on the one hand, and, on the other, points in Indiana, and Cook County, Ill. (Florence, Ala.)\*; (4) between points in Oklahoma, on the one hand, and, on the other, points in that part of Alabama south and east of a line beginning at Mobile, thence

along U.S. Highway 65 to junction Lowndes-Butler County line, thence along the Lowndes-Butler County line, the Lowndes-Crenshaw County line, the Montgomery-Crenshaw County line, the Montgomery-Pike County line, the Bullock-Pike County line, the Bullock-Barbour County line, and the Russell-Barbour County line to the Alabama-Georgia State line, that part of Georgia south of a line beginning at the Georgia-Alabama State line, thence along the Harris-Muscogee County line, and the Talbot-Muscogee County line to junction Georgia Highway 22, thence along Georgia Highway 22 to Geneva, thence along Georgia Highway 96 to junction Georgia Highway 358, thence along Georgia Highway 358 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Effingham-Chatham County line, thence along the Effingham-Chatham County line to the Savannah River, and that part of South Carolina south and east of a line beginning at the South Carolina-Georgia State line, thence along U.S. Highway 17 to junction Alternate U.S. Highway 17, thence along Alternate U.S. Highway 17 to Walterboro, thence along U.S. Highway 15 to Santee, thence along Interstate Highway 95 to the South Carolina-North Carolina State line (points in Florida)\*.

(5) Between points in that part of Oklahoma south and west of a line beginning at the Texas-Oklahoma State line, thence along U.S. Highway 60 to junction U.S. Highway 281, thence along U.S. Highway 281 to junction Interstate Highway 40, thence along Interstate Highway 40 to junction U.S. Highway 81, thence along U.S. Highway 81 to the Oklahoma-Texas State line, on the one hand, and, on the other, points in that part of Alabama east and south of a line beginning at the Alabama-Mississippi State line, thence along the Washington-Mobile County line and the Mobile-Baldwin County line to junction Interstate Highway 65, thence along Interstate Highway 65 to junction Montgomery-Lowndes County line, thence along the Montgomery-Lowndes County line, the Montgomery-Autauga County line, the Montgomery-Elmore County line, and the Montgomery-Macon County line to junction Interstate Highway 85, thence along Interstate Highway 85 to the Alabama-Georgia State line, that part of Georgia south and east of a line beginning at the Alabama-Georgia State line, thence along U.S. Highway 80 to Macon, thence along Georgia Highway 22 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Georgia-South Carolina State line, that part of South Carolina east of a line beginning at the Georgia-South Carolina State line, thence along U.S. Highway 20 to junction U.S. Highway 1, thence along U.S. Highway 1 to the South Carolina-North Carolina State line, that part of North Carolina east of a line beginning at the South Carolina-North Carolina State line, thence along U.S. Highway 1 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction U.S. Highway 85, thence along U.S. Highway 85 to the North Carolina-Virginia State line, that part of Virginia

east and south of a line beginning at the North Carolina State line, thence along thence along Interstate Highway 85 to Petersburg, thence along Virginia Highway 36 to Hopewell, thence along Virginia Highway 36 to junction Virginia Highway 156, thence along Virginia Highway 156 to junction Virginia Highway 5, thence along Virginia Highway 5 to Yorktown (points in Florida)\*.

(6) Between points in Cimmaron, Texas, and Beaver Counties, Oklahoma, on the one hand, and, on the other, points in South Carolina, Jefferson, Orleans, and St. Tammany Parishes, La., Hancock, Harrison, and Jackson Counties, Miss., that part of Alabama south and east of a line beginning at the Alabama-Mississippi State line, thence along the Washington-Mobile County line and the Mobile-Baldwin County line to junction Interstate Highway 65, thence along Interstate Highway 65 to junction Montgomery-Lowndes County line, thence along the Montgomery-Lowndes County line, the Montgomery-Elmore County line, and the Montgomery-Macon County line to junction Interstate Highway 85, thence along Interstate Highway 85 to the Alabama-Georgia State line, that part of Georgia south and east of a line beginning at the Georgia-Alabama State line, thence along U.S. Highway 29 to junction Fulton-Coweta County line, thence along the Fulton-Coweta County line, the Fulton-Carroll County line, the Fulton-Douglas County line, the Cobb-Douglas County line, the Cobb-Paulding County line, the Cobb-Bartow County line, the Cobb-Cherokee County line, the Fulton-Cherokee County line, the Fulton-Forsyth County line, the Fulton-Gwinnett County line, and the Fulton-DeKalb County line to junction U.S. Highway 23, thence along U.S. Highway 23 to the Georgia-North Carolina State line, that part of North Carolina south and east of a line beginning at the North Carolina-South Carolina State line, thence along Interstate Highway 85 to junction U.S. Highway 29, thence along U.S. Highway 29 to the North Carolina-Virginia State line, and that part of Virginia south and east of a line beginning at the Virginia-North Carolina State line, thence along Interstate Highway 85 to Petersburg, thence along Interstate Highway 95 to Richmond, thence along Interstate Highway 64 to junction Virginia Highway 238, thence along Virginia Highway 238 to Chesapeake Bay (points in Florida)\*.

(7) Between points in Maine, on the one hand, and, on the other, points in Louisiana, Texas, that part of Mississippi south of U.S. Highway 82, that part of Alabama south of a line beginning at the Alabama-Mississippi State line, thence along U.S. Highway 80 to Montgomery, thence along Interstate Highway 85 to the Alabama-Georgia State line, and that part of Georgia south of a line beginning at the Georgia-Alabama State line, thence along U.S. Highway 280 to McRae, thence along U.S. Highway 341 to Brunswick (Pensacola, Fla.)\*; (8) between points in Monroe, Lenawee, Wayne, Washtenaw, Oakland, and Mc-

comb Counties, Mich., on the one hand, and, on the other, points in that part of Georgia south of a line beginning at the Georgia-Alabama State line, thence along U.S. Highway 29 to Atlanta, thence along Interstate Highway 85 to the Georgia-South Carolina State line, that part of Alabama south of a line beginning at the Alabama-Mississippi State line, thence along the Mobile-Washington County line, the Baldwin-Washington County line, the Baldwin-Clarke County line, the Baldwin-Monroe County line, and the Baldwin-Escambia County line to junction Interstate Highway 65, thence along Interstate Highway 65 to Montgomery, thence along Interstate Highway 85 to the Alabama-Georgia State line, that part of Mississippi south of and including Greene, Perry, Forrest, Lamar, Marion and Walthall Counties, and that part of Pike County west of Interstate Highway 55, that part of Louisiana south and east of a line beginning at the Louisiana-Texas State line, thence along Louisiana Highway 12 to Ragley, thence along U.S. Highway 190 to Scotlandville, thence along the Mississippi River to the Louisiana-Mississippi State line, and that part of Texas south and east of a line beginning at the Texas-Louisiana State line, thence along Interstate Highway 10 to junction Harris-Chambers County line, thence along the Harris-Chambers County line, the Harris-Liberty County line, the Harris-Montgomery County line, the Harris-Waller County line, and the Harris-Ft. Bend County line to junction U.S. Highway 59, thence along U.S. Highway 59 to Laredo (Greenville, S.C.)\*.

(9) Between points in Michigan, on the one hand, and, on the other, points in that part of Georgia south and east of a line beginning at the Georgia-Alabama State line, thence along U.S. Highway 29 to Atlanta, thence along Interstate Highway 85 to the Georgia-South Carolina State line (Greenville, S.C.)\*; (10) between points in Wisconsin, on the one hand, and, on the other, points in North Carolina, Chesapeake, Hampton, Newport News, Norfolk, Franklin, Portsmouth, Suffolk, and Virginia Beach, Va., Isle of Wight, Nansemond, Southampton, Franklin, Greenville, Brunswick, and Mecklenburg Counties, Va., and that part of Georgia south and east of a line beginning at the Georgia-Alabama State line, thence along U.S. Highway 29 to Atlanta, thence along Interstate Highway 85 to the Georgia-South Carolina State line (Greenville, S.C.)\*; (11) between points in Kansas, on the one hand, and, on the other, points in North Carolina, that part of Georgia south and east of a line beginning at the Georgia-South Carolina State line, thence along Interstate Highway 85 to junction Georgia Highway 15A, thence along Georgia Highway 15A to Athens, thence along U.S. Highway 129/441 to Madison, thence along Georgia Highway 24 to Eatonton, thence along Georgia Highway 44 to Macon, thence along Interstate Highway 75 to the Georgia-Florida State line, and that part of Virginia south and east of a

line beginning at the Virginia-North Carolina State line, thence along Interstate Highway 85 to Petersburg, thence along Interstate Highway 95 to Fredericksburg, thence along Virginia Highway 218 to the Potomac River (Greenville, S.C.)\*.

(12) Between points in that part of Kansas west of a line beginning at the Kansas-Nebraska State line, thence along U.S. Highway 81 to junction Interstate Highway 35W, thence along Interstate Highway 35W to Wichita, thence along Interstate Highway 35 to the Kansas-Oklahoma State line, on the one hand, and, on the other, points in North Carolina, that part of Virginia east and south of Interstate Highway 81, that part of Georgia south and east of a line beginning at the Georgia-South Carolina State line, thence along Interstate Highway 85 to junction Georgia Highway 15A, thence along Georgia Highway 15A to Athens, thence along U.S. Highway 129/441 to Madison, thence along Georgia Highway 24 to Eatonton, thence along Georgia Highway 44 to Macon, thence along Interstate Highway 75 to the Georgia-Florida State line, Baltimore City, Md., and Anne Arundel, Baltimore, and Howard Counties, Md. (Greenville, S.C.)\*; (13) between points in Iowa, on the one hand, and, on the other, points in North Carolina, Chesapeake, Franklin, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, and Virginia Beach, Va., Brunswick, Greenville, Southampton, Sussex, Isle of Wight, and Nansemond Counties, Va., and that part of Georgia south and east of a line beginning at the Georgia-South Carolina State line, thence along Interstate Highway 85 to junction Georgia Highway 15A, thence along Georgia Highway 15A to Athens, thence along U.S. Highway 129/441 to Madison, thence along Georgia Highway 24 to Eatonton, thence along Georgia Highway 44 to Macon, thence along Interstate Highway 75 to the Georgia-Florida State line (Greenville, S.C.)\*.

(14) Between points in Iowa, on the one hand, and, on the other, points in Jefferson, Orleans, Plaquemines, St. Bernard, and St. Tammany Parishes, La., that part of Mississippi south of and including Pearl River, Stone, and George Counties, that part of Alabama south and east of a line beginning at the Alabama-Mississippi State line, thence along the Mobile-Washington County line and the Mobile-Baldwin County line to junction Interstate Highway 65, thence along Interstate Highway 65 to junction Butler-Conceh County line, thence along the Butler-Conceh County line, the Butler-Monroe County line, the Butler-Wilcox County line, the Butler-Lowndes County line, the Crenshaw-Lowndes County line, the Crenshaw-Montgomery County line, the Pike-Montgomery County line, the Pike-Bullock County line, the Barbour-Bullock County line, and the Barbour-Russell County line to the Alabama-Georgia State line, and that part of Georgia south of a line beginning at the Georgia-Alabama State line, thence along U.S.

Highway 82 to Dawson, thence along Georgia Highway 118 to Leslie, thence along U.S. Highway 280 to junction Interstate Highway 16, thence along Interstate Highway 16 to junction Chatham-Effingham County line, thence along the Chatham-Effingham County line to the Georgia-South Carolina State line (Paxton, Fla.) \*;

(15) Between points in Kansas, on the one hand, and, on the other, points in that part of Mississippi east and south of a line beginning at the Mississippi-Louisiana State line, thence along Interstate Highway 59 to junction Lamar-Pearl River County line, thence along the Lamar-Pearl River County line, the Forrest-Pearl River County line, the Forrest-Stone County line, the Perry-Stone County line, the Perry-George County line, and the Greene-George County line to the Mississippi-Alabama State line, that part of Alabama south and east of a line beginning at the Alabama-Mississippi State line, thence along the Mobile-Washington County line and the Mobile-Baldwin County line to junction Interstate Highway 65, thence along Interstate Highway 65 to junction Montgomery-Lowndes County line, thence along the Montgomery-Lowndes County line, the Montgomery-Autauga County line, the Montgomery-Elmore County line, and the Montgomery-Macon County line to junction Interstate Highway 85, thence along Interstate Highway 85 to the Alabama-Georgia State line, and that part of Georgia south of and including Burke, Jefferson, Washington, Baldwin, Jones, Monroe, Lamar, Pike, Meriwether, and Troup Counties (points in Florida) \*.

(16) Between points in Michigan, on the one hand, and, on the other, points in Orange, Jefferson, Hardin, Jasper, and Newton Counties, Tex., that part of Louisiana south of a line beginning at the Louisiana-Texas State line, thence along U.S. Highway 190 to Scotlandville, thence along the Mississippi River to the Gulf of Mexico, and east of the Mississippi River from the Louisiana-Mississippi State line to the Gulf of Mexico, that part of Mississippi east and south of a line beginning at the Mississippi-Louisiana State line, thence along Interstate Highway 55 to junction Pike-Lincoln County line, thence along the Pike-Lincoln County line, the Walthall-Lincoln County line, the Walthall-Lawrence County line, the Marion-Lawrence County line, the Marion-Jefferson Davis County line, the Lamar-Jefferson Davis County line, the Lamar-Covington County line, the Forrest-Covington County line, the Forrest-Jones County line, the Perry-Jones County line, the Perry-Wayne County line, and the Greene-Wayne County line to the Louisiana-Alabama State line, that part of Alabama south of and including Washington, Clarke, Monroe, Butler, Crenshaw, Pike, and Barbour Counties, and that part of Georgia south of and including Quitman, Randolph, Terrill, Lee, Worth, Turner, Irwin, Coffee, Bacon, Pierce, Wayne, and McIntosh Counties

(points in Florida) \*; (17) between points in Wisconsin, on the one hand, and, on the other, points in that part of Louisiana east of a line beginning at the Louisiana-Mississippi State line, thence along U.S. Highway 51 to junction St. John the Baptist-Tangipahoa Parish line, thence along the St. John the Baptist-Tangipahoa Parish line, the St. John the Baptist-Livingston Parish line, the St. John the Baptist-Ascension Parish line, the St. John the Baptist-St. James Parish line, the St. John the Baptist-Lafourche Parish line, the St. Charles-Lafourche Parish line, and the Jefferson-Lafourche Parish line, to the Gulf of Mexico, that part of Mississippi south of and including Pearl River, Stone, and George Counties, that part of Alabama south of and including Washington, Clarke, Monroe, Butler, Crenshaw, Pike, and Barbour Counties, and that part of Georgia south of a line beginning at the Georgia-Alabama State line, thence along the Muscogee-Harris County line and the Muscogee-Talbot County line to junction Georgia Highway 22, thence along Georgia Highway 22 to Geneva, thence along Georgia Highway 96 to junction Interstate Highway 16, thence along Interstate Highway 16 to junction Georgia Highway 29, thence along Georgia Highway 29 to Soperton, thence along Georgia Highway 46 to junction U.S. Highway 80, thence along U.S. Highway 80 to Blitchton, thence along U.S. Highway 280 to junction Interstate Highway 16, thence along Interstate Highway 16 to junction Chatham-Effingham County line, thence along the Chatham-Effingham County line to the Georgia-South Carolina State line (points in Florida) \*; and

(18) Between points in Arkansas, on the one hand, and, on the other, points in that part of Alabama south of a line beginning at the Alabama-Mississippi State line, thence along the Mobile-Washington County line and the Mobile-Baldwin County line to junction Interstate Highway 65, thence along Interstate Highway 65 to junction Conecuh-Escambia County line, thence along the Conecuh-Escambia County line, the Conecuh-Monroe County line, the Conecuh-Butler County line, the Covington-Butler County line, the Covington-Crenshaw County line, the Coffee-Crenshaw County line, the Coffee-Pike County line, the Dale-Pike County line, the Dale-Barbour County line, and the Henry-Barbour County line to the Alabama-Georgia State line, and that part of Georgia south of and including Bryan, Chatham, Crisp, Evans, Lee, Montgomery, Quitman, Randolph, Tattall, Telfair, Terrell, Toombs, Wheeler, and Wilcox Counties (points in Florida) \*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC-52657 (Sub-No. E7), filed April 20, 1974. Applicant: ARCO AUTO CARRIERS, INC., 2140 W. 79th St., Chicago, Ill. 60624. Applicant's representative: S. J. Zangri (same as above). Authority sought to operate as a common

carrier, by motor vehicle, over irregular routes, transporting:

(1) *Motor vehicle bodies*, from Mobile, Ala., to points in California, Connecticut, Delaware, Idaho, those in Illinois north of U.S. Highway 50, Iowa, those in Kentucky east of U.S. Highway 41, Maine, Maryland, Michigan, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, South Dakota, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the District of Columbia;

(2) *New bodies*, without wheels, from Philadelphia, Pa., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming;

(3) *Motor vehicle bodies*, from Philadelphia, Pa., to points in Maine, New Hampshire, and Vermont;

(4) *Truck bodies and trailer bodies*, from De Kalb, Ill., to points in Arizona, Colorado, Montana, New Mexico, Utah, and Wyoming;

(5) *Motor vehicle bodies*, from De Kalb, Ill., to points in California, Idaho, Nevada, Oregon, and Washington;

(6) *Motor vehicle bodies*, from De Kalb, Ill., to points in Maine, New Hampshire, and Vermont;

(7) *Motor vehicle bodies*, from Jacksonville, Fla., to points in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Iowa, Kansas, Kentucky, Maine, Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, Nevada, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming;

(8) *Motor vehicle bodies*, from Jacksonville, Fla., to points in Texas (except that portion of Texas south and east of a line commencing at the Texas-Louisiana State line near Loraine, Tex., west on U.S. Highway 20 to junction Texas Highway 31 near Longview, thence southwest on Texas Highway 31 to junction U.S. Highway 35 at Waco, thence south on U.S. Highway 35 to junction U.S. Highway 190 at Belton, thence west on U.S. Highway 190 to junction U.S. Highway 281 at Lampasas, thence south on U.S. Highway 281 to junction Texas Highway 29 at Burnet, thence west on Texas Highway 29 to junction U.S. Highway 377 at Mason, thence southwest on U.S. Highway 377 to the United States-Mexico International Boundary line near Del Rio, Tex.);

(9) *Truck and trailer bodies*, from East Peoria, Ill., to points in Maine, New Hampshire, and Vermont;

(10) *Bodies*, from East Peoria, Ill., to points in Minnesota;

(11) *Truck bodies*, from East Peoria, Ill., to points in Alabama, Arkansas, Florida, Georgia, Kansas, Louisiana, Mississippi, Oklahoma, Tennessee, and Texas;

(12) *Bodies*, from East Peoria, Ill., to points in Connecticut, Delaware, Maryland, Massachusetts, Michigan, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina,

Virginia, West Virginia, and the District of Columbia;

(13) *Truck bodies and trailer bodies*, from East Peoria, Ill., to points in Arizona, California, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming;

(14) *New bodies, without wheels*, from East Peoria, Ill., to points in Ohio;

(15) *New bodies, without wheels*, from East Peoria, Ill., to points in Kentucky (except that portion of Kentucky west of a line commencing at the Kentucky-Indiana State line near Brandenburg, and extending south on Kentucky Highway 79 to junction U.S. Highway 431 at Russellville, thence south along U.S. 431 to the Kentucky-Tennessee State line);

(16) *New bodies, without wheels*, from Wooster, Ohio, to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming;

(17) *Motor Vehicle bodies*, from Wooster, Ohio, to points in Maine, New Hampshire, and Vermont;

(18) *Motor vehicle bodies*, from New Orleans, La., to points in Connecticut, Delaware, Idaho, those in Kentucky east of a line beginning at the Kentucky-Tennessee State line and extending along Kentucky Highway 139 to junction Kentucky Highway 293, thence over Kentucky Highway 293 to junction Alternate U.S. Highway 41, thence over Alternate U.S. Highway 41 to junction U.S. Highway 41, thence over U.S. Highway 41 to the Kentucky-Indiana State line, Maine, Maryland, Michigan, Minnesota, Montana, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, Vermont, Virginia, Washington, West Virginia, and Wisconsin;

(19) *Motor vehicle bodies*, from New Orleans, La., to points in Illinois (except that portion of Illinois south of Illinois Highway 9 commencing at the Illinois-Indiana State line near Hoopeston, thence west on Illinois Highway 9 to the Illinois-Iowa State line near Dallas City);

(20) *Motor vehicle bodies*, from New Orleans, La., to points in South Dakota (except that portion of South Dakota lying east of a line commencing with South Dakota Highway 47 at the North Dakota-South Dakota State line, south on South Dakota Highway 47 to junction South Dakota Highway 10, thence west on South Dakota Highway 10 to junction South Dakota Highway 47 at Eureka, thence south on South Dakota Highway 47 to the South Dakota-Nebraska State line);

(21) *Truck bodies*, from New Orleans, La., to points in Massachusetts and Rhode Island;

(22) *Truck and trailer bodies*, from Gary, Ind., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming;

(23) *Motor vehicle bodies*, from Gary, Ind., to points in Maine, New Hampshire, and Vermont;

(24) *Motor vehicle bodies*, from Akron, Ohio, to points in Maine, Vermont, and New Hampshire;

(25) *New bodies, without wheels*, from Akron, Ohio, to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming;

(26) *New bodies, without wheels*, from New York, N.Y., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming; and

(27) *New foreign-made automobiles*, in secondary movements, in truckaway service, from points in Ohio to points in Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming. The purpose of this filing is to eliminate the gateways of Ft. Payne, Ala., in (1), (7), (8), (18), (19) and (20); Marion, Ohio, in (2), (16), (25) and (26); Lansdale, Pa., in (3); Cedar Rapids, Iowa, in (4) and (13); Streator, Ill., in (5), (14), and (15); Buffalo, N.Y., in (6), (17), (23) and (24); Michigan City, Ind., in (9) and (22); DeKalb, Ill., in (10); Jerseyville, Ill., in (11); Gary, Ind., in (12); Exeter, Pa., in (21); and Kenosha, Wis., or Kansas City, Mo., in (27).

No. MC-63417 (Sub-No. E18), (Correction), filed June 4, 1974, published in the FEDERAL REGISTER August 14, 1974. Applicant: BLUE RIDGE TRANSFER COMPANY, INC., 1814 Hollins Road NE., Roanoke, Va. 24001. Applicant's representative: Nancy Pyeatt, 1030 Fifteenth St. NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New Furniture*, from points in New York, Pennsylvania, and in that part of West Virginia on, east, and north of a line beginning at the Pennsylvania-West Virginia State line, and extending along U.S. Highway 19 to junction West Virginia Highway 39, thence along West Virginia Highway 39 to the West Virginia-Virginia State line, to points in Louisiana, Mississippi, and Texas. The purpose of this filing is to eliminate the gateways of Rocky Mount, Va., and Macon, Ga. The purpose of this correction is to reflect the complete description of the origin territory.

No. MC-63417 (Sub-No. E29), (Correction), filed June 4, 1974, published in the FEDERAL REGISTER August 14, 1974. Applicant: BLUE RIDGE TRANSFER COMPANY, INC., 1814 Hollins Road NE., Roanoke, Va. 24001. Applicant's representative: Nancy Pyeatt, 1030 Fifteenth St. NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Atlanta, Ga., to points in that part of Virginia east of a line beginning at the Virginia-West Virginia State line, thence along Virginia Highway 311 to junction U.S. Highway 220, thence along U.S. Highway 220 to the Virginia-North Carolina State line. The purpose of this filing is to eliminate the

gateway of Stanleytown, Va. The purpose of this correction is to establish the correct docket number—previously published as MC-100666 (Sub-No. E59).

No. MC-76177 (Sub-No. E42), filed April 15, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32nd Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives, and blasting supplies*, between points in Ohio and West Virginia on the one hand, and, on the other, points in Missouri both south of U.S. Highway 36 and north of Interstate Highway 44. The purpose of this filing is to eliminate the gateway of Grafton, Ill.

No. MC-83539 (Sub-No. E3) (Correction), filed May 11, 1974, published in the FEDERAL REGISTER June 19, 1974. Applicant: C & H TRANSPORTATION CO., INC., 2010 West Commerce St., Dallas, Tex. 75208. Applicant's representative: Kenneth Weeks (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 and *related machinery parts and related contractors' materials and supplies* when their transportation is incidental to the transportation by the carrier of commodities which, because of size or weight, requires the use of special equipment; (A) between points in Delaware, on the one hand, and, on the other, (1) points in Arizona and New Mexico (Philadelphia, Pa., and points in Texas)\*, (2) points in Idaho, Oregon, and Washington (Philadelphia, Pa., and Butte, Mont.)\*, and (3) points in Montana, North Dakota, South Dakota, Texas, Wyoming, New Jersey, New York, and those parts of Pennsylvania (a) on and east of a line beginning at Philadelphia, thence along Pennsylvania Highway 309 to Wilkes-Barre, thence along Interstate Highway 81 to the Pennsylvania-New York State line, and (b) on and west of U.S. Highway 219 (Philadelphia, Pa.)\*; (B) between the District of Columbia, on the one hand, and, on the other, (1) points in Arizona and New Mexico (Philadelphia, Pa., and points in Texas)\*, (2) points in Idaho, Oregon, and Washington (Philadelphia, Pa., and Butte, Mont.)\*, (3) points in Montana, New Jersey, North Dakota, South Dakota, Texas, and Wyoming (Philadelphia, Pa.)\*; and (4) points in Oklahoma (Philadelphia and Braddock, Pa.)\* . . . The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this partial correction is to add Pennsylvania points under (A)(3) above and to add points in Oklahoma under (B)(4) above. The remainder of the letter-notice remains as previously published.

No. MC-86913 (Sub-No. E6), filed May 20, 1974. Applicant: EASTERN

MOTOR LINES, INC., Box 649, Warrenton, N.C. 27589. Applicant's representative: Edward G. Villalon, Suite 1032, Pennsylvania Ave. and 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hard board* (1) between points in North Carolina, on the one hand, and, on the other, points in Delaware, New Jersey, that part of Virginia east of Interstate Highway 95 and north of a line beginning at the junction of Interstate Highway 95 and Virginia Highway 40, thence along Virginia Highway 40 to junction Virginia Highway 10, thence along Virginia Highway 10 to junction unnumbered highway at or near Surrey, thence along said unnumbered highway to Scotland, that part of Maryland east of Interstate 95, that part of Pennsylvania east of a line beginning at the Pennsylvania-Delaware State line, thence along U.S. Highway 202 to junction Pennsylvania Turnpike Northeast Extension, thence along Pennsylvania Turnpike Northeast Extension to junction Interstate Highway 81, thence along Interstate Highway 81 to the Pennsylvania-New York State line, and that part of New York east of a line beginning at the New York-Pennsylvania State line, thence along Interstate Highway 81 to junction New York Highway 48, thence along New York Highway 48 to Oswego; and (2) from points in North Carolina to points in Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine. The purpose of this filing is to eliminate the gateway of Murfreesboro, N.C.

No. MC-95540 (Sub-No. E219), filed April 28, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in Arizona on and south of a line beginning at the Arizona-New Mexico State line and extending along Arizona Highway 26 to Tuba City; thence along U.S. Highway 160 to its junction with U.S. Highway 64; thence along U.S. Highway 64 to its junction with Interstate 40; thence along Interstate 40 to its junction with U.S. Highway 93, thence along U.S. Highway 93 to the Arizona-Nevada State line, to points in Pennsylvania on and east of a line beginning at the Pennsylvania-New York State line and extending along Interstate 81 to its junction with U.S. Highway 315; thence U.S. Highway 315 to its junction with Interstate 81, thence along Interstate 81 to Harrisburg; thence along U.S. Highway 15 to the Pennsylvania-Maryland State line. The purpose of this filing is to eliminate the gateway of Dothan, Ala.

No. MC-95540 (Sub-No. E220), filed April 28, 1974. Applicant: WATKINS

MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in Arizona to Baltimore, Md. The purpose of this filing is to eliminate the gateway of Dothan, Ala.

No. MC-95540 (Sub-No. E252), filed April 28, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Chickasha, Okla., to points in West Virginia. The purpose of this filing is to eliminate the gateway of Florence, Ala.

No. MC-95540 (Sub-No. E261), filed May 3, 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 packing house and frozen dairy products, frozen eggs, and frozen poultry*, restricted to commodities which are fit for human consumption, from Moultrie, Ga., to points in West Virginia on, north, and east of a line beginning at the West Virginia-Virginia State line and extending along U.S. Highway 33 to its junction with U.S. Highway 250 to its junction with West Virginia Highway 76; thence along West Virginia Highway 76 to Clarksburg; thence along U.S. Highway 19 to its junction with West Virginia Highway 20; thence along West Virginia Highway 20 to the Ohio-West Virginia State line. The purpose of this filing is to eliminate the gateway of Rocky Mount, N.C.

No. MC-95540 (Sub-No. E262), filed May 3, 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 points in California, to points in Pennsylvania (except Philadelphia, and points in its commercial zone). The purpose of this filing is to eliminate the gateway of Florence, Ala.

No. MC-95540 (Sub-No. E265), filed May 3, 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 Tifton, Ga., to points in Ohio on

and north of a line beginning at the Ohio-Pennsylvania State line and extending along Ohio State Highway 14-14A to Salem; thence along Ohio State Highway 173 to Alliance; thence along U.S. Highway 62 to Canton; thence along U.S. Highway 30 to its junction with U.S. Highway 30S; thence along U.S. Highway 30S to Marion; thence along Ohio Highway 4 to Dayton; thence along U.S. Highway 35 to its junction with Ohio Highway 122; thence along Ohio Highway 122 to the Indiana-Ohio State line. The purpose of this filing is to eliminate the gateway of Florence, Ala.

No. MC-95540 (Sub-No. E464), (Correction), filed May 15, 1974, published in the FEDERAL REGISTER August 14, 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* (except in bulk, in tank vehicles), from Buffalo, N.Y., to points in New Mexico on and south of a line beginning at the New Mexico-Texas State line and extending along U.S. Highway 66 to its junction with New Mexico Highway 104 to Las Vegas, thence along Interstate Highway 25 to its junction with U.S. Highway 285, thence along U.S. Highway 285 to its junction with New Mexico Highway 4, thence along New Mexico Highway 4 to its junction with New Mexico Highway 126, thence along New Mexico Highway 126 to its junction with New Mexico Highway 44, thence along New Mexico Highway 44 to the New Mexico-Colorado State line. The purpose of this filing is to eliminate the gateway of points in Tennessee (except Memphis, Tenn., and points in the commercial zone thereof). The purpose of this correction is to establish the correct "E" number—previously published as E404.

No. MC-95540 (Sub-No. E507), (Correction), filed May 16, 1974, published in the FEDERAL REGISTER August 6, 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, and coconuts and pineapples*, when moving in the same vehicle and at the same time with bananas, from Milford, Pa., to points in California on and south of a line beginning at the California-Nevada State line, and extending along Interstate Highway 10 to its junction with U.S. Highway 101, thence along U.S. Highway 101 to Ventura. The purpose of this filing is to eliminate the gateways of Jacksonville, Fla., and Gulfport, Miss. The purpose of this correction is to clarify the destination territory.

No. MC-95540 (Sub-No. E572), filed May 15, 1974. Applicant: WATKINS

MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meats, meat products, and meat by-products* and articles distributed by meat packinghouses, as described in lists A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except canned goods as set forth in List C of the Appendix), and restricted to those commodities which are fit for human consumption, from Cincinnati, Ohio, to points in Georgia extending on and south of a line beginning at the Georgia-Alabama State line and extending along Georgia Highway 6, thence along Georgia Highway 6 to its junction with Georgia Highway 92, thence along Georgia Highway 92 to its junction with Georgia Highway 372, thence along Georgia Highway 372 to its junction with U.S. Highway 19, thence along U.S. Highway 19 to its junction with Georgia Highway 120, thence along Georgia Highway 120 to its junction with U.S. Highway 29, thence along U.S. Highway 29 to junction with Georgia Highway 72, thence along Georgia Highway 72 to the Georgia-South Carolina State line. The purpose of this filing is to eliminate the gateway of Gainesville, Ga.

No. MC-95540 (Sub-No. E618), 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 and 766, from Detroit, Mich., to points in Arizona. The purpose of this filing is to eliminate the gateway of points in Alabama.

No. MC-95540 (Sub-No. 652), filed May 11, 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*, not coldpack or frozen, from Red Creek, Waterloo, Rushville, Penn Yan, Egypt, Fairport, Lyons, Newark, and Syracuse, N.Y. to points in Georgia on and east of a line beginning at the Georgia-Alabama State line and extending along Interstate Highway 85, to its junction with U.S. Highway 23 thence along U.S. Highway 23, to junction with Georgia Highway 60; thence along Georgia Highway 60 to Dahlonaga; thence along Georgia Highway 9 to its junction with U.S. Highway 19/129 thence along U.S. Highway 19/129 to Blairsville; thence along Georgia Highway 11 to the Georgia-North Caro-

lina State line. The purpose of this filing is to eliminate the gateway of points in Delaware, south of the Chesapeake and Delaware Canal.

No. MC-103051 (Sub-No. E2), filed May 19, 1974. Applicant: FLEET TRANSPORT COMPANY, INC., P.O. Box 90408, Nashville, Tenn. 37209. Applicant's representative: Russell E. Stone (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid tallow, animal oils, animal fats, animal greases, and animal oils blended with vegetable oils*, in bulk, in tank vehicles, from points in North Carolina to points in Alabama and Florida, eliminating the gateway of Clarke County, Ga. (2) *Liquid tallow, animal oils, animal fats, animal greases, and animal oils blended with vegetable oils*, in bulk, in tank vehicles, from points in South Carolina to points in Alabama, eliminating the gateway of Clarke County, Ga. (3) *Animal oils and animal oils blended with vegetable oils* from points in Alabama to points in North Carolina, New York (except Rochester), Virginia Kentucky (except Jefferson County), Michigan, Illinois (except Jacksonville and points within 5 miles thereof, Champaign and Chicago), Indiana, Ohio (except Columbus and Cincinnati), and Pennsylvania. (4) *Animal oils and animal oils blended with vegetable oils*, in bulk, in tank vehicles, from points in Mississippi to points in North Carolina, New York (except Rochester), Virginia, Kentucky (except Jefferson County), Michigan, Pennsylvania, eliminating the gateway of Chattanooga, Hamilton County, Tenn. The purpose of this filing is to eliminate the gateways of Clarke County, Ga. in proposals numbers 1 and 2 above; and Chattanooga, Tenn. in proposals 3 and 4 above.

No. MC-106775 (Sub-No. E1), filed May 21, 1974. Applicant: ATLAS TRUCK LINE, INC., P.O. Box 9848, Houston, Tex. 77015. Applicant's representative: James McCurdy (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe*, other than oilfield pipe as described in *Mercer Extension*, 74 M.C.C. 459, from the plantsite and warehouse facilities of Jones and Laughlin Steel Corporation at or near Gainesville, Tex., to points in the commercial zone thereof as defined by the commission, Georgia, Florida, and Tennessee (except Memphis and points in the commercial zone thereof as defined by the Commission). The purpose of this filing is to eliminate the gateway of Lone Star, Tex.

No. MC-106775 (Sub-No. E2), filed May 21, 1974. Applicant: ATLAS TRUCK LINE, INC., P.O. Box 9848, Houston, Texas 77015. Applicant's representative: James McCurdy (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tubing*, other than oil field tubing, from the plantsite of Gulf States Tube Corporation at Rosen-

berg, Tex., to points in Alabama (except Mobile and points in the commercial zone thereof as defined by the Commission), Georgia, Florida, and Tennessee (except Memphis, and points in the commercial zone thereof as defined by the Commission). The purpose of this filing is to eliminate the gateway of Lone Star, Tex.

No. MC-106775 (Sub-No. E3), filed May 21, 1974. Applicant: ATLAS TRUCK LINE, INC., P.O. Box 9848, Houston, Tex. 77015. Applicant's representative: James McCurdy (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement asbestos pipe*, from Hillsboro, Texas to (a) points in Alabama on and north of a line beginning at the Mississippi-Alabama State line and extending along Alabama Highway 118 to its junction with U.S. Highway 78, thence along U.S. Highway 78 to the Alabama-Georgia State line; (b) points in that part of Florida on, south and east of a line beginning at West Coast line of Florida, and extending along Florida Highway 50 to its junction with Interstate Highway 4, thence along Interstate Highway 4 to the East Coast of Florida; (c) points in that part of Georgia on, north and east, of a line beginning at the Alabama-Georgia State line, and extending along Georgia Highway 18 to its junction with Georgia Highway 27, thence along Georgia Highway 27 to its junction with Georgia Highway 190, thence along Georgia Highway 190 to its junction with Georgia Highway 41, thence along Georgia Highway 41 to its junction with Georgia Highway 80, thence along Georgia Highway 80 to its junction with Interstate Highway 16, thence along Interstate Highway 16 to the East Coast of Georgia; (d) points in Illinois, Indiana, Kentucky, Tennessee, South Dakota, North Dakota, Missouri, and Montana; (e) points in Nebraska on, north and east of a line beginning at the Wyoming-Nebraska State line, and extending along Nebraska Highway 20 to its junction with U.S. Highway 275, thence along U.S. Highway 275 to its junction with U.S. Highway 77, thence along U.S. Highway 77 to its intersection at the Nebraska-Kansas State line; (f) points in Wyoming, on and north of a line beginning at the Utah-Wyoming State line, and extending along Wyoming Highway 89 to its junction with U.S. Highway 189, thence along U.S. Highway 189 to its junction with U.S. Highway 187, thence along U.S. Highway 187 to its junction with Wyoming Highway 28, thence along Wyoming Highway 28 to its junction with Wyoming Highway 289, thence along Wyoming Highway 289 to its junction with U.S. Highway 26, thence along U.S. Highway 26 to its junction with U.S. Highway 25, thence along U.S. Highway 25 to its junction with U.S. Highway 20, thence along U.S. Highway 20 to its intersection at the Wyoming-Nebraska State line. The purpose of this filing is to eliminate the gateway of Van Buren, Ark.

No. MC-107515 (Sub-No. E57), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in vehicles equipped with mechanical refrigeration, from Milton, Pa., to points in Arkansas and Texas, that part of Oklahoma on and south of a line beginning at the Texas-Oklahoma State line, thence along Oklahoma Highway 15 to Foreman, thence along U.S. Highway 60 to Enid, thence along U.S. Highway 64 to Tulsa, thence along U.S. Highway 66 to Claremore, thence along Oklahoma Highway 20 to the Oklahoma-Arkansas State line, and that part of Utah on and south of a line beginning at the Colorado-Utah State line, thence along the White River to junction with an unnamed road to Ouray, thence along Utah Highway 88 to Fort Duchesne, thence along U.S. Highway 40 to Heber City, thence along U.S. Highway 189 to Provo, thence along U.S. Highway 50 to Salt Lake City, thence along Interstate Highway 80 to the Utah-Nevada State line, restricted to traffic originating at the named origin. The purpose of this filing is to eliminate the gateway of Florence, Ala.

No. MC-107515 (Sub-No. 80), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meat*, in vehicles equipped with mechanical refrigeration, from Philadelphia, Pa., to points in Indiana and Illinois (except that no service is authorized to Chicago, Ill., or that part of Illinois within 10 miles of Chicago not included within the commercial zone). The purpose of this filing is to eliminate the gateway of Sturgis, Mich.

No. MC-107515 (Sub-No. E81), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in vehicles equipped with mechanical refrigeration, from Philadelphia, Pa., to points in Idaho, Utah, and Nevada. The purpose of this filing is to eliminate the gateways of (1) Richmond, Va., and (2) Gainesville, Ga.

No. MC-107515 (Sub-No. E82), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Frozen foods*, from Tulsa, Okla., to that part of Ohio on and east of a line beginning at the Ohio-Kentucky State line at Ironton, thence over Ohio Highway 93 to junction Ohio Highway 346 at Jackson, thence over Ohio Highway 346 to junction Ohio Highway 13, thence over Ohio Highway 13 to junction Ohio Highway 78 at Glouster, thence over Ohio Highway 78 to junction Interstate Highway 77, thence over Interstate Highway 77 to junction Ohio Highway 800, thence over Ohio Highway 800 to junction Ohio Highway 183, thence over Ohio Highway 183 to junction U.S. Highway 30, thence over U.S. Highway 30 to junction Ohio Highway 9, thence over Ohio Highway 9 to junction U.S. Highway 62, thence over U.S. Highway 62 to junction U.S. Highway 224, thence over U.S. Highway 224, to the Ohio-Pennsylvania State line. The purpose of this filing is to eliminate the gateway of Florence, Ala.

No. MC-107515 (Sub-No. E94), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in vehicles equipped with mechanical refrigeration, from York, Pa., to points in that part of Idaho on and south of Interstate Highway 80N. The purpose of this filing is to eliminate the gateways of (1) Richmond, Va., and (2) Gainesville, Ga.

No. MC-107515 (Sub-No. E97), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk), and frozen foods, from York, Pa., to points in Alabama, Georgia, Florida, Tennessee, Louisiana, Mississippi, and Kentucky on and south of Interstate Highway 64 restricted to transportation in vehicles equipped with mechanical refrigeration. The purpose of this filing is to eliminate the gateway of Richmond, Va.

No. MC-107515 (Sub-No. E98), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. 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 (except

liquid commodities in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, from Scranton, Pa., to points in that part of Texas on and south of Interstate Highway 40. The purpose of this filing is to eliminate the gateways of (1) Richmond, Va., and (2) Montgomery, Ala.

No. MC-107515 (Sub-No. E102), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen bakery goods*, from Allentown, Pa., to Minneapolis, Minn. The purpose of this filing is to eliminate the gateway of Frankfort, Mich.

No. MC-107515 (Sub-No. E103), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meats*, in vehicles equipped with mechanical refrigeration, from Philadelphia, Pa., to points in Nevada, Utah, and that part of Idaho on and south of a line beginning at the Wyoming-Idaho State line, thence along U.S. Highway 30 to junction Interstate Highway 15W, thence along Interstate Highway 15W to Pocatello, thence along Interstate Highway 15 to junction U.S. Highway 80N, thence along U.S. Highway 80N to the Idaho-Oregon State line. The purpose of this filing is to eliminate the gateways of (1) Jackson, Ohio, and (2) Florence, Ala.

No. MC-107515 (Sub-No. E104), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meats*, in vehicles equipped with mechanical refrigeration, from Philadelphia, Pa., to that part of Tennessee on and west of U.S. Highway 27. The purpose of this filing is to eliminate the gateway of Columbus, Ohio.

No. MC-107515 (Sub-No. E106), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Chambersburg, Pa., to points in Nevada, and that portion of Idaho on and south of a line beginning at the Idaho-Wyoming State line, thence along Idaho Highway 33 to junction U.S. Highway 20/191, thence along U.S. Highway 20/191 to junction Idaho Highway 88,

thence along Idaho Highway 88 to junction Alternate U.S. Highway 93, thence along Alternate U.S. Highway 93 to junction U.S. Highway 93, thence along U.S. Highway 93 to junction Idaho Highway 21, thence along Idaho Highway 21 to junction Idaho Highway 55, thence along Idaho Highway 55 to junction U.S. Highway 95, thence along U.S. Highway 95 to the Idaho-Washington State line. The purpose of this filing is to eliminate the gateway of Florence, Ala.

No. MC-107515 (Sub-No. E107), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 30050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Chickasha, Okla., to points in Kentucky on and east of a line beginning at the Kentucky-Missouri State line, thence over U.S. Highway 60 to junction U.S. Highway 231, thence over U.S. Highway 231 to the Kentucky-Ohio State line, and that part of Ohio on and east of a line beginning at the Ohio-Indiana State line, thence over U.S. Highway 40 to junction Interstate Highway 75, thence over Interstate Highway 74 to the Ohio-Michigan State line. The purpose of this filing is to eliminate the gateway of Florence, Ala.

No. MC-107515 (Sub-No. E111), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in vehicles equipped with mechanical refrigeration, from Chambersburg, Pa., to points in Minnesota, Missouri, that part of Illinois on and south of a line beginning at the Illinois-Indiana State line, thence along U.S. Highway 15 to junction Illinois Highway 133, thence along Illinois Highway 133 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction Illinois Highway 10/47, thence along Illinois Highway 10/47 to junction Illinois Highway 48, thence along Illinois Highway 48 to junction Interstate Highway 74, thence along Interstate Highway 74 to junction Interstate Highway 55, thence along Interstate Highway 55 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction Interstate Highway 74, thence along Interstate Highway 74 to the Mississippi River, that part of Wisconsin on and north of a line beginning at the Mississippi River, thence along Interstate Highway 90 to junction Wisconsin Highway 108, thence along Wisconsin Highway 108 to junction Wisconsin Highway 71, thence along Wisconsin Highway 71 to junction Wisconsin Highway 27, thence along Wisconsin Highway 27 to

junction Wisconsin Highway 54, thence along Wisconsin Highway 54 to junction Wisconsin Highway 80, thence along Wisconsin Highway 80 to junction Wisconsin Highway 13, thence along Wisconsin Highway 13 to junction Wisconsin Highway 153, thence along Wisconsin Highway 153 to junction Wisconsin Highway 107, thence along Wisconsin Highway 107 to junction Wisconsin Highway 64, thence along Wisconsin Highway 64 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction U.S. Highway 8, thence along U.S. Highway 8 to the Wisconsin-Michigan State line, that part of Iowa on and west of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 52 to junction Iowa Highway 150, thence along Iowa Highway 150 to junction Iowa Highway 3, thence along Iowa Highway 3 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Iowa Highway 13, thence along Iowa Highway 13 to junction U.S. Highway 151, thence along U.S. Highway 151 to junction U.S. Highway 218, thence along U.S. Highway 218 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Iowa Highway 70, thence along Iowa Highway 70 to junction Iowa Highway 22, thence along Iowa Highway 22 to the Mississippi River, and that part of Indiana on and south of a line beginning at the Kentucky-Indiana State line, thence along Indiana Highway 7 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction Indiana Highway 252, thence along Indiana Highway 252 to junction Indiana Highway 67, thence along Indiana Highway 67 to junction U.S. Highway 231, thence along Indiana Highway 231 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Indiana-Illinois State line. The purpose of this filing is to eliminate the gateway of the plant site of Food Specialties of Kentucky, Division of Oscar Ewing, Inc., in Jefferson County, Ky.

No. MC-107515 (Sub-No. E112), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Prattville, N.Y., to points in Arkansas, Oklahoma, and Texas. The purpose of this filing is to eliminate the gateway of Florence, Ala.

No. MC-107515 (Sub-No. E114), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts*, as de-

scribed in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 (except commodities in bulk), in vehicles equipped with mechanical refrigeration, from New York, N.Y., to points in Texas and those parts of Oklahoma and Arkansas on and south of Interstate Highway 40. The purpose of this filing is to eliminate the gateways of (1) Richmond, Va., and (2) Montgomery, Ala.

No. MC-107515 (Sub-No. E115), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, and meats, meat products, and meat byproducts* as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from New York, N.Y., to points in Georgia, Alabama, Florida, Mississippi, Tennessee, Louisiana, and Kentucky. The purpose of this filing is to eliminate the gateway of Richmond, Va.

No. MC-107515 (Sub-No. E117), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Seabrook, N.J., to points in Idaho, Nevada, and Utah. The purpose of this filing is to eliminate the gateways of (1) Jackson or Columbus, Ohio and (2) Florence, Ala.

No. MC-107515 (Sub-No. E118), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Seabrook, N.J., to points in Alabama. The purpose of this filing is to eliminate the gateway of Jackson, or Columbus, Ohio.

No. MC-107515 (Sub-No. E119), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Vineland and Swedesboro, N.J., to points in Nevada, Utah, and that part of Idaho on and south of a line beginning at the Oregon-Idaho State line, thence along Interstate

Highway 80 to junction Interstate Highway 15W, thence along Interstate Highway 15W to Idaho Falls, thence along U.S. Highway 20 to the Idaho-Montana State line. The purpose of this filing is to eliminate the gateways of (1) Jackson, Ohio, and (2) Florence, Ala.

No. MC-107515 (Sub-No. E120), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, from Buffalo, N.Y., to points in Missouri, that part of Indiana on and south of a line beginning at the Indiana-Ohio State line, thence along Indiana Highway 46 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Indiana-Illinois State line, that part of Illinois on and south of a line beginning at the Illinois-Indiana State line, thence along U.S. Highway 40 to junction Illinois Highway 133, thence along Illinois Highway 133 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Illinois Highway 125, thence along Illinois Highway 125 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Illinois Highway 101/61, thence along Illinois Highway 101/61 to junction Illinois Highway 94, thence along Illinois Highway 94 to junction U.S. Highway 136, thence along U.S. Highway 136 to the Mississippi River, and that part of Iowa on and south of a line beginning at the Mississippi River, thence along U.S. Highway 218 to junction Iowa Highway 2, thence along Iowa Highway 2 to junction Iowa Highway 14, thence along Iowa Highway 14 to junction U.S. Highway 34, thence along U.S. Highway 34 to the Iowa-Nebraska State line. The purpose of this filing is to eliminate the gateway of the plantsite of Food Specialties of Kentucky, Division of Oscar Ewing, Inc., in Jefferson County, Ky.

No. MC-107515 (Sub-No. E130), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen bakery products*, from Seabrook, Glassboro, Haddonfield, Vineland, and Swedesboro, N.J., to points in Colorado. The purpose of this filing is to eliminate the gateway of the plantsite of Chef-Pierce, Inc., at Traverse City, Mich.

No. MC-107515 (Sub-No. E356), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's

representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cheese*, from Green Bay, Wis., to points in Florida. The purpose of this filing is to eliminate the gateway of Atlanta, Ga.

No. MC-107515 (Sub-No. E357), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh and cured meats*, from Cudahy, Wis., to points in Florida. The purpose of this filing is to eliminate the gateway of Atlanta, Ga.

No. MC-110525 (Sub-No. E301), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Maryland to points in Wyoming. The purpose of this filing is to eliminate the gateways of S. Charleston, W.Va., and Addyston, Ohio.

No. MC-110525 (Sub-No. E756), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in Virginia to points in Wisconsin. The purpose of this filing is to eliminate the gateway of S. Charleston, W. Va.

No. MC-112822 (Sub-No. E98), filed May 17, 1974. Applicant: BRAY LINES INCORPORATED, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Robert A. Stone (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in containers, from points in that part of Kansas on and west of U.S. Highway 169 to points in Alabama, Arkansas, Louisiana, Mississippi, and points in that part of Missouri on, south, and east of a line beginning at the Illinois-Missouri State line and extending along U.S. Highway 50 to Jefferson City, thence along U.S. Highway 54 to Camdenton, thence along Missouri Highway 5 to Lebanon, thence along U.S. Highway 66 to Springfield, thence along U.S. Highway 65 to the Missouri-Arkansas State line (except points in the St. Louis, Mo., Commercial Zone, as defined by the Commission. The purpose of this filing is to eliminate the gateways of Coffey-

ville, El Dorado, Wichita, or Kansas City, Kans.

No. MC-112822 (Sub-No. E111), filed May 17, 1974. Applicant: BRAY LINES INCORPORATED, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Robert A. Stone (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in containers, from points in that part of Missouri-Kansas State line and extending along U.S. Highway 50 to Jefferson City, thence along U.S. Highway 54 to Camdenton, thence along Missouri Highway 5 to Lebanon, thence along U.S. Highway 66 to Sorngfield, thence along U.S. Highway 65 to the Missouri-Arkansas State line to points in Colorado. The purpose of this filing is to eliminate the gateway of El Dorado, Kans.

No. MC-113362 (Sub-No. E22), filed May 14, 1974. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, Ia. 50533. Applicant's representative: Milton D. Adams, P.O. Box 562, Austin, Minn. 55912. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meat*, (1) from Austin and Albert Lea, Minn., and points in Connecticut, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont (points in that part of Kossuth County, Iowa, within 15 miles of Elmore, Minn., and Cedar Rapids, Iowa),\* and (2) from points in Kossuth County, Iowa to points in Connecticut, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont (points in that part of Faribault County, Minn., within 15 miles of Elmore, Minn., and Cedar Rapids, Iowa)\*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC-113362 (Sub-No. E23), filed May 14, 1974. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, Ia. 50533. Applicant's representative: Milton D. Adams, P.O. Box 562, Austin, Minn. 55912. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between Austin and Albert Lea, Minn., on the one hand, and, on the other, points in that part of Iowa on and west of a line beginning at the Iowa-Missouri State line, thence along Interstate Highway 35 to junction Iowa Highway 141, thence along Iowa Highway 141 to junction Iowa Highway 17, thence along Iowa Highway 17 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction Iowa

Highway 111, thence along Iowa Highway 111 to junction Iowa Highway 254, thence along Iowa Highway 254 to the Iowa-Minnesota State line; (2) between Albert Lea, Minn., on the one hand, and, on the other, points in that part of Minnesota on and west of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 71 to junction Minnesota Highway 72 to the International Boundary line between the United States and Canada; (3) between Austin, Minn., on the one hand, and, on the other, points in that part of Minnesota on and west of a line beginning at the Iowa-Minnesota State line, thence along Minnesota Highway 34 to junction U.S. Highway 27, thence along U.S. Highway 27 to junction Minnesota Highway 72, thence along Minnesota Highway 72 to the International Boundary line between the United States and Canada; (4) between points in Faribault County, Minn., on the one hand, and, on the other, points in that part of Iowa on, west, and south of a line beginning at the Minnesota-Iowa State line, thence along Iowa Highway 254 to junction Iowa Highway 111, thence along Iowa Highway 111 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction U.S. Highway 69 to Des Moines, thence along Iowa Highway 163 to junction Iowa Highway 192, thence along Iowa Highway 192 to junction U.S. Highway 61, thence along U.S. Highway 61 to Davenport; (5) between points in Martin and Faribault Counties, Minn., on the one hand, and, on the other, points in that part of Minnesota on and north of a line beginning at the South Dakota-Minnesota State line, thence along U.S. Highway 75 to junction Minnesota Highway 210, thence along Minnesota Highway 210 to Duluth; (6) between points in Martin County, Minn., on the one hand, and, on the other, points in that part of Iowa on and south of a line beginning at the Iowa-Nebraska State line, thence along U.S. Highway 30 to junction Iowa Highway 39, thence along Iowa Highway 39 to junction Iowa Highway 175, thence along Iowa Highway 175 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Iowa Highway 4, thence along Iowa Highway 4 to junction Iowa Highway 15, thence along Iowa Highway 15 to the Iowa-Minnesota State line; (7) between points in Kossuth County, Iowa, on the one hand, and, on the other, points in that part of Iowa on and east of a line beginning at Dubuque, thence along U.S. Highway 151 to junction Iowa Highway 1, thence along Iowa Highway 1 to junction U.S. Highway 218, thence along U.S. Highway 218 to Keokuk; and (8) between points in Kossuth County, Iowa, on the one hand, and, on the other, points in Minnesota (except points in Martin and Faribault Counties). The purpose of this filing is to eliminate the gateway of Elmore, Minn., and points within 15 miles thereof.

No. MC-113908 (Sub-No. E54), filed June 4, 1974. Applicant: ERICKSON

TRANSPORT CORPORATION, P.O. Box 3180, Glen Stone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar, vinegar stock, and apple juice*, from Fremont, Bailey, and Beldong, Mich., to Lake Wales, Fla. The purpose of this filing is to eliminate the gateway of points in Pennsylvania.

No. MC-113908 (Sub-No. E57), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180, Glen Stone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar stock*, in bulk, in tank vehicles, from Fremont, Mich., to points in California. The purpose of this filing is to eliminate the gateway of Kansas City, Mo.

No. MC-113908 (Sub-No. E58), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180, Glen Stone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beverage base*, used as alcoholic liquors and neutral spirits, in bulk, in tank vehicles, from Auburndale and Lake Alfred, Fla., to Denver, Colo. The purpose of this filing is to eliminate the gateway of Cicero, Ill.

No. MC-113908 (Sub-No. E60), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180, Glen Stone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from Fremont, Bailey, and Belding, Mich., to points in California. The purpose of this filing is to eliminate the gateway of points in Colorado.

No. MC-110525 (Sub-No. E756), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in Virginia to points in Wisconsin. The purpose of this filing is to eliminate the gateway of S. Charleston, W. Va.

No. MC-112822 (Sub-No. E98), filed May 17, 1974. Applicant: BRAY LINES INCORPORATED, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Robert A. Stone (same as above). Authority sought to operate as a *com-*

*mon carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in containers, from points in that part of Kansas on and west of U.S. Highway 169 to points in Alabama, Arkansas, Louisiana, Mississippi, and points in that part of Missouri on, south, and east of a line beginning at the Illinois-Missouri State line and extending along U.S. Highway 50 to Jefferson City, thence along U.S. Highway 54 to Camdenton, thence along Missouri Highway 5 to Lebanon, thence along U.S. Highway 66 to Springfield, thence along U.S. Highway 65 to the Missouri-Arkansas State line (except points in the St. Louis, Mo., Commercial Zone, as defined by the Commission). The purpose of this filing is to eliminate the gateway of Coffeyville, El Dorado, Wichita, or Kansas City, Kans.

No. MC-112822 (Sub-No. E111), filed May 17, 1974. Applicant: BRAY LINES INCORPORATED, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Robert A. Stone (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in containers, from points in that part of Missouri-Kansas State line and extending along U.S. Highway 50 to Jefferson City, thence along U.S. Highway 54 to Camdenton, thence along Missouri Highway 5 to Lebanon, thence along U.S. Highway 66 to Springfield, thence along U.S. Highway 65 to the Missouri-Arkansas State line to points in Colorado. The purpose of this filing is to eliminate the gateway of El Dorado, Kans.

No. MC-113362 (Sub-No. E22), filed May 14, 1974. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, Iowa 50533. Applicant's representative: Milton D. Adams, P.O. Box 562, Austin, Minn. 55912. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meat*, (1) from Austin and Albert Lea, Minn., and points in Connecticut, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont (points in that part of Kossoth County, Iowa, within 15 miles of Elmore, Minn., and Cedar Rapids, Iowa),\* and (2) from points in Kossoth County, Iowa to points in Connecticut, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont (points in that part of Faribault County, Minn., within 15 miles of Elmore, Minn., and Cedar Rapids, Iowa).\* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC-113362 (Sub-No. E23), filed May 14, 1974. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, Ia. 50533. Applicant's representative: Milton D. Adams, P.O. Box 562, Austin, Minn. 55912. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *General Commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between Austin and Albert Lea, Minn., on the one hand, and, on the other, points in that part of Iowa on and west of a line beginning at the Iowa-Missouri State line, thence along Interstate Highway 35 to junction Iowa Highway 141, thence along Iowa Highway 141 to junction Iowa Highway 17, thence along Iowa Highway 17 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction Iowa Highway 111, thence along Iowa Highway 111 to junction Iowa Highway 254, thence along Iowa Highway 254 to the Iowa-Minnesota State line; (2) between Albert Lea, Minn., on the one hand, and, on the other, points in that part of Minnesota on and west of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 71 to junction Minnesota Highway 72 to the International Boundary line between the United States and Canada; (3) between Austin, Minn., on the one hand, and, on the other, points in that part of Minnesota on and west of a line beginning at the Iowa-Minnesota State line, thence along Minnesota Highway 34 to junction U.S. Highway 27, thence along U.S. Highway 27 to junction Minnesota Highway 72, thence along Minnesota Highway 72 to the International Boundary line between the United States and Canada; (4) between points in Fairbault County, Minn., on the one hand, and, on the other, points in that part of Iowa on, west, and south of a line beginning at the Minnesota-Iowa State line, thence along Iowa Highway 254 to junction Iowa Highway 111, thence along Iowa Highway 111 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction U.S. Highway 69 to Des Moines, thence along Iowa Highway 163 to junction Iowa Highway 192, thence along Iowa Highway 192 to junction U.S. Highway 61, thence along U.S. Highway 61 to Davenport; (5) between points in Martin and Fairbault Counties, Minn., on the one hand, and, on the other, points in that part of Minnesota on and north of a line beginning at the South Dakota-Minnesota State line, thence along U.S. Highway 75 to junction Minnesota Highway 210, thence along Minnesota Highway 210 to Duluth; (6) between points in Martin County, Minn., on the one hand, and, on the other, points in that part of Iowa on and south of a line beginning at the Iowa-Nebraska State line, thence along U.S. Highway 30 to junction Iowa Highway 39, thence along Iowa Highway 39 to junction Iowa Highway 175, thence along Iowa Highway 175 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 20, thence along U.S. Highway 20, to junction Iowa Highway 4, thence along Iowa Highway 4 to junction Iowa Highway 15, thence along Iowa Highway 15 to the Iowa-Minnesota State line; (7) between points in Kossuth

County, Iowa, on the one hand, and, on the other, points in that part of Iowa on and east of a line beginning at Dubuque, thence along U.S. Highway 151 to junction Iowa Highway 1, thence along Iowa Highway 1 to junction U.S. Highway 218, thence along U.S. Highway 218 to Keokuk; and (8) between points in Kossuth County, Iowa, on the one hand, and, on the other, points in Minnesota (except points in Martin and Fairbault Counties). The purpose of this filing is to eliminate the gateway of Elmore, Minn., and points within 15 miles thereof.

No. MC-113908 (Sub-No. E54), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180, Glen Stone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar, vinegar stock, and apple juice*, from Fremont, Bailey, and Beldong, Mich., to Lake Wales, Fla. The purpose of this filing is to eliminate the gateway of points in Pennsylvania.

No. MC-113908 (Sub-No. E57), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180, Glen Stone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar stock*, in bulk, in tank vehicles, from Fremont, Mich., to points in California. The purpose of this filing is to eliminate the gateway of Kansas City, Mo.

No. MC-113908 (Sub-No. E58), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180, Glen Stone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beverage base*, used as alcoholic liquors and neutral spirits, in bulk, in tank vehicles, from Auburndale and Lake Alfred, Fla., to Denver, Colo. The purpose of this filing is to eliminate the gateway of Cicero, Ill.

No. MC-113908 (Sub-No. E60), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180, Glen Stone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from Fremont, Bailey, and Beldong, Mich., to points in California. The purpose of this filing is to eliminate the gateway of points in Colorado.

No. MC-113908 (Sub-No. E61), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O.

Box 3180, Glen Stone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wine vinegar*, in bulk, in tank vehicles, from Canadaigua, N.Y., to points in California. The purpose of this filing is to eliminate the gateway of Dallas, Tex.

No. MC-113908 (Sub-No. E64), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180, Glen Stone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport: *Corn syrup*, in bulk, in tank vehicles, from Grimes, Iowa, to Bismark, Dickinson, and Mandan, N. Dak. The purpose of this filing is to eliminate the gateway of Lincoln, Nebr.

No. MC-113908 (Sub-No. E81), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180, Glen Stone Station, Springfield, Missouri 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kansas 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Apple juice*, in bulk, in tank vehicles, from points in Wayne County, N.Y., to points in Arkansas, Oklahoma, Texas, and Louisiana. The purpose of this filing is to eliminate the gateway of Belding, Mich.

No. MC-113908 (Sub-No. E111), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180, Glen Stone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from points in that portion of the New York, N.Y., Commercial Zone, as defined in the fifth supplemental report of Commercial Zones and Terminal Areas, 53 M.C.C. 451 (1951), within which local operations may be conducted pursuant to the partial exemption of section 203(b)(8) of the Act (the "exempt zone"), to points in California. The purpose of this filing is to eliminate the gateway of Silica, Mich.

No. MC-113908 (Sub-No. E115), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180, Glen Stone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans., 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from points in that part of the New York, N.Y., Commercial Zone, as defined in the fifth supplemental report in Commercial Zones and Terminal Areas,

53 MCC 451 (1951), within which local operations may be conducted pursuant to the practical exemption of section 203 (b) (8) of the Act (the "exempt zone"), to points in California. The purpose of this filing is to eliminate the gateway of points in Tennessee.

No. MC-113908 (Sub-No. E118), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180, Glen Stone Station, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from points in Michigan to points in Jasper County, Mo. The purpose of this filing is to eliminate the gateway of Rogers, Ark.

No. MC-113908 (Sub-No. E121), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180, Glen Stone Station, Springfield, Missouri 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kansas 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glycerine, fatty acids, and inedible tallows*, used as liquid animal and poultry feed supplements, in bulk, in tank vehicles, from Springfield and Verona, Mo., to points in Michigan, Pennsylvania, points in that part of Indiana on and north of Indiana Highway 26, and points in that part of Ohio on and north of a line beginning at the Ohio-Indiana State line, thence along U.S. Highway 33 to junction Ohio Highway 385, thence along Ohio Highway 385 to junction Ohio Highway 67, thence along Ohio Highway 67 to junction U.S. Highway 30S, thence along U.S. Highway 30S to junction U.S. Highway 30, thence along U.S. Highway 30 to the Ohio-Pennsylvania State line. The purpose of this filing is to eliminate the gateway of the plant site of Armour Grocery Products, Inc., near Aurora, Ill.

No. MC-113908 (Sub-No. E122), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180 G.S.S., Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison St., Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sugar*, used as liquid animal and poultry feed supplements, in bulk, in tank vehicles, from Springfield and Verona, Mo., to points in Minnesota, Wisconsin, and points in that part of Nebraska on and west of U.S. Highway 83. The purpose of this filing is to eliminate the gateway of Grimes, Iowa.

No. MC-113908 (Sub-No. E123), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 1180 G.S.S., Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison St., Topeka, Kans. 66603. Authority sought to operate as a

*common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats and animal oils*, used as liquid animal and poultry feed supplements, in bulk, in tank vehicles, from Springfield and Verona, Mo., to points in North Dakota, South Dakota, Minnesota, points in Knox, Antelope, Holt, Boyd, Rock, Cherry, Brown, Keya, Paha, Sheridan, Dawes, Box, Butte, and Sioux Counties, Nebr., and points in that part of Pennsylvania on, east, and north of a line beginning at the New York-Pennsylvania State line, thence along U.S. Highway 81 to junction U.S. Highway 78, thence along U.S. Highway 78 to the Pennsylvania-New Jersey State line. The purpose of this filing is to eliminate the gateway of the plant site of Wilson and Co., Inc., at or near Cherokee, Iowa.

No. MC-113908 (Sub-No. E124), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180 G.S.S., Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison St., Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beverage base*, used as alcoholic liquors and neutral spirits, in bulk, in tank vehicles, from Auburndale and Lake Alfred, Fla., to Reedley, Calif. The purpose of this filing is to eliminate the gateway of Cicero, Ill.

No. MC-113908 (Sub-No. E125), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180 G.S.S., Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison St., Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wine vinegar*, in bulk, in tank vehicles, to points in Washington, and points in that part of California in and north of San Francisco, Alameda, Joaquin, Calaveras, and Alpine Counties. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC-113908 (Sub-No. E126), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180 G.S.S., Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison St., Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beverage base*, used as brandy and wine, in bulk, in tank vehicles, from Lake Alfred, Fla., to Denver, Colo. The purpose of this filing is to eliminate the gateway of Cicero, Ill.

No. MC-113908 (Sub-No. E127), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180 G.S.S., Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison St., Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic*

*resins*, in bulk, in tank vehicles, from Kansas City, Mo., to points in that part of Wisconsin on and east of a line beginning at the Michigan-Wisconsin State line, thence along U.S. Highway 51 to junction Wisconsin Highway 78, thence along Wisconsin Highway 78 to the Wisconsin-Illinois State line. The purpose of this filing is to eliminate the gateway of the plant site of Lonza, Inc., at or near Mapleton, Ill.

No. MC-113908 (Sub-No. E128), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180 G.S.S., Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison St., Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from points in California to points in Illinois. The purpose of this filing is to eliminate the gateway of Nixa, Mo.

No. MC-113908 (Sub-No. E130), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180 G.S.S., Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison St., Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup*, used as liquid animal and poultry feed supplements, in bulk, in tank vehicles, from Springfield and Verona, Mo., to Ravenna, Nebr. The purpose of this filing is to eliminate the gateway of Malvern, Iowa.

No. MC-113908 (Sub-No. E131), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180 G.S.S., Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison St., Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Choline chloride*, used as liquid animal and poultry feed supplements, in bulk, in tank vehicles, from Springfield and Verona, Mo., to points in that part of Missouri on, north, and west of a line beginning at the Nebraska-Iowa State line, thence along Iowa Highway 2 to junction U.S. Highway 65, thence along U.S. Highway 65 to the Iowa-Missouri State line. The purpose of this filing is to eliminate the gateway of Kansas City, Kans.

No. MC-113908 (Sub-No. E132), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180 G.S.S., Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison St., Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from points in California, to points in Illinois, Indiana, and Ohio. The purpose of this filing is to eliminate the gateway of Dallas, Tex.

No. MC-113908 (Sub-No. E133), filed June 4, 1974. Applicant: ERICKSON

TRANSPORT CORPORATION, P.O. Box 3180, Glen Stone Station, Springfield, Missouri 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kansas 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wine vinegar*, in bulk, in tank vehicles, from Lake Alfred, Fla., to points in that part of California in and north of Alpine, San Mateo, Santa Clara, Stanislaus, and Tuolumne Counties. The purpose of this filing is to eliminate the gateway of points in Michigan.

No. MC-113908 (Sub-No. E134), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180, Glen Stone Station, Springfield, Missouri 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kansas 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar* in bulk, in tank vehicles, (1) from points in Washington, to points in that part of Michigan south of Michigan Highway 55; and (2) from points in California, to points in Illinois, and points in that part of Michigan south of Michigan Highway 55. The purpose of this filing is to eliminate the gateway of Nixa, Mo.

No. MC-113908 (Sub-No. E135), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180, Glen Stone Station, Springfield, Missouri 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kansas 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fatty acids and inedible tallow*, used as liquid animal and poultry feed supplements, in bulk, in tank vehicles, from Springfield and Verona, Mo., to points in Wisconsin and Michigan. The purpose of this filing is to eliminate the gateway of the plant site of the Armour Grocery Products, Co., near Aurora, Ill.

No. MC-113908 (Sub-No. E136), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180, Glen Stone Station, Springfield, Missouri 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kansas 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from Hutchinson and Wichita, Kans., to points in California. The purpose of this filing is to eliminate the gateway of points in Oklahoma.

No. MC-113908 (Sub-No. E137), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, P.O. Box 3180, Glen Stone Station, Springfield, Missouri 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kansas 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from points in California on, north, and east of a line beginning at the

Kansas-Oklahoma State line, thence along U.S. Highway 75 to junction U.S. Highway 270, thence along U.S. Highway 270 to the Oklahoma-Arkansas State line. The purpose of this filing is to eliminate the gateway of Marionville, Mo.

No. MC-115554 (Sub-No. E10), filed June 4, 1974. Applicant: SCOTT'S TRANSPORTATION SERVICE, INC., P.O. Box 1634, Des Moines, Iowa 50306. Applicant's representative: James R. Madler, 1255 North Sandburg Terrace, Chicago, Ill. 60610. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refrigerators, refrigeration and electrical equipment, appliances, and parts, materials, and supplies* used in the manufacture, repair, and distribution of such commodities between points in Ohio on the one hand, and, on the other, points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, Wyoming, Colorado, New Mexico, North Dakota, and South Dakota. The purpose of this filing is to eliminate the gateway of Amana, Iowa.

No. MC-115554 (Sub-No. E14), filed June 4, 1974. Applicant: SCOTT'S TRANSPORTATION SERVICE, INC., P.O. Box 1634, Des Moines, Iowa 50309. Applicant's representative: James R. Madler, 1255 North Sandburg Terrace, Chicago, Ill. 60610. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refrigerators, refrigeration and electrical equipment, appliances, and parts, materials, and supplies* used in the manufacture, repair, and distribution of such commodities between points in Minnesota on the one hand, and, on the other, points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, New Jersey, New York, Pennsylvania, Maryland, Delaware, Rhode Island, West Virginia, Virginia, North Carolina, South Carolina, Kentucky, Tennessee, Georgia, Alabama, Florida, Mississippi, Arkansas, Louisiana, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Amana, Iowa.

No. MC-115554 (Sub-No. E19), filed June 4, 1974. Applicant: SCOTT'S TRANSPORTATION SERVICE, INC., P.O. Box 1634, Des Moines, Iowa 50306. Applicant's representative: James R. Madler, 1255 North Sandburg Terrace, Chicago, Ill. 60610. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refrigeration and electrical equipment, appliances, and parts, materials, and supplies* used in the manufacture, repair, and distribution of such commodities between points in Indiana on the one hand, and, on the other, points in Washington, Oregon, California, Nevada, Montana, Idaho, Utah, Arizona, Wyoming, North Dakota, and South Dakota. The purpose of this filing is to eliminate the gateway of Amana, Iowa.

No. MC-119226 (Sub-No. E1) (Correction), filed May 8, 1974, published in the FEDERAL REGISTER August 5, 1974. Applicant: LIQUID TRANSPORT CORP., 3901 Madison Ave., Indianapolis, Ind.

46227. Applicant's representative: Robert W. Loser, 1320 North Meridan St., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: \* \* \* Proposal 4: *Vegetable oils*, in bulk, in tank vehicles, (1) from points in the Lower Peninsula of Michigan and Illinois to points in Alabama, Georgia, North Carolina, South Carolina, Virginia, West Virginia, and Tennessee, (2) from points in Michigan to points in Alabama and Arkansas and points in Tennessee on and west of Interstate Highway 75, (3) from points in Ohio to points in Alabama, Arkansas, Georgia, and Tennessee, and (4) from points in Indiana to points in Alabama, Georgia, North Carolina, South Carolina, West Virginia, Virginia, and Tennessee. The purpose of this filing is to eliminate the gateway of Louisville, Ky. \* \* \* Proposal 6: *Inedible greases and tallow*, in bulk, in tank vehicles, (1) from points in Illinois to points in Michigan, New York, Pennsylvania, Delaware, New Jersey, and Maryland. The purpose of this filing is to eliminate the gateway of Columbus, Ohio \* \* \* Proposal 8: *Lards, greases, and fats* (except vegetable oils, and except hydrolized and stabilized fats), in bulk, in tank vehicles, (1) from points in Illinois to points in Alabama, Delaware, Florida, Georgia, Kentucky, Maryland, North Carolina, New Jersey, New York, South Carolina, Virginia, West Virginia, and the District of Columbia, (2) from points in Indiana to Memphis, Tenn., and points in Alabama, Arkansas, Delaware, Florida, Georgia, Kansas, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, New Jersey, New York, Oklahoma, South Carolina, Texas, Virginia, West Virginia, and the District of Columbia (3) from points in Michigan to Memphis, Tenn., Alabama, Arkansas, Delaware, Florida, Georgia, Kansas, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Texas, Virginia, and the District of Columbia (4) from points in Ohio to Memphis, Tenn., and points in Alabama, Arkansas, Florida, Georgia, Kansas, Kentucky, Louisiana, Nebraska, Oklahoma, and Texas, and (5) from points in Kentucky to points in Delaware, Illinois, Iowa, Kansas, Maryland, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, Wisconsin, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Louisville, Ky. The purpose of this partial correction is to correct the destination states in Proposal 4 above; delete Kentucky and Michigan from origin states in Proposal 6 above; and to delete Louisiana and Texas from the destination territory in Proposal 8 above. The remainder of the letter-notice remains as previously published.

No. MC-119531 (Sub-No. E166), filed May 25, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Paper and paper products*, from Louisville, Ky., and Jeffersonville, Ind., to points in Missouri (except points east of Missouri Highway 21, restricted to traffic originating at the plant and warehouse sites of Container Corporation of America at Louisville and Jeffersonville). The purpose of this filing is to eliminate the gateway of the plant and warehouse sites of Weyerhaeuser Company at Columbus, Ind.

No. MC-119531 (Sub-No. E167), filed May 25, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery and supplies* (except in bulk) used in the manufacture of pulpboard, from points in West Virginia on and north of U.S. Highway 33, to Noblesville, Ind. The purpose of this filing is to eliminate the gateway of Coshocton, Ohio.

No. MC-119531 (Sub-No. E179), filed May 25, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pulpboard, pulpboard products, and machinery* used in the manufacture of pulpboard, and pulpboard products, between Cleveland, Ohio, on the one hand, and, on the other, (a) Louisville, Ky., and (b) Covington, Ky. The purpose of this filing is to eliminate the gateways of (1) Cincinnati, Ohio, for (a) above, and (2) Circleville, Ohio, for (b) above.

No. MC-119531 (Sub-No. E180), filed May 25, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials and supplies* (except in bulk) used in the manufacture of paper and paper products, from points in Pennsylvania, and points in New York on and west of a line beginning at Oswego and extending along New York Highway 57 to Syracuse, and points in Pennsylvania on and west of U.S. Highway 220 to the plant and warehouse sites of Weyerhaeuser Company at Columbus, Ind. The purpose of this filing is to eliminate the gateway of Coshocton, Ohio.

No. MC-119531 (Sub-No. E182), filed May 25, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper cartons*, from Rockdale, Ill., to points in West Virginia. The purpose of this filing is to eliminate the gateway of Circleville, Ohio.

No. MC-119531 (Sub-No. E186), filed May 25, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiberboard cans*, from Piqua, Ohio, to points in New Jersey. The purpose of this filing is to eliminate the gateway of Bradford, Pa.

No. MC-119531 (Sub-No. E188), filed May 25, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, from Zanesville, Ohio, to points in Missouri. The purpose of this filing is to eliminate the gateway of the plant and warehouse sites of Midland Glass Company, Inc., at or near Terre Haute, Ind.

No. MC-119531 (Sub-No. E187), filed May 25, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery used in or incidental to the manufacture, sale, and distribution of pulpboard and pulpboard products* (except commodities in bulk), from points in Michigan to Cleveland, Ohio. The purpose of this filing is to eliminate the gateway of the plant and warehouse sites.

No. MC-119531 (Sub-No. E189), filed May 25, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery* (except in bulk), used in the manufacture, sale, and distribution of paper and paper products, from points in West Virginia and Kentucky, to Cleveland, Ohio. The purpose of this filing is to eliminate the gateway of Coshocton, Ohio.

No. MC-123048 (Sub-No. E152), filed June 4, 1974. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., P.O. Box A, Racine, Wis. 53401. Applicant's representative: Paul L. Martinson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except those with vehicle beds, bed frames, and fifth wheels), from Chicago, Ill., to points in Arizona, California, Colorado, Idaho, Louisiana, Nevada, New Mexico, Oregon, Texas, Utah, and Washington, points in Arkansas on the west of a line from the Missouri-Arkansas State line along U.S. Highway 67 to Little Rock, thence along U.S. 167 to the Arkansas-Louisiana State line, and points in Mississippi on and south of a

line from the Arkansas-Mississippi State line along U.S. Highway 62 to Greenville, thence along U.S. Highway 61 to Anguilla, thence along Mississippi Highway 14 to the junction of U.S. Highway 49, thence along U.S. Highway 49 to Magee, thence along Mississippi Highway 28 to Laurel, thence along U.S. Highway 84 to Waynesboro, thence along U.S. Highway 45 to the Mississippi-Alabama State line. The purpose of this filing is to eliminate the gateway of Burlington, Iowa.

No. MC-123048 (Sub-No. E153), filed June 2, 1974. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., P.O. Box A, Racine, Wis. 53401. Applicant's representative: Paul L. Martinson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors), when used as road building and maintenance machinery and equipment, from Des Moines, Iowa, to points in Oregon, Washington, points in Idaho on and north of U.S. Highway 12, and points in Montana on and west of Interstate Highway 15. The purpose of this filing is to eliminate the gateway of Fargo, N. Dak.

No. MC-123048 (Sub-No. E154), filed June 2, 1974. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., P.O. Box A, Racine, Wis. 53401. Applicant's representative: Paul L. Martinson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural tractors* from Duluth, Minn., to points in Indiana, Ohio, Kentucky, Tennessee, Alabama, Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, Maryland, Delaware, Pennsylvania, New York, New Jersey, Connecticut, Rhode Island, Massachusetts, Vermont, Maine, and New Hampshire. RESTRICTION: (1) restricted to shipments having an immediate prior movement by water and (2) restricted to shipments destined to the plant sites, warehouses, and dealers of Deere and Company. The purpose of this filing is to eliminate the gateway of West Bend, Wis.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 74-20306 Filed 8-30-74; 8:40 am]

[Notice 147]

**MOTOR CARRIER BOARD TRANSFER PROCEEDINGS**

SEPTEMBER 3, 1974.

Synopses of orders entered by Division 3 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 general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before October 3, 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-74929. By order entered July 30, 1974, the Division 3, acting as an Appellate Division approved the transfer to T. E. Quinn Truck Lines, Ltd., Niagara Falls, Ontario, Canada, of that portion of the operating rights set forth in Certificate No. MC-335 (Sub-No. 1), issued July 7, 1971, to Motek Transport Systems, Inc., Lansdale, Pa., authorizing the transportation of frozen foods, empty frozen food containers, packing-house products, fresh fruits, fresh vegetables, and the commodities described in paragraphs A, B, and C, in the appendix to the report in "Modification of Permits Packing-House Products," 48 M.C.C. 628, from, to, or between points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and the District of Columbia. Maxwell A. Howell, 1511 K Street NW., Washington, D.C. 20005, attorney for transferor, & Herbert M. Canter, 315 Seitz Building 201 East Jefferson St., Syracuse, N.Y. 13202, attorney for transferee.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.74-20302 Filed 8-30-74; 8:45 am]

[Notice 148]

#### MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

SEPTEMBER 3, 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 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 September 23, 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-75182. By order of August 23, 1974, the Motor Carrier Board,

on reconsideration, approved the transfer to Cape Cod Moving & Storage Co., Inc., Hyannis, Mass., of the operating rights in Certificate No. MC-11714 issued February 17, 1972, to Cape Cod Moving and Storage, Inc., Hyannis, Mass., authorizing the transportation of household goods as defined by the Commission, between Chatham, Mass., and points within 25 miles of Chatham, Mass., on the one hand, and, on the other, points in Connecticut, New York, and Rhode Island, and lumber and forest products, from Portsmouth, R.I., to Chatham, Orleans, and Wellfleet, Mass. Francis P. Barrett, 60 Adams Street, Milton, Mass. 02187, and James T. Hilliard, 19 Orleans Road, Norwood, Mass. 02062, attorneys for applicants.

No. MC-FC-75203. By order of August 22, 1974, the Motor Carrier Board approved the transfer to Atlas Trucking Company Limited, LaSalle, Quebec, Canada, of the operating rights in Certificates Nos. MC-125497 (Sub-No. 1), MC-125497 (Sub-No. 6), and MC-125497 (Sub-No. 19) issued February 14, 1969, July 7, 1970, and May 9, 1974, respectively, to L. Woods & Son Transport Ltd., LaSalle, Quebec, Canada, authorizing the transportation of various commodities from ports of entry on the United States-Canada boundary line to points in Maine, New Hampshire, Vermont, Rhode Island, New York, Connecticut, Massachusetts, New Jersey, Delaware, Maryland, Pennsylvania, and the District of Columbia. S. Harrison Kahn, 733 Investment Bldg., Washington, D.C. 20005, attorney for applicants.

No. MC-FC-75227. By order of August 20, 1974, the Motor Carrier Board approved the transfer to Tarpon Transportation, Inc., Tampa, Fla., of the operating rights in Certificate No. MC-129193 issued June 10, 1970, to Harrison Transport, Inc., Tampa, Fla., authorizing the transportation of general commodities, usual exceptions, which are at the time moving on bills of lading of freight forwarders, from Tampa, Fla., to points in Pasco, Pinellas, Polk, Hillsborough, Manatee, Sarasota, Charlotte and Lee Counties, Fla., Richard B. Austin, 214 Palm Coast II Building, 5255 N.W. 87th Avenue, Miami, Fla. 33166, attorney for applicants.

No. MC-FC-75320. By order of August 23, 1974 the Motor Carrier Board approved the transfer to Bestwick, Inc., Sabetha, Kan., of the operating rights in Permits No. MC-116879 and MC-116879 (Sub-No. 2) issued April 8, 1968, and December 6, 1967, respectively to Richard T. Bestwick, Sabetha, Kan., authorizing the transportation of various commodities from and to Sabetha, Kan., and specified points and areas in Nebraska, Kansas, and Missouri. Clyde N. Christey, 641 Harrison St., Topeka, Kansas 66603, attorney for applicants.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.74-20304 Filed 8-30-74; 8:45 am]

[Notice 125]

#### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 27, 1974.

The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a (a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67, (49 CFR 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, on or before September 18, 1974. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

#### MOTOR CARRIERS OF PROPERTY

No. MC 104675 (Sub-No. 33 TA), filed August 20, 1974. Applicant: FRONTIER DELIVERY, INC., 620 Elk Street, Buffalo, N.Y. 14210. Applicant's representative: E. Russell Whiteman (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Soda ash, in bulk, in dump or tank vehicles, from Solvay (Syracuse), N.Y., to Henderson, N.C., for 180 days. SUPPORTING SHIPPER: Laurens Glass Company, P.O. Drawer 9, Laurens, S.C. 29360. SEND PROTESTS TO: George M. Parker, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 612 Federal Bldg., 111 West Huron Street, Buffalo, N.Y. 14202.

No. MC 114552 (Sub-No. 103 TA), filed August 19, 1974. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Plastic articles, from the facilities of Evans Products Company at Chesapeake, Va., to points in Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, and Tennessee, for 180 days. SUPPORTING SHIPPER: Evans Products Company, 201 Dexter Street West, Chesapeake, Va. 23324. SEND PROTESTS TO: E. E. Strotheld, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 302, 1400 Building, 1400 Pickens Street, Columbia, S.C. 29201.

No. MC 115092 (Sub-No. 32 TA), filed August 16, 1974. Applicant: TOMA-HAWK TRUCKING, INC., P.O. Box O, Vernal, Utah 84078. Applicant's representative: Thomas M. Zarr, P.O. Box 2465, Salt Lake City, Utah 84110. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber mill products*, (1) from points in Archuleta, La Plata, Rio Grande, and Montezuma Counties, Colo., to points in Wyoming; (2) from points in San Juan County, Utah, to points in Texas and Wyoming; and (3) from points in Uintah County, Utah, to points in Wyoming and Kansas, for 180 days. SUPPORTING SHIPPER: Bloch Lumber Company, P.O. Box 10310, Albuquerque, N. Mex. 87114 (Frank Stanek, V.P. SW. Divn.); San Juan Lumber Co., P.O. Box 7, Blanding, Utah (John Nelson, Sales Manager); Kennedy Lumber, Inc., P.O. Box 14008, Albuquerque, N. Mex. 87111 (J. R. Kennedy, President); New Mexico Timber, Box 3308, Albuquerque, N. Mex. 87110 (Ted Schifani, V.P.—Sales); and Pioneer Lumber Sales, Inc., Box 248, Albuquerque, N. Mex. 87103 (Parrill L. Strubling, President). SEND PROTESTS TO: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 5301 Federal Building, 125 South State Street, Salt Lake City, Utah 84138.

No. MC 116014 (Sub-No. 67 TA), filed August 20, 1974. Applicant: OLIVER TRUCKING COMPANY, INC., P.O. Box 53, Winchester, Ky. 40391. Applicant's representative: Ray Witt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic articles*, from the plant site and storage facilities of Evans Products Company, located at or near Chesapeake, Va., to points in Arkansas, Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Minnesota, Michigan, Missouri, New Jersey, North Carolina, Ohio, Pennsylvania, Tennessee, West Virginia, Virginia, and Wisconsin, for 180 days. SUPPORTING SHIPPER: Joseph D. Sharpe, Assistant to the General Traffic Manager, Building Materials Group, Evans Products Company, 201 Dexter Street, West, Chesapeake, Va. 23324. SEND PROTESTS TO: R. W. Schneider, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 222 Bakhaus Building, 1500 West Main Street, Lexington, Ky. 40505.

No. MC 118159 (Sub-No. 149 TA), filed August 19, 1974. Applicant: NATIONAL REFRIGERATED TRANSPORT, INC., 1931 North Sheridan Road, Tulsa, Okla. 74151. Applicant's representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flat glass*, from Tulsa, Okla., to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Iowa, Indiana, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska,

Nevada, New Mexico, North Carolina, North Dakota, Ohio, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, for 180 days. SUPPORTING SHIPPER: Ford Motor Company, Edward M. Gosvener, T. M., P.O. Box 555, Tulsa, Okla. 74102. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old P.O. Building, 215 N.W. Third, Oklahoma City, Okla. 73102.

No. MC 119493 (Sub-No. 123 TA), filed August 20, 1974. Applicant: MONKEM COMPANY, INC., P.O. Box 1196, Joplin, Mo. 64801. Applicant's representative: Ray F. Kempf, P.O. Box 1196, Joplin, Mo. 64801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Roofing paper, building paper, roofing cement, asphaltum, roofing asphalt, prepared roofing, prepared shingles, filter felt, and materials and supplies* used in the manufacture and installation thereof (except liquid in bulk, in tank vehicles); and (2) *Materials and supplies* used in the manufacture of items in (1) above (except liquid in bulk, in tank vehicles), (1) from plantsite of Tamko Asphalt Products Co. in Tuscaloosa, Ala., to points Kansas, Oklahoma, Texas, Missouri, Arkansas, Louisiana, Illinois, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, North Carolina, South Carolina, West Virginia, and Virginia and (2) from the destination states in (1) above, to Tuscaloosa, Ala., for 180 days. SUPPORTING SHIPPER: Tamko Asphalt Products, Inc., 601 North High Street, P.O. Box 1404, Joplin, Mo. 64801. SEND PROTESTS TO: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Office Bldg., 911 Walnut St., Kansas City, Mo. 64106.

No. MC 124211 (Sub-No. 252TA), filed August 19, 1974. Applicant: HILT TRUCK LINE, INC., P.O. Box 988, Downtown Station, Omaha, Nebr. 68101. Applicant's representative: Thomas L. Hilt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cellular paper products*, from the plant site and warehouse facilities of Celadyn, a division of Lancaster Research & Development Corporation, located at or near Michigan City, Ind., to points in Kansas, Minnesota, New Jersey, New York, and North Carolina, and to Douglas and Louisville, Ga.; Williamsburg, Ky.; and Lancaster, Pa., for 180 days. SUPPORTING SHIPPER: Celadyn, Division of Lancaster Research & Development Corporation, Virgil Smith, Corporate Traffic Manager, P.O. Box 3333, Marion, Ind. 46952. SEND PROTESTS TO: District Supervisor Carroll Russell, Bureau of Operations, Interstate Commerce Commission, Suite 620 Union Pacific Plaza, 110 No. 14 St., Omaha, Nebr. 68102.

No. MC 125909 (Sub-No. 2TA), filed August 7, 1974. Applicant: UNIVERSAL TRANSPORT, INC., P.O. Box 268, Rapid City, S. Dak. 57701. Applicant's representative: Barry C. Burnette (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Treated wooden post and poles*, from Sheridan, Wyo., to points in Colorado, Idaho, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming, for 180 days. SUPPORTING SHIPPER: Sheridan Forest Products, P.O. Box 6327, Sheridan, Wyo. 82801. SEND PROTESTS TO: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 133681 (Sub-No. 3 TA), filed August 19, 1974. Applicant: BIG CHET & SONS TRUCKING, INC., Woodmont Road, P.O. Box 442, East Fishkill, N.Y. 12524. Applicant's representative: Arthur J. Plken, One Lefrak City Plaza, Flushing, N.Y. 11368. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Toilet preparations, cosmetics, and materials and supplies* used in the preparation of toilet preparations and cosmetics, (1) between Holmdel, N.J., and points in that part of the New York, N.Y., Commercial Zone as defined in the Fifth Supplemental Report in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted pursuant to the partial exemption of section 203(b)(8) of the Interstate Commerce Act (the "exempt" zone), on the one hand, and, on the other, Lakewood, Holmdel, and Totowa, N.J. RESTRICTION: The operations proposed in (1) above are limited to a transportation service to be performed under a continuing contract or contracts with the following shippers: Lanvin-Charles of the Ritz, its subsidiaries and divisions, and Sacoma Cosmetics, Inc.

NOTE.—Applicant is currently authorized to perform a portion of the service under Docket No. MC 133681 for these shippers, but duplicating authority is not requested.

(2) between Carlstadt, N.J., and points in that part of the New York, N.Y., *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted pursuant to the partial exemption of Section 203(b)(8) of the Interstate Commerce Act (the "exempt" zone). RESTRICTION: The operations proposed in (2) above are limited to a transportation service to be performed under a continuing contract, or contracts with the following shipper: Eden Co., Inc., for 180 days. SUPPORTING SHIPPER: (1) Eden Company, 545 Dell Road, Carlstadt, N.J. 07072; (2) LCR Manufacturing Division, P.O. Box 638, Red Bank, N.J. 07701; and (3) Sacoma Cosmetics, Inc., 253 W. 28th Street, New York, N.Y. SEND PROTESTS TO: Marvin Kampel, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC-135760 (Sub-No. 19TA), filed August 19, 1974. Applicant: COAST REFRIGERATED TRUCKING CO., INC., P.O. Box 188, Holly Ridge, N.C. 28445. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pork and pork products and meat*, (a) between Detroit and Grand Rapids, Mich., on the one hand, and, on the other, points in Arkansas, Colorado, Minnesota, Nebraska, Missouri, Iowa, South Dakota, Oklahoma, Kansas, Louisiana, and Texas, and (b) from points in Illinois, Indiana, and Kentucky, to Detroit and Grand Rapids, Mich., for 180 days. SUPPORTING SHIPPER: Frederick & Herud, Inc., 1487 Farnsworth, Detroit, Mich. 48211. SEND PROTESTS TO: Archie W. Andrews, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 26896, Raleigh, N.C. 27611.

No. MC-135773 (Sub-No. 4TA), filed August 19, 1974. Applicant: DONALD E. SEARS, Rt. 1, Box 477, Woodland, Wash. 98674. Applicant's representative: George Kargianis, 2120 Pacific Bldg., Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Red cedar shakes and shingles*, from Sekiu, Wash., mill site, to points in California and Nevada, for 180 days. SUPPORTING SHIPPER: Nehalem Bay Shake & Shingle Co., Route 2, Box 19F, Sekiu, Wash. 98381. SEND PROTESTS TO: District Supervisor W. J. Huétig, Interstate Commerce Commission, Bureau of Operations, 114 Pioneer Courthouse, Portland, Oreg. 97202.

No. MC-139566 (Sub-No. 3TA), filed August 20, 1974. Applicant: FEDERAL ARMORED EXPRESS, INC., P.O. Box 333, Baltimore, Md. 21203. Applicant's representative: Timothy M. Biddle, 1100 Connecticut Ave. NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Special nuclear materials*, for the account of Edlow International Co., between Lynchburg, Va., and Sargents, Ohio, for 180 days. SUPPORTING SHIPPER: Jack Edlow, Vice President, Edlow International Company, 1100 17th Street NW., Suite 404, Washington, D.C. 20036. SEND PROTESTS TO: William L. Hughes,

District Supervisor, Bureau of Operations, Interstate Commerce Commission, 814-B Federal Building, Baltimore, Md. 21201.

No. MC-140029 (Sub-No. 1TA), filed August 19, 1974. Applicant: CLIFFORD H. HALL, INC., Bliss, N.Y. 14024. Applicant's representative: William J. Hirsch, 43 Court Street, Suite 1125, Buffalo, N.Y. 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed and feed ingredients*, from the town of Arcade (Wyoming County), N.Y., to points in Pennsylvania, and *returned shipments* in return, for 180 days. SUPPORTING SHIPPER: Ruminant Nitrogen Products Company, 770 Riverside Drive, Adrian, Mich. 49221. SEND PROTESTS TO: George M. Parker, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 612 Federal Bldg., 111 West Huron Street, Buffalo, N.Y. 14202.

No. MC 140118 TA, filed August 19, 1974. Applicant: S. T. L. TRANSPORT, INC., 1000 Jefferson Road, Rochester, N.Y. 14623. Applicant's representative: S. Michael Richards, 44 North Avenue, Webster, N.Y. 14580. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper, paperboard, or pulpboard boxes, pails, and trays, and cellulose or plastic film or foil when moving therewith* and (2) *Pulpboard*, (1) from Newark, N.Y., to points in New York, N.Y., Commercial Zone as defined by the Commission in 1 M.C.C. 665, Mamaroneck, N.Y.; Roslyn and Brentwood, Long Island, N.Y., Blue Anchor, Cranford, Edison, Englishtown, Fairlawn, Kearny, Lakewood, Moonachie, Passaic, Pennsville, Ridgewood, Seacucus, Sharptown, South Hackensack, Trenton, Union, Verona, Vineland, West Caldwell, and Woodbridge, N.J.; Baltimore, Cumberland, and Hyattsville, Md.; Bristol, Carnegie, Erie, Harrisburg, Lancaster, Lebanon, Philadelphia, Pittsburgh, Scranton, Smock, Uniontown, Warminster, Williamsport, and York, Pa.; Austintown, Barnesville, Bedford, Bedford Heights, Canton, Chagrin Falls, Cincinnati, Cleveland, Columbus, Dayton, Elyria, Gallipolis, North Jackson, Utica, Versailles, Wapakoneta, Warren, and Willoughby, Ohio; Cambridge, Canton, Dorchester, East Weymouth, Fall River, Lawrence, Mansfield, Pittsfield, Somerville, Springfield, and Wo-

burn, Mass.; East Hartford, Meriden, Stratford, Waterbury, and West Haven, Conn.; and (2) from New Haven and Versailles, Conn.; East Stroudsburg and Philadelphia, Pa., to Newark, N.Y., for 180 days. SUPPORTING SHIPPER: Fibreboard Corporation, San Francisco, Calif. 94133, Patrick W. Pollock, Director, Transportation & Distribution. SEND PROTESTS TO: Morris H. Gross, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 104, 301 Erie Blvd., West, Syracuse, N.Y. 13202.

No. MC 140119 TA, filed August 20, 1974. Applicant: RAYMOND J. GALLAHER, Irvona, Pa. 16656. Applicant's representative: Arthur J. Diskin, 806 Frick Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Centre and Clearfield Counties, Pa., to the plants of Potomac Electric Power Company at Dickerson, Md., Aquasco, Md., and Morgantown, Md., for 180 days. SUPPORTING SHIPPER: Erickson Coal Sales, 213 Bloomfield Street, Johnstown, Pa. 15904. SEND PROTESTS TO: District Supervisor James C. Donaldson, Interstate Commerce Commission, Bureau of Operations, 2111 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa. 15222.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 140113 TA, filed August 16, 1974. Applicant: MAPLEWOOD EQUIPMENT COMPANY, 419 Anderson Avenue, Fairview, N.J. 07022. Applicant's representative: Edward F. Bowes, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commuting passengers and their baggage* with their baggage in the same vehicle with passengers, between Smoke Rise and Kinnelon, N.J., and New York, N.Y., for 180 days. SUPPORTING SHIPPER: Smoke Rise Association, Smoke Rise, Kinnelon, N.J. (consisting of 650 residents). SEND PROTESTS TO: District Supervisor Evert L. Bono, Interstate Commerce Commission, Bureau of Operations, 9 Clinton Street, Newark, N.J. 07102.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.74-20305 Filed 8-30-74; 8:45 am]

# federal register

TUESDAY, SEPTEMBER 3, 1974

WASHINGTON, D.C.

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PART II

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## DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

■

### INDIANS, INDIAN ORGANIZATIONS AND INDIAN TRIBES

Economic Development

## DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[ 25 CFR Part 80 ]

## INDIAN BUSINESS DEVELOPMENT PROGRAM

Proposed Revision

August 27, 1974.

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2.

Notice is hereby given that it is proposed to revise Part 80, Subchapter H, Chapter I, of Title 25 of the Code of Federal Regulations. This revision is proposed pursuant to the authority contained in section 404 of the Act of April 12, 1974 (88 Stat. 77).

The purpose of this revision of Part 80 is to prescribe the regulations and procedures under which non-reimbursable grants will be used to stimulate and increase Indian entrepreneurship and employment through acquisition, establishment and expansion of profit-making Indian-owned economic enterprises which will contribute to the economy of an Indian reservation.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposed revision to the Director, Office of Tribal Resources Development, Bureau of Indian Affairs, Washington, D.C. 20245, on or before October 3, 1974.

It is proposed to revise Part 80, Subchapter H, Chapter I, of Title 25 of the Code of Federal Regulations to read as follows:

## PART 80—INDIAN BUSINESS DEVELOPMENT PROGRAM

Sec.	
80.1	Definitions.
80.2	Purpose.
80.3	Eligible applicants.
80.4	Eligible economic enterprises.
80.5	Location of enterprise.
80.6	Priority criteria.
80.7	Environmental and flood disaster protection.
80.8	Preservation of historical and archeological data.
80.9	Management and technical assistance.
80.10	Content of application.
80.11	Application procedures.
80.12	Grant approval authority.
80.13	Limits of authority.
80.14	Disbursement of grant funds.
80.15	Reports.

AUTHORITY: Sec. 404, 88 Stat. 77.

## § 80.1 Definitions.

As used in this Part:

- (a) "Secretary" means the Secretary of the Interior.
- (b) "Commissioner" means the Commissioner of Indian Affairs or his authorized representative.
- (c) "Area Director" means the Bureau official in charge of an Area Office or his authorized representative.

(d) "Superintendent" means the Bureau official in charge of a Bureau Agency office or other local office reporting to an Area Director.

(e) "Indian" means any person who is a member of any Indian tribe, band, group, pueblo or community which is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs and any "Native" as defined in paragraph (f) of this section.

(f) "Native" means a citizen of the United States who is a person of one-fourth degree or more Alaska Indian (including Tsimshian Indians not enrolled in the Metlakatla Indian Community) Eskimo, or Aleut blood, or combination thereof. The term includes any Natives as so defined either or both of whose adoptive parents are not Natives. It also includes, in the absence of proof of a minimum blood quantum, any citizen of the United States who is regarded as an Alaska Native by the Native village or Native group of which he claims to be a member and whose father or mother is (or, if deceased, was) regarded as Native by any village or group.

(g) "Tribe" means any Indian tribe, band, group, pueblo or community and any Native village or Native group (including corporations organized by Kenai, Juneau, Sitka and Kodiak) as defined in paragraphs (h) and (i) of this section, which is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs.

(h) "Native village" means any tribe, band, clan, group, village, community, or association in Alaska listed in sections 11 and 16 of the Alaska Native Claims Settlement Act (85 Stat. 688), or which meets the requirements of the Act, and which the Secretary determines was, on the 1970 census enumeration date (as shown by the census or other evidence satisfactory to the Secretary, who shall make findings of fact in each instance), composed of twenty-five or more Natives.

(i) "Native group" means any tribe, band, clan, village, community, or village association of Natives in Alaska composed of less than twenty-five Natives, who comprise a majority of the residents of the locality.

(j) "Reservation" means an Indian reservation, public domain Indian allotment, former Indian reservation in Oklahoma, and land held by incorporated Native groups, regional corporations and village corporations under the provisions of the Alaska Native Claims Settlement Act (85 Stat. 688).

(k) "Economic enterprise" means any Indian-owned, commercial, industrial or business activity established or organized for the purpose of profit, providing eligible Indian ownership constitutes not less than 51 percent of the enterprise.

(l) "Organization" means the governing body of any Indian tribe, as defined in paragraph (g) of this section, or entity established or recognized by such governing body for the purpose of the Indian Financing Act of 1974 (88 Stat. 77).

(m) "Other organizations" means any non-Indian individual, firm, corporation, partnership, or association.

(n) "Personally operated enterprise" means a business activity personally owned and operated, and managed by an individual grantee on a full or part-time basis, with or without hired labor.

(o) "Profits" mean the net income earned after deducting operating expenses from operating revenues.

## § 80.2 Purpose.

The purpose of this Part is to prescribe the regulations and procedures under which non-reimbursable grants may be made to eligible applicants to stimulate and increase Indian entrepreneurship and employment through establishment, acquisition or expansion of profit-making Indian-owned economic enterprises which will contribute to the economy of a reservation.

## § 80.3 Eligible applicants.

Applications for grants may be accepted only from individual Indians or Indian tribes, Indian partnerships and corporations or associations authorized to do business under State or Federal law; having a form of organization acceptable to the Commissioner and unable to meet their total financing needs from their own resources and by loans from other sources such as banks, Farmers Home Administration, Small Business Administration, Production Credit Associations and Federal Land Banks. Associations, corporations or partnerships shall be at least 51 percent owned by eligible Indians or an eligible Indian tribe who actively participates in the management and operation.

## § 80.4 Eligible economic enterprises.

Any legal economic enterprise is eligible to receive equity capital through non-reimbursable grants if it is self-sustaining and profit-oriented, will create employment for Indians, and is Indian-owned or controlled by an Indian organization or an individual Indian. In the case of Indian-owned cooperative associations, they must distribute profits to their patrons.

## § 80.5 Location of enterprise.

To be eligible for a grant an economic enterprise, whether tribal or individually owned, must be located on an Indian reservation or located where it makes or will make an economic contribution to a nearby reservation by providing employment to tribal members residing thereon and/or profits, a substantial portion of which are expended for materials or services on or needed by the reservation.

## § 80.6 Priority criteria.

The following criteria will be used in the order shown in selecting economic enterprises for grant funding:

(a) *First priority.* First priority will be given to economic enterprises located on a reservation that will:

(1) Utilize Indian resources, both natural and human.

(2) Create the highest ratio of Indian jobs to the total amount of dollars to be invested, including market value of materials and equipment contributed to the project.

(3) Create the highest ratio of income to a tribe or its members in relation to the total amount of dollars to be invested, including market value of materials or equipment contributed to the project.

(4) Generate the most non-Bureau financing.

(b) *Second priority.* Second priority will be given to projects located in the immediate vicinity of a reservation that will:

(1) Utilize Indian resources, both natural and human.

(2) Create the highest ratio of Indian jobs to the total amount of dollars to be invested, including market value of materials and equipment contributed to the project.

(3) Generate the most non-Bureau financing.

The same criteria will apply in considering applications for grants from individuals, partnerships, and cooperative associations.

#### § 80.7 Environmental and flood disaster protection.

Grant funds will not be advanced until there is assurance of compliance with any applicable provisions of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), the National Environmental Policy Act (Pub. L. 91-190), 42 U.S.C. 4321 and Executive Order 11514.

#### § 80.8 Preservation of historical and archeological data.

The Commissioner will assure compliance with the applicable provisions of the Act of June 27, 1960 (74 Stat. 220; 16 U.S.C. 469), as amended by the Act of May 24, 1974 (Pub. L. 93-291, 88 Stat. 174), relating to the preservation of historical and archeological data.

#### § 80.9 Management and technical assistance.

(a) Concurrent with the approval of a grant to finance an economic enterprise, either tribal or individual, the Commissioner will insure that competent management and technical assistance is available to the grantee consistent with the grantee's knowledge and experience and the nature and complexity of the economic enterprise being financed. Assistance may be provided by available Bureau of Indian Affairs staff, other government agencies including states, a tribe, or other sources which the Commissioner considers competent to provide needed assistance. It is intended that contracting for management and technical assistance be used only when adequate assistance is not available without cost. Contracts for providing grantees with competent management and technical assistance shall be in accordance with applicable sections of the Federal Procurement Regulations.

(b) The prime lender providing the loan funds to finance an economic enterprise will include with the grantee's application the need for equity capital, the

lender's evaluation of the applicant's need for management and technical assistance, specific areas of need and whether the lender will provide such assistance to the applicant.

#### § 80.10 Content of application.

Applications shall be on a form prescribed by the Commissioner which shall at least show:

(a) Total capital requirement, including operating capital required until such time as the cash generated from operations will be sufficient to make the enterprise self-sustaining.

(b) Amount of total financing required obtainable from other sources including the applicant's personal resources, and a statement of terms and conditions under which any borrowed portion is obtainable.

(c) Capital deficiency, which will be the basis for the amount of grant requested.

(d) Pro forma operating statements showing estimated expenses, income and net profit from operations for three years following receipt of the requested grant.

(e) Annual operating statements and balance sheets, audited if available, for the prior two years for enterprises already in operation.

(f) Current financial statements, consisting of a balance sheet and operating statement.

#### § 80.11 Application procedures.

Applications are to be submitted to the Superintendent of the reservation on which an enterprise will be or is located. If the enterprise site is near two or more reservations, application is to be made to the Superintendent having administrative jurisdiction over the reservation near which the enterprise will be located and which the enterprise will benefit economically. If the applicant is not a member of the tribe of the reservation which the enterprise will benefit economically, the application will be made to the nearest Superintendent. Applicants for a grant which is disapproved will be notified by letter, stating the reasons for disapproval. A copy of the letter will be sent to the prospective lender.

#### § 80.12 Grant approval authority.

Applications for grants require approval by the Commissioner.

#### § 80.13 Limits of authority.

(a) Grants will be made to assist in establishing new enterprises, or in purchasing or expanding established ones. However, a grant may be made only when in the opinion of the Commissioner the applicant is unable to obtain adequate financing from other sources such as banks, Farmers Home Administration, Small Business Administration, Production Credit Associations, Federal Land Banks or to obtain guaranteed and insured loans pursuant to Part 93 of this chapter on reasonable terms and conditions. Prior to making any grant, the Commissioner shall assure that, where practical, the applicant has reasonably made available for loan security and/or

for input into the economic enterprise collateral or funds from his own financial resources. Applicants may be required to furnish proof of their inability to obtain the financing required without a grant.

(b) A grant may be made only to an applicant who is able to obtain at least 60 percent of the necessary financing from other sources.

(c) No grant in excess of \$50,000 may be made to any applicant.

(d) Revolving loan funds as prescribed in Part 91 of this chapter and guaranteed or insured loans as prescribed in Part 93 of this chapter may not be used as the sources of the loan portion of the total financing requirement if financing from other governmental or institutional lenders is available on reasonable terms and conditions. If a loan is not available from other sources, guaranteed or insured loans under the provisions of Part 93 of this chapter may then be considered. Loans under the provisions of Part 91 of this chapter may be considered as the last source. Applicants for a loan from either source must meet the eligibility requirements as prescribed in Part 91 or Part 93 of this chapter.

(e) A grant will not be approved for an applicant unless there is assurance the applicant can and will be provided with needed competent technical and management assistance commensurate with the nature of the enterprise to be funded and the knowledge and management skills of the applicant.

(f) Grant funds may not be used for refinancing or debt consolidation.

(g) No more than one grant will be made for a project. In certain circumstances a second grant may be made to the same applicant for a new project or expansion of the original project. An additional grant will not be approved for an economic enterprise previously funded under the provisions of Title IV of the Indian Financing Act of 1974 except for expanding a successful enterprise, provided the total of grants made shall not exceed \$50,000. Information to be submitted with the application will include at a minimum the following:

(1) Use made of the prior grant.

(2) Evidence of competent management.

(3) Maintenance of adequate accounting records.

(4) That the operation is profitable as evidenced by operating statements and balance sheets prepared from the accounting records.

(5) That expansion will increase the net profit and/or increase Indian employment.

(h) An applicant for an expansion grant must meet the same eligibility requirements as an original applicant.

#### § 80.14 Disbursement of grant funds.

Unless otherwise provided by an agreement between a lender and the grantee, the Commissioner may in his discretion advance grant funds directly to a grantee. He may require the funds to be deposited in an IIM account at the appropriate Agency headquarters office or

deposited in a joint account in a bank and disbursed as needed by the grantee.

### § 80.15 Reports.

(a) Grantees are required to furnish comparative balance sheets and profit and loss statements for the first two full years of operation following receipt of the grant to the office of the grant approving officer. These may be copies of financial statements required by and furnished to the lender which provided the loan portion of the total financing required. If the lender does not require financial statements, the statements furnished shall be those considered satisfactory by the grant approving officer.

(b) The Commissioner will establish accounting and reporting systems which will appropriately show the status of Indian Business Development Program at all times.

MORRIS THOMPSON,  
Commissioner of Indian Affairs.

[FR Doc.74-20226 Filed 8-30-74; 8:45 am]

### [ 25 CFR Part 91 ]

## GENERAL CREDIT TO INDIANS

### Proposed Revision

AUGUST 27, 1974.

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2.

Notice is hereby given that it is proposed to revise Part 91, Subchapter I, Chapter I, of Title 25 of the Code of Federal Regulations. This revision is proposed pursuant to the authority contained in section 109 of the Act of April 12, 1974 (Pub. L. 93-262, 88 Stat. 77).

The purpose of this revision is to update the regulations to reflect the provisions of the Indian Financing Act of 1974 (Pub. L. 93-262, 88 Stat. 77) which provides for financing the economic development of Indians, Indian organizations and Indian tribes.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposed revision to the Director, Office of Tribal Resources Development, Bureau of Indian Affairs, Washington, D.C. 20245, on or before October 3, 1974.

It is proposed to revise Part 91, Subchapter I, Chapter I, of Title 25 of the Code of Federal Regulations to read as follows:

### PART 91—LOANS TO INDIANS FROM THE REVOLVING LOAN FUND

Sec.	
91.1	Definitions.
91.2	Kinds of loans.
91.3	Eligible borrowers.
91.4	Applications.
91.5	Approval of loans.
91.6	Modification of loans.
91.7	Management and technical assistance.
91.8	Environmental and Flood Disaster Acts.

Sec.	
91.9	Preservation of historical and archaeological data.
91.10	Interest.
91.11	Records and reports.
91.12	Security.
91.13	Maturity.
91.14	Penalties and default.
91.15	Uncollectible loans.
91.16	Assignment of loans.
91.17	Tribal funds.
91.18	Relending by borrower.
91.19	Repayments.
91.20	Approval of articles of association and bylaws.
91.21	Loans for expert assistance.

AUTHORITY: Sec. 109, 88 Stat. 77.

### § 91.1 Definitions.

Wherever used in the regulations in this part, the terms defined in this section shall have the meanings stated:

(a) "Secretary" means the Secretary of the Interior.

(b) "Commissioner" means the Commissioner of Indian Affairs or his authorized representative.

(c) "Indian" means any person who is a member of any Indian tribe, band, group, pueblo or community which is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs and any "Native" as defined in paragraph (d) of this section.

(d) "Native" means a citizen of the United States who is a person of one-fourth degree or more Alaska Indian (including Tsimshian Indians not enrolled in the Metlakatla Indian Community), Eskimo, or Aleut blood, or combination thereof. The term includes any Native as so defined either or both of whose adoptive parents are not Natives. It also includes, in the absence of proof of a minimum blood quantum, any citizen of the United States who is regarded as an Alaska Native by the Native village or Native group of which he claims to be a member and whose father or mother is (or, if deceased, was) regarded as Native by any village or group.

(e) "Tribe" means any Indian tribe, band, group, pueblo, or community, including Native villages and Native groups (including corporations organized by Kenai, Juneau, Sitka, and Kodiak) as defined in paragraphs (f) and (g) of this section, which is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs.

(f) "Native village" means any tribe, band, clan, group, village, community, or association in Alaska listed in sections 11 and 16 of the Alaska Native Claims Settlement Act (85 Stat. 688) or which meets the requirements of this Act, and which the Secretary determines was, on the 1970 census enumeration date (as shown by the census or other evidence satisfactory to the Secretary, who shall make findings of fact in each instance), composed of twenty-five or more Natives.

(g) "Native group" means any tribe, band, clan, village, community, or village association of Natives in Alaska composed of less than twenty-five Natives, who comprise a majority of the residents of the locality.

(h) "Reservation" includes Indian reservations and other lands held in

trust by the United States for Indians, public domain Indian allotments, former Indian reservations in Oklahoma, and land held by incorporated Native groups, regional corporations, and village corporations under the provisions of the Alaska Native Claims Settlement Act (85 Stat. 688).

(i) "Economic enterprise" means any Indian-owned, commercial, industrial or business activity established or organized for the purpose of profit, provided eligible Indian ownership constitutes not less than 51 per centum of the enterprise.

(j) "Organization" means the governing body of any Indian tribe, as defined in paragraph (e) of this section, or in entity established or recognized by such governing body for the purpose of this Act.

(k) "Other organizations" means any non-Indian individual, firm, corporation, partnership, or association.

(l) "Profits" mean the net income earned after deducting operating expenses from operating revenues.

(m) "Revolving loan fund" means all funds that are now or hereafter a part of the revolving fund authorized by the Act of June 18, 1934 (48 Stat. 986), the Act of June 26, 1936 (49 Stat. 1968), and the Act of April 19, 1950 (64 Stat. 44), as amended and supplemented, including sums received in settlement of debts for livestock pursuant to the Act of May 24, 1950 (64 Stat. 190) and sums collected in repayment of loans made including interest or other charges on loans and any funds appropriated pursuant to section 108 of the Indian Financing Act of 1974 (88 Stat. 77).

### § 91.2 Kinds of loans.

(a) Loans from the Indian Revolving Loan Fund shall be made to improve and promote economic development of Indian reservations. Loans may be made to eligible tribes and organizations for relending to members, associations of members and subordinate bands for any purpose which will promote the economic development of the group or individual; for purposes of obtaining college level education by individuals; or to finance tribal economic enterprises to be operated for profit, the operation of which will contribute to the improvement of the economy of a reservation. Eligible individual Indians may receive direct loans from the United States for financing economic enterprises, the operation of which, wherever located, contributes beneficially to the economy of a reservation and/or the members thereof, for the purchase or construction of housing on a reservation and to eligible Indians to attend institutions of higher learning to obtain a degree in a field which will provide employment opportunities. Loans may be made to finance attendance at recognized schools which will provide the applicant with specific skills in a field having employment opportunities. However, no loan shall be made if the applicant can obtain funding from other Federal or state programs or is able to obtain a grant from any source

in an amount sufficient to meet the applicant's needs.

(b) Loans may be made to eligible tribes and Indian organizations for use in attracting industries and economic enterprises to operate in localities where the operation will contribute to the economy of a reservation. Tribes and Indian organizations may receive loans from the revolving loan fund for investment in or lending to other organizations regardless of whether they are organizations of Indians. However, not more than 50 percent of the loan made to an Indian organization may be used for the purpose of making a loan to or investing in other organizations. Applications for loans to provide funds for lending to or investing in other organizations already in operation will be accompanied by (1) audited balance sheets and operating statements of the other organization for the immediate three preceding years; (2) pro forma operating statements reflecting the results of operations after injection of the additional funds; (3) names of owners or if a corporation and stock has been issued, names of major stockholders; (4) a copy of the articles of incorporation and bylaws, if incorporated; (5) names of members of the board of directors and officers with resume of education and experience; (6) purpose for which loan or investment will be used; and (7) if for manufacturing, selling or providing services, a market and capacity report will be prepared. If a proposed operation is to be established, the information in subparagraphs (2) through (7) of this paragraph will be furnished. The Commissioner may require additional information on the other organization, if needed, to adequately evaluate the benefits which the Indian organization will receive and the economic benefits which will accrue to a reservation. If the loan is for relending to another organization, the application must show what security is being offered. If the loan is for investment in other organizations, the equity to be obtained must be shown. Copies of all agreements, contracts or other documents to be executed by the Indian organization and the other organization in connection with a loan or investment are to be submitted with the application for a loan and will require Commissioner approval prior to disbursement of loan funds to the Indian organization unless an exception is approved by the Commissioner.

#### § 91.3 Eligible borrowers.

Loans may be made from the revolving loan fund to tribes and eligible Indian organizations having a form of organization satisfactory to the Commissioner. Individual Indians who are members of tribes which are not making loans to its members and are not members of or eligible for membership in an organization which is making loans to its members are eligible for direct loans. Loans may be made to an applicant only when, in the judgment of the Commissioner, there is a reasonable prospect of repayment. Loans may be made only to applicants who, in the opinion of the

Commissioner, are unable to obtain financing on reasonable terms and conditions from other sources such as banks, Farmers Home Administration, Small Business Administration, Production Credit Associations, Federal Land Banks or are unable to obtain guaranteed and insured loans pursuant to Part 93 of this chapter. The establishment of a United States direct revolving loan program on a reservation(s) for making direct loans to eligible Indians and cooperative associations organized by eligible Indians residing thereon will require the approval of the Commissioner. Requests by a Superintendent or tribe for the establishment of a direct revolving loan program will be accompanied by reasons for need, estimate of financing needs, and other sources of financing available to meet the needs. The Commissioner in approving a direct loan program may require the preparation and approval of a plan of operation for conducting the program.

#### § 91.4 Applications.

An applicant for a loan will submit an application on a form approved by the Commissioner. Applications will indicate the purposes for which the loan is to be used, management experience of the applicant, current financial statements, budgets, the period of the loan, the security to be offered, and the procedures to be followed in handling and repaying the loan. Applications for loans and requests for advance of tribal trust funds for relending under the provisions of this part shall be accompanied by a declaration of policy and plan of operation or other acceptable plan for conducting the program. Applications for loans to establish, operate or expand an Indian-owned economic enterprise shall be accompanied by an enterprise application and agreement which will include a plan of operation. Declarations of policy and enterprise applications and agreements or other plans for conducting a relending program and economic enterprise operations require approval of the Commissioner before becoming effective.

#### § 91.5 Approval of loans.

Loan agreements, including those used by tribes in a relending program, must be executed on a form approved by the Commissioner. The borrower will furnish security, if available, up to an amount adequate to protect the loan. On loans from the United States the Commissioner will approve the loan by issuing a commitment order covering the terms and conditions for making the loan.

#### § 91.6 Modification of loans.

Any modification of the terms and provisions of a loan agreement must be agreed to in writing by the borrower and approved by the Commissioner. The borrower will submit a request for modification in writing. The request will indicate the section(s) of the loan agreement to be modified together with a justification. Requests for modification of loan agreements will include an agree-

ment to abide by the provisions of the regulations in this Part 91 and future amendments and modifications thereof.

#### § 91.7 Management and technical assistance.

Concurrent with the approval of a loan to finance an economic enterprise, either tribal or individual, the Commissioner will insure that competent management and technical assistance is available to the borrower consistent with the borrower's knowledge and experience and the nature and complexity of the economic enterprise being financed. Assistance may be provided by available Bureau of Indian Affairs staff, other government agencies including states, the tribe or other sources which the Commissioner considers competent to provide needed assistance. Fund limitations require that contracting for management and technical assistance be used only when adequate assistance is not available without cost. Contracts for providing borrowers with competent management and technical assistance shall be in accordance with applicable Federal Procurement Regulations.

#### § 91.8 Environmental and Flood Disaster Acts.

Loans will not be approved unless there is assurance of compliance with any applicable provisions of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234, 87 Stat. 975), the National Environmental Policy Act of 1969 (Pub. L. 91-190), 42 U.S.C. 4321 and Executive Order 11514.

#### § 91.9 Preservation of historical and archaeological data.

The Commissioner will assure compliance with the applicable provisions of the Act of June 27, 1960 (74 Stat. 220; 16 U.S.C. 469), as amended by the Act of May 24, 1974 (Pub. L. 93-291, 88 Stat. 174), relating to the preservation of historical and archaeological data.

#### § 91.10 Interest.

(a) The interest to be charged on loans by the United States shall be at a rate determined by the Secretary of the Treasury in accordance with Section 104, Title I of the Indian Financing Act of 1974 (P. L. 93-262, 88 Stat. 77). The interest rate shall be determined monthly and shall be effective on loans made during the succeeding calendar month. The interest rate shall be stated in the promissory note(s) executed by the borrower(s) evidencing the advance(s).

(b) Additional charges to cover loan administration costs may be determined and charged borrowers.

(c) Educational loans may provide for waiver of interest accruals while the borrower is in school or in the armed forces of the United States. Interest shall start on the first day of the month following one year from the date of completion of the educational course or receipt of a degree for which the loan was made. If the course is not completed, interest shall start on the first day of the month following the date the borrower drops out

of school. For borrowers in the armed forces, interest will start on the first day of the month following discharge from service, or following completion of his initial enlistment term or four years whichever is less.

(d) The interest rate on loans made by Indian organizations which are conducting relending programs shall not be less than the rate the organization pays on its loan(s) from the United States. Organizations which adopt the same interest rate and follow the same procedure in calculating interest on educational loans as is followed on educational loans made by the United States will not be charged interest on loans from the United States on the amount outstanding on educational loans during the period the organization is not charging its borrowers interest.

(e) Interest rates on loan advances made by the United States as shown in promissory notes dated April 12, 1974, will remain in effect until the loan is paid in full or refinanced. Unless otherwise specifically provided in a loan contract, the interest rate on advances made after April 12, 1974, under the provision of a loan contract will be at a rate determined pursuant to section 104 of the Indian Financing Act of 1974. The interest rate on loans for expert assistance will be at a rate established in § 91.21(b).

#### § 91.11 Records and reports.

Loan contracts between the United States and Indian organizations, cooperative associations and individual Indians for economic enterprises and to tribes and organizations for relending to members will require that borrowers establish and maintain accounting and operating records that are satisfactory to the Commissioner and submit signed reports as required by the Commissioner. The records, accounts, and loan files shall be available for examination and audit by the Commissioner at any reasonable time. Unless an exception is approved by the Commissioner, borrowers will be required to have an annual audit made of the records of relending programs, tribal economic enterprises and cooperative associations financed with revolving loan funds, by a certified public accountant or a firm of certified public accountants or other qualified public accountants satisfactory to the Commissioner.

#### § 91.12 Security.

(a) Loans shall be secured by such security as the Commissioner may require.

(b) Land purchased by an individual Indian with the proceeds of a loan may be encumbered as security for a loan. Land purchased by a tribe or Indian organization with the proceeds of a loan with title taken in a trust or restricted status may not be encumbered as security for a loan.

(1) Title to any land purchased by a tribe or by an individual Indian with loan funds may be taken in trust or restricted status unless the land is located outside the boundaries of a reservation or a tribal consolidation area approved

by the Secretary. Title to any land purchased by a tribe or an individual Indian which is outside the boundaries of a reservation or approved consolidation area may be taken in trust if the purchaser was the owner of trust or restricted interests in the land before the purchase. Otherwise title shall be taken in the name of the purchaser without any restrictions on alienation, control or use.

(c) Title to any personal property purchased with a loan shall be taken in the name of the purchaser.

(d) Any Indian organization receiving a loan from the revolving loan fund shall be required to assign to the United States as security for the loan all securities acquired in connection with the loans made to its members, sub-organizations or associations from such funds, unless the Commissioner determines that the repayment of a loan to the United States is otherwise reasonably assured. Funds advanced to finance a corporate or tribal economic enterprise shall be secured by an assignment of net income and net assets of the enterprise, unless the Commissioner determines that repayment of the loan to the United States is otherwise reasonably assured.

(e) Securing documents shall be filed or recorded in accordance with applicable state or Federal laws including compliance with the requirements of the Uniform Commercial Code except those customarily filed in Bureau of Indian Affairs offices.

#### § 91.13 Maturity.

The maturity of any loan shall not exceed thirty years.

#### § 91.14 Penalties on default.

Unless otherwise provided in the loan agreement, failure on the part of the borrower to conform to the terms of the loan agreement will be deemed grounds for any one or all of the following steps to be taken by the Commissioner.

(a) Discontinue any further advances of funds contemplated by the agreement.

(b) Take possession of any or all collateral given as security, and in the case of individuals and cooperative associations, the property purchased with borrowed funds.

(c) Prosecute legal action against the borrower or against officers of corporations, organizations, tribes or bands, credit associations and cooperative associations.

(d) Declare the entire amount advanced immediately due and payable.

(e) Prevent further disbursement of credit funds under the control of the borrower.

(f) Withdraw any unobligated funds from the borrower.

(g) In the case of organizations, tribes, and credit associations conducting a relending program, require that all repayments on loans be applied to liquidate the indebtedness to the United States.

(h) In the case of credit associations and tribes conducting relending programs, take possession of the assets of the borrower and exercise or arrange for the exercise of its power until the Com-

missioner has received acceptable assurance of its repayment of the loan and compliance with the provisions of the loan agreement.

(i) In the case of organization and tribal economic enterprises and cooperative associations, liquidate or operate or arrange for the operation of the enterprise or association until its indebtedness is paid or until the Commissioner has received acceptable assurance of its repayment and compliance with the loan agreement.

#### § 91.15 Uncollectible loans.

If the Secretary determines that a loan is uncollectible in whole or in part or is collectible only at an unreasonable cost or when such actions would in his judgment be in the best interest of the United States, he may cancel, adjust, compromise, or reduce the amount of any loan or any portion of any loan made from the revolving loan fund. The Commissioner may adjust, compromise, subordinate or modify the terms of any mortgage, lease, assignment, contract, agreement or other document taken as security for loans. However, the cancellation of all or part of a loan shall be effective only after the following steps have been taken:

(a) The Secretary submits to the Congress a report on adjustments made during the preceding fiscal year with recommendations for cancellations for the current fiscal year.

(b) Congress by concurrent resolution approves the cancellation within sixty legislative days after receipt of the report and recommendations or,

(c) Congress does not take action approving or disapproving the cancellation within sixty legislative days after receipt of the report.

(47 Stat. 564 (25 U.S.C. 386a))

#### § 91.16 Assignment of loans.

A borrower may not assign his loan agreement or any interest in it to a third party without the consent of the Commissioner.

#### § 91.17 Tribal funds.

(a) Tribal trust funds may be advanced to tribes when authorized by Congress, requested by the governing body, and approved by the Commissioner for the establishment, operation or expansion of economic enterprises and for relending in accordance with paragraphs (b) and (c) of this section and § 91.18. No interest shall be paid to the United States on such funds. The Commissioner may require the tribe to prepare a plan of operation for the enterprise and a plan establishing the policies and procedures for making loans to members from tribal funds.

(b) Support loans may be made to old, indigent or disabled members and loans may be made for burial expenses of members when there is reasonable assurance that the loans will be repaid. Interest may be waived on such loans. These loans, unless otherwise authorized by the Commissioner, shall be accounted for separately by the tribe and administered

under a separate plan of operation from the plans governing housing, business, education and agricultural loans.

(c) In order for individuals to be eligible for loans of tribal funds, they must be members of the tribe to which the funds belong.

(d) Failure of a tribe to use tribal funds advanced under paragraph (a) of this section in accordance with the regulations and purposes for which requested shall be grounds for any or all of the following steps to be taken by the Commissioner:

(1) Discontinue further advance of funds requested.

(2) Require that the entire amount advanced be returned to the Treasury.

(3) Prevent further disbursement of tribal funds in the account of an economic enterprise or tribal relending program under the control of the tribe.

(4) Withdraw any unobligated funds from the tribe and deposit the same in the Treasury.

(5) Require that all repayments on loans made by the tribe be used to replace funds advanced to the tribe from the Treasury.

(6) In the case of tribal economic enterprises operated with tribal funds, liquidate or operate or arrange for the operation of the enterprise until all tribal trust funds advanced to the tribe have been replaced in the tribe's Treasury account, or until the Commissioner has received acceptable assurance that the funds will be replaced or that the enterprise will be operated in a manner satisfactory to him.

**§ 91.18 Relending by borrower.**

(a) A tribe or credit association may reloan funds loaned to it by the United States with the approval of the Commissioner. The Commissioner may authorize such lenders to approve applications for particular types of loans up to a specified amount.

(b) Loans shall be secured by such securities as the lender and the approving officer may require. Individually owned trust or restricted land may be mortgaged as security for such loans in accordance with 25 CFR 121.34 and the Act of March 29, 1956 (70 Stat. 62; 25 U.S.C. 483a). Securing documents shall be filed or recorded in accordance with State law, except those customarily filed at a Bureau of Indian Affairs office.

(c) Title to personal property purchased with loans received from relending organizations using revolving loan funds in its relending program shall be taken in the name of the borrower.

(d) The term of a loan made by an organization conducting a relending program shall not extend beyond the maturity date of its loan from the United States, unless the organization has funds available from which to make scheduled repayment on its loan from the United States.

(e) When an organization making loans to its membership from moneys borrowed from the United States rejects a loan application from an eligible member, the Commissioner may, in his dis-

cretion, make a direct loan from the revolving fund to the applicant if he determines that the rejection is unwarranted. In making this determination, the Commissioner will review in detail the reasons why the organization rejected the application; the soundness and feasibility of the applicant's proposal; and the applicant's repayment ability, industry and work habits.

**§ 91.19 Repayments.**

Repayments on loans by the United States shall be made to the designated collection officer of the Bureau of Indian Affairs who shall issue an official receipt for the repayment and deposit the collection in the revolving loan fund.

**§ 91.20 Approval of articles of association and bylaws.**

Articles of association and bylaws of credit and cooperative associations and amendments require approval of the Commissioner if they make application for a revolving credit loan.

**§ 91.21 Loans for expert assistance.**

(a) Loans may be made to Indian tribes to be used in obtaining expert assistance other than the assistance of counsel for the preparation and trial of claims pending before the Indian Claims Commission. Applications will be submitted on forms approved by the Commissioner. Loans will be approved by issuance of a commitment order by the Commissioner.

(b) Loans shall bear interest at the rate of 5½ percent per annum from the date funds are advanced until repaid.

(c) No loan shall be approved if the applicant has funds available on deposit in the United States Treasury or elsewhere in an amount adequate to obtain the expert assistance he needs or if, in the opinion of the Commissioner, the fees to be paid the experts are unreasonable on the basis of the services to be performed by them.

(d) Loan funds will be advanced only as needed to pay obligations incurred under approved contracts for expert assistance.

(e) The principal amount of the loan advanced plus interest shall be repayable from the proceeds of any judgment received by the borrower at the time funds from the award become available to make the payment.

(77 Stat. 301 (25 U.S.C. 70n-1 to 70n-7))

MORRIS THOMPSON,  
Commissioner of Indian Affairs.

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**[ 25 CFR Part 93 ]**

**LOAN GUARANTY, INSURANCE, AND INTEREST SUBSIDY**

**Proposed Establishment**

**AUGUST 27, 1974.**

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2.

Notice is hereby given that it is proposed to add a new Part 93 to Subchapter I, Chapter I, of Title 25 of the Code of Federal Regulations. These regulations are proposed pursuant to the authority contained in section 218 of the Act of April 12, 1974 (88 Stat. 77).

The purpose of this new Part 93 is to prescribe the terms and conditions under which Indians may more fully avail themselves of the services offered by private money sources which otherwise would not be available to them. The program provides that private lending institutions may make loans to eligible tribes, Indian organizations and individual Indians that may be guaranteed or insured by the United States. The program also provides for interest subsidies on loans that are guaranteed or insured in amounts necessary to reduce the rates payable by the Indian borrower to the rate determined by the Secretary of the Treasury under Section 104 of Title I of the Indian Financing Act of 1974 (Pub. L. 93-262, 88 Stat. 77). Part 93 will enable Indians to obtain financing needed to develop and manage their reservation resources to a higher degree.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposed regulations to the Director, Office of Tribal Resources Development, Bureau of Indian Affairs, Washington, D.C. 20245, on or before October 3, 1974.

It is proposed to add Part 93 to Subchapter I, Chapter I, of Title 25 of the Code of Federal Regulations to read as follows:

**PART 93—LOAN GUARANTY, INSURANCE, AND INTEREST SUBSIDY**

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AUTHORITY: Sec. 218, 88 Stat. 77.

### § 93.1 Definitions.

Whenever used in the regulations in this part, the terms defined in this section shall have the meanings stated:

(a) "Secretary" means the Secretary of the Interior.

(b) "Commissioner" means the Commissioner of Indian Affairs or his authorized representative.

(c) "Indian" means any person who is a member of any Indian tribe, band, group, pueblo or community which is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs and any "Native" as defined in paragraph (d) of this section.

(d) "Native" means a citizen of the United States who is a person of one-fourth degree or more Alaska Indian (including Tsimshian Indians not enrolled in the Metlakatla Indian Community), Eskimo, or Aleut blood, or combination thereof. The term includes any Native as so defined either or both of whose adoptive parents are not Natives. It also includes, in the absence of proof of a minimum blood quantum, any citizen of the United States who is regarded as an Alaska Native by the Native village or Native group of which he claims to be a member and whose father or mother is (or, if deceased, was) regarded as Native by any village or group.

(e) "Tribe" means any Indian tribe, band, group, pueblo, or community, including Native villages and Native groups (including corporations organized by Kenai, Juneau, Sitka, and Kodiak) as defined in paragraphs (f) and (g) of this section, which is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs.

(f) "Native village" means any tribe, band, clan, group, village, community, or association in Alaska listed in sections 11 and 16 of the Alaska Native Claims Settlement Act (85 Stat. 688), or which meets the requirements of this Act, and which the Secretary determines was, on the 1970 census enumeration date (as shown by the census or other evidence satisfactory to the Secretary, who shall make findings of fact in each instance) composed of twenty-five or more Natives.

(g) "Native group" means any tribe, band, clan, village, community, or village association of Natives in Alaska composed of less than twenty-five Natives, who comprise a majority of the residents of the locality.

(h) "Reservation" includes Indian reservations, public domain Indian allotments, former Indian reservations in Oklahoma, and land held by incorporated Native groups, regional corporations, and village corporations under the provisions of the Alaska Native Claims Settlement Act (85 Stat. 688).

(i) "Economic enterprise" means any Indian-owned, as determined by the Commissioner, commercial, industrial, or business activity established or organized for the purpose of profit, providing the eligible Indian ownership constitutes not less than 51 per centum.

(j) "Organization" means the governing body of any Indian tribe, as defined in paragraph (e) of this section, or entity established or recognized by such governing body for the purpose of this Act.

(k) "Other organizations" means any non-Indian individual, firm, corporation, partnership, or association.

(l) "Borrower" means the Indian organization or individual Indian receiving a guaranteed or insured loan.

(m) "Guaranty" means the obligation assumed by the United States to repay a specific percentage of a loan upon default of the borrower pursuant to the regulations in this Part 93.

(n) "Guaranteed loan" means a loan guaranteed by the United States pursuant to the regulations in this Part 93.

(o) "Insured loan" means a loan made pursuant to an agreement approved by the Commissioner with a financial institution, under which an obligation is assumed by the United States to indemnify the lender for a percentage of a loss on loans, pursuant to the regulations in this Part 93.

(p) "Premium" means the charge made to lenders for guaranteeing or insuring loans under provisions for reimbursement of lenders by the United States for a percentage of losses incurred.

(q) "Interest subsidy" means payments which may be made by the United States to lenders making insured or guaranteed loans to reduce the interest rate which borrowers pay the lenders to the rate established pursuant to section 104 of the Indian Financing Act of 1974 (88 Stat. 77).

(r) "Default" means failure of a borrower to make scheduled payments on a loan or to comply with the covenants, obligations, or terms of a loan.

### § 93.2 Purpose.

(a) The purpose of this Part 93 is to prescribe the terms, conditions and provisions under which loans made to eligible tribes, Indian organizations and individual Indians for financing economic enterprises which contribute beneficially to the economy of an Indian reservation, for housing on a reservation, or for education may be guaranteed or insured by

the United States. Lenders are reimbursed for a percentage of a loss or losses incurred on loans made under the provisions of this Part, as evidenced by an approved guaranty certificate or insurance agreement.

(b) It is also the purpose of the part to prescribe procedures for payment of an interest subsidy to lenders making guaranteed or insured loans to reduce the interest to be paid by the borrowers, for establishing loan guaranty and insurance premiums to be charged, and for collection of the premium. This program will provide Indians with additional sources of financing needed to develop and manage their reservation resources to a higher degree.

### § 93.3 Kinds of loans.

(a) Loans to tribes, eligible Indian organizations, and Indian individuals for financing economic enterprises which contribute to the economy of a reservation or its members or for housing on a reservation to be occupied by the borrower may be guaranteed or insured. Loans for educational purposes may be guaranteed or insured only when other sources of financing, including scholarships or grants or loans from the revolving loan fund made under Part 91 of this chapter, are not available.

(b) Loans to tribes and organizations for the purchase of land may be guaranteed or insured only for purchasing land within the exterior boundaries of a reservation or land outside the exterior boundaries of a reservation which will be used by the borrower and/or its members for an economic enterprise and the use of which will contribute to the economy of a reservation. Loans to individuals for the purchase of land may be guaranteed or insured only for purchasing trust land in which the borrower owns an interest or land within the exterior or outside the boundaries of a reservation to be used by the borrower in operating an economic enterprise which will contribute to the economy of a reservation. The Commissioner may require an applicant for a guaranteed or insured loan for the purchase of land to provide information showing that financing from other sources is not available on reasonable terms and conditions. Title to land purchased with a guaranteed or insured loan may be taken in trust or restricted status unless the land is located outside the boundaries of a reservation or a tribal consolidation area approved by the Secretary. Title to any land purchased by a tribe or an individual Indian which is outside the boundaries of a reservation or approved consolidation area may be taken in trust if the purchaser was the owner of trust or restricted interests in the land before the purchase. Otherwise title shall be taken in the name of the purchaser without any restrictions on alienation, control or use.

(c) Funds included in loans for the purchase of non-recoverable items, furniture, passenger carrying automobiles, trucks or pickups, televisions, radios, and household appliances are not eligible

for guaranty or insurance unless required in the direct operation of an economic enterprise. Funds included in loans for payment of personal bills or obligations and unsecured debts are not eligible for guaranty or insurance.

(d) No loans will be guaranteed or insured for the financing of a relending program.

**§ 93.4 Management and technical assistance.**

(a) Concurrent with the issuance of a guaranty certificate for a loan to finance an economic enterprise, either tribal or individual, the Commissioner will insure that competent management and technical assistance is available to the borrower consistent with the borrower's knowledge and experience and the nature and complexity of the economic enterprise being financed. Assistance may be provided by available Bureau of Indian Affairs staff, other government agencies including states, a tribe, or other sources which the Commissioner considers as competent to provide the needed assistance. It is intended that contracting for management and technical assistance be used only when adequate assistance is not available without cost. Contracts for providing borrowers with competent management and technical assistance shall be in accordance with applicable sections of the Federal Procurement Regulations.

(b) When submitting to the Commissioner a request for guaranty or insurance of a loan to finance an economic enterprise, a lender will include, as part of the request or separately, its evaluation of the applicant's need for management and technical assistance, specific areas of need, and whether the lender will provide such assistance to the applicant. A lender making loans under the provisions of a general insurance agreement may determine each applicant's need for management and technical assistance when financing of an economic enterprise is involved. If, subsequent to making a loan, the lender determines that an applicant will need management and technical assistance, it will notify the Commissioner in writing indicating the specific areas of need, and whether it will provide such assistance.

**§ 93.5 Preservation of historical and archeological data.**

Lenders making guaranteed or insured loans to finance activities involving excavations, road construction, and land development or involving the disturbance of land on known or reported historical or archeological sites will take appropriate action to assure compliance with applicable provisions of the Act of June 27, 1960 (74 Stat. 220; 16 U.S.C. 469), as amended by the Act of May 24, 1974 (Pub. L. 93-291, 88 Stat. 174), relating to the preservation of historical and archeological data.

**§ 93.6 Environmental and flood disaster protection.**

Applications for loans to purchase or construct buildings or other improve-

ments which require compliance with any provisions of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234, 87 Stat. 975), and provisions of the National Environmental Policy Act of 1969 (Pub. L. 91-190) will not be approved until the lender has received assurance of compliance with any applicable provisions of these acts.

**§ 93.7 Eligible organizations.**

Tribes and organizations having a form of organization satisfactory to the Commissioner, recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs, and indicating reasonable assurance of repayment of a loan are eligible for guaranteed or insured loans.

**§ 93.8 Eligible individuals.**

Indians who are members of tribes recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs which are not making loans to its members and who are not members of or eligible for membership in an organization which is making loans to its members are eligible for guaranteed or insured loans.

**§ 93.9 Eligible lenders.**

(a) Those financial institutions subject to examination and supervision by an agency of the United States, a State, or the District of Columbia having the capacity to evaluate, process, disburse and service loans and Indian tribes making loans from their own funds to other tribes or organizations of Indians are eligible to have loans insured under these regulations. Loans made by any lender satisfactory to the Commissioner may be guaranteed. Any national bank or federal savings and loan association, or any bank, trust company, building and loan association, or insurance company authorized to do business in the District of Columbia may make any loan of which at least 20 percent is guaranteed under this Part 93 without regard to the limitations and restrictions of any other Federal statute with respect to (1) ratio of amount of loan to the value of the property, (2) maturity of loans, (3) requirement of mortgage or other security, (4) priority of lien, or (5) percentage of assets which may be invested in real estate loans.

(b) Any guaranty certificate issued pursuant to this part or any loan insured pursuant to an agreement with a lender approved in accordance with this part shall be conclusive evidence that the loan was eligible for guaranty or insurance.

**§ 93.10 Ineligible loans.**

The following loans are not eligible for guaranty or insurance under these regulations:

(a) Loans made by any agency or instrumentality of the Federal Government.

(b) Loans made by an organization of Indians making loans from funds borrowed from the United States.

(c) Loans where the interest income is not included as taxable income under Chapter 1 of the Internal Revenue Code of 1954, as amended.

(d) Loans with repayment terms exceeding thirty years.

**§ 93.11 Guaranteed loans.**

Loans, except those excluded in § 93.10, made by any lender satisfactory to the Commissioner may be guaranteed. Applications for guaranty will be considered on a loan by loan basis. No guaranty shall be effective until issuance of a guaranty certificate by the Commissioner and receipt of the premium from the lender. A guaranty certificate shall be issued only when, in the judgment of the Commissioner, there is reasonable prospect for repayment of the loan.

**§ 93.12 Insured loans.**

Eligible lenders as prescribed in § 93.9 and tribes making loans from their own funds to other tribes or Indian organizations may make insured loans, except those excluded in § 93.10, pursuant to the provisions of an insurance agreement between the Commissioner and the lender on a form of agreement approved by the Commissioner. Lenders will make loans only when there is reasonable prospect for repayment. The insurance on any loan made under the provisions of an insurance agreement will not be effective until receipt of the premium by the Commissioner.

**§ 93.13 Amount of guaranty.**

(a) The percentage of a loan that is guaranteed shall be the minimum necessary to obtain financing for an applicant, but may not exceed 90 percent of the unpaid principal and interest on any guaranteed loan. The liability under the guaranty shall increase or decrease pro rata with any increase or decrease in the unpaid portion of the principal amount of the obligation. No loan to an individual Indian may be guaranteed for an unpaid principal amount in excess of \$100,000. No loan to an individual Indian will be guaranteed for a principal amount of less than \$2,500 or for a term of less than one year. No loan to a tribe or Indian organization will be guaranteed for a principal amount less than \$10,000 or for a term of less than one year.

(b) Applications of minors as determined by applicable state and Federal law, may not be approved unless the parents or guardians, with reputations as being responsible individuals, co-sign the promissory note(s) and securing document. Not more than one guaranteed loan may be in effect with the same borrower at any time without the prior approval of the Commissioner.

**§ 93.14 Amount of insurance.**

(a) The insurance provisions will apply to loans made by a particular lender under the terms of an insurance agreement entered into between the Commissioner and the lender. The insurance procedure will be used primarily for loans to finance individual Indians and small

economic enterprises of tribes and Indian organizations. A lender may be reimbursed for a loss on a particular loan in an amount not to exceed 90 percent of the loss on principal and unpaid accrued interest on the loan. However, the total reimbursement to a lender for losses may not exceed 15 percent of the aggregate of insured loans made by it. Loans for any amount made by tribes from their own funds to other tribes or Indian organizations will not be insured without the prior approval of the Commissioner. No loan to finance an economic enterprise with a principal amount in excess of \$50,000 shall be insured without the prior approval of the Commissioner. No loan to an individual Indian may be insured which would cause the total unpaid principal amount to exceed \$100,000. Any loan to an individual Indian having a principal amount in excess of \$50,000 will require prior approval of the Commissioner. No loan to an individual with a principal amount of less than \$2,500 or for a term of less than one year may be insured. No loan to a tribe or Indian organization for a principal amount of less than \$10,000 or for a term of less than one year may be insured.

(b) Applications of minors may not be approved unless the parents or guardians, with reputations as being responsible individuals, co-sign the promissory note(s) and securing documents. Not more than one insured loan may be in effect with the same borrower at any time without the prior approval of the Commissioner.

#### § 93.15 Applications for loans.

Applicants will deal directly with lenders for both guaranteed and insured loans. The form of loan application will be determined by the lender. The application or attachment thereto must show the purpose and the amount of the loan; security to be given; insurance to be carried; interest rate; repayment schedules; repayment source; how title to property purchased with the loan is to be taken; current financial statements of the applicant; description and dollar value of the personal investment to be made by the applicant; charges pursuant to § 93.44, pro forma operating statements and cash flow statements for at least three succeeding years; if already in operation, balance sheets and operating statements for the two preceding years; and the lender's evaluation of the economic feasibility of the enterprise. Applications for guaranteed loans will also show the percentage of guaranty requested. Reasonable assurance of repayment will be considered to exist:

(a) In the case of individuals, where past operations and future prospects of the applicant's operations demonstrate ability to repay the loan from production, earnings, or other assets. Full consideration will be given to the applicant's managerial ability and experience.

(b) In the case of tribes and Indian organizations, where past operations or future plans of operation indicate that the economic enterprise for which financing is requested is economically

sound. Full consideration will be given to arrangements for efficient management of the enterprise for which financing is requested. The Commissioner may require that a written plan of operation for enterprises be prepared and approved by the organization, the lender and the Commissioner.

#### § 93.16 Loan otherwise available.

In order to be eligible for either guaranteed or insured loans which require individual approval, applicants are required to show as evidenced by rejection letters from other sources, that financing is not otherwise available on reasonable terms and conditions, and that there is reasonable assurance of repayment of the loan. A lender making loans under the provisions of an insurance agreement approved by the Commissioner will determine that financing is not otherwise available on reasonable terms and conditions without the benefit of the insurance.

#### § 93.17 Refinancing.

(a) Applications for loans to refinance indebtedness will be approved only if justified and required due to the applicant's financial position and is clearly to the advantage of the applicant. Applications to refinance loans to economic enterprises will include balance sheets and operating statements for the past three years or from the start of the business if it has been operating less than three years.

(b) Applications for refinancing of loans not guaranteed or insured under this part will not be approved for guaranty or insurance if, in the opinion of the Commissioner, the submittal of an application is motivated primarily to obtain guaranty or insurance of a loan which otherwise would be made.

#### § 93.18 Furnishing additional information.

The Commissioner may require either the lender or the borrower or both to furnish additional information or justification for a loan prior to issuance of a guaranty certificate or insurance agreement where Commissioner approval of an individual insured loan is required.

#### § 93.19 Approval of guaranteed loans.

(a) Upon a lender's approval of an application for a guaranteed loan, the lender will forward the application in duplicate to the Commissioner with a "Request for Guaranty". The Commissioner will approve the application by issuance of a "Guaranty Certificate" which will show the percentage amount of the loan guaranteed, the premium to be paid to the Commissioner and the interest subsidy to be paid on the loan by the United States.

(b) If the application is not approved, the original will be returned to the lender with an explanation, and a copy furnished the loan applicant.

#### § 93.20 Approval of insured loans.

After a lender approves a loan eligible for insurance in accordance with

an approved insurance agreement, the lender will proceed as authorized by the agreement. Applications for insured loans which require approval by the Commissioner as prescribed in § 93.14 will be forwarded in duplicate to the Commissioner with a "Request for Insurance" signed by the lender. The Commissioner will approve the application by issuance of an "Insurance Agreement". If the application is not approved, the original will be returned to the lender with an explanation.

#### § 93.21 Modification of loan agreements.

Both guaranteed and insured loan agreements may be modified with the approval of the parties to the original loan agreements. Repayment terms may not be extended more than 30 years from the date of the first advance. All lenders making loans under the provisions of an insurance agreement shall notify the Commissioner not later than 15 days after approval of a modification of a loan. Modification of guaranteed loans require approval by the Commissioner. Modification of insured loans on which an individual insurance agreement was issued require approval by the Commissioner.

#### § 93.22 Additional advances.

When provided for in a loan agreement and subject to the limitations on the amounts and terms of loans as provided in this Part, lenders may advance, for certain purposes, up to 10 percent of the amount for which a guaranteed or insured loan to an individual was approved originally. The advance may be made for purposes necessary and proper for the maintenance or repair of the property purchased with or given to secure the loan; for accrued taxes, special assessments, ground and water rents, and insurance premiums; and for any other purposes necessary for the protection of the interest of the lender or borrower, if the borrower is unable to provide the funds or refuses to do so. The additional advance will be charged against the borrower; however, the unpaid principal balance on the loan may not exceed the limitations prescribed in §§ 93.10, 93.13 and 93.14. Repayment of the additional advance shall be automatically guaranteed or insured at the same percentage as applied to the original amount of the loan upon the Commissioner receiving notice from the lender that an additional amount has been advanced and the necessity and purpose(s) of the advance with the payment of the premium for the additional amount pursuant to § 93.43. The amount of any additional advance shall be scheduled for repayment proportionately over the remaining installments of the unpaid principal balance of the loan. The interest rate charged on an additional advance as provided in this section will be the same rate as charged on the original loan or a lesser rate if the current rate being charged by the lender for similar purposes is less than the rate for the original loan.

**§ 93.23 Increase in principal of loans.**

Borrowers requiring additional funds may refinance guaranteed or insured loans with the same lender. The application must show why refinancing is necessary and that the refinancing meets the requirements of this part. Refinancing of loans must meet all of the requirements of original loans.

**§ 93.24 Maturity.**

The period of maturity of guaranteed and insured loans will be determined according to the circumstances, but may not extend beyond 30 years from the date of the first advance. All maturities will be consistent with sound business practices and customs of lenders in the area. Loans will be scheduled for repayment at the earliest possible date consistent with the purposes for which the loan is made and the indicated repayment capacity of the borrower.

**§ 93.25 Amortization.**

(a) All loans, the maturity of which extends five years or more beyond the date of the first advance, shall be amortized in accordance with any generally recognized plan of amortization for loans made by lenders in the area for the same purpose(s). Depending on the term and amount of the loan, principal installments during the first five years of a loan may be deferred or reduced. After that time a principal reduction shall be required not less than annually. The reduction shall bear a proper relationship to the borrower's anticipated income and expenses and protection of income available for debt reduction. Balloon installments will be avoided.

(b) Loans, the maturity of which is five years or less from the date of the first advance, need not require a principal reduction annually but the repayment schedule must bear a proper relationship to the borrower's anticipated income and expenses and funds available for loan repayment.

**§ 93.26 Prepayments.**

Borrowers whose loans are guaranteed or insured under this Part 93 shall have the right to prepay all or any part of the indebtedness at any time without penalty. Lenders and borrowers may agree that any prepayment not previously applied in satisfaction of matured installments may be reapplied to cure or prevent any subsequent default. The Commissioner shall be notified promptly by the lender when payments are made in advance of due dates.

**§ 93.27 Amount of security.**

Lenders will require borrowers to give security, if available, up to an amount adequate to protect the loan, without consideration of the guaranty or insurance.

**§ 93.28 Filing and recording.**

(a) All securing documents, except assignments of income from trust land and mortgages on documented vessels, shall be filed or recorded in the appropriate county or other public office in accordance with State law. Mortgages on documented vessels will be filed at the

Customs House designated as the home port of the vessel as shown on the marine document. Security interests in personal property will be perfected in accordance with the provisions of Article 9 of the Uniform Commercial Code in States in which the code has been adopted.

(b) Lenders are responsible for filing a copy of assignments of income from trust land in the office of the Bureau of Indian Affairs official having jurisdiction over the trust land involved and for filing or recording other securing instruments pursuant to the laws of the State in which the property is located or in the proper Customs House. Lenders must also see that: (1) Effective liens are maintained at all times; (2) taxes on the property included in the securing instruments are paid promptly to prevent such taxes from becoming a lien taking priority over a mortgage; and (3) Insurance is obtained and maintained in an amount sufficient to protect the security against the risks or hazards to which it may be subjected, to the extent customary in the locality. Failure of a lender to discharge any of these responsibilities will diminish the amount of the guaranty or insurance to the extent of any loss caused by the lender's failure unless there are extenuating circumstances which in the judgment of the Commissioner does not justify a reduction of the amount guaranteed or insured.

**§ 93.29 Property purchased with loan funds.**

Lenders will require that any property purchased with a guaranteed or insured loan, except land purchased by a tribe title to which is taken in a trust or restricted status, be mortgaged to the lender as security for the loan, unless the loan is otherwise adequately secured.

**§ 93.30 Land.**

(a) Tribes, organizations and Indian individuals may execute mortgages or deeds of trust on nontrust or unrestricted land as security without the approval of any Federal official.

(b) Tribal land, title to which is in a trust or restricted status, may not be mortgaged. Individually-owned trust or restricted land may be mortgaged as security with the approval of the Commissioner. Mortgages on trust or restricted land shall be subject to foreclosure or sale pursuant to the terms of the mortgage. For the purposes of any foreclosure or sales proceedings, the owner shall be regarded as vested with an unrestricted fee simple title to the land. The United States shall not be a necessary party to the proceedings. Any conveyance of the land pursuant to the proceedings shall divest the United States of title to the land.

(c) Tribes, organizations and Indian individuals leasing trust or restricted land may, when provided in the lease and approved by the lessor and the Commissioner, encumber their leasehold interest in the leased premises for the purpose of borrowing capital for the development and improvement of the leased premises.

(70 Stat. 62 (25 U.S.C. 4832))

**§ 93.31 Chattels.**

Tribes, organizations and Indian individuals may execute mortgages on non-trust and unrestricted chattels as security without the approval of any Federal official. If a lender requires, the Commissioner may approve mortgages of trust or restricted chattels given to secure guaranteed or insured loans. A tribe must adhere to the provisions of its constitution, bylaws, charter, or other organizational document in encumbering chattels. Encumbered chattels shall be subject to foreclosure or sale pursuant to the terms of the mortgage or security agreement in accordance with the laws of the State in which the chattels are located.

**§ 93.32 Crop mortgages.**

Crops grown on trust or restricted land, both tribally and individually-owned, may, prior to severance from the land, be mortgaged as security with the approval of the lessor and the Commissioner. Crops grown on trust or restricted land after severance from the land and crops grown on nontrust and unrestricted land may be mortgaged as security without the approval of any Federal official.

**§ 93.33 Assignments of income.**

(a) A Tribe or organization may execute assignments of trust income from specific sources as security for loans, pursuant to authorization in its constitution, bylaws, charter, or other organization papers. Tribes may not execute general assignments of trust income as security for loans. Assignments of trust income require approval by the Commissioner before becoming effective.

(b) Assignments of income from the trust or restricted land of an Indian individual may be executed as security for loans with the approval of the Commissioner. However, restricted land of heirs or devisees of members of the Five Civilized Tribes of Oklahoma is subject to the jurisdiction of Oklahoma State courts under the Act of August 4, 1947 (61 Stat. 73).

**§ 93.34 Restrictions.**

Unless the security for a loan requires approval of a Federal official, no restrictions shall be placed by any official upon the security that may be given for a loan. Lenders will use caution to make certain that the security taken is unencumbered. Lenders will follow as prudent procedures as would be followed if the borrower were a non-Indian or a non-Indian organization.

**§ 93.35 Releases.**

Lenders may release security given for loans when payments on the loans are made, the amount owing is reduced and the release is in accordance with the policies of the lender when releasing security for loans which are not guaranteed or insured. Releases of security involving trust income, trust or restricted land and security which involves a major portion of the security given for a loan will require prior approval by the Commissioner.

### § 93.36 Default on guaranteed loans.

Within 21 days after the occurrence of a default, the holder of a guaranty certificate shall notify the Commissioner by certified or registered mail showing the name of borrower, guaranty certificate number, amount of unpaid principal owing, amount of principal delinquent, amount of interest accrued and unpaid to date of notice, amount of interest delinquent at time of notice, and other failure of borrower to comply with other provisions of the loan agreement. Within 45 days after default on a loan, the holder of a guaranty certificate shall proceed as prescribed in either paragraph (a), (b), or (c) of this section unless an extension of time is requested and approved by the Commissioner. The request for an extension of time shall explain the reason why a delay is necessary and the estimated date on which action will be initiated. Failure of a certificate holder to proceed with action within 45 days or the date to which an extension is approved by the Commissioner shall cause the guaranty certificate to cease to be in force or effect. If the Commissioner is not notified of the failure of a borrower to make a scheduled payment or of order default within the required 21 days, the Commissioner will proceed on the assumption that the scheduled payment was made and the loan agreement is current and in good standing. The Commissioner will then decrease the amount of the guaranty pro rata by the amount of the due installment and the lender will have no further claim for guaranty as it applies to the installment, except for the interest subsidy which may be due.

(a) The guaranty certificate holder may make written requests that payment be made pursuant to the provisions of the guaranty certificate. If the Commissioner finds that a loss has been suffered, he shall pay to such holder the pro rata portion of the amount guaranteed including unpaid interest.

(b) The borrower and the guaranty certificate holder may agree upon an extension of the repayment terms or other forbearance for the benefit of the borrower. Certificate holders may extend all reasonable forbearance if a borrower becomes unable to meet the terms of a loan. However, such forbearance will not be extended if it will increase the likelihood of a loss on a loan. Agreements between a certificate holder and a borrower shall be in writing and will require approval by the Commissioner.

(c) The certificate holder may advise the Commissioner in writing that suit or foreclosure is considered necessary and proceed to liquidate the security to the extent feasible. On completion of foreclosure, if the Commissioner determines that a loss has been suffered, he will reimburse the lender the pro rata portion of the amount guaranteed. A guaranty certificate holder will submit a claim for reimbursement for losses on a form furnished by the Commissioner and will furnish any additional information needed to establish the amount of the claim. On reimbursement of a lender or

guaranty certificate holder for the pro rata amount of the loss guaranteed as provided in the guaranty certificate, the lender will subrogate its rights and interest in the loan to the United States and assign the loan, obligations and security for the loan to the United States. The lender shall have no further claim against the United States or the borrower. The Commissioner may establish the date on which accrual of interest or charges shall cease. This date may not be later than the date of judgment and decree of foreclosure or sale. The Commissioner will take any action necessary to protect the interest of the United States. Any collections or proceeds from the liquidation of security shall be for the account of the United States up to the amount paid on the guaranty and other costs incurred in protecting, managing, and disposing of the collateral. Collections will be deposited in the loan guaranty and insurance fund established pursuant to this Part 93.

### § 93.37 Default on insured loans.

Within 21 days after the occurrence of a default of a loan made under the provisions of an insurance agreement, the lender shall notify the Commissioner by certified or registered mail giving the name of the borrower, insurance agreement number, amount of unpaid principal, amount of delinquent principal, accrued interest unpaid to date of notice, amount of delinquent interest and description of default. Within 45 days after default on an insured loan, the lender shall proceed as prescribed in paragraphs (a) or (b) of this section unless it has requested, and the Commissioner has approved, an extension of time. A request for an extension of time will explain the necessity for an extension and the estimated date on which action will be initiated. Failure of the lender to proceed within 45 days or the extended time approved by the Commissioner, will be grounds for the Commissioner to terminate the loan insurance on the loan involved.

(a) The lender and borrower may agree upon an extension of the repayment terms of a loan or other forbearance for the benefit of the borrower. However, such forbearance will not be extended if it will increase the likelihood of a loss on a loan. Insured loans made under the provisions of a general insurance agreement authorizing a lender to make loans under the terms prescribed in the agreement will not require Commissioner approval of agreements made by the lender and borrower. The lender shall immediately notify the Commissioner within 15 days of changes made in the agreement. Insured loans made which required the issuance of a separate insurance agreement by the Commissioner will require Commissioner approval of changes in the provisions of such loans.

(b) If an insured lender determines that proceeding under paragraph (a) of this section is contrary to its customary lending practices and requirements or sound lending practices or is not in the interest of a borrower, it will be required

to exhaust all reasonable efforts to collect the loan and to liquidate the security to the fullest extent feasible before submitting a claim for reimbursement of a loss.

(c) If a lender proceeds under the provisions of paragraph (b) of this section and suffers a loss, a portion of which is insured, it may submit a claim for reimbursement on a form furnished by the Commissioner and will furnish any additional information needed to establish the amount of the claim. Claims will be submitted to the Commissioner within 30 days after completion of the procedures prescribed in this section. All claims shall be accompanied by evidence showing that all reasonable efforts to collect the loan have been exhausted and that security given for the loan has been liquidated to the extent feasible. If the Commissioner agrees that a loss has occurred, he will reimburse the lender pursuant to the terms of the approved insurance agreement under which the loan was insured. Upon reimbursement by the Commissioner to the lender in whole or in part for the loss insured, the note and security for the loan or judgment evidencing the debt shall be assigned to the United States. The lender shall have no further claim against the United States or the borrower. The Commissioner will then take such further collection action as may be warranted. The Commissioner may establish a date upon which accrual of interest or charges shall cease.

### § 93.38 Subrogated and assigned rights.

The Commissioner will take such action as he deems appropriate to realize the maximum recovery upon the rights to which the United States is subrogated and the security assigned to the United States. Any amount collected will be deposited in the loan guaranty and insurance fund.

### § 93.39 Cancellation.

The Secretary may cancel the uncollectible portion of any obligation assigned to the United States or rights to which the United States is subrogated. However, the cancellation of all or part of a loan shall be effective only after the following steps have been taken:

(a) The Secretary submits to the Congress a report on adjustments made during the preceding fiscal year with recommendations for cancellations for the current fiscal year.

(b) Congress by concurrent resolution approves the cancellation within sixty legislative days after receipt of the report and recommendations or;

(c) Congress does not take action approving or disapproving the cancellation within sixty legislative days after receipt of the report.

(47 Stat. 564 (25 U.S.C. 386a))

### § 93.40 Charges upon liquidation.

Lenders may charge the following against the gross amounts collected from the sale of security in determining the amounts to be claimed under a guaranty certificate or insurance agreement:

(a) Reasonable and necessary expenses for preservation of the security;

(b) Court and attorney costs in a foreclosure or proper judicial proceeding, involving the security.

(c) Other reasonable expenses necessary for collecting the debt or for repossession, protection, and liquidation of the security.

(d) Other expenses or fees approved in advance by the Commissioner.

(e) Accrued unpaid interest to the date of judgment and decree of foreclosure or sale, or the date established by the Commissioner that accrued interest shall cease pursuant to §§ 93.36 and 93.37 may be paid from the proceeds of the sale of security.

#### § 93.41 Interest.

Interest rates charged by lenders on guaranteed and insured loans, exclusive of premium charges for guaranty or insurance of loans and service charges, if any, shall not exceed such percent per annum on the principal obligation outstanding as the Commissioner determines to be reasonable and legal at the time a loan is guaranteed or insured, taking into account the range of rates prevailing in the private market for similar loans and the risks assumed by the United States. Each loan shall show the rate of interest to be charged. Interest shall be payable at least annually. Once a loan is closed, the interest rate may not be increased even though the lender increases the rate on new loans. Lenders may not charge interest on funds used for payment of premiums or for loan charges.

#### § 93.42 Interest subsidy.

(a) The Commissioner will pay an interest subsidy to the lenders on loans which are guaranteed or insured under this Part at rates which are necessary to reduce the interest rate payable by the borrowers to a rate determined in accordance with Section 104 of the Indian Financing Act of 1974 (Pub. L. 93-262, 88 Stat. 77). The rate of interest subsidy will be established by the Commissioner at the time of issuance of a guaranty certificate or insurance agreement on loans requiring approval by the Commissioner. The rate will be in effect during the term of the loan.

(b) The lender shall notify the Commissioner within twenty days after making an insured loan or modifying a loan under the provisions of a general insurance agreement and provide the following information:

- (1) Name and address of borrower.
- (2) Tribal affiliation of borrower.
- (3) Amount of loan and purpose(s).
- (4) Repayment schedule.
- (5) Interest rate charged borrower.
- (6) Date(s) funds were advanced.

After receiving notice from the lender, the Commissioner will establish the interest subsidy rate and notify the lender of the rate established. The interest subsidy rate established by the Commissioner will remain in effect for the term of the loan for which the interest subsidy rate is established. The Commis-

sioner may establish procedures requiring lenders to provide reports which will expedite the prompt payment of interest subsidies. Interest subsidies will be paid annually or semi-annually depending on the time interest is scheduled to be paid and as near the due date as feasible but not before. Lenders shall notify the Commissioner promptly when borrowers pay interest or principal in advance of the due date(s) provided in the loan agreement.

#### § 93.43 Premium charges.

(a) A premium will be charged lenders annually on the unpaid principal balance of guaranteed and insured loans at a rate established by the Commissioner. The Commissioner will establish the premium rate to be charged on guaranteed and insured loans made during a specified period of time and will notify lenders of the rate which will be charged during the period established. By advance written notice to lenders making guaranteed or insured loans, the Commissioner may change or continue the rate established for the preceding period. The premium rate established for loans made during a given period of time will remain in effect for the duration of the loan. In his discretion, the Commissioner may require a change in the premium rate on refinanced guaranteed and insured loans to the rate in effect at the time of refinancing.

(b) The first premium shall be remitted to the Commissioner by the lender when the loan is closed. The guaranty or insurance of a loan will not be effective until the Commissioner receives the premium. Premiums will be deposited in the Loan Guaranty and Insurance Fund pursuant to § 93.51. On each anniversary of a loan the lender will remit the premium on the unpaid balance of principal to the Commissioner. The guaranty or insurance shall cease to be effective if the premium is not received by the Commissioner within 30 days of the loan anniversary date unless a longer period, not to exceed 60 days, is authorized by the Commissioner.

#### § 93.44 Lender's service charges.

Lenders may charge borrowers reasonable fees for appraisers and compliance inspections; for lien searches and filing and recording; for tax assessments and similar items necessary to protect the integrity of loan property; for insurance premiums, survey costs, title examinations and insurance; and for such other charges as may be authorized by the Commissioner at the time a loan is made. Service charges, if any, may be paid from the proceeds of a guaranteed or insured loan when authorized in the loan agreement if the borrower cannot pay the charges from his own funds. Service charges included in a loan may not bear interest pursuant to § 93.41.

#### § 93.45 Late charge.

Lenders may assess borrowers a late charge on any loan installment, principal only, received more than 30 days after its due date if the loan agreement at the time of approval contains an au-

thorization to this effect. The rate shall be specified in the loan agreement. The amount of late charges assessed may not be guaranteed or insured. Interest may not be charged on late charges.

#### § 93.46 Loan servicing.

The guaranty or insurance of a loan by the Commissioner and issuance of an insurance agreement will be based on the requirement that adequate loan servicing will be performed by the lender. Loan servicing will be without cost to the borrower, unless the Commissioner authorizes a charge at the time the loan is made pursuant to § 93.44. Authorizations for such charges shall be in writing and included in the loan agreement. Lenders are expected to follow accepted standards employed by prudent lenders in servicing similar type loans. In servicing loans, lenders will make every effort to prevent and minimize potential losses. Lenders will require borrowers to use loan proceeds only for the purposes for which the loans were approved. Unless approved by the Commissioner, any amounts disbursed for purposes other than those provided in the loan agreement shall be excluded in computing the amount for which the lender may be reimbursed in the event of a loss on loans.

#### § 93.47 Restrictions on lenders.

Loan agreements shall not provide that the lender shall have the right to declare the indebtedness due, or to pursue one or more legal remedies, if the lender "shall feel insecure". This restriction shall not prevent a lender from taking action against a borrower due to any act or omission on the part of the borrower which, by the terms of a note, mortgage, or other loan document, would allow the lender to declare a loan in default, nor to take action to minimize the loss on a loan.

#### § 93.48 Title to property purchased with loans.

Title to personal property purchased with a guaranteed or insured loan shall be taken in the name of the borrower unrestricted. Title to land purchased with a guaranteed or insured loan may be taken pursuant to § 93.3. Transactions involving taking title to land purchases in trust or restricted status require approval of the Commissioner.

#### § 93.49 Fraud or misrepresentation.

There shall be no liability on account of a guaranty or insurance of a loan if signature to a note, mortgage, or any other is a forgery; if any other paper is a forgery; or if any material misrepresentation is contained in the application or supporting papers except as to a purchaser, assignee, or transferee of a guaranteed loan who acquired the loan before maturity for value and who has not directly or by agent participated in the fraud or misrepresentation. The burden of proof is upon the lender to show that there was no willful misrepresentation or fraud.

**§ 93.50 Loan guaranty and insurance fund.**

The loan guaranty and insurance fund shall be utilized for all loan guaranty and insurance operations pursuant to the regulations in this Part 93. All receipts from operations including premium charges shall be deposited in this fund. All disbursements incident to administering guaranteed and insured loans shall be made from this fund. All cash, claims, notes, mortgages, contracts, and property acquired by the Secretary under this Part 93 shall constitute assets of the fund. All liabilities and obligations of such assets shall be liabilities and obligations of the fund.

(a) The Commissioner will design an accounting system that will reflect at all times the financial condition of the fund and the results from its operation.

(b) Interest subsidies paid by the Commissioner pursuant to § 93.42 shall be paid from the loan guaranty and insurance fund and charged against an "interest subsidy account" as an expense of the fund.

**§ 93.51 Sale or assignment of guaranteed loans.**

Any guaranteed loan, including the security and guaranty certificate, may be sold, assigned, or transferred by the lender to any financial institution that is subject to examination and supervision by an agency of the United States, a State or the District of Columbia. The institution acquiring the loan shall notify the Commissioner in writing within 30 days after acquisition. The notice will give the name of the borrower, the certificate number, the amount of principal and interest unpaid on the loan, and the security acquired. Failure of the acquirer to notify the Commissioner within 30 days of acquisition will void the guaranty

unless the Commissioner authorizes an exception because of extenuating circumstances.

**§ 93.52 Records.**

Lenders will maintain adequate records on guaranteed and insured loans made and will submit reports to keep the Commissioner informed regarding guaranteed and insured loans made. The Commissioner may prescribe the number of reports to be submitted annually, the dates, and the forms to be used for reporting. The Commissioner may have the records of lenders inspected at any reasonable time during regular business days and hours.

**§ 93.53 Suspension of lenders.**

Whenever the Commissioner finds that any lender or holder of a guaranty certificate or insured loan fails to maintain adequate accounting records, to demonstrate proper ability to adequately service loans guaranteed or insured, or to exercise proper credit judgment, or has willfully or negligently engaged in practices detrimental to the interests of a borrower or of the United States, he may refuse, either temporarily or permanently, to guarantee or insure any additional loans made by such lender or certificate holder. He may also bar such lender or certificate holder from acquiring additional loans guaranteed under this Part 93. However, the Commissioner shall not refuse to pay a valid guaranty or insurance claim on loans previously made in good faith.

**§ 93.54 Probate.**

The estates of deceased borrowers who die possessed of trust property or funds and who gave as security for a guaranteed or insured loan an assignment of income from trust property, a mortgage or deed of trust on trust or restricted land,

or a lien on trust chattels or crops growing on trust land will be probated in accordance with the applicable regulations in Subpart D of 43 CFR Part 4 and in Parts 16 and 17 of this title. The Superintendent or other Bureau official having jurisdiction over the trust property and trust funds of a decedent shall promptly notify the lender on receipt of information confirming the demise of a borrower. The notice may be given by furnishing the lender with a copy of the Superintendent's report to the Hearing Examiner or by separate letter.

(a) A lender receiving information from the Superintendent or otherwise learning of the demise of a borrower shall notify the Hearing Examiner of the lender's claim against the decedent's trust estate. The lender's notice to the Hearing Examiner shall include:

- (1) Name of the borrower.
- (2) Balance owing on the loan.
- (3) Trust property or income given as security for the loan.
- (4) Copy of securing documents.
- (5) Copy of guaranty certificate or insurance agreement.

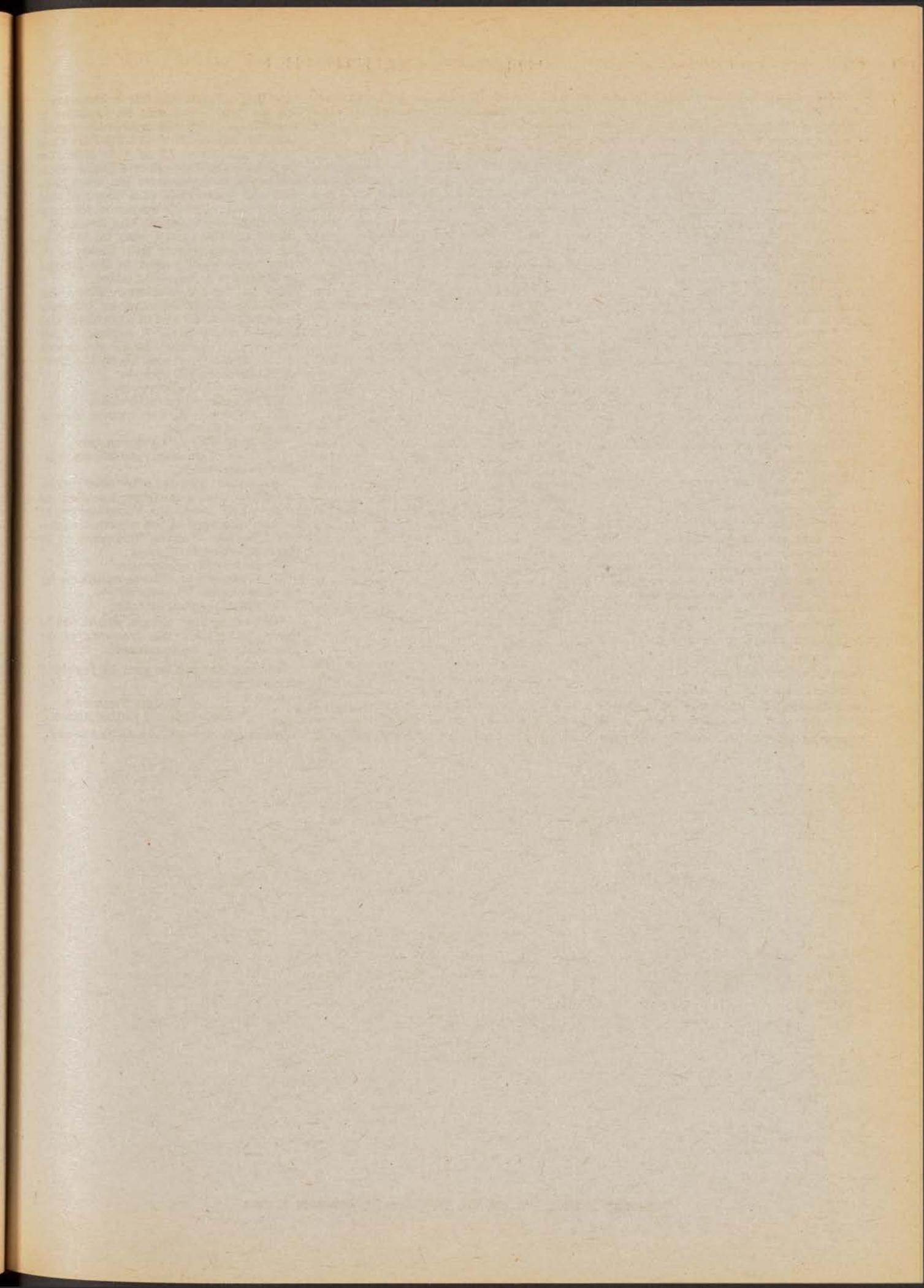
(b) Within 15 days after receiving information that a borrower has died, the lender shall notify the Commissioner by furnishing a copy of the information provided to the Hearing Examiner or by separate letter furnishing:

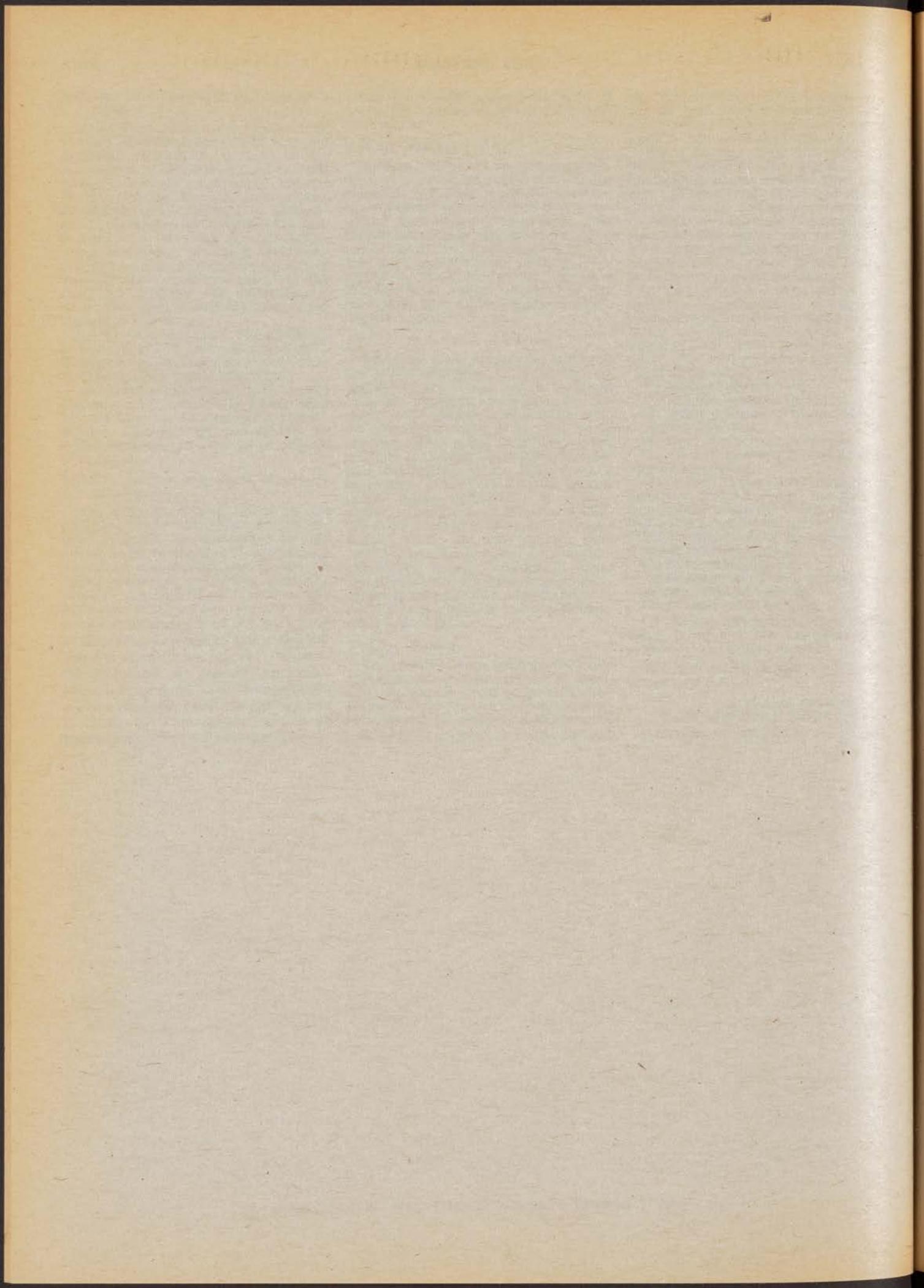
- (1) Name of the borrower.
- (2) Guaranty certificate number or insurance agreement number.
- (3) Balance owing on loan.
- (4) Anticipated action which will be taken to protect the interests of the lender and the United States.

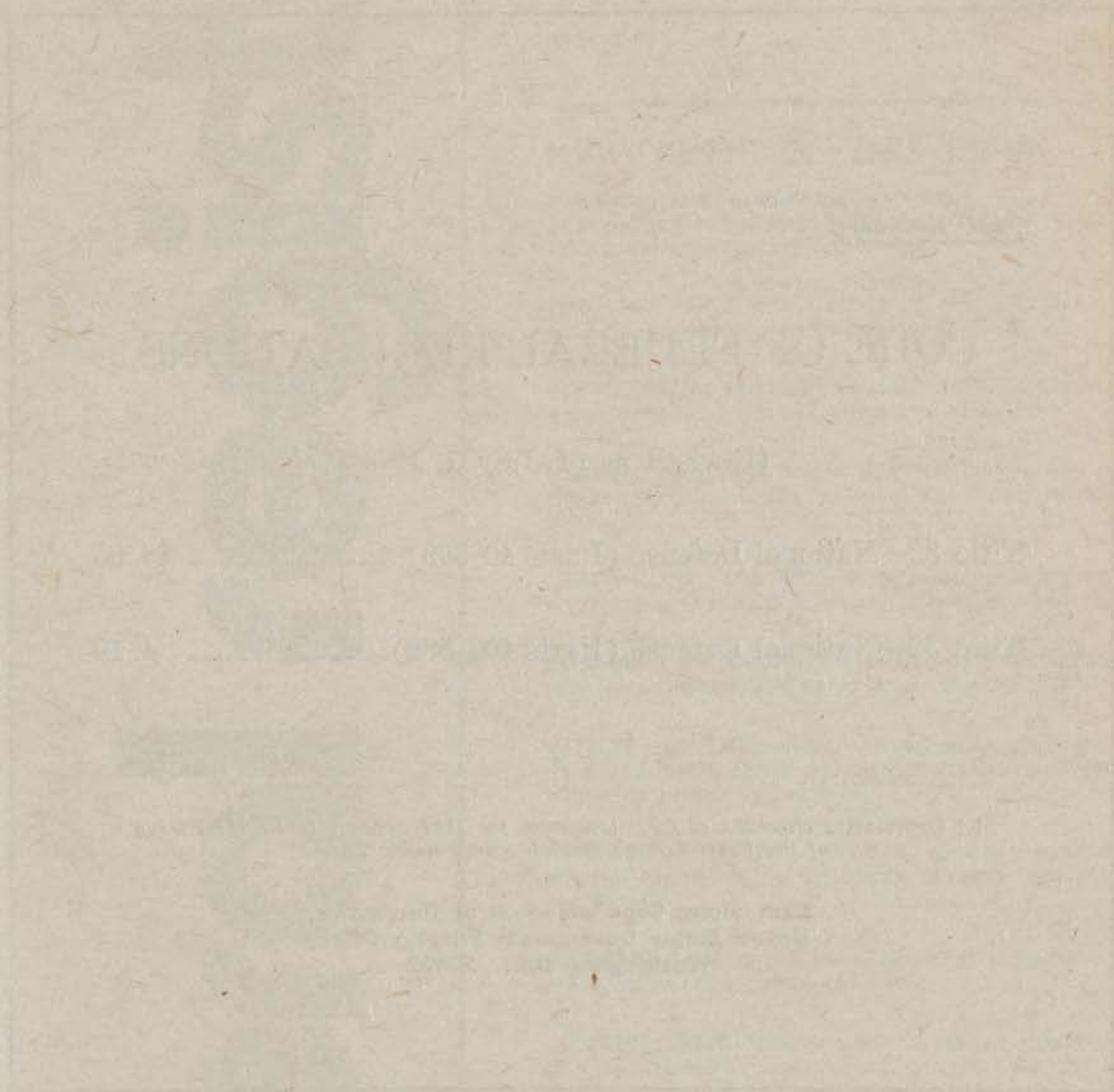
The notice shall be sent by registered or certified mail.

MORRIS THOMPSON,  
Commissioner of Indian Affairs.

[FR Doc. 74-20228 Filed 8-30-74; 8:45 am]







Just Released

## CODE OF FEDERAL REGULATIONS

(Revised as of July 1, 1974)

Title 32—National Defense (Parts 40–399)----- \$4.85

Title 32—National Defense (Parts 400–589)----- 4.10

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