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PART I

HIGHLIGHTS OF THIS ISSUE

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Title 7—Agriculture

SUBTITLE A—OFFICE OF THE SECRETARY OF AGRICULTURE

PART 6—IMPORT QUOTAS AND FEES

Subpart—Section 22 Import Quotas

PRICE DETERMINATION FOR CERTAIN CHEESE

The subpart, Section 22 Import Quotas, is amended to change the price, determined by the Secretary of Agriculture in accordance with headnote 3(a)(v) of Part 3 of the Appendix to the Tariff Schedules of the United States, which is used as a basis for establishing import restrictions under Section 22 on certain cheese. The change from 78 to 84 cents per pound is required since one of the factors used in determining such price (the Commodity Credit Corporation purchase price for Cheddar Cheese under the milk price support program) has been increased.

The subpart, Section 22 Import Quotas, of Part 6, Subtitle A of Title 7, is amended as follows:

1. Section 6.16, under the heading "Price Determination for Certain Quotas", is amended to read as follows:

§ 6.16 Price determination.

The price referred to in terms 950.10B through 950.10E of Part 3 of the Appendix to the Tariff Schedules, determined by the Secretary of Agriculture in accordance with headnote 3(a)(v) of said Part 3, is 84 cents per pound. This price shall continue in effect until changed by amendment of this section.

2. Group V of Appendix 1, under the heading "Licensing Regulations", is amended by changing the description appearing immediately below "Group V" to read as follows:

Cheese described below, if shipped otherwise than in pursuance to a purchase, or if having a purchase price under 84 cents per pound.

The foregoing amendment shall be effective January 16, 1975. In accordance with headnote 3(a)(v) of Part 3 of the Appendix to the Tariff Schedules of the United States, the change in price effected by this amendment would not make the import restrictions contained in items 950.10B through 950.10E of Part 3 of the Appendix to the Tariff Schedules of the United States applicable to cheese having a purchase price of 78 or more cents per pound if such cheese had been exported to the United States on a through bill of lading or had been placed in bonded warehouse on or before the date of publication in the FEDERAL REGISTER of this amendment. Since the action taken herewith involves foreign affairs functions of the United States, this amendment falls within the foreign affairs exception to the notice and effective date provisions of 5 U.S.C. 553.

(Sec. 3, 62 Stat. 1248, as amended, 7 U.S.C. 624; Part 3 of the Appendix to the Tariff Schedules of the United States, 19 U.S.C. 1202)

Issued at Washington, D.C., this 10th day of January 1975.

EARL L. BUTZ,
Secretary.

[FR Doc.75-1407 Filed 1-15-75;8:45 am]

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

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

Subpart—United States Standards for Grades of Fresh Tomatoes[1]

COLOR CLASSIFICATION

The United States Department of Agriculture is amending the United States Standards for Grades of Fresh Tomatoes (7 CFR 51.1855-51.1877) to reference newly developed U.S.D.A. visual aids. These grade standards are issued under authority of the Agricultural Marketing Act of 1946 (60 Stat. 1087, as amended; 7 U.S.C. 1621-1627), which provides for the issuance of official U.S. grades to designate different levels of quality for the voluntary use of producers, buyers, and consumers. Official grading services are also provided under this act upon payment of a fee to cover the cost of such service.

Statement of considerations leading to the amendment of the standards. This document amends the United States Standards for Grades of Fresh Tomatoes by referencing a new U.S.D.A. Tomato Visual Aid TM-L-1. This visual aid consists of a chart containing the Color Classification § 51.1860 of the Standards and twelve color photographs illustrating guides of the shade and percentage of surface color specified for the color terms "Green", "Breakers", "Turning", "Pink", "Light Red" and "Red". This visual aid was developed by The John Henry Company, Lansing, Michigan, with the collaboration of and approval by the U.S. Department of Agriculture in cooperation with United Fresh Fruit and Vegetable Association. This visual aid is designed to promote more uniform interpretation and better understanding of the grade standards.

The Administrator has designated United States Department of Agriculture Visual Aid TM-L-1, as official tomato color standards and has authorized its manufacture and sale by The John Henry Company.

Section 51.1860 is amended by the addition of the following paragraph (d):

§ 51.1860 Color classification.

* * * * *

(d) Tomato color standards U.S.D.A. Visual Aid TM-L-1 consists of a chart containing twelve color photographs illustrating the color classification requirements, as set forth in this section. This visual aid may be examined in the Fruit and Vegetable Division, AMS, U.S. Department of Agriculture, South Building, Washington, D.C. 20250; in any field office of the Fresh Fruit and Vegetable Inspection Service; or upon request of any authorized inspector of such Service. Duplicates of this visual aid may be purchased from The John Henry Co., Post Office Box 1410, Lansing, Michigan 48904.

It is hereby found that notice of proposed rulemaking and public procedure thereon is impracticable, unnecessary, contrary to the public interest in that this amendment is necessary to reference the newly developed color standards illustrating the color terms set forth in § 51.1860 of the U.S. Standards for Grades of Fresh Tomatoes.

It is hereby found that good cause exists for not postponing the effective date of this amendment 30 days beyond the date of publication hereof in the FEDERAL REGISTER, in that: (1) the 1975 packing season for Fresh Tomatoes has already started and it is in the interest of the public and the industry that this amendment be placed in effect as soon as possible; and, (2) no special preparation is required for compliance with this amendment on the part of members of the fresh tomato industry or of others.

Accordingly, this amendment shall become effective February 1, 1975.

(Sec. 203, 205, 60 Stat. 1087, as amended, 1090 as amended; (7 U.S.C. 1622, 1624))

Dated: January 10, 1975.

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

[FR Doc.75-1404 Filed 1-15-75;8:45 am]

[1] Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug and Cosmetic Act or with applicable State laws and regulations.

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

[Orange Reg. 73, Amdt. 4; Export Reg. 24, Amdt. 2]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Grade and Size Requirements

These amendments lower the minimum grade requirement applicable to fresh shipments of Murcott Honey oranges, grown in the production area in Florida, to those grading Florida No. 1 Golden. These amendments also lower the minimum diameter requirement for such shipments to 2-6/16 inches. The specification of such lower minimum grade and size for Florida Murcott Honey oranges is necessary to satisfy the current and prospective demand for such oranges. The amended regulations recognize the quality of much of the Murcott Honey oranges currently available for fresh shipment.

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation of the committee established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the regulation of shipments of Murcott Honey oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) These amendments reflect the Department's appraisal of the current and prospective demand for fresh Murcott Honey oranges by domestic and export market outlets. Less restrictive grade and size requirements for such fruit are consistent with the external appearance and available supply of such oranges in the production area. Fresh 1974–75 shipments of Florida Murcott Honey oranges are currently estimated at 1,200 carlots.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of these amendments until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which these amendments are based became available and the time when these amendments must become effective in order to effectuate the declared policy of the act is insufficient; and these amendments relieve restrictions on the handling of Murcott Honey oranges grown in Florida.

Order. 1. The provisions of paragraph (b) (7) and (b) (8) and paragraph (c) of § 905.555 (Orange Regulation 73; 39 FR 32976, 37186, 40745, 42899) are amended to read as follows:

§ 905.555 Orange Regulation 73.

* * * * *

(b) * * *

(7) Any Murcott Honey oranges, grown in the production area, which do not grade at least Florida No. 1 Golden Grade;

(8) Any Murcott Honey oranges, grown in the production area, which are of a size smaller than 2$^{6}/_{16}$ inches in diameter, except that a tolerance for undersize Murcott Honey oranges shall be permitted as specified in § 51.1818 of the United States Standards for Florida Tangerines;

* * * * *

(c) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; Florida No. 1 Golden Grade shall have the same meaning as provided in Section (1) (b) of Regulation 105–1.02, as amended, of the Regulations of the Florida Citrus Commission, and all other terms relating to grade and diameter, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Oranges and Tangelos (7 CFR 51.1140–51.1180) or the United States Standards for Florida Tangerines (7 CFR 51.1810–51.1835).

* * * * *

2. In § 905.559 (Export Regulation 24; 39 FR 32976, 37186) the provisions of paragraph (b) (7) and (b) (8) and paragraph (c) are amended to read as follows:

§ 905.559 Export Regulation 24.

* * * * *

(b) * * *

(7) Any Murcott Honey oranges, grown in the production area, which do not grade at least Florida No. 1 Golden Grade;

(8) Any Murcott Honey oranges, grown in the production area, which are of a size smaller than 2$^{6}/_{16}$ inches in diameter, except that a tolerance for undersize Murcott Honey oranges shall be permitted as specified in § 51.1818 of the United States Standards for Florida Tangerines;,

* * * * *

(c) Terms used in the amended marketing agreement and order, including Improved No. 2 grade, shall, when used herein, have the same meanings as are given to the respective terms in said amended marketing agreement and order; Florida No. 1 Golden Grade shall have the same meaning as provided in Section (1) (b) of Regulation 105–1.02, as amended, of the Regulations of the Florida Citrus Commission, and all other terms relating to grade, except Improved No. 2 grade, and diameter, as used herein shall have the same meanings as are given to the respective terms in the following United States Standards, as applicable: United States Standards for Florida Oranges and Tangelos (§§ 51.1140–51.1180 of this title), United States Standards for Florida Grapefruit (§§ 51.750–51.784 of this title), or the United States Standards for Florida Tangerines (§§ 51.1810–51.1835 of this title).

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

Dated, January 13, 1975, to become effective January 20, 1975.

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

[FR Doc.75–1526 Filed 1–15–75;8:45 am]

[Navel Orange Reg. 235]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

This regulation fixes the quantity of California-Arizona Navel oranges that may be shipped to fresh market during the weekly regulation period January 17–23, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 907. The quantity of Navel oranges so fixed was arrived at after consideration of the total available supply of Navel oranges, the quantity currently available for market, the fresh market demand for Navel oranges, Navel orange prices, and the relationship of season average returns to the parity price for Navel oranges.

§ 907.635 Navel Orange Regulation 335.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the respective quantities of Navel oranges that may be marketed from District 1, District 2, and District 3 during the ensuing week stems from the production and marketing situation confronting the Navel orange industry.

(i) The committee has submitted its recommendation with respect to the quantities of Navel oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated

in the order. The committee further reports that the fresh market demand for Navel oranges is fair. Prices f.o.b. averaged $3.41 per carton on a reported sales volume of 928 carlots last week, compared with an average f.o.b. price of $3.56 per carton and sales of 787 carlots a week earlier. Track and rolling supplies at 368 cars were up 13 cars from last week.

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

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on January 14, 1974.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period January 17, 1975, through January 23, 1975, are hereby fixed as follows:

(i) District 1: 1,032,000 cartons;

(ii) District 2: 144,000 cartons;

(iii) District 3: 24,000 cartons.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: January 15, 1975.

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

[FR Doc.75-1711 Filed 1-15-75;11:42 am]

[Lime Reg. 34, Amdt. 3]

PART 911—LIMES GROWN IN FLORIDA

Limitation of Shipments

This amendment sets the minimum size requirement for shipments of Persian type limes grown in Florida at 1¾ inches for the period January 13 through April 13, 1975, rather than 1⅞ inches currently established for the period. This requirement is designed to promote orderly marketing and provide consumers with an ample supply of acceptable-quality fruit.

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 911, as amended (7 CFR Part 911), regulating the handling of limes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Florida Lime Administrative Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of limes, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) Shipment of Persian type limes 1⅞ inches in diameter and larger is currently authorized under Lime Regulation 34, Amendment 2 (39 FR 15097) through April 30, 1975. However, this requirement should be modified to allow the shipment of limes 1¾ inches in diameter and larger during the period January 13 through April 13, 1975, as limes are maturing at smaller sizes than normal this season, particularly late bloom fruit, which is not sizing normally. These smaller limes are of good quality, and they meet the minimum juice content requirements. The release of these smaller-sized limes would make more fruit available for market during the remainder of this season. The minimum size requirement would return to 1⅞ inches on April 14, 1975, when new crop fruit becomes available and the higher minimum is necessary to prevent the shipment of immature fruit.

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

Order. The provisions of paragraph (a)(3) of § 911.336 Lime Regulation 34 (38 FR 12324; 13385; 39 FR 15097) are amended to read as follows:

§ 911.336 Lime Regulation 34.

Order. (a) * * *

(3) Any limes of the group known as large fruited or Persian "seedless" limes (including Tahiti, Bearss, and similar varieties) which are of a size smaller than 1⅞ inches in diameter: *Provided*, That during the period January 13 through April 13, 1975, any handler may handle limes of such group that are smaller than 1⅞ inches in diameter providing such limes are not smaller than 1¾ inches in diameter.

* * * * *

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

Dated, January 13, 1975, to become effective January 13, 1975.

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

[FR Doc.75-1528 Filed 1-15-75;8:45 am]

[Lime Reg. 5, Amdt. 3]

PART 944—FRUITS; IMPORT REGULATIONS

Limitation of Shipment

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), paragraph (a)(3) of § 944.204 (Lime Regulation 5; 36 FR 10774; 22008; 38 FR 12603) is amended to read as follows:

§ 944.204 Lime Regulation 5.

(a) * * *

(3) Such limes of the group known as large fruited or Persian "seedless" limes (including Tahiti, Bearss, and similar varities) are of a size not smaller than 1⅞ inches in diameter: *Provided*, That during the period January 13 through April 13, 1975, such limes of the group known as large fruited or Persian "seedless" limes (including Tahiti, Bearss, and similar varieties) are of a size not smaller than 1¾ inches in diameter; and

* * * * *

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective time of this amendment beyond that hereinafter

specified (5 U.S.C. 553) in that (a) the requirements of this amended import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), which makes such regulation mandatory; (b) such regulation imposes the same restrictions being made applicable to domestic shipments of limes under Lime Regulation 34, Amendment 3 (§ 911.336), which becomes effective January 13, 1975; (c) compliance with this amended import regulation will not require any special preparation which cannot be completed by the effective time hereof; and (d) this amendment relieves restrictions on the importation of limes.

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

Dated, January 13, 1975, to become effective January 13, 1975.

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

[FR Doc.75-1527 Filed 1-15-75;8:45 am]

[Amdt. 1]

PART 971—LETTUCE GROWN IN LOWER RIO GRANDE VALLEY IN SOUTH TEXAS

Limitation of Handling

Findings. (a) Pursuant to Marketing Agreement No. 144 and Order No. 971 (7 CFR Part 971) regulating the handling of lettuce grown in the Lower Rio Grande Valley in South Texas it is hereby found that the amendment to the handling regulation, hereinafter set forth, will tend to effectuate the declared policy of the act. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.). The amendment is based upon recommendations and information submitted by the South Texas Lettuce Committee, established pursuant to said marketing agreement and order and upon other available information.

Below freezing temperatures are predicted for the production area during the weekend of January 11–12. This amendment is necessary so that growers can market currently available lettuce as quickly as possible and to fully utilize remaining supplies.

(b) It is hereby found that it is impractical and contrary to the public interest to give preliminary notice, or to engage in public rule making procedure, and 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) this amendment must become effective immediately if producers are to derive any benefits therefrom, (2) compliance with this amendment will not require any special preparations on the part of handlers, (3) information regarding the proposed regulation has been made available to producers and handlers in the production area, and (4) this amendment relieves restrictions on the handling of lettuce grown in the production area.

Regulation, as amended. In § 971.315 (39 FR 38888) the introductory paragraph is hereby amended by adding the following thereto:

§ 971.315 Handling regulation.

* * *, except that the prohibition against the packaging of lettuce on Sundays shall not apply on January 12 and 19, 1975.

* * * * *

Effective date. Issued January 10, 1975, to become effective upon issuance.

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

JANUARY 10, 1975.

[FR Doc.75-1405 Filed 1-15-75;8:45 am]

Title 8—Aliens and Nationality

CHAPTER I—IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE

PART 214—NONIMMIGRANT CLASSES

Visitors for Pleasure; Ineligibility for Extension of Temporary Stay

Reference is made to the Notice of Proposed Rule Making which was published in the Federal Register of September 12, 1974 (39 FR 32919) pursuant to section 553 of Title 5 of the United States Code (80 Stat. 383) and in which there were set forth the proposed amendments of §§ 214.1(a) and 214.2(b) of Part 214, Chapter I, Title 8 of the Code of Federal Regulations, pertaining to the period of admission of a temporary visitor for pleasure and his eligibility for extension of his temporary stay.

The amendment to § 214.1(a), as proposed, provided that a nonimmigrant within the class defined in section 101 (a)(15)(B) who is visiting the United States temporarily for pleasure is ineligible for an extension of his temporary stay. The amendment to § 214.2(b), as proposed, retained the existing provision that a temporary visitor for pleasure could be admitted for an initial period of not more than six months, but deleted the provision that he could be granted extensions of temporary stay in increments of not more than six months.

A number of representations were received concerning the proposed rules of September 12, 1974, and were duly considered. No change has been made in the proposed amendment of § 214.1(a). A modification has been made in the proposed amendment of § 214.2(b) which, while providing that a B–2 nonimmigrant will ordinarily be admitted for a period not exceeding six months, would permit his admission for a period not exceeding one year in certain circumstances.

The prohibition against extensions of stay for B–2 nonimmigrants contained in the rules as proposed and as adopted herein shall apply to any alien who is admitted as a B–2 nonimmigrant or whose status is changed to that of a B–2 nonimmigrant on or after February 16, 1975. The prohibition shall also apply to any alien admitted as a B–2 nonimmigrant or whose status was changed to that of a B–2 nonimmigrant prior to February 16, 1975, who submits an application for extension of temporary stay on or after the latter date and has previously been granted an extension of his temporary stay.

While under the rules adopted herein a B–2 nonimmigrant will not be eligible to apply for and be granted an extension of stay beyond the period for which he has been initially admitted by an immigration officer, existing and long-established Service procedures permit a district director of this Service to grant an alien permission to remain in the United States beyond the alien's previously authorized stay, if such officer determines the existence of compelling circumstances warrant such action.

The proposed rules, as modified, and as set forth below, are hereby adopted:

1. In § 214.1, the third sentence of paragraph (a) is amended to read as follows:

§ 214.1 Requirements for admission, extension, and maintenance of status.

(a) *General.* * * * A nonimmigrant other than one in the classes defined in section 101(a)(15)(A) (i) or (ii) or (G) (i), (ii), (iii), or (iv) of the Act (members of which classes are not required to obtain extensions of stay if they continue to be so recognized by the Secretary of State as members of such classes); section 101(a)(15)(B) who is visiting the United States temporarily for pleasure and section 101(a)(15) (C), (D), or (K) of the Act (members of which classes are ineligible for extensions of stay); or section 101(a)(15) (F) or (J) of the Act, and whose period of admission has not expired, shall apply on Form I–539 and may be granted or denied, without appeal, an extension of his period of temporary admission by an officer in charge of a suboffice or a district director. * * *

* * * * *

2. In § 214.2, paragraph (b) is amended to read as follows:

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

* * * * *

(b) *Visitors.* The classification of visitors in the Act has been subdivided for visa, admission, and extension purposes into visitors for business (B–1) and visitors for pleasure (B–2). A B–1 visitor may be admitted for an initial period of not more than six months and may be granted extensions of temporary stay in increments of not more than six months. A B–2 visitor shall ordinarily be admitted for a period of not more than six months, but may be admitted for a

longer period not exceeding one year if the admitting immigration officer determines that emergent, compelling, or other special circumstances exist warranting such longer admission period.

* * * * *

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

The basis and purpose of the above-prescribed rules are to exclude nonimmigrant visitors for pleasure from the classes of nonimmigrants eligible to apply for or to be granted extensions of temporary stay, thereby reducing the workload of applications requiring adjudication which is necessitated by manpower considerations.

Effective date. The amendments to the regulations contained in this order shall become effective February 16, 1975.

Dated: January 10, 1975.

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

[FR Doc.75-1457 Filed 1-15-75;8:45 am]

Title 10—Energy

CHAPTER II—FEDERAL ENERGY ADMINISTRATION

PART 210—GENERAL ALLOCATION AND PRICE RULES

PART 212—MANDATORY PETROLEUM PRICE REGULATIONS

Clarifications to the Definitions of Covered Products

On September 6, 1974, the Federal Energy Administration issued a notice proposing a number of significant changes in the Mandatory Petroleum Price Regulations, including possible clarifications to the definitions of covered products (39 FR 32718, September 10, 1974). Comments were invited from interested persons by September 27, 1974, and more than 80 comments were received. A public hearing on the proposal was held September 30 and October 1, 1974, at which approximately 20 interested persons presented statements. The FEA has considered carefully all comments and statements submitted in this proceeding, and has concluded that action should be taken to clarify the definitions of covered products, as was proposed in the September 10, 1974, notice, to be effective immediately.

The FEA has previously amended its regulations with respect to certain of the changes proposed in the September 10 notice while action on certain other proposals has been deferred pending further study and analysis by the FEA. Those proposals which have not yet been acted on continue to be under active consideration by FEA for decision in this proceeding.

With respect to "covered products" (i.e., those products which are subject to FEA price regulations), the intent of the FEO, and now the FEA, has always been to exercise its regulatory authority under the Emergency Petroleum Allocation Act of 1973 (Pub. L. No. 93-159), with respect to all products that are subject to that Act. Previous definitions of "covered products," as set forth in the Mandatory Petroleum Price Regulations, were in no way intended to restrict the scope of the price regulations to anything less than all the products subject to the Act. FEA has, however, concluded that the clarifying amendments adopted today are needed to provide more specific guidance as to those products which fall within the more general categories of products that have been set forth in the Act and in the FEA regulations.

The Emergency Petroleum Allocation Act of 1973 directs the President to promulgate regulations providing for the allocation and pricing of "crude oil, residual fuel oil, and refined petroleum products." While crude oil and residual fuel oil are not defined in the Act, the term "refined petroleum products" is further defined in section 3(5) to include "gasoline, kerosene, distillates (including Number 2 fuel oil), LPG, refined lubricating oils or diesel fuel." LPG is further defined in section 3(6) to mean "propane and butane, but not ethane."

Although this statutory language speaks in terms of certain enumerated products, Congress intended to provide for the regulation of a broader range of petroleum products than only those that meet the technical specifications of the products enumerated in the Act. The accompanying conference report evidences Congress' understanding that an effective allocation program "must be comprehensive in scope and therefore must include the major refined components of a barrel of crude oil." *Conf. Rep. No. 628, 93d Cong., 1st Sess. 20 (1973).* The report also makes clear Congress' intent that the regulatory mandate not be constrained by technical definitions of the terms used in the Act:

> Special mention should be made of the term "refined petroleum product" which is taken from the House amendment. This term is defined to mean kerosene, gasoline, distillates (including Number 2 fuel oil), LPG (as further defined to mean propane and butane), refined lubricating oils, or diesel fuel. The conference committee considers the term "kerosene" to also encompass jet fuel and the term "diesel fuel" to also refer to light commercial heating oil. It is understood that the term "distillates" when applied in a technical sense would encompass only Numbers 1, 2, and 4 fuel oils. It is the committee's intent, however, that this term also reach to include naphtha and benzene so as to require the allocation of these products as may be necessary to accomplish the objective of restoring and fostering competition in the petrochemical sector of industry. In this respect the conference committee wishes to emphasize that, in expressing congressional concern with fostering competition in the petrochemical industry, the committee intends to also identify petrochemical feedstock needs as important end-uses for which allocation should be made.
>
> *Id.* at 16-17.

Pursuant to this congressional directive, FEA (and before that FEO) has since its inception sought to discharge completely its statutory obligation by adopting Mandatory Petroleum Price Regulations that encompass the full spectrum of products within its regulatory responsibility. However, in the September 10 notice, FEA recognized the possible need "for a more comprehensive and definitive listing of products which are covered . . . ." (39 FR 32724) Comments were therefore solicited from interested parties as to any areas in which there might be some question whether particular products are covered by the regulations.

Comments addressed to this issue ranged from the suggestion that FEA adopt a comprehensive listing of petroleum products, subject to the regulations, to the suggestion that FEA list only those products explicitly exempt from mandatory price regulations. FEA has considered all the comments and the information presented at the public hearings and has concluded that any attempt to provide an all encompassing listing of each specific petroleum product that Congress intended to be covered by mandatory price regulations would be an impossible task, fraught with practical problems of drafting and implementation, since derivative products of crude petroleum number well in the thousands.

FEA has concluded, however, that a somewhat more comprehensive listing of the products covered by its regulations would serve to ensure that the price regulations have uniform applicability to each entity in the industry. This clarifying amendment, therefore, sets forth more explicitly the covered product categories to which the FEA regulations are applicable. The amendment does not, by its explicitness, broaden or narrow the scope of the regulations, or include or exclude any products for the first time.

(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, Parts 210 and 212 of Chapter II, Title 10 of the Code of Federal Regulations, are amended as set forth below, effective immediately.

Issued in Washington, D.C. on January 10, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel,
Federal Energy Administration.

1. Section 210.21 is amended to revise the definition of "Covered products" to read as follows:

§ 210.21 Definitions.

* * * * *

"Covered Products" means crude oil, residual fuel oil, and refined petroleum products and is coextensive with the term covered products as defined in § 212.31.

* * * * *

2. Section 212.1 is revised in paragraph (a) to read as follows:

§ 212.1 Scope.

(a) This part sets forth the price rules for firms engaged in the production and sale of covered products and the leasing of real property used in the retailing of

gasoline, effective 11:59 p.m., e.s.t., January 14, 1974.

* * * * *

3. Section 212.31 is amended to delete the definitions of "LPG", "Propane-butane mix", and "Refined petroleum products", and to revise the definitions of "Aviation fuels", "Butane", "Covered products", "Crude oil", "Domestic crude petroleum', "Gasoline", "Propane", and "Residual fuel oil", to read as follows:

§ 212.31 Definitions.

"Aviation fuels" means aviation fuel (kerosene-type), aviation fuel (naphtha-type), and aviation gasoline.

* * * * *

"Butane" means a hydrocarbon whose chemical composition is predominantly C_4H_{10}, whether recovered from natural gas or crude oil.

* * * * *

"Covered products" means aviation fuels, benzene, butane, crude oil, gas oil, gasoline, greases, hexane, kerosene, lubricant base oil stocks, lubricants, naphthas, natural gas liquids, natural gasoline, No. 1 heating oil and No. 1-D diesel fuel, No. 2 heating oil and No. 2-D diesel fuel, No. 4 fuel oil and No. 4-D diesel fuel, propane, residual fuel oil, special naphthas (solvents), toluene, unfinished oils, xylene, and other finished products. A blend of two or more particular covered products is considered to be that particular covered product constituting the major proportion of the blend.

"Crude oil" means a mixture of hydrocarbons that existed in liquid phase in underground reservoirs and remains liquid at atmospheric pressure after passing through surface separating facilities, and lease condensate, which is a natural gas liquid recovered in associated production by lease separators.

* * * * *

"Domestic crude petroleum" means crude oil produced in the United States or from the "outer continental shelf" as defined in 43 U.S.C. § 1331.

* * * * *

"Gasoline" means all of the various grades, other than aviation gasoline, of refined petroleum naphtha which, by its composition, is suitable for use as a carburant in internal combustion engines.

* * * * *

"Propane" means a hydrocarbon whose chemical composition is predominantly C_3H_8, whether recovered from natural gas or crude oil.

* * * * *

"Residual fuel oil" means those fuel oils commonly known as ASTM Grades No. 5 and No. 6 fuel oils, heavy diesel, Navy Special, Bunker C and all other fuel oils which have a fifty percent boiling point over 700° F. in the ASTM D86 standard distillation test.

* * * * *

4. Section 212.31 is amended to add the following definitions:

§ 212.31 Definitions.

* * * * *

"Aviation fuel (kerosene-type)" means a relatively low freezing point distillate of the kerosene type and includes all kerosene products with an average gravity of 40.7° API and 10% to 90% distillation temperatures of 390° F. to 470° F. covered by ASTM D1655 specifications, and including JP-5 and other fuels meeting military specifications (MIL-T-5624G Amend. 1).

"Aviation fuel (naphtha-type)" means all fuels in the heavy naphtha boiling range with an average gravity of 52.8° API and 10% to 90% distillation temperatures of 210° F. to 420° F., including JP-4 and other fuels meeting military specifications MIL-F-5624 and MIL-T-5624G, used for turbojet and turboprop aircraft engines, primarily by the military.

* * * * *

"Aviation gasoline" means all of the various grades of aviation gasoline as defined in ASTM D910-70.

* * * * *

"Benzene" means an aromatic hydrocarbon whose chemical composition is predominantly C_6H_6.

* * * * *

"Gas oil" means all liquid petroleum distillate having a viscosity intermediate between that of kerosene and lubricating oil.

* * * * *

"Greases" means all lubricating greases which are solid to semi-fluid products comprising a dispersion of a thickening agent in a liquid lubricant.

"Hexane" means a hydrocarbon whose chemical composition is predominantly C_6H_{14}.

* * * * *

"Kerosene" means all refined petroleum distillate suitable for use as an illuminant when burned in a wick lamp.

"Lubricant base oil stocks" means all refined petroleum products that are primary components used in the compounding and blending of lubricants and greases, including but not limited to bright stocks, solvent neutrals, coastal oils, pale oils and red oils.

"Lubricants" means all grades of lubricating oils that have been blended with the necessary lubricating oil composition in a form that is designed to be used for lubricating purposes wherein said lubricating oils are comprised of greater than ten (10) percent by weight of refined petroleum products.

* * * * *

"Naphthas" means all petroleum fractions, not otherwise defined as aviation fuels, gasoline, or special naphthas, made up predominantly of hydrocarbons whose boiling point falls within the temperature range of 85° to 430° F.

"Natural gas" means natural gas as defined by the Federal Power Commission.

"Natural gas liquids" means a mixed hydrocarbon stream containing, in whole or in substantial part, mixtures of ethane, butane (iso-butane and normal butane), propane or natural gasoline.

"Natural gasoline" means all liquid hydrocarbon mixtures, containing substantial quantities of pentanes and heavier hydrocarbons, that have been extracted from natural gas.

* * * * *

"Other finished products" means all finished products, not otherwise defined as a particular covered product, such as, but not limited to, petrolatum, absorption oils, ram jet fuel, petroleum rocket fuels, and other finished products except finished petrochemicals.

* * * * *

"Special naphthas (solvents)" means all finished products within the gasoline range, not otherwise defined as aviation fuels or gasoline, specially refined to specified flash point and boiling range, for use as paint thinners, cleaners, solvents, etc.

* * * * *

"Toluene" means an aromatic hydrocarbon whose chemical composition is predominantly C_7H_8.

* * * * *

"Unfinished oils" means all oils requiring further processing, i.e., any operation except mechanical blending.

* * * * *

"Xylene" means a mixed stream of aromatic hydrocarbons whose chemical composition is predominantly C_8H_{10} containing, in whole or in substantial part, the isomers para-xylene, meta-xylene, and ortho-xylene.

[FR Doc.75-1368 Filed 1-13-75;9:28 am]

Title 13—Business Credit and Assistance

CHAPTER III—ECONOMIC DEVELOPMENT ADMINISTRATION, DEPARTMENT OF COMMERCE

PART 304—OVERALL ECONOMIC DEVELOPMENT PROGRAM

Grant and Loan Program

Part 304 of Chapter III of Title 13 of the Code of Federal Regulations is hereby amended.

In that the material contained herein is a matter relating to the grant and loan program of the Economic Development Administration, the relevant provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date are inapplicable.

Section 304.9 is amended by adding paragraph (e) to read as follows:

§ 304.9 Revised OEDP.

* * * * *

(e) Before any revised OEDP for a district is approved by EDA, it shall be reviewed by appropriate governmental bodies and all organized interested groups, especially the appropriate State agency, those organizations with OMB

Circular A-95 review authority, and the EDA Regional Office.

(Sec. 701, Pub. L. 89-136 (August 26, 1965); 42 U.S.C. 3211; 79 Stat. 570 and Department of Commerce Organization Order 10-4, April 1, 1970 (35 FR 5970))

Effective date: This amendment becomes effective on January 16, 1975.

Dated: January 10, 1975.

D. J. CAHILL,
Acting Assistant Secretary for Economic Development.

[FR Doc.75-1397 Filed 1-15-75;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 13243; Amdts. 21-42; 36-4]

PART 21—CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS

PART 36—NOISE STANDARDS: AIRCRAFT TYPE AND AIRWORTHINESS CERTIFICATION

Noise Standards for Propeller Driven Small Airplanes

Correction

In FR Doc 74-30537 appearing at page 1029 in the issue of Monday, January 6, 1975, the following changes should be made on page 1034:

In the third column, paragraph (3), beginning "If the airplane * * *" the words "Appendix E" in the third line should read "Appendix F".

[Airworthiness Docket No. 74-WE-54-AD; Amdt. 39-2064]

PART 39—AIRWORTHINESS DIRECTIVES

AiResearch Model GTCP660-4 and -4R Auxiliary Power Units (APU)

Correction

In FR Doc. 75-177 appearing at page 1036 in the issue of Monday, January 6, 1975 the docket number should read as set forth above.

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-895, Amdt. 1]

PART 228—EMBARGOES ON PROPERTY

Contents of Embargo Notice

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., January 13, 1975.

By regulation OR-90, adopted November 7, 1974, the Board's Office of Consumer Affairs was redesignated as the Office of the Consumer Advocate. The reference, in § 228.4(h) of the Board's Economic Regulations (14 CFR 228.4 (h)), to the "Director of the Office of Consumer Affairs" must be changed to reflect the redesignation. The purpose of this amendment is to make such change.

This editorial amendment is issued by the undersigned pursuant to a delegation of authority from the Board to the General Counsel, in 14 CFR 385.19 and shall become effective on February 5, 1975. Procedures for review of this amendment by the Board are set forth in Subpart C of Part 385. (14 CFR 385.50 through 385.54).

Accordingly, the Board hereby amends paragraph (h) of § 228.4 (14 CFR 228.4 (h)), effective February 5, 1975, to read as follows:

§ 228.4 Contents of embargo notice.

* * * * *

(h) A note which reads as follows:

Any interested person may make an informal complaint concerning the embargo described in this notice by addressing such complaint to the Director, Office of the Consumer Advocate, Civil Aeronautics Board, Washington, D.C. 20428. In addition, any interested person may make a formal complaint against such embargo (see 14 CFR 302.201).

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

By the Civil Aeronautics Board.

[SEAL] THOMAS J. HEYE,
General Counsel.

[FR Doc.75-1519 Filed 1-15-75;8:45 am]

Title 19—Customs Duties

CHAPTER I—UNITED STATES CUSTOMS SERVICE

[T.D. 75-21]

PART 171—FINES, PENALTIES, AND FORFEITURES

Voluntary Disclosures

Subpart A of Part 171 of the Customs Regulations revised to set forth present Customs policy in regard to voluntary disclosures of Customs violations and to establish a prepenalty notice procedure.

It has been the established policy of the United States Customs Service with respect to voluntary disclosures of violations of Customs laws of the type referred to under section 592, Tariff Act of 1930, as amended (19 U.S.C. 1592), which may result in a loss of revenue, to mitigate the statutory liability in such cases, upon the filing of a petition for relief, to an amount not exceeding the total loss of revenue, provided a tender, as withheld duties, of the actual loss of revenue was made. In order that all interested parties may be informed of Customs policy in regard to such voluntary disclosures, it has been decided to set forth this policy in the Customs Regulations.

It has also been decided to set forth in the Customs Regulations a new prepenalty notice procedure, which will introduce an additional element of flexibility in the Customs processing of certain penalty cases and afford parties against whom Customs contemplates issuing a claim for forfeiture value under § 162.31 of the Customs Regulations (19 CFR 162.31) an opportunity to refute the allegations prior to the issuance of the claim.

Under the prepenalty notice procedure, the appropriate district director of Customs would issue such a notice to a party against whom he contemplates issuing a claim for forfeiture value exceeding $25,000 for a violation of section 592, Tariff Act of 1930, as amended (19 U.S.C. 1592). The prepenalty notice would set forth the nature of the alleged violation and would provide that unless the importer makes a written presentation within 30 days of specific evidence either to refute the purported violation or to establish that he had reasonable cause to believe that his action in the case was proper, a claim for forfeiture value will be issued against him. The procedure would also authorize the district director to afford the party to whom the prepenalty notice was issued an opportunity to make an oral presentation in his behalf. A decision as to whether a claim for forfeiture value would be issued would take into account both written and oral presentations of arguments made pursuant to the prepenalty notice.

Accordingly, Part 171 of the Customs Regulations (19 CFR Part 171) is revised in the following manner:

Subpart A of Part 171 of the Customs Regulations is amended to read as follows:

Subpart A—General Provisions

Sec.

Subpart A—General Provisions

§ 171.1 Special procedures for certain liabilities incurred under section 592, Tariff Act of 1930, as amended.

(a) *Voluntary disclosure.* Any voluntary disclosure of violations of Customs laws which may result in a loss of revenue and which would subject either the merchandise involved or its value to forfeiture under section 592, Tariff Act of 1930, as amended (19 U.S.C. 1592), accompanied by a tender of the loss of revenue, shall be immediately referred by the district director to Headquarters, U.S. Customs Service.

(1) *Mitigation of statutory liability.* If appropriate investigation establishes that the disclosure was truly voluntary and not prompted by a Customs inquiry or an ongoing Customs investigation, and that the violation was due to negligence or fraudulent intent, a notice of penalty shall be issued. However, it shall be the established policy of the Customs Service in a case subject to this voluntary disclosure procedure, upon the filing of a petition for relief, to mitigate the statutory liability to an amount not to exceed one time the total loss of revenue, provided the actual loss of revenue is deposited as withheld duties, regardless of whether the disclosed violation was intentional when committed. Further mitigation beyond the foregoing maximum may be justified in individual cases on the basis of relevant circumstances,

such as diligence in disclosing a violation following its discovery.

(2) *Detection of undisclosed violations resulting from a voluntary disclosure.* Undisclosed violations discovered by Customs as a result of the investigation of a voluntary disclosure and tender will be treated in the same manner as set forth above unless it is determined that such other violations were intentional when committed.

(b) *Prepenalty notice procedure.* (1) *Issuance of prepenalty notice.* Prior to the issuance of a claim for forfeiture value under § 162.31 of this chapter in excess of $25,000 for violation of section 592, Tariff Act of 1930, as amended (19 U.S.C. 1592), with respect to the entry, or attempted entry, of merchandise the district director shall notify the owner, importer, consignee, agent, or other person entering, or attempting to enter, the merchandise, in writing, of his intention to issue such a claim. The notice shall contain a description of the merchandise and shall set forth the circumstance of entry or attempted entry, specifying the provisions of the law alleged to have been violated and describing the acts or omissions by virtue of which the liability is alleged to have been incurred. In the event one year or less remains prior to the expiration of the 5-year statute of limitations with respect to such an alleged violation, the prepenalty notice procedure shall not be utilized.

(2) *Reply to prepenalty notice.* The person to whom the district director's prepenalty notice is addressed shall have a period of 30 days from the date of its issuance to file a written reply with the district director showing why the claim for forfeiture value should not be issued. The reply should answer the allegations made in the prepenalty notice and should set forth evidence either refuting the allegations or establishing that reasonable cause existed for believing that the acts or omissions described in the allegations were proper. In addition to a written reply, the district director may, upon request, allow an oral presentation of arguments as to why a claim for forfeiture value should not be issued. Absent a showing of extraordinary circumstances, an extension of time to reply beyond the 30-day period shall not be granted.

(3) *Action on reply.* Each reply to a prepenalty notice shall be carefully considered by the district director. In those cases in which the district director determines that the allegations set forth in the prepenalty notice have been disproved or that the issuance of a claim for forfeiture value would otherwise be inappropriate, he shall notify the person to whom the prepenalty notice was addressed that the issuance of the claim for forfeiture value is no longer contemplated. In all other cases, including those in which no reply is received, the claim shall be issued.

(4) *Exception to prepenalty notice procedure.* The procedure described in this paragraph does not apply in any case in which criminal prosecution is under consideration.

171.2 Limitations on consideration of petitions.

(a) *Case referred for institution of legal proceedings.* No action shall be taken on any petition if the civil liability has been referred to the United States attorney for institution of legal proceedings. The petition shall be forwarded to the United States attorney.

(b) *Vessel or vehicle awarded for official use.* When a vessel or vehicle is awarded for official use, a petition shall not be considered unless:

(1) It is filed before final disposition of the property is made; or

(2) It is a petition for restoration of proceeds of sale filed in accordance with Subpart E of this part.

(R.S. 251, as amended, secs. 592, 618, 624, 46 Stat. 750, as amended, 757, as amended, 759 (5 U.S.C. 301, 19 U.S.C. 66, 1592, 1618, 1624))

That portion of the above amendments which pertain to voluntary disclosures of Customs violations merely conforms the Customs Regulations with an existing administrative practice. The remaining amendments concern the establishment of a prepenalty notice procedure, which places no affirmative duty or burden on the public, or set forth provisions which were previously contained in Subpart A of Part 171. Therefore, good cause exists for dispensing with notice and public procedure there as unnecessary, and good cause is found for the amendments to become effective on the earliest date possible under 5 U.S.C. 553.

Effective date. These amendments shall become effective January 16, 1974.

[SEAL] LEONARD LEHMAN,
Acting Commissioner of Customs.

Approved: December 31, 1974.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.75-1401 Filed 1-15-75;8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 29—FRUIT BUTTERS, FRUIT JELLIES, FRUIT PRESERVES, AND RELATED PRODUCTS

Fruit Jelly and Preserves Standards; Confirmation of Effective Date

The Commissioner of Food and Drugs issued a final order, which was published in the FEDERAL REGISTER of August 28, 1974 (39 FR 31304), amending 21 CFR Part 29 by revising the standards of identity for fruit jellies (21 CFR 29.2) and preserves, jams (21 CFR 29.3). The order specified that all labeling used after December 31, 1974 must comply with the revised regulations.

One comment from a trade association commended the Commissioner on his conclusion that "lactose" may be declared as such or, alternatively, as "milk sugar." This conclusion is consistent with the Commissioner's proposal to clarify food labeling requirements published in the FEDERAL REGISTER of June 14, 1974 (39 FR 20888).

The National Preservers Association (NPA), 64 Perimeter Center East, Atlanta, GA 30346, has requested that the December 31, 1974 compliance date be extended to June 30, 1975, to provide for additional time in which to accomplish the required label revisions. Two manufacturers also have initiated similar requests.

In support of its request, NPA stated that: (1) Prior to the revision of §§ 29.2 and 29.3, ingredient labeling was not required for jams and jellies; (2) the industry's voluntary guideline for ingredient disclosure did not fully conform to the approach ultimately adopted by the Commissioner for the disclosure by specific name of certain technical ingredients; (3) it was not clear, prior to the issuance of the final order, how the Commissioner would rule on such matters as the free use of all nutritive carbohydrate sweeteners, the reduction in soluble solids and adjustment in fruit input, and the use of added flavoring materials; and (4) it was thus not possible prior to the issuance of the final order for any firm to finalize labeling for compliance with the revised standards.

In view of the relatively short period of time between the publication of the order and the December 31, 1974 date, the Commissioner concludes that the requested extension is justified.

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701(e), 52 Stat. 1046 as amended, 70 Stat. 919; 21 U.S.C. 341, 371(e)) and under authority delegated to the Commissioner (21 CFR 2.120), notice is given that no objections were filed to the order of August 28, 1974, and the effective date for full compliance with the order is extended to June 30, 1975 consistent with the notice on uniform effective date for new food labeling regulations published in the FEDERAL REGISTER of November 14, 1974 (39 FR 40184).

Dated: January 8, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-1446 Filed 1-15-75;8:45 am]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

CHANGE IN TEST PROCEDURES FOR OCTYLTIN STABILIZERS IN VINYL CHLORIDE PLASTICS

The Commissioner of Food and Drugs proposed in the FEDERAL REGISTER of August 12, 1974 (39 FR 28899) that § 121.2602(b) (21 CFR 12.2602(b)) be amended to (1) provide for use of food-simulating solvents rather than actual foods to determine octyltin stabilizer migration from vinyl chloride plastics, and (2) to delete the current 1.0 part per

million (ppm) tolerance of the permitted octyltin stabilizers in food and replace it with a 0.5 ppm tolerance of the permitted octyltin stabilizers in food-simulating solvents.

One comment was received in response to the proposal. The comment requested clarification of the status of stocks of existing packaging materials whose compliance with § 121.2602 was established by testing with actual food.

The Commissioner concludes that existing stocks of packaging materials whose compliance with § 121.2602 was established by testing with actual food need not be retested to determine compliance with the food-simulating solvent limitation. The petitioner, through exhaustive testing, has established that packaging material tested with actual food and found to be in compliance with the 1.0 ppm tolerance of permitted octyltin stabilizers will also be in compliance with the 0.5 ppm tolerance of permitted octyltin stabilizers in food-simulating solvents.

As the comment raised no substantive issue, the Commissioner concludes that the proposed amendment should be adopted without change.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(d), 72 Stat. 1787; 21 U.S.C. 348(d)) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.2602 is amended by revising paragraph (b) to read as follows:

§ 121.2602 Octyltin stabilizers in vinyl chloride plastics.

* * * * *

(b) The vinyl chloride plastic containers, film or panels in the finished form in which they are to contact food, shall meet the following limitations:

(1) The finished plastics intended for contact with foods of the types listed in this section shall be extracted with the solvent or solvents characterizing those types of foods as determined from table 2 of § 121.2526(c) at the temperature reflecting the conditions of intended use as determined therein. Additionally, extraction tests for acidic foods shall be included and simulated by 3-percent acetic acid at temperatures specified for water in table 2 of § 121.2526(c). The extraction tests shall cover at least three equilibrium periodic determinations, as follows:

(i) The exposure time for the first determination shall be at least 72 hours for aqueous solvents, and at least 6 hours for heptane.

(ii) Subsequent determinations shall be at a minimum of 24-hour intervals for aqueous solvents, and 2-hour intervals for heptane. These tests shall yield di(*n*-octyl)tin *S,S'*-bis(isooctylmercaptoacetate) or di(*n*-octyl)tin maleate polymer or any combination thereof not to exceed 0.5 part per million as determined by an analytical method available upon request from the Commissioner of Food and Drugs.

(2) In lieu of the tests prescribed in paragraph (b)(1) of this section, the finished plastics intended for contact with foods only of types II, V, VI-A (except malt beverages), and VI-C may be end-tested with food-simulating solvents, under conditions of time and temperature, as specified below, whereby such tests shall yield the octyltin residues cited in paragraph (b)(1) of this section not in excess of 0.5 ppm:

	Food-simulating solvent	Time	Temperature
		Hours	*Degrees F*
Type II	Acetic acid, 3%.	48	135
Type V	Heptane.	2	100
Type VI-A	Ethyl alcohol, 8%.	24	120
Type VI-C	Ethyl alcohol, 50%.	24	120

Any person who will be adversely affected by the foregoing order may at any time on or before February 18, 1975, file with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective January 16, 1975.

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

Dated: January 8, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-1444 Filed 1-15-75;8:45 am]

[FRL 322-4]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

4-AMINO-6-(1,1-DIMETHYLETHYL)-3-(METHYLTHIO)-1,2,4-TRIAZIN-5(4*H*)-ONE

A petition (FAP 5H5076) was filed by Chemagro Division of Mobay Chemical Corp., P.O. Box 4913, Kansas City, MO 64120, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348), proposing establishment of a food additive tolerance for combined residues of the herbicide 4-amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4-triazin-5(4*H*)-one and its triazinone metabolites in processed potatoes at 3 parts per million, resulting from application of the fungicide to the growing raw agricultural commodity potatoes. (For a related document, see this issue of the FEDERAL REGISTER, page 2803.)

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 section 406, 408, and 409 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346, 346a, and 348).

Having evaluated the data submitted in the petition and other relevant material, it is concluded that the tolerance should be established.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), (4), 72 Stat. 1786; 21 U.S.C. 348(c)(1), (4)), 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 18895), the following new paragraph is added to Part 121, Subpart D:

§ 121.1266 4-Amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4-triazin-5(4*H*)-one.

A tolerance of 3 parts per million is established for combined residues of the herbicide 4-amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4-triazin-5(4*H*)-one and its triazinone metabolites in processed potatoes (including potato chips), resulting from application of the herbicide to the raw agricultural commodity potatoes.

Any person who will be adversely affected by the foregoing order may at any time on or before February 18, 1975, 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 January 16, 1975.

(Sec. 409(c)(1), (4), 72 Stat. 1786 (21 U.S.C. 348(c)(1), (4)))

Dated: January 13, 1975.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.75-1551 Filed 1-15-75;8:45 am]

SUBCHAPTER C—DRUGS

PART 135e—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

Monensin Sodium, Zinc Bacitracin

Correction

In FR Doc. 74-29321 appearing at page 43628 in the issue of Tuesday, December 17, 1974 the first entry in the table on page 43629 under the first column now reading, "7. Monensin" should read, "6. Monensin".

Title 22—Foreign Relations

CHAPTER I—DEPARTMENT OF STATE

SUBCHAPTER C—FEES AND FUNDS

[Dept. Reg. 108.710]

PART 22—FEES AND CHARGES, FOREIGN SERVICE

Passport Fees

22 USC 214, as amended by Pub. L. 93-417 of September 17, 1974, provides that the Secretary of State shall prescribe, by regulation, the amount of the fee charged for the execution of an application for a passport. Pursuant to that authority, § 51.61 of 22 CFR was amended prospectively on September 9, 1974 (39 FR 32984) to establish, at $3.00, the fee to be charged for the execution, in the United States, of an application for a passport. It was the intent of Pub. L. 93-417 that the fee should be uniform no matter where the service is performed. In order to comply with the intent of Pub. L. 93-417, the Secretary has determined that Item No. 1 of § 22.1(a) must be amended.

§ 22.1 [Amended]

By virtue of the authority vested in the Secretary of State by 22 USC 214, as amended by Pub. L. 93-417 of September 17, 1974, and authority delegated to me by the Secretary, the "Fee" entry following Item No. 1 of § 22.1(a) is amended by substituting "$3.00" for "$2.00".

If a fee is not prescribed by the Secretary by regulation, there would be no authority to charge a fee for execution of an application for a passport outside the United States, and officers of the Foreign Service of the United States might be compelled to suspend this service. Since immediate action is required, it is considered that notice, procedure, and effective date requirements of 5 USC 553 are unnecessary, impracticable, and contrary to the public interest.

However, in accordance with the spirit of the public policy set forth in 5 USC 553, and since the amount of the fee is subject to periodic review and change, consideration will be given during such periodic reviews and changes to any comments, suggestions, or objections thereto which are submitted in writing to the Passport Office, Bureau of Security and Consular Affairs, Department of State, Washington, D.C. 20524, Atten: Legal Division.

(Secs. 3, 4, 63 Stat. 111, as amended; 22 USC 811a, 2658, E. O. 10718, 22 FR 4632; 3 CFR, 1954-1958 Comp., page 382)

Effective date. This amendment is effective as of November 17, 1974.

Dated: January 9, 1975.

LEONARD F. WALENTYNOWICZ,
Administrator, Bureau of Security and Consular Affairs.

[FR Doc.75-1396 Filed 1-15-75;8:45 am]

Title 24—Housing and Urban Development

CHAPTER II—OFFICE OF ASSISTANT SECRETARY FOR HOUSING PRODUCTION AND MORTGAGE CREDIT-FEDERAL HOUSING COMMISSIONER [FEDERAL HOUSING ADMINISTRATION], DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R-75-313]

MORTGAGE INSURANCE AND HOME IMPROVEMENT LOANS

Changes in Interest Rates

The following miscellaneous amendments have been made to this chapter to reduce from 9½ percent to 9 percent the maximum rate of interest for certain mortgage and loan insurance programs under the National Housing Act:

PART 203—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

Subpart A—Eligibility Requirements

1. In § 203.20 paragraph (a) is amended to read as follows:

§ 203.20 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 9 percent, except that where an application for commitment was received by the Secretary before November 25, 1974, the mortgage may bear interest at the maximum rate in effect at the time of receipt of the application.

* * * * *

(Sec. 211, 52 Stat. 23; (12 U.S.C. 1715b). Interpret or apply sec. 203, 52 Stat. 10, as amended; (12 U.S.C. 1709))

2. In § 203.74 paragraph (a) is amended to read as follows:

§ 203.74 Maximum interest rate.

(a) The loan shall bear interest at the rate agreed upon by the lender and the borrower, which rate shall not exceed 9 percent, except that where an application for commitment was received by the Secretary before November 25, 1974, the mortgage may bear interest at the maximum rate in effect at the time of receipt of the application.

* * * * *

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 203, 52 Stat. 10, as amended; (12 U.S.C. 1709))

PART 205—MORTGAGE INSURANCE FOR LAND DEVELOPMENT

Subpart A—Eligibility Requirements

Section 205.50 is amended to read as follows:

§ 205.50 Maximum interest rate.

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 9 percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before November 25, 1974, or an application for commitment was received by the Secretary before November 25, 1974, the mortgage may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application.

(Sec. 1011, formerly sec. 1010, 79 Stat. 464, (12 U.S.C. 1749jj); renumbered Pub. L. 89-754, sec. 401(a), 80 Stat. 1271)

PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

Subpart A—Eligibility Requirements

In § 207.7 paragraph (a) is amended to read as follows:

§ 207.7 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 9 percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before November 25, 1974, or an application for commitment was received by the Secretary before November 25, 1974, the mortgage shall bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application.

* * * * *

(Sec. 211, 52 Stat. 23; (12 U.S.C. 1715b). Interprets or applies sec. 207, 52 Stat. 16, as amended; (12 U.S.C. 1713))

PART 213—COOPERATIVE HOUSING MORTGAGE INSURANCE

Subpart A—Eligibility Requirements—Projects

1. In § 213.10 paragraph (a) is amended to read as follows:

§ 213.10 Maximum interest rate.

(a) The mortgage or a supplementary loan shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, or the lender and the borrower, which rate shall not exceed 9 percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before November 25, 1974, or an application for commitment was received by the Secretary before November 25, 1974, the mortgage may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application.

* * * * *

(Sec. 211, 52 Stat. 23; (12 U.S.C. 1715b). Interpret or apply sec. 213, 64 Stat. 54, as amended; (12 U.S.C. 1715e))

Subpart C—Eligibility Requirements—Individual Properties Released From Project Mortgage

2. In § 213.511 paragraph (a) is amended to read as follows:

§ 213.511 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 9 percent, except that where an application for commitment was received by the Secretary before November 25, 1974, the mortgage may bear interest at the maximum rate in effect at the time of receipt of the application.

* * * * *

(Sec. 211, 52 Stat. 23; (12 U.S.C. 1715b). Interpret or apply Sec. 213, 64 Stat. 54, as amended; (12 U.S.C. 1715e))

PART 220—URBAN RENEWAL MORTGAGE INSURANCE AND INSURED IMPROVEMENT LOANS

Subpart C—Eligibility Requirements—Projects

In § 220.576 paragraph (a) is amended to read as follows:

§ 220.576 Maximum interest rate.

(a) The loan shall bear interest at the rate agreed upon by the lender and the borrower, which rate shall not exceed 9 percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before November 25, 1974, or an application for commitment was received by the Secretary before November 25, 1974, the loan may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application.

* * * * *

(Sec. 211, 52 Stat. 23; (12 U.S.C. 1715b). Interprets or applies sec. 220, 68 Stat. 596, as amended; (12 U.S.C. 1715k))

PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

Subpart C—Eligibility Requirements—Moderate Income Projects

In § 221.518 paragraph (a) is amended to read as follows:

§ 221.518 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 9 percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before November 25, 1974, or an application for commitment was received by the Secretary before November 25, 1974, the mortgage may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application. Interest shall be payable in monthly installments on the principal amount of the mortgage outstanding on the due date of each installment.

* * * * *

(Sec. 211, 52 Stat. 23; (12 U.S.C. 1715b). Interprets or applies sec. 221, 68 Stat. 599, as amended; (12 U.S.C. 1715l))

PART 232—NURSING HOMES AND INTERMEDIATE CARE FACILITIES MORTGAGE INSURANCE

Subpart A—Eligibility Requirements

In § 232.29 paragraph (a) is amended to read as follows:

§ 232.29 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 9 percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before November 25, 1974, or an application for commitment was received by the Secretary before November 25, 1974, the mortgage may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application.

* * * * *

(Sec. 211, 52 Stat. 23 (12 U.S.C. 1715b). Interprets or applies sec. 232, 73 Stat. 663 (12 U.S.C. 1715w))

Subpart C—Eligibility Requirements—Supplemental Loans To Finance Purchase and Installation of Fire Safety Equipment

In § 232.560 paragraph (a) is amended to read as follows:

§ 232.560 Maximum interest rate.

(a) The loan shall bear interest at the rate agreed upon by the lender and the borrower, which rate shall not exceed 9¼ percent per annum, except that where a letter inviting submission of an application for commitment was issued by the Secretary before November 25, 1974, or an application for commitment was received by the Secretary before November 25, 1974, the loan may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application.

* * * * *

(Sec. 211, 52 Stat. 23 (12 U.S.C. 1715b). Interprets or applies sec. 232, 73 Stat. 663 (12 U.S.C. 1715w))

PART 234—CONDOMINIUM OWNERSHIP MORTGAGE INSURANCE

Subpart A—Eligibility Requirements—Individually Owned Units

In § 234.29 paragraph (a) is amended to read as follows:

§ 234.29 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 9 percent, except that where an application for commitment was received by the Secretary before November 25, 1974, the mortgage may bear interest at the maximum rate in effect at the time of receipt of the application.

* * * * *

(Sec. 211, 52 Stat. 23; (12 U.S.C. 1715b). Interprets or applies sec. 234, 75 Stat. 160; (12 U.S.C. 1715y))

PART 235—MORTGAGE INSURANCE AND ASSISTANCE PAYMENTS FOR HOME OWNERSHIP AND PROJECT REHABILITATION

Subpart D—Eligibility Requirements—Rehabilitation Sales Projects

Section 235.540 is amended to read as follows:

§ 235.540 Maximum interest rate.

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 9 percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before November 25, 1974, or an application for commitment was received by the Secretary before November 25, 1974, the mortgage may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application.

(Sec. 211, 52 Stat. 23; (12 U.S.C. 1715b). Interprets or applies sec. 235, 82 Stat. 477; (12 U.S.C. 1715z))

PART 236—MORTGAGE INSURANCE AND INTEREST REDUCTION PAYMENTS FOR RENTAL PROJECTS

Subpart A—Eligibility Requirements for Mortgage Insurance

Section 236.15 is amended to read as follows:

§ 236.15 Maximum interest rate.

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 9 percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before November 25, 1974, or an application for commitment was received by the Secretary before November 25, 1974, the mortgage may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application.

(Sec. 211, 52 Stat. 23; (12 U.S.C. 1715b). Interprets or applies sec. 236, 82 Stat. 498; (12 U.S.C. 1715z-1))

PART 241—SUPPLEMENTARY FINANCING FOR INSURED PROJECT MORTGAGES

Subpart A—Eligibility Requirements

Section 241.75 is amended to read as follows:

§ 241.75 Maximum interest rate.

The loan shall bear interest at the rate agreed upon by the lender and the borrower, which rate shall not exceed 9 percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before November 25, 1974, or an application for commitment was received by the Secretary before November 25, 1974, the loan may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application. Interest shall be payable in

monthly installments on the principal then outstanding.

(Sec. 211, 52 Stat. 23; (12 U.S.C. 1715b). Interprets or applies sec. 241, 82 Stat. 508; (12 U.S.C. 1715z-b))

PART 242—MORTGAGE INSURANCE FOR HOSPITALS

Subpart A—Eligibility Requirements

Section 242.33 is amended to read as follows:

§ 242.33 Maximum interest rate.

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 9 percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before November 25, 1974, or an application for commitment was received by the Secretary before November 25, 1974, the mortgage may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application. Interest shall be payable in monthly installments on the principal then outstanding.

(Sec. 211, 52 Stat. 23; (12 U.S.C. 1715b). Interprets or applies sec. 242, 82 Stat. 5099; (12 U.S.C 1715z-7))

PART 244—MORTGAGE INSURANCE FOR GROUP PRACTICE FACILITIES

Subpart A—Eligibility Requirements

In § 244.45 paragraph (a) is amended to read as follows:

§ 244.45 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 9 percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before November 25, 1974, or an application for commitment was received by the Secretary before November 25, 1974, the mortgage may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application.

* * * * *

(Sec. 1104, 80 Stat. 1275; (12 U.S.C. 1749aaa-3))

Effective date. These amendments shall be effective on November 25, 1974.

SHELDON B. LUBAR,
Assistant Secretary-Commissioner for Housing Production and Mortgage Credit.

[FR Doc.75-1409 Filed 1-15-75;8:45 am]

Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

SUBCHAPTER A—INCOME TAX

PART 1—INCOME TAX; TAXAELE YEARS BEGINNING AFTER DECEMBER 31, 1953

Special Rules for Determining Tax Credit for Foreign Income Taxes Payed by Controlled Foreign Corporations

Correction

In the correction to FR Doc. 74-29867 appearing in the issue of Monday, January 6, 1975 make the following changes:

1. The total in the final line of the table in item 3 on page 1015 reading "87.06" should read "37.06".

2. In the second line of the Foreign income taxes section under A Corporation in the table to item 4 on page 1015 the figure "$50" should read "$150".

3. The third and fourth lines to the Earnings and profits section under A Corporation in the table to item 4 on page 1015 reading:

"Attributable to dividends received from B Corpora-

Attributable to other income:"

should appear as follows:

"Attributable to other income:

Attributable to dividends received from B Corpora-"

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

[FRL 321-3]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Prevention of Significant Air Quality Deterioration; Correction

In F.R. Doc. 74-28353, published at page 42515 in the issue dated Thursday, December 5, 1974, in § 52.21, paragraph (c)(2)(i), the engineering units "g/m" are incorrectly used to indicate the increases in pollutant concentrations over baseline air quality found in the area designations table. The units are corrected to read "μg/m^3" and are appropriate to all pollutant concentrations in paragraph (c)(2)(i).

Dated: January 9, 1975.

ROGER STRELOW,
Assistant Administrator for Air and Waste Management.

[FR Doc.75-1364 Filed 1-15-75;8:45 am]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

[FRL 316-1]

New Jersey Transportation Control Plan; Revisions

On November 13, 1973, EPA published in the FEDERAL REGISTER (38 FR 31388) the New Jersey Transportation Control Plan containing plans to reduce parking in the Central Business Districts (CBD's) of the cities of Trenton, Camden and Newark (§ 52.1587). Generally, the CBD of a city is defined as the section wherein land uses involving business, commerce and industrial activities predominate. The CBD usually does not include residential areas.

Representatives of the planning bodies of the three cities have stated that the respective CBD's as presently defined either include large residential tracts or omit substantial sections of the business sector. It was recommended that these definitions be revised to describe the true business districts.

Consequently, in order to achieve the intended effect of the CBD-oriented strategies, EPA is redefining these districts to conform with the definitions submitted by the respective planning agencies.

Because of the importance of proceeding promptly with the planning necessary to carry out the on-street parking limitation program and because the nature of this revision is to more precisely define the areas affected at the request of the cities involved, the Administrator finds good cause to declare the regulations effective immediately upon publication.

(Sec. 110(c), 301(a), Clean Air Act (42 U.S.C. 1857-5(c), 1857(g)))

Dated: January 8, 1975.

JOHN QUARLES,
Acting Administrator.

Part 52 of Chapter I, Title 40, Code of Federal Regulation is amended as follows:

Subpart FF—New Jersey

1. Section 52.1587 is amended to read as follows:

§ 52.1587 Regulation limiting on-street parking.

* * * * *

(e) For purposes of this section, the CBD's for each of the following cities shall be bounded and described as follows:

(1) *Camden.* Beginning at a point formed by the intersection of US-30 and Mickle Street extended; thence south along Mickle Street, arcing to the south and west, to the intersection of Mickle Street and Third Street; thence north along Third Street to the Benjamin Franklin Bridge; thence east along the line of the Bridge to US-30; thence finally east along US-30, arcing to the east and south, to the intersection of US-30 with Mickle Street extended, the point of beginning. Streets forming boundaries shall be included in the CBD.

(2) *Newark.* Beginning at a point formed by the intersection of Center Street and McCarter Highway (Highway 21); thence north along McCarter Highway to Lombardi Street; thence west along Lombardi Street to Atlantic Street; thence north on Atlantic Street to Bridge Street; thence west on Bridge Street to Broad Street; thence north on Broad Street to Orange Street; thence west on Orange Street to Essex Street; thence north on Essex Street to James Street; thence east on James Street to Washington Street; thence south on Washington Street to Warren Street; thence west on Warren Street to University Avenue; thence south on University Avenue to Market Street; thence west on Market Street to Arlington Street; thence south on Arlington Street to William Street; thence east on William Street to Broad Street; thence south on Broad Street to Walnut Street; thence east on Walnut Street to Mulberry Street; thence north on Mulberry Street to Park Street; thence west on Park Street to Kitchell Street; thence north on Kitchell Street to Center Street; thence finally east on Center Street to its intersection with McCarter Highway, the point of beginning.

Streets forming boundaries shall be included in the CBD.

(3) *Trenton.* Beginning at a point formed by the intersection of Armory Drive and Front Street; thence west on Front Street to Willow Street; thence north on Willow Street to State Street; thence east on State Street to Warren Street; thence north on Warren Street to Hanover Street; thence east on Hanover Street to Stockton Street; thence south on Stockton Street to Merchant Street; thence east on Merchant Street to West Canal Street; thence south on West Canal Street; across State Street, to its intersection with Armory Drive; thence finally south on Armory Drive to its intersection with Front Street, the point of beginning. Streets forming boundaries shall be included in the CBD.

[FR Doc.75-1547 Filed 1-15-75;8:45 am]

[FRL 306-3]

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

Coal Refuse

On December 23, 1971 (36 FR 24876), pursuant to section 111 of the Clean Air Act, as amended, the Administrator promulgated standards of performance for nitrogen oxides emissions from fossil fuel-fired steam generators of more than 63 million kcal per hour (250 million Btu per hour) heat input. The purpose of this amendment is to clarify the applicability of § 60.44 with regard to units burning significant amounts of coal refuse.

Coal refuse is the low-heat value, low-volatile, high-ash content waste separated from coal, usually at the mine site. It can prevent restoration of the land and produce acid water runoff. The low-heat value, high-ash characteristics of coal refuse preclude combustion except in cyclone furnaces with current technology, which because of the furnace design emit nitrogen oxides (NO_x) in quantities greater than that permitted by the standard of performance. Preliminary test results on an experimental unit and emission factor calculations indicate that NO_x emissions would be two to three times the standard of 1.26 g per million cal heat input (0.7 pound per million Btu). At the time of promulgation of § 60.44 in 1971, EPA was unaware of the possibility of burning coal refuse in combination with other fossil-fuels, and thus the standards of performance were not designed to apply to coal refuse combustion. However, since coal refuse is a fossil fuel, as defined under § 60.41(b), its combustion is included under the present standards of performance.

Upon learning of the possible problem of coal refuse combustion units meeting the standard of performance for NO_x, the Agency investigated emission data, combustion characteristics of the material, and the possibility of burning it in other than cyclone furnaces before consideration was given to revising the standards of performance. The investigation indicated no reason to exempt coal refuse-fired units from the particulate matter or sulfur dioxide standards of performance, since achievement of these standards is not entirely dependent on furnace design. However, the investigation convinced the Agency that with current technology it is not possible to burn significant amounts of coal refuse and achieve the NO_x standard of performance.

Combustion of coal refuse piles would reduce the volume of a solid waste that adversely affects the environment, would decrease the quantity of coal that needs to be mined, and would reduce acid water drainage as the piles are consumed. While NO_x emissions from coal refuse-fired cyclone boilers are expected to be up to three times the standard of performance, the predicted maximum ground-level concentration increase for the only currently planned coal refuse-fired unit (173 MW) is only two micrograms NO_x per cubic meter. This predicted increase would raise the total ground-level concentration around this source to only five micrograms NO_x per cubic meter, which is well below the national ambient standard. For these reasons, § 60.44 is being amended to exempt steam generating units burning at least 25 percent (by weight) coal refuse from the NO_x standard of performance. Such units must comply with the sulfur dioxide and particulate matter standards of performance.

Since this amendment is a clarification of the existing standard of performance and is expected to only apply to one source, no formal impact statement is required for this rulemaking, pursuant to section 1(b) of the "Procedures for the Voluntary Preparation of Environmental Impact Statements" (39 FR 37419).

This action is effective on January 18, 1975. The Agency finds good cause exists for not publishing this action as a notice of proposed rulemaking and for making it effective immediately upon publication because:

1. The action is a clarification of an existing regulation and is not intended to alter the overall substantive content of that regulation.

2. The action will affect only one planned source and is not ever expected to have wide applicability.

3. Immediate effectiveness of the action enables the source involved to proceed with certainty in conducting its affairs.

(42 U.S.C. 1847c-6, 9)

Dated: January 8, 1975.

JOHN QUARLES,
Acting Administrator.

Part 60 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

1. Section 60.41 is amended by adding paragraph (c) as follows:

60.41 Definitions.

* * * * *

(c) "Coal refuse" means waste-products of coal mining, cleaning, and coal preparation operations (e.g. culm, gob, etc.) containing coal, matrix material, clay, and other organic and inorganic material.

2. Section 60.44 is amended by revising paragraphs (a)(3) and (b) as follows:

60.44 Standard for nitrogen oxides.

(a) * * *

(3) 1.26 g per million cal heat input (0.70 pound per million Btu) derived from solid fossil fuel (except lignite or a solid fossil fuel containing 25 percent, by weight, or more of coal refuse).

(b) When different fossil fuels are burned simultaneously in any combination, the applicable standard shall be determined by proration using the following formula:

$$\frac{x\,(0.36)+y\,(0.54)+z\,(1.26)}{x+y+z}$$

where:

x is the percentage of total heat input derived from gaseous fossil fuel,
y is the percentage of total heat input derived from liquid fossil fuel, and
z is the percentage of total heat input derived from solid fossil fuel (except lignite or a solid fossil fuel containing 25 percent, by weight, or more of coal refuse).

When lignite or a solid fossil fuel containing 25 percent by weight, or more of coal refuse is burned in combination with gaseous, liquid or other solid fossil fuel, the standard for nitrogen oxides does not apply.

[FR Doc.75-1544 Filed 1-15-75;8:45 am]

SUBCHAPTER E—PESTICIDE PROGRAMS

[FRL 322-5]

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

4-amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4-triazin-5(4H)-one

A petition (PP 5F1559) was filed (39 FR 40326) by Chemagro Division of Mobay Chemical Corp., P.O. Box 4913, Kansas City, MO 64120, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing establishment of a tolerance (40 CFR Part 180) for combined residues of the herbicide 4-amino-6-(1, 1-dimethylethyl) -3-(methylthio) - 1,2,4-triazin-5 (4*H*)-one and its triazinone metabolites in or on the raw agricultural commodity potatoes at 0.6 part per million.

Subsequently, the petitioner amended the petition by proposing tolerances for combined residues of the herbicide and its triazinone metabolites in the meat, fat, and meat byproducts of cattle, goats, hogs, horses poultry and sheep at 0.2 part per million and in eggs and milk at 0.1 part per million. (For a related document, see this issue of the FEDERAL REGISTER, page 2799).

Based on consideration given the data submitted in the petition and other relevant material, it is concluded that:

1. The herbicide is useful for the purpose for which the tolerances are being established.

2. The proposed tolerances are adequate to cover residues in eggs, meat, milk, and poultry.

3. The tolerances established by this order will protect the public health.

4. The old chemical name of the herbicide (4-amino-3-*tert*-butyl-3-(methylthio)-as-triazin-5-(4*H*)-one) as listed in the Code of Federal Regulations should be changed to the new name as written in this order.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)), 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 18305), § 180.332 is revised in the heading and text to read as follows:

§ 180.332 4-Amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4-5(4*H*)-one; tolerances for residues.

Tolerances are established for combined residues of the herbicide 4-amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4-triazin-5(4*H*)-one and its triazinone metabolites in or on raw agricultural commodities as follows:

0.6 part per million in or on potatoes.

0.2 part per million in meat, fat, and meat byproducts of cattle, goats, hogs, horses, poultry, and sheep.

0.1 part per million in or on soybeans.

0.01 part per million in eggs.

0.01 part per million in milk.

Any person who will be adversely affected by the foregoing order may at any time on or before February 18, 1975, 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 January 16, 1975.

(Sec. 408(d)(2), 68 Stat. 512 (21 U.S.C. 346a(d)(2)))

Dated: January 13, 1975.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.75-1552 Filed 1-15-75;8:45 am]

SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

[FRL 321-4]

PART 429—TIMBER PRODUCTS PROCESSING POINT SOURCE CATEGORY

Effluent Limitations Guidelines for Existing Sources and Standards of Performance and Pretreatment Standards

On August 26, 1974, notice was published in the FEDERAL REGISTER (39 FR 30892), that the Environmental Protection Agency (EPA or Agency) was proposing effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources within the wet storage, the log washing, the sawmills and planing mills, the finishing, the particleboard manufacturing, the insulation board manufacturing, and the insulation board manufacturing with steaming or hardboard production subcategories of the timber products processing category of point sources.

The purpose of this notice is to establish final effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources in the timber products processing category of point sources, by amending 40 CFR Chapter I, Subchapter N, Part 429 by adding thereto the wet storage subcategory (Subpart I), the log washing subcategory (Subpart J), the sawmills and planing mills subcategory (Subpart K), the finishing subcategory (Subpart L) and the particleboard manufacturing subcategory (Subpart M). This final rulemaking is promulgated pursuant to sections 301, 304 (b) and (c), 306 (b) and (c) and 307(c) of the Federal Water Pollution Control Act, as amended, (the Act); 33 U.S.C. 1251, 1311, 1314 (b) and (c), 1316 (b) and (c) and 1317(c); 86 Stat. 816 et seq.; Pub. L. 92-500. Regulations regarding cooling water intake structures for all categories of point sources under section 316(b) of the Act will be promulgated in 40 CFR Part 402.

In addition, the EPA is simultaneously proposing a separate provision which appears in the proposed rules section of the FEDERAL REGISTER, stating the application of the limitations and standards set forth below to users of publicly owned treatment works which are subject to pretreatment standards under section 307(b) of the Act. The basis of that proposed regulation is set forth in the associated notice of proposed rulemaking.

The legal basis, methodology and factual conclusions which support promulgation of this regulation were set forth in substantial detail in the notice of public review procedures published August 6, 1973 (38 FR 21202) and in the notice of proposed rulemaking for the wet storage, the log washing, the sawmills and planing mills, the finishing, the particleboard manufacturing, the insulation board manufacturing, and the insulation board manufacturing with steaming or hardboard production subcategories. In addition, the regulations as proposed were supported by two other documents: (1) the document entitled "Development Document for Proposed Effluent Limitations Guidelines and New Source Performance Standards for the Wet Storage, Sawmills, Particleboard and Insulation Board Segment of the Timber Products Processing Point Source Category" (August 1974) and (2) the document entitled "Economic Analysis of Proposed Effluent Guidelines, the Timber Processing Industry" (August 1974). Both of these documents were made available to the public and circulated to interested persons at approximately the time of publication of the notice of proposed rulemaking.

Interested persons were invited to participate in the rulemaking by submitting written comments within 30 days from the date of publication. Prior public participation in the form of solicited comments and responses from the States, Federal agencies, and other interested parties were described in the preamble to the proposed regulation. The EPA has considered carefully all of the comments received and a discussion of these comments with the Agency's response thereto follows.

(a) Summary of comments.

The following responded to the request for comments which was made in the preamble to the proposed regulation (includes only those commenters applicable to subparts I, J, K, L and M): the National Forest Products Association, the Northern Hardwood & Pine Manufacturers Association, Inc., State of Mississippi, Air and Water Pollution Control Commission, and the Effluent Standards and Water Quality Information Advisory Committee.

Each of the comments received was carefully reviewed and analyzed. The following is a summary of the significant comments and EPA's response to those comments.

(1) A commenter questioned the application of a single number guideline to subcategories in the timber products processing industry, i.e., the limitations do not acknowledge or accommodate the great amount of variation which exists among individual plants in this category.

The effluent limitations guidelines and standards take differences within an industry into account through subcategorization. The subcategorization considers process employed, raw materials, treatment options available, process water requirements, the cost of treatment and other factors. The guidelines and standards development effort also included consideration of reasonable water use and process control. A provision allowing flexibility in the application of the limitations representing best

practicable control technology currently available (BPCTCA) is included in the regulation to account for special circumstances that may not have been adequately accounted for when these regulations were developed.

(2) A comment stated that the technologically based proposed regulations do not adequately consider the energy requirements, ground water supplies, land use, and air quality environmental trade-offs involved.

The effluent guidelines and standards development program took into consideration many factors in the determination of BPCTCA. Included was the cost of pollution control, the capability of industrial segments to handle these costs, the nonwater quality environmental impact of these limitations, and the energy requirements.

(3) A comment was received that questioned the Agency's interpretation of the Act. The commenter stated that the Agency is administering the Act as if zero discharge by 1985 is a requirement rather than a goal, i.e., instead of focusing on "end-of-pipe" treatment in identifying BPCTCA, inplant process changes and modifications were considered as part of BPCTCA.

Section 304(b)(1)(B) of the Act states that "the engineering aspects of the application of various types of demonstrated control techniques" shall be a factor in determining the control measures and practices to be applicable to any point sources. Procedures that are practiced in the subcategory to which these regulations are applicable are considerations in the determination of best practicable control technology.

(4) A comment was received that noted that the wet storage regulation, as proposed, does not include log ponds which received influent water from surface streams or springs. The question was raised regarding how limitations for these facilities are to be applied.

Adequate information was not available during the guidelines development program to present limitations for these facilities. Wet storage facilities currently in existence total more than 1,000. The variations in hydraulic throughput rate, geographical layout of the wet storage facility and drainage area, type of raw material stored, the length of the period of storage are such that further study in this area is necessary before limitations on these facilities can be proposed.

(5) A comment was received that the comment and response section of the preamble to the proposed regulation (Comment 1) implied that glue waste and wash up water from glue systems should be discharged to log storage ponds.

The regulations promulgated April 18, 1974 (40 CFR, Part 429, Subpart C) prohibit any discharge of process waste water pollutants from plywood manufacturing facilities that do not store or hold raw materials in wet storage conditions. The Development Document supporting that regulation presents information on operating practices and procedures to minimize the generation of process waste water from plywood manufacturing operations, and control technologies available to dispose of these waste waters. It is the intent of this regulation to eliminate the discharge of process waste water from plywood manufacturing to navigable waters. The development document to support the Subpart C regulation establishes that the elimination of the discharge of process waste water pollutants either directly to the navigable waters or indirectly through a wet storage facility is achievable.

An amendment to Subpart I—Wet Storage Subcategory is being simultaneously proposed that will establish a limit on the allowable discharge of biochemical oxygen demand from wet storage facilities.

(6) Commenters indicated that the volume limitation on discharges from wet storage facilities essentially eliminated the construction of log ponds as a wood storage facility and that the precipitation, evaporation relationship, as presented in the proposed regulations is incompatible with the NPDES permit program.

Wet storage operations are located in a variety of geographical situations. The physical placement of existing facilities was determined by many factors. The practicability of determining, with the necessary degree of accuracy, the drainage area into the wet storage facility is in many situations limited. For a newly constructed wet storage facility, considerations of location, design, and operating practices, including the exclusion of other process waste waters from the wet storage water system, indicate that it is usually practicable to control the discharge of process water during periods when evaporation is greater than precipitation. Because of the variety and interrelationships of these factors, it is not feasible to implement an absolute volume limitation for new sources in the wet storage subcategory. These factors should, however, be considered. Information on the relationship between precipitation and evaporation is available in the "Climatic Atlas of the United States," published by the Department of Commerce, June 1968, and also is available through the National Climatic Center, National Oceanic and Atmospheric Administration.

(7) One comment questioned the ability of the industry to achieve no discharge from log washing operations.

Section VII of the development document states that at least two facilities are achieving total recycle of settled effluent. The operation of log washing is not widely practiced at the present time, although it is anticipated that the practice will increase in the future because of the industry's efforts to maximize utilization of the raw material. The costs related to retrofitting an existing log washing operation may require modification or relocation of associated equipment, and the benefits associated with the elimination of discharge of process waste water pollutants from this operation may be less than the back fitting costs. The costs required to install a closed system in a new installation are usually less as a result of planning in the design stages of installation of a new facility. An effluent limitation of 50 mg/l total suspended solids and pH within the range of 6.0 to 9.0 is included in the regulation as BPCT because these levels of effluent discharge are readily achievable.

(8) A commenter stated that the forest products industry is typified by many small privately owned firms. These firms are sensitive to small cost increments such as might be required to implement the regulations as proposed, and these firms may not have access to the funds necessary to comply with pollution control requirements.

The effluent guidelines and standards development program included the collection of cost information. This information was used in a separate study, "Economic Analysis of Proposed Effluent Guidelines, Timber Processing Industry" and determined the financial status of the various segments of the timber products processing industry. Included were considerations of internal and external costs, financial impact in terms of cost/profit-ability changes, forced mill closures, and employment impact. The conclusion of the economic impact study was that the associated costs are small and will not significantly affect profit margins or present a capital availability problem.

(9) A comment questioned the applicability of the proposed regulations to process waters such as boiler blowdown and cooling water.

The regulations promulgated below are not applicable to boiler blowdown and non-contact cooling water. The Agency has studies underway to establish effluent guidelines and standards for discharges of boiler blowdown and cooling water. Regulations applicable to boiler blowdown and cooling water discharges from subcategories in 40 CFR Chapter I, Subchapter N, Part 429 will be proposed in the near future.

(10) An internal comment was received that indicated that materials used in the various operations included in the finishing subcategory may either pass through untreated or have an adverse effect on a publicly owned treatment works.

It is recognized that this situation may exist. However, because of the variety of materials used and the differences in biodegradability, possible toxicity, treatability and control of these materials as well as the differences in the capabilities of municipal treatment systems to handle these waste waters, it is not feasible to establish a national standard. Operators of a publicly owned treatment works will exercise judgment in controlling wastes that will interfere with the treatment systems efficiency.

(11) Questions have been raised concerning the availability of standards or guidelines applicable to the disposal of solid wastes resulting from the operation of pollution control systems.

The principles set forth in "Land Disposal of Solid Wastes Guidelines" (40

CFR 241) may be used as guidance for acceptable land disposal techniques. Potentially hazardous wastes may require special considerations to ensure their proper disposal. Additionally, state and local guidelines and regulations should be considered wherever applicable.

(b) Revision of the proposed regulation prior to promulgation.

As a result of public comments and continuing review and evaluation of the proposed regulation by the EPA, the following changes have been made in the regulation.

(1) Sections 429.111, 429.121, and 429.131 entitled "Specialized definitions" now include specific clarifying statements regarding waters subject to these limitations.

(2) Subpart I, Wet Storage Subcategory was modified to eliminate the volume limitation on discharge from wet storage operations and also was modified to make the pH limitation consistent with limitations required for other dischargers.

(3) Sections 429.92, 429.93 and 429.95 of Subpart I—Wet Storage Subcategory were modified to present the limitations in a narrative form rather than tabular, as they were proposed. This modification was made to more clearly state the regulation and eliminate the possibility of misinterpretation of the limitation.

(4) Subpart J, Log Washing subcategory was modified to allow a discharge from existing log washing facilities.

(5) The pretreatment standards for new sources promulgated below for the wet storage (Subpart I), the log washing (Subpart J), the sawmills and planing mills (Subpart K), the finishing (Subpart L), and the particleboard manufacturing (Subpart M) subcategories were modified to indicate the pollutants present in process waste waters generated by these subcategories and to allow the discharge of pollutants in amounts that can be adequately treated by publicly owned treatment systems.

(6) The Agency originally proposed regulations applicable to two additional subcategories not included in this regulation: Subpart N—Insulation Board Manufacturing Subcategory and Subpart O—Insulation Board Manufacturing with Steaming or Hardboard Production Subcategory. As a result of public comments received on the proposed regulation additional information is being gathered concerning these subcategories. After this data is obtained and analyzed, final regulations applicable to these subcategories will be published.

(c) Economic impact.

The changes to the regulations mentioned above will have no adverse effects on the conclusions of the economic impact study conducted as part of the effluent guidelines development program. In none of the subcategories for which these limitations apply are the regulations more stringent. The clarification of the definitions of process waste waters for the point sources affected by these limitations will decrease the volume of water requiring treatment or disposal. The changes therefore will only result with economic impact being less severe.

(d) Cost-benefit analysis.

The detrimental effects of the constituents of waste waters now discharged by point sources within the wet storage, sawmills, particleboard and insulation board segment of the timber products processing point source category are discussed in Section VI of the report entitled "Development Document for Effluent Limitations Guidelines for the Wet Storage, Sawmills, Particleboard and Insulation Board Segment of the Timber Products Processing Point Source Category" (August 1974). It is not feasible to quantify in economic terms, particularly on a national basis, the costs resulting from the discharge of these pollutants to our Nation's waterways. Nevertheless, as indicated in Section VI, the pollutants discharged have substantial and damaging impacts on the quality of water and therefore on its capacity to support healthy populations of wildlife, fish and other aquatic wildlife and on its suitability for industrial, recreational and drinking water supply uses.

The total cost of implementing the effluent limitations guidelines includes the direct capital and operating costs of the pollution control technology employed to achieve compliance and the indirect economic and environmental costs identified in Section VIII and in the supplementary report entitled "Economic Analysis of Proposed Effluent Guidelines, the TIMBER PROCESSING INDUSTRY" (August 1974). Implementing the effluent limitations guidelines will substantially reduce the environmental harm which would otherwise be attributable to the continued discharge of polluted waste waters from existing and newly constructed plants in the timber products processing industry. The Agency believes that the benefits of thus reducing the pollutants discharged justify the associated costs which, though substantial in absolute terms, represent a relatively small percentage of the total capital investment in the industry.

(e) Publication of information on processes, procedures, or operating methods which result in the elimination or reduction of the discharge of pollutants.

In conformance with the requirements of Section 304(c) of the Act, a manual entitled, "Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Wet Storage, Sawmills, Particleboard and Insulation Board Segment of the Timber Products Processing Point Source Category," will be published and available for purchase from the Government Printing Office, Washington, D.C. 20402 for a nominal fee.

(f) Final rulemaking.

In consideration of the foregoing, 40 CFR Chapter I, Subchapter N, Part 429 Timber Products Processing Point Source Category, is hereby amended by adding additional subparts I, J, K, L and M to read as set forth below. This regulation is being promulgated pursuant to an order of the Federal District Court for the District of Columbia entered in Natural Resources Defense Council, Inc. v. Train (Cv. No. 1609–73). That order requires that effluent limitations requiring the application of best practicable control technology currently available for this industry be effective upon publication. Accordingly, good cause is found for the final regulation promulgated below establishing best practicable control technology currently available for each subpart to be effective January 16, 1975.

The final regulation promulgated below establishing the best available technology economically achievable, the standards of performance for new sources and the new source pretreatment standards shall become effective February 18, 1975.

Dated: January 7, 1975.

RUSSELL E. TRAIN,
Administrator.

Subpart I—Wet Storage Subcategory

Sec.
429.90 Applicability; description of the wet storage subcategory.
429.91 Specialized definitions.
429.92 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
429.93 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
429.94 Reserved.
429.95 Standards of performance for new sources.
429.96 Pretreatment standards for new sources.

Subpart J—Log Washing Subcategory

429.100 Applicability; description of the log washing subcategory.
429.101 Specialized definitions.
429.102 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
429.103 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
429.104 Reserved.
429.105 Standards of performance for new sources.
429.106 Pretreatment standards for new sources.

Subpart K—Sawmills and Planing Mills Subcategory

429.110 Applicability; description of the sawmills and planing mills subcategory.
429.111 Specialized definitions.
429.112 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

AUTHORITY: Sec. 301, 304(b) and (c), 306 (b) and (c), 307(c), Federal Water Pollution Control Act, as amended (the Act); 33 U.S.C. 1251, 1311, 1314(b) and (c), 1316(b) and (c), 1317(c); 86 Stat. 816 et seq.; Pub. L. 92-500.

Subpart I—Wet Storage Subcategory

§ 429.90 Applicability; description of the wet storage subcategory.

The provisions of this subpart are applicable to discharges resulting from the holding of unprocessed wood, i.e., logs or roundwood with bark or after removal of bark in self-contained bodies of water (mill ponds or log ponds) or land storage where water is sprayed or deposited intentionally on the logs (wet decking).

§ 429.91 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) The term "self-contained body of water" shall mean a body of water that does not have a continuous natural influent of water, either surface water or groundwater, and that is used to store, sort, grade, or feed wood raw materials by an establishment in Major Group 24, according to the U.S. Department of Commerce, Standard Industrial Classification (SIC) Manual (1972).

(c) "Debris" means a woody material such as bark, twigs, branches, heartwood or sapwood that will not pass through a 2.54 cm (1.0 in) diameter round opening that might be present in the discharge from a wet storage facility.

§ 429.92 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of polltuants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: There shall be no debris discharged and the pH shall be within the range of 6.0 to 9.0.

§ 429.93 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: There shall be no debris discharged and the pH shall be within the range of 6.0 to 9.0.

§ 429.94 [Reserved.]

§ 429.95 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, which may be discharged by a new source subject to the provisions of this subpart: There shall be no debris discharged and the pH shall be within the range of 6.0 to 9.0.

§ 429.96 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a new source within the wet storage subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters) shall be the same standard as set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Pollutant or pollutant property	*Pretreatment standard*
pH	No limitation.
BOD_5	Do.
TSS	Do.

Subpart J—Log Washing Subcategory

§ 429.100 Applicability; description of the log washing subcategory.

The provisions of this subpart are applicable to discharges resulting from the process of passing logs through an operation where water under pressure is applied to the log for the purpose of removing foreign material from the surface of the log before further processing.

§ 429.101 Specialized definitions.

For the purpose of this subpart:

The general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

§ 429.102 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: There shall be no discharge of process waste water pollutants to navigable waters containing a total suspended solids concentration greater than 50 mg/1 and the pH shall be within the range of 6.0 to 9.0.

§ 429.103 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: There shall be no discharge of process waste water pollutants to navigable waters.

§ 429.104 [Reserved]

§ 429.105 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, which may be discharged by a new source subject to the provisions of this subpart: There shall be no discharge of process waste water pollutants to navigable waters.

§ 429.106 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a new source within the log washing subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters) shall be the same standard as set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Pollutant or pollutant property	*Pretreatment standard*
pH	No limitation.
BOD5	Do.
TSS	Do.

Subpart K—Sawmills and Planing Mills Subcategory

§ 429.110 Applicability; description of the sawmills and planing mills subcategory.

The provisions of this subpart are applicable to discharges resulting from the timber products processing procedures that include all or part of the following operations: bark removal (other than hydraulic barking as defined in Section 429.11 of this part) sawing, resawing, edging, trimming, planing and machining.

§ 429.111 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) Specifically excluded from the term "process waste water" for this subpart are processed wood storage yard runoff and fire control water.

§ 429.112 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: There shall be no discharge of process waste water pollutants to navigable waters.

§ 429.113 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable. There shall be no discharge of process waste water pollutants to navigable waters.

§ 429.114 [Reserved]

§ 429.115 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, which may be discharged by a new source subject to the provisions of this subpart: There shall be no discharge of process waste water pollutants to navigable waters.

§ 429.116 Pretreatment standards for new sources.

The pretreatment standards under section 307(C) of the Act for a new source within the sawmills and planing mills subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters) shall be the same standard as set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Pollutant or pollutant property	*Pretreatment standard*
pH	No limitation.
BOD5	Do.
TSS	Do.

Subpart L—Finishing Subcategory

§ 429.120 Applicability; description of the finishing subcategory.

The provisions of this subpart are applicable to discharges resulting from the operations following edging and trimming. These operations include drying, planing, dipping, staining, end coating, moisture proofing, fabrication, and by-product utilization not otherwise covered by specific guidelines and standards.

§ 429.121 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) The term "by-product utilization" shall be the manufacture of products from bark and wood waste materials, but does not include the manufacture of insulation board, particleboard, or hardboard.

(c) Specifically excluded from the term "process waste water" for this subpart is fire control water.

§ 429.122 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: There shall be no discharge of process waste water pollutants to navigable waters.

§ 429.123 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: There shall be no discharge of process waste water pollutants to navigable waters.

§ 429.124 [Reserved]

§ 429.125 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties which may be discharged by a new source subject to the provisions of this subpart: There shall be no discharge of process waste water pollutants to navigable waters.

§ 429.126 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a new source within the finishing subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters) shall be the same standard as set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132, and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Pollutant or pollutant property	*Pretreatment standard*
pH	No limitation.
BOD5	Do.
TSS	Do.

Subpart M—Particleboard Manufacturing Subcategory

§ 429.130 Applicability; description of the particleboard manufacturing subcategory.

The provisions of this subpart are applicable to discharges resulting from the manufacture of particleboard.

§ 429.131 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR 401 shall apply to this subpart.

(b) The term "particleboard" means board products that are composed of distinct particles of wood or other lignocellulosic materials not reduced to fibers which are bonded together with an organic or inorganic binder.

(c) The term "dry deck storage" shall mean logs stored on land where water is not sprayed or deposited on the logs by the facility operator.

(d) Specifically excluded from the term "process waste water" for this subpart are material storage yard runoff (dry deck storage) and fire control water.

§ 429.132 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different

from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: There shall be no discharge of process waste water pollutants to navigable waters.

§ 429.133 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: There shall be no discharge of process waste water pollutants to navigable waters.

§ 429.134 [Reserved]

§ 429.135 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties which may be discharged by a new source subject to the provisions of this subpart: There shall be no discharge of process waste water pollutants to navigable waters.

§ 429.136 Pretreatment Standards for new sources.

The pretreatment standards under section 307(c) of the Act for a new source within the particleboard manufacturing subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters) shall be the same standard as set forth in 40 CFR 128, except that, for the purpose of this section, 40 CFR §§ 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Pollutant or pollutant property	*Pretreatment standard*
pH	No limitation.
BOD5	Do.
TSS	Do.

[FR Doc.75-1361 Filed 1-15-75;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 1—FEDERAL PROCUREMENT REGULATIONS

[FPR Amendment 139]

PROCUREMENT BY FORMAL ADVERTISING

This amendment of the Federal Procurement Regulations implements suggestions in the Comptroller General's report "Use of Formal Advertising for Government Procurement Can, and Should, be Improved," B-176418, dated August 14, 1973. The amendment changes Subparts 1-1.3, General Policies, 1-1.10, Publicizing Procurement Actions, 1-2.1, Use of Formal Advertising, 1-2.2, Solicitation of Bids, 1-2.4, Opening of Bids and Award of Contract, and 1-7.1, Fixed-Price Supply Contracts, to provide for increased efficiency and economy in the use of formal advertising.

PART 1-1—GENERAL

The table of contents for Part 1-1 is amended to add the following new entry:

Sec.
1-1.1002-1 Availability of procurement information and publications.

Subpart 1-1.3—General Policies

1. Section 1-1.307-1 is amended to change paragraph (b) as follows:

§ 1-1.307-1 Applicability.

* * * * *

(b) Purchase descriptions used in competitive procurement shall not specify a product having features which are peculiar to the product of one manufacturer, producer, or distributor, and thereby preclude consideration of a product of another company, unless it has been determined in writing by the user that those particular features are essential to the Government's requirements, and that similar products of other companies lacking those features would not meet the minimum requirements for the item. Purchase descriptions shall not include either minimum or maximum restrictive dimensions, weights, materials, or other salient characteristics which would tend to eliminate competition by other products which are only marginally outside the restrictions, unless such restrictions are determined by the user in writing to be essential to the Government's requirements

* * * * *

2. Section 1-1.307-2 is revised as follows:

§1-1.307-2 General requirements.

Except as otherwise provided in §§ 1-1.307-3 and 1-1.307-4, purchase descriptions shall clearly and accurately describe the salient technical requirements or desired performance characteristics of the supplies or services to be procured without including restrictions which do not significantly affect the technical requirements or performance characteristics and, when appropriate, shall describe the testing procedures which will be used in determining whether such requirements or characteristics are met. When necessary, preservation, packaging, packing, and marking requirements shall be included. Purchase descriptions may include references to formal Government specifications and standards which are to form a portion of the purchase description.

§ 1-1.307-3 Commercial, and State and local government specifications and standards.

Purchase descriptions may include or consist of references to specifications and standards issued, promulgated, or adopted by technical societies or associations, or State and local governments, if those specifications and standards (a) are widely recognized and used in commercial practice, (b) conform to the requirements of § 1-1.307-2, (c) are readily available to suppliers of the supplies or services to be procured, and (d) it has been determined, in writing, by the user that any features peculiar to the product of one manufacturer, producer, or distributor, or any restrictions are essential to the Government's requirements.

4. Section 1-1.307-4 is amended to change paragraph (a) as follows:

§ 1-1.307-4 Brand name products or equal.

(a) Purchase descriptions which refer to one or more brand name products followed by the words "or equal" may be used only in accordance with this § 1-1.307-4 and §§ 1-1.307-5 through 1-1.307-9. The term "brand name product" means a commercial product described by brand name and make or model number or other appropriate nomenclature by which that product is offered for sale to the public by the particular manufacturer, producer, or distributor. All known acceptable brand name products should be listed in the solicitation. When a "brand name or equal" purchase description is used in connection with a primary item, or a major component, prospective contractors must be given the opportunity to offer products other than those specifically referenced by brand name if those other products will meet the needs of the Government in essentially the same manner as those referenced. If modifications to standard products of prospective contractors to meet the purchase description requirements are anticipated, a minimum of 30 calendar days shall be allowed between issuance of the solicitation and opening of bids or receipt of proposals, provided that periods of less than 30 calendar days may be set in cases of urgency or when the contracting officer has reason to believe that bidders can bid effectively on the basis of a shorter period.

* * * * *

Subpart 1–1.10—Publicizing Procurement Actions

1. Section 1–1.1002–1 is added as follows:

§ 1–1.1002–1 Availability of procurement information and publications.

Procuring activities shall make information available to potential suppliers concerning formal advertising and negotiation procedures and shall encourage potential suppliers to utilize the Commerce Business Daily which is a valuable source of information on proposed procurements.

2. Section 1–1.1003–6 is revised as follows:

§ 1–1.1003–6 Time of publicizing.

To allow concerns which are not on current bidders mailing lists time to request and receive invitations for bids or requests for proposals from the procuring activity in ample time to prepare bids or proposals before the time set for bid opening or receipt of proposals, procuring activities shall publicize proposed procurements 10 calendar days before issuance of the invitation for bids or request for proposals. If this is not feasible, the synopsis shall be forwarded to the Commerce Business Daily to arrive not later than the date of issuance of the invitation for bids or request for proposals.

3. Paragraph (a) of § 1–1.1003–7 is revised as follows:

§ 1–1.1003–7 Preparation and transmittal.

(a) Each procuring activity shall transmit synopses of proposed procurements. Synopses shall be:

(1) Issued in a timely manner in accordance with §§ 1–1.1003–2 and 1–1.1003–6;

(2) Forwarded daily via airmail unless proximity of the procuring activity to Chicago, Illinois, makes the use of surface mail more appropriate; and

(3) Addressed to:

U.S. Department of Commerce,
Office of Field Operations, Commerce Business Daily Section, P.O. Box 5999, Chicago, IL 60680.

* * * * *

PART 1–2—PROCUREMENT BY FORMAL ADVERTISING

The table of contents for Part 1–2 is amended to add the following new entries:

Sec.
1–2.106 Procurement management reviews.
1–2.202–6 Final review of invitations for bids.

Subpart 1–2.1—Use of Formal Advertising

Section 1–2.106 is added as follows:

§ 1–2.106 Procurement management reviews.

Each agency shall maintain a procurement management review program for examining on a continuing basis the effectiveness and efficiency of its formal advertising procurement operations. Specific attention shall be given to solicitation content and form, distribution of solicitations, bidders mailing lists, review and evaluation of bids received, response rates, personnel training, and any other matters which affect meaningful competition and the overall efficiency and economy of formal advertising.

Subpart 1–2.2—Solicitation of Bids

1. Section 1–2.202–1 is amended by revising paragraph (c). As revised paragraph (c) reads as follows:

§ 1–2.202–1 Bidding time.

* * * * *

(c) *Minimum bidding time.* As a general rule, bidding time shall be not less than 20 calendar days when procuring standard commercial articles and services and not less than 30 calendar days when procuring other than standard commercial articles or services. (Where brand name or equal purchase descriptions are used involving a modification of the brand name product, see § 1–1.307–4 of this chapter.) This rule need not be observed in special circumstances or where the urgency of the need for the supplies or services does not permit such delay. Procurement activities shall develop procedures for ensuring that these bidding time requirements are observed.

2. Section 1–2.202–6 is added as follows:

§ 1–2.202–6 Final review of invitations for bids.

The contracting officer shall ensure that each invitation for bids is thoroughly reviewed prior to its issuance to detect and correct discrepancies or ambiguities which could limit competition or result in the receipt of nonresponsive bids.

3. Section 1–2.203–4 is revised as follows:

§ 1–2.203–4 Synopses of invitations for bids.

Synopses of invitations for bids shall be prepared and publicized in the Commerce Business Daily in accordance with § 1–1.1003. Requests for invitations for bids received by the procuring activity as a result of publicizing shall be honored to the extent that copies are available. The names of prospective bidders who are furnished invitations for bids in response to their requests shall be added to the bidders mailing list for the particular procurement. However, when the request is made by a person or an organization known not to be a prospective bidder, no entry shall be made on the bidders mailing list.

4. Section 1–2.204 is revised as follows:

§ 1–2.204 Records of invitations for bids and records of bids.

(a) Each agency shall retain a record of every invitation for bids issued by it and of each abstract or record of bids. Agency purchasing offices shall review this record at the time of each subsequent procurement action for the same and, when appropriate, similar items, to ensure that the information available in the file is utilized in connection with the new procurement.

(b) The file of the invitation for bids shall show the distribution which was made and the date thereof. The names and addresses of prospective bidders requesting the invitation for bids who were not included on the original solicitation list shall be added and made a part of the record.

5. Paragraph (a) of § 1–2.205–1 is revised as follows:

§ 1–2.205–1 Establishment of lists.

(a) Bidders mailing lists shall be established by procuring activities to assure access to adequate sources of supply and service and to obtain meaningful competition except where the requirements of the procuring activity can be obtained within the local trade area through utilization of simplified small purchase procedures. (See Subpart 1–3.6.) Procuring activity bidders mailing lists may be established as (1) a central list for use by all purchasing offices within the procuring activity or (2) local lists maintained by each purchasing office.

* * * * *

6. Paragraph (a) of § 1–2.205–2 is revised as follows:

§ 1–2.205–2 Removal of names from bidders mailing lists.

(a) The name of each concern failing to either (1) submit a bid, (2) respond to a preinvitation notice (see § 1–2.205–4(c)), or (3) otherwise respond either formally or informally shall be removed from the bidders mailing list without notice to the concern but only for the item or items involved in that invitation or notice. For any case where this procedure will ultimately result in very limited bidders mailing lists, the contracting officer should request an explanation from the concerns that did not respond to determine the reason for the failure to respond before deciding to remove the firms from the bidders mailing list.

* * * * *

7. Section 1–2.205–3 is revised as follows:

§ 1–2.205–3 Reinstatement on bidders mailing lists.

Concerns which have been removed from bidders mailing lists may be reinstated upon written request, by filing a new application on Standard Form 129, by the submission of a bona fide bid, or by requesting an invitation for bids (after publication in the Commerce Business Daily) in accordance with § 1–2.203–4, above. No concern which is debarred or suspended shall be reinstated during the period of debarment or while suspended.

Subpart 1–2.4—Opening of Bids and Award of Contract

1. Section 1–2.407–1 is revised as follows:

§ 1–2.407–1 General.

(a) Unless all bids are rejected, award shall be made by the contracting officer by written notice, within the time for ac-

ceptance specified in the bid or extension thereof, to that responsible bidder whose bid, conforming to the invitation for bids, will be most advantageous to the Government, price and other factors considered. (For discussion of other factors to be considered, see § 1-2.407-5.) Award shall not be made until all required approvals have been obtained.

(b) If less than three bids have been received, the contracting officer shall examine, to the extent deemed appropriate in accordance with agency procedures, the reasons for the small number of bids received. The purpose of this examination is to ascertain whether the small number of responses is attributable to an absence of any of the prerequisites of formal advertising. (For discussion of the prerequisites of formal advertising, see § 1-2.101.) Award shall be made; however, the record of the invitation for bids (see § 1-2.204) shall include a recommendation by the contracting officer for corrective action which should be taken to increase competition in future procurements of the same or similar items.

(c) Award shall be made by mailing or otherwise furnishing to the successful bidder a properly executed award document or notice of award. When an advance notice of award is issued, it shall be followed as soon as possible by the formal award. When more than one award results from any single invitation for bids, separate award documents shall be executed, each suitably numbered. When an award is made to a bidder for less than all of the items which may be awarded to that bidder and additional items are being withheld for subsequent award, the first award to that bidder shall state that the Government may make subsequent awards on those additional items within the bidder's bid acceptance period. All provisions of the invitation for bids, including any acceptable additions or changes made by a bidder in the bid, shall be clearly and accurately set forth (either expressly or by reference) in the award document, since the award is an acceptance of the bid, and the bid and the award constitute the contract.

2. Paragraph (a) of § 1-2.407-7 is revised as follows:

§ 1-2.407-7 Statement and certificate of award.

(a) In connection with each contract made by formal advertising, the contracting officer shall include in the contract file evidence of compliance with § 1-2.103. Where required by agency procedures, Standard Form 1036 (Statement and Certificate of Award) may be used for this purpose. Where the preparation of Standard Form 1036 is not required, information of a similar nature shall be filed with the General Accounting Office copy of the contract.

* * * * *

PART 1-7—CONTRACT CLAUSES

Subpart 1-7.1—Fixed-Price Supply Contracts

Section 1-7.102 is revised as follows:

§ 1-7.102 Required clauses.

The clauses set forth in this § 1-7.102 shall be attached, included in, or incorporated by reference when appropriate in all fixed-price supply contracts. When incorporated by reference, the section numbers and captions are to be listed; i.e., § 1-7.102-2 Changes, § 1-7.102-3 Extras, etc. Standard forms containing the clauses may be incorporated by reference in lieu of listing. (See § 1-16.101 for incorporation of standard forms by reference.)

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

Effective date. This amendment is effective February 24, 1975, but may be observed earlier.

Dated: January 8, 1975.

ARTHUR F. SAMPSON,
Administrator of General Services.

[FR Doc.75-1486 Filed 1-15-75;8:45 am]

CHAPTER 14—DEPARTMENT OF THE INTERIOR

PART 14-1—GENERAL

PART 14-3—PROCUREMENT BY NEGOTIATION

Responsibility and Authority; Circumstances Permitting Negotiation

Correction

In FR Doc. 74-29284 appearing at page 43629 in the issue of Tuesday, December 17, 1974, the following changes should be made on page 43630:

1. In § 14-1.402:

a. In the seventh line of paragraphs (a) and (c), the word "officers" should read "offices".

b. In the last line of paragraph (b), "(Part 14 of this chapter)" should read "(41 CFR 14)".

2. In the fifth line of § 14-1.450-1(d), the word "Charges" should read "Changes".

Title 43—Public Lands: Interior

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

SUBCHAPTER D—RANGE MANAGEMENT (4000)

[Circular No. 2365]

PART 4110—GRAZING ADMINISTRATION

Subpart 4115—Records and Administrative Procedures

ESTABLISHMENT OF GRAZING FEES

The purpose of the rule is to amend the provisions of paragraph (k) of 43 CFR 4115.2-1 which relate to fees charged for livestock grazing on the public lands and the distribution of receipts received therefrom.

43 CFR 4115.2-1(k)(1)(ii) currently provides for adjusting the grazing fee annually to attain fair market value of the forage consumed by the 1980 fee year. Fair market value was established by the Western Livestock Grazing Survey of 1966. This amendment changes subdivision (ii) by deferring for 1 year (the grazing use year beginning March 1, 1976) the implementation of the annual increment to the range forage fees to reach fair market value by 1980.

In the past, the fees have been adjusted to maintain comparability between public and private grazing charges. The adjustment establishes the rate of increase or decrease of the fees based on private land lease rates for similar types of rangeland. Because of the bleak economic conditions within the segment of the livestock industry using the public lands, grazing fees for the 1975 fee year will be maintained at the 1974 level.

Subdivision (iv) of 43 CFR 4115.2-1(k)(1) is changed to establish the range improvement portion of the total grazing fee at a minimum of 50 percent. The percentage of the fee designated for range improvements was established at 40 percent for the 1974 fee year.

It is hereby determined that this amendment 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.

It is the policy of the Department of the Interior to give notice of proposed rulemaking and to invite the public to participate in rulemaking except where such participation would be impractical, unnecessary, or contrary to the public interest and a specific finding to this effect is published with the rules or regulations (36 FR 8336, May 4, 1971). Public participation is impracticable in this case since grazing fee billings must be made prior to the March 1, 1975, beginning of the grazing season.

The amendment is hereby adopted as set forth below and shall become effective March 1, 1975.

Paragraph (k)(1) of § 4115.2-1 Chapter II, Title 43 Code of Federal Regulations is amended as follows:

1. Subdivision (ii) is revised to read as follows:

2. Subdivision (iv) is amended by deleting the first sentence thereof and substituting the following:

§ 4115.2-1 License and permit procedures, requirements and conditions.

* * * * *

(k) * * * (1) * * *

(ii) Fees will be established by the Secretary in five annual increments, effective with the fee year beginning March 1, 1976, to attain fair market value of range forage at the 1980 fee year. Fair market value is that value established by the Western Livestock Grazing Survey of 1966 or as determined

by a similar study which may be conducted periodically to update the fee base, if deemed necessary. Annual adjustments will also be made for any of the 1976–80 fee years and thereafter to reflect current market value.

* * * * *

(iv) Range improvement fees shall be at least 50 percent of the total grazing fees charged or as otherwise provided by law. Other special range improvement fees may vary in accordance with the character or requirements of the various districts or portions thereof. * * *

* * * * *

JACK O. HORTON,
Assistant Secretary of the Interior.

JANUARY 10, 1975.

[FR Doc.75-1402 Filed 1-15-75;8:45 am]

Title 45—Public Welfare

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

PART 177—FEDERAL, STATE AND PRIVATE PROGRAMS OF LOW-INTEREST LOANS TO VOCATIONAL STUDENTS AND STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION

Special Allowances

Subparagraph (3) of § 177.4(c), *Special allowances*, which deals with the payment to lenders of the allowances authorized by section 2 of the "Emergency Insured Student Loan Act of 1969" (Pub. L. 91–95) is amended to provide for the payment of such an allowance for the period October 1, 1974, through December 31, 1974, inclusive.

In light of the directives in the Emergency Insured Student Loan Act of 1969 with respect to the factors that the Secretary of Health, Education, and Welfare is to consider and the officials with whom he is to consult in setting the rate of the special allowance, and since a comment period would cause delay of at least 30 days, following each quarterly 3-month period, before lenders could receive the special allowance for such period, it has been determined pursuant to 5 U.S.C. 553 that the solicitation of comment as to the rate of the special allowance for any particular quarter is both impracticable and contrary to the public interest.

Effective date. Pursuant to section 431(d) of the General Education Provisions Act, as amended (20 U.S.C. 1232(d)) these regulations have been transmitted to the Congress concurrently with the publication of this document in the FEDERAL REGISTER. That section provides that regulations subject thereto shall become effective on the forty-fifth day following the date of such transmission, subject to the provisions therein concerning Congressional action and adjournment.

Section 177.4(c)(3) is amended as follows:

§ 177.4 Payment of interest benefits, administrative cost allowances and special allowance.

* * * * *

(c) Special allowances. * * *

(3) Special allowances are authorized to be paid as follows:

* * * * *

(xxii) For the period October 1, 1974, through December 31, 1974, inclusive, a special allowance is authorized to be paid in an amount equal to the rate of three percent per annum of the average unpaid balance of disbursed principal of eligible loans.

(Sec. 2, 83 Stat. 141)

Dated: December 31, 1974.

(Catalog of Federal Domestic Assistance No. 13,460, Guaranteed Student Loan Program)

DUANE J. MATTHEIS,
Acting U.S. Commissioner of Education.

Approved: January 13, 1975.

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

[FR Doc.75-1563 Filed 1-15-75;8:45 am]

Title 47—Telecommunications

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[FCC 75-3]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

Table of Frequency Allocations

In the matter of amendment of Part 2 of the Commission's rules and regulations to delete footnote US96 from the Table of Frequency Allocations.

1. Footnote US96 to the Table of Frequency Allocations, Section 2.106 of the Commission's Rules and Regulations, specifies conditions under which certain frequencies in the non-Government band, 1990–2110 MHz, may be used by Government earth stations in support of the Apollo Space Program, primarily during launchings. The footnote carried a termination date of December 31, 1973. Since the termination date has passed and the Apollo Space Program has been completed, there is no longer any need for the provisions of this footnote. Accordingly, footnote US96 is being deleted from the Table of Frequency Allocations. Because this amendment is editorial, compliance with the prior notice and effective date provisions of 5 U.S.C. 553 is unnecessary.

2. Accordingly, *it is ordered*, That, effective February 18, 1975, § 2.106 of the Rules is amended as set forth below. Authority for this action is contained in sections 4(i) and 303 of the Communications Act of 1934, as amended.

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

Adopted: January 3, 1975.

Released: January 9, 1975.

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

In Part 2 of Chapter I of Title 47 of the Code of Federal Regulations, § 2.106 is amended as follows:

1. The Table of Frequency Allocations is amended by deleting footnote designator US96 in column 6 for the band 1850–2200 MHz and by deleting the text of footnote US96 from the list of footnotes following the Table.

[FR Doc.75-1482 Filed 1-15-75;8:45 am]

[Do. No. 20004; FCC 75-4]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

PART 5—EXPERIMENTAL RADIO SERVICES (OTHER THAN BROADCAST)

Telemetering of Scientific Data

In the matter of amendment of Part 2 and Part 5 of the Commission's rules and regulations to provide for the use of frequencies in the bands 40.66–40.70 and 216–220 MHz for the tracking of, and telemetering of scientific data from, ocean buoys and animal wildlife.

1. On April 16, 1974, the Commission, in response to a request from the Committee on Radio Frequencies of the National Academy of Sciences (CORF) and other Government agencies, issued a notice of proposed rule making (NPRM) to amend Parts 2 and 5 of the Rules and Regulations for the purpose stated in the above caption. The NPRM was published in the FEDERAL REGISTER on April 22, 1974 (39 FR 14225). Timely comments were filed by the Forestry Conservation Communications Association (FCCA), the Educational Broadcasting Corporation (EBC), the Academy of Model Aeronautics, Inc. (AMA, Inc.) and the Department of Natural Resources, State of Indiana. Reply comments were filed by the Educational Broadcasting Corporation.

2. In its comments, the FCCA, representing various conservation agencies involved in the preservation of forests, fish and game, supported the proposal to designate the two bands for wildlife tracking and telemetry. However, the FCCA questioned the requirement for equipment type acceptance because of the time required in applying for and receiving type acceptance. The FCCA expressed concern that many projects would be jeopardized as a result of this provision.

3. The Educational Broadcasting Corporation, in its comments, opposed airborne wildlife operations in the band 216–216.050 MHz because of potential TV interference. In an engineering statement attached to the comments, there was concern that a transmitter operating on 216.000 MHz would interfere with the aural carrier of Channel 13, which is 250 kHz away.

4. The Academy of Model Aeronautics, Inc., asked that the Commission "permit aircraft modelers licensed in the Class C Citizens Radio Service to use frequencies in the range 40.66–40.70 MHz and 216–220 MHz for radio control and telemeter-

ing operations in the remote control of model aircraft."

5. In its comments, the Indiana Department of Natural Resources, a licensee in the Experimental Radio Service, opposed the subject rule making stating that it appeared less practical than existing licensing procedures. This licensee presently operates in the 150 MHz band with input power limited to .015 watts. Also included in the comments was a suggestion that if the proposal was adopted as set forth, an amortization period of 3 years be allowed for existing equipment in other bands.

6. The Educational Broadcasting Corporation reiterated in its reply comments the contention that interference would be caused to TV Channel 13 by airborne wildlife telemetering operations. The Educational Broadcasting Corporation further suggested that if type acceptance was not required, as suggested by the Forestry Conservation Communications Association, the Commission should amend its original Notice to confine wildlife tracking operations to the 217–220 MHz portion of the band. In addition, EBC opposed the request by the Academy of Model Aeronautics, Inc. to use the 216–216.050 MHz band by radio controlled aircraft modelers because of potential interference to Channel 13.

7. The requirement for equipment type acceptance is necessary to provide adequate protection to those operations which have primary use of the bands. The comments by the FCCA which argued that type acceptance would severely hinder projects which must adhere to a specific time table are well taken. However, as more equipment is developed for these two bands, the probability of equipment not being available for a specific scientific experiment would be reduced. Also, type acceptance is necessary to minimize the possibility of interference to adjacent band operations such as TV Channel 13.

8. In reaction to the comments by the Educational Broadcasting Corporation, the Commission made an inquiry into the requirements for use of the proposed band 216–216.050 MHz with respect to airborne wildlife telemetry. Based on information provided by the Fish and Wildlife Service of the Department of Interior, airborne telemetry contributes approximately 10–20 percent of the total wildlife telemetry requirement. The 200 MHz band is ideal for this purpose because it allows the use of smaller antennas than would be possible in the lower bands. Therefore, our proposal to provide for the use of the 216 MHz band for airborne wildlife telemetry appears to be justified from a requirement view point. However, to minimize potential interference to TV Channel 13, a maximum output power of one milliwatt (mw) will be authorized for airborne telemetry applications in lieu of the 10 mw proposed. We understand from the Fish and Wildlife Service that 1 mw is presently being used satisfactorily in existing wildlife telemetering systems. The Fish and Wildlife Service also pointed out that the proposed 50 kHz of spectrum would only allow 8 to 10 usable channels for simultaneous transmission in any one area, which is about half the expected requirement. To meet this total requirement, the 100 kHz band 216.000–216.100 MHz, is being made available for airborne use.

9. In addressing potential interference by airborne wildlife to TV Channel 13, the Commission is of the opinion that this is not a significant problem for a number of reasons. First, the power of the telemetering transmitter is being reduced from 10 milliwatts to one milliwatt, as previously stated. Second, the antennas used in bird telemetering applications are necessarily inefficient radiators because of length and weight restrictions. In addition, a bird in flight would be in proximity to a TV antenna for only a short period of time. Further, due to the size restrictions for an airborne transmitter, the battery life is a maximum of three months. Taking the above factors into account, the chance of adjacent channel interference to TV Channel 13 is very small, and any interference which would be detected would be of short duration and akin to usual atmospheric interference sources, e.g. airplanes, ignition noise, lightning, etc. Airborne telemetering operations will not be permitted in the upper portion of the band (216.100–220 MHz) because of potential cochannel interference to Government stations.

10. The technical standards which will be applicable to these types of scientific devices are set forth in a new section which will be added to Subpart C of Part 5 of the rules. This new section will contain the type acceptance standards with regard to allowable frequencies, emission limitations, power restrictions and other equipment specifications. The text of this new section and the necessary changes to the Table of Frequency Allocations in Part 2 are reflected in the appendix hereto.

11. The Notice specifically invited comments relating to the proposed use of the bands 40.66–40.70 and 216–220 MHz for scientific research in the fields of oceanography and wildlife biology. The comments filed by AMA, Inc. proposing the use of these bands for model airplanes, are outside the scope of this proceeding.

12. Although this rulemaking does not preclude biological and oceanographic experiments in other bands, under Part 5 of the rules, as implied in the comments filed by the Indiana Department of Resources, the ready availability of equipment and the established coordination procedures will encourage many future scientific projects of this nature into these two bands. The Commission is not specifying any time frame in which to move these types of operations because that is not the intent of this rule making. The Commission believes that a shift to these two bands will be voluntary on the part of the scientific community because of the benefits stated above.

13. The designating of these specific bands for such use by the scientific community will assist them in their planning efforts and serve as a guide for the future design and development of biological behavior and oceanographic experiments.

14. In view of the foregoing, the Commission finds that adoption of a rule amendment permitting the use of the frequencies in the bands 40.66–40.70 and 216–220 MHz for the tracking of, and telemetry of scientific data from, ocean buoys and animal wildlife will be in the public interest. The conditions and limitations on the use of such systems are set forth in the Appendix.

15. Accordingly, Pursuant to authority contained in section 4(i) and 303 of the Communications Act of 1934, as amended, *It is ordered*, That effective February 18, 1975, Parts 2 and 5 of the Commission's rules are amended, as shown below.

16. *It is further ordered*, That proceedings in Docket 20004 are hereby terminated.

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

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
Secretary.

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

I. Part 2 of the rules is amended as follows:

1. Section 2.106 is amended by adding a new footnote designator, US 210, to the Table of Frequency Allocations and by adding the text of a new footnote, US 210, in proper numerical sequence to the list of footnotes following the Table as follows:

§ 2.106 Table of Frequency Allocations.

UNITED STATES

Band (MHz)	*Allocation*
5	6
• • •	• • •
40–42 (236)	G (US 94) (US 210)
• • •	• • •
216–220	G, NG (US 114) (US 210)
• • •	• • •

US 210. Use of frequencies in the bands 40.66–40.70 and 216–220 MHz may be authorized to Government and non-Government stations on a secondary basis for the tracking of, and telemetering of scientific data from, ocean buoys and wildlife. Airborne wildlife telemetery in the 216–220 MHz band will be limited to the 216.000–216.100 MHz portion of the band. Operation in these two bands is subject to the technical standards specified in § 5.108.

• • • • •

II. Part 5 of the rules is amended as follows:

1. New sections, § 5.108 and § 5.109, are added to Part 5 which read as follows:

§ 5.103 Wildlife tracking and ocean buoy tracking operations.

Except as provided in §§ 5.101 through 5.107, the use of the frequencies in the bands 40.66–40.70 MHz and 216–220 MHz for the tracking of and telemetry of scientific data from, ocean buoys and animal wildlife, are subject to the following conditions:

(a) All transmitters used at stations first licensed after (effective date of the rules) shall comply with the technical requirements in paragraph (b) of this section and shall be type accepted as provided in § 5.109.

(b) Technical requirements for transmitters used for these operations are as follows:

(1) In the 40.66–40.70 MHz frequency band, the bandwidth required for frequency tolerance plus the occupied bandwidth of any emissions must be adjusted so as to be confined within this band, except as permitted by subparagraph (6) of this paragraph.

(2) In the 216–220 MHz frequency band, the carrier frequency shall be maintained within 0.005 percent of the assigned frequency.

(3) Classes of emission will be limited to A0, A1, A2, F1, F2 and/or F9.

(4) Occupied bandwidth shall not exceed 1 kHz.

(5) The maximum carrier power shall not exceed 1 milliwatt for airborne wildlife applications, 10 milliwatts for terrestrial wildlife applications and 100 milliwatts for ocean buoys.

(6) The mean power of emissions shall be attenuated below the mean output power of the transmitter in accordance with the schedule shown in § 5.103(b) of this subpart.

§ 5.109 Acceptability of transmitters for licensing.

All transmitters used at stations licensed for wildlife and ocean buoy tracking and telemetering operations pursuant to § 5.103 which are marketed after (one year after effective date of the rules) shall be type accepted pursuant to Subpart J of Part 2 of this Chapter.

2. Section 5.203 is amended by adding a footnote as follows:

§ 5.203 Frequencies for Experimental Service (Research).

Stations operating in the Experimental Service (Research) may be authorized to use any Government or non-Government frequency designated in the Table of Frequency Allocations set forth in Part 2 of this chapter as available for assignment of this service: *Provided*, That the need for the specific frequency or frequencies requested is fully justified by the applicant.[1]

[FR Doc.75-1483 Filed 1-15-75;8:45 am]

Title 50—Wildlife and Fisheries

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

PART 33—SPORT FISHING

Bear River Migratory Bird Refuge, Utah

The following special regulation is issued and is effective on January 16, 1975.

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

UTAH

BEAR RIVER MIGRATORY BIRD REFUGE

Sport fishing on the Bear River Migratory Bird Refuge, Utah, is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 10 acres, are delineated on maps available at refuge headquarters, Brigham City, Utah, and from the Regional Director, Post Office Box 25486, Denver Federal Center, Denver, Colorado 80225. Sport fishing extends from January 1 through December 31, 1975, inclusive, in accordance with all applicable State regulations subject to the following special conditions:

(1) The use of boats is prohibited below the river control gates at refuge headquarters.

(2) Fishermen are required to register at the refuge office upon entering the refuge.

The provisions of this special regulation 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 December 31, 1975.

ROBERT C. FURLOW,
Acting Refuge Manager, Bear River Migratory Bird Refuge, Brigham City, Utah.

JANUARY 6, 1975.

[FR Doc.75-1506 Filed 1-15-75;8:45 am]

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[1] Notwithstanding the broad frequency provision for this Service, applicants desiring authorization for the purpose of wildlife or ocean buoy telemetering and/or tracking should, to the extent practicable, use frequencies in the bands 40.66–40.70 MHz or 216–220 MHz, in accordance with footnote US 210 to the Table of Frequency Allocations, § 2.106 of this Chapter. Transmitters to be used in these bands for this purpose shall comply with the requirements set forth in section 5.103 of this Part.

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 rule making prior to the adoption of the final rules.

DEPARTMENT OF DEFENSE

Department of the Army

[33 CFR Part 209]

PUBLIC HEARINGS

Proposed Policy, Practice, and Procedure

Notice is hereby given that the regulation set forth in tentative form below is being proposed by the Secretary of the Army (acting through the Chief of Engineers) to prescribe the policies and procedures to be followed by all District and Division offices in the conduct of public hearings. This regulation is applicable to Corps of Engineers permit actions under section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403), section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) and section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413), (See 33 CFR 209.120) as well as Corps of Engineers projects involving the disposal of dredged material which fall under the latter two authorities (See 33 CFR 209.145).

Prior to adoption of this regulation, consideration will be given to any objections to this proposed regulation which are submitted to the Office of the Chief of Engineers, Forrestal Building, Washington, D.C. 20314, Attention: DAEN-CWO-N, on or before February 18, 1975. This proposed regulation will serve as interim guidance to all Corps Division and District offices in their conduct of public hearings until a final regulation is promulgated by the Secretary of the Army (acting through the Chief of Engineers).

Dated: January 10, 1975.

KENNETH E. MCINTYRE,
Brigadier General, USA,
Acting Director of Civil Works.

Section 209.133 is added to read as follows:

§ 209.133 Public hearings.

(a) *Purpose.* This regulation prescribes the policy, practice and procedures to be followed by the U.S. Army Corps of Engineers in the conduct of public hearings conducted in the evaluation of a proposed Department of the Army permit action or Federal Project as defined in subparagraph (d) below including those held pursuant to section 404 of the FWPCA (33 U.S.C. 1344) and section 103 of the MPRSA (33 U.S.C. 1413).

(b) *Applicability.* This regulation is applicable to all Divisions and Districts responsible for the conduct of public hearings.

(c) *References.* (1) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(2) Section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) (hereafter referred to as FWPCA).

(3) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413) (hereafter referred to as MPRSA).

(4) 33 CFR 209.120, Permits for Work in Navigable or Ocean Waters.

(5) 33 CFR 209.145, Federal Projects Involving the Disposal of Dredged Material in Navigable and Ocean Waters.

(d) *Definitions.* (1) Public hearing, means a public proceeding conducted for the purpose of acquiring information or evidence which may be considered in evaluating a proposed Department of the Army permit action, or Federal Project, and which affords to affected persons the opportunity to present their views, opinions and information on such permit actions or Federal Projects. Federal Project is further defined in paragraph (d) (4) of this section.

(2) Permit action, as used herein, means the review of an application for a permit pursuant to section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), section 404 of the FWPCA, (33 U.S.C. 1344), and section 103 of the MPRSA of 1972 (33 U.S.C. 1413), or the modification or revocation of any Department of the Army permit. (See 33 CFR 209.120)

(3) Affected person means (i) any agency or Department of the Federal Government, or a State or local government, or (ii) any other person or persons which have an interest that may be affected by a Department of Army permit action or Federal Project; (iii) the applicant(s) for or permittee under a Department of the Army permit, or (iv) in cases under the MPRSA, any person entitled to bring a citizen's suit, pursuant to 33 U.S.C. 1415.

(4) Federal Project means a Corps of Engineers project (work or activity of any nature for any purpose which is to be performed by the Chief of Engineers pursuant to Congressional authorizations) involving the discharge of dredged or fill material into navigable waters or the transportation of dredged material for the purpose of dumping it in ocean waters subject to section 404 of the FWPCA (33 U.S.C. 1344), or section 103 of the MPRSA (33 U.S.C. 1413); and 33 CFR 209.145.

(e) *General Policy.* (1) A public hearing will be held in connection with the consideration of a Department of the Army permit action under Section 404 of the FWPCA or section 103 of the MPRSA, or a Federal Project, or when it is proposed to modify or revoke a permit, whenever a hearing is requested by an affected person, or when the District Engineer in his discretion determines that a public hearing will assist him in making a decision on such permit action or Federal Project. Unless the public notice specifies that a public hearing will be held, any affected person may request, in writing, within 30 days of the issuance of a public notice on a Department of the Army permit action under section 404 of the FWPCA or section 103 of the MPRSA, or on a Federal Project, or within 10 days of receipt of notice that a Department of the Army permit is proposed to be modified or revoked, in whole or in part, that a public hearing be held to consider the material matters in issue in the permit action or federal project. Upon receipt of any such request, stating with particularity any material objections to such permit action or federal project and containing sufficient information to enable the District Engineer to identify the effect of the proposed action on the person so requesting, the District Engineer shall promptly set a time and place for the public hearing, and give due notice thereof, as prescribed in paragraph (1) of this regulation. Requests for a public hearing under this paragraph shall be granted, unless the District Engineer makes a written determination that the person requesting the hearing is not an affected person within the meaning of this regulation, or that the objections raised to such permit action or federal project are insubstantial (see paragraph (d) (3), of this section).

(2) In cases involving the issuance or denial of a permit arising only under section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403), public hearings will be held upon written request whenever the District Engineer determines that there is sufficient public interest to warrant such action. Among the instances warranting public hearings are general public opposition to a proposed work, or requests from Congressional interests or responsible local authorities, or controversial cases involving significant environmental issues.

(3) In case of doubt, a public hearing shall be held. Prior to officially denying any request for a public hearing, HQDA (DAEN-GCK) and (DAEN-CWO) shall be informed of the proposed denial including the facts involved at least 24 hours before the effective date of such action.

(f) *Presiding Officer.* (1) The District Engineer, in whose District a matter

arises, shall normally serve as the Presiding Officer. When the District Engineer is unable to serve he may designate the Deputy District Engineer as such Presiding Officer. In any case, he may request the Division Engineer to designate another Presiding Officer. In cases of unusual interest, the Chief of Engineers reserves the power to appoint such person as he deems appropriate to serve as the Presiding Officer.

(2) Hearing file: The Presiding Officer in each case shall establish a hearing file. The hearing file shall include a copy of any permit application or permits and supporting data; any public notices issued in the case; the request or requests for the hearing and any data or material submitted in justification thereof; and such other material, in the discretion of the Presiding Officer, as may be relevant or pertinent to the subject matter of the hearing. The hearing file shall be available for public inspection subject to any reasonable time limitation.

(g) *Legal Adviser.* In each public hearing, the District Counsel or his designee shall serve as legal adviser to the Presiding Officer in ruling upon legal matters and issues that may arise.

(h) *Representation.* At the public hearing, any person may appear on his own behalf, and may be represented by counsel, or, in the discretion of the Presiding Officer, by other representatives.

(i) *Conduct of Hearings.* (1) Hearings shall be conducted by the Presiding Officer in an orderly but expeditious manner. Any person shall be permitted to submit oral or written statements concerning the subject matter of the hearing, to call witnesses who may present oral statements, and to present recommendations as to an appropriate decision. Any person may present written statements for the hearing record prior to the time the hearing record is closed.

(2) The Presiding Officer shall have discretion to establish reasonable limits upon the time allowed for statements of witnesses, and for arguments of parties, or their counsel or representatives.

(3) Cross-examination of witnesses shall not be permitted.

(4) All public hearings shall be reported verbatim. Copies of the transcripts of proceedings may be purchased by any person from the Corps of Engineers or the reporter of such hearing. A copy will be available for public inspection at the office of the appropriate District Engineer.

(5) All written statements, charts, tabulations, and similar data offered in evidence at the hearing shall, subject to exclusion by the Presiding Officer for reasons of redundancy, be received in evidence and shall constitute a part of the hearing record.

(6) At any hearing, the Presiding Officer shall make an opening statement, outlining the purpose of the hearing and prescribing the general procedures to be followed. The Presiding Officer shall afford participants an opportunity for rebuttal and argument.

(7) The Presiding Officer shall allow a period of 10 days after the close of the public hearing for submission of written comments. After such time has expired, unless such period is extended by the Presiding Officer or the Chief of Engineers for good cause, the hearing record shall be closed.

(8) In appropriate cases, the District Engineer may participate in joint public hearings with other federal or state agencies, provided the procedures of those hearings meet the requirements of this regulation.

(9) The procedures in paragraphs (4) (6) (7) of this section may be waived by the Presiding Officer in appropriate cases.

(j) *Filing of Transcript of the Public Hearing.* Where the Presiding Officer is the initial action authority, the transcript of the public hearing, together with all evidence introduced at the public hearing shall be made a part of the administrative record of the permit action or federal project. The initial action authority shall fully consider the matters discussed at the public hearing in arriving at his initial decision or recommendation. Where a person other than the initial action authority serves as Presiding Officer, such person shall forward the transcript of the public hearing and all evidence received in connection therewith to the initial action authority together with a report summarizing the issues covered at the hearing. The report of the Presiding Officer and the transcript of the public hearing and evidence submitted there shall in such cases be fully considered by the initial action authority in making his decision or recommendation to higher authority as to such permit action or federal project.

(k) *Powers of the presiding officer.* Presiding Officers shall have the following powers:

(1) To regulate the course of hearing including the order of all sessions and the scheduling thereof, after any initial session, and the recessing, reconvening, and adjournment thereof;

(2) To take any other action necessary or appropriate to the discharge of the duties vested in them, consistent with the statutory or other authority under which the Chief of Engineers functions, and with the policies and directives of the Chief of Engineers and the Secretary of the Army.

(l) *Public notice.* Public notice shall be given of any public hearing to be held pursuant to this regulation. Such notice shall provide for a period of not less than 30 days following the date of public notice during which time interested parties may prepare themselves for the hearing, except that, in cases of public necessity, a shorter time may be allowed. Notice shall also be given to all federal agencies affected by the proposed action, and to state and local agencies having an interest in the subject matter of the hearing. Notice shall be sent to all persons requesting a hearing and shall be posted in appropriate government buildings and published in newspapers of general circulation. One copy of each public notice under this paragraph shall be sent to HQDA (DAEN–CWO–N and DAEN–GCK).

(m) *Applicability of Other Regulations.* (1) The provisions of 33 CFR 209.405 insofar as they apply to permit actions are rescinded on the effective date of this regulation.

(2) Paragraph (k) of 33 CFR 209.120 is rescinded on the effective date of this regulation.

(3) All references to public meetings in 33 CFR 209.145 are rescinded.

[FR Doc.75-1391 Filed 1-15-75;8:45 am]

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

[8 CFR Part 103]

FEES AND REQUESTS FOR RECORDS UNDER THE FREEDOM OF INFORMATION ACT

Proposed Rule Making

Pursuant to the provisions of 5 U.S.C. 553 (80 Stat. 383) and 5 U.S.C. 552(a) (4) as amended by Pub. L. 93–502 (88 Stat. 1561), notice is hereby given of the proposed amendment of 8 CFR 103 pertaining to fees and requests for record search and duplication under the Freedom of Information Act, as amended (88 Stat. 1561).

Under the Act of November 21, 1974 (Pub. L. 93–502; 88 Stat. 1561) amending 5 U.S.C. 552, the Freedom of Information Act, agencies are required to conform to new statutory standards, particularly with respect to fees and time limits.

The Immigration and Naturalization Service hereby proposes to revoke its separate schedule of fees relating to production of records and to charge such fees only in accordance with the Department of Justice regulation, 28 CFR 16.9. However, the Service proposes to continue to charge fees, in accordance with the user fee statute, 31 U.S.C. 483a, for services which heretofore have been grouped with Freedom of Information Act services for the convenience of the public but which are not performed pursuant to that Act. Such services include certifications, attestations, and verifications for particular purposes.

The Service will continue to have Freedom of Information Act regulations separate from but coordinated with those of the Department of Justice, concerning matters other than fees and appeals. Regarding time limits, the Service presently is engaged in a study to develop improved means to shorten the time it will take to determine a request for a record, and it is anticipated that a proposal to amend the regulations, based on this study, will be published shortly. The present proposed rule is intended primarily to bring the regulations into technical conformity with the Act of November 21, 1974 within the statutory time limit.

In accordance with the provisions of 5 U.S.C. 553 (80 Stat. 383), interested persons may submit to the Commissioner of Immigration and Naturalization, Room 7100–C, 425 Eye Street NW., Washington, D.C. 20536, written data, views, or arguments, in duplicate, with respect to the

proposed rule. Such representations may not be presented orally in any manner. All relevant material received by February 12, 1975, will be considered.

In the light of the foregoing and pursuant to the authority contained in section 103 of the Immigration and Nationality Act (66 Stat. 173; 8 U.S.C. 1103), 28 CFR 0.105(b) and 8 CFR 2.1, it is proposed to amend §§ 103.7 and 103.10 of Part 103, Chapter I, Title 8 of the Code of Federal Regulations, as set forth below:

PART 103—POWERS AND DUTIES OF SERVICE OFFICERS; AVAILABILITY OF SERVICE RECORDS

§ 103.7 [Amended]

1. In § 103.7, amend subparagraph (b)(1) by adding at the end thereof the following:

For filing application on Form I-550 for verification of lawful permanent residence of an alien	$3.00
For certification of true copies, each	1.00
For attestation under seal	3.00

2. In § 103.7, amend subparagraph (b)(2) by deleting in its entirety the existing material and by substituting in lieu thereof the following:

(2) Fees for production or disclosure of records under 5 U.S.C. 552 shall be charged in accordance with the regulations of the Department of Justice, 28 CFR 16.9.

3. In § 103.7, add a new paragraph (d)—by transfer without change of existing content of § 103.10(b)(4), which is being revoked—to read as follows:

(d) *Authority to certify records.* Whenever authorized under 5 U.S.C. 552 or any other law to furnish information from records to persons entitled thereto, the following officials have authority to make certifications, as follows:

(1) The Associate Commissioner, Management—copies of files, documents, and records in the custody of the Central Office.

(2) A regional commissioner or district director—copies of files, documents, and records in the custody of his office.

(3) The Chief, Records Administration and Information Branch, Central Office—the nonexistence of an official record in the records of the Service.

4. Amend the heading of § 103.10 to read as follows:

§ 103.10 Requests for records under the Freedom of Information Act.

5. In § 103.10, amend subparagraph (a)(2)—by revising the second and third sentences and by deleting the fourth and fifth sentences thereof—to read as follows:

(2) *Manner of requesting records.* Requests for records may be made in person or by mail. Each request made under this section pertaining to the availability of a record shall include or consist of Form N-585 and shall describe the record with sufficient specificity with respect to names, dates, subject matter, and location to permit it to be identified and located. A request for all records falling within a reasonably specific category shall be regarded as conforming to the statutory requirement that records be reasonably described if it can reasonably be determined which particular records come within the request, and the records can be searched for, collected, and produced.

6. In § 103.10, revoke subparagraph (b)(4) in its entirety.

7. In § 103.10, revise paragraph (c) to read as follows:

(c) *Prompt response.* Ordinarily a request shall be decided within 10 working days, following receipt, or sooner if practicable. The time limit may be extended by written notice, stating the reason for the extension and the date (adding not more than 10 working days) on which a determination is expected to be dispatched. As used in the statute and in this subsection "unusual circumstances" means, but only to the extent reasonably necessary to the proper processing of the particular request—

(1) The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request;

(2) the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request; or

(3) the need for consultation, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request or among two or more components of the agency having substantial subject-matter interest therein.

In a situation wherein the deadlines stated above can not be met, a written notice shall be sent to the requester explaining the reason for the delay and the date on which a determination is expected to be dispatched, and asking for the requester's forbearance. Such notice shall include advice to the requester that he can elect to ask a court to deem that he has exhausted his administrative remedies and to issue an order in his favor.

8. In § 103.10, amend paragraph (d) by deleting the word "additional" from the first sentence thereof and by adding the words "or in the District of Columbia" at the end of the second sentence thereof to read as follows:

(d) *Disposition of requests.* When a requested record is available, appropriate notification, including notice of any applicable fees, shall be furnished the requester. A reply denying a request shall be in writing signed by the Commissioner and shall include: (1) A reference to the specific exemption under the Freedom of Information Act authorizing the withholding of the record, and such further explanation, if any, as is deemed appropriate; and (2) a statement that the denial may be appealed within 30 days to the Attorney General as prescribed by 28 CFR 16.7, and that judicial review will be thereafter available either in the district in which the requester resides or has a principal place of business or in which the agency records are situated or in the District of Columbia.

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

Dated: January 13, 1975.

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

[FR Doc.75-1458 Filed 1-15-75;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[43 CFR Part 2920]

SPECIAL LAND USE PERMITS

General Principles and Procedures

Many legitimate uses of the public land are authorized by special land use permits issued in accordance with the regulations at 43 CFR 2920. These regulations now require that for each permit a $10 service charge and a minimum of $10 in rental be paid. The approved forms and procedures currently used for special land use permits do not lend themselves to authorizing very temporary uses of modest impact.

One purpose of this proposed amendment is to provide for a short form application and permit to facilitate a more efficient process for very temporary uses of modest impact. A second purpose is to revise the service charge and rental required for authorizing such uses. The third effect is to modify in certain instances the period of time authorized. The maximum time which may be authorized by the short form permit is 90 days. The proposed amendment also clarifies the authority of the authorized officer to terminate special land use permits at his discretion in accordance with recent court decisions.

There are no changes proposed for service charges, rentals, procedures, or duration authorized for the more complex, longer term uses. The special land use permit now in use will continue to be used for these more complex uses.

It is, therefore, proposed that the special land use permit regulations be amended to provide for a short form special land use permit for which no service charges or rentals will be required, and which may be issued for up to 90 days were the proposed use of the public lands does not involve construction or the erection of improvements or structures, and in the opinion of the authorized officer will not alter the character of the land or its resources.

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), Bu-

reau of Land Management, Washington, D.C. 20240 until February 21, 1975.

Copies of comments, suggestions, or objections made pursuant to this notice will be available for public inspection in the Division of Legislation and Regulatory Management, Room 5555, Interior Building, Washington, D.C., during regular business hours (7:15 a.m.–4:15 p.m.).

Subpart 2920 of Chapter II is amended as follows:

1. Section 2920.2 is revised to read as follows:

§ 2920.2 Fees.

Each application for a special land-use permit or a renewal thereof, except those under § 2920.7 for which no service charge is required, must be accompanied by a nonrefundable application service fee of $10. However, no charges will be made for applications by agencies of the Federal Government or agencies of the States and political subdivisions thereof.

2. Paragraph 2920.3(a)(1) is revised to read as follows:

§ 2920.3 Terms.

(a) *General.* (1) A special land-use permit is revocable in the discretion of the authorized officer at any time upon notice to the permittee.

* * * * *

3. Paragraph 2920.4(a) is revised to read as follows:

§ 2920.4 Rental charges.

(a) Except as to permits issued under § 2920.7, for which no rentals are required, each permittee will be required to pay to the Bureau of Land Management, in advance, a rental determined by the authorized officer as the fair market value of the privileges granted. The authorized officer will determine whether payments will be annual or otherwise; he may adjust the rental at the end of each payment period. In no case will the minimum rental charge be fixed at less than $10 per payment.

* * * * *

4. A new § 2920.7 is added to read as follows:

§ 2920.7 Short form.

The authorized officer may issue a short form special land use permit for temporary use of the public lands not to exceed 90 days where the proposed use of these lands does not involve construction or the erection of improvements or structures, and in the opinion of the authorized officer will not alter the character of the land or its resources.

ROLAND G. ROBINSON, Jr.,
Deputy Assistant Secretary.

JANUARY 9, 1975.

[FR Doc.75-1393 Filed 1-15-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 980]

[Amdt. 1]

ONION IMPORTS

Proposed Minimum Grade and Size Requirements

This proposal would amend minimum grade and size requirements for imported onions.

Notice is hereby given of a proposed amendment of § 980.113 Onion import regulation (39 FR 26290), applicable to the importation of onions into the United States to become effective March 17, 1975, under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

Under section 8e of the act (7 U.S.C. 608e–1), whenever two or more marketing orders are concurrently in effect regulating the same agricultural commodity produced in different areas of the United States, the importation of such commodity shall be prohibited unless it complies with the grade, size, quality, and maturity provisions of the order which, as determined by the Secretary of Agriculture, regulates the commodity produced in the area with which the imported commodity is in most direct competition.

Onion import regulation § 980.113 (39 FR 26290), became effective July 18, 1974, and sets forth similar grade, size, quality, and maturity requirements as those in effect for onions handled under Marketing Order No. 958, as amended (7 CFR Part 958) regulating the shipments of onions grown in designated counties in Idaho and Eastern Oregon.

Grade, size, quality, and maturity requirements become effective for the period March 10 through May 11, 1975 (39 FR 45208) under Marketing Order No. 959, as amended (7 CFR Part 959), regulating the handing of onions grown in South Texas. It is anticipated that imported onions will be in most direct competition with those regulated under Marketing Order 959 on or about March 17 and the proposed changes will be necessary to bring import regulations into line with domestic regulations covering South Texas onions.

Consideration will be given to any written data, views, or arguments pertaining to the proposed amendment which are filed in quadruplicate with the Hearing Clerk, Room 112–A, United States Department of Agriculture, Washington, D.C. 20250, not later than February 3, 1975. 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 amendment is as follows:

Section 980.113 Onion import regulation (39 FR 26290), is hereby amended to read as follows:

§ 980.113 Onion import regulation.

Pursuant to section 8e of the act (7 U.S.C. 608e–1) and except as otherwise provided herein, during the period beginning March 17, 1975, and continuing through May 11, 1975, the importation of onions is prohibited unless such onions are inspected and meet the requirements of this section.

(a) *Minimum grade and size requirements*—(1) *Grade.* Not to exceed 20 percent defects of U.S. No. 1 grade. In percentage grade lots, tolerances for serious damage shall not exceed 10 percent including not more than 2 percent decay. Double the lot tolerance shall be permitted in individual packages in percentage grade lots. Applications of tolerances in U.S. Grade Standards shall apply to in-grade lots.

(2) *Size.* White onions—1 inch minimum diameter; all other varieties of onions—1¾ inches minimum diameter.

(b) *Condition.* Due consideration shall be given to the time required for transportation and entry of onions into the United States. Onions with transit time from country of origin to entry into the United States of ten or more days may be entered if they meet an average tolerance for decay of not more than 5 percent, provided they meet the other requirements of this section.

(c) *Minimum quantity.* Any importation which in the aggregate does not exceed 100 pounds in any day, may be imported without regard to the provisions of this section.

(d) *Plant quarantine.* Provisions of this section shall not supersede the restrictions or prohibitions on onions under the Plant Quarantine Act of 1912.

(e) *Designation of governmental inspection service.* The Federal or the Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, and the Fruit and Vegetable Division, Production and Marketing Branch, Canada Department of Agriculture, are designated as governmental inspection services for certifying the grade, size, quality and maturity of onions that are imported into the United States under the provisions of Section 8e of the act.

(f) *Inspection and official inspection certificates.* (1) An official inspection certificate certifying the onions meet the United States import requirements for onions under Section 8e (7 U.S.C. 608e–1), issued by a designated governmental inspection service and applicable to a specific lot is required on all imports of onions.

(2) Inspection and certification by the Federal or Federal-State Inspection Service will be available and performed in accordance with the rules and regulations governing certification of fresh fruits, vegetables and other products (Part 51 of this title). Each lot shall be made available and accessible for inspection as provided therein. Cost of inspection and certification shall be borne by the applicant.

(3) Since inspectors may not be stationed in the immediate vicinity of some smaller ports of entry, importers of onions should make advance arrangements for inspection by ascertaining whether or not there is an inspector located at their particular port of entry. For all ports of entry where an inspection office is not located, each importer must give the specified advance notice to the applicable office listed below prior to the time the onions will be imported.

Ports	Office	Advance Notice
All Texas points.	L. M. Denbo, P.O. Box 107 San Juan, Tex. 78589 (Phone 512-787-4091 or 6881).	1 day.
All Arizona points.	B. O. Morgan, P.O. Box 1614, Nogales, Ariz. 85621 (Phone 602-287-2902).	Do.
All California points.	D. P. Thompson, 784 South Central Ave., Room 206, Los Angeles, Calif. 90021 (Phone 213-622-8756).	3 days.
All Hawaii points.	Stevenson Ching, P.O. Box 5425, Pawaa Substation, 1428 South King St., Honolulu, Hawaii 96814 (Phone 808-941-3071).	1 day.
All Puerto Rico points.	Darrell McNeal, P.O. Box 10163, Santurce, P.R. 00908 (Phone 809-783-2230 or 4116).	2 days.
New York City.	Carmine J. Cavallo, Room 28A Hunts Point Market, Bronx, N.Y. 10474 (Phone 212-991-7669 or 7668).	1 day.
New Orleans....	Anthony Gennaro, 5027 Federal Office Bldg., 701 Loyola Ave., New Orleans, La. 70113 (Phone 504-527-6741 or 6742).	Do.
Miami.....	Lloyd W. Bonny, 1350 North West 12th Ave., Room 538, Miami, Fla. 33136 (Phone 305-324-6116 or 6117).	Do.
All other Florida points.	C. B. Brantley, P.O. Box 1232, Winter Haven, Fla. 33880 (Phone 813-294-3511, Ext. 33 and 813-294-2089).	Do.
All other points.	D. S. Matheson, Fruit and Vegetable Division, AMS, Washington, D.C. 20250 (Phone 202-447-5870).	3 days.

(4) Inspection certificates shall cover only the quantity of onions that is being imported at a particular port of entry by a particular importer.

(5) Each inspection certificate issued with respect to any onions to be imported into the United States shall set forth, among other things:

(i) The date and place of inspection;

(ii) The name of the shipper or applicant;

(iii) The commodity inspected;

(iv) The quantity of the commodity covered by the certificate;

(v) The principal identifying marks on the containers;

(vi) The railroad car initials and number, the truck and trailer license number, the name of the vessel, or other identification of the shipment; and

(vii) The following statement, if the facts warrant: Meets import requirements of 7 U.S.C. 608e-1.

(g) *Reconditioning prior to importation.* Nothing contained in this part shall be deemed to preclude any importer from reconditioning prior to importation any shipment of onions for the purpose of making it eligible for importation.

(h) It is hereby determined that imports of onions, during the effective time of this section, are in most direct competition with onions grown in South Texas. The requirements set forth in this section are the same as those applicable to grade, size, quality and maturity being made effective for onions grown in South Texas.

(i) *Definitions.* For the purpose of this section, "Onions" means all (except red) varieties of Allium cepa marketed dry, except dehydrated, canned and frozen onions, onion sets, green onions, and pickling onions. Onions commonly referred to as "braided," that is, with tops, may be imported if they meet the grade and size requirements except for top length. The term "U.S. No. 1" shall have the same meaning as set forth in the United States Standards for Grades of Bermuda-Granex-Grano Type Onions (§§ 51.3195–51.3209 of this title), United States Standards for Grades of Creole Onions (§§ 51.3955–51.3970 of this title), or in the United States Standards for Grades of Onions Other Than Bermuda-Granex-Grano and Creole Types (§§ 51.2830–51.2854 of this title), whichever is applicable to the particular variety. Tolerances for size shall be those in the applicable United States Standards. The requirements of Canada No. 1 grade are deemed comparable to the requirements of U.S. No. 1 grade. "Importation" means release from custody of the United States Bureau of Customs.

Dated: January 13, 1975.

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

[FR Doc.75-1525 Filed 1-15-75;8:45 am]

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[50 CFR Part 216]

MARINE MAMMALS

Abandonment Provisions Regarding Illegal Importation

On January 15, 1974, final regulations governing the Taking and Importing of Marine Mammals as required by Title I of the Marine Mammal Protection Act of 1972 (Pub. L. 92-522) were published in the FEDERAL REGISTER (39 FR 1851–1859). An addition to the published regulations is now proposed.

A new § 216.64 will be added explaining that in the event an illegally imported marine mammal or marine mammal part or product is abandoned to the United States Customs Service, the Director or his designee may take such abandonment into consideration in deciding whether to initiate a formal action or, if initiated, whether to consider compromising the proposed penalty in view of the abandonment.

The proposed amendment is issued under authority of Title I of the Marine Mammal Protection Act of 1972 86 Stat. 1027 (16 U.S.C.) 1361–1407), Pub. L. 92-522.

Issued at Washington, D.C., and dated January 13, 1975.

JACK W. GEHRINGER,
Acting Director.

The proposed amendments are described below.

1. A new § 216.64 is added and the present §§ 216.64 and 216.65 are renumbered. The new subsection reads as follows:

§ 216.64 Abandonment provisions.

When it has been alleged that a marine mammal or marine mammal part or product has been unlawfully imported, the National Marine Fisheries Service has no objection to the owner of the marine mammal or marine mammal part or product abandoning same to the United States Customs Officials in accordance with existing Customs procedures. In determining whether formal action should be initiated for any alleged violation of the Act or these regulations or, if initiated, whether a proposed penalty should be compromised, the Director or his designee may take into consideration the fact that the alleged violator voluntarily abandoned the item to an appropriate authority.

3. Present § 216.64 is renumbered 216.65 as follows:

§ 216.65 Holding and bonding.

* * * * *

4. Present § 216.65 is renumbered § 216.66 as follows:

§ 216.66 Enforcement officers.

* * * * *

[FR Doc.75-1518 Filed 1-15-75;8:45 am]

[50 CFR Part 219]

ENDANGERED SPECIES OR ENDANGERED SPECIES PART OR PRODUCTS

Seizure and Forfeiture Procedures; Abandonment Provisions

On November 27, 1974, final regulations dealing with endangered species importation permits and enforcement (civil procedures, seizure and forfeiture procedures, designated ports) were published in the FEDERAL REGISTER (39 FR 41367–41377).

Section 219.15 will be amended so that in the event an illegally imported endangered species or endangered species part or product is abandoned to the United States Customs Service, the Director or his designee may take such abandonment into consideration in deciding whether to initiate a formal action or if initiated, whether to consider compromising the proposed penalty in view of the abandonment.

The proposed amendment is issued under authority of the Endangered Species Act of 1973, section 11(f), 87 Stat. 884, Pub. L. 93-205.

Issued at Washington, D.C., and dated January 13, 1975.

JACK W. GEHRINGER,
Acting Director.

The proposed amendment is described below.

1. A new § 219.15 reads as follows:

§ 219.15 Abandonment provisions.

When it has been alleged that an endangered species or endangered species part or product has been unlawfully imported, the National Marine Fisheries Service has no objection to the owner of the endangered species or endangered species part or product abandoning same to the United States Customs Officials in accordance with existing Customs procedures. In determining whether formal action should be initiated for any alleged violation of the Act or these regulations or, if initiated, whether a proposed penalty should be compromised, the Director or his designee may take into consideration the fact that the alleged violator voluntarily abandoned the item to an appropriate authority.

[FR Doc.75-1517 Filed 1-15-75;8:45 am]

Office of the Secretary

[15 CFR Part 4]

PUBLIC INFORMATION

Proposed Uniform Schedule of Fees

Section 1(b)(2) of Pub. L. 93-502 (88 Stat. 1561), the recently enacted amendments to the Freedom of Information Act (5 U.S.C. 552), requires each agency subject to the Act to promulgate regulations, pursuant to notice and receipt of public comment, specifying a uniform schedule of fees applicable to all constituent units of such agency, in connection with requests for records under the Freedom of Information Act.

Notice is hereby given that the Department of Commerce, in accordance with this statutory requirement, proposes to amend its regulations to provide such a uniform schedule of fees. These amendments are intended to comply with the statutory requirements of 5 U.S.C. 552 (4)(A) that: (a) Fees be limited to reasonable standard charges for document search and duplication and provide for recovery of only the direct costs of such search and duplication; and (b) documents shall be furnished without charge or at a reduced charge where the agency determines that waiver or reduction of the fee is in the public interest because furnishing the information can be considered as primarily benefiting the general public.

This proposal also contains certain procedural requirements intended to assure that parties do not incur unanticipated obligations when making requests for Department of Commerce records. In addition, for convenience, charges for forwarding records to the requesting party and for certification or authentication of records requested by the party, which are established under 15 U.S.C. 1525, are included. The user charges for other services not required under the Freedom of Information Act but chargeable under 15 U.S.C. 1525 and other applicable laws are not included.

Interested persons are invited to participate in this proposed rulemaking by submitting such written data, views or statements as they may desire to the U.S. Department of Commerce, Central Reference and Records Inspection Facility, Room 7043, Washington, D.C. 20230. Comments received before February 13, 1975, will be considered before final action is taken on this proposal. All comments received in response to this proposal will be available for public inspection during normal business hours at the above address.

It is, therefore, proposed to amend 15 CFR Part 4, by revising § 4.8 to read as follows:

§ 4.8 Fees.

(a) *Fee schedule.* Unless waived or reduced as provided in paragraph (b) of this section, the following fees shall be charged in connection with requests for records subject to this part.

(1) *Searches other than for computerized records.* $2.50 for each one-quarter hour per person for time spent in trying to find the records requested. This includes the time spent by clerical, professional and supervisory personnel in examining records in order to find records which are within the scope of the request, and transportation of personnel and records necessary to the search.

(2) *Searches for computerized records.* Actual direct cost of the computer time to the government agency to use the equipment involved in the search, not to exceed $270 per hour ($4.50 per minute). This fee includes machine time, and related operator and clerical personnel. If programming is necessary to conduct the search, there will be an additional fee of $2.50 for each one-quarter hour per person for programmer/analyst time. Computer printouts shall be 20 cents per page for the original and carbon copies concurrently printed.

(3) *Copying of records.* 7 cents per copy of each page.

(4) *Copies of microfilm or microfiche.*

16 mm (100 ft. roll)—$6.00
35 mm—$7.00
105 mm fiche—$0.25 each
Aperture cards—$0.25 each
$0.25 per page for each microform frame printed on paper.

(5) *Certification or authentication of records.* $3.00 per certification or authentication.

(6) *Forwarding records to requesting party.* Actual cost of postage, insurance and special fees, if they exceed $1.00.

(b) *Waiver or reduction of fees.* No fees shall be charged for a request for records under this part where:

(1) The fees total less than $25. In so determining, the fees for other contemporaneous requests made by the same party or related parties shall be aggregated.

(2) The records are requested by a Federal agency, Federal court, congressional committee or subcommittee, the General Accounting Office, or the Library of Congress.

(3) The records are requested by a State or local government, an intergovernmental agency, a foreign government, an international organization, or any agency thereof, for purposes that are determined to be in the public interest and will promote the objectives of the act and the agency. Alternatively, it may be determined that the fees shall be reduced instead of waived.

(4) It is determined, either upon petition therefor submitted by the party requesting the records, or by the responsible official on his own initiative, that waiver of the fee is in the public interest because furnishing the information in the records requested can be considered as primarily benefiting the general public. Alternatively, it may be determined that the fees shall be reduced instead of waived. Any such petition shall include and specify the intended purpose to which the records requested will be put and why all of them are necessary, in order to show how the information furnished in all or part of the records will primarily benefit the general public.

(5) It is determined by the responsible official, based upon a petition therefor, that the requesting party is indigent, that the request for records has a strong public interest justification, and that agency resources permit a waiver of the fee. A person is deemed to be indigent if he does not have income or resources sufficient to pay the fees involved. Alternatively, it may be determined that the fees shall be reduced instead of waived. All statements made in any such petitions are subject to the criminal code provisions of 18 U.S.C. 1001 concerning false reports to the Government.

(c) *Payment of fees.* The following conditions for payment of fees charged under this section shall apply.

(1) Search fees provided in paragraph (a) of this section are chargeable even when no records responsive to the request for records are found, or when the records requested are determined to be exempt from disclosure.

(2) If the party requesting records has stated in or with his request that he is willing to pay an amount sufficient to cover the estimated fees, a search may be made for the records without further notice by the agency, unless the requesting party is delinquent in making past payments, or the estimated fees exceed $100.

(3) If the party requesting records has stated in or with his request that he is willing to pay estimated fees up to a specified limit not exceeding $100, a search may be made for the records without further notice if the estimated fees are less than the specified limit or are less than $25, unless the requesting party is delinquent in making past payments.

(4) If the estimated fees (i) exceed $100 for a request covered within sub-

paragraph (2) of this paragraph, or (ii) exceed the specified limits covered within subparagraph (3) of this paragraph, or (iii) otherwise exceed $25, or the requesting party is delinquent in past payments, the requesting party shall be notified immediately (by wire or confirmed telephone call) of the estimated total fee and shall be requested to prepay such fee before the search continues. The notice may advise the requesting party to confer with specified Department personnel so as to attempt to reformulate the request for records to reduce the fee.

(5) The administrative time deadlines prescribed in 5 U.S.C. 552(a)(6) shall be tolled from the time the notice described in subparagraph (4) of this paragraph is sent by the agency to the requesting party, until the time that the agency receives payment of the estimated fee from the requesting party, unless the responsible official determines otherwise.

(6) In any instance where a specific fee is ultimately determined to be payable and notice thereof has been sent to the requesting party, the payment of such fee shall be received by the agency before the records requested are made available.

(7) Payment of fees shall be made in cash or preferably by check or money order payable to "U.S. Department of Commerce" and shall be sent to the agency address stated in the billing notice from the agency.

(8) If an advance payment of an estimated fee exceeds the actual total fee by $5.00 or more, the difference shall be refunded to the requesting party. If the estimated fee is less than the actual fee later determined, any difference in excess of $5.00 may be further billed to and is payable by the requesting party.

Signed at Washington, D.C., this 13th day of January, 1975.

Dated: January 13, 1975.

GUY W. CHAMBERLIN, JR.,
Acting Assistant Secretary for Administration.

[FR Doc.75-1530 Filed 1-15-75;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[29 CFR Part 1910]

[Docket No. OSH-11]

OCCUPATIONAL NOISE EXPOSURE

Proposed Requirements and Procedures; Extension of Time for Comments

On Thursday, October 24, 1974, a notice of proposed rulemaking regarding an occupational safety and health standard on occupational noise exposure in general industry was published in the FEDERAL REGISTER (39 FR 37773). Interested persons were given until December 9, 1974, to submit written data, views, and arguments with respect to the proposal and to file objections and request a hearing thereon. Of the first 40 comments received, 16 requested additional time to submit such materials. The additional time requested ranged from 13 days to 120 days. In view of the complexities of the issues raised and the breadth of application of the proposed standard, the period for the submission of written comments and for the filing of objections on the proposal was thereby extended until January 22, 1975, on December 9, 1974 (39 FR 42929). Subsequent comments have requested a further extension of time for comments. In view of these requests the period for the filing of comments and objections on the proposal is hereby extended until March 21, 1975. Written data, views, and arguments concerning the proposal may be mailed to the Docket Officer, Docket OSH-11, Occupational Safety and Health Administration, Room 230, 1726 M Street NW., Washington, D.C. 20210. Such data, views, and arguments will be available for public inspection and copying at the above address.

Signed at Washington, D.C. this 10th day of January 1975.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.75-1451 Filed 1-15-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Parts 132, 133]

DRUG PRODUCT SALVAGING

Proposed Rule Making

The Food and Drug Administration is concerned that drugs which have been subjected to prolonged or improper storage or to abnormal environmental conditions are being salvaged and returned to the marketplace. To prevent salvage and consumer use of bad drug products resulting from age, poor storage, fire, flood, freezing, etc., the Commissioner of Food and Drugs is proposing regulations relating to such drugs and firms that engage in drug product salvaging operations.

Although methods are available to estimate the type and the extent of abnormal exposure, the usual methods for salvaging "good" drug products from "bad" drug products are by visual and organoleptic examinations. Such examinations are not effective in demonstrating that drug products have maintained their original identity, strength, quality, and purity. Analytical examinations are not regarded as entirely adequate since the sampling process cannot account for intralot variables presented by prolonged or improper storage or by abnormal environmental conditions.

Any drug products subjected to extremes of temperature, humidity, smoke, fumes, pressure, age, or radiation are considered as having been subjected to prolonged or improper storage or to abnormal environmental conditions. Abnormal environmental conditions develop from fire, flood, freezing, explosion, etc. Factors contributing to possible abnormal environmental conditions are faulty heating, refrigeration, or air conditioning; improper storage in winter and summer resulting in abnormally high or low storage temperatures; water damage; and improper control over drugs returned from retailers. There is no practical way to detect the kinds or extent of damage that may occur in lots of drug products subjected to prolonged or improper storage or to abnormal environmental conditions. Unless it can be shown that the lots of drug products were not subjected to abnormal environmental conditions, efforts to salvage seemingly good drug products compromise the safety and effectiveness of such drug products.

There are some situations whereby a judgment can be rendered that the integrity of a drug product lot has not been affected by abnormal environmental conditions. Examples of such situations are:

(1) An isolated fire in a warehouse other than in the vicinity of drug storage, and there is evidence that the drug products were not subjected to abnormal environmental conditions.

(2) A mechanical failure in refrigeration, but where automatic temperature recordings show that the temperature did not rise above an established maximum during the failure.

(3) Where it can be shown that flood waters did not reach a drug product storage level and conditions do not exist whereby high humidity would develop or, if it did, the drug products in question would not be affected by such humidity.

Any drug products subjected to prolonged or improper storage or subjected to abnormal environmental conditions are regarded as being adulterated within the meaning of section 501(a)(2) (A) and (B) of the Federal Food, Drug, and Cosmetic Act and shall be subject to regulatory action.

The Commissioner of Food and Drugs proposes to amend "Part 133—Drugs; Current Good Manufacturing Practice in Manufacture, Processing, Packing, or Holding" (21 CFR Part 133) by adding a new § 133.20 *Drug Product salvaging*. Section 133.20 will prohibit the salvaging and returning to the marketplace of drug products which have been subjected to prolonged or improper storage or to abnormal environmental conditions. Whenever there is any possibility that drug products have been subjected to prolonged or improper storage or to abnormal environmental conditions, salvaging operations may be conducted only if there is: (1) Substantial evidence from laboratory tests and assays (including animal feeding studies where applicable) showing that the drug products meet all applicable standards of identity, strength, quality, and purity; and (2) substantial evidence that the drug products and their associated packaging have not been subjected to prolonged or improper storage or abnormal environmental conditions. Visual or organoleptic examinations shall be acceptable only as supplemental evidence that the drug products have maintained their original identity, strength, quality, and purity.

The Commissioner proposes to amend 21 CFR 132.1 by adding a new para-

graph (k) to define "drug product salvaging" as the act of segregating drug products which have been subjected to prolonged or improper storage or to abnormal environmental conditions such as extremes of temperature, smoke, humidity, fumes, pressure, age, or radiation when such segregation is for returning some or all of the drug products to the marketplace.

In addition, the Commissioner notes that every person who owns or operates an establishment engaged in the salvaging of drug products is required to register such establishment pursuant to section 510 of the act and 21 CFR Part 132. For clarity, the Commissioner proposes to amend § 132.1 to specify that establishments required to register include those engaged in the salvaging of drug products; however, such establishments are not required to submit a drug list. The Commissioner also proposes to amend § 132.2 to clarify that drug listing is not required at this time for establishments engaged in the salvaging of drug products.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 501, 510, 701, 52 Stat. 1049–1050 as amended, 1055–1056 as amended, 76 Stat. 794 as amended; 21 U.S.C. 351, 360, 371) and the Drug Listing Act of 1972 (Public Law 92-387; 86 Stat. 559–562) and under authority delegated to the Commissioner (21 CFR 2.120), it is proposed that Chapter I of Title 21 of the Code of Federal Regulations be amended as follows:

1. In Subpart A of Part 132 by revising paragraph (b) of § 132.1 and adding a new paragraph (k) to read as follows:

§ 132.1 Definitions.

* * * * *

(b) "Establishment" means a place of business under one management at one general physical location. The term includes, among others, independent laboratories that engage in control activities for registered drug establishments, e.g., "consulting" laboratories, manufacturers of medicated feeds and of vitamin products that are "drugs" within the meaning of section 201(g) of the act, human blood donor centers, animal facilities used for the production or control testing of licensed biologicals, and establishments engaged in the salvaging of drug products.

* * * * *

(k) "Drug product salvaging" is the act of segregating drug products which may have been subjected to prolonged or improper storage or to abnormal environmental conditions such as extremes of temperature, humidity, smoke, fumes, pressure, age, or radiation for the purpose of returning some or all of the products to the marketplace.

§ 132.2 [Amended]

2. In Subpart B of Part 132 by adding a comma and the phrase "nor is drug listing required for establishments engaged in the salvaging of drug products" before the period at the end of paragraph (a) of § 132.2.

3. In Part 133 by adding a new § 133.20 to read as follows:

§ 133.20 Drug product salvaging operations.

Drug products which have been subjected to prolonged or improper storage or to abnormal environmental conditions such as extremes in temperature, humidity, smoke, fumes, pressure, age, or radiation due to natural disasters, fires, accidents, or equipment failures shall not be salvaged and returned to the marketplace. Whenever there is any possibility that drug products have been subjected to prolonged or improper storage or to abnormal environmental conditions, salvaging operations may be conducted only if there is substantial evidence (a) from laboratory tests and assays (including animal feeding studies where applicable) showing that the drug products meet all applicable standards of identity, strength, quality, and purity and (b) that the drug products and their associated packaging have not been subjected to prolonged or improper storage or abnormal environmental conditions. Visual or organoleptic examinations shall be acceptable only as supplemental evidence that the drug products have maintained their original identity, strength, quality, and purity.

Interested persons may, on or before March 17, 1975, file with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, written comments (preferably in quintuplicate) regarding this proposal. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: January 9, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-1445 Filed 1-15-75;8:45 am]

Pub. Health Ser.
~~Office of the Secretary~~

[42 CFR Part 59]

FAMILY PLANNING SERVICES TRAINING GRANTS

Notice of Proposed Rulemaking

Notice is hereby given that the Assistant Secretary for Health of the Department of Health, Education, and Welfare proposes to revise the regulations governing grants under section 1003 of the Public Health Service Act (42 U.S.C. 300a-1), which authorizes the Secretary of Health, Education, and Welfare to make grants to public or nonprofit private entities to provide the training for personnel to carry out the family planning service programs described in sections 1001 or 1002 of the Act (42 U.S.C. 300, 300a). The regulations governing grants under section 1003 are set forth in Part 59, Subpart C of Title 42 of the Code of Federal Regulations. Section 59.203(b) thereof states that eligible projects are not to exceed three months in duration. However, experience in administering the family planning training grants has shown that occasionally a longer period of time is needed to meet unusual or special training needs. The revision of § 59.203(b) set out below is designed to accommodate such needs.

Interested persons are invited to submit written comments, suggestions or objections concerning the proposed revision of § 59.203(b) to the Director, Bureau of Community Health Services, Health Services Administration, Room 7-05, 5600 Fishers Lane, Rockville, Maryland 20852, on or before February 18, 1975. All comments received in response to this Notice will be available for public inspection in the above-named office during regular business hours.

It is therefore proposed to amend Subpart C of Part 59 of Title 42 as set forth below.

Dated: December 16, 1974.

CHARLES C. EDWARDS,
Assistant Secretary for Health.

Approved: January 13, 1975.

CASPAR W. WEINBERGER,
Secretary.

Paragraph (b) of § 59.203(b) is revised to read as follows:

§ 59.203 Eligibility.

* * * * *

(b) *Eligible projects.* Grants pursuant to section 1003 of the Act and this subpart may be made to eligible applicants for the purpose of providing programs, not to exceed three months in duration, for training family planning or other health services delivery personnel in the skills, knowledge, and attitudes necessary for the effective delivery of family planning services: *Provided*, That the Secretary may in particular cases approve support of a program whose duration is longer than three months where he determines (1) that such program is consistent with the purposes of this subpart and (2) that the program's objectives cannot be accomplished within three months because of the unusually complex or specialized nature of the training to be undertaken.

[FR Doc.75-1562 Filed 1-15-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Parts 21, 36]

[Docket No. 13243; Notice No. 74-39]

NOISE STANDARDS FOR PROPELLER DRIVEN SMALL AIRPLANES

Proposed Regulations Submitted to the FAA By the Environmental Protection Agency

Correction

In FR Doc. 74-30538 appearing at page 1061 in the issue of Monday, January 6, 1975 the signature on page 1069 reading "Charles R. Foot" should read "Charles F. Foot".

[14 CFR Part 71]

[Airspace Docket No. 74-EA-96]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Lancaster, Pa., Control Zone (39 FR 398) and Transition Area (39 FR 525, 37632).

A new VOR/DME Rwy 26 instrument approach procedure has been developed for Lancaster Airport, Lancaster, Pa., and will require alteration of the control zone and transition area to provide controlled airspace for aircraft executing the new procedure.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York 11430. All communications on or before February 18, 1975 will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Lancaster, Pennsylvania, proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations by deleting the description of the Lancaster, Pa. Control Zone and by substituting the following in lieu thereof:

Within a 5-mile radius of the center, 40°07'16" N., 76°17'47" W. of Lancaster Airport, Lancaster, Pa.; within 3 miles each side of the Lancaster VORTAC 260° radial, extending from the VORTAC to 8.5 miles west; within 3 miles each side of the Lancaster VORTAC 128° radial, extending from the VORTAC to 8.5 miles southeast; within 2 miles each side of the Lancaster VORTAC 055° radial, extending from the VORTAC to 5 miles northeast. This control zone is effective from 0700 to 2300 hours, local time, daily.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations by deleting the description of the Lancaster, Pa. Transition Area and by substituting the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of the center 40°07'16" N., 76°17'47" W. of Lancaster Airport, Lancaster, Pa.; within 3 miles each side of the Lancaster VORTAC 260° radial, extending from the 7.5-mile radius area to 8.5 miles west of the VORTAC; within 9.5 miles northeast and 4.5 miles southwest of the Lancaster VORTAC 128° radial, extending from the VORTAC to 18.5 miles southeast of the VORTAC; within 3.5 miles each side of the Lancaster Airport ILS southwest localizer course, extending from the 7.5-mile radius area to 10.5 miles southwest of the OM; within 5 miles each side of the Lancaster VORTAC 055° radial, extending from the 7.5-mile radius area to 16.5 miles northeast of the VORTAC.

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

Issued in Jamaica, N.Y., on January 6, 1975.

JAMES BISPO,
Acting Director,
Eastern Region.

[FR Doc.75-1372 Filed 1-15-75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 74-EA-95]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Sussex, N.J., Transition Area (39 FR 599).

Because of alteration of the use of the VOR-1 instrument approach procedure to Sussex Airport from part to full time use, the transition area must be similarly altered.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York 11430. All communications received on or before February 18, 1975, will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Sussex, New Jersey proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71 Federal Aviation Regulations so as to alter the description of the Sussex, N.J. 700-foot floor transition area by deleting, "This transition area is effective from sunrise to sunset, daily.".

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

Issued in Jamaica, N.Y., on January 6, 1975.

JAMES BISPO,
Acting Director,
Eastern Region.

[FR Doc.75-1373 Filed 1-15-75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 74-GL-53]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to alter the transition area at Dowagiac, Michigan.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Great Lakes Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018. All communications received on or before February 18, 1975 will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

A new instrument approach procedure has been developed for the Cass County Memorial Airport, Dowagiac, Michigan, and additional controlled airspace is required to protect this procedure.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (39 FR 440), the following transition area is amended to read:

DOWAGIAC, MICHIGAN

That airspace extended upward from 700 feet above the surface within a seven-mile radius of Cass County Memorial Airport (Latitude 41°59'30" N, Longitude 86°07'37" W.); within two miles each side of the Keeler, Michigan 181° radial extending from the seven-mile radius area to the VOR, excluding the portion which overlies the South Bend, Indiana transition area.

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

Issued in Des Plaines, Illinois, on December 30, 1974.

R. O. ZIEGLER,
Acting Director, Great Lakes Region.

[FR Doc.75-1377 Filed 1-15-75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 74-SO-78]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Starkville, Miss., transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, P.O. Box 20636, Atlanta, Ga. 30320. All communications received on or before February 18, 1975 will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Region, Room 645, 3400 Whipple Street, East Point, Ga.

The Starkville transition area described in § 71.181 (40 FR 441) would be amended as follows:

"* * * excluding the portion within Columbus, Miss., transition area * * *" would be deleted and "* * * within 3 miles each side of the 350° bearing from BRYAN RBN (Lat. 33°25'53" N, Long. 88°51'01" W), extending from the 6.5-mile radius area to 8.5 miles north of the RBN; excluding the portion within Columbus, Miss., transition area * * *" would be substituted therefor.

The proposed alteration is required to provide controlled airspace protection for aircraft executing the new NDB A Instrument Approach Procedure to George M. Bryan Field, utilizing the Starkville (private) nondirectional radio beacon.

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

Issued in East Point, Ga., on January 6, 1975.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.75-1376 Filed 1-15-75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 74-EA-94]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Corry, Pa., Transition Area.

A new NDB instrument approach procedure is in development to serve Lawrence Airport, Corry, Pa. To provide controlled airspace for instrument arrival and departure procedures at this airport will require the designation of a 700-foot floor transition area.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn.: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York 11430. All communications received on or before February 18, 1975 will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Corry, Pennsylvania, proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71, Federal Aviation Regulations by adding the Corry, Pennsylvania 700-foot floor Transition Area as follows:

CORRY PENNSYLVANIA

The airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, lat. 41°54'30" N., long. 79°38'30" W. of Lawrence Airport, Corry, Pennsylvania and within 3 miles each side of the 305° bearing from the Corry RBN (lat. 41°54'44" N., long. 79°38'54" W.) extending from the 5-mile radius area to 8.5 miles northwest of the RBN.

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

Issued in Jamaica, N.Y., on January 6, 1975.

JAMES BISPO,
Acting Director, Eastern Region.

[FR Doc.75-1374 Filed 1-15-75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 74-EA-90]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Williamson, N.Y., Transition Area.

A new VOR/DME instrument approach procedure to Runway 10 at Williamson-Sodus Airport, Williamson, New York, is in development. To provide controlled airspace for instrument arrival and departure procedures at this airport will require the designation of a 700-foot floor transition area.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York 11430. All communications received on or before February 18, 1975 will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Williamson, New York, proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71, Federal Aviation Regulations by adding the Williamson, New York 700-foot floor Transition Area as follows:

WILLIAMSON, NEW YORK

That airspace extending upward from 700 feet above the surface within a 6.5 mile radius of the center, lat. 43°14'10" N., long. 77°07'20" W. of Williamson-Sodus Airport, Williamson, N.Y., extending clockwise from a 055° to a 320° bearing from the airport; within a 5-mile radius of the center of the airport extending clockwise from a 320° to a 055° bearing from the airport.

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

Issued in Jamaica, N.Y., on January 6, 1975.

JAMES BISPO,
Acting Director, Eastern Region.

[FR Doc.75-1375 Filed 1-15-75;8:45 am]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 310, 385, 389]

[PDR-38, ODR-10; Docket No. 27378; Dated January 13, 1975]

DOCUMENT SEARCH AND DUPLICATION

Proposed Fee Schedule

Notice is hereby given that the Civil Aeronautics Board has under consideration proposed amendments to Part 310 of its Procedural Regulations and Parts 385 and 389 of its Organization Regulations (14 CFR Parts 310, 385 and 389). The proposed amendments relate to fees for search and duplication services, and are designed to bring the Board's Regulations into conformity with recent amendments made by P.L. 93–502 to the Freedom of Information Act (5 U.S.C. 552).

The principal features of the proposed amendments are further described in the Explanatory Statement, and the proposed amendments are set forth in the Proposed Rule. This regulation is proposed under the authority of section 204 (a) of the Federal Aviation Act of 1958 (72 Stat. 743, 49 U.S.C. 1324), Title V of the Act of August 31, 1951 (65 Stat. 290, 5 U.S.C. 140), and 5 U.S.C. 552, as amended by Pub. L. 93–502, 88 Stat. 1561.

Interested persons may participate in the proposed rule making through submission of twelve (12) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant matter in communications received on or before January 30, 1975, will be considered by the Board before taking action on the proposal. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 710, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., upon receipt thereof.

Individual members of the general public who wish to express their interest as consumers by participating informally in this proceeding, may do so through submission of comments in letter form to the Docket Section at the above-indicated address, without the necessity of filing additional copies thereof.

It should be noted that because the proposed revisions to the above-named parts are to be adopted pursuant to recent amendments to the Freedom of Information Act, the Board intends to move forward as expeditiously as possible in order to put into effect final rules relating thereto by February 19, 1975, the date upon which said amendments will become effective. Therefore, the Board is allowing for less than the normal 30 days in which comments may be filed, and the Board does not contemplate the granting of any extensions of time for the filing of comments with respect to this matter.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

EXPLANATORY STATEMENT

Part 389 of the Board's Organization Regulations (14 CFR Part 389) establishes a system of fees for filings, licenses, and special services, including searches for documents and their duplications. Recently, Congress enacted Pub. L. 93–502, amending the Freedom of Information Act [1] so as to require, inter alia, that:

> • • • [E]ach agency shall promulgate regulations, pursuant to notice and receipt of public comment, specifying a uniform schedule of fees applicable to all constituent units of such agency. Such fees shall be limited to reasonable standard charges for document search and duplication and provide for recovery of only the direct costs of such search and duplication. Documents shall be furnished without charge or at a reduced charge where the agency determines that waiver or reduction of the fee is in the public interest because furnishing the information can be considered as primarily benefiting the general public.

The Board, upon review of its schedule of fees for special services affected by Pub. L. 93–502, and the foregoing legislative mandate, proposes herein to modify Part 389 in several respects and to modify related provisions in Parts 310 and 385, to reflect the proposed changes to Part 389.

1. *Search fees.* The Board's current fee schedules include a coordinated charge for search and duplication, i.e., no separate charge is made for locating documents or records; instead, such charge is a component of the charge for photocopying. Continuation of this practice would not appear to be compatible with Pub. L. 93–502, which seems to contemplate that, if an agency charges for such services, a separate fee must be set for each service. The Board has accordingly reviewed its fee schedules, and has tentatively concluded that, based on our past experiences, the administrative burden and expense of establishing a separate fee schedule for document searches would not be commensurate with the revenues likely to be derived from charges for this service. The Board has therefore tentatively determined that it will no longer charge a fee for services performed in connection with searching for documents requested by members of the public, whether in connection with photocopying or otherwise. However, recognizing that Pub. L. 93–502 could itself result in increased requests for access to Board records, including increased requests for search services, we shall closely monitor this area of special services with a view towards establishing a schedule of reasonable fees for searches, should the extent of the burden on our staff resources prove to warrant imposition of a separate charge for this service.

2. *Copying fees.* The Board also proposes to reduce its fees for photocopying documents, and to eliminate existing minimum fees for such services. Since Pub. L. 93–502 requires fees for duplication services to be based on "reasonable standard charges" and to provide for the recovery of only the "direct costs" of duplication, we have tentatively determined that the fee for photocopying, excluding costs related to search, as discussed above, and other indirect costs, should be 15 cents per page, and that we should no longer impose any minimum charge for copying services.

3. *Waivers or modifications of fees.* The legislative directive in Pub. L. 93–502 also requires that duplication and search fees be waived or reduced where the agency determines that such action would be in the public interest because furnishing the information "can be construed as primarily benefiting the general public." The Board therefore proposes to amend its fee schedules to provide for waivers or modifications for photocopying fees in consonance with this statutory requirement. As reflected by the proposed amendments to § 389.14 requests for waivers or modifications will be processed pursuant to procedures now applicable for appeals from staff action denying access to Board records.

4. *Advance payment.* Finally, in connection with our review of the Board's fees and related practices, we have tentatively concluded that we should take this occasion to insure that fees prescribed in Part 389 are actually collected. We therefore propose to amend our fee schedules to provide that in situations involving copying fees in excess of $100.00, requesters shall be required to pay in advance for the service to be provided. As indicated by the proposed revisions to § 389.14, when payment in advance is required, requesters will be promptly notified of the amount due and, after payment has been received by the Board, the requested service will be provided.

PROPOSED RULE

It is proposed to amend Part 310 of the Board's Procedural Regulations and Parts 385 and 389 of its Organization

[1] Pub. L. 90-23, 5 U.S.C. 552.

Regulations (14 CFR Parts 310, 385 and 389) as follows:

PART 310—INSPECTION AND COPYING OF BOARD OPINIONS, ORDERS AND RECORDS

1. Amend the Table of Contents so as to revised the caption of § 310.5, as follows:

Sec.
310.5 Fees for locating and copying records.

2. Amend § 310.5 to read as follows:

§ 310.5 Fees for locating and copying records.

Appropriate fees for locating and copying Board records are prescribed in Part 389 of this chapter.

PART 385—DELEGATIONS AND REVIEW OF ACTION UNDER DELEGATION; NON-HEARING MATTERS

3. Amend § 385.12, by adding a new paragraph (d), to read as follows:

§ 385.12 Delegation to the Managing Director.

* * * * *

(d) Receive and determine applications for waiver or modification of prescribed fees for search and duplication services when such applications accompany requests for such services pursuant to § 389.14 of this chapter.

PART 389—FEES AND CHARGES FOR SPECIAL SERVICES

4. Amend the Table of Contents, so as to revised the caption of § 389.14, as follows:

Sec.
389.14 Locating and copying records and documents.

5. Amend § 389.11, by revising paragraph (a), to read as follows:

§ 389.11 Services available.

Upon request * * *

(a) Locating and copying records and documents.

* * * * *

6. Amend § 389.14 to read as follows:

§ 389.14 Locating and copying records and documents.

Public records and documents on file with the Civil Aeronautics Board will be located, and such copies thereof as may be practicable to furnish will be provided, upon request therefor and payment of fees as set forth below:

(a) There shall be no charge in connection with searches for records or documents under this chapter.

(b) Copies of records or documents are made by Board facilities, or by non-Government contractors.

(1) The fee for photocopying will be at the rate of 15 cents per page.

(2) The fee for copying by non-Government contractors will be that established in the contracts with the Board and will be billed directly by such contractors.

(c) Where the fee for service requested hereunder will exceed $100.00, the service will not be performed until payment has been received. In such cases, the requester will be notified promptly of the amount of the fee, and the requested service will be performed as expeditiously as practicable following receipt of such payment.

(d) Applications may be filed requesting waivers or modifications of any fees required to be paid under this section in accordance with the following:

(1) Each applicant shall set forth briefly and succinctly the relief that it seeks and the reasons why such relief should be granted. Waivers or modifications of stated fees shall be granted only where it is demonstrated that such action is in the public interest because furnishing of the information requested can be considered as primarily benefiting the general public.

(2) Applications requesting waivers or modifications of fees under this section shall be addressed to the Managing Director, who has been delegated authority by the Board to decide such applications in § 385.12 of this chapter, and shall accompany the request for service under this section.

(3) The Managing Director shall either rule on the application, or at his discretion, pass the matter on to the Board for its determination. In acting upon such applications the Managing Director and the Board, where applicable, shall be guided by the procedures and requirements of § 310.9(d) of this chapter.

(4) A decision by either the Managing Director or the Board pursuant to paragraph (d)(3) of this section is final and will not be subject to petitions for reconsideration.

[FR Doc.75-1520 Filed 1-15-75;8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

[16 CFR Part 1700]

CERTAIN PREPARATIONS CONTAINING IRON

Proposed Child-Resistant Packaging Standards

The purpose of this document is to propose child-resistant packaging standards for certain preparations containing iron. The accidental ingestion of such preparations has been a significant cause of hospitalizations and fatalities of children younger than 5 years of age.

Background. Acute accidental poisoning from iron began to occur with greater frequency when iron became widely used as a therapeutic agent for the treatment of anemia in 1947. Since that time, a significant number of iron poisonings in children younger than 5 years of age has occurred.

Acute iron poisoning produces a corrosion of the gastrointestinal tract (primarily the stomach and the ilium). Death may occur from shock within 4 to 6 hours or from cardiovascular collapse within 1 to 3 days.

Data from the National Clearinghouse for Poison Control Centers on accidental ingestions of iron preparations of children under 5 years of age for the period 1969–1973 show 543 hospitalizations. Data from the death certificates for 1969–1972 show 31 deaths of children younger than 5 years of age from the accidental ingestion of these products. These data do not specify the exact amounts ingested by the children, nor does the medical literature in the field recognize any precise lethal or toxic dose. Evidence does establish, however, that a 3-gram dose of ferrous sulfate (the most common iron salt) is fatal for a human being. On the basis of this evidence, it has been estimated that a dose of one gram of iron could produce death in a child younger than 5 years of age. This figure, however, does not leave room for variability in body weight of children under 5 years of age or for variable susceptibility in children of the same size.

Conclusion and proposal. Therefore, considering the available data on injuries and the lack of concrete data on hazardous levels of iron, and after consultation, pursuant to section 3, with the Technical Advisory Committee established in accordance with section 6 of the Poison Prevention Packaging Act of 1970, the Commission proposes that any animal and human drugs (except for injectable drugs) and any dietary supplements as defined in proposed 16 CFR 1700.1(a)(3) below, that provide an equivalent of 500 milligrams or more of elemental iron per package shall require special packaging. This level provides a reasonable and necessary margin of safety in order to protect even the small toddler from serious illness. Since the Commission recognizes that neither the true toxic dose nor the lethal dose of iron has been established for children younger than 5 years of age, interested persons are invited to submit any data that would enable the Commission to establish a more accurate level of iron below which serious illness in children younger than 5 years of age would not occur.

On the basis of preliminary contact with a number of packaging manufacturers, and pursuant to section 3(a)(2) of the act, the Commission finds that the special packaging proposed herein is:

1. Technically feasible because technology exists to produce special packaging conforming to these standards.

2. Practicable in that the special packaging is susceptible to modern mass production and assembly line techniques.

3. Appropriate since such special packaging is not detrimental to the integrity of the substance and will not interfere with its storage or use.

The Commission recognizes that the packaging manufacturers' ability to supply closures prior to the effective date of special packaging standards is partially dependent upon the speed with which packagers of substances subject to the standards place orders for packaging. Given the number of hospitalizations and

fatalities that have occurred as a result of the accidental ingestion of iron-containing preparations by children under 5 years of age, the Commission suggests that packagers of iron preparations subject to these proposed requirements begin immediately to obtain the necessary special packaging. Due to the serious danger posed by these iron preparations, the Commission intends that these regulations, if adopted, be made effective 6 months after their date of promulgation in the FEDERAL REGISTER and invites comments on this intention.

Accordingly, pursuant to the provisions of the Poison Prevention Packaging Act of 1970 (secs. 2(4), 3, 5, 84 Stat. 1670–72 (15 U.S.C. 1471(4), 1472, 1474)) and under authority vested in the Commission by the Consumer Product Safety Act (Sec. 30(a), 86 Stat. 1231 (15 U.S.C. 2079 (a))), the Commission proposes that 16 CFR Part 1700 be amended:

1. By adding new subparagraph (3) to § 1700.1(a), as follows:

§ 1700. Definitions.

(a) * * *

(3) "Dietary Supplement" means any vitamin and/or mineral preparation offered in tablet, capsule, wafer or other similar uniform unit form; in powder, granular, flake, or liquid form; or in the physical form of a conventional food but which is not a conventional food; and which purports to be or is represented for special dietary use by humans to supplement their diets by increasing the total dietary intake of one or more of the essential vitamins and/or minerals.

2. By adding a new subparagraph (12) to § 1700.14(a), as follows (although unchanged, the introductory text of § 1700.14(a) is included below for context):

§ 1700.14 Substances requiring special packaging.

(a) *Substances.* The Commission has determined that the degree or nature of the hazard to children in the availability of the following substances, by reason of their packaging, is such that special packaging is required to protect children from serious personal injury or serious illness resulting from handling, using, or ingesting such substances, and that the special packaging herein required is technically feasible, practicable, and appropriate for these substances:

* * * * *

(12) *Iron preparations.* Animal and human drugs (except for injectable drugs), and dietary supplements, as defined in § 1700.1(a)(3), that provide an equivalent of 500 milligrams or more of elemental iron per total package, shall be packaged in accordance with the provisions of § 1700.15 (a), (b), and (c).

Interested persons are invited to submit, on or before March 17, 1975, written comments regarding this proposal. Comments and any accompanying data or material should be submitted, preferably in five copies, addressed to the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the Office of the Secretary, 10th floor, 1750 K Street NW., Washington, D.C., during working hours Monday through Friday.

Dated: January 13, 1975.

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

[FR Doc.75-1439 Filed 1-15-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 20319; RM-2236]

TABLE OF ASSIGNMENTS

FM Broadcast Stations

1. Notice of proposed rule making is hereby given of proposed amendment of § 73.202(b) of the rules, the FM Table of Assignments. The proposed amendment would add a Class A FM assignment at Bangor, Maine which presently has two Class B assignments.

2. Bangor, Maine (pop. 33,168),[1] is the seat of Penobscot County (pop. 125,393). It is the third largest city in Maine and is located in the eastern portion of the State, approximately 50 miles from the Atlantic Ocean. Penobscot Valley Broadcasting System, Inc. (Penobscot), the petitioner, states that Bangor's industrial base consists of shoe manufacturing, woodworking, forging and food processing and that new area industry includes operations in aircraft maintenance, food processing, machine parts, house and vacation home manufacturing, and chemical processing. The petitioner cites the deactivation of Dow Air Force Base in 1968 as a critical event for Bangor. It quotes an article which appeared in a nationwide magazine, detailing how Bangor planned and carried out the conversion of this base into an international airport adding 800 civilian jobs to the area instead of merely bemoaning the shutoff of military spending. Penobscot avers that Bangor's sharp growth in various economic sectors has been more than paralleled by the city's emerging status as an educational center. It indicates that the University of Maine's principal campus at Orono, eight miles northeast of Bangor, has burgeoned to 7,500 students, that campus sports and conference activities draw several thousands of persons to the area each year and that the recently established South Campus at Bangor International Airport, which in 1970 was inaugurated as a new area-wide community college, has 1,200 students.

3. Penobscot submits three alternative proposals. One of these proposals requests that Channel 232A, presently assigned to Ellsworth, Maine, be deleted from Ellsworth and assigned to Bangor. Alternatively it is proposed that a hyphenated Bangor-Ellsworth assignment of Channel 232A be made. The petitioner indicates that these proposals would involve short-spacing of 8.1 miles to first adjacent Channel 233C at Woodstock, New Brunswick. Under the 1947 U.S.-Canadian Working Agreement the contemplated assignment would require the concurrence of the Canadian Government. It is the Commission's view that this course should not be taken where, as here, other channels that could provide equal service are available. Therefore, the Commission will not consider these two alternative proposals.[2]

4. The remaining proposal requests the assignment of Channels 265A and 280A to Bangor. Penobscot has indicated that it will apply for authorization to operate on either of these channels if they are assigned. The Commission will not propose assignment of both channels but will propose alternate assignments instead. A staff study indicates that assignment of Channel 265A would result in preclusions affecting a significantly greater number of persons than would the 280A proposal. However, in order to keep its options open, the Commission is considering both alternatives. The Channel 265A proposal would result in significant preclusion on Channels 264, 265A and 266; the Channel 280A proposal would result in significant preclusion on Channels 278 and 280A Penobscot, in its engineering statement, indicates that the only communities within the preclusion areas of the proposed assignments with populations of 5,000 or more are Bangor, Millinocket and Belfast. Millinocket was recently assigned Channel 249A [3] and Penobscot avers that Channels 269A or 272A may be assignable to Belfast. Penobscot further states that there are a number of unoccupied assignments within and near the precluded areas that could serve those areas. These, it avers, are 224A at Calais, 261A at Holton, 237A at Machias, 257A at Lincoln [4] and 276A at Dover-Foxcroft, all in Maine.

5. The Commission is particularly concerned about possible preclusions resulting from the proposed assignments because amendment of the FM Table of Assignments to add channel assignments to the state is already complicated by Maine's proximity to Canada. Further, the areas involved are made up of small communities (most with populations under 2,500). For example, approximately half of Penobscot County's population is centered in only five communities (Bangor, 33,168; Brewer, 9,300; Millinocket, 7,742; Old Town, 9,057; and Orono, 9,989). The remainder of the

[1] All population figures are from the 1970 U.S. Census.

[2] In view of this decision, the Commission need not consider a statement in opposition to the 232A proposals submitted (by letter) by Norman R. Alpert, President of Alpine Broadcasting Corporation, the licensee of Station WMTQ, Mount Washington, New Hampshire.

[3] 47 F.C.C. 2d 787.

[4] However a construction permit for this channel was granted on July 22, 1974.

population is contributed by 58 separate communities, all with populations under 5,000 (70 percent under 1,000). As such, a showing of preclusions caused to communities with population of 5,000 or more is inadequate in the instant proceeding. An assignment predicated on such data could result in foreclosure from future assignments to clusters of communities within the preclusion area that are presently receiving inadequate local service. The petitioner should therefore submit a showing as to communities in the preclusion areas that have populations greater than 2,500 and should indicate what FM channels or service, if any, are assigned or available for assignment to each such community.

6. Bangor is presently served by 2 full-time AM stations, 1 daytime-only AM station and one Class B FM station. In addition, applications are pending for a construction permit to operate on Class B Channel 225, assigned to Bangor.[5] Ordinarily, such service is regarded as adequate for a city of Bangor's size and population. Penobscot should therefore justify the need for another assignment to Bangor. Penobscot may wish to consider, among other things, the social and economic relationships that exist between Bangor and the communities of Brewer (pop. 9,300), Old Town (pop. 9,057) and Orono (pop. 9,989), all of which are located within 10 miles of Bangor and none of which have commercial AM or FM facilities or assignments of their own.[6] In addition, the Commission is interested in considering counterproposals proposing assignments to these communities and expressing an intent to apply for a license to operate on them if the counterproposals are granted.

7. Bangor Broadcasting Corporation, an applicant for the Channel 225 Bangor assignment, has filed comments supporting the assignment of a third FM channel to Bangor.[7] However, it contends that a Class A assignment could not render adequate service to this area which presently has two Class B assignments. Bangor Broadcasting therefore urges that the Commission assign another Class B channel to Bangor.[8] It would appear that a Class B assignment would be more appropriate than a Class A assignment. This would avoid intermixture of classes and would thereby place all competitors for the Bangor market on an equal footing. As such, interested parties may indicate whether a Class B assignment is available and, if one is, should submit a preclusion study along lines set out above in paragraph 5. In addition, if a Class b channel is available and desired, proponents of such an assignment should state their intent to apply for authorization to use the channel if it is assigned, and if authorized, to build the station promptly.

8. It is the Commission's opinion that the aforementioned alternate proposals merit further exploration in a rule making proceeding. Therefore, pursuant to authority contained in sections 4(i), 303, 307(b) and 5(d)(1) of the Communications Act of 1934, as amended, and § 0.281(b)(6) of the Commission's rules and regulations, it is proposed to amend § 73.202(b) of the Commission's rules and regulations, the FM Table of Assignments, as follows:

§ 73.202 Table of assignments.

* * * * *

(b) * * *

City	Channel No.	
	Present	Proposed
Bangor, Maine	225, 246	225, 246, 280A
or alternatively:		
Bangor, Maine	225, 246	225, 246, 265A

9. *Showings required.* Comments are invited on the proposals discussed and set forth above. Penobscot Valley Broadcasting System, Inc. is expected to file comments even if it only resubmits or incorporate by reference its former pleadings. Penobscot Valley Broadcasting System, Inc. should also restate its present intention to apply for authorization to use the channel if it is assigned, and if authorized, to build the station promptly. Failure to file may lead to denial of the request.

10. *Cut-off procedure.* The following procedures will govern the consideration of filings in this proceeding:

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See § 1.420(d))

(b) With respect to petitions for rule making which conflict with the proposal in this Notice, they will be considered as comments in this proceeding, and Public Notice to this effect will be given, as long as they are filed before the date for filing initial comments herein. If filed later than that, they will not be considered in connection with the decision herein.

11. Pursuant to applicable procedures set out in §§ 1.415 and 1.420 of the Commission's rules and regulations, interested parties may file comments on or before March 11, 1975, and reply comments on or before March 31, 1975. All submissions by parties to this proceeding or persons acting on behalf of such parties, must be made in written comments, reply comments, or other appropriate pleadings.

12. In accordance with the provisions of § 1.419 of the rules and regulations, an original and 14 copies of all comments, reply comments, pleadings, briefs, and other documents shall be furnished the Commission. These will be available for public inspection during regular business hours in the Commission's Public Reference Room at its Headquarters, 1919 M Street NW., Washington, D.C.

Adopted: January 7, 1975.

Released: January 10, 1975.

FEDERAL COMMUNICATIONS COMMISSION.
[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.75-1484 Filed 1-15-75;8:45 am]

[5] See footnote 7.

[6] Noncommercial educational Station WMEB-FM, operating on Channel 220A at Orono, is licensed to the University of Maine as is WMEH-FM operating on Channel 215B at Bangor. Also WHSN at Bangor holds a construction permit for 10 watts on Channel 207.

[7] There are competing applications for this assignment and they were designated for a comparative hearing. In that proceeding (Docket Nos. 19165 and 19166) Bangor Broadcasting Corporation was granted a permit to construct on Channel 225. However, the other party to the proceeding, Penobscot Broadcasting Corp. (not the petitioner in the instant rule making) has filed exceptions to this grant as has the Broadcast Bureau which recommends that the Bangor Broadcasting Corp. application be denied.

[8] Bangor Broadcasting does not propose a specific channel for assignment to Bangor.

VETERANS ADMINISTRATION

[38 CFR Part 1]

RELEASE OF INFORMATION FROM OTHER THAN CLAIMANT RECORDS

Proposed Regulatory Development

Notice is hereby given that the Veterans Administration is considering amending §§ 1.550 through 1.559 of Title 38, Code of Federal Regulations. The proposed revision implements the provisions of Pub. L. 93-502 (88 Stat. 1561) of November 21, 1974, effective February 19, 1975, which amends section 552, title 5, United States Code.

The § 1.550 series, Part 1, Code of Federal Regulations, concern availability and release of information from files, records, reports, and other papers and documents in Veterans Administration custody other than those pertaining to claims under any of the laws administered by the Veterans Administration (for which see §§ 1.500 through 1.527).

Section 1.551 is amended to update position titles. Section 1.552 is amended to update position titles and to define indexing requirements in accordance with 5 U.S.C. 552(a)(2). Section 1.553 is amended to substitute "reasonably described" for "identifiable" records, and to add the requirement that requests conform with published rules, in accordance with 5 U.S.C. 552(a)(3). Section 1.553 is also amended to correct a title. Section 1.553a is new and implements the provisions of 5 U.S.C. 552(a)(6) regarding time limitations on Veterans Administration responses to requests for records, in accordance with amendments made by Pub. L. 93-502. Section 1.554(a) is amended to provide for disclosure of reasonably segregable portions of material otherwise exempted therein. Section 1.554(a)(1) is amended to provide that material required to be exempted under this category be authorized under criteria established by executive order and be in fact properly classified pursuant to such executive order. Section 1.554(a)(7) is amended to substitute investigatory "records" for "files," to implement 5 U.S.C. 552(b) and to enumerate six grounds for withholding disclosure in lieu of the superseded ground of availability by law to a private party. Section

1.555 (a) and (b) is amended to implement the provisions of 5 U.S.C. 552(a)(4) which provides that charges be made in accordance with a uniform schedule of fees, pursuant to notice and receipt of public comment, designed to recover only the reasonable, standard, direct costs for manhours and resources expended in the areas of document search and duplication regarding materials to be made available to the public under §§ 1.552 and 1.553. Section 1.555(g) is new and has been added to implement the provisions of 5 U.S.C. 552(a)(4)(A), which provides that documents will be furnished without charge or at a reduced rate where the Veterans Administration determines that waiver or reduction of the fee is in the public interest because furnishing the information can be considered as primarily benefiting the general public. Section 1.555(h) is new. It provides for a uniform schedule of fees, limited to reasonable, standard charges for the recovery of direct costs for document search and duplication, as authorized by 5 U.S.C. 552(a)(4), in order to carry out its provisions. Section 1.556 is amended to substitute "reasonably described" for "identifiable" in the heading in accordance with 5 U.S.C. 552(a)(3). The text is amended to correct a position title and the former paragraph (b) is amended and transferred to § 1.557. Section 1.557 is amended to add former paragraph (b) of § 1.556 as amended, to provide that requesters, when informed in writing of denials, in addition to other information be informed of the names and titles or positions of each person responsible for the denial of such request, as provided by 5 U.S.C. 552(a)(6)(C), and that denials may be appealed to the Administrator. Section 1.558 is amended to update the legal reference. Section 1.559 is new. It is added to implement the provisions of 5 U.S.C. 552(d), which requires that the Administrator submit an annual report to Congress on or before March 1 of each calendar year, consisting of compilations of various data. This report will be compiled by the Controller. In addition minor editorial changes are made to reflect agency policy of using precise terms denoting gender.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue NW., Washington, DC 20420. All relevant material received before February 18, 1975, will be considered. All written comments received will be available for public inspection at the above address only between the hours of 8 am and 4:30 pm Monday through Friday (except holidays), during the mentioned 30-day period and for 10 days thereafter. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Assistance Unit in room 132. Such visitors to any VA field station will be informed that the records are available for inspection only in Central Office and furnished the address and the above room number.

Notice is given that it is proposed to make these amendments effective February 19, 1975.

1. The note immediately preceding § 1.550 is revised to read as follows:

NOTE. Sections 1.550 through 1.559 concern the availability and release of information from files, records, reports, and other papers and documents in Veterans Administration custody other than those pertaining to claims under any of the laws administered by the Veterans Administration. As to the release of information from Veterans Administration claimant records, see §§ 1.500 through 1.527. Section 1.550 series implement the provisions of 5 U.S.C. 552.

2. Section 1.550 is revised to read as follows:

§ 1.550 General.

The Veterans Administration's policy is one of disclosure of information from agency records to the extent permitted by law. This includes the release of information which the Veterans Administration is authorized to withhold under 5 U.S.C. 552(b) (see § 1.554) if it is determined (a) by the Administrator of Veterans Affairs or the Deputy Administrator that disclosure of such information will serve a useful purpose or (b) by a department, staff office, or field station head or designee under § 1.556(a) that disclosure will not adversely affect the proper conduct of official business or constitute an invasion of personal privacy.

3. In § 1.551, paragraph (a) and the introductory portion of paragraph (b) preceding subparagraph (1) are revised to read as follows:

§ 1.551 Publication in the Federal Register as constructive notice of information that affects the public.

(a) The Assistant Administrator for Planning and Evaluation, with the approval of the Administrator, will submit to the Director of the Federal Register, for publication for the guidance of the public, descriptions of Veterans Administration organization and functional responsibilities, Central Office and field, and the designations of places at which the public may secure information, obtain forms and applications, make submittals or requests, or obtain decisions. Such descriptions and designations will be maintained current through submission, for publication, of all amendments, revisions, or repeals of the foregoing.

(b) Department and Staff office heads will develop, with the approval of the Administrator, for submission by the Assistant Administrator for Planning and Evaluation to the Director of the Federal Register, for publication for the guidance of the public, Veterans Administration regulations containing:

* * * * *

4. In § 1.552, paragraph (a) and (b) are revised to read as follows:

§ 1.552 Public access to information that affects the public when not published in the Federal Register as constructive notice.

(a) All final orders in such actions as entertained by the Contract Appeals Board, those statements of policy and interpretations adopted by the Veterans Administration but not published in the FEDERAL REGISTER, and administrative manuals and staff instructions that affect any member of the public, unless promptly published and copies offered for sale, will be kept currently indexed by the office of primary program responsibility or the Manager, Administrative Services, as determined by the Administrator or designee. Such index or indexes or supplements thereto will be promptly published, quarterly or more frequently, and distributed (by sale or otherwise) unless the Veterans Administration determines by order published in the FEDERAL REGISTER that publication would be unnecessary and impracticable, in which case the Veterans Administration will nonetheless provide copies of such index or indexes or supplements thereto on request at a cost not to exceed the direct cost of duplication. Both the index and the materials indexed as required by this paragraph will be made available to the public, for inspection and copying. Public reading facilities for this purpose will be maintained in Veterans Administration Central Office and Veterans Administration field stations, open to the public during the normal duty hours of the office in which located. Orders made in the adjudication of individual claims under laws administered by the Veterans Administraiton are confidential and privileged by statute (38 U.S.C. 3301) and so are exempt from this requirement.

(b) The voting records of the Contract Appeals Board will be maintained in a public reading facility in the Office of the Board in Central Office and made available to the public upon request.

5. Section 1.553 is revised to read as follows:

* * * * *

§ 1.553 Public access to other reasonably described records.

Reasonably described records in Veterans Administration custody, or copies thereof, other than records made available to the public under the provisions of §§ 1.551 and 1.552, requested in accordance with published rules stating the time, place, fees (if any), and procedures to be followed, will be made promptly available, except as provided in § 1.554, to any person upon request. Such request must be in writing, over the signature of the requester and must contain a reasonable description of the record desired so that it may be located with relative ease. The request should be made to the office concerned (having jurisdiction of the record desired) or, if not known, to the Director or Veterans Services Officer in the nearest Veterans Administration regional office or to the Veterans Administration Central Office, 810 Vermont Avenue, NW., Washington, DC 20420. Personal contacts should normally be made during the regular duty hours of the office concerned, which are 8 am to 4:30 pm Monday through Friday for

Veterans Administration Central Office and most field stations.

6. Section 1.553a is added to read as follows:

§ 1.553a Time limits for Veterans Administration response to requests for records.

(a) When a request for records made under §§ 1.551, 1.552 or § 1.553 is received it will be promptly referred for action to the proper employee designated in accordance with § 1.556 to take initial action on granting or denying requests to inspect or obtain information from or copies of the records described.

(b) Any such request will then be promptly evaluated and a determination made within 10 days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of the request whether the Veterans Administration will comply with the request. Upon determination to comply or deny the request the person making the request will be notified immediately of the determination and the reasons therefor, and of the right of the person to appeal to the Administrator of Veterans' Affairs any adverse determination. Records to be furnished will be supplied promptly.

(c) Upon receipt of such an appeal from an adverse determination it will be evaluated and a further determination made within 20 days (excepting Saturdays, Sundays, and legal public holidays) after receipt of the appeal. If on appeal the denial is in whole or in part upheld the Veterans Administration will notify the requester of the provisions for judicial review of this determination. (See §§ 1.557 and 1.558.)

(d) In unusual circumstances, specifically as follows, the time limits in paragraphs (b) and (c) of this section may be extended by written notice to the requester setting forth the reasons for such extension and the date on which a determination is expected to be dispatched. The date specified will not result in an extension for more than 10 working days. "Unusual circumstances" will be interpreted to mean, but only to the extent reasonably necessary to the proper processing of the particular request, as follows:

(1) The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request;

(2) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request; or

(3) The need for consultation, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request or among two or more components of the Veterans Administration having substantial subject-matter interest therein.

(e) Pursuant to section 552(a)(6), title 5, United States Code, any person making a request to the Veterans Administration for records under section 552(a)(1), (2) or (3) (see §§ 1.551, 1.552 and 1.553) will be deemed to have exhausted his or her administrative remedies with respect to such request if the Veterans Administration fails to comply with the applicable time limit provisions of this section. If, however, the Government can show exceptional circumstances exist and that the Veterans Administration is exercising due diligence in responding to the request, the statute also permits the court to retain jurisdiction and allow the Veterans Administration additional time to complete its review of the records.

(f) Requests for the release of information from files, records, reports, and other papers and documents in Veterans Administration custody pertaining to claims under any of the laws administered by the Veterans Administration (covered by §§ 1.500 through 1.527) may also be initiated under 5 U.S.C. 552. Such requests will also be evaluated, a determination made within 10 days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of the request whether the Veterans Administration will comply with the request, and the requester notified immediately of the determination and the reasons therefor, and of the right of the person to appeal to the Administrator of Veterans' Affairs any adverse determination. Records to be furnished will be supplied promptly.

7. In § 1.554, paragraph (a)(1) and (7) is revised to read as follows:

§ 1.554 Exemptions from public access to agency records.

(a) The exemptions in this paragraph constitute authority to withhold from disclosure certain categories of information in Veterans Administration records except that any reasonably segregable portion of a record shall be provided to any person requesting such record after deletion of the portions which are exempt under this paragraph.

(1) Specifically authorized under criteria established by an Executive order to be kept secret in the interest of the national defense or foreign policy, and are in fact properly classified pursuant to such Executive order.

* * * * *

(7) Investigatory records compiled for law enforcement purposes but only to the extent that the production of such records would:

(i) Interfere with enforcement proceedings;

(ii) Deprive a person of a right to a fair trial or an impartial adjudication;

(iii) Constitute an unwarranted invasion of personal privacy;

(iv) Disclose the identity of a confidential source and, in the case of a record compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, confidential information furnished only by the confidential source;

(v) Disclose investigative techniques and procedures; or

(vi) Endanger the life or physical safety of law enforcement personnel.

* * * * *

8. In § 1.555, paragraphs (a) and (b) are revised and paragraphs (g) and (h) are added so that the added and revised material reads as follows:

§ 1.555 Fees.

(a) Charges will not be made for the use of reading facilities for examination of materials which are to be available to the public under § 1.552. Charges will be made, except as provided in paragraphs (c), (d), (e), (f), and (g) of this section, in accordance with the uniform schedule of fees in paragraph (h) of this section, established pursuant to notice in the FEDERAL REGISTER, and receipt of public comment, to recover only the reasonable, standard, direct costs for document search and duplication of such materials in response to requests from the public. The desired copy will not be delivered, except under court subpoena, until the full amount of the lawful charge is deposited. Any excess deposited over the lawful charge will be returned.

(b) Charges will be made, except as provided in paragraphs (c), (d), (e), (f), and (g) of this section, on each request from the public to examine, copy, or to be furnished copies of other reasonably described records under § 1.553. Such charges, in accordance with the uniform schedule of fees in paragraph (h) of this section will be made to recover only the reasonable, standard, direct costs for such document search and, if required, duplication of copies. Searches will not be undertaken until the requester has paid, or has provided sufficient assurance of payment of whatever fee is determined to be appropriate. Desired copies will not be delivered, except under court subpoena, until the full amount of the lawful charge is deposited. Any excess deposited over the lawful charge will be returned. When a deposit is received with a request, such a deposit will be returned if the request is denied.

* * * * *

(g) Documents and services will be furnished without charge or at a reduced charge where the station heads or responsible Central Office officials determine that waiver or reduction of the fee is in the public interest because furnishing the information can be considered as primarily benefiting the general public.

(h) Schedule of fees:

(1) Photocopy reproductions from all types of copying processes, each reproduction image..... $0.05

(2) Searching, per hour (minimum charge one-half hour)..... $3.50

(3) The above search fee is not applicable to computerized record searches. In situations involving the use of computers to locate and extract the requested information, charges will be based only on the direct cost to the agency, including labor, material and computer time.

(4) Where the Veterans Administration undertakes to perform for a requester or for any other person services which are very clearly not required to be performed under section 552, title 5, United States Code, either voluntarily or because such services are required by some other law (e.g., the formal certification of records as true copies, attestation under the seal of the agency, creation of a new list, etc.), the question of charging fees for such services will be determined by the official or designee authorized to release the information under § 1.556, in the light of the federal user charge statute, 31 U.S.C. 483a, any other applicable law, and the provisions of § 1.526(i).

9. Section 1.556 is revised to read as follows:

§ 1.556 Requests for other reasonably described records.

Each department, staff office, and field station head will designate an employee(s) who will be responsible for initial action on (granting or denying) requests to inspect or obtain information from or copies of records under their jurisdiction and within the purview of § 1.553. This responsibility includes maintaining a uniform listing of such requests. Data logged will consist of: Name and address of requester; date of receipt of request; brief description of request; action taken on request, granted or denied; citation of the specific section when request is denied; and date of reply to the requester. Any legal question arising in a field station concerning the release of information will be referred to the appropriate District Counsel for disposition as contemplated by § 13.401 of this chapter. In Central Office such legal questions will be referred to the General Counsel. Any administrative question will be referred through administrative channels to the appropriate department or staff office head. All denials or proposed denials at the Central Office level will be coordinated with the Director, Information Service as well as the General Counsel.

10. Section 1.557 is revised to read as follows:

§ 1.557 Administrative review.

(a) Upon denial of a request, the responsible Veterans Administration official or designated employee will inform the requester in writing of the denial, cite the specific exemption in § 1.554 upon which the denial is based, set forth the names and titles or positions of each person responsible for the denial of such request, and advise that the denial may be appealed to the Administrator.

(b) The final agency decision in such appeals will be made by the Administrator or Deputy Administrator.

11. Section 1.558 is revised to read as follows:

§ 1.558 Judicial review.

Any person from whom the Veterans Administration has withheld information or records after proper request as provided in § 1.553 may file a complaint in the appropriate United States district court as provided in 5 U.S.C. 552(a)(4). The district court review is designed to follow final action at the agency head level.

12. Section 1.559 is added to read as follows:

§ 1.559 Annual report to Congress.

(a) On or before March 1 of each calendar year the Administrator will submit a report to the Speaker of the House of Representatives and the President of the Senate for referral to the appropriate committees of the Congress.

(b) The report will be compiled by the Controller and will include:

(1) The number of determinations made by the Veterans Administration not to comply with requests for records made to the Veterans Administration under § 1.550 series and the reasons for each such determination.

(2) The number of appeals made by persons under § 1.550 series, the result of such appeals, and the reason for the action upon each appeal that results in a denial of information.

(3) The names and title or positions of each person responsible for the denial of records requested under § 1.550 series, and the number of instances of participation for each.

(4) The results of each proceeding conducted pursuant to 5 U.S.C. 552(a)(4)(F), including a report of the disciplinary action taken against the officer or employee who was primarily responsible for improperly withholding records or an explanation of why disciplinary action was not taken.

(5) A copy of every regulation made by the Veterans Administration regarding 5 U.S.C. 552.

(6) A copy of the fee schedule and the total amount of fees collected by the Veterans Administration for making records available under 5 U.S.C. 552.

(7) Such other information as indicates efforts to administer fully 5 U.S.C. 552.

Approved: January 13, 1975.

By direction of the Administrator.

[SEAL] ODELL W. VAUGHN,
Deputy Administrator.

[FR Doc.75-1455 Filed 1-15-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

[FRL 285-4]

CONNECTICUT

Control of Air Pollution From Facilities Owned, Operated or Under Contract With Connecticut Transportation Authority

On May 31, 1972 (47 FR 10842), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator initially approved the State Plan for implementation of the National Ambient Air Quality Standards in the State of Connecticut. The Administrator's approval of the Legal Authority section of that Plan was based on the assumption that the State had the legal authority required by 40 CFR 51.11, including authority to prevent construction, modification or operation of any stationary source where emissions from such sources will prevent the attainment or maintenance of a national standard.

Subsequently, the Connecticut Supreme Court ruled in "Town of Greenwich v. Connecticut Transportation Authority et al.", (Connecticut Law Journal, May 7, 1974, at 7) that Connecticut General Statutes Section 16-344 exempts facilities owned, operated or under contract with the Connecticut Transportation Authority from the State Implementation Plan. Therefore, under the present state of the law in Connecticut, the State does not have the legal authority required by the Clean Air Act and EPA regulations to control a group of facilities controlled by the State in accordance with the State's Implementation Plan. Insofar as such facilities are exempt from the Connecticut Implementation Plan, the Plan does not meet the requirements of 40 CFR 51.11(a) and EPA hereby proposes under authority of Section 110 of the Act, to disapprove them to that extent.

Section 110(c)(2) of the Clean Air Act directs the Administrator to publish proposed regulations to be substituted for any portion of a plan submitted by a state which he determines not to be in accordance with the requirements of section 110 of the Act, which regulations shall become a part of the state implementation plan. The Administrator hereby proposes to promulgate regulations applicable to all Connecticut Transportation Authority facilities, which regulations are identical to Connecticut Regulations for the Abatement of Air Pollution Sections 19-508-1 through 19-508-25 inclusive.

Copies of the regulations which are being proposed are available for public inspection during normal business hours at the Office of Public Affairs, EPA, Room 2203, John F. Kennedy Building, Boston Massachusetts 02203, and at the Air Compliance Unit, Connecticut Department of Environmental Protection, State Office Building, Hartford, Connecticut 06115.

Notice is hereby given of a public hearing concerning the proposed regulation to be held on February 11 at 8 p.m., Town Hall, Greenwich. The hearing will be conducted informally. Technical rules of evidence will not apply. Interested persons wishing to make a statement at the hearing will be afforded the opportunity to do so. The time for making a statement will be limited. Such persons are requested to file a notice of their intention to make a statement no later than fifteen days prior to the hearing and, if practicable, to submit five copies of the proposed statement to the Regional Administrator of the Environmental Protection Agency, Region I, JFK Building, Boston, Massachusetts 02203. Interested parties are also invited

to participate in this rulemaking by submitting written comments, preferably in triplicate, to Mr. Thomas Devine, Chief, Air Branch, Region I, U.S. Environmental Protection Agency, J. F. Kennedy Federal Building, Boston, Massachusetts 02203. All comments received within 30 days of the publication of this proposal will be considered.

A copy of all public comments will be available for inspection at the Office of Public Affairs, Region I, U.S. Environmental Protection Agency, Room 2203, J. F. Kennedy Federal Building, Boston, Massachusetts 02203.

(Sec. 110(c), Clean Air Act, as amended (42 U.S.C. 1857c-5(c)))

Dated: January 8, 1975.

JOHN QUARLES,
Acting Administrator.

Part 52 of Chapter I, Title 40 Code of Federal Regulations is hereby proposed to be amended as follows:

Subpart H—Connecticut

1. In § 52.377, paragraph (b) is added as follows:

§ 52.377 Legal authority.

* * * * *

(b) The requirements of § 51.11(a) of this chapter are not met because the State does not have the legal authority to enforce approved implementation plan regulations against facilities owned, operated, or under contract with the Connecticut Transportation Authority.

2. A new § 52.380 is added, as follows:

§ 52.380 Rules and regulations.

Connecticut Regulations for the Abatement of Air Pollution Section 19-508-1 through 19-508-25 inclusive, as approved by the Administrator, shall apply in all respects to facilities owned, operated or under contract with the Connecticut Transportation Authority.

[FR Doc.75-1545 Filed 1-15-75;8:45 am]

[40 CFR Part 52]

[FRL 322-6]

REVISIONS TO NEW JERSEY TRANSPORTATION CONTROL PLAN AND PLANS FOR ATTAINMENT AND MAINTENANCE OF SECONDARY STANDARD FOR SULFUR OXIDES IN NEW JERSEY

Notice of Public Hearing

On October 3, 1774 (39 FR 35686), the Administrator published in the FEDERAL REGISTER a notice which announced a proposed plan for attainment and maintenance of the national secondary standard for sulfur oxides. In this notice of proposed rulemaking the Administrator signified his intention of holding a public hearing on the proposed plan and indicated that such hearing would be held no sooner than 30 days following publication of the notice of proposed rulemaking.

On November 15, 1974 (39 FR 40306), EPA published in the FEDERAL REGISTER two proposed regulations for the New Jersey Transportation Control Plan. These proposed regulations are § 52.1586, Heavy-duty retrofit, and § 52.1596, Organic materials. Also in this FEDERAL REGISTER notice EPA proposed to amend § 52.1583, Regulation for annual inspection and maintenance, to provide for emissions inspection of heavy-duty, gasoline-fueled vehicles. In this notice of proposed rulemaking, the Administrator indicated that public hearings would be held no sooner than 30 days following publication of the proposed rules.

In addition, on October 16, 1974 the Commissioner of the New Jersey State Department of Environmental Protection submitted to the U.S. Environmental Protection Agency (EPA) two revisions to N.J.A.C. 7:27-15.1 et seq., Control and Prohibition of Air Pollution from Light-Duty Gasoline-Fueled Motor Vehicles. These revisions delay implementation of Phases II and III of the emissions inspection program from July 1, 1974 and July 1, 1975 to February 1, 1975 and February 1, 1976, respectively, and allow an exemption from the program for any pre-1968 model year vehicle or classification of light-duty gasoline-fueled vehicles. Even though EPA public hearings are not required on this subject, since the State already held hearings, EPA will also entertain comments on the above subject in order to gather more data for the EPA final decision.

As was previously announced in the "Trenton Times" of January 10, 1975 and the "Newark Star Ledger" of January 1, 1975, the dates, times, and places when the public hearings on these proposals for the New Jersey plan will be held are the following:

NEW JERSEY

January 20, 1975 at 10 a.m.
1st Floor Auditorium
Health & Agriculture Building
John Fitch Plaza
Trenton, New Jersey

January 21, 1975 at 10 a.m.
Room 312—College Center
Newark College of Engineering
150 Bleeker Street
Newark, New Jersey

Hearing Officer: Paul Bermingham

Persons wishing to participate in the public hearing should specify their intentions to the Regional Administrator or contact the hearing officer at the site and time of the public hearings.

Copies of the material which will be considered at the public hearing are available for public inspection at the Freedom of Information Center, 401 M Street, SW., Washington, D.C. 20460 and at the Region II Office, 26 Federal Plaza, New York, New York 10007, Room 907. Public comments on the proposals under consideration can be submitted to the Regional Administrator, U.S. Environmental Protection Agency, Room 1009, 26 Federal Plaza, New York, New York 10007. Comments received before February 15, 1975 will be considered.

Dated: January 14, 1975.

EDWARD F. TUERK,
Acting Assistant Administrator for Air and Waste Management.

[FR Doc.75-1681 Filed 1-15-75;8:57 am]

[40 CFR Part 429]

[FRL 321-6]

TIMBER PRODUCTS PROCESSING POINT SOURCE CATEGORY

Proposed Effluent Limitations and Guidelines

Notice is hereby given that the Environmental Protection Agency (EPA) is proposing to amend 40 CFR 429—Timber Products Processing Point Source Category, Subpart I—Wet Storage Subcategory, §§ 429.92, 429.93 and 429.95 as set forth below. 40 CFR 429 was promulgated on April 18, 1974 pursuant to sections 301, 304 (b) and (c), 306(b) and 307(c) of the Federal Water Pollution Control Act as amended 33 U.S.C. 1251, 1311, 1314 (b) and (c), 1316(b) and 1317(c); 86 Stat. 816 et seq.; Pub. L. 92-500 (the Act).

During the development of Subpart I, it was determined that the information available to the Agency was not presented in a form adequate to propose limitations and standards on the biologically related parameters measurable in effluents from wet storage operations. Because of the time constraints on the Agency as a result of the order by the Federal District Court for the District of Columbia entered in Natural Resources Defense Council, Inc. v. Train (Cv. No. 1609-73) regulations are being concurrently promulgated for Subpart I. The regulations being promulgated include limits only on particle size allowed to be discharged and pH.

Additional anlaysis of the data available and the collection and analysis of additional information has determined that it is feasible to propose limitations on the allowable level of discharge of biochemical oxygen demand concentrations from wet storage facilities.

It is recognized that a wet storage operation can serve as a biological type treatment system if there is adequate detention time. It is also recognized that wet storage water bodies are utilized as receivers of process waste water generated by other operations in timber products processing facilities. Pollutants discharged to wet storage water bodies from such operations as glue system wash ups, veneer dryer wash downs, finishing and fabrication operations may have an adverse effect on receiving waters if not adequately treated.

Evaluation of data from a number of wet storage bodies indicates that biochemical oxygen demand (BOD5) levels average less than 40 mg/l with only one of 40+ data points greater than 70.

On the basis of this information it is proposed that Subpart I be modified to include a BOD5 limitation of 50 mg/l concentration in process waste water discharge.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the EPA Information Center, Environmental Protection Agency, Washington, D.C. 20460. Attention: Mr. Philip B. Wisman. Comments on all aspects of the proposed regulations are solicited. In the event comments are in the nature of criticisms as

to the adequacy of data which is available, or which may be relied upon by the Agency, comments should identify and if possible, provide any additional data which may be available and should indicate why such data is essential to the development of the regulations. In the event comments address the approach taken by the agency in establishing effluent limitation guidelines, EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of sections 301 and 304(b) of the Act. All comments received on or before February 18, 1975 will be considered. Steps previously taken by the Environmental Protection Agency to facilitate public response within this time period are outlined in the advance notice concerning public review procedures published on August 6, 1973 (38 FR 21202).

In consideration of the foregoing it is proposed to amend 40 CFR 429 in the manner set forth below.

Dated: January 7, 1975.

RUSSELL E. TRAIN,
Administrator.

1. § 429.92 is amended to read as follows:

§ 429.92 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: There shall be no debris discharged, the BOD5 shall be no greater than 50 milligrams per liter and the pH shall be within the range of 6 to 9.

2. § 429.93 is amended to read as follows:

§ 429.93 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable: There shall be no debris discharged, the BOD5 shall be no greater than 50 milligrams per liter, and the pH shall be within the range of 6 to 9.

3. § 429.95 is amended to read as follows:

§ 429.95 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, which may be discharged by a new source subject to the provisions of this subpart: There shall be no debris discharged, the BOD5 shall be no greater than 50 milligrams per liter, and the pH shall be within the range of 6 to 9.

[FR Doc.75-1363 Filed 1-15-75;8:45 am]

[40 CFR Part 429]

[FRL 321-5]

TIMBER PRODUCTS PROCESSING POINT SOURCE CATEGORY

Proposed Pretreatment Standards for Existing Sources

Notice is hereby given pursuant to section 307(b) of the Federal Water Pollution Control Act, as amended (the Act); 33 U.S.C. 1251, 1317(b); 86 Stat. 816 et seq.; Pub. L. 92-500, that the proposed regulation set forth below proposes pretreatment standards for pollutants introduced into publicly owned treatment works. The proposal will amend 40 CFR 429—Timber Products Processing Point Source Category, establishing for each subcategory therein the extent of application of effluent limitations guidelines to existing sources which discharge to publicly owned treatment works. The regulation is intended to be complementary to the general regulation for pretreatment standards set forth at 40 CFR 128. The general regulation was proposed July 19, 1973 (38 FR 19236), and published in final form on November 8, 1973 (38 FR 30982).

The proposed regulation is also intended to supplement a final regulation being simultaneously promulgated by the Environmental Protection Agency (EPA or Agency) which provides effluent limitations and guidelines for existing sources and standards of performance and pretreatment standards for new sources within the wet storage, log washing, sawmills and planing mills, finishing, and particleboard manufacturing subcategories of the timber products processing point source category. The latter regulation applies to the portion of a discharge which is directed to the navigable waters. The regulation proposed below applies to users of publicly owned treatment works which fall within the description of the point source category to which the limitations and standards (40 CFR 429) promulgated simultaneously apply. However, the proposed regulation applies to the introduction of pollutants which are directed into a publicly owned treatment works, rather than to discharges of pollutants to navigable waters.

The general pretreatment standard divides pollutants discharged by users of publicly owned treatment works into two broad categories; "compatible" and "incompatible." Compatible pollutants are generally not subject to pretreatment standards. However, 40 CFR 128.131 (prohibited wastes) may be applicable to compatible pollutants. Additionally, local pretreatment requirements may apply (See 40 CFR 128.110). Incompatible pollutants are subject generally to pretreatment standards as provided in 40 CFR 128.133.

The regulation proposed below is intended to implement that portion of § 128.133, above, requiring that a separate provision be made stating the application to pretreatment standards of effluent limitations guidelines based upon best practicable control technology currently available.

Questions were raised during the public comment period on the proposed general pretreatment standard (40 CFR 128) about the propriety of applying a standard based upon best practicable control technology currently available to all plants subject to pretreatment standards. In general, EPA believes the analysis supporting the effluent limitations guidelines is adequate to make a determination regarding the application of those standards to users of publicly owned treatment works. However, to ensure that those standards are appropriate in all cases, EPA now seeks additional comments focusing upon the application of effluent limitations guidelines to users of publicly owned treatment works.

Sections 429.96, 429.106, 429.116, 429.126, and 429.136 of the proposed regulation for point sources within the wet storage, log washing, sawmills and planing mills, finishing, and particleboard manufacturing subcategories (August 26, 1974; 39 FR 30892) contained the proposed pretreatment standard for new sources. The regulation promulgated simultaneously herewith contains §§ 429.96, 429.106, 429.116, 429.126, and 429.136 which state the applicability of standards of performance for purposes of pretreatment standard for new sources.

A preliminary Development Document was made available to the public at approximately the time of publication of the notice of proposed rulemaking and the final Development Document entitled "Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Wet Storage, Sawmills, Particleboard and Insulation Board Segment of the Timber Products Processing Point Source Category" is now being published. The economic analysis report entitled "Economic Analysis of Proposed Effluent Guidelines, The Timber Processing Industry" (August 1974) was made available at the time of proposal. Copies of the final Development Document and economic analysis report will continue to be maintained for inspection and copying during the comment period at the EPA Information Center, Room 227, West Tower, Waterside Mall, 401 M Street SW., Washington, D.C. Copies will also be available for inspection at EPA regional offices and at State water pollution control agency offices. Copies of the Development Document may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Copies of the economic analysis report will be available for purchase through the National Technical Information Service, Springfield, Virginia 22151.

The Development Document referred to above contains information available to the Agency concerning the major environmental effects of the regulation proposed below. The information includes: (1) The identification of pollutants present in waste waters resulting from the processing of timber products, the characteristics of these pollutants, and the degree of pollutant reduction obtainable through implementation of the proposed standard; and (2) the anticipated effects on other aspects of the environment (including air, subsurface waters, solid waste disposal and land use, and noise) of the treatment technologies available to meet the standard proposed.

The Development Document and the economic analysis report referred to above also contain information available to the Agency regarding the estimated cost and energy consumption implications of those treatment technologies and the potential effects of those costs on the price and production of timber products. To the extent possible, significant aspects of the material have been presented in summary form in the preamble to the proposed regulation containing effluent limitations guidelines, new source performance standards and pretreatment standards for new sources within the timber products processing category (39 FR 30892; August 26, 1974). Additional discussion is contained in the analysis of public comments on the proposed regulation and the Agency's response to those comments. This discussion appears in the preamble to the promulgated regulation (40 CFR 429) which currently is being published in the rules and regulations section of the FEDERAL REGISTER.

The options available to the Agency in establishing the level of pollutant reduction obtainable through the best practicable control technology currently available, and the reasons for the particular level of reduction selected are discussed in the documents described above. In applying the effluent limitations guidelines to pretreatment standards for the introduction of incompatible pollutants into municipal systems by existing sources in the wet storage, log washing, sawmills, and planing mills, finishing and particleboard manufacturing subcategories, the Agency has, essentially three options. The first is to allow unrestricted discharge to publicly-owned treatment works of materials known to be adequately treated in such works (commonly classed as compatible pollutants). The second is to require the application of BPT based (1977) limitations to those pollutants which interfere with, pass through or otherwise are incompatible with such works. The third is to establish a different discharge limitation for those pollutants which are treated to a known degree in publicly owned treatment works but such treatment is relatively inadequate.

Process waste waters from the wet storage, log washing, sawmills, and planing mills, and the particleboard manufacturing subcategories primarily contain biochemical oxygen demand (BOD), suspended solids, and minimum quantities of organic materials resulting from the raw materials themselves. Machinery and mechanical equipment is used in the various processing steps and there is a possibility that the lubricating material used in the timber products processing subcategories subject to these proposed regulations may be present in the discharge to a municipal treatment system. Many municipal treatment systems currently have ordinances regulating industrial waste water discharges which limit oil and grease concentrations in the influent to the collection system to 100 milligrams per liter.

Waste water from finishing operations may contain a wide variety of materials, depending on the finishing activity. Some of these materials are present as BOD, suspended solids or pH and are effectively treated by a municipal treatment system. Other materials such as some organic solvents, soluble heavy metals, nonbiodegradable organic materials and chlorinated rubbers may be present in discharges from finishing operations. It is not possible to quantify the presence of these materials in process waste water from this subcategory. Depending on the products being processed, the length of the production run, and the nature of the finishing operations, the mass of pollutant discharged and the volume of water associated with the pollutant are subject to extreme variation.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the EPA Office of Public Affairs, Environmental Protection Agency, Washington, D.C. 20460, Attention: Ms. Ruth Brown, A-107. Comments on all aspects of the proposed regulations are solicited. In the event comments are in the nature of criticisms as to the adequacy of data which are available, or which may be relied upon by the Agency, comments should identify and, if possible, provide any additional data which may be available and should indicate why such data are essential to the development of the regulations. In the event comments address the approach taken by the Agency in establishing pretreatment standards for existing sources, EPA solicits suggestions as to what alternative aproach should be taken and why and how this alternative better satisfies the detailed requirements of sections 301, 304, and 307(b) of the Act.

A copy of all public comments will be available for inspection and copying at the EPA Information Center, Room 204, West Tower, Waterside Mall, 401 M Street SW., Washington, D.C. 20460. The EPA information regulation, 40 CFR 2, provides that a reasonable fee may be charged for copying.

In consideration of the foregoing, it is hereby proposed that 40 CFR 429 be amended to add sections 429.94, 429.104, 429.114, 429.124 and 429.134 as set forth below. All comments received on or before February 18, 1975, will be considered.

Dated: January 7, 1975.

RUSSELL E. TRAIN,
Administrator.

1. Subpart I is amended by adding § 429.94 as follows:

§ 429.94 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the wet storage subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), consistent with the requirements in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.-121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

Pollutant or Pollutant Property	*Pretreatment Standard*
pH	No limitation.
BOD5	Do.
TSS	Do.

* * * * *

2. Subpart J is amended by adding § 429.104 as follows:

§ 429.104 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the log washing subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), consistent with the requirements in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

Pollutant or Pollutant Property	*Pretreatment standard*
pH	No limitation.
BOD5	Do.
TSS	Do.

* * * * *

3. Subpart K is amended by adding § 429.114 as follows:

§ 429.114 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source

within the sawmills and planing mills subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), consistent with the requirements in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

Pollutant or pollutant property	*Pretreatment standard*
pH	No limitation.
BOD5	Do.
TSS	Do.

* * * * *

Subpart L is amended by adding § 429.124 as follows:

§ 429.124 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the finishing subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), consistent with the requirements in 40 CFR 128, except that, for the purpose of this section, 40 CFR §§ 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

Pollutant or pollutant property	*Pretreatment standard*
pH	No limitation.
BOD5	Do.
TSS	Do.

* * * * *

Subpart M is amended by adding § 429.134 as follows:

§ 429.134 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the particleboard manufacturing subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in 40 CFR 128 (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), consistent with the requirements in 40 CFR 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

Pollutant or pollutant property	*Pretreatment standard*
pH	No limitation.
BOD5	Do.
TSS	Do.

[FR Doc.75-1362 Filed 1-15-75;8:45 am]

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

[12 CFR Part 7]

CUSTOMER-BANK COMMUNICATION TERMINALS

Notice of Hearing

Notice is hereby given of a public hearing before the Comptroller of the Currency beginning at 10 a.m. April 2, 1975, in Monet I and II of the L'Enfant Plaza Hotel, Washington, D.C. to receive comments on whether 12 CFR 7.7491, Customer-Bank Communication Terminals, as amended December 24, 1974 (39 FR 44416), should be further modified or amended.

The December 24, 1974, amendment was an interpretive rule and was issued, as is permitted by statute, without formal solicitation of public comments. The ruling contained the following limitation:

> National banks are urged prior to July 1, 1975, not to establish a CBCT in any state in which state law would prohibit a state chartered bank from establishing a similar facility.

The accompanying statement reviewed the reason for this limitation, and recited that during May 1975 the Comptroller would examine the then existing situation to determine whether equitable considerations indicated further policy statements.

In addition to the further examination referred to in the Comptroller's statement, the Comptroller is aware of continued public interest in the CBCT ruling. The Comptroller believes that a public hearing, although not required, may be a useful vehicle for evaluating the experience with CBCT's established in accordance with the December 24, 1974, ruling and for affording any interested person an opportunity to make his views known to the Comptroller.

Any person who wishes to appear and testify at this hearing should give written notice on or before March 26, 1975, to the Chief Counsel, Office of the Comptroller of the Currency, 490 L'Enfant Plaza East, SW., Washington, D.C. 20219. Such notice should state the name of the person or persons to appear, the group such person or persons represent, if any, and the amount of time desired for a presentation. The Comptroller will establish a schedule for the presentation of statements and may limit the amount of time given to any participant.

Ten copies of any prepared statements or other written materials to be submitted to the Comptroller at the hearing should be filed with the Special Assistant for Public Affairs, Office of the Comptroller of the Currency, 490 L'Enfant Plaza East, SW., Washington, D.C. 20219 on or before 2 p.m., March 28, 1975. Persons desiring to submit written statements but not to appear at the hearing, may do so by filing ten copies of their written statements with the Special Assistant for Public Affairs on or before 2 p.m., March 28, 1975. All writings so filed will be available for public inspection.

Dated: January 13, 1975.

[SEAL] JAMES E. SMITH,
Comptroller of the Currency.

[FR Doc.75-1454 Filed 1-15-75;8:45 am]

Office of the Secretary

[31 CFR Part 1]

DISCLOSURE OF RECORDS

Uniform Fee Schedule

Notice is hereby given in accordance with 5 U.S.C. 553 that, pursuant to 5 U.S.C. 552(a)(4)(A) (as added by Pub. L. 93-502), the Department of the Treasury proposes to adopt the following amendments to its rules regarding disclosure of records in order to adopt a uniform schedule applicable to all constituent units of the Department covering the fees for search and duplication of records requested under 5 U.S.C. 552, the Freedom of Information Act. Prior to the final adoption of such rules, consideration shall be given to any comments pertaining thereto which are submitted in writing to Richard R. Albrecht, General Counsel, Room 3000, Department of the Treasury, 15th Street and Pennsylvania Avenue NW., Washington, D.C. 20220 and received on or before February 18. Pursuant to 31 CFR 1.4(b), 36 FR 13835, comments submitted in response to this notice of proposed rule making are available to the public upon request therefor unless confidential status for the submission has been requested and approved.

It is recognized that the fee schedule herein proposed may not provide for full recovery of the direct cost of search and duplication. Notice is, therefore, also given that if experience over a reasonable period so indicates, the fee schedule herein proposed may be revised to provide for such recovery as more closely approximates costs.

Further, notice is given that, on or before February 19, 1975, this Part 1 will be amended to comport with the requirements of Pub. L. 93-502 and, in such connection, will be made uniformly applicable to all constituent units of the Department of the Treasury.

Subject to the receipt of comments, it is proposed that 31 CFR Part 1, § 1.6 be deleted and that the following be substituted therefor:

§ 1.6 Fees for Services.

(a) *In General.* (1) This fee schedule is applicable uniformly to all constituent units of the Department and supersedes fee schedules heretofore published by any constituent unit of the Department. The fees indicated are to be charged only for search and duplication and under no circumstances will a fee be charged for determining whether an exemption can or should be asserted, deleting exempt matter being withheld from records to be furnished, or monitoring a requestor's inspection of agency records made available in this manner.

(2) While certain relevant publications which are available for sale through the Government Printing Office will be placed on the shelves of the reading rooms, such publications will not be available for sale there. Persons desiring to purchase such publications should contact the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. However, copies of pages of such publications on the reading room shelves may be obtained at the reading rooms in accordance with the schedule of fees set forth in this section.

(b) *When charged.* (1) Unless performed without charge, waived or reduced in accordance with paragraphs (c) or (d) of this section, fees shall be charged in accordance with the schedule contained in paragraph (g) of this section for services rendered in responding to requests for records.

(2) The fees may be waived or reduced at the discretion of the official who determines the availability of records, when the record is not located for any reason or when it is determined to be exempt from disclosure.

(c) *Services performed without charge.* (1) No charge shall be made for providing records to Federal, state or foreign governments, international governmental organizations, or local governmental agencies or offices thereof submitting requests in their official capacities.

(2) The heads of offices and bureaus are authorized to determine in accordance with 5 U.S.C. 553 which classes of records under their control may be provided to the public without charge, or at a reduced charge.

(d) *Waiver or reduction of fees.* (1) Fees may be waived or reduced in accordance with this paragraph by the official who determines the availability of the records, provided such waiver or reduction has been requested in writing. Fees shall be waived or reduced by such official when he determines that:

(i) The records are being requested by, or on behalf of, an individual who demonstrates in writing under penalty of perjury that he is indigent and compliance with the request does not constitute an unreasonable burden on the constituent unit of the Department; or

(ii) The person making the request has demonstrated in a written statement that waiver or reduction of the fees is in the public interest because furnishing the information primarily benefits the general public.

(2) Appeals from denials of requests for waiver or reduction of fees shall be decided in accordance with the criteria set forth in (1) above by the official authorized to decide appeals from denials of access to records. Appeals shall be addressed in writing to such official within thirty days of the denial of the initial request for waiver or reduction and shall be decided promptly.

(e) *Avoidance of unexpected fees.* In order to protect the requestor from unexpected fees, all requests for records shall contain an amount which the requestor has set as an acceptable upper limit to cover the cost of processing the request. When the costs estimated by the constituent unit of the Department for processing the request exceed that limit, or when the requestor has failed to state a limit and the costs are estimated to exceed $50.00, and the relevant constituent unit has not been determined to waive or reduce the fees, a notice shall be sent to the requestor. This notice shall:

(1) Inform the requestor of the estimated costs;

(2) Extend an offer to the requestor to confer with personnel of the relevant constituent unit of the Department in an attempt to reformulate the request in a manner that will reduce the fees and still meet the needs of the requestor; and

(3) Inform the requestor that the running of the time period, in which the relevant constituent unit of the Department is obliged to make a determination on the request, has been tolled pending a reformulation of the request or receipt of an agreement from the requestor to bear the estimated costs.

(f) *Form of payment.* (1) Payment shall be made by check or money order payable to the order of the Treasury of the United States or the relevant constituent unit of the Department.

(2) When the estimated costs exceed $50.00, the relevant constituent unit of the Department shall require the requester to enter into a contract for the payment of actual costs, which contract may provide for prepayment of the estimated costs.

(g) *Amounts to be charged for specified services.* The fees for services performed by the relevant constituent unit of the Department shall be imposed and collected as set forth in this paragraph. Should services other than those described be requested and rendered, appropriate fees shall be established by the head of the relevant constituent unit of the Department, or his delegate, and such fees shall be imposed and collected pursuant to 31 U.S.C. 483a, but subject to the constraints imposed by 5 U.S.C. 552(a)(4)(A).

(1) Duplication.

	Each
(i) Photocopies:	
Per page up to 8½" x 14"	$0.10
U.S. Savings Bond	0.50
Marketable security	1.50
Additional copies	0.75
(ii) Photographs, films and other materials—actual cost.	

The constituent unit of the Department may furnish the records to be released to a private contractor for copying and will charge the person requesting the records the actual cost of duplication charged by the private contractor. No fee will be charged where the requestor furnishes the supplies and equipment and makes the copies at the government location.

(2) Unpriced printed materials. Otherwise unpriced printed material, which is available at the location where requested and which does not require duplication in order that copies may be furnished, will be provided at the rate of $0.25 for each twenty-five pages or fraction thereof.

(3) Search Services.

(i) The fee charged for services of personnel involved in locating records shall be $3.50 for each hour or fraction thereof.

(ii) Where, because of the nature of the records sought and the manner in which such records are stored, a computer search is required, the fee shall be $3.50 for each hour (or fraction thereof) of personnel time associated with the search plus an amount which reflects the actual costs of extracting the stored information in the format in which it is normally produced, based on computer time and supplies necessary to comply with the request.

(4) Shipping charges to transport records from one location to another, or for the transportation of an employee to the site of requested records when it is necessary to locate rather than examine

the records, shall be at the rate of the actual cost of such shipping or transportation.

Dated: January 14, 1975.

[SEAL] STEPHEN S. GARDNER,
Deputy Secretary of the Treasury.

[FR Doc.75-1696 Filed 1-15-75;10:04 am]

GENERAL SERVICES ADMINISTRATION

[41 CFR Part 105-60]

FEES PERTINENT TO FREEDOM OF INFORMATION REQUESTS

Notice of Proposed Rulemaking

Recent amendments to the Freedom of Information Act (5 U.S.C. 552) require each agency to publish a uniform schedule of fees pertinent to Freedom of Information requests. This proposed GSA schedule is published in new § 105-60.-307.

Interested persons may participate in the proposed rulemaking by submitting written data, views, or arguments in duplicate to the General Services Administration (ALIP), Washington, D.C. 20405. Comments received before February 12, 1975, will be considered before final action is taken on this proposal. Copies of all written comments received will be available for examination by interested persons in the Office of Communications, Room 6117, General Services Administration, 18th and F Streets, NW, Washington, DC 20405.

It is proposed to amend Chapter 105 of Title 41, Code of Federal Regulations, as follows:

PART 105-60—PUBLIC AVAILABILITY OF AGENCY RECORDS AND INFORMATIONAL MATERIALS

The table of contents for Part 105-60 is amended by the addition of the following new entries:

105-60.307	Fees.
105-60.307-1	Scope of section.
105-60.307-2	Record material available without charge.
105-60.307-3	Copy of GSA records available at a fee.
105-60.307-4	Exemptions from fee.
105-60.307-5	Searches.
105-60.307-6	Prepayment of fees over $25.
105-60.307-7	Form of payment.
105-60.307-8	Fee schedule.

Subpart 105-60.3—Availability of Opinions, Orders, Policies, Interpretations, Manuals, and Instructions

New § 105-60.307 is added as follows:

§ 105-60.307 Fees.

§ 105-60.307-1 Scope of section.

This section sets forth policies and procedures to be followed in the assessment and collection of fees from a requester for the search and reproduction of GSA records.

§ 105-60.307-2 Record material available without charge.

Each GSA Business Service Center reading room provides a rack displaying GSA records available to the public in that region. Normally, material related to bids (excluding construction plans and specifications) and any material displayed on the rack may be obtained without charge upon request to the Business Service Center staff.

§ 105-60.307-3 Copy of GSA records available at a fee.

One copy of GSA records not available free of charge will be provided at a fee as provided in § 105-60.307-8. A reasonable number of additional copies will be provided for the applicable fee where reproduction services are not readily obtainable from private commercial sources.

§ 105-60.307-4 Exemptions from fee.

When the agency official handling the request for GSA records determines that at least one of the following conditions exists, he shall waive the fee requirement and provide one copy of the GSA records without charge to the requester:

(a) When the incremental cost of collecting the fee would be an unduly large part of or an amount greater than the fee;

(b) When the reproduction is for a foreign, State, or local government or international agency and furnishing it without charge is an appropriate courtesy;

(c) When furnishing the records without charge conforms to generally established business custom, such as furnishing personal reference data to prospective employers of former employees; or

(d) When the requester is indigent.

§ 105-60.307-5 Searches.

(a) The time spent in the following activities may be computed in determining "search time" subject to applicable fees as provided in § 105-60.307-8:

(1) Time spent in trying to locate GSA records which come within the scope of the request;

(2) Time spent either in transporting a necessary agency searcher to a place of record storage or in transporting records to the location of a necessary agency searcher (GSA must document in writing the necessity of transporting either the searcher or the records.); and

(3) Direct costs involving the use of computer time to locate and extract requested records.

(b) The time spent in the following activities may not be computed in determining search time subject to applicable fees as provided in § 105-60.307-8:

(1) Time spent in examining a requested record for the purpose of determining whether an exemption can and should be asserted;

(2) Time spent in deleting exempt matter being withheld from records to be made available;

(3) Time spent in monitoring a requester's inspection of agency records made available to him; and

(4) Time spent in operating reproduction facilities.

(c) If the requester has been given prior notice of the eventuality, the agency may charge a search fee even if no records are located which fall within the scope of the request, or if all records located which fall within the scope of the request are exempt from disclosure.

§ 105-60.307-6 Prepayment of fees over $25.

(a) When the agency official handling a request for GSA records determines that the anticipated total fee is likely to exceed $25, he shall notify the requester that he must prepay the anticipated fee prior to GSA's making the records available. GSA will remit the excess paid by the requester, or bill the requester for an additional amount, in the case of variations between the final fee charged and the amount prepaid.

(b) When a GSA official notifies a requester of the necessity of prepayment as provided in paragraph (a) of this subsection, the official also shall notify the requester that the computation of the applicable time limits for GSA's response to an initial request for records or an appeal will be tolled from the mailing date of the notification until the receipt of the prepayment.

§ 105-60.307-7 Form of payment.

Payment shall be by check or money order payable to the General Services Administration and shall be addressed to the official designated by GSA in correspondence with the requester or to the official to whom the request is addressed.

§ 105-60.307-8 Fee schedule.

In computing applicable fees, GSA will consider only its direct costs in providing the requested records.

(a) *Reproduction fees.*—(1) The fee for reproducing copies of GSA records (by routine electrostatic copying) up to and including material 8 x 13 inches shall be $0.10 per page.

(2) The fee for reproducing copies of GSA records over 8 x 13 inches or whose physical characteristics do not permit reproduction by routine electrostatic copying shall be the direct cost of reproducing

the records through Government or commercial sources.

(b) *Search fees.*—(1) The standard search fee shall be $4 per hour or fraction thereof beyond the initial half hour used to locate the requested records.

(2) When professional staff must be used to search for the requested records because clerical staff would be unable to locate them, the search fee shall be $8 per hour or fraction thereof beyond the initial half hour used to locate the requested records.

(3) When the search includes non-personnel expenditures to locate and extract requested records, such as computer time or transportation expenses, the applicable fee shall be the direct cost to GSA.

Dated: January 15, 1975.

ARTHUR F. SAMPSON,
Administrator of General Services.

[FR Doc.75-1725 Filed 1-15-75;12:28 pm]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF THE TREASURY

Internal Revenue Service

SMALL BUSINESS ADVISORY COMMITTEE TO THE COMMISSIONER OF INTERNAL REVENUE

Notice of Establishment

Pursuant to the Federal Advisory Committee Act of October 6, 1972, (Pub. L. 92–463), the Commissioners of Internal Revenue announces the establishment of an advisory committee titled the Small Business Advisory Committee to the Commissioner of Internal Revenue.

The purpose of the Committee is to provide communication and liaison between the Internal Revenue Service and the small business community in order to assist this segment of the economy in understanding and meeting its tax obligations and to provide constructive criticism of Service policies, procedures and programs as they relate to small business. The Committee will suggest ways in which the Service can improve its operations, will offer advice on lessening the reporting and paperwork burden on small business and on other specific problems and problem areas, and will serve as a sounding board for new policies and programs relating to small business.

It is in the public interest to create this Committee in order to determine the best and most effective way of communicating with this vital segment of the economy, estimated to include over 90 percent of the approximately 12 million business enterprises in the United States and to provide about one-half the jobs and over one-third of the gross national product. Establishment of the Committee is necessary because the advice, recommendations and constructive criticism of the Committee must represent the viewpoints of the small business community itself. Membership of the Committee will be balanced in terms of points of view represented and will include representatives from a wide variety of small business organizations and their advisors, such as accountants and lawyers, as well as public interest groups, and will also include representatives from various geographical regions and those having backgrounds or experience in various governmental agencies or organizations that deal with small business.

DONALD C. ALEXANDER,
Commissioner.

[FR Doc.75–1564 Filed 1–14–75;9:13 am]

DEPARTMENT OF DEFENSE

Department of the Air Force

COMMUNITY COLLEGE OF THE AIR FORCE ADVISORY COMMITTEE

Notice of Meeting

JANUARY 9, 1975.

The Community College of the Air Force Advisory Committee will hold an open meeting on February 11, 1975, beginning at 8:30 a.m., in the Billy Mitchell Conference Room, Building 900, Randolph Air Force Base, Texas.

Agenda items include affiliation and association procedures, relationships with professional organizations, Community College of the Air Force and civilian community and junior colleges and a summary of consultant reports of external validation of credit awarded.

For additional information on this meeting, contact Major W. A. Wojciechowski, Community College of the Air Force (ATC), Randolph Air Force Base, Texas 78148, 512–652–5013.

STANLEY L. ROBERTS,
Colonel, USAF, Chief, Legislative Division, Office of The Judge Advocate General.

[FR Doc.75–1390 Filed 1–15–75;8:45 am]

Department of the Army

WATER QUALITY PROGRAMS AND IMPLEMENTATION PLANS

Final Agreement

CROSS REFERENCE: For a document regarding joint agreement for interagency coordination of areawide waste treatment management planning assistance to State and Local Governments between the Environmental Protection Agency and the Department of the Army, see FR Doc. 75–1546, Environmental Protection Agency, Part III of this agency, *supra.*

Office of the Secretary

DDR&E HIGH ENERGY LASER REVIEW GROUP

Closed Meetings

Pursuant to the provisions of section 10 of Pub. L. 92–463, dated October 6, 1972, notice is hereby given that closed meetings of the DDR&E High Energy Laser Review Group will be held starting at 0830 on Wednesday and Thursday, February 12 and 13, 1975, at Andrews Air Force Base, Maryland.

The subject matter of the meetings is classified in accordance with subparagraph (1) of section 552(b) of Title 5 of the U.S. Code.

MAURICE W. ROCHE,
Director, Correspondence and Directives, OASD (Comptroller).

JANUARY 13, 1975.

[FR Doc.75–1509 Filed 1–15–75;8:45 am]

WAGE COMMITTEE

Closed Meetings

Pursuant to the provisions of section 10 of Pub. L. 92–463, effective January 5, 1973, notice is hereby given that meetings of the Department of Defense Wage Committee will be held on:

Tuesday, February 4, 1975
Tuesday, February 11, 1975
Tuesday, February 18, 1975
Tuesday, February 25, 1975

These meetings will convene at 9:45 a.m. and will be held in Room 1E–801, The Pentagon, Washington, D.C.

The Committee's primary responsibility is to consider and make recommendations to the Assistant Secretary of Defense (Manpower and Reserve Affairs) on all matters involved in the development and authorization of wage schedules for Federal prevailing rate employees pursuant to Pub. L. 92–392.

At these scheduled meetings, the Committee will consider wage survey specifications, wage survey data, local reports and recommendations, statistical analyses and proposed pay schedules derived therefrom.

Under the provisions of section 10(d) of Pub. L. 92–463, the Assistant Secretary of Defense (Manpower and Reserve Affairs) has determined that these meetings will be closed to the public because the matters considered are related to the internal personnel rules and practices of the Department of Defense (5 U.S.C. 552 (b)(2)) and the wage survey data considered by the Committee have been obtained from private industry with the guarantee of confidentiality (5 U.S.C. 552(b)(4)).

However, members of the public who may wish to do so, are invited to submit material in writing to the Chairman concerning matters felt to be deserving of the Committee's attention. Additional information concerning these meetings may be obtained by contacting the Chairman, Department of Defense Wage Committee,

Room 3D–281, The Pentagon, Washington, D.C.

MAURICE W. ROCHE,
Director, Correspondence and Directives OASD(C).

JANUARY 13, 1975.

[FR Doc.75–1510 Filed 1–15–75;8:45 am]

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 74–7]

NATIONAL ORGANIZATION FOR THE REFORM OF MARIHUANA LAWS, ET AL.

Hearing

On May 18, 1972, the National Organization for the Reform of Marihuana Laws (NORML) and others petitioned the Bureau of Narcotics and Dangerous Drugs (Now the Drug Enforcement Administration (DEA)) to institute proceedings to remove marihuana from control under the Controlled Substances Act or to transfer marihuana from Schedule I to Schedule V of the Act.

NORML's petition was rejected by the Director of the Bureau by Notice in the FEDERAL REGISTER on Thursday, September 7, 1972 (37 FR 18097).

NORML sought review of this rejection in the Court of Appeals for the District of Columbia and on January 15, 1974, the court remanded this matter to DEA for further proceedings.

On June 26, 1974, DEA filed a notice of proposed hearing in this matter in the FEDERAL REGISTER, indicating that the hearing, if requested by the petitioners or any of them, would be held:

for the purpose of receiving factual evidence and expert opinion on the issue and by the method described by the court as "whether there is any latitude (on the scheduling of marihuana under the Controlled Substance Act) consistent with treaty obligations, and herein receive expert testimony limited to this treaty issue".

On July 19, 1974, NORML and the American Public Health Association requested a hearing in this matter.

Therefore, Notice is hereby given that a hearing in this matter will be held commencing at 10:00 a.m. on January 28, 1975, in Room 1210, Drug Enforcement Administration, 1405 Eye Street, NW., Washington, D.C.

Dated: January 13, 1975.

JERRY N. JENSON,
Acting Deputy Administrator.

[FR Doc.75–1531 Filed 1–15–75;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

EYAK, ALASKA

Eligibility of Unlisted Village

This decision is published in exercise of authority delegated by the Secretary of the Interior to the Director, Juneau Area Office, Bureau of Indian Affairs, by Subpart 2651.2(a)(6), (8), (9) and (10) of Subchapter B of Chapter II of Title 43 of the Code of Federal Regulations published on page 14223 of the May 30, 1973, issue to the FEDERAL REGISTER.

The Alaska Native Claims Settlement Act of December 18, 1971 (Pub. L. 92–203, 92nd Congress; 85 Stat. 688–716), provides for the settlement of certain land claims of Alaska Natives and for other purposes.

Accordingly, the Director, Juneau Area Office, Bureau of Indian Affairs, pursuant to the authority delegated him in the regulations in 43 CFR Part 2650, authorizing him to make final decisions on behalf of the Secretary of the Interior on the eligibility of Native villages for benefits under the Alaska Native Claims Settlement Act, subject to appeal to the Ad Hoc Board, published on February 26, 1974, his Final Decision determining the eligibility of the unlisted Native village of Eyak, said decision appearing in 39 FR 7469, 7470 (1974).

The decision was appealed by the Alaska Wildlife Federation & Sportsmen's Council; Philip R. Holdsworth; the Sierra Club, Alaska Chapter; and the United States Forest Service, Department of Agriculture.

The Ad Hoc Board directed that a hearing be held on July 16, 1974 at Cordova, Alaska by an Administrative Law Judge who submitted to the Board his Recommended Decision, dated August 22, 1974.

The respondents, Native village of Eyak and Chugach Natives, filed a Motion for Reconsideration of the Remand Order, together with a Request for Hearing on the Motion for Reconsideration, which was denied by the Board on September 11, 1974. A request for disclosure of the Recommended Decision of the Administrative Law Judge filed by the Respondents, Native village of Eyak and Chugach Natives on September 9, 1974, was denied by the Board on September 11, 1974, pursuant to the provisions of the Public Information Act, 5 U.S.C. 552, and the regulations in 43 CFR Part 2.

Subsequently, pursuant to the Order Remanding for additional hearing, a hearing was held on October 9 and 10, 1974, at Cordova, Alaska, the parties filed additional post-hearing briefs, proposed findings and conclusions, and the Administrative Law Judge submitted a second Recommended Decision to the Board, dated November 19, 1974.

The Ad Hoc Board, also known as the Alaska Native Claims Appeal Board, on December 10, 1974 determined the unlisted Native village of Eyak, pursuant to section 11(b)(3) of said Act, 43 U.S.C. section 1610(b)(3), is now eligible to receive land benefits under section 14(a) of the Act, 43 U.S.C. section 1613(a).

In accordance with the Ad Hoc Board's decision, approved on December 17, 1974 by the Secretary of the Interior, Rogers C. B. Morton, and by telegram dated September 16, 1974, from Assistant Secretary of the Interior, Royston C. Hughes, authorized the Director, Juneau Area Office, Bureau of Indian Affairs to certify the unlisted Native village of Eyak as eligible for benefits under the Alaska Native Claims Settlement Act, said Director, hereby certifies the Native village of Eyak is eligible for benefits under said Act, said decision being not further appealable, therefore issues to the unlisted Native village of Eyak a Certification of Eligibility.

CLARENCE ANTIOQUIA,
Director.

[FR Doc.75–1394 Filed 1–15–75;8:45 am]

ALEXANDER CREEK, ALASKA

Ineligibility of Unlisted Village

This decision is published in exercise of authority delegated by the Secretary of the Interior to the Director, Juneau Area Office, Bureau of Indian Affairs, by Subpart 2651.2 (a) (6), (8), (9) and (10) of Subchapter B of Chapter II of Title 43 of the Code of Federal Regulations published on Page 14223 of the May 30, 1973, issue of the FEDERAL REGISTER (38 FR 14223).

The Alaska Native Claims Settlement Act of December 18, 1971 (Pub. L. 92–203, 92nd Congress; 85 Stat. 688–716), provides for the settlement of certain land claims of Alaska Natives and for other purposes.

Accordingly, the Director, Juneau Area Office, Bureau of Indian Affairs, pursuant to the authority delegated him in the regulations in 43 CFR Part 2650, authorizing him to make final decisions on behalf of the Secretary of the Interior on the eligibility of Native villages for benefits under the Alaska Native Claims Settlement Act, subject to appeal to the Ad Hoc Board, published on February 21, 1974, his Final Decision determining the eligibility of the unlisted Native village of Alexander Creek, said decision appearing in 39 FR 6623 (1974).

The decision was appealed by the Alaska Wildlife Federation & Sportsmen's Council, Inc.; Philip R. Holdsworth; the State of Alaska; the Sierra Club, Alaska Chapter; and the Matanuska-Susitna Borough.

The Ad Hoc Board directed that a hearing be and was conducted on July 11, July 12 and July 13, 1974 at Anchorage, Alaska by an Administrative Law Judge.

The Ad Hoc Board, also known as the Alaska Native Claims Appeal Board, on October 23, 1974 determined the unlisted Native Village of Alexander Creek, pursuant to section 11(b)(3) of said Act, 43 U.S.C. section 1610(b)(3), is not eligible to receive land benefits under section 14(a) 43 U.S.C. section 1613(a), of the Act.

The Ad Hoc Board thereby notified the Director that his Final Decision certifying the unlisted Native village of Alexander Creek as eligible shall become ineligible for benefits under the Alaska Native Claims Settlement Act which shall become final upon the personal approval by the Secretary of the Interior.

In accordance with the Ad Hoc Board's decision, approved on November 1, 1974 by the Secretary of the Interior, Rogers C. B. Morton and by telegram dated September 16, 1974 from Assistant Secretary of the Interior, Roystan C. Hughes, authorized the Director, Juneau Area Office,

Bureau of Indian Affairs, to certify the unlisted Native village of Alexander Creek as not eligible for benefits under the Alaska Native Claims Settlement Act, said Director, hereby certifies the unlisted Native village of Alexander Creek is not eligible for benefits under said Act, said decision being not further appealable, therefore issues to the unlisted Native village of Alexander Creek a Certification of Ineligibility.

CLARENCE ANTIOQUIA,
Director.

JANUARY 9, 1975.

[FR Doc.75-1490 Filed 1-15-75;8:45 am]

ANTON LARSEN BAY, ALASKA

Ineligibility of Unlisted Village

This decision is published in exercise of authority delegated by the Secretary of the Interior to the Director, Juneau Area Office, Bureau of Indian Affairs, by Subpart 2651.2(a) (6), (8), (9) and (10) of Subchapter B of Chapter II of Title 43 of the Code of Federal Regulations published on page 14223 of the May 30, 1973, issue of the FEDERAL REGISTER. (38 FR 14223).

The Alaska Native Claims Settlement Act of December 18, 1971 (Pub. L. 92-203, 92d Congress; 85 Stat. 688-716), provides for the settlement of certain land claims of Alaska Natives and for other purposes.

Accordingly, the Director, Juneau Area Office, Bureau of Indian Affairs, pursuant to the authority delegated him in the regulations in 43 CFR Part 2650, authorizing him to make final decisions on behalf of the Secretary of the Interior on the eligibility of Native villages for benefits under the Alaska Native Claims Settlement Act, subject to appeal to the Ad Hoc Board, published on February 21, 1974, his Final Decision determining the eligibility of the unlisted Native village of Anton Larsen Bay, said decision appearing in 39 FR 6624 (1974).

The decision was appealed by the Alaska Wildlife Federation & Sportsmen's Council, Inc.; Philip R. Holdsworth; the State of Alaska; Sierra Club, Alaska Chapter; Ralph & Ethel Beamer; the U.S. Forest Service, Department of Agriculture; and the U.S. Fish and Wildlife Service. The Ad Hoc Board, also known as the Alaska Native Claims Appeal Board, directed that a hearing be and was conducted on August 2, 1974 at Kodiak, Alaska by an Administrative Law Judge.

The Ad Hoc Board, on October 3, 1974 determined that the unlisted Native village of Anton Larsen Bay, pursuant to section 11(b)(3), 43 U.S.C. Sec. 1610 (b)(3) of the Act is not eligible to receive land benefits under section 14(a), 43 U.S.C. sections 1613(a), of the Act.

The Ad Hoc Board thereby notified the Director that his Final Decision certifying the unlisted Native village of Anton Larsen Bay as eligible shall become ineligible for benefits under the Alaska Native Claims Settlement Act which shall become final upon the personal approval of the Secretary of the Interior.

In accordance with the Ad Hoc Board's decision, approved on October 23, 1974 by the Secretary of the Interior, Rogers C.B. Morton and by telegram dated September 16, 1974 from Assistant Secretary of the Interior, Royston C. Hughes, authorized the Director, Juneau Area Office, Bureau of Indian Affairs, to certify the unlisted Native village of Anton Larsen Bay as not eligible for benefits under the Alaska Native Claims Settlement Act, said Director, hereby certifies the unlisted Native village of Anton Larsen Bay is not eligible for benefits under said Act, said decision being not further appealable, therefore issues to the unlisted Native village of Anton Larsen Bay a Certification of Ineligibility.

CLARENCE ANTIOQUIA,
Director.

JANUARY 9, 1975.

[FR Doc.75-1491 Filed 1-15-75;8:45 am]

AYAKULIK, ALASKA

Ineligibility of Unlisted Village

This decision is published in exercise of authority delegated by the Secretary of the Interior to the Director, Juneau Area Office, Bureau of Indian Affairs, by Subpart 2651.2(a) (6), (8), (9) and (10) of Subchapter B of Chapter II of Title 43 of the Code of Federal Regulations published on page 14223 of the May 30, 1973, issue of the FEDERAL REGISTER (38 FR 14223).

The Alaska Native Claims Settlement Act of December 18, 1971 (Pub. L. 92-203, 92nd Congress; 85 Stat. 688-716), provides for the settlement of certain land claims of Alaska Natives and for other purposes.

Accordingly, the Director, Juneau Area Office, Bureau of Indian Affairs, pursuant to the authority delegated him in the regulations in 43 CFR Part 2650, authorizing him to make final decisions on behalf of the Secretary of the Interior on the eligibility of Native villages for benefits under the Alaska Native Claims Settlement Act, subject to appeal to the Ad Hoc Board, published on May 31, 1974, his Final Decision determining the eligibility of the unlisted Native village of Ayakulik, said decision appearing in 39 FR 19238 (1974).

The decision was appealed by the Alaska Conservation Society, Kodiak-Aleutian Chapter; Alaska Professional Hunters Association, Inc.; and the U.S. Fish & Wildlife Service. The Ad Hoc Board, also known as the Alaska Native Claims Appeal Board, directed that a de novo hearing be and was conducted on July 27, 1974 in Kodiak, Alaska by an Administrative Law Judge.

The Ad Hoc Board, on September 26, 1974 determined that the unlisted Native village of Ayakulik, pursuant to section 11(b)(3), 43 U.S.C. sec. 1610(b)(3) of the Act is not eligible to receive land benefits under section 14(a), 43 U.S.C. section 1613(a), of the Act.

The Ad Hoc Board thereby notified the Director that his Final Decision certifying the unlisted Native village of Ayakulik as eligible shall become ineligible for benefits under the Alaska Native Claims Settlement Act which shall become final upon the personal approval of the Secretary of the Interior.

In accordance with the Ad Hoc Board's decision, approved on October 3, 1974, by the Secretary of the Interior, Rogers C. B. Morton and by telegram dated September 16, 1974 from Assistant Secretary of the Interior, Royston C. Hughes, authorized the Director, Juneau Area Office, Bureau of Indian Affairs, to certify the unlisted Native village of Ayakulik as not eligible for benefits under the Alaska Native Claims Settlement Act, said Director, hereby certifies the unlisted Native village of Ayakulik is not eligible for benefits under said Act, said decision being not further appealable, therefore issues to the unlisted Native village of Ayakulik a Certification of Ineligibility.

CLARENCE ANTIOQUIA,
Director.

JANUARY 9, 1975.

[FR Doc.75-1492 Filed 1-15-75;8:45 am]

BELLS FLATS, ALASKA

Ineligibility of Unlisted Village

This decision is published in exercise of authority delegated by the Secretary of the Interior to the Director, Juneau Area Office, Bureau of Indian Affairs, by Subpart 2651.2(a)(6), (8), (9) and (10) of Subchapter B of Chapter II of Title 43 of the Code of Federal Regulations published on page 14223 of the May 30, 1973 issue of the FEDERAL REGISTER (38 FR 14223).

The Alaska Native Claims Settlement Act of December 18, 1971 (Pub. L. 92-203, 92nd Congress; 85 Stat. 688-716), provides for the settlement of certain land claims of Alaska Natives and for other purposes.

Accordingly, the Director, Juneau Area Office, Bureau of Indian Affairs, pursuant to the authority delegated him in the regulations in 43 CFR Part 2650, authorizing him to make final decisions on behalf of the Secretary of the Interior on the eligibility of Native villages for benefits under the Alaska Native Claims Settlement Act, subject to appeal to the Ad Hoc Board, published on February 22, 1974, his Final Decision determining the eligibility of the unlisted Native village of Bells Flats, said decision appearing in 39 FR 6740 & 6741 (1974).

The decision was appealed by the U.S. Fish & Wildlife Service; the State of Alaska; the Sierra Club, Alaska Chapter; Ralph and Ethel Beamer; Philip R. Holdsworth; and the Alaska Wildlife Federation & Sportsmen's Council. The Ad Hoc Board, also known as the Alaska Native Claims Appeal Board, directed that a hearing be and was conducted on July 31, 1974 and August 1, 1974, at

Kodiak, Alaska by an Administrative Law Judge.

The Ad Hoc Board, on September 20, 1974 determined that the unlisted Native village of Bells Flats, pursuant to section 11(b)(3), 43 U.S.C. sec. 1610(b)(3) of the Act is not eligible to receive land benefits under sec. 14(a), 43 U.S.C. sec. 1613(a), of the Act.

The Ad Hoc Board thereby notified the Director that his Final Decision certifying the unlisted village of Bells Flats as eligible shall become ineligible for benefits under the Alaska Native Claims Settlement Act which shall become final upon the personal approval of the Secretary of the Interior.

In accordance with the Ad Hoc Board's decision, approved on October 3, 1974 by the Secretary of the Interior, Rogers C. B. Morton and by telegram dated September 16, 1974 from Assistant Secretary of the Interior, Royston C. Hughes, authorized the Director, Juneau Area Office, Bureau of Indian Affairs, to certify the unlisted Native village of Bells Flats as not eligible for benefits under the Alaska Native Claims Settlement Act, said Director, hereby certifies the unlisted Native village of Bells Flats is not eligible for benefits under said Act, said decision is not further appealable, therefore issues to the unlisted Native village of Bells Flats a Certification of Ineligibility.

CLARENCE ANTIOQUIA,
Director.

JANUARY 9, 1975.

[FR Doc.75-1493 Filed 1-15-75;8:45 am]

KASILOF, ALASKA

Ineligibility of Unlisted Village

This decision is published in exercise of authority delegated by the Secretary of the Interior to the Director, Juneau Area Office, Bureau of Indian Affairs, by Subpart 2651.2(a) (6), (8), (9) and (10) of Subchapter B of Chapter II of Title 43 of the Code of Federal Regulations published on Page 14223 of the May 30, 1973, issue of the FEDERAL REGISTER (38 FR 14223).

The Alaska Native Claims Settlement Act of December 18, 1971 (Pub. L. 92-203, 92nd Congress; 85 Stat. 688-716), provides for the settlement of certain land claims of Alaska Natives and for other purposes.

Accordingly, the Director, Juneau Area Office, Bureau of Indian Affairs, pursuant to the authority delegated him in the regulations in 43 CFR Part 2650, authorizing him to make final decisions on behalf of the Secretary of the Interior on the eligibility of Native villages for benefits under the Alaska Native Claims Settlement Act, subject to appeal to the Ad Hoc Board, published on February 26, 1974, his Final Decision determining the eligibility of the unlisted Native village of Kasilof, said decision appearing in 39 FR 7471 (1974).

The decision was appealed by the Alaska Wildlife Federation & Sportsmen's Council, Inc.; Philip R. Holdsworth; the State of Alaska; the Sierra Club, Alaska Chapter; U.S. Fish & Wildlife Service; and the Kenai Peninsula Conservation Society. The Ad Hoc Board directed that a hearing be and was conducted on July 17, 1974 at Soldotna, Alaska by an Administrative Law Judge.

The Ad Hoc Board, also known as the Alaska Native Claims Appeal Board, on September 12, 1974 determined the unlisted Native Village of Kasilof, pursuant to section 11(b)(3) of said Act, 43 U.S.C. section 1610(b)(3), is not eligible to receive land benefits under section 14(a), 43 U.S.C. section 1613(a), of the Act.

The Ad Hoc Board thereby notified the Director that his Final Decision certifying the unlisted Native village of Kasilof as eligible shall become ineligible for benefits under the Alaska Native Claims Settlement Act which shall become final upon the personal approval by the Secretary of the Interior.

In accordance with the Ad Hoc Board's decision, approved on September 24, 1974 by the Secretary of the Interior, Rogers C. B. Morton and by telegram dated September 16, 1974 from Assistant Secretary of the Interior, Royston C. Hughes, authorized the Director, Juneau Area Office, Bureau of Indian Affairs, to certify the unlisted Native village of Kasilof as not eligible for benefits under the Alaska Native Claims Settlement Act, said Director, hereby certifies the unlisted Native village of Kasilof is not eligible for benefits under said Act, said decision being not further appealable, therefore issues to the unlisted Native village of Kasilof a Certification of Ineligibility.

CLARENCE ANTIOQUIA,
Director.

JANUARY 9, 1975.

[FR Doc.75-1494 Filed 1-15-75;8:45 am]

LITNIK, ALASKA

Ineligibility of Unlisted Village

This decision is published in exercise of authority delegated by the Secretary of the Interior to the Director, Juneau Area Office, Bureau of Indian Affairs, by Subpart 2651.2(a) (6), (8), (9) and (10) of Subchapter B of Chapter II of Title 43 of the Code of Federal Regulations published on page 14223 of the May 30, 1973, issue of the FEDERAL REGISTER (38 FR 14223).

The Alaska Native Claims Settlement Act of December 18, 1971 (Pub. L. 92-203, 92d Congress; 85 Stat. 688-716), provides for the settlement of certain land claims of Alaska Natives and for other purposes.

Accordingly, the Director, Juneau Area Office, Bureau of Indian Affairs, pursuant to the authority delegated him in the regulations in 43 CFR Part 2650, authorizing him to make final decisions on behalf of the Secretary of the Interior on the eligibility of Native villages for benefits under the Alaska Native Claims Settlement Act, subject to appeal to the Ad Hoc Board, published on May 31, 1974, his Final Decision determining the eligibility of the unlisted Native village of Litnik, said decision appearing in 39 FR 19239 (1974).

The decision was appealed by the State of Alaska; the Alaska Conservation Society; Alaska Professional Hunters Association, Inc.; and the U.S. Forest Service, Department of Agriculture. The Ad Hoc Board, also known as the Alaska Native Claims Appeal Board, directed that a hearing be and was conducted on August 5, 1974 at Kodiak, Alaska by an Administrative Law Judge.

The Ad Hoc Board, on September 25, 1974 determined that the unlisted Native village of Litnik, pursuant to section 11(b)(3) of the Alaska Native Claims Settlement Act, 43 U.S.C. sec. 1610(b)(3), the unlisted Native village of Litnik is not eligible for benefits under section 14(a), 43 U.S.C. sec. 1613(a), of the Act.

The Ad Hoc Board thereby notified the Director that his Final Decision certifying the unlisted Native village of Litnik as eligible shall become ineligible for benefits under the Alaska Native Claims Settlement Act which shall become final upon the personal approval of the Secretary of the Interior.

In accordance with the Ad Hoc Board's decision, approved on October 3, 1974, by the Secretary of the Interior, Rogers C. B. Morton and by telegram dated September 16, 1974 from Assistant Secretary of the Interior, Royston C. Hughes, authorized the Director, Juneau Area Office, Bureau of Indian Affairs, to certify the unlisted Native village of Litnik as not eligible for benefits under the Alaska Native Claims Settlement Act, said Director, hereby certifies the unlisted Native village of Litnik is not eligible for benefits under said Act, said decision being not further appealable, therefore issues to the unlisted Native village of Litnik a Certification of Ineligibility.

CLARENCE ANTIOQUIA,
Director.

JANUARY 9, 1975.

[FR Doc.75-1495 Filed 1-15-75;8:45 am]

POINT POSSESSION, ALASKA

Ineligibility of Unlisted Village

This decision is published in exercise of authority delegated by the Secretary of the Interior to the Director, Juneau Area Office, Bureau of Indian Affairs, by Subpart 2651.2(a)(6), (8), (9) and (10) of Subchapter B of Chapter II of Title 43 of the Code of Federal Regulations published on page 14223 of the May 30, 1973, issue of the FEDERAL REGISTER (38 FR 14223).

The Alaska Native Claims Settlement Act of December 18, 1971 (Pub. L. 92-203, 92nd Congress; 85 Stat. 688-716), provides for the settlement of certain land claims of Alaska Natives and for other purposes.

Accordingly, the Director, Juneau Area Office, Bureau of Indian Affairs, pursuant to the authority delegated him in the regulations in 43 CFR Part 2650, authorizing him to make final decisions on behalf of the Secretary of the Interior on the eligibility of Native villages for benefits under the Alaska Native Claims Settlement Act, subject to appeal to the

Ad Hoc Board, published on February 26, 1974, his Final Decision determining the eligibility of the unlisted Native village of Point Possession, said decision appearing in 39 FR 7471 (1974).

The decision was appealed by the State of Alaska; U.S. Fish & Wildlife Service; Sierra Club, Alaska Chapter; Alaska Wildlife Federation and Sportsmen's Council; the U.S. Forest Service, Department of Agriculture; and Philip R. Holdsworth. The Ad Hoc Board, also known as the Alaska Native Claims Appeal Board, directed that a hearing be and was conducted on July 21, 1974 at Kodiak, Alaska by an Administrative Law Judge.

The Ad Hoc Board, on October 17, 1974 determined that the unlisted Native village of Point Possession, pursuant to Section 11(b)(3) of the Alaska Native Claims Settlement Act, 43 U.S.C. Sec. 1610(b)(3), the unlisted Native village of Point Possession is not eligible for benefits under Section 14(a), 43 U.S.C. Sec. 1613(a), of the Act.

The Ad Hoc Board thereby notified the Director that his Final Decision certifying the unlisted Native village of Point Possession as eligible, shall become ineligible for benefits under the Alaska Native Claims Settlement Act which shall then become final upon the personal approval of the Secretary of the Interior.

In accordance with the Ad Hoc Board's decision, approved on November 1, 1974, by the Secretary of the Interior, Rogers C. B. Morton and by telegram dated September 16, 1974 from Assistant Secretary of the Interior, Royston C. Hughes, authorized the Director, Juneau Area Office, Bureau of Indian Affairs, to certify the unlisted Native village of Point Possession as not eligible for benefits under the Alaska Native Claims Settlement Act, said Director, hereby certifies the unlisted Native village of Point Possession is not eligible for benefits under said Act, said decision being not further appealable, therefore issues to the unlisted Native village of Point Possession a Certification of Ineligibility.

CLARENCE ANTIOQUIA,
Director.

JANUARY 9, 1975.

[FR Doc.75-1496 Filed 1-15-75;8:45 am]

PORT WILLIAM, ALASKA

Ineligibility of Unlisted Village

This decision is published in exercise of authority delegated by the Secretary of the Interior to the Director, Juneau Area Office, Bureau of Indian Affairs, by Subpart 2651.2(a) (6), (8), (9) and (10) of Subchapter B of Chapter II of Title 43 of the Code of Federal Regulations published on page 14223 of the May 30, 1973 issue of the FEDERAL REGISTER (38 FR 14223).

The Alaska Native Claims Settlement Act of December 18, 1971 (Public Law 92-203, 92nd Congress; 85 Stat. 688-716), provides for the settlement of certain land claims of Alaska Natives and for other purposes.

Accordingly, the Director, Juneau Area Office, Bureau of Indian Affairs, pursuant to the authority delegated him in the regulations in 43 CFR Part 2650, authorizing him to make final decisions on behalf of the Secretary of the Interior on the eligibility of Native villages for benefits under the Alaska Native Claims Settlement Act, subject to appeal to the Ad Hoc Board, published on May 31, 1974, his Final Decision determining the eligibility of the unlisted Native village of Port William, said decision appearing in 39 FR 19241(1974).

The decision was appealed by the U.S. Forest Service, Department of Agriculture; Alaska Professional Hunters, Assoc.; the State of Alaska; Ralph & Ethel Beamer; and the Alaska Conservation Society.

The Ad Hoc Board, also known as the Alaska Native Claims Appeal Board, directed that a hearing be and was conducted on August 6, 1974 at Kodiak, Alaska by an Administrative Law Judge.

The Ad Hoc Board, on October 21, 1974 determined that the unlisted Native village of Port William, pursuant to section 11(b)(3), 43 U.S.C. section 1610(b)(3) of the Alaska Native Claims Settlement Act of December 18, 1971, is not eligible to receive land benefits under Sec. 14(a), 43 U.S.C. Sec. 1613(a), of the Act.

The Ad Hoc Board thereby notified the Director that his Final Decision certifying the unlisted Native village of Port William as eligible shall become ineligible for benefits under the Alaska Native Claims Settlement Act which shall become final upon the personal approval of the Secretary of the Interior.

In accordance with the Ad Hoc Board's decision, approved on November 1, 1974 by the Secretary of the Interior, Rogers C. B. Morton and by telegram dated September 16, 1974 from Assistant Secretary of the Interior, Royston C. Hughes, authorized the Director, Juneau Area Office, Bureau of Indian Affairs, to certify the unlisted Native village of Port William as not eligible for benefits under the Alaska Native Claims Settlement Act, said Director, hereby certifies the unlisted Native village of Port William is not eligible for benefits under said Act, said decision is not further appealable, therefore issues to the unlisted Native village of Port William a Certification of Ineligibility.

CLARENCE ANTIOQUIA,
Director.

JANUARY 9, 1975.

[FR Doc.75-1497 Filed 1-15-75;8:45 am]

SOLOMON, ALASKA

Ineligibility of Unlisted Village

This decision is published in exercise of authority delegated by the Secretary of the Interior to the Director, Juneau Area Office, Bureau of Indian Affairs, by Subpart 2651.2(a) (6), (8), (9) and (10) of Subchapter B of Chapter II of Title 43 of the Code of Federal Regulations published on page 14223 of the May 30, 1973, issue of the FEDERAL REGISTER (38 FR 14223).

The Alaska Native Claims Settlement Act of December 18, 1971 (Pub. L. 92-203, 92nd Congress; 85 Stat. 688-716), provides for the settlement of certain land claims of Alaska Natives and for other purposes.

Accordingly, the Director, Juneau Area Office, Bureau of Indian Affairs, pursuant to the authority delegated him in the regulations in 43 CFR Part 2650, authorizing him to make final decisions on behalf of the Secretary of the Interior on the eligibility of Native villages for benefits under the Alaska Native Claims Settlement Act, subject to appeal to the Ad Hoc Board, published on February 22, 1974, his Final Decision determining the eligibility of the unlisted Native village of Solomon, said decision appearing in 39 FR 6745 (1974).

The decision was appealed by the Alaska Wildlife Federation & Sportsmen's Council, Inc.; Philip R. Holdsworth; the State of Alaska; and the Sierra Club, Alaska Chapter. The Ad Hoc Board, also known as the Alaska Native Claims Appeal Board, directed that a hearing be and was conducted on July 10, 1974 at Nome, Alaska by an Administrative Law Judge.

The Ad Hoc Board, on September 16, 1974 determined that the unlisted Native village of Solomon, pursuant to section 11(b)(3), 43 U.S.C. 1610(b)(3) of the Act is not eligible to receive land benefits under section 14(a), 43 U.S.C. sections 1613(a), of the Act.

The Ad Hoc Board thereby notified the Director that his Final Decision certifying the unlisted Native village of Solomon as eligible shall become ineligible for benefits under the Alaska Native Claims Settlement Act which shall become final upon the personal approval of the Secretary of the Interior.

In accordance with the Ad Hoc Board's decision, approved on October 3, 1974, by the Secretary of the Interior, Roger C. B. Morton and by telegram dated September 16, 1974 from Assistant Secretary of the Interior, Royston C. Hughes, authorized the Director, Juneau Area Office, Bureau of Indian Affairs, to certify the unlisted Native village of Solomon as not eligible for benefits under the Alaska Native Claims Settlement Act, said Director, hereby certifies the unlisted Native village of Solomon is not eligible for benefits under said Act, said decision being not further appealable, therefore issues to the unlisted Native village of Solomon a Certification of Ineligibility.

CLARENCE ANTIOQUIA,
Director.

JANUARY 9, 1975.

[FR Doc.75-1498 Filed 1-15-75;8:45 am]

UGANIK, ALASKA

Ineligibility of Unlisted Village

This decision is published in exercise of authority delegated by the Secretary of the Interior to the Director, Juneau Area

Office, Bureau of Indian Affairs, by Subpart 2651.2(a) (6), (8), (9) and (10) of Subchapter B of Chapter II of Title 43 of the Code of Federal Regulations published on page 14223 of the May 30, 1973, issue of the FEDERAL REGISTER (38 FR 14223).

The Alaska Native Claims Settlement Act of December 18, 1971 (Pub. L. 92-203, 92nd Congress; 85 Stat. 688-716), provides for the settlement of certain land claims of Alaska Natives and for other purposes.

Accordingly, the Director, Juneau Area Office, Bureau of Indian Affairs, pursuant to the authority delegated him in the regulations in 43 CFR Part 2650, authorizing him to make final decisions on behalf of the Secretary of the Interior on the eligibility of Native villages for benefits under the Alaska Native Claims Settlement Act, subject to appeal to the Ad Hoc Board, published on May 31, 1974, his Final Decision determining the eligibility of the unlisted Native village of Uganik, said decision appearing in 39 FR 19241 (1974).

The decision was appealed by the Alaska Conservation Society, Kodiak-Aleutian Chapter; Alaska Professional Hunters Association, Inc.; and the U.S. Fish & Wildlife Service. The Ad Hoc Board, also known as the Alaska Native Claims Appeal Board, directed that a de novo hearing be and was conducted on July 25, 1974 in Kodiak, Alaska by an Administrative Law Judge.

The Ad Hoc Board, on October 21, 1974 determined that the unlisted Native village of Uganik, pursuant to Section 11 (b)(3), 43 U.S.C. 1610(b)(3) of the Act is not eligible to receive land benefits under Section 14(a), 43 U.S.C. 1613(a), of the Act.

The Ad Hoc Board thereby notified the Director that his Final Decision certifying the unlisted Native village of Uganik as eligible shall become ineligible for benefits under the Alaska Native Claims Settlement Act which shall become final upon the personal approval of the Secretary of the Interior.

In accordance with the Ad Hoc Board's decision, approved on November 1, 1974 by the Secretary of the Interior, Rogers C. B. Morton and by telegram dated September 16, 1974 from Assistant Secretary of the Interior, Royston C. Hughes, authorized the Director, Juneau Area Office, Bureau of Indian Affairs, to certify the unlisted Native village of Uganik as not eligible for benefits under the Alaska Native Claims Settlement Act, said Director, hereby certifies the unlisted Native village of Uganik is not eligible for benefits under said Act, said decision being not further appealable therefore issues to the unlisted Native village of Uganik a Certification of Ineligibility.

CLARENCE ANTIOQUIA,
Director.

JANUARY 9, 1975.

[FR Doc.75-1499 Filed 1-15-75;8:45 am]

Bureau of Land Management

[NM 23682]

NEW MEXICO

Proposed Withdrawal and Reservation of Lands

JANUARY 8, 1975.

The National Park Service, U.S. Department of the Interior, has filed application NM 23682 for withdrawal of the land described below from location and entry under the public land laws only. The applicant desires the lands for use in connection with the Capulin Mountain National Monument.

On or before February 18, 1975, all persons who wish to submit comments, suggestions or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, P.O. Box 1449, Santa Fe, New Mexico 87501.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate land needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The land involved in the application is:

NEW MEXICO PRINCIPAL MERIDIAN

T. 29 N., R. 28 E.,
Sec. 5, NE¼ of lot 3, N½SE¼ of lot 3 and NE¼SW¼ of lot 3.

The area described aggregates 17.464 acres in Union County.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-1500 Filed 1-15-75;8:45 am]

[NM 24248]

NEW MEXICO

Application

JANUARY 9, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Northwest Pipeline Corporation has applied for a 4½ inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 30 N., R. 5 W.,
Sec. 33, NW¼SW¼ and S½SW¼.

This pipeline will convey natural gas across .363 miles of national resource lands in Rio Arriba County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, 3550 Pan Amercan Freeway, NE, Albuquerque, NM 87107.

STELLA V. GONZALES,
Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-1501 Filed 1-15-75;8:45 am]

[NM 24249]

NEW MEXICO

Application

JANUARY 9, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for two 4½ inch natural gas pipelines rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 21 S., R. 26 E.,
Sec. 4, Lots 10 and 11.

These pipelines will convey natural gas across .283 miles of national resource land in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, PO Box 1397, 1717 West Second Street, Roswell, NM 88201.

STELLA V. GONZALES,
Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-1502 Filed 1-15-75;8:45 am]

[NM 24250]

NEW MEXICO

Application

JANUARY 9, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act

of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for a 4½ inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO
T. 29 N., R. 11 W.
Sec. 9, SE¼NE¼.

This pipeline will convey natural gas across .215 miles of national resource lands in San Juan County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, 3550 Pan American Freeway, NE, Albuquerque, NM 87107.

STELLA V. GONZALES,
Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-1503 Filed 1-15-75;8:45 am]

[NM 24071]

NEW MEXICO

Application

JANUARY 8, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Transwestern Pipeline Company has applied for a 12-inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN

T. 22 S., R. 29 E.,
Sec. 19, E½SE¼, NW¼SE¼;
Sec. 20, SW¼SW¼;
Sec. 28, S½SW¼, NW¼SW¼;
Sec. 29, SW¼NE¼, E½NW¼, NW¼NW¼, N½SE¼;
Sec. 33, N½NE¼, SE¼NE¼, NE¼NW¼;
Sec. 34, SW¼NW¼, E½SW¼, NW¼SW¼ and SW¼SE¼.
T. 23 S., R. 29 E.,
Sec. 3, Lots 1, 2, S½NE¼, NE¼SE¼;
Sec. 11, SW¼NE¼, E½NW¼, NW¼NW¼, E½SE¼, NW¼SE¼;
Sec. 12, SW¼SW¼;
Sec. 13, W½NE¼ and N½NW¼.

This pipeline will convey natural gas across 6.838 miles of national resource lands in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-1504 Filed 1-15-75;8:45 am]

[NM 24235, 24236, 24237, 24238, 24239, 24240]

NEW MEXICO

Applications

JANUARY 7, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for five 4½-inch and one 2⅜-inch natural gas pipelines rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 32 N., R. 6 W.,
Sec. 30, Lot 3, NE¼SW¼, and NW¼SE¼.
T. 30 N., R. 8 W.,
Sec. 29, Lots 12 and 13.
T. 27 N., R. 9 W.,
Sec. 3, Lots 5 and 6.
T. 27 N., R. 10 W.,
Sec. 12, Lot 4, and SW¼SE¼.
T. 29 N., R. 11 W.,
Sec. 5, SW¼SW¼;
Sec. 8, NW¼NW¼.

These pipelines will convey natural gas across 1.517 miles of national resource lands in San Juan County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, 3550 Pan American Freeway, NE, Albuquerque, NM 87107.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-1505 Filed 1-15-75;8:45 am]

NORTHWEST PIPELINE CORP.

Notice of Pipeline Application

JANUARY 9, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (41 Stat. 449), as amended (30 USC 185), Northwest Pipeline Corporation, P.O. Box 1526, Salt Lake City, Utah 84110, has applied for a right of way for a natural gas pipeline across the following lands:

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 5 S., R. 102 W.,
Section 14: SE¼NE¼, SW¼NE¼, Garfield County, Colorado.

The pipeline is an addition to Northwest Pipeline Corporation's natural gas gathering system in Garfield County, Colorado. The purpose of this project is to enable the applicant to meet increasing demands for natural gas.

The purposes of this notice are: to inform the public that the Bureau of Land Management will be proceeding with the preparation of environmental and other analyses necessary for determining whether the application should be approved and, if so, under what terms and conditions; to allow interested parties to comment on the application; and to allow any persons asserting a claim to the lands or having bona fide objections to the proposed pipeline right of way to file their objections in this office. Any person asserting a claim to the lands or having bona fide objections must include evidence that a copy thereof has been served on the applicant.

Any comment, claim, or objection must be filed with the Chief, Branch of Land Operations, Bureau of Land Management, Colorado State Office, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colorado 80202, within thirty days from the date of this notice.

RODNEY A. ROBERTS,
Acting Chief, Branch of Land Operations.

[FR Doc.75-1392 Filed 1-15-75;8:45 am]

Bureau of Reclamation

EL PASO COAL GASIFICATION 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 has prepared a draft environmental statement for the El Paso Coal Gasification Project. This statement (INT DES 74-77) was made available to the public on July 16, 1974.

The draft environmental statement deals with the construction and operation of a development gasifier and mine project, two commercial coal gasification complexes, and the mine, all of which would be located about 35 miles southwest of Farmington, New Mexico, on the Navajo Indian Reservation. The first complex, capable of producing 288 million cubic feet per day (MMCF/D) of substitute pipeline gas would be operational in 1978. The two complexes, with a total production capacity of 785 MMCF/D would be operational in 1981. Water for the project will be supplied from the Bureau of Reclamation's Navajo Reservoir.

A public hearing will be held in Farmington, New Mexico, at the Holiday Inn from 10 a.m. until noon, from 1:30 p.m. to 5:30 p.m., and from 7 p.m. to 10 p.m. on February 18, 1975, and in Window Rock, Arizona, at the Window Rock Civic Center from 10 a.m. until noon, from 1:30 p.m. to 5:30 p.m., and from 7 p.m. to 10 p.m. on February 19, 1975, to receive views and comments relating to the environmental impacts of this project. Oral statements at the hearing will be limited to a period of ten (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 letters or telephone requests 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 5 p.m., February 14, 1975, and any subsequent requests will be handled on a first-come-first-served basis following the scheduled presentation.

Each organization or individual desiring to present a statement at the hearing should contact Regional Director David L. Crandall, Bureau of Reclamation, Room 7201, 125 South State Street, Salt Lake City, Utah 84111, telephone (801) 524-5592, and announce the 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 February 26, 1975, for inclusion in the hearing record.

Dated: January 13, 1975.

G. G. STAMM,
Commissioner of Reclamation.

[FR Doc.75-1532 Filed 1-15-75;8:45 am]

National Park Service

[Order No. 6]

ASSISTANT SUPERINTENDENT ET AL.

Delegation of Authority

1. *Assistant Superintendent.* The Assistant Superintendent may execute, approve and administer contracts and issue purchase orders not in excess of $10,000 for supplies, equipment, and services in conformity with applicable regulations and statutory authority and subject to the availability of appropriated funds. Orders to GSA Centers and sources under established Federal Supply Schedules of Contracts or to other Federal agencies may exceed this amount. This authority may be exercised by the Assistant Superintendent in behalf of any office or area administered by Mammoth Cave National Park.

2. *Administrative Officer.* The Administrative Officer may execute, approve and administer contracts and issue purchase orders not in excess of $10,000 for supplies, equipment and services in conformity with applicable regulations and statutory authority and subject to the availability of appropriated funds. Orders to GSA Centers and sources under established Federal Supply Schedules of Contracts or to other Federal agencies may exceed this amount. This authority may be exercised by the Administrative Officer in behalf of any office or area administered by Mammoth Cave National Park.

3. *General Supply Specialist.* The General Supply Specialist may execute, approve and administer contracts and issue purchase orders not in excess of $5,000 for supplies, equipment and services in conformity with applicable regulations and statutory authority and subject to the availability of appropriated funds. Orders to GSA Centers and sources under established Federal Supply Schedules of Contracts or to other Federal agencies may exceed this amount. This authority may be exercised by the General Supply Specialist in behalf of any office or area administered by Mammoth Cave National Park.

4. *Great Onyx Job Corps Civilian Conservation Center Director and the Administrative Officer.* The Great Onyx Job Corps Civilian Conservation Center Director and the Administrative Officer may execute, approve and administer contracts and issue purchase orders not in excess of $2,500 for supplies, equipment and services in conformity with applicable regulations and statutory authority and subject to the availability of appropriated funds. Orders to GSA Centers and sources under established Federal Supply Schedules of Contracts or to other Federal agencies may exceed this amount.

5. Redelegation. The authority delegated in this Order No. 6 may not be redelegated.

6. Revocation. This order supersedes Order No. 5, dated June 28, 1972 (37 FR 12735).

(National Park Service Order No. 77 (38 FR 7478) as amended; Southeast Region Order No. 5 (37 FR 7721) as amended)

Dated: September 11, 1974.

JOSEPH KULESZA,
Superintendent,
Mammoth Cave National Park.

[FR Doc.75-1366 Filed 1-15-75;8:45 am]

[Order No. 10]

ASSISTANT SUPERINTENDENT ET AL.

Delegation of Authority

Delegation of authority regarding execution of contracts for supplies, equipment, or services.

1. *Assistant Superintendent.* The Assistant Superintendent may execute, approve, and administer contracts not in excess of $75,000 for construction, supplies, equipment, and services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds. This authority may be exercised by the Assistant Superintendent in behalf of any office or area administered by Natchez Trace Parkway.

2. *Administrative Officer.* The Administrative Officer may execute, approve, and administer contracts not in excess of $50,000 for construction, supplies, equipment, and services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds. This authority may be exercised by the Administrative Officer in behalf of any office or area administered by Natchez Trace Parkway.

3. *General Supply Officer.* The General Supply Officer may execute, approve, and administer contracts not in excess of $25,000 for construction, supplies, equipment, and services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds. This authority may be exercised by the General Supply Officer in behalf of any office or area administered by Natchez Trace Parkway.

4. *Supervisory Park Rangers.* The Supervisory Park Rangers in grades GS-9 and above may issue field purchase orders (SF-44) not in excess of $500 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

5. *Park Rangers (General).* The Park Rangers (General) in grades GS-9 and above may issue field purchase orders (SF-44) not in excess of $500 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

6. *Maintenance Supervisors.* Maintenance Supervisors in grades GS-11 and above may issue field purchase orders (SF-44) not in excess of $500 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

7. *Maintenance Foremen.* Maintenance Foremen may issue field purchase orders (SF-44) not in excess of $500 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

8. *Automotive Mechanic.* The Automotive Mechanic may issue field purchase orders (SF-44) not in excess of $500 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

9. *Clerk (Typing).* The Clerk (Typing) at Ridgeland may issue field purchase orders (SF-44) not in excess of $500 for supplies and equipment in conformity with apolicable regulations and statutory authority and subject to availability of appropriated funds.

10. *Revocation.* This Order supersedes Order No. 9 which was issued May 19, 1972 (37 FR 18406).

(National Park Service Order No. 77 (38 FR 7478), as amended, Southeast Region Order No. 5 (37 FR 7721) as amended)

C. W. OGLE,
Superintendent,
Natchez Trace Parkway.

SEPTEMBER 19, 1974.

[FR Doc.75-1365 Filed 1-15-75;8:45 am]

Office of the Secretary

LIVESTOCK GRAZING ON PUBLIC LANDS

Schedule of Fees, 1975

Pursuant to the authority vested in the Secretary of the Interior, notice is hereby given of the schedule of fees for the 1975 fee year beginning March 1, 1975, and ending February 29, 1976, for livestock grazing on the public lands.

For the purpose of establishing charges, one animal unit month (AUM) shall be considered equivalent to grazing use by one cow, five sheep, or one horse for one month. The charge for one horse is at twice the rate for one cow.

Bills shall be issued in accordance with the rates prescribed in this notice.

INSIDE STATUTORY GRAZING DISTRICTS

Pursuant to departmental regulations (43 CFR 4115.2-1(k)) as amended January 16, 1975 (40 FR 2812), fees within districts, except as otherwise provided herein, shall be $1 per AUM of which 50 cents is the grazing use fee and 50 cents is the range improvement fee.

Exceptions to the above rates are hereby set as follows for certain LU project lands (national grasslands) in order to continue the basis of fees that has heretofore been established:

Arizona. For the San Simon project (Cienega area) transferred to the Department by Executive Order 10322, the fees shall be $1.46 per AUM of which 50 cents is the grazing use fee and 96 cents is the range improvement fee.

Colorado. For the Great Divide project transferred to the Department by Executive Order 10046, the fees shall be $1.13 per AUM of which 50 cents is the grazing use fee and 63 cents is the range improvement fee.

Montana. For all LU lands within districts transferred to the Department by Executive Order 10787, the fees shall be $1.14 per AUM of which 50 cents is the grazing use fee and 64 cents is the range improvement fee.

New Mexico. For the Hope Land project transferred to the Department by Executive Order 10787, the fees shall be $1.08 per AUM of which 50 cents is the grazing use fee and 58 cents is the range improvement fee. For the San Simon project (Cienega area) transferred to the Department by Executive Order 10322, the fees shall be $1.46 per AUM of which 50 cents is the grazing use fee and 96 cents is the range improvement fee.

OUTSIDE STATUTORY GRAZING DISTRICTS (EXCLUSIVE OF ALASKA)

Pursuant to departmental regulations (43 CFR 4125.1-1(m)), the rate for grazing leases except as otherwise provided herein, shall be $1 per AUM of which 25 percent is the range improvement fee.

Exceptions to the above rate are hereby set as follows for certain LU project lands and for all O&C and intermingled public domain lands in western Oregon in order to continue the basis of fees that has heretofore been established:

Montana. For those Milk River Land project lands outside districts transferred to the Department by Executive Order 10787, the fee shall be $1.14 per AUM of which 25 percent is the range improvement fee.

Wyoming. For the northeast Wyoming project transferred to the Department by Executive Order 10046 and amended by Executive Order 10175, the fee shall be $1.13 per AUM of which 25 percent is the range improvement fee.

Western Oregon. For western Oregon the fee shall be $1.14 per AUM.

JACK O. HORTON,
Assistant Secretary of the Interior.

JANUARY 10, 1975.

[FR Doc.75-1403 Filed 1-15-75;8:45 am]

DIRECTOR, OFFICE OF EQUAL OPPORTUNITY

Delegation of Authority

This notice is issued in accordance with the provisions of 5 U.S.C. 552(a)(1). The Secretary of the Interior has issued a new delegation of authority to the Director, Office for Equal Opportunity, regarding nondiscrimination under Trans-Alaska Pipeline permits. The Director, Office for Equal Opportunity is designated the Department of the Interior Compliance Officer to perform functions assigned to such Officer under regulations implementing section 403 of Pub. L. 93-153 (43 CFR 27). The delegation and designation were issued by Manual Release Number 1705 dated December 19, 1974, which added a new paragraph .2 to the delegation of authority to the Director, Office for Equal Opportunity, published in Part 210, Chapter 7 of the Department of the Interior Manual. The delegation is published in its entirety below.

Further information regarding the delegation of authority may be obtained from Ms. Sharon L. White, Office of the Solicitor, U.S. Department of the Interior, Washington, D.C. 20240, telephone 202-343-2162.

Dated: January 8, 1975.

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

DELEGATION-PART 210 OFFICE FOR EQUAL OPPORTUNITY

CHAPTER 7 DIRECTOR, OFFICE FOR EQUAL OPPORTUNITY; 210.7.1

.1 *Delegation of Authority*. Except as provided in 200 DM 1, the Director, Office for Equal Opportunity is authorized to exercise the authority of the Secretary of the Interior with respect to all phases of civil rights and equal opportunity. This authority includes:

A. Direction of compliance and investigative activities relating to civil rights and equal opportunity.

B. Making final decisions on complaints filed by employees and applicants alleging discrimination on grounds of race, color, religion, sex or national origin.

.2 *Nondiscrimination Under Trans-Alaska Pipeline Permits*. The Director, Office for Equal Opportunity is designated the Department Compliance Officer to perform functions prescribed in 43 CFR 27, and is delegated the authority of the Secretary of Interior granted by section 403 of Pub. L. 93-153, 87 Stat. 576 necessary to perform functions of the Department Compliance Officer as specified in regulations implementing section 403 of Pub. L. 93-153, 43 CFR Part 27.

[FR Doc.75-1395 Filed 1-15-75;8:45 am]

[INT DES 75-1]

PROPOSED MILL CREEK METROPOLITAN PARK

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental statement for the proposed Mill Creek Metropolitan Park Acquisition project and invites written comments on or before March 3, 1975. Comments from interested members of the public should be addressed to the Regional Director, Lake Central Region, Bureau of Outdoor Recreation, 3853 Research Park Drive, Ann Arbor, Michigan 48104.

The environmental statement considers the acquisition of 3501 acres of land in Lima and Freedom Townships, Washtenaw County, Michigan, for intensive, multiple-activity, day-time recreation use focused around a 618-acre impoundment to be created on Mill Creek. Future development would help satisfy regional needs for water-based outdoor recreation in southeastern Michigan. Adverse impacts include removal of 3501 acres from agricultural use and the tax rolls, relocation of 44 families, relocation and reconstruction of several roads and utility lines, disruption of local traffic patterns, acceleration of residential development placing urban pressure on farm operations, alteration of three miles of stream habitat to acquatic habitat, and temporary dust, erosion, and noise in the future from construction activities.

Copies are available for inspection at the following locations:

Bureau of Outdoor Recreation, Lake Central Regional Office, 3853 Research Park Drive, Ann Arbor, Michigan 48104.
Bureau of Outdoor Recreation, Office of Environmental Affairs, Department of the Interior, Washington, D.C. 20240.
Michigan Bureau of Programs and Budget, Division of State Planning, 2nd Floor, Lewis Cass Building, Lansing, Michigan 48913.
Southeast Michigan Council of Governments, 8th Floor, Book Building, 1249 Washington Boulevard, Detroit, Michigan 48226.
Washtenaw County Metropolitan Planning Commission, County Building, Ann Arbor, Michigan 48108.
Chelsea Village Offices, 104 East Middle Street, Chelsea, Michigan 48118.
Chelsea Community Library, 221 South Main, Chelsea, Michigan 48118.

Copies may be obtained by writing the Environmental Law Institute, Suite 614, 1346 Connecticut Avenue, NW., Washington, D.C. 20036, or the Bureau of Outdoor Recreation, Lake Central Region, 3853 Research Park Drive, Ann Arbor, Michigan 48104. Please refer to the statement number above.

Dated: January 9, 1975.

STANLEY D. DOREMUS,
Deputy Assistant Secretary of the Interior.

[FR Doc.75-1507 Filed 1-15-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

[Notice of Designation Number A121]

NEBRASKA

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in the following counties in Nebraska:

Cherry	Pierce
Lincoln	Platte
Nance	

The Secretary has found that this need exists as a result of a natural disaster consisting of drought from June 1 to October 31, 1974, in all five counties, early frost September 3, 1974, in Pierce County and hail May 30 and June 3, 7, and 10, 1974, and freeze September 3, 1974, in Lincoln 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 J. James Exon that such designation be made.

Applications for Emergency loans must be received by this Department no later than March 7, 1975, for physical losses and October 7, 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 10th day of January, 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.75-1529 Filed 1-15-75;8:45 am]

Forest Service

1974 MAINE SPRUCE BUDWORM

Availability of 1975 Draft Addendum

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service has prepared for 1975 activities, a Draft Addendum to the USFS 1974 Cooperative Spruce Budworm Suppression Project in Maine, USDA-FS-NA(Adm.)-1.

The Draft Addendum concerns a proposed cooperative aerial spray project on a maximum of 3,500,000 acres of state and private woodlands in Aroostook, Piscataquis, Penobscot, Somerset and Washington Counties, Maine, to protect forest resources from mortality by the spruce budworm. To accomplish these objectives the insecticides mexacarbate, fenitrothion and carbaryl will be applied by aircraft.

This Draft Addendum was filed with CEQ on January 10, 1975.

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

USDA, Forest Service
South Agriculture Bldg., Room 3230
12th St., & Independence Ave., SW.
Washington, DC 20250

USDA, Forest Service
6816 Market Street, Room 409
Upper Darby, PA 19082

A limited number of single copies are available upon request to Robert D. Raisch, Director.

Northeastern Area
State and Private Forestry
6816 Market Street
Upper Darby, Pennsylvania 19082

Copies of the Draft Addendum to the Environmental Statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

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

Comments concerning the proposed action and requests for additional information should be addressed to Robert D. Raisch, Director, U. S. Forest Service, Northeastern Area, State and Private Forestry, 6816 Market Street, Upper Darby, Pennsylvania 19082. Telephone 215/597-3760. Comments must be received by March 11, 1975 in order to be considered in preparation of the Final Addendum.

ROBERT D. RAISCH,
Director, Northeastern Area,
State and Private Forestry.

JANUARY 10, 1975.

[FR Doc.75-1406 Filed 1-15-75;8:45 am]

TIMBER MANAGEMENT PLAN REVISIONS BIGHORN NATIONAL FOREST

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the Timber Management Plan Revisions for the Bighorn National Forest. The Forest Service report number is USDA-FS-R2-DES(Adm) FY-75-07.

The environmental statement concerns a proposal to revise the 1962 (Rev.) Timber Management Plan for the Bighorn National Forest in Northern Wyoming. Such Plans are required to regulate the flow of timber products from National Forest lands.

This draft environmental statement was transmitted to CEQ on January 10, 1975.

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

USDA, Forest Service
So. Agriculture Bldg., Room 3230
12th St. & Independence Ave., SW
Washington, D.C. 20250

USDA, Forest Service
11177 West 8th Avenue
P.O. Box 25127
Denver, Colorado 80225

USDA, Forest Service
Bighorn National Forest
Columbus Building
P.O. Box 2046
Sheridan, Wyoming 82801

A limited number of single copies are available upon request to W. J. Lucas, Regional Forester, USDA Forest Service, 11177 West 8th Avenue, P.O. Box 25127, Denver, Colorado 80225.

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

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

Comments concerning the proposed action and requests for additional information should be addressed to W. J. Lucas, Regional Forester, USDA Forest Service, 11177 West 8th Avenue, P.O. Box 25127, Denver, Colorado 80225. Comments must be received by March 11, 1975, in order to be considered in the preparation of the final environmental statement.

CLAYTON B. PIERCE,
Director, Multiple Use and Environmental Quality Coordination.

JANUARY 10, 1975.

[FR Doc.75-1385 Filed 1-15-75;8:45 am]

SILVERLEADS PLANNING UNIT

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for Silverleads Planning Unit, Salmon National Forest, Idaho. The Forest Service report number is USDA-FS-FES (Adm) R4-75-3.

A final environmental statement has been prepared on the proposed land use plan of the Silverleads planning unit in the Salmon National Forest, Lemhi County, Idaho. Approximately 24,000 acres are involved and have been divided into two management areas. The plan sets forth the allocation of land to various uses and activities; establishes objectives; and documents management direction, decisions, and coordination.

This final environmental statement was transmitted to CEQ on January 10, 1975.

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

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

Regional Planning Office
USDA, Forest Service
Federal Building, Room 4403
324-25th Street
Ogden, Utah 84401

Forest Supervisor
Salmon National Forest
Forest Service Building
P.O. Box 729
Salmon, Idaho 83467

District Forest Ranger
North Fork Ranger District
North Fork, Idaho 83466

A limited number of single copies are available upon request to Forest Supervisor John L. Emerson, Salmon National Forest, P.O. Box 729, Salmon, Idaho 83467.

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

Dated: January 10, 1975.

VERN HAMRE,
Regional Forester.

[FR Doc.75-1477 Filed 1-15-75;8:45 am]

ENVIRONMENTAL STATEMENT

Availability of Draft Addendum

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft addendum to the final environmental statement for vegetation management using selective herbicides on the Siskiyou, Siuslaw, and Umpqua National Forests, Oregon, for the period July 1, 1975 through July 1, 1976. USDA-FS-R6-DES(Adm) 75-07.

The draft addendum concerns a proposed use of herbicides 2,4-D, 2,4,5-T, 2,4,5-TP, Amitrole-T, atrazine, picloram, dalapon and dicamba to reduce the competition from native vegetation where it hampers forest management activities in Oregon. The proposed uses of the herbicides are for site preparation, release of conifers, right-of-way maintenance, maintenance of physical facilities, range improvement work, and thinning and weeding of conifer plantations.

This draft addendum was transmitted to CEQ on January 10, 1975.

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

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

USDA, Forest Service
Pacific Northwest Region
319 S.W. Pine Street
Portland, Oregon 97208

Siskiyou National Forest
504 NW 6th Street
Grants Pass, Oregon 97526

Siuslaw National Forest
545 SW 2nd
Corvallis, Oregon 97330

Umpqua National Forest
Federal Office Building
Roseburg, Oregon 97470

A limited number of single copies are available upon request to Regional Forester T. A. Schlapfer, Pacific Northwest Region, P.O. Box 3623, Portland, Oregon 97208.

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

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

Written comments concerning the proposed action and requests for additional information should be addressed to Mr. T. A. Schlapfer, Pacific Northwest Region, P.O. Box 3623, Portland, Oregon 97208. Comments must be received by March 8, 1975 in order to be considered in the preparation of the final addendum.

Dated: January 10, 1975.

FRANK J. KOPECKY,
Deputy Regional Forester, Region 6.

[FR Doc.75-1479 Filed 1-15-75;8:45 am]

Office of the Secretary

MEAT IMPORT LIMITATIONS

First Quarterly Estimates

Pub. L. 88-482, approved August 22, 1964 (hereinafter referred to as the Act), provides for limiting the quantity of fresh, chilled, or frozen cattle meat (TSUS 106.10) and fresh, chilled, or frozen meat of goats and sheep, except lamb (TSUS 106.20), which may be imported into the United States in any calendar year. Such limitations are to be imposed when it is estimated by the Secretary of Agriculture that imports of such articles, in the absence of limitations during such calendar year, would equal or exceed 110 percent of the estimated quantity of such articles, prescribed by section 2(a) of the Act.

In accordance with the requirements of the Act, the following first quarterly estimates for 1975 are published:

1. The estimated aggregate quantity of such articles which would, in the absence of limitations under the Act, be imported during calendar year 1975 is 1,150 million pounds.

2. The estimated quantity of such articles prescribed by section 2(a) of the Act during the calendar year 1975 is 1,074.3 million pounds.

Since the estimated quantity of imports does not equal or exceed 110 percent of the estimated quantity prescribed by section 2(a) of the Act, limitations for the calendar year 1975 on the importation of fresh, chilled, or frozen cattle meat (TSUS 106.10) and fresh, chilled or frozen meat of goats and sheep (TSUS 106.20), are not authorized to be imposed pursuant to Pub. L. 88-482 at this time.

Done at Washington, D.C., this 13th day of January 1975.

EARL L. BUTZ,
Secretary.

[FR Doc.75-1408 Filed 1-15-75;8:45 am]

Soil Conservation Service

COUNTRY LINE CREEK WATERSHED PROJECT, NORTH CAROLINA

Availability of Draft Environmental Impact Statement

Pursuant to section 102(2)(e) of the National Environmental Policy Act of 1969; Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973); and Part 650.7 (e) of the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974); the Soil Conservation Service, U.S. Department of Agriculture, has prepared a draft environmental impact statement for the Country Line Creek Watershed Project, Rockingham and Caswell Counties, North Carolina, USDA-SCS-EIS-WS-(ADM)-75-4(D)-NC.

The environmental impact statement concerns a plan for watershed protection, flood prevention, municipal and industrial water and recreation. The planned works of improvement include conservation land treatment and two multiple-purpose structures. One structure will store 3,190 acre-feet of water for municipal and industrial use. The recreational structure will provide 104,200 visitor-days of recreation annually. Structural measures in combination with the land treatment measures will reduce flooding and flood damages on 1,920 acres of flood plain land downstream from the two structures.

A limited supply of copies is available at the following location to fill single copy requests:

Soil Conservation Service, USDA, P.O. Box 27307, Raleigh, North Carolina 27611.

Copies of the draft environmental impact statement have been sent for comment to various federal, state, and local agencies as outlined in the Council on Environmental Quality Guidelines. Comments are also invited from others having knowledge or special expertise on environmental impacts.

Comments concerning the proposed action or requests for additional information should be addressed to Jesse Hicks, State Conservationist, Soil Conservation Service, P.O. Box 27307, Raleigh, North Carolina 27611.

Comments must be received on or before February 26, 1975, in order to be considered in the preparation of the final environmental statement.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services)

Dated: December 30, 1974.

WILLIAM B. DAVEY,
Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.75-1389 Filed 1-15-75;8:45 am]

ELK CREEK WATERSHED PROJECT, WEST VIRGINIA

Availability of Draft Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of

1969; Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973; and § 650.7(e) of the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974); the Soil Conservation Service, U.S. Department of Agriculture, has prepared a draft environmental impact statement for the Elk Creek Watershed Project, Barbour, Harrison, and Upshur Counties, West Virginia, USDA-SCS-EIS-WS-(ADM)-75-1-(D)-WVa.

The environmental impact statement concerns a plan for watershed protection, flood prevention, and recreation. The planned works of improvement include conservation land treatment, supplemented by 12 single-purpose floodwater retarding structures, one multiple-purpose structure for flood prevention and recreation, and 1.3 miles of channel work. The channel work will enlarge and deepen the natural channel and generally follow the present channel alignment. About 0.4 mile of the channel will be concrete-lined, and 0.9 mile will be lined with grouted rock. This work involves a perennial stream through an industrialized and urbanized area. The recreational development will provide 164,700 visitor-days of recreation annually.

A limited supply of copies is available at the following location to fill single copy requests:

Soil Conservation Service, USDA, P.O. Box 865, Morgantown, West Virginia 26505.

Copies of the draft environmental impact statement have been sent for comment to various federal, state, and local agencies as outlined in the Council on Environmental Quality Guidelines. Comments are also invited from others having knowledge of or special expertise on environmental impacts.

Comments concerning the proposed action or requests for additional information should be addressed to James S. Bennett, State Conservationist, Soil Conservation Service, P.O. Box 865, Morgantown, West Virginia 26505.

Comments must be received on or before February 28, 1975, in order to be considered in the preparation of the final environmental impact statement.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services)

Dated: December 30, 1974.

WILLIAM B. DAVEY,
Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.75-1388 Filed 1-15-75;8:45 am]

LITTLE SANDY CREEK AND TRAIL CREEK WATERSHED PROJECT, GEORGIA

Negative Declaration

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; part 1500.6(e) of the Council on Environmental Quality Guidelines (38 FR 20550) August 1, 1973; and part 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19651) June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the portion of Little Sandy Creek and Trail Creek Watershed Project, Clarke, Jackson, and Madison Counties, Georgia, that has not been installed.

The environmental assessment of this federal action indicates that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. Charles W. Bartlett, State Conservationist, Soil Conservation Service, USDA, 200 Federal Building, 355 East Hancock Street, Athens, Georgia 30601, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project concerns a plan for watershed protection, flood prevention, and public recreation. The remaining planned works of improvement include conservation land treatment supplemented by four single purpose floodwater retarding structures, one multiple purpose structure for floodwater retardation and recreation water storage, and a recreational development adjacent to the multiple purpose reservoir.

The environmental assessment file is available for inspection during regular working hours at the following location:

Soil Conservation Service, USDA, 228 Federal Building, 355 East Hancock Street, Athens, Georgia 30601.

Requests for the negative declaration should be sent to the above address. No administrative action on implementation of the proposal will be taken until 15 days after the date of this publication.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services)

Dated: December 30, 1974.

EUGENE C. BUIE,
Acting Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.75-1387 Filed 1-15-75;8:45 am]

MISSION CREEK WATERSHED PROJECT NEBRASKA & KANSAS

Negative Declaration

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; part 1500.6(e) of the Council on Environmental Quality Guidelines (38 FR 20550) August 1, 1973; and part 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19651) June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Mission Creek Watershed Project, Pawnee and Gage Counties, Nebraska and Marshall County, Kansas.

The environmental assessment of this federal action indicated that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. Wilson J. Parker, State Conservationist, Soil Conservation Service, USDA, 134 South 12th Street, Room 604, Lincoln, Nebraska 68508, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project concerns a plan for watershed protection and flood prevention. The remaining works of improvement as described in the negative declaration include conservation land treatment supplemented by twelve single purpose floodwater retarding structures and four grade stabilization structures.

The environmental assessment file is available for inspection during regular working hours at the following location:

Soil Conservation Service
134 South 12th Street, Room 604
Lincoln, Nebraska 68508

Requests for the negative declaration should be sent to the above address.

No administrative action in implementation of the proposal will be taken until January 31, 1975.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives reference Services)

Dated: January 9, 1975.

WILLIAM B. DAVEY,
Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.75-1386 Filed 1-15-75;8:45 am]

DEPARTMENT OF COMMERCE

Maritime Administration

SS CANADA MAIL

Invitation for Sealed Bids for Bareboat Charter of Vessel; Amendment

Notice is hereby given that Invitation for Bids No. 1, dated November 26, 1974, inviting sealed bids for the bareboat charter of the SS CANADA MAIL, Official No. 297579, notice of which was published in the FEDERAL REGISTER on December 6, 1974 (39 FR 42703), has been amended by Addendum No. 2, dated January 8, 1975, so as to extend the time for the receipt of bids from January 21, 1975, to 11:00 a.m., e.s.t., February 18, 1975, and to provide for public opening of such bids at 11:30 a.m., e.s.t., on said date at the office of the Maritime Administration, Room 3708, Commerce Building, 14th Street between E and Constitution Avenue, NW., Washington, D.C. 20230.

Dated: January 8, 1975.

By order of the Assistant Secretary of Commerce for Maritime Affairs.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.75-1539 Filed 1-15-75;8:45 am]

MERCANTILE NATIONAL BANK

Approval of Applicant as Trustee

Notice is hereby given that Mercantile National Bank at Dallas, with offices at

1704 Main Street, Dallas, Texas, has been approved as Trustee pursuant to Public Law 89-346 and 46 CFR 221.21-221.30.

BURT KYLE,
Director, Office of Domestic Shipping.

[FR Doc.75-1540 Filed 1-15-75;8:45 am]

National Oceanic and Atmospheric Administration

AMERICAN TUNABOAT ASSOCIATION

Marine Mammals; Issuance of General Permit

Notice is hereby given that as a result of hearings held on December 10 and 11, 1974, and subsequent changes in regulations promulgated in accordance with the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407) 50 CFR 216.24 of the regulations, the Director, National Marine Fisheries Service issued amendment No. 1 to the General Permit (GP-1) issued to the American Tunaboat Association, 1 Tuna Lane, San Diego, California on January 3, 1975.

Copies of the amendment are available for public view at the offices of the Director, National Marine Fisheries Service, Washington, D.C., and the Regional Director, Southwest Region, National Marine Fisheries Service, Terminal Island, California.

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

JANUARY 10, 1975.

[FR Doc.75-1515 Filed 1-15-75;8:45 am]

MARINE MAMMALS

Receipt of Waiver Request

Notice is hereby given that pursuant to provisions of the Marine Mammal Protection Act of 1972, 16 U.S.C. 1371(a)(3)(A), and the regulations promulgated under that Act, the Fouke Company of Greenville, South Carolina, submitted a request on November 26, 1974, to Dr. Robert M. White, Administrator, NOAA, for a waiver of the moratorium on the importation of fur seal skins from the Republic of South Africa. The request is for 70,000 fur seal skins to be taken during the 1975 harvest.

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

JANUARY 13, 1974.

[FR Doc.75-1516 Filed 1-15-75;8:45 am]

STATE FISH AND WILDLIFE DIRECTORS FROM COASTAL AND GREAT LAKES STATES

Public Meeting

Notice is hereby given of a meeting with State fish and wildlife directors from coastal and Great Lakes States on Wednesday and Thursday, February 12 and 13, 1975. The meeting will commence at 9:00 a.m. on Februray 12 and at 8:30 a.m. on February 13, in the Woodward Room at the National Wildlife Federation, 1412 16th Street, NW., Washington, D.C.

The topics to be discussed at the meeting are related to development of a National Fisheries Plan and will include the following:

1. State-Federal Relationships Under Extended Fisheries Jurisdiction.
2. Recreational Fisheries Management.
3. Environmental Protection.

The meeting will be open to the public throughout February 12 and 13. Seating space will be available for approximately 25 persons in addition to those participating in the meeting. The public will be admitted to the extent of seating available on a first come, first served basis. Questions from the public will be permitted during specific periods announced by the Chairman.

Additional information concerning this meeting may be obtained by contacting Mr. Robert W. Schoning, Director, National Marine Fisheries Service, whose mailing address is: National Marine Fisheries Service, Washington, D.C. 20235. The telephone number is 634-7283.

Issued at Washington, D.C., on January 9, 1975.

ROBERT M. WHITE,
Administrator, National Oceanic and Atmospheric Administration.

JANUARY 9, 1975.

[FR Doc.75-1480 Filed 1-15-75;8:45 am]

Office of the Secretary

CTAB PANEL ON PROJECT INDEPENDENCE BLUEPRINT

Meeting Cancellation

This is to announce the cancellation of the meeting of the Flue Gas Desulfiurization Subcommittee of the CTAB Panel on Project Independence Blueprint which was scheduled for January 20, 21, 22, and 23, 1975 in Room 3708 of the Main Commerce Building, Washington, D.C. The meeting was announced on page 43649 of the December 17, 1974 issue of the FEDERAL REGISTER.

Please note that the meeting of the full Panel on Project Independence Blueprint to review the draft final report of the project's energy study scheduled for January 21, 22 and 23, 1975 in Suite 210, 1522 K Street, NW, Washington, D.C., which was announced on pages 43648-9 of the same issue of the FEDERAL REGISTER, will take place as scheduled.

Dated: January 13, 1975.

BETSY ANCKER-JOHNSON.

[FR Doc.75-1630 Filed 1-15-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Alcohol, Drug Abuse, and Mental Health Administration

BOARD OF SCIENTIFIC COUNSELORS, NIMH

Notice of Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776), the Alcohol, Drug Abuse, and Mental Health Administration announces the renewal by the Secretary, Department of Health, Education, and Welfare, on December 30, 1974, with the concurrence of the Office of Management and Budget Committee Management Secretariat of the following advisory committee:

Designation. Board of Scientific Counselors, NIMH.

Authority for this committee will expire January 4, 1977, unless the Secretary formally determines that continuance is in the public interest.

Dated:

JAMES D. ISBISTER,
Acting Administrator, Alcohol, Drug Abuse, and Mental Health Administration.

[FR Doc.75-1442 Filed 1-15-75;8:45 am]

Center for Disease Control

COAL MINE HEALTH RESEARCH ADVISORY COMMITTEE

Rechartering

Pursuant to the Federal Advisory Committee Act, 5 U.S.C. Appendix I, the Center for Disease Control announces the rechartering by the Secretary, DHEW, on December 24, 1974, of the Coal Mine Health Research Advisory Committee.

Dated: January 9, 1975.

DAVID J. SENCER,
Director, Center for Disease Control.

[FR Doc.75-1541 Filed 1-15-75;8:45 am]

Food and Drug Administration

[NADA No. 2-115]

H. CLAY GLOVER CO., INC.

Glover's Imperial Capsules, Veterinary; Withdrawal of Approval of New Animal Drug Application

H. Clay Glover Co., Inc., Toms River, NJ 08753, holder of new animal drug application (NADA) No. 2-115 for Glover's Imperial Capsules, Veterinary, has requested in a letter dated October 1, 1974 that the application be withdrawn and has waived the opportunity for hearing. The application was approved on February 20, 1940, as an over-the-counter oral anthelmintic capsule containing *n*-butyl chloride for use in dogs. It is not for use in food-producing animals.

In accordance with § 135.23 (21 CFR 135.28), this notice is issued based upon a finding by the Commisisoner that manufacturing control information is inadequate by today's standards. The firm has

been advised that an update of such information is required to continue marketing its product as approved. In lieu of the submission of the requested information and in view of the fact that the drug is no longer being distributed, the firm has requested withdrawal of approval and has waived an opportunity for hearing.

Accordingly, the Commissioner concludes that approval of said NADA should be withdrawn. Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(e), 82 Stat. 345–347, 21 U.S.C. 360b(e)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), approval of NADA No. 2–115 and all supplements and amendments thereto for Glover's Imperial Capsules, Veterinary, for dogs is hereby withdrawn effective January 16, 1975.

Dated: January 8, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-1443 Filed 1-15-75;8:45 am]

Office of Education

CAREER OPPORTUNITIES AND URBAN/RURAL SCHOOL DEVELOPMENT PROGRAMS

Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in Title V, Part D of the Higher Education Act of 1965 as amended (20 U.S.C. 1119), applications are being accepted for noncompeting continuation grants under the Career Opportunities and Urban/Rural School Development Programs. No applications for new grants under these programs will be accepted, nor will applications be accepted to continue Career Opportunities Program projects which have already received full funding under this program for five years.

In reviewing applications for continuation projects to be awarded in Fiscal Year 1975, the Commissioner will utilize the review criteria set forth in 45 CFR 100a.-26, will evaluate the extent to which the project is meeting the objectives set forth in its previously approved work statement and the extent to which it is meeting the funding criteria used in making the previous award, and will consider whether the trainees to be served by the project would be able to obtain reasonable access to comparable services provided by other projects, institutions or agencies serving the same area.

In order to be assured of consideration for funding from appropriations for Fiscal Year 1975, applications for the national projects under these programs should be received by the U.S. Office of Education Application Control Center on or before February 10, 1975.

All other applications should be received by the appropriate U.S. Office of Education Regional Office on or before February 10, 1975.

A. Applications sent by mail. An application for a national project grant sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue, SW., Washington, D.C. 20202. The address for applications for national project grants in the Career Opportunities Program should be marked: Attention 13.421. The address for applications for national project grants in the Urban/Rural School Development Program should be marked: Attention 13.505.

Applications for all other Career Opportunities and Urban/Rural School Development project grants sent by mail should be addressed to the appropriate U.S. Office of Education Regional Office as follows:

REGION I—BOSTON

Ms. Ruth Moran
Application Control Center
Office of Education/DHEW
J. F. Kennedy Federal Bldg.—Room 2303
Boston, Massachusetts 02203

REGION II—NEW YORK

Application Control Center
Office of Education/DHEW
26 Federal Plaza—Room 3954
New York, New York 10007

REGION III—PHILADELPHIA

Mr. James Roberts
Office of Education/DHEW
3535 New Gateway Bldg.—Room 16200
Philadelphia, Pennsylvania 19108

REGION IV—ATLANTA

Mrs. Gussie Rudin
Office of Education/DHEW
Application Control Center
50 Seventh Street, NE.
Atlanta, Georgia 30323

REGION V—CHICAGO

Application Control Center
Office of Education/DHEW
300 South Wacker Drive—32nd Floor
Chicago, Illinois 60606

REGION VI—DALLAS

Mrs. Virginia Lynn
Application Control Center
Office of Education/DHEW
1114 Commerce Street—Room 1011
Dallas, Texas 75202

REGION VII—KANSAS CITY

Application Control Center
Office of Education/DHEW
New Federal Office Bldg.—Room 458
601 East 12th Street
Kansas City, Missouri 64106

REGION VIII—DENVER

Application Control Center
Office of Education/DHEW
Federal Regional Office Bldg.—Room 11023
1961 Stout Street
Denver, Colorado 80202

REGION IX—SAN FRANCISCO

Application Control Center
Office of Education/DHEW
50 Fulton Street—Room 334
San Francisco, California 94102

REGION X—SEATTLE

Application Control Center
Office of Education/DHEW
Arcade Plaza Building
1321 Second Avenue—Room 508
Seattle, Washington 98101

An application sent by mail will be considered to have been received on time by the U.S. Office of Education Application Control Center in Washington, D.C., or by a U.S. Office of Education Regional Office 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 the Department of Health, Education, and Welfare, U.S. Office of Education mail room in Washington, D.C., or the appropriate U.S. Office of Education Regional Office mail room. (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 and its Regional Offices.)

B. Hand delivered applications. An application for a national project grant 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 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.

All other applications to be hand delivered must be taken to the appropriate U.S. Office of Education Regional Office at the address listed under Part A of this notice. No application will be accepted after the normal close of business time by a U.S. Office of Education Regional Office on the closing date.

C. Program information and forms. Information and application forms for national project grants may be obtained from the Division of Educational Systems Development, Bureau of Occupational and Adult Education, Office of Education, Room 3032, Regional Office Building Three, 7th & D Streets, SW., Washington, D.C. 20202.

Information and application forms for all other project applications may be obtained from the Education Professions Development Act (EPDA) Project Officer in the appropriate U.S. Office of Education Regional Office, at one of the addresses which follow:

REGION I

Office of Education/DHEW
J. F. Kennedy Federal Building
Boston, Massachusetts 02203

REGION II

Office of Education/DHEW
26 Federal Plaza
New York, New York 10007

REGION III

Office of Education/DHEW
407 N. Broad Street
P.O. Box 12900
Philadelphia, Pennsylvania 19108

REGION IV

Office of Education/DHEW
50 Seventh Street, NE.
Atlanta, Georgia 30323

REGION V

Office of Education/DHEW
300 South Wacker Drive
Chicago, Illinois 60606

REGION VI

Office of Education/DHEW
1114 Commerce Street
Dallas, Texas 75202

REGION VII

Office of Education/DHEW
601 East 12th Street
Kansas City, Missouri 64106

REGION VIII

Office of Education/DHEW
Federal Office Building
19th and Stout Streets
Denver, Colorado 80202

REGION IX

Office of Education/DHEW
50 Fulton Street
San Francisco, California 94102

REGION X

Office of Education/DHEW
Arcade Plaza Building
1319 Second Avenue
Seattle, Washington 98101

D. Applicable regulations. The regulations applicable to these programs include the Office of Education General Provisions Regulations (45 CFR Part 100a) published in the FEDERAL REGISTER on November 6, 1973 at 38 FR 30654 and the Education Professions Development Regulations (45 CFR Part 174) published in the FEDERAL REGISTER on March 21, 1974 at 39 FR 10566. (20 U.S.C. 1119)

(Catalog of Federal Domestic Assistance numbers 13.421 (Educational Personnel Training Grants—Career Opportunities) and 13.505 (Educational Personnel Development—Urban/Rural School Development))

Dated: January 11, 1975.

T. H. BELL,
U.S. Commissioner of Education.

[FR Doc.75-1571 Filed 1-15-75;8:45 am]

NATIONAL ADVISORY COUNCIL ON EQUALITY OF EDUCATIONAL OPPORTUNITY

Public Meeting

Notice is hereby given, pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), that the National Advisory Council on Equality of Educational Opportunity will convene at 9:00 AM on Friday, February 28 until 4:00 PM and reconvene at 9:00 AM on Saturday, March 1 until 1:00 PM at the Holiday Inn, Rivermont, Memphis, Tennessee.

The National Advisory Council on Equality of Educational Opportunity is established under section 716 of the Emergency School Aid Act (Pub. L. 92-318, Title VII). The Council is established to advise the Assistant Secretary for Education with respect to the operation of programs under the Act, and to review the operation of such programs.

The meeting of the Council shall be open to the public. The proposed agenda includes subcommittee reports from the Evaluation Subcommittee, the Legal and Interagency Subcommittee, and the State Departments of Education Subcommittee. The Report Writing Committee will submit its recommendations for the Council's final report. There will be a special report by the Office of the Deputy Commissioner for Planning, U.S. Office of Education as well as a status report on the Emergency School Aid Program by the Associate Commissioner for Equal Educational Opportunity, U.S. Office of Education.

Signed at Washington, D.C. on January 10, 1975.

HERMAN R. GOLDBERG,
Associate Commissioner for Equal Educational Opportunity.

[FR Doc.75-1489 Filed 1-15-75;8:45 am]

National Institutes of Health

AD HOC REVIEW GROUP ON BREAST CANCER TREATMENT

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Ad Hoc Review Group on Breast Cancer Treatment, National Cancer Institute, February 9, 1975 and February 11, 1975, El Tropicano Motor Hotel, Central American Room, San Antonio, Texas.

This meeting will be open to the public on February 9, 1975 from 7:30 P.M. to 8:00 P.M., to discuss general programs associated with the treatment of breast cancer. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on February 9, 1975 from 8:00 P.M. to 11:00 P.M. and on February 11, 1975 from 8:00 P.M. to 11:00 P.M. for the review, discussion and evaluation of individual research contract proposals. The proposals contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. No session of the meeting will be held on February 10, 1975.

Mrs. Marjorie F. Early, Committee Management Officer, NCI, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496-5708) will furnish summaries of the meeting and rosters of committee members.

Mary E. Sears, M.D., Executive Secretary, Landow Building, Room A-416, National Institutes of Health, Bethesda, Maryland 20014 (301/496-6773) will furnish substantive program information.

Dated: January 9, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer, National Institutes of Health.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health)

[FR Doc.75-1428 Filed 1-15-75;8:45 am]

NATIONAL CANCER ADVISORY BOARD SUBCOMMITTEE ON CENTERS

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the National Cancer Advisory Board Subcommittee on Centers, National Cancer Institute, at 9 a.m. on February 24, 1975, in Conference Room 8, C Wing, Building 31.

This meeting will be open to the public from 9 a.m. to 9:30 a.m. to discuss the purpose of the meeting, the membership and identification of those present, and rules for conducting meetings. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public from 9:30 a.m. to 5 p.m. or to adjournment for the review, discussion, and evaluation of individual grant applications. The individual applications contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mrs. Marjorie F. Early, Committee Management Officer, NCI, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496-5708) will furnish summaries of meetings and rosters of committee members.

Dr. John W. Yarbro, Executive Secretary, Westwood Building, Room 832, Division of Cancer Research Resources and Centers, NCI, National Institutes of Health, Bethesda, Maryland 20016 (301/496-7427) will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.312, National Institutes of Health)

Dated: January 9, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer, National Institutes of Health.

[FR Doc.75-1431 Filed 1-15-75;8:45 am]

ADVISORY COMMITTEES

Charter Renewals

The Director, National Institutes of Health, announces the renewal of charters on December 20, 1974, of the advisory committees indicated below by the Director, National Cancer Institute. Such advisory committees shall be governed by

the provisions of the Federal Advisory Committee Act (Public Law 92-463) setting forth standards governing the establishment and use of advisory committees. These committees will terminate on December 20, 1976, unless renewed by appropriate action as authorized by law.

Committees established under the authority of section 410(a)(3) of the Public Health Service Act (42 U.S.C. 286d) are:

Biometry and Epidemiology Contract Review Committee
Board of Scientific Counselors of the Division of Cancer Biology and Diagnosis
Board of Scientific Counselors of the Division of Cancer Treatment (formerly Cancer Treatment Advisory Committee)
Breast Cancer Diagnosis Committee
Breast Cancer Epidemiology Committee
Breast Cancer Experimental Biology Committee
Breast Cancer Treatment Committee
Committee on Cytology Automation
Committee on Cancer Immunobiology
Committee on Cancer Immunodiagnosis
Committee on Cancer Immunotherapy
Diagnostic Radiology Committee
Diagnostic Research Advisory Group
Third National Cancer Survey Utilization Advisory Committee
Tobacco Working Group

Committees established under the authority of section 410A(a) of the Public Health Service Act (42 U.S.C. 286e) are:

Cancer Clinical Investigation Review Committee
Cancer Special Program Advisory Committee

Dated: January 9, 1975.

R. W. LAMONT-HAVERS,
Acting Director,
National Institutes of Health.

[FR Doc.75-1419 Filed 1-15-75;8:45 am]

BEHAVIORAL SCIENCES RESEARCH CONTRACT REVIEW COMMITTEE

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Behavioral Sciences Research Contract Review Committee, National Institute of Child Health and Human Development, February 20-21, 1975, Landow Building, Room C-418, 7910 Woodmont Avenue, Bethesda, Maryland.

The meeting will be open to the public from 2:00 p.m. to 5:00 p.m. on February 20 for progress reports and program plans by the staff of the Behavioral Sciences Branch and discussion of major research needs in the social and behavioral sciences relating to population. Attendance by the public will be limited to space available. In accordance with the provisions set forth in section 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on February 21 from 9:00 a.m. to adjournment for the review, discussion, and evaluation of individual contract proposals. The proposals contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals.

Mrs. Marjorie Neff, Committee Management Officer, NICHD, Landow Building, Room C-603, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-1756, will provide summaries of meetings and rosters of committee members. Dr. Jerry Combs, Chief, Behavioral Sciences Branch, Center for Population Research, NICHD, Landow Building, Room C-719, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-1174, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13-832, National Institutes of Health.

Dated: January 9, 1975

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-1427 Filed 1-15-75;8:45 am]

BOARD OF REGENTS

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Board of Regents of the National Library of Medicine on March 13-14, 1975, in the Board Room of the National Library of Medicine, 8600 Rockville Pike, Bethesda, Maryland, and the meeting of the Extramural Programs Subcommittee of the Board of Regents of the National Library of Medicine on the preceding day, March 12, 1975, from 2:00 to 5:00 p.m., in Conference Room "B" of the Library.

The meeting of the Board will be open to the public all day on March 13 and from 9:00 to 9:30 a.m. on March 14 for administrative reports and programs and operation discussions. Attendance by the public will be limited to space available. In accordance with provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the entire meeting of the Subcommittee on March 12 will be closed to the public, and the regular Board meeting on March 14 will be closed from 9:30 to adjournment, for the review, discussion and evaluation of grant applications. The applications contain information of a proprietary nature—including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information about individuals associated with the applications in the field of biomedical communications.

Mr. Robert B. Mehnert, Chief, Office of Inquiries and Publications Management, National Library of Medicine, 8600 Rockville Pike, Bethesda, Maryland 20014, Telephone Number: 301-496-6308, will furnish summaries of the meeting, rosters of Board members, and substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13.348, 13.349, 13.351, 13.352, 13.353—National Institutes of Health)

Dated: January 10, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-1414 Filed 1-15-74;8:45 am]

BREAST CANCER EXPERIMENTAL BIOLOGY COMMITTEE

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Breast Cancer Experimental Biology Committee, National Cancer Institute, on February 10, 1975, in the South American Room, El Tropicano Motor Hotel, San Antonio, Texas.

The entire meeting will be open to the public on February 10, 1975, from 8:00 p.m. until adjournment to discuss scientific ideas for new program projects. Attendance by the public will be limited to space available.

Mrs. Marjorie Early, Committee Management Officer, NCI Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496-5708) will provide summaries of the meeting and rosters of the committee members.

Dr. D. Jane Taylor, Executive Secretary, Landow Building, Room A404, National Institutes of Health, Bethesda, Maryland 20014 (301/496-6718) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health)

Dated: January 6, 1975.

R. W. LAMONT-HAVERS,
Acting Director,
National Institutes of Health.

[FR Doc.75-1436 Filed 1-15-75;8:45 am]

CANCER CONTROL COMMUNITY ACTIVITIES REVIEW COMMITTEE

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Cancer Control Community Activities Review Committee, National Cancer Institute, February 13-14, 1975, National Institutes of Health, Building 31, Conference Room 8.

This meeting will be open to the public on February 13, 1975, from 9:00 a.m. to 11:00 a.m., for an orientation to the organizational structure and program activities of the Division of Cancer Control and Rehabilitation. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on February 13, 1975, from 11:00 a.m. to 5:00 p.m. and on February 14, 1975, from 9:00 a.m. until adjournment for the review, discussion and evaluation, of individual contract proposals. The proposals contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals.

Mrs. Marjorie F. Early, Committee Management Officer, NCI, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496-5708) will furnish summaries of meetings and rosters of committee members.

Dr. Veronica L. Conley, Executive Secretary, Blair Building, Room 7A01, National Institutes of Health, Bethesda, Maryland 20014 (301/427-7943) will furnish substantive program information.

Date: January 9, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health)

[FR Doc.75-1426 Filed 1-15-75;8:45 am]

CANCER CONTROL GRANT REVIEW COMMITTEE

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Cancer Control Grant Review Committee, National Cancer Institute, on February 27, 1975, Building 31, C Wing, Conference Room 7.

This meeting will be open to the public on February 27 from 9:00 a.m. until 9:30 a.m. to discuss new administrative developments. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on February 27, 1975, from 9:30 a.m. to adjournment for the review, discussion and evaluation of approximately 15 individual grant applications. The applications contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mrs. Marjorie F. Early, Committee Management Officer, NCI, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496-5708), will furnish summaries of meetings and rosters of committee members.

Dr. Barney C. Lepovetsky, Executive Secretary, Westwood Building, Room 809A, National Institutes of Health, Bethesda, Maryland 20014 (301/496-7565), will furnish substantive program information.

Dated: January 9, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program No. 13.399, National Institutes of Health)

[FR Doc.75-1430 Filed 1-15-75;8:45 am]

CANCER CONTROL INTERVENTION PROGRAMS REVIEW COMMITTEE

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Cancer Control Intervention Programs Review Committee, National Cancer Institute, February 18, 1975, National Institutes of Health, Building 31, Conference Room 7.

This meeting will be open to the public on February 18, 1975 from 9:00 a.m. to 9:30 a.m. for opening statements by the staff. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on February 18, 1975, from 9:30 a.m. to adjournment for the review, discussion and evaluation of individual contract proposals. The proposals contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals.

Mrs. Marjorie F. Early, Committee Management Officer, NCI, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496-5708) will furnish summaries of meetings and rosters of committee members.

Dr. Robert T. Bowser, Executive Secretary, Blair Building, Room 7A01, National Institutes of Health, Bethesda, Maryland 20014 (301/427-7943) will furnish substantive program information.

Dated: January 9, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health)

[FR Doc.75-1422 Filed 1-15-75;8:45 am]

COMMITTEE ON CANCER IMMUNOBIOLOGY

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Committee on Cancer Immunobiology, National Cancer Institute, February 24, 1975, National Institutes of Health, Building 10, Room 4B14.

This meeting will be open to the public on February 24, 1975, from 2:00 p.m. to 2:30 p.m. to discuss general business and plans for future meetings. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and Section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on February 24, 1975, from 2:30 p.m. to adjournment for the review, discussion and evaluation of individual contract proposals. The proposals contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals.

Mrs. Marjorie F. Early, Committee Management Officer, NCI, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496-5708) will furnish summaries of meetings and rosters of committee members.

Dr. Barbara H. Sanford, Executive Secretary, Building 10, Room 4B17, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1791) will furnish substantive program information.

Dated: January 9, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health)

[FR Doc.75-1420 Filed 1-15-75;8:45 am]

CONTRACEPTIVE DEVELOPMENT CONTRACT REVIEW COMMITTEE

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Contraceptive Development Contract Review Committee, National Institute of Child Health and Human Development, March 7-8, 1975, Building 31, Wing C, Conference Room 7, National Institutes of Health, Bethesda, Maryland.

This meeting will be open to the public from 8:45 a.m. to 9:15 a.m. on March 7 for the discussion on the criteria for the review of contract proposals and an administrative review of the chemical contraceptive program. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on March 7 from 9:15 a.m. to adjournment for the review, discussion and evaluation of individual contract proposals. The proposals contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals.

Mrs. Marjorie Neff, Committee Management Officer, NICHD, Landow Building, Room C-603, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-1756, will provide summaries of meetings and rosters of committee members. Dr. Marvin J. Karten, Health Scientist Administrator, Contraceptive Development Branch, Center for Population Research, NICHD, Landow Building, Room A-704, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-1661, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.832, National Institutes of Health)

Dated: January 9, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-1429 Filed 1-15-75;8:45 am]

NATIONAL INSTITUTE OF DENTAL RESEARCH

DENTAL CARIES PROGRAM ADVISORY COMMITTEE

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Dental Caries Program Advisory Committee; National Institute of Dental Research, February 24-25, 1975, National Institutes of Health, Building 31-C, Conference Room 7, Bethesda, Maryland.

The entire meeting will be open to the public from 9:00 a.m. to 5:00 p.m. on February 24, and from 9:00 a.m. to adjournment on February 25, to discuss research progress and plans of the National Caries Program for FY 1975. Attendance by the public will be limited to space available.

Dr. James P. Carlos, Associate Director, National Caries Program, National Institute of Dental Research, National Institutes of Health, Westwood Building, Room 528, Bethesda, Maryland 20014, (phone number 301-496-7239) will provide summaries of the meeting and rosters of the committee members.

Dr. James P. Carlos, Associate Director, National Caries Program, National Institute of Dental Research, National Institutes of Health, Westwood Building, Room 528, Bethesda, Maryland, 20014, (phone number 301-496-7239) will provide substantive program information.

Dated: January 6, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program No. 13,325 and 13,827, National Institutes of Health)

[FR Doc.75-1435 Filed 1-15-75;8:45 am]

MAMMALIAN MUTANT CELL LINES COMMITTEE

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Mammalian Mutant Cell Lines Committee, National Institute of General Medical Sciences, March 5, 1975, 9 a.m., at the Institute for Medical Research, Camden, New Jersey. This meeting will be open to the public on March 5 from 9 a.m. to 2 p.m. for opening remarks and general discussion on the storage and distribution of biochemical mutant and chromosome variant cell lines. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on March 5 from 2-4 p.m., for the review of a contract proposal containing information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposal.

Mr. Paul Deming, Staff Assistant to the Director, NIGMS, Building 31, Room 4A46, Bethesda, Maryland 20014, Telephone: 301-496-5676, will furnish summary minutes of the meeting and a roster of committee members.

Substantive program information may be obtained from Dr. William J. Gartland, Executive Secretary, Westwood Building, Room 922, Bethesda, Maryland 20014, Telephone: 301-496-7714.

Dated: January 9, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program 13-862, General Medical Sciences—Genetics Program)

[FR Doc.75-1421 Filed 1-15-75;8:45 am]

MENTAL RETARDATION RESEARCH COMMITTEE

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Mental Retardation Research Committee, National Institute of Child Health and Human Development, February 13-14, 1975, Landow Building, Room C-418, 7910 Woodmont Avenue, Bethesda, Maryland.

This meeting will be open to the public on February 13 from 8:00 p.m. to 10:00 p.m., to discuss items relative to the committee's activities including announcements by the Head of the Mental Retardation Branch and the Executive Secretary of the Committee. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on February 14 from 8:30 a.m. to adjournment on February 14 for the review, discussion and evaluation of individual grant applications. The applications contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications and proposals.

Mrs. Marjorie Neff, Committee Management Officer, NICHD, Landow Building, Room C-603, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-1756, will provide summaries of meetings and rosters of committee members. Dr. Lyle Lloyd, Executive Secretary, Mental Retardation Research Committee, NICHD, Landow Building, Room C-704, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-1383, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.317, National Institutes of Health)

Dated: January 9, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-1432 Filed 1-15-75;8:45 am]

MOLECULAR CONTROL WORKING GROUP

Charter Renewal

The Director, National Institutes of Health, announces the renewal of a charter on December 20, 1974, of the advisory committee indicated below by the Director, National Cancer Institute, under the authority of section 410(a)(3) of the Public Health Service Act (42 U.S.C. 286d) and section 410A(a) of the Public Health Service Act (42 U.S.C. 286e). Such advisory committee shall be governed by the provisions of the Federal Advisory Committee Act (Pub. L. 92-463) setting forth standards governing the establishment and use of advisory committees.

Name: Molecular Control Working Group.

Purpose: The Committee provides to the Director, NCI and the Director, Division of Cancer Research Resources and Centers, advice on grant applications of molecular biology to the National Cancer Program, and assistance in the technical and scientific review of contract proposals. The Committee shall also review the various disciplines encompassed by molecular biology and make recommendations for elimination of existing gaps in knowledge of these disciplines as they pertain to cancer.

This Committee will terminate on December 20, 1976, unless renewed by appropriate action as authorized by law.

Dated: January 9, 1975.

R. W. LAMONT-HAVERS,
Acting Director,
National Institutes of Health.

[FR Doc.75-1418 Filed 1-15-75;8:45 am]

NANDS COUNCIL PLANNING SUBCOMMITTEE

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the NANDS Council Planning Subcommittee, March 6, 1975, at 8:30 a.m. in the Connecticut Room, Holiday Inn, 8120 Wisconsin Avenue, Bethesda, Maryland. The meeting will be open to the public from 8:30 a.m. to 10:30 a.m. on March 6, 1975, to discuss program planning and program accomplishments. Attendance by the public will be limited to space available. In accordance with provisions set forth in sections 552(b)(4) and 552(b)(6) of Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public from

10:30 a.m. on March 6, 1975, to adjournment on March 6, for the preliminary review, discussion and evaluation of individual grant applications before final consideration by the full Council at its meeting on March 20–22, 1975. The applications contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with applications for research grants, Teacher-Investigator Awards, and Institutional National Research Service Awards.

The Chief, Office of Scientific and Health Reports, Mrs. Ruth Dudley, Bldg. 31, Room 8A03, NIH, NINDS, Bethesda, Maryland, telephone (301) 496–5751, will furnish summaries of the meeting and rosters of committee members.

Dr. O. Malcolm Ray, Executive Secretary of the Committee, Room 7A18A, Westwood Building, NIH, Bethesda, Maryland, telephone (301) 496–7220, will provide substantive program information.

Dated: January 10, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program Nos. 13.851, 13.852, 13.853, 13.854, National Institutes of Health)

[FR Doc.75–1417 Filed 1–15–75;8:45 am]

NATIONAL ADVISORY ALLERGY AND INFECTIOUS DISEASES COUNCIL

Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the National Advisory Allergy and Infectious Diseases Council, National Institute of Allergy and Infectious Diseases, March 20–21, 1975, Conference Room 8, Building 31, C Wing, National Institutes of Health, Bethesda, Maryland.

This meeting will be open to the public from 9:00 a.m. to 10:30 a.m. and from 1:30 p.m. to recess on March 20, at which time general information announcements will be made and administrative matters will be discussed. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of P.L. 92–463, the meeting will be closed to the public from 10:30 a.m. to 1:30 p.m. on March 20, and from 9:00 a.m. to adjournment on March 21, for the review, discussion and evaluation of individual grant applications. The applications contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications and proposals.

Mr. Robert L. Schreiber, Chief, Office of Research Reporting and Public Response, National Institute of Allergy and Infectious Diseases, Building 31, Room 7A32, Bethesda, Maryland, telephone (301) 496–5717, will provide summaries of meetings and rosters of committee members. Dr. William I. Gay, Executive Secretary of the Council, National Institute of Allergy and Infectious Diseases, National Institutes of Health, Westwood Building, Room 703, telephone (301) 496–7291, will furnish substantive program information.

Dated: January 10, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program Nos. 13.855, 13.856, 13.857, and 13.858, National Institutes of Health)

[FR Doc.75–1415 Filed 1–15–75;8:45 am]

NATIONAL ADVISORY EYE COUNCIL

Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the National Advisory Eye Council, National Eye Institute, March 17–18, 1975, in Building 31, conference room No. 4, National Institutes of Health, Bethesda, Maryland. This meeting will convene and be open to the public on March 17 from 1 p.m. to 5 p.m. for reporting on items of general interest by the Institute Director, and a discussion of proposed cooperative clinical trial on the use of vitrectomy surgery in the treatment of diabetic retinopathy. On March 18, this meeting will be open to the public from 1:30 p.m. to adjournment for a discussion of plans to implement National Eye Institute program priorities. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S.C., and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on March 18, 1975, from 9 a.m. to 12:30 p.m., for the review, discussion, and evaluation of individual grant applications. The applications contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications and proposals.

Mr. Julian Morris, Information Officer, National Eye Institute, National Institutes of Health, Bethesda, Maryland 20014, Building 31, room 6A27, telephone (301) 496–5248, will furnish summaries of the meeting and rosters of committee members.

Substantive program information may also be obtained from Dr. Carl Kupfer, Director, National Eye Institute, National Institutes of Health, Bethesda, Maryland 20014, Building 31, room 6A03, telephone (301) 496–2234.

Dated: JANUARY 10, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program No. 13.331, National Institutes of Health)

[FR Doc.75–1416 Filed 1–15–75;8:45 am]

PERIODONTAL DISEASES ADVISORY COMMITTEE

Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Periodontal Diseases Advisory Committee, National Institute of Dental Research, February 20–21, 1975, National Institutes of Health, Building 31–C, Conference Room 7, Bethesda, Maryland.

The entire meeting will be open to the public from 9:00 a.m. to 5:00 p.m. on February 20, and from 9:00 a.m. to adjournment on February 21, for discussion of the use of forecasting techniques to plan future research programs on the prevention and control of dental plaque, to plan for manpower development, to plan for the establishment of research centers, and the feasibility of establishing cooperative clinical research units. Attendance by the public will be limited to space available.

Dr. Anthony A. Rizzo, Special Assistant to the Associate Director, Extramural Programs, National Institute of Dental Research, National Institutes of Health, Westwood Building, Room 521, Bethesda, Maryland 20014, (phone number 301–496–7784), will provide summaries of the meeting and rosters of the committee members.

Dr. Anthony A. Rizzo, Special Assistant to the Associate Director, Extramural Programs, National Institute of Dental Research, National Institutes of Health, Westwood Building, Room 521, Bethesda, Maryland 20014, (phone number 301–496–7784), will furnish substantive program information.

Dated: JANUARY 6, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program No. 13.325 and 13.827, National Institutes of Health)

[FR Doc.75–1434 Filed 1–15–75;8:45 am]

RESEARCH STATUS OF SPINAL MANIPULATIVE THERAPY

Meeting

Notice is hereby given of an NINDS Workshop on the Research Status of Spinal Manipulative Therapy, National

Institutes of Health, February 2, 3, and 4, 1975, in the Clinical Center, Building 10, NIH, Bethesda, Maryland, starting at 7:30 p.m. on February 2, 1975.

The entire Workshop will be open to the public from 7:30 p.m. on February 2, 1975, until 10:00 p.m.; from 8:30 a.m. until 6:00 p.m. on February 3, 1975; and from 8:30 a.m. until 5:00 p.m. on February 4, 1975, for the discussion of the research status of spinal manipulative therapy. Attendance by the public will be limited to space available.

The Chief, Office of Scientific and Health Reports, Mrs. Ruth Dudley, Building 31, Room 8A03, NIH, NINDS, Bethesda, Maryland, telephone (301) 496–5751, will furnish summaries of the workshop.

Dr. Murray Goldstein, Chairman, Planning Committee; Associate Director, NINDS, Westwood Building, Room 757, Bethesda, Maryland, telephone (301) 496–7705, will furnish substantive program information.

Dated: January 6, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75–1437 Filed 1–15–75;8:45 am]

TOBACCO WORKING GROUP

Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Tobacco Working Group, National Cancer Institute, February 18–19, 1975, Building 31, Conference Room 4, Bethesda, Maryland.

This meeting will be open to the public on February 18–19, 1975 from 9:00 a.m. to 5:00 p.m. to discuss the current activities and plans of the Tobacco Working Group. Attendance by the public will be limited to space available.

Mrs. Marjorie F. Early, Committee Management Officer, NCI, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496–5708) will furnish summaries of meetings and rosters of committee members.

Dr. Thomas B. Owen, Executive Secretary, Building 31, Room 11A04, National Institutes of Health, Bethesda, Maryland 20014 (301/496–6271) will furnish substantive program information.

Dated: January 6, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75–1433 Filed 1–15–75;8:45 am]

VIRUS CANCER PROGRAM SCIENTIFIC REVIEW COMMITTEE A

Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Virus Cancer Program Scientific Review Committee A, National Cancer Institute, February 9, 1975, El Tropicano Hotel, Central American Room, San Antonio, Texas.

This meeting will be open to the public on February 9, 1975, from 9:00 a.m. to 10:00 a.m. to discuss the general plans and activities of the Breast Cancer Virus Program and the minutes of the previous meeting will be presented. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on February 9, 1975, from 10:00 a.m. to adjournment for the review, discussion and evaluation of individual contract proposals. The proposals contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals.

Mrs. Marjorie F. Early, Committee Management Officer, NCI, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496–5708) will furnish summaries of meetings and rosters of committee members.

Dr. Elke Jordan, Executive Secretary, Building 37, Room 1A01, National Institutes of Health, Bethesda, Maryland 20014 (301/496–6927) will furnish substantive program information.

Dated: January 9, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health)

[FR Doc.75–1425 Filed 1–15–75;8:45 am]

VIRUS CANCER PROGRAM SCIENTIFIC REVIEW COMMITTEE A

Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Virus Cancer Program Scientific Review Committee A, National Cancer Institute, February 13, 1975, Building 37, Room 1B04, National Institutes of Health, Bethesda, Maryland 20014.

This meeting will be open to the public on February 13, 1975, from 9:00 a.m. to 9:30 a.m. to discuss management practices. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on February 13, 1975, from 9:30 a.m. to adjournment for the review, discussion and evaluation of individual contract proposals. The proposals contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals.

Mrs. Marjorie F. Early, Committee Management Office, NCI, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496–5708) will furnish summaries of meetings and rosters of committee members.

Dr. Elke Jordan, Executive Secretary, Building 37, Room 1A01, National Institutes of Health, Bethesda, Maryland 20014 (301/496–6927) will furnish substantive program information.

Dated: January 9, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program No. 13,825, National Institutes of Health)

[FR Doc.75–1424 Filed 1–15–75;8:45 am]

VIRUS CANCER PROGRAM SCIENTIFIC REVIEW COMMITTEE B

Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Virus Cancer Program Scientific Review Committee B, National Cancer Institute, February 26 and 27, 1975, Building 31, Conference Room 4, National Institutes of Health, Bethesda, Maryland 20014.

This meeting will be open to the public on February 26, 1975, from 8:30 a.m. to 9:00 a.m. to discuss management practices. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on February 26, 1975, from 9:00 a.m. to adjournment on February 27, 1975, for the review, discussion and evaluation of individual contract proposals. The proposals contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals.

Mrs. Marjorie F. Early, Committee Management Officer, NCI, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496–5708) will furnish summaries of meetings and rosters of committee members.

Dr. Elke Jordan, Executive Secretary, Building 37, Room 1A01, National Institutes of Health, Bethesda, Maryland 20014 (301/496–6927) will furnish substantive program information.

Dated: January 9, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institute of Health.

(Catalog of Federal Domestic Assistance Program No. 13,825, National Institutes of Health)

[FR Doc.75–1423 Filed 1–15–75;8:45 am]

NATIONAL ADVISORY ENVIRONMENTAL HEALTH SCIENCES COUNCIL

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the National Advisory Environmental Health Sciences Council, March 20-21, 1975, at the National Institutes of Health, Bethesda, Maryland, Building 31-C, Conference Room 9.

This meeting will be open to the public on March 20, 1975, at 9 a.m. to report on legislative and interagency activities, and to discuss NIEHS intramural and extramural program activities, budgeting plans and other items of interest. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on March 20, 1975, from 1 p.m. to adjournment on March 21, 1975, for the review, discussion and evaluation of individual grant applications. The applications contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications and proposals.

Leota B. Staff, Committee Management Officer, NIEHS, Westwood Building, Room 404, Bethesda, Maryland, 20014, (301) 496-7483, will provide summaries of meetings and rosters of committee members. Dr. Cobert D. LeMunyan, Acting Associate Director for Extramural Programs, National Institute of Environmental Health Sciences, Research Triangle Park, North Carolina 27709, (919) 549-8111, extension 3353, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13-328, National Institutes of Health)

Dated: January 10, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-1413 Filed 1-15-75;8:45 am]

NATIONAL ADVISORY NEUROLOGICAL DISEASES AND STROKE COUNCIL

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the National Advisory Neurological Diseases and Stroke Council, National Institutes of Health, March 20, 21, and 22, 1975, at 9:00 a.m. in Building 31-C, Conference Room 7, NIH, Bethesda, Maryland.

This meeting will be open to the public from 9:00 a.m. until 1:30 p.m. on March 20, 1975, and from 11:00 a.m. to 1:30 p.m. on March 21, 1975, to discuss program planning and program accomplishments. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6) of Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public from 1:30 p.m. on March 20, 1975, until 11:00 a.m. on March 21, 1975, and from 1:30 p.m. on March 21, 1975, until the conclusion of the meeting on March 22, 1975, for the review, discussion and evaluation of individual grant applications. The applications contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with applications for research grants, Teacher-Investigator Awards, and Institutional National Research Service Awards.

The Chief, Office of Scientific and Health Reports, Mrs. Ruth Dudley, Bldg., 31, Room 8A03, NIH, Bethesda, Maryland, telephone (301) 496-5751, will furnish summaries of the meeting and rosters of committee members.

Dr. Murray Goldstein, Executive Secretary, Westwood Building, Room 757, Bethesda, Maryland, telephone (301) 496-7705, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13.851, 13.852, 13.853, 13.854, National Institutes of Health)

Dated: January 10, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-1412 Filed 1-15-75;8:45 am]

NATIONAL ADVISORY RESEARCH RESOURCES COUNCIL

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the National Advisory Research Resources Council, Division of Research Resources, March 13-14, 1975, Conference Room 9, Building 31, Bethesda, Maryland 20014.

This meeting will be open to the public from 9:00 a.m. to recess on March 13, 1975 for: The conduct of Council business; reports of the Director and Assistant Director, DRR; review of the Minority Biomedical Support Program; a discussion of the research program of the City of Hope; discussion of the status of the revised General Research Support Program; status of comments on Minority Biomedical Support Program Regulations; review of the Forward Plan 1976-1980 and the President's fiscal year 1976 Budget; and a discussion on conflict of interest in relation to resource sharing. Attendance by the public will be limited to space available. In accordance with the provisions set forth in section 552(b)4 and section 552(b)6 of Title 5 U.S. Code, and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on March 14 from 9:00 a.m. to adjournment for the review, discussion, and evaluation of individual grant applications. The applications contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and, personal information concerning individuals associated with the applications.

Mr. James Augustine, Information Officer, Division of Research Resources, National Institutes of Health, Room 5B39, Building 31, Bethesda, Maryland 20014, (301) 496-5545, will provide summaries of the meeting and rosters of the Council members. Dr. James F. O'Donnell, Assistant Director, Division of Research Resources, National Institutes of Health, Room 5B05, Building 31, Bethesda, Maryland 20014, (301) 496-6611, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13.306, 13.333, 13.337, 13.371, 13.375, National Institutes of Health)

Dated: January 10, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-1411 Filed 1-15-75;8:45 am]

BOARD OF ADVISORS TO THE FUND FOR THE IMPROVEMENT OF POSTSECONDARY EDUCATION

Notice of Renewal

I hereby determine, after consultation with the Director, Office of Management and Budget, that renewal of the Board of Advisors to the Fund for the Improvement of Postsecondary Education beyond January 4, 1975, is in the public interest in connection with the performance of duties imposed on the Department by law, that such duties can best be performed through the advice and counsel of such a group and, therefore, the committee is continued until September 30, 1976.

I further deem that it is not feasible for the Department or any of its existing committees to perform these duties, and that a satisfactory plan for appropriate balance of committee membership has been submitted.

Dated: January 4, 1975.

CASPAR W. WEINBERGER,
Secretary.

[FR Doc.75-1399 Filed 1-15-75;8:45 am]

CHILD AND FAMILY DEVELOPMENT RESEARCH REVIEW COMMITTEE

Notice of Meeting

The Child and Family Development Research Review Committee will meet on Wednesday, February 5, 1975 through Friday, February 7. The meeting will be held daily from 9 a.m. to 5 p.m. in Room 5030, Office of Child Development, 400 Sixth Street NW., Washington, D.C., and will be closed to the public except for the opening remarks. The purpose of the Committee is to review applications for research and demonstration projects in

the areas of child development and child welfare and to make recommendations to the Director, Office of Child Development, as to which projects should be funded. The agenda of this meeting will consist of opening remarks by the Acting Director, Office of Child Development, followed by the review of research proposals concerned with child abuse and neglect which have been submitted to the Office of Child Development for the award of grants. These applications are exempt from mandatory disclosure under 5 USC 552(b) (4) and (6) in that they contain trade secrets, commercial and financial information obtained from a person and privileged or confidential, and other personnel records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

A list of Committee members and a summary of the meeting may be obtained from:

Barbara Rosengard
Research and Evaluation Division
Office of Child Development
P.O. Box 1182
Washington, D.C. 20013
(202) 755-7758

Dated: December 24, 1974.

BARBARA ROSENGARD,
Executive Secretary.

[FR Doc.75-1398 Filed 1-15-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

FEDERAL AVIATION ADMINISTRATOR

Delegations of Authority Regarding Transportation of Hazardous Materials

The purpose of this notice is to reaffirm and continue certain delegations of authority with respect to the transportation of hazardous materials.

Title I of the Transportation Safety Act of 1974 (Pub. L. 93-633) vests the Secretary of Transportation with new duties and responsibilities regarding the safe transportation of hazardous materials. It also amends and continues in effect earlier legislation governing the same subject. Through delegations of authority set forth in §§ 1.46 (b) and (n), 1.47(a), 1.48(d), and 1.49(f) of title 49, Code of Federal Regulations, the Commandant of the Coast Guard, the Federal Aviation Administrator, the Federal Highway Administrator, and the Federal Railroad Administrator have been delegated authority to exercise the powers and perform the duties of the Secretary under the hazardous materials transportation laws as they existed prior to enactment of Pub. L. 93-633. Those delegations will continue in effect until further notice.

In addition, the Federal Aviation Administrator is hereby delegated the authority vested in the Secretary of Transportation to issue regulations in accordance with section 108 of Pub. L. 93-633 with respect to the transportation of radioactive materials on passenger-carrying aircraft and to establish procedures for monitoring and enforcing those regulations. In this connection, the Federal Aviation Administrator is also delegated authority to exercise the powers and perform the duties vested in the Secretary by section 105 of Pub. L. 93-633 to the extent necessary in carrying out section 108.

This notice is issued under the authority of section 9(e) of the Department of Transportation Act (49 U.S.C. 1657(e)).

Issued in Washington, D.C., on January 10, 1975.

JOHN W. BARNUM,
Acting Secretary of Transportation.

[FR Doc.75-1438 Filed 1-15-75;8:45 am]

ATOMIC ENERGY COMMISSION

[Dockets Nos. 50-321 and 50-366]

GEORGIA POWER CO.

Issuance of Amendments To Facility Operating License No. DPR-57 and Construction Permit No. CPPR-90

Notice is hereby given that the U.S. Atomic Energy Commission ("the Commission") has issued Amendment No. 7 to Facility Operating License No. DPR-57 and Amendment No. 2 to Construction Permit No. CPPR-90 issued to Georgia Power Company for the operation of Edwin I. Hatch Nuclear Plant Unit 1 (Hatch-1) and for the construction of Edwin I. Hatch Nuclear Plant Unit 2 (Hatch-2), respectively. These units are boiling water reactors and are located in Appling County, Georgia. The amendments are effective as of the date of issuance.

The amendments reflect a change in ownership of facilities Hatch-1 and 2. As a result of the change, the Oglethorpe Electric Membership Corporation is authorized to acquire a thirty percent undivided interest in the ownership of the facilities. Georgia Power Company retains sole responsibility for planning, design, construction, operation, maintenance, and disposal of the facilities.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended ("the Act"), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the amendments.

For further details with respect to this action, see (1) the application for amendments dated November 27, 1974, and supplement dated December 19, 1974, (2) Amendment No. 7 to Facility Operating License No. DPR-57 and Amendment No. 2 to Construction Permit No. CPPR-90, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Appling County Public Library, Parker Street, Baxley, Georgia.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing—Regulation.

Dated at Bethesda, Maryland, this 8th day of January, 1975.

For the Atomic Energy Commission.

GEORGE LEAR,
Chief Operating Reactors Branch #3, Directorate of Licensing.

[FR Doc.75-1378 Filed 1-15-75; 8:45 am]

[Docket No. 50-245]

NORTHEAST NUCLEAR ENERGY CO., ET AL.

Issuance of Amendment To Provisional Operating License

Notice is hereby given that the U.S. Atomic Energy Commission ("the Commission") has issued Amendment No. 5 to Provisional Operating License No. DPR-21. The license authorizes the Connecticut Light and Power Company, the Hartford Electric Light Company, Western Massachusetts Electric Company and Northeast Nuclear Energy Company to operate the Millstone Nuclear Power Station Unit No. 1 located in Waterford, Connecticut. The amendment is effective as of date of issuance.

The amendment revises the license to extend the fuel exposure restriction of 1000 MWD/ST to 3400 MWD/ST.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended ("the Act"), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

For further details with respect to this action, see (1) the application for amendment dated December 20, 1974, (2) Amendment No. 5 to License No. DPR-21, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Waterford Public Library, Rope Ferry Road, Waterford, Connecticut.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing—Regulation.

Dated at Bethesda, Maryland, this 9th day of January, 1975.

For the Atomic Energy Commission.

GEORGE LEAR,
Chief Operating Reactors Branch #3, Directorate of Licensing.

[FR Doc.75-1379 Filed 1-15-75;8:45 am]

[Docket No. 50-333]

POWER AUTHORITY OF THE STATE OF NEW YORK AND NIAGARA MOHAWK POWER CORP.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Atomic Energy Commission (the Commission) has issued Amendment No. 1 to Facility Operating License No. DPR-59 issued to Power Authority of the State of New York and Niagara Mohawk Power Corporation which revised Technical Specifications for operation of the James A. FitzPatrick Nuclear Power Plant, located in Scriba, Oswego County, New York. The amendment is effective as of its date of issuance.

The amendment corrects a typographical error in the reactor high water level trip setting.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

For further details with respect to this action, see (1) the application for amendment dated December 19, 1974, (2) Amendment No. 1 to License No. DPR-59, with any attachments, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Oswego City Library, 120 East Second Street, Oswego, New York 13126.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects Directorate of Licensing—Regulation.

Dated at Bethesda, Maryland, this 19th day of December 1974.

For the Atomic Energy Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors Branch #1, Directorate of Licensing.

[FR Doc.75-1380 Filed 1-15-75;8:45 am]

REGULATORY GUIDES

Issuance and Availability

The Atomic Energy Commission has issued two guides in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the AEC Regulatory staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 1.16 (Rev. 3), "Reporting of Operating Information—Appendix A Technical Specifications," describes a reporting program acceptable to the AEC Regulatory staff for meeting the reporting requirements of Appendix A technical specifications. Revision 3 reflects comments received on the guide and additional staff review.

Regulatory Guide 1.91, "Evaluation of Explosions Postulated to Occur on Transportation Routes Near Nuclear Power Plant Sites," describes a method acceptable to the Regulatory staff for determining safe distances from a nuclear power plant to a transportation route over which explosive material may be carried.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed (listed below) or (2) improvements in all published guides are encouraged at any time. Public comments on Regulatory Guide 1.91 will, however, be particularly useful in evaluating the need for an early revision if received by March 14, 1975.

Comments should be sent to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Docketing and Service Section.

Regulatory Guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides should be made in writing to the Director of Regulatory Standards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Telephone requests cannot be accommodated. Regulatory Guides are not copyrighted and Commission approval is not required to reproduce them.

Other Division 1 Regulatory Guides currently being developed include the following:

Primary Reactor Containment (Concrete) Design and Analysis.
Prevention of Fracture of Structural Discontinuities in Reactor Pressure Vessel.
Material Limitations for Component Supports.
Protection Against Postulated Events and Accidents Outside of Containment.
Fracture Toughness Requirements for Materials for Class 2 and 3 Components.
Maintenance of Water Purity in PWR Secondary Systems.
Criteria for Heatup and Cooldown Procedures.
Effects of Residual Elements on Predicted Radiation Damage.
Surveillance Testing and Inservice Inspection of Thermal Barrier and Steam Generator Materials in High-Temperature Gas-Cooled Reactors.
Surveillance and Postirradiation Examination of Fuel Rods in Lead Assemblies.
Design Load Combinations for Component Supports.
Interim Guide on Tornado Missiles.
Criteria for Plugging Steam Generator Tubes.
Structural Design Criteria for Fuel Assemblies in Light-Water-Cooled Reactors.
Overhead Crane Handling Systems for Nuclear Power Plants.
Recommended Procedure for Resintering Test to Monitor Densification Stability of Production Fuel.
Tornado Design Classification.
Overpressure Protection of Low-Pressure Systems Connected to Reactor Coolant Pressure Boundary.
Instrumentation for Light-Water-Cooled Nuclear Power Plants to Assess Plant Conditions During and Following an Accident.
Investigation of Material Underneath Nuclear Power Plant Foundations.
Protective Coatings for Light-Water Nuclear Reactor Containment Facilities.
Quality Assurance Requirments for Installation, Inspection, and Testing of Mechanical Equipment and Systems.
Quality Assurance Requirements for Installation, Inspection, and Testing of Structural Concrete and Structural Steel during the Construction Phase of Nuclear Power Plants.
Assumptions Used for Evaluating the Potential Radiological Consequences of a BWR Radioactive Offgas System Failure.
Fire Protection Criteria for Nuclear Power Plants.
Requirements for Auditing of Quality Assurance Programs for Nuclear Power Plants.
Quality Assurance Requirements for Control of Procurement of Equipment, Materials, and Services for Nuclear Power Plants.
Quality Assurance Requirements for Lifting Equipment.
Maintenance and Testing of Batteries.
Qualification Test of Class IE Cables, Connections, and Field Splices for Nuclear Power Plants.
Seismic Qualification of Class I Electric Equipment.
Design of Main Steam Line Isolation Valve Leakage Control Systems for Direct Cycle Boiling Water Reactor Nuclear Power Plants.
Fuel Oil Supplies for Standby Diesel Generators.
Quality Assurance Requirements for the Manufacture of Class IE Instrumentation and Electric Equipment for Nuclear Power Plants.
Assumptions Used for Evaluating the Potential Radiological Consequences of a Liquid Radioactive Waste System Accident.
Containment Isolation Provisions.
Instrument Spans and Setpoints.
Protection of Nuclear Power Plant Control Room Operators Against an Onsite Chlorine Release.
Initial Startup Testing Program for Facility Shutdown from Outside the Control Room.
Periodic Testing of Diesel Generators.
Qualification of Inspection, Examination, and Testing Personnel for Nuclear Facilities.
Quality Assurance Program Requirements for Nuclear Power Plant Fuels.
Testing of Nuclear Air Cleaning Systems.
Preoperational and Initial Startup Testing of Feedwater Systems for BWRs.
Design Criteria for Overload Protection of Motor-Operated Valves.
Probable Maximum Storm Surge Flooding on Lakes and Sea Shores.
Protection of Nuclear Power Plants Against Industrial Sabotage.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland this 8th day of January 1975.

For the Atomic Energy Commission.

ROBERT B. MINOGUE,
Acting Director of Regulatory Standards.

[FR Doc.75-1381 Filed 1-15-75; 8:45 am]

[Docket No. P-527-A]

LOUISIANA POWER AND LIGHT CO.

Partial Application for Construction Permits and Facility Licenses: Time for Submission of Views on Antitrust Matters

The Louisiana Power and Light Company, pursuant to section 103 of the Atomic Energy Act of 1954, as amended, has filed one part of an application, dated December 20, 1974, in connection with their plans to construct and operate two generating units utilizing two high temperature gas-cooled reactors. Each reactor will be designed for initial operation at approximately 3000 megawatts (thermal), with a net electrical output of approximately 1160 megawatts. The facility, designated as the St. Rosalie Generating Station, Units 1 and 2, will be located on the west bank of the Mississippi River at Alliance in Plaquemines Parish, Louisiana. The portion of the application filed contains the information requested by the Attorney General for the purpose of an antitrust review of the application as set forth in 10 CFR Part 50, Appendix L.

The remaining portion of the application consisting of a Preliminary Safety Analysis Report accompanied by an Environmental Report, pursuant to § 2.101 of Part 2, is expected to be filed in April, 1975. Upon receipt of the remaining portions of the application dealing with radiological health and safety and environmental matters, separate notices of receipt will be published by the Commission including an appropriate notice of hearing.

A copy of the partial application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545. Docket No. P-527-A has been assigned to the application and it should be referenced in any correspondence relating to it.

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 March 17, 1975.

Dated at Bethesda, Maryland, this 10th day of January 1975.

For the Atomic Energy Commission.

ROBERT A. CLARK,
Chief, Gas Cooled Reactors Branch, Directorate of Licensing.

[FR Doc.75-1301 Filed 1-15-75;8:45 am]

[Docket No. P-556-A]

OMAHA PUBLIC POWER DISTRICT

Partial Application for Construction Permit and Facility License: Time for Submission of Views on Antitrust Matters

Omaha Public Power District (the applicant), pursuant to section 103 of the Atomic energy Act of 1954, as amended, has filed one part of an application, dated November 15, 1974, in connection with their plans to construct and operate a pressurized water nuclear reactor to be located at a site near Blair, Nebraska, in Washington County. The portion of the application filed contains the information requested by the Attorney General for the purpose of an antitrust review of the application as set forth in 10 CFR Part 50, Appendix L.

The remaining portion of the application consisting of a Preliminary Safety Analysis Report accompanied by an Environmental Report pursuant to § 2.101 of Part 2, is expected to be filed during July 1975. Upon receipt of the remaining portions of the application dealing with radiological health and safety and environmental matters, separate notices of receipt will be published by the Commission including an appropriate notice of hearing.

A copy of the partial application is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., 20545. Docket No. P-556-A has been assigned to the application and it should be referenced in any correspondence relating to it.

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 March 17, 1975.

Dated at Bethesda, Maryland, this 9th day of January 1975.

For the Atomic Energy Commission.

WALTER R. BUTLER,
Chief, Light Water Reactors Project Branch 1-2, Directorate of Licensing.

[FR Doc.75-1302 Filed 1-15-75;8:45 am]

PLUTONIUM POWERED CARDIAC PACEMAKERS

Availability of Generic Draft Environmental Statement on Wide-Scale Use

Pursuant to the National Environmental Policy Act of 1969 and the United States Atomic Energy Commission's regulations in 10 CFR Part 51, notice is hereby given that a Draft Environmental Statement prepared by the Commission's Directorate of Licensing related to the widescale use of plutonium powered cardiac pacemakers is available for inspection by the public in the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. Copies of the Commission's Draft Environmental Statement may be obtained by request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Acting Deputy Director for Fuels and Materials, Directorate of Licensing—Regulation.

Pursuant to 10 CFR Part 51, interested persons may submit comments on the Draft Environmental Statement for the Commission's consideration. Federal and Agreement State agencies are being provided with copies of the Draft Environmental Statement. Comments are due by March 10, 1975. Comments by Federal and State officials and by other persons received by the Commission will be made available for public inspection at the Commission's Public Document Room in Washington, D.C. Upon consideration of comments submitted with respect to the draft environmental statement, the Regulatory staff will prepare a final environmental statement, the availability of which will be published in the FEDERAL REGISTER.

Comments on the draft environmental statement from interested persons of the public should be addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Acting Deputy Director for Fuels and Materials, Directorate of Licensing—Regulation.

Dated at Bethesda, Maryland this 10th day of January, 1975.

For the Atomic Energy Commission.

BERNARD SINGER,
Chief, Materials Branch, Fuels and Materials, Directorate of Licensing.

[FR Doc.75-1584 Filed 1-15-75;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 27349]

AIRSPAN FLIGHT CHARTER, LTD. AND CANADA-UNITED STATES (SMALL AIRCRAFT)

Prehearing Conference and Hearing

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on February 27, 1975, at 10:00 a.m. (local time), in Room 503, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C., before Administrative Law Judge William A. Kane, Jr.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before February 14, 1975.

Ordinary transcript will be adequate for the proper conduct of this proceeding.

Dated at Washington, D.C., January 13, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.75-1523 Filed 1-15-75;8:45 am]

[Docket No. 25280; Order 75-1-47]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Cargo Rate Matters

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 13th day of January 1975.

By Order 74-10-120, October 23, 1974, the Board set procedural dates for the

receipt of carrier justification, comments, and/or objections relating to an agreement among the carrier members of the International Air Transport Association (IATA). The agreement proposes a general 8 percent increase in North/Central Pacific cargo rates, and also proposes introduction of rates for B–747F containers in North/Central Pacific markets. Finally, it would revalidate through September 30, 1975, the entire North/Central Pacific cargo rate structure currently scheduled to expire December 31, 1974.

Statements of justification and supporting data have been submitted by The Flying Tiger Line Inc. (Tiger); Pan American World Airways, Inc. (Pan American); and Trans World Airlines, Inc. Similar data has been received from Northwest Airlines, Inc. (Northwest), a non-IATA carrier providing transpacific service. Japan Air Lines Company, Ltd. (JAL) has also filed a statement supporting the agreement. Objections to the proposed rate increase have been submitted by the Western Electronics Manufacturers Association (WEMA);[1] RCA; Motorola, Inc. (Motorola); and General Instrument Corporation (GIC).

With the exception of TWA, the four U.S. carriers operating transpacific services have provided complete financial forecasts of operating results and return on investment (ROI) for the year ending September 30, 1975 under both existing and proposed rates. The carrier forecasts are summarized in Appendix B.[2]

Tiger cites substantial cost increases in fuel as well as other categories, contending that "as a result of inflation, FTL's return on investment on international common carriage operations has significantly declined absent the rate relief requested herein," and forecasts an ROI of 11.7 percent at present rates and 16.5 percent at the proposed rates.[3] Tiger states that its forecast of a moderate, 10 percent traffic growth over the 12 months ended Setember 30, 1974, reflects "the present economic uncertainty affecting world trade and the softness of present traffic conditions." The carrier has also submitted data in support of the proposed rates for B–747F aircraft containers, which are set at the same effective rate per kilogram and cubic foot as now apply to other North/Central Pacific container rates already in effect.

Pan American states that although the increase could be justified on the basis of fuel costs alone,[4] the subject agreement was, in fact, adopted to cover non-fuel costs as well, and Pan American's overall earnings position in North/Central Pacific freighter service is clearly inadequate and warrants a general rate increase. Cost increases in labor, landing fees and commission expense have already been experienced amounting to $1.7 million over those for the year ended June 30, 1974, while the proposed increase will augment revenues by $2.3 million; at these levels, Pan American's ROI will improve from −0.7 percent to only 3.9 percent, still below any reasonable standard.

TWA cities present fuel costs of 38.87 cents/gal. which, at the projected consumption level for calendar 1975, represents a total fuel cost increase of $2.51, $2.55 or $2.56 million depending on the base period.[5] Total recovery from previous fuel-related rate increases, as well as the proposed increase, is estimated at $1.9 million for calendar 1975 so that even under the most favorable assumptions, TWA alleges, it will come nowhere near recovering its actual fuel cost increase. In all-cargo service, TWA forecasts operating losses of $0.7 million under existing rates and $0.2 million under proposed rates; in total Pacific cargo service (including belly cargo carried in combination service) the corresponding estimates are $0.7 million and $0.1 million, respectively.

Northwest's financial forecast shows a return on investment in freighter operations of −11.4 percent at present rates and −9.3 percent at proposed rates.

JAL has submitted figures purporting to show that its experienced fuel cost increase of 278 percent (July 1974 vs. the second quarter 1973) requires a 28.6 percent increase in both passenger fares and cargo rates to achieve full recovery whereas the cumulative increase in North/Central Pacific cargo rates, including the proposal before us, will amount to only a 25.4 percent increase. JAL also cites third and fourth-round fuel-related rate increases in other world areas, contending that the subject agreement only represents a catch-up for the North/Central Pacific, where there have been only two fuel "pass-through" increases in cargo rates.

The shippers generally allege, inter alia, that the carrier justifications are inadequate and show no need for an additional rate increase on the North/Central Pacific, where the carriers have already received two fuel-related increases in 1974;[6] that Pacific cargo rate yields are already considerably higher than Atlantic cargo yields and the Pacific rates should therefore remain at status quo until rates in other world areas "catch up"; and that the proposed increases are highly inflationary and the electronics industry, now faced with severe problems due to the general economic situation, simply cannot afford to pay the higher rates. Specifically, the shippers submit that Tiger, by its own admission, will experience excess earnings under the proposed rates; that the carriers virtually ignore the effects of the increase on cargo revenues in combination service but this factor must be carefully considered since a substantial portion of Pan American and Northwest's revenues are derived from belly cargo; that although Pan American shows disappointing financial results under both existing and proposed rates, its losses are attributable to continuing low load factors and inefficiency rather than inadequate yields; that TWA, which also exhibits inadequate earnings, is an insignificant factor in the market and wishes to pull out entirely; and that the Board, in its consideration of a rate increase wholly or in part fuel-related, should consider the substantial economies in fuel consumption achieved by the carriers in recent months, as well as the impact of the more efficient B–747F aircraft on that element of carrier costs.

The shippers also allege that the carrier forecasts contain inadequate supporting data on traffic, capacity and unit costs. In this connection they contend that Tiger's earnings are understated due to the inclusion of anticipatory and invalid revenue-related cost increases, and an unreasonably moderate traffic forecast; and that Northwest and TWA's forecasts are also suspect in that Northwest's projections reflect an unrealistically low load factor, and TWA's operating expenses apparently include anticipatory cost increases contrary to Board policy.[7]

Motorola also refers to Agreement C.A.B. 24488, which substantially increased North/Central Pacific commodity rates for electronic components and was approved by the Board in Order 75–1–46, January 13, 1975, and opposes any approval of the revalidation resolution in the agreement now before the Board

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[1] Hewlett-Packard Company; Fairchild Camera and Instrument Corporation; Rockwell International; Intel Corporation; National Semiconductor; Electronic Memories and Magnetics Corporation; Litronix, Inc.; Signetics Corporation; Intersil, Inc.; and American Microsystems, Inc.

[2] Filed as part of the original document.

[3] By a letter dated December 17, 1974, Tiger submitted revised figures to reflect the Board's recent action revoking its approval of a three percent devaluation-related surcharge on U.S.-originating North/Central Pacific fares and rates (Order 74–11–153, November 29, 1974) as well as corrections to its original submission on revenue departures, revenue aircraft wheel hours, wheel-hour utilization and, revenue aircraft days assigned. Tiger's revised financial forecast shows an ROI of 14.8 percent at present rates and 19.7 percent at proposed rates.

[4] Pan American's data show a total fuel cost increase of $6.8 million in North/Central Pacific all-cargo operations based on actual September 1974 vs. September 1973 prices at the forecast consumption level, while total recovery from past fuel-related rate increases, as well as the increase now proposed, amounts to only $5.6 million.

[5] TWA's base periods are years ended December 31, 1972, June 30, 1973 and September 30, 1973, respectively.

[6] Motorola and GIC apparently contend that because procedural Order 74–10–120 referred only to fuel costs, this agreement must be justified solely on that basis. The background documentation for Agreement C.A.B. 24714 clearly indicates, however, that the agreement was adopted to cover other cost escalations as well as fuel and in any event, as discussed further in this order, the Board must consider the overall economic position of the U.S. carriers in evaluating the agreement.

[7] Northwest's use of its July/August mail rate yield of 17.47 cents per revenue ton-mile (rtm) is also faulted because the Board recently, in Order 74–10–125, established increased Pacific temporary mail rates.

which could be construed as approval of the protested increases in commodity rates for these items. Finally, Motorola objects to the proposed rates for B–747F containers, contending that the proposed rates are much higher on a per kilogram basis than comparable B–747F rates over the Atlantic.

Upon full consideration of the agreement, the justification and comments, and all other relevant factors, the Board has concluded to disapprove the proposed rate increase. Although the carriers contend that the increase is justified by escalations in fuel prices and other costs, our review of their justifications indicates that the proposed increase is not warranted by current cost levels. Tiger, Pan American and Northwest forecast rates of return on investment of 19.7, 3.9 and −9.3 percent, respectively, under the proposed rates in all-cargo service,[8] yet there is reason to believe these results are significantly understated.

Tiger's traffic forecast reflects a growth of 10.2 percent over the most recent period (year ended September 30, 1974). We note, however, that last year's fuel crisis resulted in substantial cutbacks in both traffic and capacity, and it is therefore more appropriate to compare the carriers' traffic and capacity forecasts with results experienced during the last "normal" year before the fuel crisis. Tiger forecasts traffic growth of only 1.5 percent over the year ended September 30, 1973, and a decline in load factor from 64.9 to 63.4 percent. (See Appendix A) [9] This forecast appears to be overly conservative in light of the other carriers' forecasts which show substantial growth in traffic and/or load factor. We have therefore adjusted Tiger's traffic and revenue forecast to maintain the same load factor as that experienced during the year ended September 30, 1973. In addition we have excluded from Tiger's financial forecast increases in cost categories where the cost is expressed as a fixed percentage of freight revenue or other operating expenses.[10] These adjustments result in return on investment of 16.9 percent under present rates and 22.6 percent under proposed rates.

Pan American's forecast also includes cost increases in categories defined as a percentage of revenues or other costs. Moreover, Pan American's forecast, based on unit costs for fiscal 1974, incorporates fuel cost escalations which are in part anticipatory. The Board has recalculated Pan American's fuel cost escalation to reflect only actual, experienced fuel price increases, and finds that on this basis the carrier's earnings compute to an ROI of 3.9 percent at present rates and 7.9 percent at proposed rates.

Northwest's forecast for all-cargo operations is limited to freight only, and does not include revenues or expenses for mail. From other data included in Northwest's submission, however, we have constructed a revised financial forecast reflecting both freight and mail, which shows ROI's of −8.7 and −6.8 percent, respectively, under existing and proposed rates.[11]

On a composite basis, these adjustments show the three carriers at a 7.8 percent ROI under present rates, and a 12.5 percent ROI under proposed rates. Tiger, the most profitable Pacific operator, which carries over 60 percent of the traffic, would experience earnings in excess of the Board's 12 percent standard if the increase were approved. Moreover, we believe even these figures to be understated.

Our upward adjustment to Tiger's traffic forecast is conservative, reflecting a growth of only 3.9 percent over the year ended September 30, 1973. We also have serious reservations concerning Northwest's earnings position, which shows serious losses in freighter operations. Data included in Northwest's submission indicate that only 30 percent of the carrier's Pacific cargo traffic (mail and freight) is carried in freighter service, and the bulk of the rate increase, if approved, would apply to cargo carried in combination service. The Board agrees with the shippers' objections that the effect of a cargo rate increase on belly revenue must be considered. Northwest's overall ROI in Pacific operations reported for the year ended September 30, 1974 was 11.38 percent. Yet Northwest's forecast ROI in Pacific passenger operations (submitted in its September 17 justification for an eight percent fuel-related fare increase) for the year ending September 30, 1975 was only 5.53 percent, and it now forecasts a −9.3 percent return in all-cargo operations. The balance represents either a huge return on cargo carried in combination service, or a drastic decline in Northwest's overall earnings position—or both. Without further explanation, the Board is not persuaded of Northwest's need for a cargo rate increase.

In summary, the information available to the Board indicates that Tiger is currently in an above-standard earnings position which would rise if the proposed rate increase were approved, and the three primary Pacific carriers, on a composite basis, would be somewhat above the Board's 12 percent standard. If the other carriers operated at as efficient load factors as Tiger's their profits would be even higher. In these circumstances the Board cannot conclude that the increase is warranted, and accordingly it will be disapproved.

We will, however, approve the proposed rates for B–747F containers. Although these rates would be somewhat higher than comparable B–747F rates on the Atlantic, most transpacific rates are somewhat higher than the comparable transatlantic rates, and the effective rates per kilogram for the B–747F containers would be virtually identical to rates for other Pacific containers already in effect. The proposed revalidation of the overall North/Central Pacific structure through September 30, 1975 will also be approved.

Pursuant to sections 102, 204(a) and 412 of the Act, the Board makes the following findings:

1. It is found that the following resolutions, incorporated in the agreements indicated, are adverse to the public interest and in violation of the Act:

Agreement C.A.B. 24714	*IATA resolution*
R–2 -----	JT31(Mail 278)003uu.
R–3 -----	JT31(Mail 278)002.
	JT123(Mail 741)002, insofar as it would revalidate resolution 022p from U.S. points.
24806	
	JT31(Mail 281)314.
	JT123(Mail 744)314.
24820	
	JT31(Mail 279)314a.
	JT123(Mail 743)314a.

2. It is not found that the following resolutions, incorporated in Agreement C.A.B. 24714 as indicated, are adverse to the public interest or in violation of the Act:

Agreement C.A.B. 24714	*IATA resolution*
R–1 -----	JT31(Mail 278)536a.
R–3 -----	JT31(Mail 278)002.
	JT123(Mail 741)002, insofar as it would not revalidate resolution 022p from U.S. points.

Accordingly, It is ordered, That:

1. Those portions of Agreements C.A.B. 24714, C.A.B. 24806 and C.A.B. 24820 set forth in finding paragraph 1 above be and hereby are disapproved;

2. Those portions of Agreement C.A.B. 24714 set forth in finding paragraph 2 above be and hereby are approved;

3. The direct air carriers and indirect air carriers are hereby authorized to file tariffs reflecting the provisions of Agreement C.A.B. 24714, R–1, on not less than one day's notice for effect not earlier than January 15, 1975. The authority in this paragraph expires February 15, 1975; and

4. Tariffs reflecting the provisions of Agreement C.A.B. 24714, R–3 shall be marked to expire not later than September 30, 1975.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75–1521 Filed 1–15–75;8:45 am]

[8] Forecast returns under present rates are 14.8, −0.7, and −11.4 percent, respectively. See Appendix B.

[9] Filed as part of the original document.

[10] Reservations and sales; advertising and publicity; and general and administrative.

[11] Our estimates of Northwest's mail revenues is based on a revised yield of 19.80 cents/rtm reflecting the recent 13.36 percent surcharge on mail rates, rather than the 17.47-cent yield used by Northwest.

[Docket No. 25280; Order 75-1-46]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 13th day of January 1975.

By Order 74-7-113, July 25, 1974, the Board set procedural dates for the receipt of justification, comments and replies pertaining to an agreement of the carrier members of the International Air Transport Association (IATA) concerning North/Central Pacific specific commodity rates (SCR's) for various electronic components. The agreement was concluded following the Board's disapproval in Order 74-6-93, June 19, 1974, of earlier IATA agreements (CAB 24265/24300) establishing rates for commodity Item Nos. 4416, 4417, 4435, 4506, 9902 and 9903.[1] Generally, the agreement proposes consolidation of rates now published under six separate item numbers into one item number (4416) and involves increases in most of the previously disapproved rates. (See Appendix A).[2]

Statements of justification and supporting data have been filed by Pan American World Airways, Inc. (Pan American), The Flying Tiger Line Inc. (Tiger), and Trans World Airlines, Inc. (TWA). The carriers variously assert that the new agreement meets the Board's objections to the rates previously disapproved, and represents a decided improvement over the presently effective rates for these items. In this connection the carriers state that directional differentials have been eliminated entirely, and the wide variations in yields per revenue ton-mile among the various markets have been substantially alleviated.[4] While the presently effective rates, allegedly reflect differences in yield ranging up to 12.4 cents per revenue ton-mile, and the recently disapproved rates, up to 10.5 cents, the instant agreement would reduce the differentials to a maximum of 3 cents.[4] The carriers also allege that consolidation of the present rates into one commodity item description will alleviate confusion due to overlapping descriptions, and eliminate the discrimination inherent in the present availability in certain markets of some commodity rates only in one direction, or at a certain weightbreak, while the same traffic in a competing market could move on a different item number at a lower rate.

With regard to the level of the proposed rates, the carriers cite Order 74-6-93, in which the Board supported substantial increases in the rates here at issue (even though the rates were disapproved on the grounds of preference and prejudice), and contend that the new agreement reflects basically the same levels which the Board previously found reasonable. Pan American refers further to the Board's frequently stated position that commodity rates no longer considered promotional should be increased substantially, and the carriers generally assert that notwithstanding the increases here proposed, the new rates will still offer the shippers significant discounts from general cargo rates.[5] TWA alleges further that the proposed increases will have little effect on the final selling prices of the products transported, and will not weaken the various shippers' ability to compete.[6] Pan American and TWA also submit that the increases will produce badly needed revenue improvements, and in this connection cite their previous 1974 forecasts of financial results in North/Central Pacific freighter service which show operating losses of $2.5 million and $2.0 million, respectively.

Comments opposing the agreement have been submitted by electronics manufacturers which are heavily engaged in the shipment of electronic components between the United States and the Far East.[7] The shippers submit, inter alia, that although they are willing to pay their fair share of legitimate, demonstrable cost increases incurred by the airlines, the proposed increases are exorbitant; are even higher than previously proposed rates already disapproved by the Board; would put the electronics firms in the position of paying a disproportionate portion of carrier costs; are unrelated to the costs of transporting electronic components and do not reflect the cost savings to the carriers involved in the carriage of this traffic; would disadvantage the IATA carriers through loss of traffic and revenue; and are of such magnitude that the shippers would be unable to absorb the increases or to pass them on to their customers. The shippers' arguments are described at greater length in Appendix D.[8]

Replies to the carrier justifications have been submitted by all of the shippers who filed initial comments in opposition to the increases, and are presented in detail in Appendix D. The shippers generally contend that the carriers have not submitted adequate cost justification as required by the Board; that the carriers' reliance on the Board's statement in Order 74-6-93 is misplaced in that the proposed rates in Agreement CAB 24488 are much higher than those previously

[1] In Order 74-6-93, June 19, 1974, which generally approved the overall IATA North/Central Pacific cargo rate structure for effect through December 31, 1974, the Board said: "Turning to the objections expressed by the electronics shippers, the Board finds that the structure of rates proposed for various of these items still contains serious anomalies, does not eliminate the preference and prejudice on which last year's disapproval was predicated, and accordingly the rates will be disapproved. Generally speaking we have no particular problem with the levels proposed for these rates. Although the shippers cite extraordinary increases ranging over 70 percent for certain rates in some weightbreaks, it appears that the actual impact will be much less severe. From information supplied by the shippers themselves it appears that most of this traffic moves on the highest available weightbreaks, where the increases are not so great as at lower weightbreaks * * * The proposed increases do not appear unreasonable in light of the uncommonly low level of the present rates, and would result in rates which still afford substantial discounts (ranging from 15 to 39 percent) from the lowest available general cargo rate. For whatever reasons these rates were introduced during the open-rate period, there now appears to be no basis for maintaining such low levels, and there is no reason why they should not be brought into line with other commodity rates." On July 2, 1974 RCA filed a petition for reconsideration of Order 74-6-93, questioning the Board's rationale in its consideration of Agreements CAB 24265/24300. A similar joint petition was filed by Fairchild Camera and Instrument Corporation and Intel Corporation on July 16, and answers opposing the respective petitions were filed by The Flying Tiger Line on July 11 and 26. The petitions will be denied herein on the grounds that the protested rate increases were disapproved in any event; the issues presented by the petitioners are virtually identical to those submitted in opposition to Agreements CAB 24265/24300, as well as the new agreement now before us; and these issues are adequately dealt with in the instant order.

[2] Filed as part of the original document.

[4] The method of computing the new rates was to take the Tokyo/Los Angeles rates for item 4417 from the previous agreement as a base, and apply the existing 500 kg. general cargo rate differential between Tokyo and other Asian points to the base rates. Multiplication of the Tokyo/Los Angeles yield by the appropriate mileage for other points was found to be unsatisfactory because this would have produced commodity rates nearly equal to the general cargo rates in some instances.

[4] Tiger states they do not interpret the Board's position on yields in Order 74-6-93 as a ruling that in the future all rates must be constructed by strict adherence to application of a yield per ton-mile over a particular market's mileage. That is not the basis on which transpacific general rates have been constructed, Tiger contends, nor is it an established principle of ratemaking that there may be no variation in yield among various markets.

[5] Tiger cites discounts of 12 to 36 percent at all weightbreaks, and from 14 to 20 percent at the 1,000 kg. weightbreak.

[6] For example, TWA states that although the rate for semiconductors between Los Angeles and Hong Kong/Taiwan would increase by 20 cents per lb., the U.S. Department of Commerce Foreign Trade data for 1973 shows an average value of $31.72/lb. for semiconductors in those markets, for an increase of only 0.6 percent in value including transportation.

[7] RCA; General Instrument Corporation (GIC); Motorola, Inc. (Motorola); Hewlett-Packard Co. (Hewlett-Packard); Fairchild Camera & Instrument Corporation (Fairchild); Rockwell International (Rockwell); Intel Corporation (Intel); National Semiconductor Corporation (National Semiconductor); Electronic Memories & Magnetics Corporation (EMM); Western Electronics Manufacturers Association (WEMA).

[8] Filed as part of the original document.

considered; that the arguments in support of the agreement's alleged simplification of the structure of electronic commodity rates are faulty in that the proposed structure is still erratic, irrational and in any event does not remove the requirement for cost justification; and that the economic forecasts of Pan American and TWA are meaningless because they give no consideration to elasticity of demand and the decline in traffic which would result from the proposed rate increases.[9]

Replies to the shipper comments have been submitted by Tiger, Pan American and by Japan Air Lines Company, Ltd. (JAL). In summary, the carriers assert that the proposed rates are, in fact, warranted by their inherent value of service and the shippers have provided no evidence to the contrary; and the alleged cost savings due to density and handling are minimal. (See Appendix D).

Findings. As was the case with previous IATA agreements attempting to establish a structure of North/Central Pacific commodity rates for electronic components; there are two central issues to be considered by the Board:

(1) The relationship among the rates in various markets; and

(2) The overall level of the rates.[10]

The Board concludes that the instant agreement represents an acceptable solution to the problem of removing the discrimination inherent in the present pattern of commodity descriptions and rates for these items, which were introduced on a somewhat haphazard basis during the open-rate period beginning in October 1971. Present rates reflect anomalies such as conflicting and overlapping item descriptions; significant directional differentials unrelated to the costs of service and the movement of traffic; wide variations in yields among competing markets; and lower rates for more distant points. Consolidation of the previously disapproved rates into one set of rates under one commodity description eliminates the confusion and discrimination whereby a given commodity can be shipped under a number of different classifications, but rates under each item number are not available to competing markets, or in both directions. The proposed structure also removes the undue preference and prejudice among markets reflected by the irrational variance in yields among the several markets cited by the shippers. While the current spread in yield (cents per revenue ton-mile) is 12.91 cents, the proposed rates show a spread of only 4.39 cents.[11] The Board's prior statement in Order 74-6-93 that "there appears to be no reason for the variations in yield among the various cities" was not meant to imply that any variation in yield was unacceptable; rather, that the extreme variations in yields reflected by the rates then proposed displayed no rational pattern, and clearly appeared to create undue preference and prejudice among competing markets. It appears that the structure now proposed produces relatively small yield variations, which the complainants have not shown to be unjustly discriminatory.[12]

The Board further concludes that the proposed rate levels are reasonable and justified. In reaching this conclusion, the Board has considered the facts that the proposed rates are approximately 17 percent lower (generally ranging between 15 and 21 percent lower) than the general cargo rate level which the Board has approved; that the carriers' costs have increased significantly in the recent period; that the presently effective electronic parts rates are significantly below the carriers' costs of service; and the Board's established policy of leaving to the carrier's initiative considerable flexibility in publishing specific commodity rates while at the same time generally considering specific commodity rate increases as a source for increased yields when increased revenues are justified.[13]

The Board has approved the present Pacific general commodity rate level, but has found carrier proposals to increase it unwarranted.[14] In these circumstances of increasing costs, it is not at all unreasonable for the carriers to look to the increased specific commodity rates as a source for increasing yields. As indicated, the rate level complained against is about 17 percent below the applicable rates for use by those whose traffic moves under general commodity rates.

The Board has carefully considered the shippers' contentions that the rate increases on electronic parts would be unduly sharp, could not be absorbed by the shippers or passed on to the ultimate consumer, and will result in potential losses of traffic to IATA carriers. We cannot find, however, that these assertions warrant disapproval of the agreement.

It is true that substantial increases are proposed in some of the electronic parts rates. However, the greatest increases would apply to eastbound rates, which are significantly below comparable westbound rates, in order to remove the directionality and discrimination inherent in the existing pattern. In other cases, the magnitude of the increases results from removal of anomalies such as lower rates for more distant points. The uncommonly low eastbound levels are a direct result of the availability of empty backhaul capacity generated by one-way MAC operations during the open rate period, as well as intervention by foreign goverments. These rates were permitted to become effective consistent with the Board's policy to permit considerable flexibility to the carriers to experiment with specific commodity rates between the parameters of fully allocated and incremental costs, subject to Board review. The unusual combination of circumstances which produced these rates, and may have justified their acceptance at the time, no longer exists and there is no reason to require the carriers to maintain these rates at levels so far below the general run of commodity rates, particularly when the Board has recently approved a general increase in all other commodity rates.

Further the Board cannot find that the alleged competition and declining profitability in the electronics industry make it impossible to pass through higher transportation costs, or alternatively, absorb the cost increases. We recognize that GIC has submitted data in support of its contention that the rate increase will raise the selling price of its products significantly, but in general the shippers' allegations in this regard are not sufficiently definitive to support disapproval. In view of the high value per pound of the items concerned, as well as the large numbers of pieces per pound, the rate increases will apparently have very little effect on the price of each piece.[15]

The shippers also contend that a great deal of traffic will be lost by the IATA

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[9] GIC has also submitted a motion requesting an evidentiary hearing in which it states that for the Board to approve the subject agreement, it must find it not adverse to the public interest, i.e., that the proposed rates are just and reasonable and that they will promote economical and efficient air freight service. Such a finding, GIC alleges, must be based on "substantial evidence," and since the carriers have not provided sufficient facts on which to base such a finding, the Board is legally bound to set the matter for a full evidentiary hearing if it wishes to approve the agreement.

The three U.S. carriers, in opposition to GIC's motion, state that procedural Order 74-7-113 afforded all parties ample opportunity to submit comments opposing the agreement, and sufficient material has been filed to form a basis for the Board's decision; the GIC motion presents no new issues of fact requiring resolution in an evidentiary hearing; no requirement in the Act or in court decisions mandates hearings in connection with IATA agreements; the motion is only another attempt to delay revisions repeatedly directed by the Board; and a hearing would only cause further delay and the perpetuation of an uneconomic and discriminatory commodity rate structure for electronic goods.

GIC, in an answer to Tiger's reply, alleges that Tiger has misrepresented GIC's position in contending that GIC would find approval of the agreement and concurrent institution of an investigation acceptable. As discussed subsequently, GIC's motion will be denied.

[10] See Orders 72-6-138; 73-8-124; and 74-6-93.

[11] The rates proposed in Agreements C.A.B. 24265/24300, which were disapproved by the Board, reflected a spread of 10.39 cents. See Appendix C.

[12] Cf. Order 74-8-54, August 13, 1974, and prior orders in "Agreements Adopted by IATA Relating to North Atlantic Cargo Rates," Docket 20522.

[13] In its decision in Docket 22157 "United Air Lines, Inc., Specific Commodity Rates on Periodicals, Order 72-11-78, November 20, 1972, the Floral Products, and Seafood," Board stated, "Because of their inherently preferential nature, the Board does not normally require carriers to publish SCR's, but leaves the offering and justification of SCR's to the carriers' initiative. Once a carrier institutes a particular SCR it is still afforded a fairly broad area of discretion in revising such rates between the parameters of fully-allocated and incremental costs, subject to the Board's review." See also Orders 74-5-88 and 74-10-128.

[14] Orders 72-6-138, June 29, 1972; and 73-8-124, August 24, 1973.

[15] Cf. fn 5 supra.

carriers to charters, non-IATA carriers or surface transportation because of their inability to pay the increased rates. Although most of the shippers suggest alternatives to scheduled IATA carriage, and some include estimates of potential losses of traffic and revenue to the IATA carriers, only Fairchild, Motorola and Intel have provided any concrete data on measures already taken in response to the proposed increases, or due to previous increases already in effect.[16] These contentions are not persuasive. Even if we were to assume, arguendo, the shippers' difficulties as to cost pass through, or absorption of high air rates, or the dangers of diversion, the Board is not convinced that such assumption would warrant disapproval.

In a general sense, specific commodity rates are intended to develop new traffic which would not otherwise travel by air, or in limited cases, to permit carriage of low-value, "space-available" traffic.[17] Discounted commodity rates are not meant to carry the majority of traffic, as is now the case (60 percent of the total) in the North/Central Pacific market. The electronic parts rates alone move approximately 30 percent of total North/Central Pacific traffic, and at such volume, regularity and frequency they can no longer be considered as truly promotional rates whose central purpose is developing new traffic. In these circumstances, increases in specific commodity rates to levels still 17 percent below the general commodity rates do not warrant disapproval. If carriers are to continue to provide service, their revenues must meet their costs. We consider the carrier's proposal a legitimate effort to improve their yield to meet the increased cost to which they are subject.

The Board recognizes that there are other commodity rates in the North/Central Pacific structure at levels lower than those proposed for electronic parts in the same markets. As noted above, some are fresh produce rates whose use is strictly limited. Where manufactured articles are involved, it appears that they do not move in the same volume as the electronic items and may still fall into the category of truly promotional commodity rates. This is not to say there may not be good reason for further increases in rates for these goods.

In fact, Pan American's forecast still shows a marked share of traffic/share of revenue disparity in the overall balance of North/Central Pacific commodity rates in that even under the subject agreement, commodity rates will carry almost 66 percent of total traffic but will generate only 38.7 percent of revenue.

In short, the electronics firms have no inherent right to the lowest freight rates in the Pacific. Although they have cited the high density of their products in connection with capacity costs as justification for low rates, nothing indicates that electronic components have a density significantly greater than other manufactured commodities in these markets. Furthermore, Tiger's and Pan American's assertions that their aircraft tend to become weight rather than space-limited on the long transpacific stage lengths must be considered.

The data available to the Board also indicate clearly that the yields derived from the present electronic parts rates are significantly below the carriers' costs. For example, Tiger's average unit costs during the third quarter 1974 were 20.63 cents per RTM, but the presently effective electronic parts rates produce an average yield of only 18.24 cents, clearly insufficient even to enable the carrier to break even on carriage of this traffic.[18] The U.S. carriers' average yield for all scheduled freight traffic during the third quarter was 24.91 cents, due to substantial increases in other commodity rates approved in Order 74-6-93. The increases now proposed, which would produce an average electronic parts yield of 24.79 cents, would only bring the rates for electronic items into line with other North/Central Pacific rates.[19]

The Board has found general commodity rate levels to be adequate, and has disapproved proposals to increase them. At the same time, we have encouraged the carriers to increase specific commodity rates which are moving the bulk of the traffic, and the carriers responded with an agreement raising all commodity rates which was generally approved in Order 74-6-93. The preference and prejudice which precipitated disapproval of the electronics commodity rates at that time has now been removed, and there is no reason to delay further an increase in rates which move such a large portion of transpacific traffic.

The Board will also approve amendments to several unrelated and unprotested existing commodity rates, as detailed in Appendix E which were adopted at the same meeting which adopted the protested electronic rates.

Finally, the Board will herein deny GIC's motion for an evidentiary hearing. The shippers have had full opportunity to comment on the subject agreement, and have responded with voluminous objections. In any event, section 412 of the Act does not require evidentiary hearings in connection with Board consideration of IATA agreements.[20]

Pursuant to the Federal Aviation Act of 1958 and particularly sections 102, 204(a) and 412 thereof:

It is not found that the specific commodity rates listed in Appendices A and E hereto, and which are incorporated in Agreements C.A.B. 24488 and C.A.B. 24569, are adverse to the public interest or in violation of the Act, provided that approval is subject to the conditions hereinafter stated.

Accordingly, it is ordered, That:

1. Those portions of Agreements C.A.B. 24488 and C.A.B. 24569 set forth in the finding paragraph above be and hereby are approved: *Provided*, That:

(a) Approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication; provided further that tariff filings shall be marked to become effective on not less than 30 days' notice from the date of service of this order; and

(b) Specific commodity rates established pursuant to Resolution 590 with any United States point as an origin or destination shall be available to and/or from any other United States city having an intermediate position based on shortest operated mileages, at levels no greater than those established for the more distant point;

2. The petitions of RCA, Fairchild Camera and Instrument Corporation and Intel Corporation for reconsideration of Order 74-6-93 be and hereby are denied; and

3. The motion of General Instrument Corporation in Docket 25280 be and hereby is denied.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-1523 Filed 1-15-75;8:45 am]

[Docket 26494; Agreement C.A.B. 24837; Order 75-1-24]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

North Atlantic Passenger Fares

Correction

In FR Doc. 75-931 appearing in the issue of Friday, January 10, 1975 the seventh line of the final paragraph in the first column on page 2255 reading "74-10-106. We are not prepared to per-" should read "74-10-106. We would add that this".

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[16] The WEMA shippers state: "The changes which would be required as a result of the proposed rate increases could be so drastic that it is impossible to state with complete certainty at this time precisely what steps would be taken to keep out of the clutches of the IATA cartel." Fairchild states Tiger has already lost $500,000 of Fairchild's annual business, and the shipper has taken other steps to divert traffic to non-IATA carriers worth $1,250,000 in annual revenue. Motorola indicates that the proportion of its total traffic moving in surface increased from 42.1 percent during the first half of 1973 to 47.7 percent (by weight) during the same period of 1974; and Intel states that it has diverted 30 percent, or $175,000 of its traffic to surface.

[17] The latter case applies with respect to the various rates for fresh produce criticized by the electronics shippers. Not only are fruits and vegetables highly perishable, they also have a very low value per pound, and are subject to space-available, non-priority carriage restrictions.

[18] Yields for electronic parts traffic represent an arithmetic average of the rates analyzed in Appendix C. Although this method of computation has its shortcomings, none of the parties have submitted information to permit computation of an accurate, weighted average.

[19] We cannot accept the shippers' contentions that their position is justified by calculations based on the Bureau of Economics "cost-based formula" in the "Domestic Air Freight Rate Case." That formula, and the Bureau's brief and exhibits in general result from analysis of U.S. domestic operations only; many cost items, particularly fuel, are higher in international operations.

[20] "National Air Carrier Association v. C.A.B.," 436F 2d 185 (C.A.D.C. 1970).

[Docket No. 27367]

LOS ANGELES AIRWAYS CERTIFICATE PROCEEDING

Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on February 20, 1975, at 10 a.m. (local time), in Room 911, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C. before Administrative Law Judge William A. Kane, Jr.

In order to facilitate the conduct of the conference, parties are instructed to submit one copy to each party and four copies to the Judge of (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statement of positions of parties; and (5) proposed procedural dates. The Bureau of Operating Rights will circulate its material on or before February 5, 1975, and the other parties on or before February 13, 1975. The submissions of the other parties shall be limited to points on which they differ with the Bureau of Operating Rights, and shall follow the numbering and lettering used by the Bureau to facilitate cross-referencing.

Dated at Washington, D.C. January 13, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.75-1524 Filed 1-15-75;8:45 am]

[Docket 26494; Agreement C.A.B. 24823 R-1 through R-14; Order 74-12-102]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Passenger Fares and Currency Matters

Correction

In FR Doc. 75-53, appearing at page 1124 in the issue of Monday, January 6, 1974, the first paragraph should be preceded by the paragraph reading:

"Issued under delegated authority, December 26, 1974."

CONSUMER PRODUCT SAFETY COMMISSION

NATIONAL ADVISORY COMMITTEE FOR FLAMMABLE FABRICS ACT

Meeting

Notice is given that a meeting of the National Advisory Committee for the Flammable Fabrics Act will be held on Tuesday, January 28 (10 a.m. to 4 p.m.) and Wednesday, January 29 (9 a.m. to 1 p.m.) in the 6th Floor Conference Room, Consumer Product Safety Commission, 1750 K Street, NW., Washington, D.C.

The National Advisory Committee provides advice and recommendations on the Commission's proposals and plans for reducing the frequency and severity of burn injuries involving flammable fabrics.

The tentative agenda includes discussion of the following topics: Proposed amendments to the standard for flammability of children's sleepwear, sizes 7–14 (FF 5–74); labeling apparel and household textile products; future activities under the Flammable Fabrics Act, i.e., additional standards required and possible amendments to the Act; summary of Fire Incident Survey; proposal for alternate laundering procedures; new test concept of general wearing apparel; and CPSC activities related to possible development of standards for fabric ignition sources.

The meeting is open to the public, however, space is limited. Further information concerning this meeting and final agenda may be obtained from the Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207, phone (202) 634-7700.

Dated: January 13, 1975.

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

[FR Doc.75-1441 Filed 1-15-75;8:45 am]

DELAWARE RIVER BASIN COMMISSION

PUBLIC HEARING

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Wednesday, January 29, 1975, commencing at 2 p.m. The hearing will be held in the South Auditorium of the ASTM Building, 1916 Race Street in Philadelphia. The subjects of the hearing will be as follows:

A. Pennsylvania Power and Light Company Water Supply Contract: A proposed contract between the Delaware River Basin Commission and Pennsylvania Power and Light Company whereby the Commission will supplement the flows of the Delaware River by operation of those water supply facilities under its control to enable the Company to withdraw water required to operate new units No. 3 and No. 4 at its Martins Creek electric generating station located on the Delaware River in Lower Mount Bethel Township, Northampton County, Pa., at River Mile 195.25. The Company agrees to pay for the water withdrawn at rates duly established in the Commission's Administrative Manual, Part III, Basin Regulations, and to make minimum payments as set forth in the contract.

B. A proposal to amend the Commission's Administrative Manual by adding a new body of regulations under the Freedom of Information Act Amendments, Public Law 93-502, enacted November 21, 1974. These proposed regulations relate to public access to Commission records. They establish certain requirements as to time of agency response to requests for records, criteria for compliance, fees for staff services necessary to locate and duplicate records, exemptions and other related issues. Copies of the proposed regulations are available at no charge upon request.

C. Applications for approval of proposed projects listed below. The Commission will consider these applications as amendments to the Comprehensive Plan pursuant to Article 11 of the Compact and/or as project approvals pursuant to Section 3.8 of the Compact.

1. *Borough of Quakertown (D-74-200 CP).* Dualization of the Beaver Run interceptor sewer in the Borough of Quakertown, Bucks County, Pa. Approximately 3,100 feet of interceptor will be installed to serve the upgraded treatment plant.

2. *Borough of Quakertown (D-74-86 CP).* Expansion of the pumping station at the Borough's sewage treatment plant in Quakertown, Bucks County, Pa. Facilities will be provided at the plant to treat an average of 2.3 million gallons per day of sewage flow.

3. *New Jersey Water Co. (D-74-185 CP).* A well water supply project to augment public water supplies in the company's service area in the City of Beverly and several adjacent townships and boroughs in Burlington County, N.J. Designated as Well No. 33, the facility will be limited to a maximum withdrawal of 31 million gallons during any month.

4. *East Vincent Municipal Authority (D-74-87 CP).* An interceptor sewer project serving the southeast portion of East Vincent Township, Chester County, Pa. The project will convey an average of 1.4 million gallons per day of sewage to the proposed Spring City sewage treatment plant for treatment prior to discharge to the Schuylkill River.

5. *Philadelphia Electric Co. (D-74-22).* An industrial wastewater discharge at the company's Tilghman Street gas plant in Chester, Delaware County, Pa. Approximately 3.4 million gallons per day of cooling water and condensate from heat operations will discharge to the Delaware River.

D. Application for water quality certification for the project listed below pursuant to Section 401 of the Federal Water Pollution Control Act:

1. Burlington County Board of Chosen Freeholders, replacement of Coleman's Bridge over the North Branch Rancocas Creek in Pemberton Township, Burlington County, N.J.

Documents relating to the items on this hearing notice may be examined at the Commission's offices. Persons wishing to testify are requested to notify the Secretary prior to the hearing.

W. BRINTON WHITALL,
Secretary.

JANUARY 10, 1975.

[FR Doc.75-1481 Filed 1-15-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 322-3]

MAINTENANCE OF NATIONAL AMBIENT AIR QUALITY STANDARDS

Public Hearings on Proposed Air Quality Maintenance Areas

In the FEDERAL REGISTER of August 12, 1974, the Administrator proposed a list of "Air Quality Maintenance Areas" (AQMA's) pursuant to 40 CFR 51.12(e) and (f) which have the potential for violation of the national air quality standards through 1985 (39 FR 28906) including several AQMAs in Michigan. Previously, the State of Michigan had held two public hearings on its designated AQMA on May 6, 1974, in Detroit and Grand Rapids. Because the Administrator's proposed AQMAs vary from the State's designations, the Administrator proposes to hold Federal hearings on the proposals for the State of Michigan, with exception of the Detroit AQMA for total suspended particulates which AQMA is to be designated in a future FEDERAL REGISTER. The purpose of this notice is to specify the dates, times, and locations of these hearings, which will address the remaining AQMA proposals.

MICHIGAN

January 28, 1975, at 9:30 a.m. at the Olds Plaza Hotel, Michigan Room South,

125 West Michigan Avenue, Lansing, Michigan 48933. Hearing Officer: Peter Kelly.

January 29, 1975, at 9:30 a.m. at the Mr. President's Motor Hotel, State Room, 322 Plainfield Road, Grand Rapids, Michigan 49505. Hearing Officer: Peter Kelly.

Copies of the technical documents supporting the USEPA proposed designations may be inspected during the normal business hours at the Region V Office, 230 S. Dearborn Street, Chicago, Illinois 60604, and at the Michigan Department of Natural Resources Office, Stevens T. Mason Building, Lansing, Michigan 48926. Also written comments on the proposals may be submitted, preferably in triplicate, to Mr. Peter Kelly, Enforcement Division, Region V Office. Written comments received not later than 30 days from the date of the public hearings will be considered. After the comment period, all comments will be available for public inspection during normal business hours at the Region V Office and at the Freedom of Information Center, EPA, Room 329, 401 M Street, SW., Washington, D.C. 20460.

Dated: January 10, 1975.

ROGER STRELOW,
Assistant Administrator for Air and Waste Management.

[FR Doc.75-1550 Filed 1-15-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 736]

COMMON CARRIER SERVICES INFORMATION [1]

Domestic Public Radio Services Applications Accepted for Filing [2]

JANUARY 13, 1975.

Pursuant to §§ 1.227(b)(3) and 21.30 (b) of the commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the attached list, must be substantially complete and tendered for filing by whichever date is earlier: (a) the close of business one business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cut-off dates are set forth in the alternative—applications will be entitled to consideration with those listed in the appendix if filed by the end of the 60 day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's Rules for provisions governing the time for filing and other requirements relating to such pleadings.

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

APPLICATIONS ACCEPTED FOR FILING:

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE.

20920-CD-P-(4)-75, Airsignal International, Inc. (KKG561). C.P. to change antenna system operating on 35.22 MHz at Loc. #2: 2901 Frick Road, Houston, Texas; change antenna system operating on 35.22 MHz at Loc. #3: 401 Mayo Shell Road, Houston, Texas; change antenna system operating on 35.22 MHz at Loc. #4: East Hampton Circle, Houston, Texas; and add antenna Loc. #5 to operate on 35.22 MHz to be located at 7000 Fannin Street, Houston, Texas.

21003-CD-AL-(2)-75, Loftin's Transfer & Storage Co., Inc., dba Mobilphone Systems. Consent to Assignment of License from Mobilphone Systems, Assignor, to Alvin D. Escue dba Telpage of Dothan, Assignee. Stations: KTS265, KTS276, Dothan, Alabama.

21004-CD-AL-75, Hillsdale County Telephone Company. Consent to Assignment of License from Hillsdale County Telephone Company, Assignor, to Camden Rural Telephone Company, Assignee. Station: KQK-719, Pittsford, Michigan.

21005-CD-P-(2)-75, DPRS, Inc. t/a Zipcall (KSV955). C.P. for additional facilities to operate on 158.70 MHz at a new site to be located at Wood Hill, Andover, Massachusetts; and additional facilities to operate on 158.70 MHz at a new site to be located on Oak Street, 0.4 mile North of Route #6, Barnstable, Massachusetts.

21006-CD-P-(4)-75, Schuylkill Mobile Fone, Inc. (KGA589). C.P. for additional facilities to operate on 152.06 MHz at Loc. #1: Sharp Mountain, N. Manhein Twp., Pottsville, Pennsylvania; and add antenna Loc. #2 to operate on 152.18, 454.175, and 454.275 MHz to be located at Broad Mountain, St. Clair, Pennsylvania.

21007-CD-TC-(2)-75, Radiofone Corporation of Pennsylvania, Inc. Consent to Transfer of Control from Radiofone Corporation, Transferor, to Tri-State Radio Corporation, Transferee. Stations: KGC222, Lemoyne, and KGI278, York, Pennsylvania.

21008-CD-P-(2)-75, RCC of Virginia, Inc. (KIY595). C.P. for additional facilities to operate on 152.03 & 152.21 MHz located at 3004 North Main Street, Danville, Virginia.

Major Amendment

20617-CD-P-75, Island Telepage Systems, Blyn, Washington (new). Amend base frequency 152.18 MHz to read 454.250 MHz. All other particulars to remain as reported on PN #726 dated November 4, 1974.

Correction

Correction to PN #732 dated December 16, 1974. J & S Communications Co., Cape Girardeau, Missouri, 20627-CD-TC-75, should have read delete Station KRS635. All other particulars remain as reported.

Informative

On December 16, 1974 the Commission released a Report and Order in Docket No. 19555 (FCC 74-1042) adopting rules implementing the National Environmental Policy Act of 1969. Applicants are reminded that these rules will become effective for all applications filed on or after January 20, 1975. Such applications which would involve a "major action", as defined by Section 1.1305 of the Rules, must contain the environmental information specified by § 1.1311 in order to be considered acceptable for filing.

RURAL RADIO SERVICE

60240-CR-P-75, RCA Alaska Communications, Inc. (KFK62). C.P. to replace transmitter change antenna system, change frequency from 454.575 to 454.650 MHz and to add frequency 454.375 MHz located at remote repeater site at Hill 2758 on the Alyeska Pipeline route; 60 miles NW. of Fairbanks West, Alaska.

60241-CR-P-75, RCA Alaska Communications, Inc. (KFK60). C.P. to replace transmitter, and change frequency from 454.575 to 459.650 MHz located at Alyeska Pipeline construction site near Livengood Village; 47 miles NW. of Fairbanks, Livengood Camp, Alaska.

60242-CR-P-75, RCA Alaska Communications, Inc. (new). C.P. for a new interoffice station to operate on 459.375 MHz to be located on Elliott Hwy. 42 miles S. of Glennallen, Pump Station #7, Alaska.

POINT-TO-POINT MICROWAVE RADIO SERVICE

2045-CF-P-75, CPI Satellite Telecommunications, Inc. (WPE35), Dallas, Texas. Lat. 32°46'49" N., Long. 96°48'07" W. C.P. to add frequencies 11465V and 11225V MHz towards Cedar Hill, Texas, on azimuth 217 degrees/07 minutes.

2046-CF-P-75, Same (new), Cedar Hill, Texas. Lat. 32°34'42" N., Long. 96°58'56" W. C.P. for a new station on frequencies 11175V and 10935V MHz towards Dallas, Texas, on azimuth 37 degrees/00 minutes.

2047-CF-P-75, Midwestern Relay Company (new), Western Union Satellite Earth Station, Lake Geneva, Wisconsin. Lat. 42°37' 19" N., Long. 88°25'56" W. C.P. for a new station on frequencies 10735V and 10895V MHz towards Lake Geneva, Wisconsin, on azimuth 114 degrees/35 minutes.

2110-CF-P-75, MCI-New York West, Inc. (new), 214 West 77th Street, Chicago, Illinois. Lat. 41°45'17" N., Long. 87°37'49" W. C.P. for a new station on frequencies 10735.0H MHz towards Chicago, Illinois, on azimuth 181 degrees/52 minutes.

2111-CF-P-75, Same (WLI71), 200 Block of West 87th Street, Chicago, Illinois. Lat. 41°44'08" N., Long. 87°37'52" W. C.P. to add 11225.0H MHz towards a new point of communication at Chicago 77, Street, Chicago, Illinois, on azimuth 01 degrees/52 minutes.

2101-CF-ML-75, United Telephone Company of the Carolinas, Inc. (KJH37), Lobeco, South Carolina Lat. 32°33'17" N., Long. 80°44'59" W. Mod. of C.P. to add 6256.5H MHz towards Beaufort, South Carolina, on azimuth 152 degrees/53 minutes; 6256.5V MHz towards Ridgeland, South Carolina, on azimuth 248 degrees/58 minutes.

2106-CF-P-75, Munising Telephone Company (new), 2 miles SE. of Munising, on Cemetery Hill Road, Michigan. Lat. 46°23' 38" N., Long. 86°38'07" W. C.P. for a new station on 2116.5H MHz towards Hiawatha Forest, Michigan, on azimuth 180 degrees/21 minutes.

[1] All applications listed in the appendix are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's Rules, regulations and other requirements.

[2] The above alternative cut-off rules apply to those applications listed in the appendix as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio and Local Television Transmission Services (Part 21 of the Rules).

2107–CF–P–75, Same (new), 0.5 mile South of Hidden Lake, on Highway #13, Hiawatha Forest, Michigan. Lat. 46°08'42" N., Long. 86°33'15" W. C.P. for a new station on 2166.5H MHz towards Munising, Michigan, on azimuth 00 degrees/21 minutes.

2108–CF–P–75, Same (new), 1.4 miles South of Eckerman, on Highway #28, Michigan. Lat. 46°20'41" N., Long. 85°02'05" W. C.P. for a new station on 2116.5V MHz towards Paradise, Michigan, on azimuth 359 degrees/00 minutes.

2109–CF–P–75, Same (new), 0.25 miles Northwest of Paradise, on Highway #123, Michigan. Lat. 46°37'43" N., Long. 85°02'31" W. C.P. for a new station on 2116.5V MHz towards Eckerman, Michigan, on azimuth 178 degrees/59 minutes.

2119–CF–P–75, Continental Telephone Company of Utah. (KPS97), 6 miles ENE. of Prombontory, Utah. Lat. 41°49'51" N., Long. 112°26'41" W. C.P. to change azimuth path, length, and replace transmitters on 11365V and 11685H MHz towards Little Mountain, Utah, on azimuth 158 degrees/56 minutes.

2123–CF–P–75, General Telephone Company of Kentucky (KGG27), 301 West Washington Street, Glasgow, Kentucky. Lat. 36°59'-46" N., Long. 85°54'53" W. C.P. to add 2172.0H MHz towards a new point of communication at Cyclone Repeater Station, on azimuth 126 degrees/29 minutes.

2124–CF–P–75, Same (new), 2.3 miles South of the intersection of Kentucky #90 & 163, Cyclone, Kentucky. Lat. 36°51'01" N., Long. 85°40'11" W. C.P. for a new station on 2122.0H MHz towards Glasgow, Kentucky, on azimuth 306 degrees/37 minutes; 2117.2V MHz towards Grandview Terminal, Tompkinsville, Kentucky, on azimuth 188 degrees/37 minutes.

2125–CF–P–75, Same (new). At the end of American Legion Road, Tompkinsville, Kentucky. Lat. 36°43'08" N., Long. 85°41'-40" W. C.P. for a new station on 2167.2V MHz towards Cyclone Repeater Station, Kentucky, on azimuth 08 degrees/36 minutes.

2148–CF–P/L–75, RCA Global Communications, Inc. (new), 2.6 miles NW. of Dededo, Mariana Islands (Guam). Lat. 13°32'31.8" N., Long. 144°48'35.5" W. C.P. and License for a new station on 6675V MHz towards Yona, via passive reflector.

2149–CF–P/ML–75, Same (KUA53), 2 miles NW. of Yona, Mariana Islands (Guam). Lat. 13°25'00" N., Long. 144°44'57" E. C.P. and Mod of License to add 6835V MHz towards Dededo, via passive reflector.

2152–CF–P–75, RCA Alaska Communications, Inc. (WAS454), Pump Station #9, 4.1 miles SSW. of Big Delta, Airport, Alaska. Lat. 63°-55'53" N., Long. 145°56'05" W. C.P. to add 2178.0V MHz towards Donnelly Dome, Alaska, on azimuth 196 degrees/02 minutes.

2153–CF–P–75, Same (WAH417), White Alice Communication site at 248 Richardson Highway, 14.5 miles South of Delta Junction, Donnelly Dome, Alaska. Lat. 63°-47'14" N., Long. 145°51'42" W. C.P. to add 2128.0V MHz towards a new point of communication at Pump Station #9, Alaska, on azimuth 15 degrees/57 minutes.

2166–CF–P–75, RCA Alaska Communications, Inc. (WAS451), Pump Station #6, Yukon River Valley, 90 miles NW. of Fairbanks, Alaska. Lat. 65°51'16" N., Long. 149°44'05" W. C.P. to add 2112.4V MHz towards Hamlin, Alaska, on azimuth 304 degrees/44 minutes.

2167–CF–P–75, Same (KPJ63), Hamlin Remote repeater site near Hill 3911 on Alyeska Pipeline route; 128 miles NW. of Fairbanks, Alaska. Lat. 66°08'33" N., Long. 150°46'24" W. C.P. to add 2162.4V MHz towards a new point of communication at Pump Station #6, Alaska, on azimuth 123 degrees/47 minutes.

2170–CF–MP–75, United Telephone Company of the Carolina, Inc. (KIC29), Saveall Street at Highway #2, Greenwood, South Carolina. Lat. 34°10'19" N., Long. 82°-08'32" W. Mod. of C.P. to add 6256.5V MHz towards Troy, South Carolina, on azimuth 214 degrees/26 minutes; 6256.5H MHz towards Saluda, South Carolina, on azimuth 118 degrees/43 minutes.

2177–CF–P–75, Northwestern Bell Telephone Company (KPP31), 2 miles South of Sutherland, Nebraska Lat. 41°07'41" N., Long. 101°07'51" W. C.P. to corerct coordinates as stated above; change azimuth and antenna system on 6315.9H MHz towards Sutherland, via passive reflector.

2178–CF–ML–75, American Telephone and Telegraph Company (KYM98), 1.4 miles NNW. of Ida, Kentucky. Lat. 36°47'12" N., Long. 85°10'31" W. Mod. of License to change polarity from Vertical to Horizontal on 3710, 3790, 3870, 3950, 4030, 4110, and 4190; from Horizontal to Vertical on 3850, 3930, 4010 4009, and 4170 MHz towards Allons, Tennessee, on azimuth 204 degrees/24 minutes.

2179–CF–ML–75, Same (KYM99), 1.8 miles NNW. of Allons, Tennessee. Lat. 36°28'08" N., Long. 85°21'13" W. Mod. of License to change polarity from Vertical to Horizontal on 3750, 3830, 3910, 3990, 4070, 4150, and 4193 MHz; from Horizontal to Vertical on 3810, 3890, 3970, 4050, and 4130 MHz towards Ida, Kentucky, on azimuth 24 degrees/17 minutes.

2180–CF–ML–75, Same (KYN27), 4.9 miles SSW. of Olivehill, Tennessee. Lat. 35°-12'26" N., Long. 88°03'39" W. Mod. of License to change polarity from Horizontal to Vertical on 3710, 3790, 3870, 3950, and 4030 MHz towards Waynesboro, Tennessee, and from Vertical to Horizontal on 3770, 3850, 3930, 4010, 4090, and 4170 MHz towards Waynesboro, Tennessee, on azimuth 69 degrees/14 minutes.

2181–CF–ML–75, Same (KYN26), 3.7 miles East of Waynesboro, Tennessee. Lat. 35°-19'11" N., Long. 87°41'50" W. Mod. of License to change polarity from Vertical to Horizontal on 3730, 3810, 3890, 3970, 4050, and 4130 MHz; from Horizontal to Vertical on 3750, 3830, 3910, 3990, and 4070 MHz towards Olivehill, Tennessee, on azimuth 249 degrees/26 minutes.

2202–CF–P–75, Southwestern Bell Telephone Company (KAD24), 3.2 miles South of Basehor, Kansas. Lat. 39°05'32" N., Long. 94°56'42" W. C.P. to add 3830V MHz towards Oskaloosa, Kansas, on azimuth 282 degrees/44 minutes; 3830H MHz towards Mission, Kansas, on azimuth 105 degrees/38 minutes.

2203–CF–P–75, Same (KAD25), 4 miles South of Oskaloosa, Kansas. Lat. 39°09'31" N., Long. 95°19'33" W. C.P. to add 3790H MHz towards Topeka, Kansas, on azimuth 252 degrees/36 minutes; 3790V MHz towards Basehor, Kansas, on azimuth 102 degrees/30 minutes.

2204–CF–P–75, Southwestern Bell Telephone Company (KAD26), Third and Oakley Streets, Topeka, Kansas. Lat. 39°03'46" N., Long. 95°42'56" W. C.P. to add 3750H MHz towards St. Marys, Kansas, on azimuth 304 degrees/50 minutes; 3830H MHz towards Oskaloosa, Kansas, on azimuth 72 degrees/22 minutes.

2205–CF–P–75, Same (KAD27), 4 miles North of Saint Marys, Kansas. Lat. 39°15'36" N., Long. 96°04'52" W. C.P. to add 3710H MHz towards Manhattan, Kansas, on azimuth 261 degrees/09 minutes; 3710H MHz towards Topeka, Kansas, on azimuth 124 degrees/36 minutes.

2206–CF–P–75, Same (KAD28), 0.5 mile North of Manhattan, Kansas. Lat. 39°11'-57" N., Long. 96°34'27" W. C.P. to add 4090V MHz towards Junction City, Kansas, on azimuth 231 degrees/07 minutes; 3750H MHz towards St. Marys, Kansas, on azimuth 80 degrees/50 minutes.

2207–CF–P–75, Same (KAE25), 2 miles SW. of Junction City, Kansas. Lat. 39°00'42" N., Long. 96°52'18" W. C.P. to add 4050H MHz towards Talmage, Kansas, on azimuth 263 degrees/34 minutes; 4050V MHz towards Manhattan, Kansas, on azimuth 50 degrees/56 minutes.

2208–CF–P–75, Same (KAE26), 4.3 miles SW. of Talmage, Kansas. Lat. 38°58'21" N., Long. 97°18'26" W. C.P. to add 4090H MHz towards Salina, Kansas, on azimuth 240 degrees/40 minutes; 4090H MHz towards Junction City, Kansas, on azimuth 83 degrees/17 minutes.

2209–CF–P–75, Same (KAE27), 137 South Seventh Street, Salina, Kansas. Lat. 38°50'-21" N., Long. 97°36'35" W. C.P. to add 3970H MHz towards McPherson, Kansas, on azimuth 180 degrees/06 minutes; 4050H MHz towards Talmage, Kansas, on azimuth 60 degrees/29 minutes.

2210–CF–P–75, Same (KAE28), 7 miles NNE. of McPherson, Kansas. Lat. 38°28'15" N., Long. 97°36'38" W. C.P. to add 4010H MHz towards Hutchinson, Kansas, on azimuth 219 degrees/51 minutes; 4010H MHz towards Salina, Kansas, on azimuth 00 degrees/06 minutes.

2211–CF–P–75, Same (KAE40), 4 miles NNW. of Hutchinson, Kansas. Lat. 38°08'42" N., Long. 97°57'16" W. C.P. to add 4050V MHz towards Haven, Kansas, on azimuth 153 degrees/12 minutes; 3970H MHz towards McPherson, Kansas, on azimuth 39 degrees/38 minutes.

2212–CF–P–75, Same (KAE59), 4.5 miles SSE. of Haven, Kansas. Lat. 37°50'05" N., Long. 97°45'25" W. C.P. to add 4090V MHz towards Wichita, Kansas, on azimuth 113 degrees/35 minutes; 4090V MHz towards Hutchinson, Kansas, on azimuth 333 degrees/19 minutes.

2213–CF–P–75, Southwestern Bell Telephone and Telegraph Company (KAE76), 154 North Broadway, Wichita, Kansas. Lat. 37°41'15" N., Long. 97°20'05" W. C.P. to add 4050V MHz towards Haven, Kansas, on azimuth 293 degrees/50 minutes.

2214–CF–P–75, Same (WAY86), 5400 Foxridge Drive, Mission, Kansas. Lat. 39°01'-52" N., Long. 94°39'59" W. C.P. to add 3790H MHz towards Basehor, Kansas, on azimuth 285 degrees/48 minutes.

2215–CF–ML–75, The Mountain States Telephone and Telegraph Company (KPK31), 301 Kinsley Avenue, Winslow, Arizona. Lat. 35°01'29" N., Long. 110°41'49" W. Mod. of License to correct coordinates as states above; change azimuth on 11445H and 11685V MHz towards Mount Elden, Arizona, to 286 degrees/25 minutes; change kilometers, and azimuth on 11405V and 11545H MHz towards Joseph City, Arizona, to 111 degrees/05 minutes.

2216–CF–P–75, American Telephone and Telegraph Company (KGN87), 0.5 mile SW. of Faulkner, Maryland. Lat. 38°26'02" N., Long. 76°58'58" W. C.P. to add 6093.5H MHz towards Corbin, Virginia, on azimuth 233 degrees/14 minutes.

2217–CF–P–75, Same (KJH91), 4 miles East of Powhattan, Virginia. Lat. 37°32'11" N., Long. 77°50'50" W. C.P. to add 6345.5H MHz towards Coatsville, Virginia, on azimuth 36 degrees/49 minutes; 6345.5H MHz towards Amelia, Virginia, on azimuth 199 degrees/44 minutes.

2218–CF–P–75, Same (KRS93), 5 miles ESE. of Dahlonega, Georgia. Lat. 34°30'49" N., Long. 83°53'53" W. C.P. to add 6093.5H MHz towards Lula, Georgia, on azimuth 123 degrees/41 minutes.

2219–CF–P–75, Same (KRS94), 5 miles North of Elberton, Georgia. Lat. 34°11'28" N., Long. 82°53'00" W. C.P. to add 6345.5V MHz towards Pocataligo, Georgia, on azimuth 270 degrees/59 minutes; 6345.5V MHz towards Level Land, South Carolina, on azimuth 67 degrees/49 minutes.

2220–CF–P–75, Same (KRS99), 0.5 mile SE. of Lula, Georgia. Lat. 34°22'54" N., Long. 83°39'35" W. C.P. to add 6345.5V MHz towards Dahlonega, Georgia, on azimuth 303 degrees/49 minutes; 6345.5V MHz towards Pocataligo, Georgia, on azimuth 122 degrees/16 minutes.

2221–CF–P–75, Same (KRT20), 1 mile SW. of Pocataligo, Georgia. Lat 34°11'47" N., Long. 83°18'27" W. C.P. to add 6093.5H MHz towards Lula, Georgia, on azimuth 302 degress/28 minutes; 6093.5H MHz towards Elberton, Georgia, on azimuth 90 degrees/44 minutes.

2222–CF–P–75, American Telephone and Telegraph Company (KRT31), 3.8 miles NE. of Bunn, North Carolina. Lat. 36°01'33" N., Long. 78°13'31" W. C.P. to add 6093.5V MHz towards Wendell, North Carolina, on azimuth 204 degrees/53 minutes; 6093.5H MHz towards Warrenton, North Carolina, on azimuth 359 degrees/00 minutes.

2223–CF–P–75, Same (KRT32), 3.8 miles NNE. of Coats, North Carolina. Lat. 35°27'-59" N., Long. 78°38'46" W. C.P. to add 6093.5H MHz towards Pine View, North Carolina, on azimuth 244 degrees/04 minutes; 6093.5H MHz towards Wendell, North Carolina, on azimuth 37 degrees/38 minutes.

2224–CF–P–75, Same (KRT33), 3 miles NNW. of Ellerbe, North Carolina. Lat. 35°07'08" N., Long. 79°47'04" W. C.P. to add 6345.5V MHz towards McFarlan, North Carolina, on azimuth 209 degrees/17 minutes; 6345.5H MHz towards Southern Pines, North Carolina, on azimuth 89 degrees/10 minutes.

2225–CF–P–75, Same (KRT34), 3.5 miles East of Pine View, North Carolina. Lat. 35°18'-50" N., Long. 79°01'38" W. C.P. to add 6345.5V MHz towards Southern Pines, North Carolina, on azimuth 237 degrees/00 minutes; 6345.5V MHz towards Coats, North Carolina, on azimuth 63 degrees/51 minutes.

2226–CF–P–75, Same (KRT35), 1 mile north of McFarlan, North Carolina. Lat. 34°49'-36" N., Long. 79°58'59" W. C.P. to add 6093.5V MHz towards Pageland, South Carolina, on azimuth 257 degrees/39 minutes; 6093.5H MHz towards Ellerbe, North Carolina, on azimuth 29 degrees/10 minutes.

2227–CF–P–75; Same (KRT36), 3.5 miles SSE. of Southern Pines, North Carolina. Lat. 35°07'23" N., Long. 79°23'02" W. C.P. to add 6093.5V MHz towards Ellerbe, North Carolina, on azimuth 269 degrees/23 minutes; 6093.5H MHz towards Pine View, North Carolina, on azimuth 56 degrees/48 minutes.

2228–CF–P–75, Same (KRT37), 5 miles SW. of Warrenton, North Carolina. Lat. 36°20'-44" N., Long. 78°13'56" W. C.P. to add 6345.5V MHz towards Bunn, North Carolina, on azimuth 178 degrees/59 minutes; 6345.5H MHz towards Boydton, Virginia, on azimuth 345 degrees/24 minutes.

2229–CF–P–75, Same (KRT38), 2.8 miles SSW. of Wendell, North Carolina. Lat. 35°44'17" N., Long. 78°23'20" W. C.P. to add 6345.5V MHz towards Coats, North Carolina, on azimuth 217 degrees/47 minutes; 6345.5H MHz towards Bunn, North Carolina, on azimuth 24 degrees/47 minutes.

2230–CF–P–75, Same (KRT39), 1.8 miles W. of Cross Keys, South Carolina. Lat. 34°-38'24" N., Long. 81°48'05" W. C.P. to add 6093.5V MHz towards Hickory Tavern, South Carolina, on azimuth 246 degrees/59 minutes; 6093.5H MHz towards Shelton, South Carolina, on azimuth 113 degrees/32 minutes.

2231–CF–P–75, American Telephone and Telegraph Company (KRT40), 3.2 miles WNW. of Heath Springs, South Carolina. Lat. 34°35'55" N., Long. 80°44'08" W. C.P. to add 6345.5V MHz towards White Oak, South Carolina, on azimuth 245 degrees/35 minutes; 6345.5H MHz towards Pageland, South Carolina, on azimuth 60 degrees/00 minutes.

2232–CF–P–75, Same (KRT41), 1.2 miles South of Hickory Tavern, South Carolina. Lat. 34°30'21" N., Long. 82°10'52" W. C.P. to add 6345.5V MHz towards Level Land, South Carolina, on azimuth 233 degrees/57 minutes; 6345.5H MHz towards Cross Keys, South Carolina, on azimuth 66 degrees/46 minutes.

2233–CF–P–75, Same (KRT42), 0.2 mile East of intersection of State Highways #24 and #201, Level Land, South Carolina. Lat. 34°19'45" N., Long. 82°28'23" W. C.P. to add 6093.5H MHz towards Elberton, Georgia, on azimuth 248 degrees/03 minutes 6093.5H MHz towards Hickory Tavern, South Carolina, on azimuth 53 degrees/47 minutes.

2234–CF–P–75, Same (KRT43), 2.3 miles SW. of Pageland, South Carolina. Lat. 34°44'45" N., Long. 80°25'33" W. C.P. to add 6093.5V MHz towards Heath Springs, South Carolina, on azimuth 240 degrees/10 minutes; 6345.5H MHz towards McFarlan, North Carolina, on azimuth 77 degrees/24 minutes.

2235–CF–P–75, Same (KRT44), 1.2 miles East of Shelton, South Carolina. Lat. 34°29'44" N., Long. 81°24'09" W. C.P. to add 6345.5V MHz towards Cross Keys, South Carolina, on azimuth 293 degrees/45 minutes; 6345.5H MHz towards White Oak, South Carolina, on azimuth 95 degrees/05 minutes.

2236–CF–P–75, Same (KRT46), 4.2 miles South of Amelia, Virginia. Lat. 37°16'35" N., Long. 77°57'50" W. C.P. to add 6093.5H MHz towards Powhatan, Virginia, on azimuth 19 degrees/40 minutes; 6093.5V MHz towards Victoria, Virginia, on azimuth 220 degrees/56 minutes.

2237–CF–P–75, Same (KRT47), 5 miles North of Boydton, Virginia. Lat. 36°44'37" N., Long. 78°21'40" W. C.P. to add 6093.5H MHz towards Victoria, Virginia, on azimuth 12 degrees/30 minutes; 6093.5V MHz towards Warrenton, North Carolina, on azimuth 165 degrees/19 minutes.

2238–CF–P–75, Same (KRT50), 2.4 miles SW. of Corbin, Virginia. Lat. 38°12'44" N., Long. 77°21'28" W. C.P. to add 6345.5V MHz towards Faulkner, Maryland, on azimuth 53 degrees/00 minutes; 6345.5H MHz towards Coatsville, Virginia, on azimuth 202 degrees/24 minutes.

2239–CF–P–75, Same (KRT51), 3.8 miles NW. of Victoria, Virginia. Lat 37°02'23" N., Long. 73°16'45" W. C.P. to add 6345.5V MHz towards Amelia, Virginia, on azimuth 46 degrees/44 minutes; 6345.5V MHz towards Boydton, Virginia, on azimuth 192 degrees/33 minutes.

1989–CF–MP–75, Taft Broadcasting Corporation. (WAM43), 4800 San Felipe Rd., Houston, Texas. Lat. 29°44'59" N., Long. 95°27'29" W. Mod. of C.P. to change point of communication.

2114–CF–P–75, Eastern Microwave, Inc. (KTF96), Italy Hill, New York. C.P. to increase power on 6212.0V MHz and 6271.4V MHz toward Seneca Falls, New York, and add new point of communication at Canandaigua, New York, on 6212.0H MHz and 6271.4H MHz.

2048–CF–MP–75, United Wehco, Inc. (KEX75), Walker's Mill, Texas. Mod. of C.P. to add new point of communication at Carthage, Texas, on 5974.8V MHz and 6034.2V MHz.

2053–CF–P–75, Western Tele-Communications, Inc. (KYP30), Baldy Mtn., Montana. C.P. to add new point of communication at Blackhorse, Montana, on 6137.9V MHz. (A waiver of Section 21.701(1) requested by applicant).

2052–CF–P–75, (Same) (KSQ33), Blackhorse, Montana. C.P. to add 6212.0V MHz toward Great Falls, Montana. (A waiver of Section 21.701(1) requested by applicant).

2084–CF–MP–75, West Texas Microwave Company (KLU89), Breckenridge, Texas. Mod. of C.P. to power split frequencies 5974.8H MHz, 6034.8V MHz, 6152.8H MHz, and 6034.2H MHz toward Eastland, Texas.

2085–CF–P–75, Alabama Microwave, Inc. (KJJ57), Capshaw Mtn., Alabama. C.P. to add a point of communication at Athens, Alabama, on 6345.5H MHz, 6404.8H MHz, and 6226.9H MHz.

2240–CF–P–75, American Telephone and Telegraph Company (KRT45), 2.5 miles East of White Oak, South Carolina. Lat. 34°28'15" N., Long. 81°04'27" W. C.P. to add 6093.5V MHz towards Shelton, South Carolina, on azimuth 275 degrees/17 minutes; 6093.5H MHz towards Heath Springs, South Carolina, on azimuth 65 degrees/23 minutes.

2241–CF–P–75, Same (KRT49), 4.2 miles SE. of Coatsville, Virginia. Lat. 37°51'40" N., Long. 77°12'25" W. C.P. to add 6093.5H MHz towards Corbin, Virginia, on azimuth 22 degrees/17 minutes; 6093.5V MHz towards Powhatan, Virginia, on azimuth 217 degrees/00 minutes.

[FR Doc. 75-1486 Filed 1-15-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION

MARKET SHARES QUESTIONNAIRES

The Federal Energy Administration announces the implementation of a survey of market shares of refined petroleum products. Questionnaires to be used in this survey were announced previously in 39 FR 41220 (November 25, 1974). These questionnaires will collect data on the aggregate shares of marketers of refined petroleum products pursuant to section 4(c)(2)(A) of Pub. L. 93-159 (Emergency Petroleum Allocation Act of 1973). Additional information relating to the distribution of these products is being collected pursuant to the provisions of sections 5 and 13 of Pub. L. 93-275 (Federal Energy Administration Act of 1974).

FEA Form P305–S–0 entitled Refiner/Importer Historical Report of Petroleum Product Distribution is a survey to obtain information on historical sales of refined petroleum products. This one-time questionnaire will be mailed on or about January 10, 1975 to all U.S. parent companies of firms which refine or import petroleum products and which are not directly or indirectly controlled by another petroleum refiner or importer. FEA Form P306–M–0 entitled Refiner/Importer Monthly Report of Petroleum Product Distribution will be mailed to the same firms in early 1975 for monthly reporting of similar data.

FEA Form P303–S–0 entitled Historical Survey of Nonbranded Independent Marketers is a survey to identify historical trends in the aggregate market share of this class of marketers for motor gasoline. This one-time questionnaire will be mailed on or about January 10, 1975 to an identified universe of nonbranded independent marketers of motor gasoline. FEA Form P304–M–0 entitled Monthly Survey of Nonbranded Independent Marketers will be mailed in early 1975 to a sample of gasoline distributors drawn from this universe for monthly reporting of volume sales.

Further information about these questionnaires may be obtained from the Office of Data Services, 202–961–8033. Firms which are required to report may obtain additional copies of the questionnaires from Federal Energy Administration, Code 2896, Washington, D.C. 20461.

Dated: January 10, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel,
Federal Energy Administration.

[FR Doc.75–1367 Filed 1–13–75;9:28 am]

FEDERAL MARITIME COMMISSION

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Certificates Issued

Notice is hereby given that the following vessel owners and/or operators have established evidence of financial responsibility, with respect to the vessels indicated, as required by section 311(p)(1) of the Federal Water Pollution Control Act, and have been issued Federal Maritime Commission Certificates of Financial Responsibility (Oil Pollution) pursuant to Part 542 of Title 46 CFR.

Certificate No.	*Owner/operator and vessels*
01068	Schulte & Bruns: *Johann Schulte.*
01106	N.V. Stoomvaart-Maatschappij "Oostzee": *Farmsum.*
01318	Aug. Bolten, Wm. Miller's Nachfolger: *August Bolten.*
01330	Shell Tankers (U.K.) Limited: *Felipes, Fusus, Labiosa, Lanistes.*
01340	Compagnie Auxiliaire de Navigation: *Iseult, Isis.*
01613	Reardon Smith Line Limited: *Lyminge.*
01758	Chotin Transportation Inc.: *CH–1792X, CH 3292, Margaret O.*
01935	Partnership Between Steamship Company Svendborg Ltd. and Steamship Company of 1912 Ltd.: *Marchen Maersk.*
02038	Polskie Linie Oceaniczne: *General Stanislaw Poplawski.*
02039	Gryf Deep Sea Fishing Company: *Zulawy.*
02043	Suomen Tankkilaiva oy Pinska Tankfartygs AB: *Wisa.*
02158	Koraal Scheepvaart Maatschappij N.V.: *Coral Rubrum.*
02190	Bugsier-Reederei-und Bergungs-Aktiengesellschaft: *Titan.*
02199	Atlantic Richfield Company: *Arco Heritage.*
02330	Oriental Shipping Corporation: *World Finance, World Supreme.*
02500	Collier Carbon and Chemical Corporation: *Hedges.*
02622	Ernst Russ on Behalf of Partenreederei M.V. Reinhart Lorenz Russ: *E. R. Montreal.*
02719	Berwick Bay Transportation Co., Inc.: *BC–1.*
02727	Societe Maritime des Petroles BP: *Chambord, Chinon.*
02734	Italia Societa per Azioni di Navigazione: *Americana.*
02911	Sig. Bergesen D.Y. & Co.: *Berge Tasta.*
02956	Ashland Oil Inc.: *AO–99.*
02976	Arthur-Smith Corporation: *AS 2002.*
02982	The Shipping Corporation of India Ltd.: *Vishva Apurva.*
03047	E. I. Dupont de Nemours & Co.: *EIDC–61, EIDC–62, EIDC–63, EIDC–64, EIDC–65, EIDC–66.*
03215	Rederiaktiebolaget Salenia: *Sea Serpent.*
03279	Delta Steamship Lines, Inc.: *Carymar.*
03301	Prudential Lines, Inc.: *Santa Ines.*
03441	Japan Line K.K.: *Japan Violet.*
03705	Grunstads Rederi A/S: *Gruno Ove.*
03774	Penn Tanker Co.: *Ogden Challenger, Ogden Champion.*
03916	Mobile Oil Francaise: *Athos.*
04007	Egon Oldendorff: *Birte Oldendorff.*
05014	American Marine Corporation: *Abocol.*
05091	Dansk Esso A/S: *Esso Hafnia.*
05096	Esso Tankers, Inc.: *Esso Kawasaki.*
05367	Eiko Kisen Kabushiki Kaisha: *Wakashio Maru.*
05520	Union Carbide Corporation: *CC–479, CC–481, CC–482, CC–132, CC–133.*
05537	Empresa Navegacion Mambisa: *Vietnam heroico, XX Aniversario.*
05549	Polska Zegluga Morska: *Powstaniec Wielkopolski, General Jasinski, Profesor Bohdanowicz, Starkopol.* Polska Zegluga Morska: *Tarnobrzeg.*
05579	Black Sea Shipping Company: *Kapitan Vasily Kulik.*
05581	Latvian Shipping Company: *Vasiliy Fesenkov.*
05704	Murmansk Shipping Company: *Uglecralsk, Ustilug, Urgentch, Urshum, Uritsk, Usolye, Urfupinsk, Ustyushna.*
05770	C A Venezolana de Navigacion: *Orinoco.*
05866	Efmariners Cia S.A.: *Mereantes.*
06578	Van Nievelt, Goudriaan & Co. NV: *Asuncion, Villarrica.*
06934	Chevron Navigation Corp.: *Chevron Pernis.*
07532	Fomentos Armadora S.A. of Panama: *Michalis.*
07778	Sea Drilling Corp.: *Spirit of Webb.*
08087	Ferruzzi S.P.A.: *Mariasperanza F.*
08131	Empresa Navegacion Caribe: *Comandante Pinares.*
08222	Rail & Water Terminal (Quebec) Inc.: *Aigle D'Ocean, Aigle Marin, Guard Mavoline, Jaz Desgagnes.*
08599	Kalamos Compania Naviera S.A. Panama: *Eptanissos.*
08627	Terminales Maracaibo C.A.: *Temar I.*
08746	N V Bocimar: *Hasselt.*
08912	Drummond & Bronneck Inc.: Steve P Rados Inc. Garrison 8 International Corp.: *ABT–14, Barge No. 19.*
08955	Lonberg Shipping A/S: *Tobias Lonborg, Nina Lonberg, Amigo Express.*
08999	Sause Bros. Ocean Towing Co., Inc.: *Alsea, Skipanon, Yaquina, Kilchis, Nehalem, Rogue, Siletz, Miami, Trask, Nestucca.*
09002	Commercial Transport Corporation: *Chem 307, Chem 501, Chem 406, Chem 407, Chem 408.*
09003	VTG Vereinigte Tanklager und Transportmittel GMBH: *Magnitor.*
09054	A/S Geir: *Enigheden, Shikoku Geir.*
09146	Western Marine Construction, Inc.: *ZB 9.*
09165	Evans Cooperage Company, Inc.: *McDermott #5.*
09205	Trusa Shipping Company S.A.: *Santa Elena.*
09256	Cordoba Shipping Company Ltd.: *Albamar.*
09263	Trumbull Asphalt Company: *JPW 109, JPW 119.*
09319	Odajima Kaiun, Ltd.: *Seiryu Maru.*
09331	Dissen & Juhn Corporation: *Destroyer, Wawasee.*
09437	J & J Osborne: *Lady Sorcha.*
09472	Rederiet for T/T "Sea Saint": *Sea Saint.*
09473	Stemil, Inc.: *LRL–200.*
09515	Ta Chi Navigation (Panama) Corp., S.A.: *Eurytion, Eurybates, Eurymachus.*
09548	Gambo Line S.A.: *Rio Bayano.*
09568	Productos Del Pacifico, S.A.: *El Sargacero.*
09569	Ebony Company Ltd. of Liberia: *Arma, Aspidoforos.*
09577	Intermaritime Transportation Limited S.A.: *Daphne.*
09578	Transcoast Navigation Limited S.A.: *Athena.*
09607	Anthony Shipping Company S.A.: *Anthony.*
09613	Iolkos Compania Naviera S.A. Panama: *Stolt Capricorn.*
09621	Gatx Bulk-Carriers Belgium N.V.: *Ruth.*
09627	Hariz Tankers Corporation: *Pine.*
09628	Silver City Shipping Co. S.A. of Panama: *Aristoklis.*
09636	Ms "Devon"—Von Colln Schiffahrts Kg: *Devon.*
09645	Caspian Sea Shipping Co., Ltd.: *Caspian Sea.*
09646	Panama International Shipping Co.: *Robert Clifton.*
09647	Highness Shipping Corp. S.A.: *Eucaly II.*
09648	Derwent Shipping Inc.: *Sun Begonia.*
09649	Ogden Missouri Transport Inc.: *Ogden Missouri.*

Certificate No.	Owner/operator and vessels
09650	Ogden Platte Transport, Inc.: *Platte.*
09652	Maple Maritime Corporation, Incorporated: *Unique Enterprises.*
09653	The Oceanic Freighters Corp.: *Sauda.*
09655	International Tanker, Ltd.: *Ocean Gentian.*
09656	Liberian Bulk Transport Inc.: *Ocean Wistaria.*
09657	Leslie Tankers Inc.: *Orion Constellation.*
09658	Marmando Compania Naviera S.A.: *Ivory Moon.*
09659	Burnside Marine Services Company, a joint venture of Leonard J. Buck & Co., Inc., Harian O. Hall: *No. 15.*
09660	Golden Chase Steamship Inc.: *Golden Chase.*
09662	Maritima Del Caribe S.A.: *Moctezuma.*
09666	Persian Oil Tanker Corporation: *Manhattan Prince.*
09667	Inersea Carriers S.A.: *Caroline P.*
09669	I/S 883: *Helfri.*
09670	Mie Ken: *Taisei-Maru.*
09671	I/S 422: *Stove Caledonia.*
09672	Greenville Navigation Company, Inc.: *Calli.*
09674	Alnavi-Societa Di Navigazione Marittima S.P.A.: *Sardinia Iglesias.*
09675	Premuda Societa Di Navigazione Per Azioni: *Premuda Rosa.*
09676	Liberty Bay Shipping Co., Ltd.: *Al-Mohsin.*
09677	Bridgestone Multina Shipping Co.: *Bridgestone Multina.*
09678	Hullgates Shipping Co., Ltd.: *Bengate.*
09683	Gave Shipping Company, S.A.: *Stolt Margareta.*
09684	Marenomos Armadora S.A.: *Zephyros.*
09685	Koyu Gyogyo Seisan Kumiai: *Koyu Maru No. 18.*
09689	Soochow Shipping Inc.: *Soochow.*
09692	Multitank Westfalia Tankreederei Ahrenkiel GMBH & Co. KG. Hamburgh: *Multitank Westfalia.*
09693	Luna Steamship S.A.: *Luna.*
09694	Jin Yung Fisheries Co., Ltd.: *Jin Yung No. 505, Jin Yung No. 506.*
09695	Overseas Oil Transports Corporation: *Aegean Dolphin.*
09697	Reinato Armadora S.A. Panama: *Aristonimos.*
09699	Forell, Inc.: *Scotiacliffe.*
09701	Nipayla Maritime Company Limited: *Irenes Spirit.*
09702	Korean Overseas Fishing Co. Ltd.: *Kum Bong No. 201, Kum Bong No. 202.*
09704	Northern Tanker Corporation: *Northern Victory.*
09706	Molena Trust Incorporated: *Andwi, Nanfri.*
09707	Japco Navegacion S.A.: *Gardenia.*
09710	Continental Mariner Investment Company Limited: *Sun Chong.* Continental Mariner Investment Company Limited: *Hing Chong, Hop Chong, Justina.*
09711	Albatross Maritime Co., Ltd. (Panama) S.A.: *Pacific Ocean.*
09712	Carina Shipping Limited: *Golden Sunray.*
09713	Iwakiri Suisan K.K.: *Yashima Maru No. 3, Yashima Maru No. 5.*
09714	Mid-Coast Barge Lines, Inc.: *MC 100, MC 200.*
09715	Island Towing Co.: *RV-52, RV-53.*
09717	The Academy of Sciences of the USSR: *Akademik Kurchatov, Dmitry Mendeleev.*
09718	Hosei Kaiun Shoki Kabushiki Kaisha: *Sanyo Maru.*
09721	Carnival Cruise Lines, Inc.: *Mardi Gras.*
09723	Golden Hill Co., Ltd., S.A. Panama: *Golden Jade.*
09724	Kagaya Matsuei: *Yachiyo Maru No. 15.*
09725	Okochi Kaiun K.K.: *Sumiho Maru.*
09726	Fujioka Kaiun K.K.: *Daioh Maru.*
09727	Fukuho Kaiun Sangyo K.K.: *Shuwa Maru.*
09728	Martriunfo Armadora S.A. Panama: *Perla.*
09729	Oil Navigation Corporation: *Andros Chryssi.*
09730	Cimba S.A.: *La Maire.*
09738	Gastanker-Reederei MT "Fritz Haber" Gasocean Schiffahrtsgesellschaft MBH & Co. Kg.: *Fritz Haber.*
09737	Trikera Compania Naviera S.A.: *Aegis Progress.*
09738	Skepasti Compania Naviera S.A.: *Aegis Majestic.*
09739	Arditos Compania Naviera S.A.: *Aegis Magic.*
09740	Kommanditteselskapet Kristina Joachim Grieg & Co. Holdings A/S: *Kristina.*

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-1536 Filed 1-15-75;8:45 am]

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Certificates Revoked

Notice of voluntary revocation is hereby given with respect to Certificates of Financial Responsibility (Oil Pollution) which had been issued by the Federal Maritime Commission, covering the below indicated vessels, pursuant to Part 542 of Title 46 CFR and section 311(p)(1) of the Federal Water Pollution Control Act, as amended.

Certificate No.	Owner/operator and vessels
01015	A/S Rederiet Odfjell: *Olga.*
01022	Smedvigs Tankrederi A/S: *Venita.*
01039	Den Norske Amerikalinje A/S: *Drammensfjord, Tanafjord.*
01113	A/S J. Ludwig Mowinckels Rederi: *Harda.*
01139	Navidad Barge Co.: *Navidad.*
01185	Aksjeselskapet Kosmos: *Japana.*
01232	Rolf Wigands Rederi A/S: *Andwi, Nanfri.*
01247	Tonnevolds Tankrederi A/S: *Thorhild.*
01460	Evan Thomas Radcliffe and Company Ltd.: *Llanishen.*
01465	Scottish Ship Management Limited: *Baron Cawdor.*
01578	Harald Jacobsen Shipping A/S: *Janca.*
01641	The Bank Line Limited: *Yewbank.*
01758	Chotin Transportation Inc.: *M/G 20, M/G 21, M/G 22, M/G 23, M/G 24, M/G 25.*
01841	Chas. Kurz & Co., Inc.: *North Field.*
02264	Dr. Erich Retzlaff: *Erich Retzlaff.*
02428	The Kinaman Marine Transit Company: *Kinsman Voyager.*
02443	Panama Transoceanic Co., S.A.: *Barbara Jane Conway.*
02548	Compania Maritima San Basilio S.A.: *Eurylochus, Eurypylus.*
02713	T. L. James & Co., Inc.: *Tom James, Lewis James, BT-51, Clark, Geo D. Williams, BT-103, Bobby James, Gnat, TLC 16, TLC 23, TLC 33, Atlas I.*
02725	West Line, Inc.: *West Star.*
02793	Gothic Shipping Co., S.A.: *Speedway.*
02863	Naviera Aznar S.A.: *Monte Urgiola.*
02891	Harbor Towing Corporation: *MP No. 23, Wm. J. Bryan, Delmarva 145.*
02975	Venture Shipping (Managers) Limited: *Sacramento Venture.*
03195	Compania Naviera Magdalena S.A.: *Magdalena.*
03214	Salenrederierna Aktiebolag: *Sea Serpent.*
03233	Pangalante Compania Naviera S.A.: *North Viscountess.*
03245	Rederiaktieselskabet Danneborg: *Weco Supplier II.*
03329	Hudson Waterways Corporation: *Seatrain Puerto Rico.*
03413	Baba-Daiko Shosen K.K.: *Hawaii Maru.*
03438	Inui Kisen Kabushiki Kaisha: *Awobasan Maru.*
03441	Japan Line K.K.: *Japan Oak.*
03447	K.K. Kyokuyo: *Chiyoda Maru.*
03458	Matsuoka Kisen Kabushiki Kaisha: *Akibasan Maru.*
03468	Nihonkai Kisen Kabushiki Kaisha: *Hamburg Maru.*
03492	Sawayama Kisen K.K.: *Shoto Maru.*
03501	Osaka Shosen Mitsui Senpaku K.K.: *Hudson Maru*
03505	Showa Yusen Kabushiki Kaisha: *Mikumo Maru, Sanuki Maru.*
03513	Tanda Sangyo Kisen Kabushiki Kaisha: *Tomiura Maru.*
03556	Skibsaktieselskapet Aino, Skibsaksjeselskapet Viator, Skibsaksjeselskapet Viva: *Victor.*
03778	Anthony Special Shipping Co. Ltd.: *Anthony.*
03841	American Export Lines, Inc.: *Exbrook.*
03869	Silver Coast Shipping Company Ltd. of Cyprus: *Silver Coast.*
03923	Shinwa Kaiun Kaisha, Ltd.: *Tetsukuni Maru.*
03968	Zim-Israel Navigation: *Shiqma.*
03991	Partenreederei M.S. "Susanne Reith": *Susanne Reith.*
04004	Koninklijke Java-China-Paketvaart Lijnen N.V.: *Nieuw Holland.*
04007	Egon Oldendorff: *Johanna Oldendorff.*
04016	A/S Olymp: *Anniken.*
04019	Nord-Transport Strandheim & Stensaker: *Kings River, Leikvin.*
04040	Halfdan Ditlev Simonsen & Co.: *Venabu.*
04127	Samband Isl. Samvinnufelaga: *Jokulfell.*
04289	Dixie Carriers, Inc.: *Butcher 2, Butcher 1, Dze 900-T, Colle 150.*
04318	Overseas Minerals Ltd.: *Athena, Daphne.*
04485	Balboa Navigation Lines, S.A.: *Sta. Maria.*
04564	Yamashita-Shimnihon Kisen Kaisha: *Yamaaki Maru.*
04801	Three R Towing Co., Inc.: *BBL-102.*
04843	Reederei Ferdinand Muller: *Arktos.*

Certificate No.	Owner/operator and vessels
04934	Jahncke Service, Inc.: *Cameron, Congaree, Fritz Jahncke, Iberia, Jahncke 209, Jefferson, Lafayette, Lafourche, Livingston, Manchac, Maurepas, Orleans, Paul F. Jahncke, Plaquemine, Pontchartrain, St. Bernard, St. Charles, St. Helena, St. James, St. John, St. Landry, St. Martin, St. Mary, St. Tammany, Tchefuncta, Vermillion.*
05020	Bamar Marine Co., Ltd.: *Belvoir.*
05067	Pericles E.A.N.E. Piraeus: *Pericles Halcoussis.*
05122	Sanyu Kisen K.K.: *Mayaharu Maru.*
05329	Gem Shipping Co., S.A.: *Sandoval.*
05426	Owens-Illinois, Inc.: *Pulpwood No. 2, Lin Den.*
05444	Europa Societa Generale D'Armamento S.P.A.: *Anita M.*
05621	Valera Compania Naviera S.A.: *Areti S.*
06210	Cia Hermanos de Navegacion S.A.: *Meiji.*
06399	Tokumaru Kaiun K.K.: *Daitoku Maru No. 31.*
06578	Van Nievelt, Goudriaan & Co. NV.: *Villarrica, Asuncion.*
06667	Renate Jacob Seetransport Jacob & Co.: *Renate Jacob.*
06687	Globus Shipping & Trading Co. (PTE) LTD.: *Vavajo, Alderjo.*
06768	Sea Contracting Corporation: *Volta Wisdom.*
06775	Whitco (Marine Services) Ltd.: *Gladiola.*
06820	Carnival Cruise Lines, Ltd.: *Mardi Gras.*
06850	Katrien N.V.: *Kathy.*
06877	Societe Francaise de Transports Maritimes Paris: *Armagnac.*
07290	Hollywood Terminals, Inc.: *T 700.*
07455	Hagby Corporation: *Hampton Bridge.*
08069	Bellatrix Navigation Corporation: *Akron.*
08179	Sanshin Corporation: *Sanshin Trader.*
08268	Taos Maritime Company Limited: *Taos.*
08302	D/S A/S Ibis: *Anne Reed.*
08322	Navisud S.P.A.: *Egnazia.*
08471	Villere Marine Corporation: *PP CO 303.*
08494	Pisces Navigation Corporation, Monrovia: *Tekton.*
08499	Central Soya Company, Inc.: *CC 209.*
08518	T. I. Shipping Enterprises Ltd. of Turks Island: *Mereghan IV.*
08755	Agence Maritime Inc.: *Fort George.*
08833	General Metals of Tacoma, Inc.: *Yukon Star.*
09386	Pearl Shipping Corporation: *Caribbean Pearl.*
09445	Marevia Corporation: *Regent.*
09467	Reederei Hans Beilken OHG: *Germanic.*

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-1537 Filed 1-15-75;8:45 am]

CONFERENCES IN THE TRADES TO, FROM AND BETWEEN UNITED STATES ATLANTIC AND GULF PORTS IN CENTRAL AND SOUTH AMERICA AND THE CARIBBEAN

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before February 5, 1975. 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 on 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 Agreements Filed by:

John R. Mahoney, Esquire,
Casey, Lane & Mittendorf
26 Broadway
New York, New York 10004

A petition filed in behalf of the conferences listed below has been assigned the following respective agreement numbers:

Atlantic & Gulf/West Coast of South America Conference, 2744-36.
East Coast Colombia Conference, 7590-22.
United States Atlantic & Gulf-Venezuela and Netherlands Antilles Conference, 6190-29.
United States Atlantic & Gulf-Venezuela and Netherlands Antilles Conference-Oil Companies Contract Agreement (Proprietary Cargo), 6870-17.
West Coast South America Northbound Conference, 7890-11.

The petition is to extend their intermodal arrangement provisions, as amended, for a period of 24 months beyond the present termination date of February 27, 1975.

By order of the Federal Maritime Commission.

Dated: January 13, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-1534 Filed 1-15-75;8:45 am]

GLOBAL TERMINAL AND CONTAINER SERVICES AND PART CONTAINERLINE CO., LTD.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before February 5, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Mr. Conrad H. C. Everhard
President
Dart Containerline Incorporated
Five World Trade Center
New York, New York 10048

Agreement No. T-2623-1, between Global Terminal and Container Services, Inc. (Global) and Dart Containerline Co., Ltd. (Dart), modifies the basic agreement which is a 20-year container terminal services agreement, whereby Global will furnish Dart container terminal and stevedoring services at its facility at New York Harbor. The purpose of the modification is to provide for the assessment of demurrage charges in accordance with the provisions of the carrier's conference or independent

tariffs on file with the Federal Maritime Commission.

By Order of the Federal Maritime Commission.

Dated: January 13, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-1535 Filed 1-15-75;8:45 am]

TULSA PORT OF CATOOSA AND TALOMA STEVEDORING, INC.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before February 5, 1975. 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:

Imogene Harris, Esq.
City of Tulsa Oklahoma
200 Civic Center
Tulsa, Oklahoma 74103

Agreement No. T-3042, between Tulsa Port of Catoosa (Port) and Tuloma Stevedoring, Inc. (Tuloma) grants Tuloma the nonexclusive right for a period of 3 years to provide loading, unloading, storage, transfer, and transportation services for cargo at Port's terminal facilities. Tuloma shall provide the above services in accordance with the Port's currently published tariff. In return, Port shall receive wharfage assessments and tollage fees. The wharfage portion of this compensation is subject to a minimum annual guarantee as further provided for in the basic agreement. Tuloma shall also be responsible for the cost of utilities incurred as a result of its operations on the said premises.

By order of the Federal Maritime Commission.

Dated: January 13, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-1533 Filed 1-15-75;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. CI75-388]

CALIFORNIA CO.

Application

JANUARY 10, 1975.

Take notice that on December 17, 1974, The California Company, a Division of Chevron Oil Company (Applicant), 1111 Tulane Avenue, New Orleans, Louisiana 70112, filed in Docket No. CI75-388 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Southern Natural Gas Company (Southern), from the Breton Sound Block 45 Field, Plaquemines Parish, Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it commenced the sale of natural gas on December 3, 1974, from the subject acreage to Southern within the contemplation of § 157.29 of the Commission's regulations under the Natural Gas Act (18 CFR 157.29) and proposes to continue said sale for two years from the end of the 60-day emergency period within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70). Applicant proposes to sell 50 percent of the gas produced from State Lease 5905 Well No. 1 on the subject acreage, or approximately 1,500 Mcf per day, at 60.9969 cents per Mcf at 15.025 psia, which includes a base rate of 52.0214 cents per Mcf, tax reimbursement of 7 cents per Mcf, a Btu adjustment of 1.4755 cents per Mcf for gas containing 1,025 Btu per cubic foot, and a gathering allowance of 0.5 cent per Mcf.

Applicant states that the aforesaid rate conforms to the national rate prescribed in Commission Opinion 699-H issued December 4, 1974. Applicant's contract, dated December 12, 1974, with Southern for the sale of said gas provides for a rate of 55.0 cents per Mcf at 15.025 psia, subject to upward and downward Btu adjustment from a base of 1,000 Btu per cubic foot, and subject to escalation to any higher rate, including national rate, prescribed by the Commission.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 27, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1460 Filed 1-15-75;8:45 am]

[Docket No. RP74-77]

COLORADO INTERSTATE GAS CO.

Further Extension of Procedural Dates

JANUARY 8, 1975.

On December 20, 1974, Colorado Interstate Gas Company filed a motion to extend the procedural dates fixed by order issued May 1, 1974, as most recently modified by notice issued August 28, 1974, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Intervenor's Testimony, February 18, 1975.
Service of Company Rebuttal, March 4, 1975.
Hearing, March 11, 1975 (10 a.m. e.d.t.).

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1462 Filed 1-15-75;8:45 am]

[Docket No. CP75-79]

COLORADO INTERSTATE GAS CO.

Order Directing the Filing of Evidence, Setting Date for Prehearing Conference and Hearing Date

JANUARY 10, 1975.

Colorado Interstate Gas Company, a division of Colorado Interstate Corporation (CIG) requests authorization to reallocate peak day and annual volumes among certain of its existing customers beginning January 1, 1975. By the original application, filed September 9, 1974, CIG proposed to revise only its peak day

sales, shifting 22,000 Mcf per day from boiler fuel use in FPC Order No. 467 End Use Priority 5, to Priority 1, with a small amount, about 141 Mcf per day, to Priority 4. This gas is allegedly available because two of CIG's firm direct sale customers, Public Service Company of Colorado and Great Western Sugar Company have agreed to reduce their firm daily entitlements. The reasons for this magnanimity are not entirely clear, and the circumstances should be fully explained in the record we herein order to be developed. It appears that Great Western Sugar Company may have agreed to the reduction since its peak day requirement in previous periods has been less than its entitlements. If this is the case, savings realized from a voluntary agreement to reduce entitlements may be illusory and may not support the additional high priority service which CIG proposes to render in its place. No reason was given for Public Service Company of Colorado's agreement to reduce entitlements, but it is noted that the 20,000 Mcf per day proposed reduction will be partially offset by an increase of 11,969 Mcf per day in CIG's jurisdictional sales to Public Service Company of Colorado. As a direct sale, the 20,000 Mcf presumably differs greatly from the 11,969 Mcf in terms of the curtailment priorities in CIG's tariff. In any event, these reductions should be treated as abandonments under section 7(b) of the Natural Gas Act, and subjected to the showings required by the Commission regulations concerning abandonment.

Subsequent to filing the original application, CIG filed an amendment requesting authorization to reallocate annual volumes to its existing customers by shifting 4,342,000 Mcf annually from nonjurisdictional sales in FPC End Use Priorities 5 through 9 to jurisdictional sales in Priorities 1 through 3. In addition, some shifts among jurisdictional customers to higher priority uses are proposed. Although CIG alleges that these revisions will result in no net change in annual delivery obligations, it is not shown that CIG has developed or will develop sufficient storage and other system flexibility to meet peak demand needs of additional high priority service. In addition, CIG should be required to show the revenue impact of its proposal, as well as the consistency of its proposal with its curtailment situation. Finally, in Colorado Interstate Gas Company, Docket No. CP74-144 in an order issued on July 12, 1974, — FPC —, the Commission set down for hearing a transportation and exchange agreement commenced by CIG and Mountain Fuel Supply Company under § 157.22 of the Commission's regulations. Section 157.22(a) of the regulations provides for temporary actions to be taken by jurisdictional pipelines without prior certificate approval where interruption or serious curtailment of service exists or is threatened. For the record, CIG should reconcile the claim of emergency in Docket No. CP74-144 with the additional high priority service sought to be rendered in this docket. Looking to the future when lower priority sales might be eliminated completely, this proposal might be viewed as an expansion of high priority markets. Without additional gas supply, existing high priority markets could be jeopardized.

Although no comments or interventions have been filed, the public interest requires a formal record in support of CIG's proposal as hereinafter ordered.

The Commission finds. It is necessary and appropriate that the application of Colorado Interstate Gas Company in Docket No. CP75-79 be set for hearing and decision.

The Commission orders. (A) Colorado Interstate Gas Company shall file testimony and exhibits in support of its application on or before February 13, 1975.

(B) A Presiding Administrative Law Judge designated by the Chief Administrative Law Judge for that purpose [see Delegation of Authority, 18 CFR 3.5(d)] shall preside in these proceedings and shall prescribe all procedures not herein provided for, subject to the Commission's rules of practice and procedure.

(C) A pre-hearing conference is to be convened on February 20, 1975, in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, to discuss procedural matters as may be appropriate for the expedition of this proceeding.

(D) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 4, 5, 7, and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, at 10 a.m. on March 13, 1975, concerning the matters involved in and the issues presented by this application.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-1461 Filed 1-15-75;8:45 am]

[Docket No. RP72-157 PGA75-4]

CONSOLIDATED GAS SUPPLY CORP.

Changes in FPC Gas Tariff

JANUARY 9, 1975.

Take notice that Consolidated Gas Supply Corporation (Consolidated), on December 26, 1974, tendered for filing proposed changes in its FPC Gas Tariff, First Revised Volume No. 1, pursuant to its PGA clause for rates to be effective February 1, 1975. The proposed rate increase would generate $10.8 million annually in additional jurisdictional revenues.

Consolidated states that the PGA filing was triggered by rate increases filed by Texas Eastern Transmission Corporation, Texas Gas Transmission Corporation and Transcontinental Gas Pipe Line Corporation, all to be effective February 1, 1975.

Consolidated is requesting a waiver of the 45-day notice requirement contained in its PGA clause since it did not receive the supplier's revised rates in sufficient time to make a timely filing and further asks for a waiver of any other of the Commission's rules and regulations in order to permit the proposed rates to go into effect on February 1, 1975.

Copies of this filing were served upon Consolidated's jurisdictional customers, as well as interested state commissions.

Any persons desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 23, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person desiring to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-1463 Filed 1-15-75;8:45 am]

[Docket No. RP75-1]

FLORIDA GAS TRANSMISSION CO.

Further Extension of Procedural Dates

JANUARY 8, 1975.

On December 20, 1974, Staff Counsel filed a motion to extend the procedural dates fixed by order issued July 31, 1974, as most recently modified by notice issued November 4, 1974, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff's Testimony, March 10, 1975.
Service of Intervenor's Testimony, March 31, 1975.
Service of Company Rebuttal, April 28, 1975.
Hearing, May 13, 1975 (10 a.m. e.d.t.).

By direction of the Commission.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-1465 Filed 1-15-75;8:45 am]

[Docket No. CP75-20, Docket No. C175-116]

FLORIDA GAS TRANSMISSION CO. AND PETROLEUM MANAGEMENT, INC.

Postponement of Hearing

JANUARY 9, 1975.

On January 6, 1975, Staff Counsel filed a motion to extend the hearing date fixed by order issued December 23, 1974 in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the hearing date in the above

matter is postponed until February 11, 1975 at 10 a.m. (e.s.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1464 Filed 1-15-75;8:45 am]

[Docket No. RP73-23]

LAWRENCEBURG GAS TRANSMISSION CORP.

Filing of Substitute Gas Tariff Sheets

JANUARY 9, 1975.

Take notice that on January 2, 1975, Lawrenceburg Gas Transmission Corporation (Lawrenceburg) tendered for filing two substitute gas tariff sheets to its FPC Gas Tariff, Original Volume No. 1, designated as Substitute Eighth Revised Sheet No. 3-A (superseding Seventh Revised Sheet No. 3-A) and Substitute Eighth Revised Sheet No. 18-B (superseding Seventh Revised Sheet No. 18-B).

Lawrenceburg states that the proposed changes contained therein would increase revenues from jurisdictional sales by $289,156 as compared to revenues at the current rates in effect since August 1, 1974, based on the 12 months ending November 30, 1974.

Lawrenceburg states that, pursuant to the purchased gas adjustment (PGA) provision in its FPC Gas Tariff, Original Volume No. 1, it filed by letter dated December 19, 1974, Eighth Revised Sheets Nos. 3-A and 18-B in order to track a proposed increase in its cost of gas purchased from Texas Gas Transmission Corporation (Texas Gas), filed December 16, 1974 and proposed to become effective February 1, 1975. According to Lawrenceburg, by letter dated December 19, 1974, Texas Gas revised its December 16, 1974 filing in order to reflect additional increases by its suppliers, thereby prompting Lawrenceburg to file substitute tariff sheets as noticed herein.

Lawrenceburg requests waiver of the Commission's regulations to permit its substitute tariff sheets to become effective February 1, 1975; and Lawrenceburg states that copies of its filing have been mailed to its two wholesale customers, Lawrenceburg Gas Company and The Cincinnati Gas & Electric Company, and also to the two interested state commissions, Public Service Commission of Indiana and The Public Utilities Commission of Ohio.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 24, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1466 Filed 1-15-75;8:45 am]

[Docket No. RP74-100; PGA 75-3]

NATIONAL FUEL GAS SUPPLY CORP.

Order Granting Waiver, Accepting for Filing Proposed PGA Rate Increase Subject to Condition, and Reserving Issue for Hearing

JANUARY 10, 1975.

On November 27, 1974, National Fuel Gas Supply Corporation (National) tendered for filing pursuant to its purchased gas adjustment (PGA) clause First Interim Revised Sheet No. 4 to its FPC Gas Tariff Original Volume No. 1. This sheet reflects a PGA increase designed to track increases in the cost of gas purchased from Columbia Gas Transmission Corporation, Consolidated Gas Supply Corporation, Texas Eastern Transmission Corporation and Transcontinental Gas Pipe Line Corporation, which increases all became effective prior to or on December 1, 1974. Accordingly, National has requested waiver of the 45-day notice requirement of § 17.5 of the general terms and conditions of its FPC tariff and waiver of any of the Commission's rules and regulations as may be required to permit this filing to become effective as of December 1, 1974. By this revised sheet, National proposes to increase its G-1 and G-1A interim rates by .77¢ per Mcf [1] which will effect on annual revenue increase of $1,688,245 over the revenues which would be generated from the rates set forth in National's present Revised Sheet No. 4.

Notice of National's filing was issued on December 10, 1974, with protests, notices of intervention and petitions to intervene due on or before December 23, 1974. No such filings were received in response to this notice.

Our review of National's filing indicates that included in National's base average cost of purchased gas are two purchases of manufactured gas (from Donner-Hanna Coke Company and Semet-Solvay Division of Allied Chemical Corporation) and one emergency purchase (from Cabot Corporation) at a price in excess of rate levels prescribed by Opinion No. 699-H.[2] Although the instant filing reflects no rate change associated with these three purchases, the inclusion of manufactured gas costs in PGA adjustments without prior Commission approval is prohibited by § 154.38(d)(4) of our regulations and by Order No. 452-A,[3] and therefore, such costs should be eliminated from National's base average cost of purchased gas. Accordingly, we shall accept National's tariff changes for filing upon the express condition that within fifteen days of the date of issuance of this order National shall file revised tariff sheets which reflect the elimination of costs associated with manufactured gas.

In regard to emergency purchases, we note that the question of the standards which the Commission must use in determining the justness and reasonableness of the prices for such purchases is presently the subject of court action.[4] We further note that by order issued August 9, 1974, in the instant docket, the rates in which the aforementioned emergency purchase is included were made subject to refund and set for hearing. Accordingly, we shall set aside the issue of that emergency purchase as a reserved issue in the proceedings to be held in accordance with our August 9, 1974 order, pending resolution of the aforementioned court proceedings concerning emergency purchases.

The Commission finds. (1) It is necessary and appropriate in the public interest and to aid in the enforcement of the Natural Gas Act that National's First Interim Revised Sheet No. 4 to its FPC Gas Tariff, Original Volume No. 1 be accepted for filing subject to the condition that within fifteen days of the date of issuance of this order National shall file a revised tariff sheet which reflects the elimination of all costs associated with manufactured gas from the average base cost of gas contained in its PGA increase.

(2) Good cause exists to grant waiver of the 45-day notice requirement of § 17.5 of the general terms and conditions of National's FPC Gas Tariff and waiver of our Regulations to permit National's First Interim Revised Sheet No. 4 to become effective December 1, 1974, subject to the aforementioned condition.

(3) Good cause exists to set aside the issue of the aforementioned emergency purchase as a reserved issue in the proceedings to be held in accordance with our August 9, 1974 order, pending resolution of the issue regarding emergency purchases which is presently the subject of court action.

The Commission orders. (A) National's First Interim Revised Sheet No. 4 to its FPC Gas Tariff, Original Volume No. 1 is hereby accepted for filing and permitted to become effective December 1, 1974, *Provided*, That, within fifteen days of the date of issuance of this order National shall file a revised tariff sheet which reflects the elimination of all costs associated with manufactured gas from the average base cost of gas contained in its filing.

(B) Waiver of the 45-day notice requirement of § 17.5 of the General Terms and Conditions of National's FPC Gas

[1] The G-1 rate will be increased from 78.85¢ per Mcf to 79.62¢ per Mcf, and the G-1A rate will be increased from 85.27¢ per Mcf to 86.04¢ per Mcf.

[2] Opinion No. 699-H, Docket No. R-389-B, issued December 4, 1974.

[3] Order No. 452-A, 47 FPC 1510, 1513 (1972).

[4] "Consumer Federation of America v. F.P.C.," CADC Docket No. 73-2009, petition filed September 21, 1973.

Tariff and waiver of our regulations to permit National's First Interim Revised Sheet No. 4 to become effective December 1, 1974, are hereby granted.

(C) The issue of the aforementioned emergency purchase is hereby set aside as a reserved issue in the proceeding to be held in accordance with our August 9, 1974 order, pending resolution of the aforementioned court proceedings regarding emergency purchases.

(D) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-1467 Filed 1-15-75;8:45 am]

[Docket No. RP74-88]

NORTH PENN GAS CO.

Extension of Procedural Dates

JANUARY 8, 1975.

On December 23, 1974, Corning Natural Gas Corporation filed a motion to extend the procedural dates fixed by order issued June 28, 1974, as most recently modified by notice issued November 21, 1974, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Intervenor's Testimony, January 31, 1975.
Service of Company Rebuttal, February 14, 1975.
Hearing, March 4, 1975 (10 a.m. e.d.t.).

KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-1468 Filed 1-15-75;8:45 am]

[Docket No. E-8882]

PUBLIC SERVICE CO. OF COLORADO

Further Extension of Procedural Dates

JANUARY 9, 1975.

On January 7, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued August 30, 1974 in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff's Testimony, March 21, 1975.
Service of Intervenor's Testimony, April 4, 1975.
Service of Company Rebuttal, April 18, 1975.
Hearing, April 29, 1975 (10 a.m. e.d.t.).

KENNETH F. PLUMB, *Secretary.*

[FR Doc. 75-1470 Filed 1-15-75;8:45 am]

[Docket No. E-8882]

PUBLIC SERVICE CO. OF COLORADO

Order Denying Motion To Dismiss or for Alternate Relief

JANUARY 10, 1975.

On July 1, 1974, the Public Service Company of Colorado (PSCC) submitted for filing proposed increases in its rates for firm power service to its seven wholesale customers.[1] The proposed rates would result in an increase in jurisdictional revenues of $943,834 based on a twelve-month test period ended March 31, 1974. PSCC stated that the proposed increase was necessary because of the adverse financial effects of inflation and the additional capital requirements necessitated by environmental programs.

Notice of PSCC's filing was issued on July 18, 1974. On August 30, 1974, we issued an order accepting for filing and suspending for one day PSCC's proposed rate increase. We further set the matter for hearing and granted intervention to Central Telephone & Utilities Corporation (CTU) and the Public Utilities Commission of the State of Colorado.

On December 5, 1974, CTU filed a motion to dismiss PSCC's July 1, 1974 filing, or in the alternative, to require PSCC to file Period II data under § 35.13(b)(4)(iii) supporting its requested rate relief. In its motion, like the petition to intervene it has previously filed in this proceeding, CTU maintains that PSCC has not complied with the filing requirements of § 35.13(b)(4)(iii). CTU alleges that PSCC's filing, although on its face falling within the exception[2] to the requirement that Period II data be filed, does not accurately reflect the true increase in revenue which will be experienced by PSCC in a Period II. CTU maintains that the $943,834 increase stated by PSCC is below the one million dollar cut-off point only because PSCC had served CTU for only two months of Period I. CTU argues that if the service to CTU for an entire year were considered PSCC's rate increase to its seven wholesale customers would result in $1,491,281, or substantially in excess of one million dollars. CTU concludes, therefore, that without filing Period II cost of service data PSCC has not met the filing requirements of § 35.13(b)(4)(iii) and should have been rejected. CTU has requested the Commission to dismiss the proposed increase in rates filed by PSCC or that PSCC be required to file Period II data under § 35.13(b)(4)(iii).

Although we did not specifically address a response to CTU's argument in our original suspension order of August 30, 1974, we did consider whether PSCC met the filing requirements of § 35.13(b)(4)(iii) as amended in Order No. 487 in Docket No. R-463. By our action in accepting PSCC's July 1, 1974 proposed rate increase for filing we found CTU's argument to be without merit. We affirm that finding here and hold that PSCC has met the filing requirements set out in § 35.13(b)(4)(iii) since it qualifies under the exemption from being required to file Period II cost of service data. After a review of PSCC's filing of July 1, 1974 and the pleadings filed in this proceeding, we conclude that our purview of the twelve months incorporated as Period I is a reasonable basis on which to determine whether PSCC has qualified for the exemption from filing Period II cost data. Upon such a review we found, and still do find, that PSCC substantially met our filing requirements as set out in § 35.13(b)(4)(iii). Because PSCC has complied with those requirements we shall deny CTU's Motion To Dismiss or For Alternate Relief filed with this Commission on December 5, 1974.

We note that our action taken herein is directed only to a determination of compliance with the filing requirements of § 35.13(b)(4)(iii). Our finding that PSCC is exempt from filing Period II cost of service data does not foreclose any party, including our Staff, from introducing cost data into evidence in the course of these proceedings to assist us in adjudging the reasonableness of PSCC's proposed rates.

The Commission finds. Good cause does not exist to grant Central Telephone & Utilities Corporation's Motion to Dismiss or For Alternate Relief filed on December 5, 1974 in Docket No. E-8882.

The Commission orders. (A) Central Telephone & Utilities Corporation's Motion to Dismiss or For Alternate Relief filed on December 5, 1974, in Docket No. E-8882 is hereby denied.

(B) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-1469 Filed 1-15-75;8:45 am]

[1] City of Aspen, Town of Lyons, Home Light & Power Company, City of Glenwood Springs, Colorado-Ute Electric Association, Inc., Central Telephone & Utilities Corporation, and Intermountain Rural Electric Association, Colorado.

[2] Order No. 487, 50 FPC 125 (July 17, 1973), provided that the requirement for filing Period II data, by any company filing for a rate increase in an amount less than one million dollars, would be voluntary (50 FPC 128). By order issued October 21, 1974, in Docket No. R-463, the Commission formally added the exemption to § 35.13(b)(4)(iii) of its regulations.

[Docket No. E-9001]

ROCKLAND ELECTRIC CO.

Extension of Procedural Dates

JANUARY 9, 1975.

On January 7, 1975, Staff Counsel filed a motion to extend the procedural dates

fixed by order issued September 27, 1974, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff's Testimony, February 4, 1975.
Service of Intervenor's Testimony, February 18, 1975.
Service of Company Rebuttal, March 4, 1975.
Hearing, March 18, 1975, (10 a.m., e.d.t.)

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1471 Filed 1-15-75;8:45 am]

[Project No. 516; Docket No. E-7791]

SOUTH CAROLINA ELECTRIC AND GAS CO.

Order Consolidating Proceedings

JANUARY 10, 1975.

On December 16, 1974, South Carolina Electric and Gas Company, licensee for the Saluda Project No. 516, filed an Application to Exclude Certain Lands from Project Area. The lands involved would be used for the construction, operation, and maintenance of an ash pond for the McMeekin Steam Electric Station which is located on non-project land below the dam. Licensee further requested that their application be considered separate from the matters pending in Docket No. E-7791.

By order issued September 10, 1973, in Project No. 516, 50 FPC 700, we provided for a hearing to consider, inter alia, certain applications related to the present and future utilization of project lands and waters at the project. In that order we stated that we were:

> referring this application for an easement and causeway to hearing so that it may be considered together with other applications on file related to Lake Murray . . . *and any additional applications of a similar nature. Id* at 703 (emphasis added).

In ordering paragraph (E) of that order, we characterzied one purpose of the hearing as the development of a formal record on anticipated future utilization of Lake Murray and project lands including proposed developments and easements. We believe that the instant application should be consolidated with the matters set for hearing by our order of September 10, 1973. A decision on this application can best be made in light of the comprehensive analysis of use of project lands and waters, the purpose of the ongoing evidentiary proceeding in this docket. We, therefore, deny licensee's request for separate consideration of this application.

We note that the Presiding Administrative Law Judge issued a notice of hearing and related procedures on July 29, 1974, which set a January 7, 1975, date for filing of testimony and a January 28, 1975, date for commencement of the hearing. While we believe that consolidation of these proceedings is desirable, we do not wish to see the hearing delayed. We believe the hearing can go forward as presently scheduled. The Presiding Administrative Law Judge should set such schedule for the filing of testimony related to the instant application as he may deem necessary or appropriate.

The Commission finds. (1) It is appropriate and in the public interest for the purposes of administration of the Federal Power Act that the application of South Carolina Electric and Gas Company to exclude certain lands from the project area be consolidated with the matters currently the subject of a hearing in Project No. 516 and Docket No. E-7791.

The Commission orders. The above-noted application is hereby consolidated with the matters currently set for hearing in this docket.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1472 Filed 1-15-75;8:45 am]

[Docket No. RP72-156, PGA75-2]

TEXAS GAS TRANSMISSION CORP.

PGA Rate Increase

JANUARY 10, 1975.

Take notice that on December 16, 1974, Texas Gas Transmission Corporation (Texas Gas) tendered for filing Third Substitute Tenth Revised Sheet No. 7 to its FPC Gas Tariff, Third Revised Volume No. 1.

Texas Gas states that the revised tariff sheet is being filed to reflect changes in the cost of gas purchased pursuant to the provisions of Texas Gas' Purchased Gas Adjustment Clause. Texas Gas also states that its December 16, 1974, filing reflects the recovery of demand charge adjustments. Furthermore, Texas Gas states that, pursuant to Opinion No. 699-G, it has included in its unrecovered purchased gas costs the estimated amounts to be incurred during the months of November and December, 1974, and January, 1975, as a result of increases under Opinion No. 699. Texas Gas proposes an effective date of February 1, 1975.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 23, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1473 Filed 1-15-75;8:45 am]

[Docket Nos. RP75-16-1, etc.]

TRANSCONTINENTAL GAS PIPE LINE CORP., ET AL.

Order Consolidating Proceedings

JANUARY 9, 1975.

In the matter of Transcontinental Gas Pipe Line Corporation; Eastern Shore Natural Gas Company and Stauffer Chemical Company, Docket Nos. RP75-16-1, RP75-17-1; Penn Fuel Gas, Inc. and New Jersey Zinc Company, Docket No. RP75-16-4; City of Linden, Alabama, Marengo Corporation, and Gulf States Paper Corporation, Docket No. RP75-16-5; City of Danville, Virginia, Docket No. RP75-16-6; The Commission of Public Works of the City of Laurens, South Carolina, Docket No. RP75-16-7; North Carolina Natural Gas Company and Farmers Chemical Association, Inc., Docket No. RP75-16-8.

On November 16, 1974, an interim curtailment plan was made effective for Transcontinental Gas Pipe Line Corporation (Transco) by order of the D.C. Circuit Court of Appeals.[1] The interim plan requires the curtailment to be invoked on the basis of 50 percent pro rata and 50 percent end-use. Subsequent to implementation of that plan, Transco notified its customers that it will have to increase its curtailment level above the level anticipated during the settlement negotiations that resulted in the Court-ordered plan.[2] As a result of the increased level of curtailment, the Court-ordered plan places in jeopardy service to high priority consumers (priority one and two) on some distribution systems served by Transco. Since any grant of temporary relief may intrude on gas service to residential consumers, we will not act on those requests for relief pendente lite.[3]

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[1] "Consolidated Edison Company of New York, Inc., et al. v. FPC, Nos. 73-1999, et al." Court of Appeals for the District of Columbia (November 26, 1974).

[2] By order issued January 8, 1975, the Commission ordered an investigation into the reasons underlying the increased level of curtailment on Transco's system. "Order Instituting Investigation and Order to Show Cause, Setting Hearing, and Establishing Procedures," Docket No. RP75-51, issued January 8, 1975.

[3] During negotiations, Transco anticipated allocating winter season entitlements to its large contract demand customers in the amount of 317,253 MMcf. Of this volume, 283,814 MMcf was reserved for Priority 1 requirements (generally residential, commercial and storage injection needs). The remaining 33,439 MMcf was reserved for Priority 2 requirements (generally the industrial requirements classified in Priority 2 of our Order 467-B set of priorities). Information contained in a filing by Farmer's Chemical Association, Inc., in Docket No. RP75-16-2 reveals that Transco has reduced the total winter entitlements of its customers down to 291,325 MMcf, a reduction of 25,928 MMcf. This reduction leaves an allocation of only 7511 MMcf for Priority 2 requirements for the total winter season. The outstanding petitions for relief on Transco's system, if extrapolated for the total winter season (November 15, 1974-April 15, 1975) for comparative purposes, would total approximately 10,476 MMcf. Thus, granting relief would require all of Transco's customers to curtail into Priority 1.

Instead, we will require petitioners to justify those requests in an evidentiary hearing that will show, inter alia, the intrusion, if any, on service to the residential consumers and the necessity for granting such relief. Accordingly, we will consolidate all of the requests for temporary and permanent extraordinary relief from Transco's Court-ordered curtailment plan, require the relief to be justified on the basis of an evidentiary record, and, require the Presiding Administrative Law Judge to rule on the requests for temporary and permanent relief expeditiously as hereinafter ordered.

Transco serves natural gas consumers in the states of Mississippi, Alabama, Georgia, South Carolina, North Carolina, Virginia, Maryland, Pennsylvania, Delaware, New Jersey, and New York. The consequences of granting or denying the instant relief requests may result in addition to the possible curtailment of residential consumers, an increase in unemployment and economic recession throughout those states. Therefore, the hearing hereinafter ordered should explore fully the potential economic effect of this proceeding on each state. Accordingly, we invite each state through its Governor, State Regulatory Commission, Resources Agency, Unemployment Commission, and/or any other responsible state agency to present evidence on the economic effect of granting or denying the requests for temporary and/or permanent relief in this consolidated proceeding. In this regard we also invite the participation of the United States Department of Commerce and the Department of Labor as well as any other responsible Federal agency.

The petitioners in Docket Nos. RP75–16–1 and RP75–17–1 have filed for rehearing of our order issued December 13, 1974, which, inter alia, dismissed their petition for interim and permanent relief. We will grant rehearing and consolidate those proceedings with the above docketed proceedings for purposes of hearing and decision.

In Docket No. RP75–16–4, a petition for rehearing was filed requesting rehearing of our order issued December 27, 1974, that, inter alia, denied interim relief and set for hearing the request for permanent relief. We will grant rehearing and modify the order to permit consolidation of this request for interim and permanent relief in the hearing hereinafter ordered. Additionally, New Jersey Zinc Division of Gulf Western Corporation of Palmerton, Pennsylvania (NJZ) notified the Commission by telegram of January 8, 1975, that if relief is not granted by Saturday, January 11th, its plant will have to shut-down causing irreparable damage to that plant. Under § 13.4 of its tariff, Transco is authorized to grant unilaterally emergency relief to prevent irreparable damage to life or property. The alleged damage to NJZ's plant falls within the scope of that provision. Accordingly NJZ's distributor should seek relief from Transco under § 13.4 of its tariff and upon meeting the buyer's obligation contained therein, Transco shall deliver such emergency volumes as are necessary to permit an orderly shutdown of the Palmerton facility.[4] This relief is specifically limited to those volumes needed for plant protection and shall not include any volumes for production purposes. Transco shall immediately report to the Commission the amount of relief granted and the estimated duration. As hereinafter ordered, the issue of extraordinary relief and continuation of any emergency relief granted by Transco will be the subject of the hearings herein set.

On January 7, 1975, the State of North Carolina and North Carolina Utilities Commission filed in Docket No. RP75–52 a document entitled "Petition of State of North Carolina and North Carolina Utilities Commission For Investigation of Transco's Supply Situation; For Extraordinary Relief From Curtailment; And For Immediate Relief Pendente Lite". Insofar as interim relief is requested, Petitioners have not met the minimal requirements of Order No. 467–C, 18 CFR 2.78(a) (ii) and, consequently, the data required to evaluate the request for immediate relief on the merits are not before us. Therefore, we have not included the North Carolina request for interim relief in this consolidated proceeding. We will give expeditious consideration at such time as a proper petition is filed in accordance with § 2.78(a) (ii). As to North Carolina's additional requests contained in the subject document, we construe that filing as a complaint filed under section 5(a) of the Natural Gas Act and we will address the issues and allegations made therein in a separate order.

The Commission finds. (1) The above-entitled proceedings contain common questions of fact and law that require the consolidation of those proceedings for the purposes of hearing and decision.

(2) Good cause exists for granting the petitions for rehearing that were filed in Docket Nos. RP75–16–1, RP75–17–1, and RP75–16–4 and for modifying the hearing dates and procedures established by our order issued December 27, 1974, in Docket No. RP75–16–4.

(3) Good cause exists for setting the proceeding consolidated herein for formal hearings, expediting the determination of this consolidated proceeding, and establishing the procedures for this proceeding as hereinafter ordered.

The Commission orders. (A) The applications for interim and permanent extraordinary relief filed in Docket Nos. RP75–16–1, RP75–17–1, RP75–16–4, RP75–16–5, RP75–16–6, RP75–16–7, and RP75–16–8 are hereby consolidated for purposes of hearing and decision.

(B) The petitions for rehearing filed in Docket Nos. RP75–16–1, RP75–17–1, and RP75–16–4 are hereby granted.

(C) Pursuant to the authority contained in and subject to the authority conferred upon the Federal Power Commission by the Natural Gas Act, particularly sections 4, 5, 15, and 16 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act, a public hearing shall be held commencing January 14, 1975, at 10 a.m. (e.s.t.) in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C., 20426, concerning the applications for interim and permanent extraordinary relief filed in the proceedings consolidated in ordering paragraph (A) hereof.

(D) The hearing and procedures established by order issued December 27, 1974, in Docket No. RP75–16–4 are hereby modified to permit that proceeding to be heard in the consolidated proceeding initiated by this order.

(E) Petitioners, the States, Federal agencies, and any other party in the proceeding shall present their evidence in the form of testimony and exhibits in support of, or in opposition to, the applications for interim and permanent extraordinary relief as requested in each of the proceedings consolidated herein. In their presentation, Petitioners shall include, inter alia, evidence reflecting:

(a) Compliance with subparagraph 2.78(a) (ii) of the Commission's General Policy and Interpretations, adopted by Order No. 467–C issued April 4, 1974 (mimeo pp. 5–6),

(b) The priority in which the customer for whom relief is sought are placed under Order No. 467–B categories,

(c) The disposition of volumes received from Transco, for September, October, November, and December 1974, by FPC priorities, and by customer for each of the FPC categories in which the customer for whom relief is sought are placed. Estimate, to the extent feasible, similar data for the period following actual data through May 1975. Include, separately identified, disposition of volumes not sold, e.g. storage injection volumes and company use and unaccounted for volumes, and

(d) End use data and information for the firm industrial customers of each Petitioner whose requirements are 300 Mcf per day or more.

(F) An Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose [see delegation of authority, 18 CFR 3.4(d)] shall preside at the hearings in this consolidated proceeding and shall prescribe relevant procedural matters not herein provided.

(G) On or before January 24, 1975, the Presiding Administrative Law Judge shall issue his initial decision on the requests for interim extraordinary relief pendente lite that are involved in the proceedings consolidated herein, inclusive of a determination on the issue of

[4] In an earlier filing NJZ stated that 4,000 Mcf per day would be the minimum amount necessary to prevent physical damage to the plant. In this regard, we note Transco's representation in its answer of January 8, 1975, to New Jersey Zinc's petition that the company's declined an offer to purchase SNG from Penn Fuel [Union's parent].

continuation of any emergency relief received by New Jersey Zinc Company. Simultaneously therewith, he shall certify to us the record related thereto. On or before February 13, 1975, the Presiding Administrative Law Judge shall issue his initial decision on the requests for permanent extraordinary relief involved in the proceedings consolidated herein.

(H) Notices of intervention and petitions to intervene in this consolidated proceeding may be filed with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, on or before January 13, 1975, in accordance with the Commission's rules of practice and procedure [18 CFR 1.8 or 1.37].

(I) Transco may commence such deliveries as it finds are necessary to permit an orderly shutdown of New Jersey Zinc's Palmerton facility, limiting volumes specifically to those required for plant protection and excluding any volumes required to maintain production. No later than 5 p.m., January 10, 1975, a report shall be made by Transco to the Federal Power Commission of what, if any, emergency volumes have been delivered and are proposed to be delivered to meet New Jersey Zinc's plant protection needs.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-1474 Filed 1-15-75;8:45 am]

[Docket No. CP75-15]

UNITED GAS PIPE LINE CO.

Amendment to Application

JANUARY 10, 1975.

Take notice that on December 18, 1974, United Gas Pipe Line Company (Applicant), 1500 Southwest Tower, Houston, Texas 77002, filed in Docket No. CP75-15 an amendment to the application filed in the subject docket pursuant to section 7(c) of the Natural Gas Act reflecting changes in the point of receipt, the daily exchange volumes and the transportation charge of natural gas to be transported on behalf of the State of Louisiana (Louisiana), all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

On July 16, 1974, Applicant filed in the subject docket an application[1] for a certificate of public convenience and necessity seeking authorization to transport up to 4,500 Mcf of natural gas per day for Louisiana from a point of receipt at approximately M.P. 18.8 on Applicant's Lake Raccourci Main Line, Lafourche Parish, Louisiana, to New Orleans Public Service Inc. (NOPSI) for the account of Louisiana at various points in the city of New Orleans where Applicant is presently delivering gas to NOPSI. The application indicated that the initial charge for the proposed transportation service would be 7.71 cents per Mcf transported. Said application was filed prior to the November 7, 1974, execution of a definitive agreement between Applicant and Louisiana.

Applicant states that pursuant to the November 7, 1974, gas transportation agreement, Louisiana will deliver, or cause to be delivered for its account, to Applicant up to 5,000 Mcf of gas per day at an existing point of interconnection between the facilities of Exxon Company, U.S.A. (Exxon), and Applicant at the tailgate of Exxon's processing plant in Terrebonne Parish, Louisiana. Applicant will redeliver equivalent volumes to NOPSI for the account of Louisiana. Applicant initially proposes to charge Louisiana 10.23 cents per Mcf transported, which reflects Applicant's Southern Zone jurisdictional cost of service proposed in Docket No. RP74-83.[2]

Any person desiring to be heard or to make any protest with reference to said amendment should on or before January 27, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules. Parties which have heretofore filed protests, notices of intervention or petitions to intervene need not do so again.

KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-1475 Filed 1-15-75;8:45 am]

[Docket Nos. RP73-41, PGA75-1 and PGA75-1-A]

WESTERN TRANSMISSION CORP.

Order Accepting for Filing and Suspending Proposed PGA Rate Change, and Granting Waiver

JANUARY 10, 1975.

On December 13, 1974, Western Transmission Corporation (Western) tendered for filing a purchased gas cost adjustment (PGA) increase[3] pursuant to its PGA clause. This filing reflects an increase in Western's current cost of gas purchased from its producer suppliers and a revenue surcharge to recover the balance accumulated in the Company's Unrecovered Purchased Gas Cost Account. The proposed PGA increase reflects a 16.46¢ per Mcf increase in the system's average cost of gas, amounting to $617,024 annually, and includes a surcharge to recover the $2,218 balance accumulated in the Unrecovered Purchased Gas Cost Account as of October 31, 1974. The instant filing also modifies Western's PGA clause to permit the Company, in the future, to file a single rate sheet each time a PGA rate change is requested.

On December 16, 1974, Western amended its filing to correct the surcharge figure included in the tariff sheets filed on December 13, 1974.

Western has requested an effective date of December 15, 1974, the date on which the Company will commence gas purchases from two new suppliers. Accordingly, Western has requested waiver of the notice requirements of § 154.22 of the Commission's regulations. Since Western's PGA clause provides for PGA increases to become effective concurrently with the attachment of new gas supplies, we believe that good cause exists to grant the requested waiver.[5]

Western's December 13, 1974, filing was noticed with comments, protests and petitions to intervene due on or before January 7, 1975. To date, no comments, protests or petitions have been received.

Our review of Western's December 13, 1974, filing indicates that it is based in part upon two small independent producer purchases at rates in excess of the rate levels established by Opinion No. 699-H.[6] Therefore, the proposed rates have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or otherwise unlawful. Accordingly, we shall accept Western's December 13, 1974, filing, suspend it for one day to become effective December 16, 1974, subject to refund. With regard to the question of small producer purchases, we note that the Supreme Court has recently remanded the small independent producer rulemaking in order for the Commission to enunciate the standards in determining the justness and reasonableness of the prices for small producer purchases.[4] We believe, therefore, that it would be premature to establish a hearing schedule in this docket at this time.

Further review of Western's December 13, 1974, filing indicates that the claimed increased costs other than those costs associated with that portion of the small producer purchases in excess of the rate levels prescribed in Opinion No. 699-H are fully justified and comply with the standards set forth in Docket No. R-406. Accordingly, Western may file a substitute tariff sheet to become effective December 15, 1974, reflecting increased costs other than that portion of those increased costs associated with small

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[1] Notice of the application was published in the FEDERAL REGISTER on August 6, 1974 (39 FR 28324).

[2] A proposed rate increase was filed in Docket No. RP74-83 on April 15, 1974.

[3] The revised tariff sheets reflecting the proposed increase are designated as Original Sheet No. 3-A and Third Revised Sheet No. 4 to FPC Gas Tariff, Original Volume No. 1.

[4] See § 154.51 of the Commission's regulations.

[5] Opinion No. 699-H, Docket No. R-389-B issued December 4, 1974.

[6] "Federal Power Commission v. Texaco, Inc., et al.," Docket Nos. 72-1490 and 72-1491, Opinion issued June 10, 1974.

producer purchases in excess of the rate levels prescribed in Opinion No. 699–H referred to in this order.

The Commission finds. It is necessary and appropriate in the public interest and to aid in the enforcement of the Natural Gas Act that:

(1) The proposed filing submitted by Western on December 13, 1974, as amended on December 16, 1974, be accepted for filing, suspended and permitted to become effective December 16, 1974, subject to refund.

(2) The claimed increased costs other than those increased costs associated with that portion of small producer purchases in excess of the rate levels prescribed in Opinion No. 699–H have been reviewed and found fully justified and in compliance with the standards set forth in Docket No. R–406.

(3) Good cause exists to grant Western's request for waiver of the notice requirements of § 154.22 of the Commission's regulations.

The Commission orders. (A) Western's Original Sheet No. 3–A and Third Revised Sheet No. 4 to its FPC Gas Tariff, Original Volume No. 1, are hereby accepted for filing, suspended, and permitted to become effective December 16, 1974, subject to refund, pending further Commission order in this docket.

(B) Waiver of the notice requirements of § 154.22 of the Commission's regulations is hereby granted.

(C) Western may file to become effective December 15, 1974, substitute tariff sheets reflecting that portion of Western's rates as filed December 13, 1974, as amended December 16, 1974, which reflect increased costs other than those increased costs associated with that portion of small producer purchases which are in excess of the rate levels prescribed in Opinion No. 699–H.

(D) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75–1476 Filed 1–15–75;8:45 am]

GENERAL SERVICES ADMINISTRATION

REGIONAL PUBLIC ADVISORY PANEL ON ARCHITECTURAL AND ENGINEERING SERVICES

Notice of Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of a meeting of the Regional Public Advisory Panel on Architectural and Engineering Services, Region 1, February 3, 1975, from 10 a.m. to noon, Room 711, John W. McCormack Post Office and Courthouse Building, Post Office Square, Boston, Massachusetts 02109. The meeting will be devoted to the initial step of the procedures for screening and evaluating the qualifications of architect-engineers under consideration for selection to furnish professional services for the proposed new Federal Office Building — Pittsfield, Massachusetts. Frank and open discussion of the professional qualifications of the firms being considered is essential to insure selection of the best qualified firms. Accordingly, pursuant to a determination that it will be concerned with a matter listed in 5 U.S.C. 552(b)(5) the meeting will not be open to the public.

Dated: January 7, 1975.

ALAN E. GORHAM,
Acting Regional Administrator.

[FR Doc.75–1487 Filed 1–15–75;8:45 am]

MARINE MAMMAL COMMISSION

MARINE MAMMAL COMMISSION AND COMMITTEE OF SCIENTIFIC ADVISORS ON MARINE MAMMALS

Notice of Meetings

The Marine Mammal Commission and the Committee of Scientific Advisors on Marine Mammals will meet on February 20, 21, and 22, 1975 at the Pepper Tree Motor Inn, 3850 State Street, Santa Barbara, California.

The Commission and Committee will meet together from 11 a.m. to 7 p.m. on February 20, from 8:30 a.m. to 7 p.m. on February 21, and 8:30 a.m. to 12:05 p.m. on February 22 to discuss and consider the status of activities and problems affecting marine mammals including matters relating to:

(1) Status of the Commission, including staffing and budget.

(2) The review of permit applications to take marine mammals for research purposes and/or public display.

(3) International efforts affecting the protection and conservation of marine mammals including the Convention for the Conservation of Antarctic Seals, the Interim Convention for the Conservation of North Pacific Fur Seals, the International Whaling Convention and the US–USSR Cooperative Agreement.

(4) Applications for waivers of the moratorium including those of the State of Alaska and the State of California.

(5) Protection of marine mammal populations on San Miguel Island and other areas.

(6) Taking of porpoises incidental to commercial yellowfin tuna fishing.

(7) Recommendations on general permits.

(8) The national marine mammal research programs, and other matters.

These sessions of the meeting will be open to the public, and seating will be available to accommodate up to 100 observers.

The remaining sessions of the meeting will consist of a meeting of the Commission in executive session, a meeting of the Committee in executive session, and a consultative meeting of the Commission and Committee. These sessions will be devoted to the exchange of opinions and deliberations concerning internal operations, personnel, policy, interagency liaison, and the evaluation of proposals to conduct research related to marine mammal protection and conservation. Participants will be candidly discussing and appraising the professional qualifications of the proposers, their potential contribution to the research program, and information given to the Commission and Committee in confidence. These sessions involve matters which are within the exemptions of 5 U.S.C. 552 (b) (2), (4), and (6) and will therefore not be open to the public.

Suggestions from interested persons concerning issues and subjects to be considered at the meetings should be submitted to the Commission in writing. For further information, contact the Marine Mammal Commission, 1625 Eye Street, NW., Washington, D.C. 20006.

JOHN R. TWISS, Jr.,
Executive Director,
Marine Mammal Commission.

JANUARY 9, 1975.

[FR Doc.75–1400 Filed 1–15–75;8:45 am]

OFFICE OF TELECOMMUNICATIONS POLICY

ELECTROMAGNETIC RADIATION MANAGEMENT ADVISORY COUNCIL

Meeting

Notice is hereby given that the Electromagnetic Radiation Management Advisory Council (ERMAC) will meet at 9:00 a.m. in Room 712, 1800 G Street, NW., Washington, D.C., on Thursday, February 6, 1975.

The principal agenda item will be a discussion on measurements, surveys, and other means of characterizing the general electromagnetic environment.

The meeting will be open to the public; any member of the public will be permitted to file a written statement with the Council, before or after the meeting.

The names of the members of the Council, a copy of the agenda, a summary of the meeting, and other information pertaining to the meeting may be obtained from Lt. Cmdr. David C. Brown, Office of Telecommunications Policy, Washington, D.C. 20504 (telephone: 202–395–4737).

Dated: January 13, 1975.

BRYAN M. EAGLE,
Advisory Committee
Management Officer.

[FR Doc.75–1478 Filed 1–15–75;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[70–5471]

ALABAMA POWER CO. ET AL.

Post-Effective Amendment Regarding Issuance and Sale of Notes to Banks by Subsidiary Company

Notice is hereby given that Alabama Power Company ("Alabama"), P.O. Box 2641, Birmingham, Alabama 35291, an electric utility subsidiary company of The Southern Company ("Southern"), a registered holding company, has filed with this Commission a post-

effective amendment to the application-declaration in this proceeding pursuant to section 6(b) of the Public Utility Holding Company Act of 1935 ("Act") regarding the following transactions. All interested persons are referred to the amended application-declaration, which is summarized below, for a complete statement of the proposed transactions.

By Orders dated March 27, 1974 (HCAR No. 18340) and November 7, 1974 (HCAR No. 18645), the Commission, among other things, authorized Alabama to issue and sell unsecured notes to banks and/or commercial paper to dealers from time to time through March 31, 1975, up to an aggregate principal amount of $135,000,000 outstanding at any one time.

Alabama now proposes to increase its proposed borrowings up to an aggregate of $235,000,000 outstanding at any one time. In addition to the arrangements heretofore set forth in this proceeding, Alabama will borrow from nonterritorial banks in accordance with terms proposed to be provided by a credit agreement ("Agreement") to be entered into among Southern, Alabama, and Georgia Power Company ("Georgia") and the banks. Subject to certain limitations described in the Agreement and subject to their respective authority in this proceeding, the maximum aggregate principal amount Southern, Alabama, and Georgia would be permitted to borrow under the Agreement would be approximately $500,000,000 ("Commitment"), and the maximum aggregate amount which Alabama would be permitted to borrow at any time would be equal to the amount of the Commitment less borrowings by Southern and Georgia from time to time outstanding ("Alabama Commitment").

The borrowings by Alabama under the Agreement will be evidenced by notes to the banks maturing not later than 9 months from the date of issuance thereof, and in any event not later than December 31, 1975. It is proposed that each such note will bear interest at a fluctuating interest rate per annum equal to 115 percent of the higher of (a) the prime rate in effect from time to time or (b) ½ of 1 percent above the latest three-week moving average interest rate payable on 90 to 119-day dealer-placed commercial paper. Alabama will be permitted, on the terms and under the conditions to be provided in the Agreement, to prepay borrowings from time to time, in whole or in part without penalty or premium, to reborrow up to the maximum amount of the Alabama Commitment from time to time and, together with Southern and Georgia, to reduce or terminate the Commitment.

It is proposed that under the Agreement the banks will charge fees consisting of a commitment fee (based on the unused portion of the Commitment) from January 1, 1975, through the term of the Agreement at the rate of ½ of 1 percent per annum, a facility fee (based on the Commitment, whether used or unused) from January 1, 1975, through the term of the Agreement at the rate of ¼ of 1 percent per annum, and an additional fee (based on the unused Commitment and outstanding borrowings) at the rate of 10 percent of the interest rate in effect from time to time on outstanding borrowings. Giving effect to these fees, assuming full utilization of the Commitment and based on a prime rate of 10¼ percent per annum and the three-week moving commercial paper rate of 9.24 percent for the terminal week of January 1, 1975, the effective interest rate on borrowings would be 13.06 percent per annum.

Pending the effectiveness of the Agreement, Alabama proposes from time to time to make borrowings hereunder as available on terms comparable to but not more burdensome than those proposed to be provided by the Agreement.

Alabama will use the proceeds of its short-term borrowings to finance construction, to reimburse its treasury for prior construction expenditures, and to pay at maturity bank notes and commercial paper issued for such purposes. Certificates of notification under Rule 24 in respect of the proposed borrowings are to be filed quarterly.

No State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than January 30, 1975, 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 post-effective amendment to the application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as now amended 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 Regulations, pursuant to delegated authority.

[SEAL] SHIRLEY E. HOLLIS,
Assistant Secretary.

[FR Doc.75-1512 Filed 1-15-75;8:45 am]

CHICAGO BOARD OPTIONS EXCHANGE, INC.

Non-Disapproval of Amendments to Option Plan

Notice is hereby given that on January 8, 1975, the Commission considered and did not disapprove proposed amendments to the Option Plan of the Chicago Board Options Exchange, Inc. (CBOE) pursuant to Rule 9b-1 under the Securities Exchange Act of 1934 (17 CFR 240.9b-1). The CBOE proposed to amend Rule 4.13(a) which was originally noticed at 39 FR 40203 on November 14, 1974.

The CBOE amendment would require members to report only their customer's aggregate positions of 100 or more option contracts in any single class of options that are listed on the Exchange. If dual trading of options is initiated (i.e., trading of options in respect of the same underlying stock on more than one exchange) pursuant to the amendment, members would be required to report such aggregate positions in options dealt in on the Exchange regardless of on which exchange the position was acquired.

All interested persons are invited to submit their views and comments on the amendment to CBOE's plan either before or after it has become effective. Written statements of views and comments should be addressed to the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made to file number 10-54. The amendment is, and all such comments will be, available for public inspection at the Public Reference Room of the Securities and Exchange Commission at 1100 L Street, NW., Washington, D.C.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS,
Assistant Secretary.

JANUARY 9, 1975.

[FR Doc.75-1511 Filed 1-15-75;8:45 am]

[File No. 500-1]

ROYAL PROPERTIES INC.

Suspension of Trading

JANUARY 10, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Royal Properties Incorporated 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 January 13, 1975 through January 22, 1975.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS,
Assistant Secretary.

[FR Doc.75-1513 Filed 1-15-75;8:45 am]

[File No. 500-1]

WINNER INDUSTRIES, INC.

Suspension of Trading

JANUARY 10, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Winner Industries, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from January 13, 1975 through January 22, 1975.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS,
Assistant Secretary.

[FR Doc.75-1514 Filed 1-15-75;8:45 am]

SMALL BUSINESS ADMINISTRATION

SIZE STANDARDS APPEALS

Procedures and Regulations Review

Mr. Gene F. VanArsdale has been appointed Director of the Size Procedures Study Project for the purpose of conducting a thorough review and analysis of SBA procedures and regulations pertaining to the processing and adjudication of appeals from size standard determinations.

Objectives of the study are: 1. Develop new and improved guidelines for SBA personnel in rendering size standard determinations and improve the processing of appeals to final resolution.

2. Provide for more expeditious processing and adjudication of appeals at all levels.

3. Provide for such reforms in Size Appeals procedures and Size Appeals Board functions as may be necessary to assure that appeal decisions are rendered fairly and equitably.

The study has been commissioned for two months, commencing January 2, 1975. It is anticipated that in early March, final recommendations stemming from the study will be presented to the Administrator for approval.

Comments and recommendations in regard to the above are invited and may be filed with the Small Business Administration on or before February 18, 1975. All correspondence shall be addressed to:

Gene F. VanArsdale, Director
Size Procedures Study Project
Small Business Administration
1441 L Street NW.
Washington, D.C. 20416

Dated: January 13, 1975.

LOUIS F. LAUN,
Chairman,
Size Appeals Board.

[FR Doc.75-1582 Filed 1-15-75;8:45 am]

SELECTIVE SERVICE SYSTEM

RECONCILIATION SERVICE MANUAL

Notice of Availability

The Reconciliation Service Manual is an internal manual of the Selective Service System. It transmits procedures for the administration of the program is reconciliation services by returnees in accord with the President's program to afford reconciliation to Vietnam era draft evaders and military deserters.

This manual may be examined in the office of any State Director of Selective Service or at the National Headquarters, Selective Service System, 1724 F Street, NW., Washington, D.C. It may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. The price of a subscription is $18.75 ($4.75 additional for foreign postage). The Superintendent of Documents catalogue number is Y3.SE4:10-2R24/974.

BYRON V. PEPITONE,
Director.

JANUARY 10, 1975.

[FR Doc.75-1371 Filed 1-15-75;8:45 am]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

OREGON STATE STANDARDS

Notice of Approval

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (hereinafter called the Act) by which the Assistant Regional Directors for Occupational Safety and Health (hereinafter called Assistant Regional Director) under a delegation of authority from the Assistant Secretary of Labor for Occupational Safety and Health (hereinafter called the Assistant Secretary) (29 CFR 1953.4) will review and approve standards promulgated pursuant to a State plan which has been approved in accordance with section 18(c) of the Act and 29 CFR Part 1902. On December 28, 1972, notice was published in the FEDERAL REGISTER (37 FR 28628) of the approval of the Oregon plan and the adoption of Subpart D to Part 1952 containing the decision. The notice of Approval of Revised Developmental Schedule was further published on April 1, 1974, in the FEDERAL REGISTER (39 FR 11881).

The Oregon plan provides for the adoption of State standards which are at least as effective as comparable Federal standards promulgated under section 6 of the Act.

Section 1952.108 of Subpart D sets forth the State's schedule for the adoption of at least as effective State standards. By letter dated November 7, 1974, from M. Keith Wilson, Chairman, Workmen's Compensation Board to James W. Lake, Assistant Regional Director, and incorporated as part of the plan, the State submitted proof documents concerning Subpart S of Part 1910, Title 29, Code of Federal Regulations. These standards, which are contained in Oregon Safety Code for Places of Employment, were promulgated by the State after a Notice of Intent was published in the Department of State's Administrative Rule Bulletin Vol. 13, No. 23 dated June 1, 1974. No request for a public hearing was received.

2. *Decision.* Having reviewed the State submission in comparison with the Federal standards, it has been determined that the State standards are at least as effective as the comparable Federal standards. The detailed standards comparison is available at the locations specified below.

3. *Location of supplement for inspection and copying.* A copy of the standards supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Assistant Regional Director, Occupational Safety and Health Administration, Room 1813, Smith Tower Building, 506 Second Avenue, Seattle, WA 98104; Workmen's Compensation Board, Labor and Industries Building, Room 204, Salem, OR 97310; and Office of the Associate Assistant Secretary for Regional Programs, Room 850, 1726 M Street NW., Washington D.C. 20210.

4. *Public participation.* Under § 1953.2 (c) or 29 CFR Part 1953, the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the supplement to the Oregon plan as a proposed change and making the Assistant Regional Director's approval effective upon publication for the following reason.

The standards were adopted in accordance with the procedural requirements of State law which included public comment and further public participation would be unnecessary.

This decision is effective January 16, 1975.

(Sec. 18, Pub. L. 91-596, 84 Stat. 1608 (29 U.S.C. 667))

Signed at Seattle, Washington, this 10th day of January 1975.

JAMES W. LAKE,
Assistant Regional Director.

[FR Doc.75-1452 Filed 1-15-75;8:45 am]

STANDARDS ADVISORY COMMITTEE ON MARINE TERMINAL FACILITIES

Notice of Meeting

Notice is hereby given that a Standards Advisory Committee on Marine Terminal Facilities, established under section 7(b) of the Williams-Steiger Occupational Safety and Health Act of 1970 (29 U.S.C. 656), will meet on Tuesday, February 11; Wednesday, February 12;

and Thursday, February 13, 1975, starting at 9 a.m. in the Gold Room, Royal Inn Motel, 18220 Pacific Highway South, Seattle, Washington 98118. The meeting will be open to the public.

The Standards Advisory Committee on Marine Terminal Facilities will continue review of the proposed safety regulations for longshoring, with respect to marine terminal facilities, for the purpose of making recommendations to the Assistant Secretary of Labor for Occupational Safety and Health.

Written data, views, or comments may be filed, together with 20 duplicate copies thereof, with the Committee Management Officer by close of business January 31, 1975. Any such submissions will be provided to the members of the Committee and will be included in the record of the meeting.

Persons wishing to make an oral presentation to the Committee should submit a written request to be heard to the Committee Management Officer no later than the close of business January 31, 1975. The request must contain the name of the person who wishes to make a presentation, whom he represents, a short summary of the intended presentation, and an estimate of the amount of time that will be needed. Oral presentations will be scheduled at the discretion of the Committee Chairman.

Communications should be addressed to:

Joanne L. Goodell
Committee Management Office
U.S. Department of Labor
Occupational Safety and Health Administration
1726 M Street, N.W. Room 200
Washington, D.C. 20210
Phone: 202/961-2248, 3181

Signed at Washington, D.C., this 10th day of January 1975.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.75-1453 Filed 1-15-75;8:45 am]

COMMISSION ON THE REVIEW OF THE NATIONAL POLICY TOWARD GAMBLING

MEETINGS AND HEARINGS

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is hereby given that the Commission on the Review of the National Policy Toward Gambling, established under the authority of section Pub. L. 91-452, Part D, sec. 804-808 of the Organized Crime Control Act of 1970, will meet on February 4-5, 1975, in Room G308 of the Dirksen Senate Office Building, and will hold hearings on February 19-20, 1975, in Room 1202 of the Dirksen Senate Office Building, Washington, D.C.

The purpose of the hearings on February 4-5 is to conduct an orientation of newly appointed Congressional Members and to discuss and decide the contents of the Commission's First Interim Report.

The purpose of the meetings on February 19-20 is to elicit testimony from organized sports directors and player representatives regarding the feasibility of legalized sports betting.

The meetings and hearings of the Commission will be open to the public, and interested persons are invited to attend. The rules of procedure for person or persons presenting matters to the Commission are the same as those previously published by this Commission in the FEDERAL REGISTER.

JAMES E. RITCHIE,
Executive Director.

[FR Doc.75-1538 Filed 1-15-75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 674]

ASSIGNMENT OF HEARINGS

JANUARY 13, 1975.

Cases assigned for hearing, postponement, cancellation, or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

FF-29 Sub 2, Florida-Texas Freight, Inc., now assigned February 3, 1975, at New York, N.Y., will be held in Room A-238, Court of Claims, 26 Federal Plaza.

I&S 8998, Coal, Southwestern, Western Trunk Line & Central Territories and FSA 42890, Coal From Illinois, Indiana, Kentucky, and Missouri; now assigned February 4, 1975, at Chicago, Ill., will be held on The 3rd Floor, 230 S. Dearborn St.

MC 128270 Sub 8, Rediehs Interstate, Inc., now assigned February 7, 1975, at Chicago, Ill., will be held on The 3rd Floor, 230 S. Dearborn St.

MC 29079 Sub 72, Brada Miller Freight System, Inc., now assigned February 10, 1975, at Chicago, Ill., will be held in Room 1086A, Everett McKinley Dirksen Bldg., 219 S. Dearborn St.

MC-F-12232, Cordin Motor Freight, Inc.—Control and Merger—R. T. Skewes Freight Lines, Inc., now assigned February 12, 1975, at Chicago, Ill., will be held in Room 1086A, Everett McKinley Dirksen Building, 219 S. Dearborn St.

MC-F-12090, Cedar Rapids Steel Transportation, Inc.—Purchase—The Kinnison Trucking Company, MC 114273 Sub 158, Cedar Rapids Steel Transportation, Inc., now assigned January 15, 1975, at Columbus, Ohio, is postponed to a date to be hereafter fixed.

MC 61592 Sub 320, Jenkins Truck Line, Inc., now assigned January 19, 1975, at Chicago, Ill., will be held in Room 1086A, Everett McKinley Dirksen Building, 219 S. Dearborn St.

MC 107515 Sub 892, Refrigerated Transport Co., now assigned January 20, 1975, at Chicago, Ill., will be held in Room 1086A, Everett McKinley Dirksen Building, 219 S. Dearborn St.

MC 124170 Sub 38, Frostway, Inc., MC 124170 Sub 41, now assigned January 24, 1975, at Chicago, Ill., will be held in Room 1086A, Everett McKinley Dirksen Building, 219 S. Dearborn St.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-1560 Filed 1-15-75;8:45 am]

[Fifth Reivsed Exemption No. 91; Ex Parte No. 241]

ATLANTA AND WEST POINT RAILROAD CO. ET AL.

Exemption Under Mandatory Car Service Rules

It appearing, that the United States railroads own numerous plain 50-ft. boxcars; that under present conditions, there is virtually no demand for these cars on the lines of the car owners; that return of these cars to the car owners would result in their being stored idle on these lines; that such cars can be used by other carriers for transporting traffic offered for shipments to points remote from the car owners; and that compliance with Car Service Rules 1 and 2 prevents such use of plain boxcars owned by the United States railroads, resulting in unnecessary loss of utilization of such cars.

It is ordered, That pursuant to the authority vested in me by Car Service Rule 19, plain 50-ft. boxcars described in the Official Railway Equipment Register, I.C.C. R.E.R. No. 393, issued by W. J. Trezise, or successive issues thereof, as having mechanical designation XM, and bearing all reporting marks assigned to the United States railroads, shall be exempt from the provisions of Car Service Rules 1(a), 2(a), and 2(b). (See Exception.)

Exception, This exemption shall not apply to 50-ft. plain boxcars owned by the railroads named below:

Atlanta and West Point Railroad Company
Reporting marks: AWP
Bangor and Aroostook Railroad Company
Reporting marks: BAR
Central Vermont Railways, Inc.
Reporting marks: CV-CVC
Duluth, Winnipeg and Pacific Railway
Reporting marks: DWP
Illinois Central Gulf Railroad Company
Reporting marks: ICG-CLG-GMO-IC
The Kansas City Southern Railway Company
Reporting marks: KCS-LA
Lehigh Valley Railroad Company (John P. Nash and Robert C. Haldeman, Trustees)
Reporting marks: LV
Maine Central Railroad Company
Reporting marks: MEC
St. Louis Southwestern Railway Company
Reporting marks: SSW
Southern Pacific Transportation Company
Reporting marks: SP
The Western Pacific Railroad Company
Reporting marks: WP
The Western Railway of Alabama
Reporting marks: WA

Effective January 3, 1975, and continuing in effect until further order of this Commission.

Issued at Washington, D.C., January 3, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.75-1555 Filed 1-15-75;8:45 am]

[Third Revised Exemption No. 91; Ex Parte No. 241]

ATCHISON, TOPEKA AND SANTA FE RAILWAY CO. ET AL.

Exemption Under Mandatory Car Service Rules

It appearing, That the railroads named herein own numerous plain 50-ft. boxcars; that under present conditions, there is virtually no demand for these cars on the lines of the car owners; that return of these cars to the car owners would result in their being stored idle on these lines; that such cars can be used by other carriers for transporting traffic offered for shipments to points remote from the car owners; and that compliance with Car Service Rules 1 and 2 prevents such use of plain boxcars owned by the railroads listed herein, resulting in unnecessary loss of utilization of such cars.

It is ordered, That pursuant to the authority vested in me by Car Service Rule 19, plain 50-ft., boxcars described in the Official Railway Equipment Register, I.C.C. R.E.R. No. 393, issued by W. J. Trezise, or successive issues thereof, as having mechanical designation XM, and bearing reporting marks assigned to the railroads named below, shall be exempt from the provisions of Car Service Rules 1(a), 2(a), and 2(b).

The Atchison, Topeka and Sante Fe Railroad Company
Reporting marks: ATSF
Atlanta & Saint Andrews Bay Railway Company
Reporting marks: ASAB
Burlington Northern Inc.
Reporting marks: BN-CBQ-GN-NP-SPS
Illinois Terminal Railroad Company[1]
Reporting marks: ITC
Missouri-Kansas-Texas Railroad Company
Reporting marks: MKT-BKTY
Missouri Pacific Railroad Company
Reporting marks: MP-GEI-MI-TP
Norfolk and Western Railway Company
Reporting marks: NW-NKP-WAB
Seaboard Coastline Railroad Company
Reporting marks: SCL-ACL-SAL
Southern Railway Company
Reporting marks: SOU-CG-NS
The Akron, Canton & Youngstown Railroad Company
Reporting marks: ACY
The Pittsburgh and Lake Erie Railroad Company
Reporting marks: PLE
Union Pacific Railroad Company
Reporting marks: UP

Effective December 24, 1974, and continuing in effect until further order of this Commission.

Issued at Washington, D.C., December 24, 1974.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.75-1553 Filed 1-15-75;8:45 am]

[1] Addition

[Fourth Revised Exemption No. 91; Ex Parte No. 241]

ATCHISON, TOPEKA AND SANTA FE RAILWAY CO. ET AL.

Exemption Under Mandatory Car Service Rules

It appearing, that the railroads named herein own numerous plain 50-ft. boxcars; that under present conditions, there is virtually no demand for these cars on the lines of the car owners; that return of these cars to the car owners would result in their being stored idle on these lines; that such cars can be used by other carriers for transporting traffic offered for shipments to points remote from the car owners; and that compliance with Car Service Rules 1 and 2 prevents such use of plain boxcars owned by the railroads listed herein, resulting in unnecessary loss of utilization of such cars.

It is ordered, That pursuant to the authority vested in me by Car Service Rule 19, plain 50-ft. boxcars described in the Official Railway Equipment Register, I.C.C. R.E.R. No. 393, issued by W. J. Trezise, or successive issues thereof, as having mechanical designation XM, and bearing reporting marks assigned to the railroads named below, shall be exempt from the provisions of Car Service Rules 1(a), 2(a), and 2(b).

The Atchison, Topeka and Santa Fe Railway Company
Reporting marks: ATSF
Atlanta & Saint Andrews Bay Railway Company
Reporting marks: ASAB
Burlington Northern Inc.
Reporting marks: BN-CBQ-GN-NP-SPS
Chicago and North Western Transportation Company[1]
Reporting marks: CNW-CGW-CMO-MSTL
Chicago, Milwaukee, St. Paul and Pacific Railroad Company[1]
Reporting marks: MILW
Illinois Terminal Railroad Company
Reporting marks: ITC
Missouri-Kansas-Texas Railroad Company
Reporting marks: MKT-BKTY
Missouri Pacific Railroad Company
Reporting marks: MP-CEI-MI-TP
Norfolk and Western Railway Company
Reporting marks: NW-NKP-WAB
Seaboard Coast Line Railroad Company
Reporting marks: SCL-ACL-SAL
Southern Railway Company
Reporting marks: SOU-CG-NS
The Akron, Canton & Youngstown Railroad Company
Reporting marks: ACY
The Pittsburgh and Lake Erie Railroad Company
Reporting marks: PLE
Union Pacific Railroad Company
Reporting marks: UP

Effective December 31, 1974, and continuing in effect until further order of this Commission.

Issued at Washington, D.C., December 31, 1974.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.75-1554 Filed 1-15-75;8:45 am]

[1] Additions.

FOURTH SECTION APPLICATION FOR RELIEF

JANUARY 13, 1975.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1100.40) and filed by January 31, 1975.

FSA No. 42926—*Sulphuric Acid to Points in Southern Territory.* Filed by Southwestern Freight Bureau, Agent (No. B-504), for interested rail carriers. Rates on acid, sulphuric, in tank-car loads, as described in the application, from points in Arkansas, Louisiana, Oklahoma, and Texas, to points in southern territory.

Grounds for relief—Rate relationship, revision of minimum weights.

Tariffs—Supplements 195, 178, and 158 to Southwestern Freight Bureau, Agent, tariffs 34, 38-D, and 357-B, I.C.C. Nos. 4923, 5044, and 5019, respectively. Rates are published to become effective on February 13, 1975.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-1557 Filed 1-15-75;8:45 am]

[Rev. I.C.C. No. 131, Rev. S.O. No. 994]

BALTIMORE AND OHIO RAILROAD CO.

Rerouting or Diversion of Traffic

In the opinion of R. D. Pfahler, Agent, The Baltimore and Ohio Railroad is unable to transport freight cars with dimensions in excess of Plate C, routed over its line between Parkersburg, West Virginia and Zanesville, Ohio because of track damage.

It is ordered, That:

(a) *Rerouting traffic.* The Baltimore and Ohio Railroad Company, being unable to transport freight cars with dimensions in excess of Plate C, routed over its line between Parkersburg, West Virginia and Zanesville, Ohio, because of track damage, is hereby authorized to divert or reroute such traffic over any available route to expedite the movement.

(b) *Concurrence of receiving road to be obtained.* The Baltimore and Ohio Railroad Company, in rerouting cars in accordance with this order, shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted, before the rerouting or diversion is ordered.

(c) *Notification to shippers.* The Baltimore and Ohio Railroad Company, when rerouting cars in accordance with this order, shall notify each shipper at the time each shipment is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic is deemed to be due to carrier disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) *Effective date.* This order shall become effective at 11:59 p.m., January 5, 1975.

(g) *Expiration date.* This order shall expire at 11:59 p.m., July 5, 1975, unless otherwise modified, changed, or suspended.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as Agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement; and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., December 31, 1974.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.75-1558 Filed 1-15-75;8:45 am]

[Rev. I.C.C. O. 126, Amdt. 3; Rev. S.O. 994]

PENN CENTRAL

Rerouting or Diversion of Traffic

Upon further consideration of Revised I.C.C. Order No. 126 (Penn Central, Robert W. Blanchette, Richard C. Bond, and John H. McArthur, Trustees) and good cause appearing therefor:

It is ordered, That.

Revised I.C.C. Order No. 126 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., July 15, 1975, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., January 15, 1975, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., January 6, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.75-1559 Filed 1-15-75;8:45 am]

[Notice No. 4]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 9, 1975.

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 Part 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, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. 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 40978 (Sub-No. 24TA), filed January 6, 1975. Applicant: CHAIR CITY MOTOR EXPRESS COMPANY, 3321 Business 141 South Sheboygan, Wis. 53081. Applicant's representative: William C. Dineen, 710 N. Plankinton Avenue, Milwaukee, Wis. 53203. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: New furniture from Muscatine, Iowa, to points in Illinois and points in Indiana within the Chicago, Ill., Commercial Zone, for 180 days. Supporting shipper: Hon Industries, Inc., 414 East Third Street, Muscatine, Iowa (Ronald P. Darnall). Send protests to: John E. Ryden, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 96855 (Sub-No. 5TA), filed January 7, 1975. Applicant: REFRIGERATED DELIVERY SERVICE, INC., 45 S. Fulton, P.O. Box 50247, Tulsa, Okla. 74150. Applicant's representative: V. Langenberg (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat, products, meat by-products, dairy products and articles distributed by meat packinghouses, as described in Sections A, B, and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), *Foodstuffs,* from Oklahoma City, Okla., to points in Oklahoma, restricted to traffic having a prior out of state movement. Supporting shippers: Cudahy Foods Co., James T. Ferguron, T. M., 2300 N. Broadway, Wichita, Kans., John Morrell & Co., Robert L. Lee, Mgr., Rates & Services, 208 S. LaSalle Street, Chicago, Ill. 60604. Doskocil Sausage Co., Orvin Miller, Sales Mgr., 321 N. Main, South Hutchinson, Kans. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old P.O. Bldg., 215 N.W. Third, Oklahoma City, Okla. 73102.

No. MC 100439 (Sub-No. 5TA), filed January 6, 1975. Applicant: DAVID W. HASSLER, INC., R.D. #8, York, Pa. 17403. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products* (except petro-chemicals), in bulk, from Baltimore, Md., to points Adams, Berks, Centre, Clinton, Cumberland, Dauphin, Franklin, Huntingdon, Juniata, Lancaster, Lebanon, Lycoming, Mifflin, Northumberland, Perry, Snyder, Union, and York (except York and Red Lion) Counties, Pa., for 180 days. Supporting shippers: Spangler Oil Co., R. #2, Littlestown, Pa.; Eaton Fuel Service, Inc., Church Street, Stewartstown, Pa. 17363; R. A. Bair Oil Service, R.D. #2, Seven Valleys, Pa.; Aero Oil Company, 230 Lincoln Way E., New Oxford, Pa. 17350; Gerry McCullough & Company, 100 W. Penn Street, New Freedom, Pa. 17349; The Sico Company, 15 Mt. Joy Street, Mt. Joy, Pa. 17552. Send protests to: Robert P. Amerine, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 278 Federal Bldg., P.O. Box 869, Harrisburg, Pa. 17108.

No. MC 107496 (Sub-No. 978TA) (Correction), filed December 16, 1974, published in the FEDERAL REGISTER issue of

January 6, 1975, and republished as corrected this issue. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Des Moines, Iowa. 50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinyl acetate*, in bulk, in tank vehicles, from Smithfield, Ky., to Clinton, Iowa, for 180 days. Supporting shipper: Chemplex Company, Rolling Meadows, Ill. 60008. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

NOTE.—The purpose of this republication is to include Chemplex Company, Rolling Meadows, Ill. 60008 as the supporting shipper which was previously omitted, the rest of the application will remain the same.

No. MC 111401 (Sub-No. 439TA), filed January 6, 1975. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Blvd., P.O. Box 632, Enid, Okla. 73701. Applicant's representative: Victor R. Comstock (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Inedible Tallow*, in bulk, in tank vehicles, from the plantsite and/or facilities of Chaparral Packing Company, Inc., near Las Cruces, N. Mex., to San Angelo, Ft. Worth, Dallas, and Tornillo, Tex., for 180 days. Supporting shipper: Chaparral Packing Company, Inc., J. Harvey Lewis, President, Rt. 1, Box 1850, Las Cruces, N. Mex. 88001. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old P.O. Bldg., 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 111401 (Sub-No. 440TA), filed January 7, 1975. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Blvd., P.O. Box 632, Enid, Okla. 73701. Applicant's representative: Victor R. Comstock (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from the plantsite of Dow Chemical U.S.A. near Plaquemine, to points of entry on the International Boundary line between the United States and Mexico, located in Texas in foreign commerce only, for 180 days. Supporting shipper: Dow Chemical U.S.A., A. R. Mills, Supervisor Traffic Services, Louisiana Division, Plaquemine, La. 70764. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old P.O. Bldg., 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 113024 (Sub-No. 132TA) (Correction), filed November 12, 1974, published in the FEDERAL REGISTER issue of November 21, 1974, and republished as corrected this issue. Applicant: ARLINGTON J. WILLIAMS, INC., R.D. 2, South Du Pont Highway, Smyrna, Del. 19977. Applicant's representative: Samuel W. Earnshaw, 833 Washington Building, Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Carbon black*, in bags, from Evangeline Parish, La., to McCook, Nebr., and Wilmington, Del., for the account of Electric Hose and Rubber Company, Wilmington, Del., for 180 days. Supporting shipper: Fred H. Evick, Director of Distribution, Electric Hose & Rubber Company, Box 910, Wilmington, Del. 19899. Send protests to: William L. Hughes, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 814–B Federal Building, Baltimore, Md. 21201.

NOTE.—The purpose of this republication is to change the origin from Seagraves, Tex., to Evangeline Parish, La., which was published in error.

No. MC 113024 (Sub-No. 133TA) (Correction), filed November 26, 1974, published in the FEDERAL REGISTER issues of December 9, 1974, and December 23, 1974, and republished as corrected this issue. Applicant: ARLINGTON J. WILLIAMS, INC., R.D. 2, S. Dupont Highway, Smyrna, Del. 19977. Applicant's representative: Samuel W. Earnshaw, 833 Washington Building, Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Carbon black*, in bags, from Seagraves, Tex., to McCook, Nebr., and Wilmington, Del., for the account of Electric Hose & Rubber Company, Wilmington, Del., for 180 days.

NOTE.—The purpose of this republication is to change the origin to Seagraves, Tex., in lieu of Evangeline Parish, which was published in the FEDERAL REGISTER in error. The rest of the application will remain the same.

No. MC 116459 (Sub-No. 52TA), filed January 6, 1975. Applicant: RUSS TRANSPORT, INC., P.O. Box 4022, Chattanooga, Tenn. 37405. Applicant's representative: Sam Speer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *#5 and #6 Fuel Oil and residual products* (fuel oil), in bulk, in tank vehicles, from Chattanooga, Tenn., to Stevenson, Huntsville, Scottsboro, Ragland, and Gadsden, Ala., for 180 days. Supporting shipper: General Oils, Inc., P.O. Box 68, Chattanooga, Tenn. 37401. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, A–422 U.S. Court House, Nashville, Tenn. 37203.

No. MC 125135 (Sub-No. 1TA), filed January 2, 1974. Applicant: RONALD E. SWANNER, doing business as SWANNER TRANSFER CO., 3445 Aronov Avenue, Montgomery, Ala. 36108. Applicant's representative: Alan F. Wohlstetter, Denning & Wohlstetter, 1700 K Street, NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Autauga, Bullock, Butler, Chilton, Coosa, Crenshaw, Elmore, Lowndes, Macon, Montgomery, Perry, Tallapoosa, and Wilcox Counties, Ala., restricted to the transportation of traffic having a prior or subsequent movement, in containers, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic, for 180 days. Supporting shippers: Richardson Forwarding Company, 992 East Artesia Boulevard, Long Beach, Calif. 90806; American Ensign Van Service, Inc., 2320 Pacific Avenue, Suite D, Long Beach, Calif., 90806, AFI Worldwide Forwarders, Inc., 335 Valencia Street, San Francisco, Calif. 94103; Continental Forwarders, Inc., 105 Leonard Street, New York, N.Y. 10013. Send protests to: Clifford W. White, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 1616–2121 Bldg., Birmingham, Ala. 35203.

No. MC 128375 (Sub-No. 126TA), filed January 7, 1974. Applicant: CRETE CARRIER CORPORATION, P.O. Box 81228, Lincoln, Nebr. 68501. Applicant's representative: Duane W. Acklie (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tobacco products and related items* (except cigarettes and commodities in bulk), from Owensboro, Ky., and its commercial zone to Tulsa, Okla., and its commercial zone, for 180 days. Supporting shipper: W. R. Suitt, Director of Distribution, Liggett & Myers, Incorporated, Box 3868, Duram, N.C. 27702. Send protests to: Max H. Johnston, District Supervisor, 320 Federal Building & Court House, Lincoln, Nebr. 68501.

No. MC 128831 (Sub-No. 7TA) (Correction), filed December 10, 1974, published in the FEDERAL REGISTER issue of December 23, 1974, and republished as corrected this issue. Applicant: DIXON RAPID TRANSFER, INC., East River Road, Dixon, Ill. 61021. Applicant's representative: Robert H. Levy, 29 South La Salle, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and duct* used in heating, cooling, air conditioning, and exhaust systems, and *materials and supplies* used in the installation thereof, *and building construction wall sections and accessories and parts* used in the installation thereof, from the plantsite of United Sheet Metal Division of United McGill Corp., at Westerville, Ohio, to points in Nebraska, Indiana, Iowa, Michigan, Missouri, Minnesota, and Wisconsin, for 180 days. Supporting shipper: United Sheet Metal Division of United McGill Corp., 200 E. Broadway, Westerville, Ohio 43081. Send protests to: Charles R. Nesmith, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1086, Chicago, Ill. 60604. The purpose of this republication is to add the states of Michigan, Missouri, Minnesota, and Wisconsin as destination points.

No. MC 129613 (Sub-No. 17TA), filed January 7, 1975. Applicant: ARTHUR

H. FULTON, P.O. Box 86, Stephens City, Va. 22655. Applicant's representative: Charles E. Creager, Esq., 1329 Pennsylvania Avenue, P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages* from Pittsburgh, Pa., to Winchester, Va., for 180 days. Supporting shipper: Dearing Beverage Co., Inc., Paper Mill Road, Winchester, Va. 22601 for 180 days. Send protests to: W. C. Hersman, District Supervisor, Room 317, Bureau of Operations, Interstate Commerce Commission, 12th & Constitution Avenue NW., Washington, D.C. 20432.

No. MC 129613 (Sub-No. 18TA), filed January 7, 1975. Applicant: ARTHUR H. FULTON, P.O. Box 86, Stephens City, Va. 22655. Applicant's representative: Charles E. Creager, Esq., 1329 Pennsylvania Avenue, P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden blocks or cradles*, between Clark County, Va., to Kearney, N.J., and Baltimore, Md., for 180 days. Supporting shipper: D. M. Diggs, d.b.a. J. C. Diggs & Sons, White Post, Va. 22633. Send protests to: W. C. Hersman, Bureau of Operations, Interstate Commerce Commission, Room 317, 12th & Constitution Avenue NW., Washington, D.C. 20432.

No. MC 136257 (Sub-No. 3TA), filed December 30, 1974. Applicant: BELS PRODUCE CO., INC., 11357 Vienna Road, P.O. Box 348, Montrose, Mich. 48459. Applicant's representative: Andrew J. Haliw III, 22375 Haggerty Road, P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Return unsaleable fruit juices in glass and replace with fruit juices in glass*, between New Baltimore, Mich., on the one hand, and, on the other, the plantsite and facilities of Boden Products, Inc., at or near Franklin Park, Ill., for 180 days. Supporting shipper: Boden Products, Inc., National Sales Manager, John Bergstrom, 3333 N. Mt. Prospect Road, Franklin Park, Ill. 60131. Send protests to: Melvin F. Kirsch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1110 Broderick Tower, 10 Witherell, Detroit, Mich. 48226.

No. MC 140467 (Sub-No. 1TA), filed January 3, 1975. Applicant: GREAT SOUTHERN HAULING, INC., 3600 Pine Forest Drive SE., Atlanta, Ga. 30354. Applicant's representative: John E. Goins, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural lime, sand, gravel, stone*, from Jefferson, Blount, Knox Counties, Tenn., to points in Georgia, for 180 days. Supporting shippers: Jefferson County Farm, Wrens, Ga., E. M. Newsome, Farm Owner, Stapleton, Ga., L. R. Hobbs and Son, Stapleton, Ga., Stapleton Gin Co., Stapleton, Ga. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1252 W. Peachtree St. NW., Room 546, Atlanta, Ga. 30309.

PASSENGER APPLICATION

No. MC 140526 (Sub-No. 1TA), filed January 6, 1975. Applicant: JIM EUBANKS, doing business as JIM'S CAB SERVICE, 721 East Maine, P.O. Box 34, Siloam Springs, Ark. 72716. Applicant's representative: Georgia K. Elrod, P.O. Drawer 580, Siloam Springs, Ark. 72716. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, between points in Northwest Ark., Northeast Okla., Southwest Mo., and Southeast Kans., under a continuing contract or contracts with Kansas City Southern railroad crews, for 180 days. Supporting shipper: The Kansas City Southern Railway Company, 114 W. 11th Street, Kansas City, Mo. 64105. Send protests to: William H. Land, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201

WATER CARRIER ORDER

No. W 1282 TA, filed November 15, 1974. Carrier: KEY WEST FERRY CORPORATION, 400 SW. First Avenue, Miami, Fla. 33130. Carrier's representative: Richard B. Austin, 5255 NW. 87th Avenue, Miami, Fla. 33166. At a Session of the Interstate Commerce Commission, Motor Carrier Board, held at its office in Washington, D.C., on the 26th day of November, 1974, carrier was authorized to engage in operation, as a *common carrier* by water, transporting: *General commodities, trailers, rail cars, or containers*, with or without wheels, loaded or empty, and commodities in bulk, between ports in Dade, Broward, and Hillsborough Counties, Fla., on Key West and Marathon, Fla., and return, for 180 days. Supporting shippers: There are approximately 21 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Bernardine E. Murphy, Palm Coast 11 Building, Interstate Commerce Commission, Bureau of Operations, 5255 NW. 87th Avenue, Miami, Fla. 33166.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-1556 Filed 1-15-75;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

JANUARY 13, 1975.

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 by January 27, 1975. 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 3581 (Sub-No. E1), filed May 16, 1974. Applicant: THE MOTOR CONVOY, INC., P.O. Box 82432, Hopeville, Ga. 30054. Applicant's representative: Paul M. Daniell, Suite 1600, First Federal Bldg., Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: (1) *Automobiles and trucks, tractors, and chassis*, in secondary movement, in truckaway and driveaway service, (a) between points in Georgia, on the one hand, and, on the other, Texarkana, Tex., (b) between points in North Carolina and South Carolina, on the one hand, and, on the other, Texarkana, Tex., (c) between points in Florida, east of the Suwanee River, on the one hand, and, on the other, Texarkana, Tex., and (d) between points in Tennessee on and east of Interstate Highway 75, on the one hand, and, on the other, Texarkana, Tex. (2) *Automobiles and trucks*, in secondary movements, in driveaway and truckaway service, (a) from points in Florida, east of the Apalachicola River, to points in Kentucky, (b) from points in Florida, east of the Apalachicola River, to points in Missouri, (c) from points in Florida, east of the Suwanee River, to points in Arkansas, (d) from points in Georgia on and south of U.S. Highway 78, to points in Kentucky on and west of a line beginning at the Kentucky-Tennessee State line and extending along U.S. Highway 25E to junction Kentucky Highway 11, thence along Kentucky Highway 11 to the Kentucky-Ohio State line, (e) from points in Georgia on and south of U.S. Highway 78 to points in Missouri, (f) from points in Georgia, on and south of U.S. Highway 78, to points in Arkansas, (g) from points in South Carolina, to points in Missouri, (h) from points in South Carolina, to points in Arkansas, (i) from points in North Carolina, to points in Arkansas, (j) from points in North Carolina on and east of U.S. Highway 1, to points in Missouri, (k) from Norfolk, Va., to points in Arkansas.

(3) *Automobiles and trucks*, in secondary movements, in driveaway and truckaway service, (a) between points in West Virginia, on the one hand, and, on the other, points in Tennessee, South Carolina, Georgia, Alabama, Florida, and

Mississippi, (b) between points in Virginia on and east of U.S. Highway 52, on the one hand, and, on the other, points in Tennessee, South Carolina, Georgia, Alabama, Florida, and Mississippi, (c) from those points in South Carolina on and south of U.S. Highway 78, to those points in Kentucky on and west of a line beginning at the Kentucky-Tennessee State line extending along U.S. Highway 127 to junction U.S. Highway 68, thence along U.S. Highway 68 to junction U.S. Highway 25, thence along U.S. Highway 25 to the Kentucky-Ohio State line, (d) from those points in South Carolina north of U.S. Highway 78 and on and east of a line beginning at the South Carolina-Georgia State line extending along U.S. Highway 1 to junction U.S. Highway 76, thence along U.S. Highway 76 to the South Carolina-North Carolina State line, to those points in Kentucky on and west of Interstate Highway 65, (e) from those points in South Carolina on, north, west, south, or bounded by a line beginning at the South Carolina-Georgia State line extending along U.S. Highway 1 to junction Interstate Highway 26, thence along Interstate Highway 26 to junction U.S. Highway 29, thence along U.S. Highway 29 to junction U.S. Highway 123, thence along U.S. Highway 123 to the South Carolina-Georgia State line, to those points in Kentucky on and west of a line beginning at the Kentucky-Tennessee State line extending along Interstate Highway 65 to junction U.S. Highway 231, thence along U.S. Highway 231 to the Kentucky-Indiana State line, (f) from those points in South Carolina north and east of a line beginning at the South Carolina-North Carolina State line extending along Interstate Highway 26 to junction U.S. Highway 76, thence along U.S. Highway 76 to the South Carolina-North Carolina State line, to those points in Kentucky on and west of Interstate Highway 24.

(4) *Automobiles, trucks, and chassis,* in secondary movements, in truckaway service, between points in Virginia, on the one hand, and, on the other, Texarkana, Tex. (5) *Automobiles and trucks,* in secondary movements, in truckaway service, and *farm-type tractors,* between points in Louisiana, on the one hand, and, on the other, points in Florida. (6) *Automobiles and trucks,* in secondary movements, in truckaway service, (a) between points in Louisiana in and south of Vernon, Rapides, and Avoyelles Parishes, on the one hand, and, on the other, points in Georgia, (b) between those points in Louisiana which are both north of Vernon, Rapides, and Avoyelles Parishes, and on and south of a line beginning at the Louisiana-Mississippi State line extending along U.S. Highway 84 to junction U.S. Highway 165, thence along U.S. Highway 165 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction U.S. Highway 167, thence along U.S. Highway 167 to the Louisiana-Arkansas State line, on the one hand, and, on the other, those points in Georgia on and south of a line beginning at the Georgia-Alabama State line extending along Georgia Highway 85 to junction U.S. Highway 78, thence along U.S. Highway 78 to the Georgia-South Carolina State line.

(7) *Farm-type tractors,* (a) from points in Georgia to those points in Louisiana which are in and south of Vernon, Rapides, and Avoyelles Parishes, and (b) from those points in Georgia on and south of a line beginning at the Georgia-Alabama State line, extending along Georgia Highway 85 to junction U.S. Highway 78, thence along U.S. Highway 78 to the Georgia-South Carolina State line, to those points in Louisiana which are both north of Vernon, Rapides, and Avoyelles Parishes and on and south of a line beginning at the Louisiana-Mississippi State line extending along U.S. Highway 84 to junction U.S. Highway 165, thence along U.S. Highway 165 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction U.S. Highway 167, thence along U.S. Highway 167 to the Louisiana-Arkansas State line. The purpose of this filing is to eliminate the gateways of the site of the Ford Motor Company plant near Hapeville, Ga., in (1)(a), (b), (c), (d), (2)(a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (3)(c), (d), (e), (f), and (4) above; North Carolina, in (3)(a)(b), and (4) above; and Mobile, Ala., in (5), (6)(a), (b), and (7)(a), (b).

No. MC 13134 (Sub-No. E1), filed May 30, 1974. Applicant: GRANT TRUCKING, INC., P.O. Box 266, Oak Hill, Ohio 45656. Applicant's representative: John P. McMahon, Suite 1800, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel products, glassware, and clay refractory products,* except commodities in bulk, lime, limestone, and lime and limestone products, (a) between points in that part of Ohio on, north, and east of a line beginning at the Ohio-Pennsylvania State line and extending along U.S. Highway 30 to junction Interstate Highway 77, thence along Interstate Highway 77 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Ohio Highway 57, thence along Ohio Highway 57 to Lorain, on the one hand, and, on the other, points in that part of West Virginia on and east of a line beginning at the West Virginia-Pennsylvania State line and extending along U.S. Highway 19 to junction U.S. Highway 60, thence along U.S. Highway 60 to the West Virginia-Virginia State line; (b) between points in that part of Ohio on, north, and east of a line beginning at the Ohio-Pennsylvania State line and extending along Interstate Highway 80 to junction Ohio Highway 45, thence along Ohio Highway 45 to Lake Erie, on the one hand, and, on the other, points in West Virginia on and south of Interstate Highway 70 (*Washington, Pa.); (2) *clay products, and refractories* (except furnace and stove lining shapes and plastic brick), from Oak Hill, Ohio, and points within 14 miles thereof, to points in Florida, Georgia, North Carolina, South Carolina, and Louisiana (*Fronten, Ohio).

(3) *Clay products and refractories,* from the plant site of the Esso-Ramite Co., near Siloam, Ky., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Iowa, Louisiana, Maryland, Massachusetts, Minnesota, Missouri, New Jersey, North Carolina, Rhode Island, South Carolina, Tennessee, Virginia, and Wisconsin, and, *damaged* or *returned shipments* of clay products and *pallets* used in the transportation of clay products from points in the States described above to the named plant site (Ironton, Ohio); (4) *clay products* and *refractories,* except furnace and stove lining shapes and plastic brick, from the plant site of the Esso-Ramtite Co., near Siloam, Ky., to points in the District of Columbia, Maine, New Hampshire, Texas, Vermont, Alabama, Connecticut, Delaware, Iowa, Maryland, Massachusetts, Minnesota, Missouri, New Jersey, Rhode Island, Tennessee, Virginia, and Wisconsin, and *damaged or returned shipments* of clay products and *pallets* used in the transportation of clay products from points in the States described above to the named plant site (*Fronten, Ohio); (5) *clay products* and *refractories* from the plant site of the Lawrence Refractories Clay Company, in Elizabeth Township, Lawrence County, Ohio, to all points in Alabama, Connecticut, Delaware, Florida, Georgia, Iowa, Louisiana, Maryland, Massachusetts, Minnesota, Missouri, New Jersey, North Carolina, Rhode Island, South Carolina, Tennessee, Virginia, and Wisconsin; and *damaged or returned shipments* of such commodities, and *pallets, containers,* or *other packing materials* used in the transportation of clay products, from points in the States described above to the named plant site (*Oak Hill, Ohio);

(6) *Iron and steel articles,* from the plant site of the Bethlehem Steel Corporation, located at Burns Harbor, Porter County, Ind., direct to all points in Washington County, Pa., restricted to shipments originating at or destined to the named plant site (*points in Ohio); and (7) (a) *iron and steel articles,* except commodities in bulk, from the plant site of Jones & Laughlin Steel Corporation located in Putnam County, Ill., to points in Washington County, Pa., restricted to shipments originating at the named plant site, and, (b) *materials, equipment, and supplies,* except commodities in bulk, used in the manufacture and processing of iron and steel articles, from points in Washington County, Pa., to the plant site of Jones & Laughlin Steel Corporation, located in Putnam County, Ill., restricted to shipments destined to the named plantsite. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 31462 (Sub-No. E68), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Texas 75166. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes,

transporting: *Household goods*, as defined by the Commission, between points in Georgia on the one hand, and, on the other points in that part of Oklahoma on and north of a line beginning at the Oklahoma-Arkansas State line, thence along U.S. Highway 62 to junction U.S. Highway 75, thence along U.S. Highway 75 to junction Interstate Highway 40, thence along Interstate Highway 40 to junction Oklahoma Highway 99, thence along Oklahoma Highway 99 to junction U.S. Highway 270, thence along U.S. Highway 270 to junction U.S. Highway 177, thence along U.S. Highway 177 to junction Oklahoma Highway 39, thence along Oklahoma Highway 39 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction Oklahoma Highway 7, thence along Oklahoma Highway 7 to Lawton, Okla., thence along U.S. Highway 62 to junction U.S. Highway 183, thence along U.S. Highway 183 to the Oklahoma-Texas State line. The purpose of this filing is to eliminate the gateway of (1) any point in Missouri which is within 25 miles of Cairo, Ill., and (2) any point in Tennessee.

No. MC 31462 (Sub-No. E78), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Texas 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Georgia, on the one hand, and, on the other, points in that part of Wisconsin on and north of a line beginning at Manitowoc, Wis., thence along U.S. Highway 51 to junction Wisconsin Highway 69, thence along Wisconsin Highway 69 to the Illinois-Wisconsin State line. The purpose of this filing is to eliminate the gateway of (1) any point in Tennessee; and (2) Cairo, Ill., or any point in Illinois within 25 miles thereof; and (3) Burlington, Iowa, or any point in Iowa within 50 miles thereof.

No. MC 31462 (Sub-No. E79), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Texas 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Georgia, on the one hand, and, on the other, points in that part of Michigan, on the Upper Peninsula, on and west of a line beginning at Marquette, Mich., thence along U.S. Highway 41 to Escanaba, Mich. The purpose of this filing is to eliminate the gateway of (1) any point in Tennessee; (2) Cairo, Ill., or any point in Illinois within 25 miles thereof; and (3) Burlington, Iowa, or any point in Iowa within 50 miles thereof.

No. MC 31462 (Sub-No. E194), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Texas 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Georgia, on the one hand, and, on the other, points in Vermont. The purpose of this filing is to eliminate the gateway of (1) Kansas City, Mo., or any point within 30 miles thereof; (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof; and (3) Hoosick Falls, N.Y.

No. MC 31462 (Sub-No. E195), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Texas 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Kansas, on the one hand, and, on the other, points in New Hampshire. The purpose of this filing is to eliminate the gateway of (1) Hoosick Falls, N.Y.; (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof; and (3) Kansas City, Mo., or any point within 30 miles thereof.

No. MC 31462 (Sub-No. E196), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Texas 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Kansas, on the one hand, and, on the other, points in Maine. The purpose of this filing is to eliminate the gateway of (1) Hoosick Falls, N.Y., (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof; and (3) Kansas City, Mo., or any point within 30 miles thereof.

No. MC 31462 (Sub-No. E197), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Texas 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in that part of Kansas on and west of a line beginning at the Kansas-Nebraska State line, thence along U.S. Highway 81 to Wichita, Kans., thence along U.S. Highway 54 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Kansas Highway 52, thence along Kansas Highway 52 to the Kansas-Missouri State line, on the one hand, and, on the other, points in that part of Mississippi on and east of a line beginning at the Mississippi-Tennessee State line, thence along Interstate Highway 55 to the Mississippi-Louisiana State line. The purpose of this filing is to eliminate the gateway of (1) any point in Missouri within 25 miles of Cairo, Ill.

No. MC 31462 (Sub-No. E198), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Kansas, on the one hand, and, on the other, points in North Carolina. The purpose of this filing is to eliminate the gateways of (1) any point in Missouri within 25 miles of Cairo, Ill., (2) any point in Tennessee, and (3) any point in Georgia.

No. MC 31462 (Sub-No. E200, filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Kansas, on the one hand, and, on the other, points in Kentucky. The purpose of this filing is to eliminate the gateway of any point in Missouri within 25 miles of Cairo, Ill.

No. MC 31462 (Sub-No. E201), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Kansas, on the one hand, and, on the other, points in South Carolina. The purpose of this filing is to eliminate the gateways of (1) any point in Missouri within 25 miles of Cairo, Ill., (2) any point in Georgia, and (3) any point in Tennessee.

No. MC 31462 (Sub-No. E202), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in that part of Kansas on and east of a line beginning at the Oklahoma-Kansas State line, thence along U.S. Highway 177 to junction U.S. Highway 81, thence along U.S. Highway 81 to the Kansas-Nebraska State line, on the one hand, and, on the other, points in that part of Texas on and south of a line beginning at the Texas-Oklahoma State line, thence along U.S. Highway 75 to Dallas, Tex., thence along U.S. Highway 67 to the International Boundary line between the United States and Mexico. The purpose of this filing is to eliminate the gateway of any point in Okmulgee County, Tex.

No. MC 31462 (Sub-No. E203), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Kansas, on the one hand, and, on the

other, points in that part of Virginia on and east of a line beginning at the Virginia-West Virginia State line, thence along U.S. Highway 21 to the Virginia-North Carolina State line. The purpose of this filing is to eliminate the gateways of (1) Kansas City, Mo., or any point within 30 miles thereof, and (2) Ft. Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E204), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Kansas, on the one hand, and, on the other, points in that part of Tennessee on and east of a line beginning at the Tennessee-Kentucky State line, thence along Tennessee Highway 78 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Tennessee Highway 26, thence along Tennessee Highway 20 to junction Tennessee Highway 18, thence along Tennessee Highway 18 to the Tennessee-Mississippi State line. The purpose of this filing is to eliminate the gateway of any point in Missouri within 25 miles of Cairo, Ill.

No. MC 31462 (Sub-No. E205), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Kansas, on the one hand, and, on the other, points in New Jersey. The purpose of this filing is to eliminate the gateways of (1) Kansas City, Mo., or any point within 30 miles thereof, and (2) Ft. Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E206), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Kansas, on the one hand, and, on the other, the District of Columbia. The purpose of this filing is to eliminate the gateways of (1) Kansas City, Mo., or any point within 30 miles thereof, and (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E207), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in that part of Kansas on, east, and north of a line beginning at the Kansas-Nebraska State line, thence along U.S. Highway 77 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Kansas-Missouri State line, on the one hand, and, on the other, points in that part of Louisiana on and east of a line beginning at the Louisiana-Mississippi State line, thence along Louisiana Highway 25 to junction Lake Pontchartrain Causeway, thence along Lake Pontchartrain Causeway to New Orleans, La., thence along U.S. Highway 90 to Houma, La. The purpose of this filing is to eliminate the gateways of (1) Gulfport, Miss., or any point within 35 miles thereof, and (2) any point in Missouri within 25 miles of Cairo, Ill.

No. MC 31462 (Sub-No. E208), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Kansas, on the one hand, and, on the other, points in Pennsylvania. The purpose of this filing is to eliminate the gateways of (1) Kansas City, Mo., or any point within 30 miles thereof, and (2) Ft. Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E209), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Kansas, on the one hand, and, on the other, points in Massachusetts. The purpose of this filing is to eliminate the gateways of (1) Kansas City, Mo., or any point within 30 miles thereof; and (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E210), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Kansas, on the one hand, and, on the other, points in New York. The purpose of this filing is to eliminate the gateways of (1) Kansas City, Mo., or any point within 30 miles thereof, and (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E211), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Kansas, on the one hand, and, on the other, points in Maryland. The purpose of this filing is to eliminate the gateways of (1) Kansas City, Mo., or any point within 30 miles thereof, and (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 37203 (Sub-No. E1) (Correction), filed May 31, 1974, published in the FEDERAL REGISTER, December 2, 1974. Applicant: MILLSTEAD VAN LINES, INC., P.O. Drawer 878, Bartlesville, Okla. 74003. Applicant's representative: Thomas F. Sedberry, Suite 1102 Perry-Brooks Bldg., Austin, Tex. 78701. 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 Arkansas, on the one hand, and, on the other, points in Colorado, Nebraska (Shawnee, Okla., and points in Oklahoma within 150 miles of Shawnee*), Montana, and Wyoming (points in Oklahoma with 80 miles of Tulsa which are within 150 miles of Shawnee, including Tulsa and Shawnee*); (2) between points in New Mexico, on the one hand, and, on the other, points in Missouri, Indiana, Massachusetts, Michigan, Ohio, Maine, Pennsylvania, New Jersey, New York, Rhode Island, Kentucky, West Virginia, and Illinois, (3) between points in McDonald, Barry, Newton, Lawrence, Dade, Barton, Jasper, and Vernon Counties, Mo., on the one hand, and, on the other, points in Pennsylvania, New Jersey, and New York (points in Oklahoma and McLean County, Ill.*); and (4) between points in McDonald, Barry, Newton, Lawrence, Jasper, Dade, Barton, Cedar, Vernon, St. Clair, Bates, Henry, Hickory, Polk, Dallas, Greene, Webster, Christian, Stone, and Taney Counties, Mo., on the one hand, and, on the other, points in Massachusetts, Rhode Island, and Maine (points in Oklahoma and McLean County, Ill.*). The purpose of this filing is to eliminate the gateways designated by asterisks above. The purpose of this correction is to include the territorial descriptions of paragraph 2.

No. MC 43038 (Sub-No. E2), filed June 4, 1974. Applicant: COMMERCIAL CARRIERS, INC., 10701 Middlebelt Rd., Romulus, Mich. 48174. Applicant's representative: Paul H. Jones (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles*, in initial movements, in truckaway service, from the plant sites of General Motors Corporation at Van Nuys and South Gate, Calif., to points in Idaho, Nevada, Utah, Wyoming, Colorado, Kansas, and Iowa. The purpose of this filing is to eliminate the gateways of points in California and points in Colorado.

No. MC 76177 (Sub-No. E75) (Correction), filed May 6, 1974, published in the FEDERAL REGISTER, December 24, 1974. Applicant: BAGGETT TRANSPORTATION COMPANY, 2 South 32nd Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as

above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, from points in Kentucky, Virginia, and West Virginia, on the one hand, and, on the other, Arizona. The purpose of this filing is to eliminate the gateways of (1) Grafton, Ill., and points within 2 miles thereof; (2) Wolf Lake, Ill., and points within 15 miles thereof. The purpose of this correction is to clarify the territorial destination points.

No. MC 76177 (Sub-No. E85) (Correction), filed May 6, 1974, published in the FEDERAL REGISTER, December 26, 1974. Applicant: BAGGETT TRANSPORTATION COMPANY, 2 South 32nd Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, from points in Missouri, on the one hand, and, on the other, Pennsylvania. The purpose of this filing is to eliminate the gateways of (1) Grafton, Ill., and points within 2 miles thereof, and (2) Jasonville, Ind., and points within 15 miles thereof. The purpose of this correction is to clarify the territorial description.

No. MC 83745 (Sub-No. E27), (Correction), filed June 4, 1974, published in the FEDERAL REGISTER, December 27, 1964. Applicant: BOND TRANSPORT, INC., 4620 Rolling Road, Pittsburgh, Pa. 15236. Applicant's representative: William J. Lavelle, 2310 Grant Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery and such commodities*, generally requiring rigging, special equipment, or specialized handling (except articles requiring special vehicular equipment for over the road movements), between Claysville, Pa., on the one hand, and, on the other, points in West Virginia on and south of U.S. Highway 50, points in Ohio on and west of Interstate Highway 75, and points in Maryland on and east of U.S. Highway 220. The purpose of this filing is to eliminate the gateway of Pittsburgh, Pa. The purpose of this correction is to clarify the highway description.

No. MC 107064 (Sub-No. E7), filed May 21, 1974. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (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 points in that part of Texas on, south, and west of a line beginning at the Texas-New Mexico State line and extending along U.S. Highway 83, thence along U.S. Highway 83 to the United States-Mexico International Boundary line (except points in El Paso County, Tex., to points in Washington). The purpose of this filing is to eliminate the gateway of Ector County, Tex.

No. MC 107227 (Sub-No. E1), (Correction), filed May 15, 1974, published in the FEDERAL REGISTER, November 21, 1974. Applicant: INSURED TRANSPORTERS, INC., P.O. Box 1807, Fremont, Calif. 94538. Applicant's representative: John G. Lyons, Mills Tower, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (5) *Trucks*, in truckaway service, from points in that part of California on and west of a line beginning at the Oregon-California State line and extending along U.S. Highway 97 to junction Interstate Highway 5, thence along Interstate Highway 5 to junction California Highway 99, thence along California Highway 99 to junction California Highway 120 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Interstate Highway 680, thence along Interstate Highway 680 to junction California Highway 17, thence along California Highway 17 to junction U.S. Highway 101, thence along U.S. Highway 101 to junction California Highway 152, thence along California Highway 152 to junction California Highway 1, thence along California Highway 1 to the Pacific Ocean, to points in Arizona (San Francisco and Oakland)*; (6) *Trucks*, in truckaway service, from points in that part of California on and west of a line beginning at the Arizona-California State line and extending along U.S. Highway 80 to junction California Highway 86, thence along California Highway 86 to junction Interstate Highway 10, thence along Interstate Highway 10 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction California Highway 58, thence along California Highway 58 to junction California Highway 99, thence along California Highway 99 to junction Interstate Highway 52, thence along Interstate Highway 52 to junction Temporary Interstate Highway 5, thence along Temporary Interstate Highway 5 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction California Highway 29, thence along California Highway 29 to junction California Highway 128, thence along California Highway 128 to junction U.S. Highway 101, thence along U.S. Highway 101 to junction California Highway 12, thence along California Highway 12 to junction California Highway 116, thence along California Highway 116 to the Pacific Ocean to points in Washington (San Francisco and Oakland)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this partial correction is to include (5) and (6) above which were omitted from the previous publication. The remainder of this letter-notice remains as previously published.

No. MC 108207 (Sub-No. E10) (Correction), filed May 12, 1974, published in the FEDERAL REGISTER, December 10, 1974. Applicant: FROZEN FOOD EXPRESS, INC., P.O. Box 5888, Dallas, Tex. 75222. Applicant's representative: Mike Smith (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat by-products, dairy products, frozen foods fish, table sauces, and pickles*, in vehicles equipped with mechanical refrigeration, and (2) *Foodstuffs* (except those described in (1) above, when moving in mixed loads with one or more of the commodities described in (1) above, in vehicles equipped with mechanical refrigeration), from Cleveland, Ohio, to points in Arizona, New Mexico, and California. The purpose of this filing is to eliminate the gateway of points in Texas. The purpose of this correction is to clarify the origin description.

No. MC 108380 (Sub-No. E9) (Correction), filed June 5, 1974, published in the FEDERAL REGISTER, November 19, 1974. Applicant: JOHNSTON'S FUEL LINERS, INC., P.O. Box 100, Newcastle, Wyo. 82701. Applicant's representative: C. W. Burnette (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum products*, from points in Pennington County, S. Dak., to points in Salt Lake City, Utah, and Pocatello, Idaho, and points within five miles each. The purpose of this filing is to eliminate the gateway of Riverton, Wyo. The purpose of this correction is to clarify the territorial destination points.

No. MC 109478 (Sub-No. E2), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Road, P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 West Tenth Street, Erie, Pa. 16501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, other than frozen or in bulk, in tank vehicles, from those points in New York within 150 miles of Hamlin, Holley and Williamson, N.Y., to points in Florida. The purpose of this filing is to eliminate the gateways of Hamlin, Holley, and Williamson, N.Y.

No. MC 109478 (Sub-No. E4), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Rd., P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 West Tenth Street, Erie, Pa. 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruit and vegetable juices*, from North East, Pa., to all points in Florida. The purpose of this filing is to eliminate the gateway of Holley, N.Y.

No. MC 109478 (Sub-No. E6), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Road, P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 West Tenth Street, Erie, Pa. 16501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Grape juice, tomato juice, jams, jellies, and preserves*, other than frozen or in bulk, in tank vehicles, from points in New York to points in Illinois and Indiana. (2) *fresh and preserved fruits and vegetables*,

and fruit and vegetable juices, other than frozen or in bulk, in tank vehicles, from points in New York to points in Michigan, Ohio, and points in Pennsylvania on and west of Interstate Highway 81. (3) *preserved foodstuffs, frozen fruits and vegetables, and canned or frozen fruit and vegetable juices*, other than frozen or in bulk, in tank vehicles, from points in New York to points in West Virginia. The purpose of this filing is to eliminate the gateways of Lawton and Mattawan, Mich., Brocton, Hamlin, Holley, LeRoy and points within 50 miles thereof, Silver Creek, Westfield, and Williamson, N.Y., and Crawford and Erie Counties, Pa., and North East, Pa.

No. MC 111320 (Sub-No. E116), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 688, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New self-propelled road building equipment, and parts thereof*, in driveaway and truckaway service, from points in that part of Wyoming on and west of a line beginning at the Colorado-Wyoming State line, thence along U.S. Highway 287 to junction Wyoming Highway 34, thence along Wyoming Highway 34 to junction Interstate Highway 25, thence along Interstate Highway 25 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 85, thence along U.S. Highway 85 to the Wyoming-South Dakota State line, to points in Ohio. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E117), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 688, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New self-propelled road building equipment, and parts thereof*, in driveaway and truckaway service, from points in that part of California on and north of a line beginning at Ventura, Calif., thence along California Highway 33 to junction California Highway 119, thence along California Highway 119 to junction California Highway 99, thence along California Highway 99 to junction California Highway 58, thence along California Highway 58 to junction California Highway 178, thence along California Highway 178 to junction U.S. Highway 395; thence along U.S. Highway 395 to junction U.S. Highway 6, thence along U.S. Highway 6 to the California-Nevada State line, and to points in that part of Indiana on and east of a line beginning at the Michigan-Indiana State line, thence along U.S. Highway 31 to junction Indiana Highway 7, thence along Indiana Highway 7 to the Indiana-Kentucky State line. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E118) filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 688, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New self-propelled road building equipment, and parts thereof*, in driveaway and truckaway service, from points in that part of California on and north of a line beginning at Ventura, Calif., thence along California Highway 33 to junction California Highway 119, thence along California Highway 119 to junction California Highway 99, thence along California Highway 99 to junction California Highway 58, thence along California Highway 58 to junction California Highway 178, thence along California Highway 178 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction U.S. Highway 6, thence along U.S. Highway 6 to the California-Nevada State line, and to points in that part of Kentucky on and east of a line beginning at the Kentucky-Indiana State line, thence along U.S. Highway 421 to junction Interstate Highway 75, thence along Interstate Highway 75 to junction U.S. Highway 25E, thence along U.S. Highway 25E to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E119), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 688, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New self-propelled road building equipment, and parts thereof*, in driveaway and truckaway service, from points in Idaho, to points in that part of Kentucky on and east of a line beginning at the Kentucky-Indiana State line, thence along U.S. Highway 31W to junction Kentucky Highway 61, thence along Kentucky Highway 61 to junction Kentucky Highway 55, thence along Kentucky Highway 55 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E120), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 688, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New self-propelled road building equipment, and parts thereof*, in driveaway and truckaway service, from points in Montana, to points in that part of Kentucky on and east of a line beginning at the Kentucky-Ohio State line, thence along U.S. Highway 127 to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E121), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 688, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New self-propelled road building equipment, and parts thereof*, in driveaway and truckaway service, from points in Montana, to points in that part of Florida on and east of a line beginning at the Florida-Georgia State line, thence along U.S. Highway 221 to junction Alternate U.S. Highway 27, thence along Alternate U.S. Highway 27 to junction Florida Highway 361, thence along Florida Highway 361 to the Gulf of Mexico. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E126), filed May 17, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 688, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *used, damaged, rejected, or defective self-propelled road building and contractors' vehicles or machinery*, in driveaway and truckaway service (except passenger automobiles), between points in New York, on and east of a line beginning at Lake Ontario, thence along New York Highway 78 to junction New York Highway 16, thence along New York Highway 16 to the Pennsylvania-New York State line, on the one hand, and, on the other, points in Wisconsin. The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y.

No. MC 111320 (Sub-No. E128), filed May 17, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 688, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Self-propelled road building equipment, and parts thereof*, in driveaway and truckaway service, between points in Connecticut, Delaware, Maryland, New Jersey, and Rhode Island, on the one hand, and, on the other, points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, and Wisconsin. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E129), filed May 17, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 688, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *used, damaged, rejected, or defective self-propelled road building and contractors' vehicles or machinery*, in driveaway and truckaway service (except passenger automobiles), between points and places in New York, on the one hand, and, on the other, Arizona, California, Florida, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming. The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y.

No. MC 113459 (Sub-No. E54), filed May 14, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box

94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, by reason of size or weight, require the use of special equipment; and (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* when moving in connection therewith, (a) between points in that part of Iowa on and east of a line beginning at the Iowa-Minnesota State line and extending along Iowa Highway 26 to its junction with Iowa Highway 9, thence along Iowa Highway 9 to its junction with Iowa Highway 51, thence along Iowa Highway 51 to its junction with U.S. Highway 52, thence along U.S. Highway 52 to its junction with U.S. Highway 61, thence along U.S. Highway 61 to the Iowa-Illinois State line, on the one hand, and, on the other, points in Oklahoma; (b) between points in that part of Iowa on and east of a line beginning at the Iowa-Minnesota State line and extending along Iowa Highway 26 to its junction with Iowa Highway 9, thence along Iowa Highway 9 to its junction with Iowa Highway 76, thence along Iowa Highway 76 to its junction with U.S. Highway 52, thence along U.S. Highway 52 to its junction with Iowa Highway 64, thence along Iowa Highway 64 to its junction with U.S. Highway 67, thence along U.S. Highway 67 to the Iowa-Illinois State line, on the one hand, and, on the other, points in that part of Missouri on and south of a line beginning at the Kansas-Missouri State line and extending along Missouri Highway 18 to its junction with Missouri Highway 52, thence along Missouri Highway 52 to its junction with U.S. Highway 54, thence along U.S. Highway 54 to its junction with U.S. Highway 50, thence along U.S. Highway 50 to the Missouri-Illinois State line; (c) between points in that part of Iowa on and east of U.S. Highway 61, on the one hand, and, on the other, points in that part of Kansas on and south of a line beginning at the Kansas-Nebraska State line and extending along U.S. Highway 81 to its junction with U.S. Highway 24, thence along U.S. Highway 24 to its junction with U.S. Highway 59, thence along U.S. Highway 59 to its junction with Kansas Highway 68, thence along Kansas Highway 68 to the Kansas-Missouri State line; and (d) between points in that part of Iowa on and east of a line beginning at the Iowa-Minnesota State line and extending along Iowa Highway 26 to its junction with Iowa Highway 9, thence along Iowa Highway 9 to its junction with Iowa Highway 51, thence along Iowa Highway 51 to its junction with U.S. Highway 52, thence along U.S. Highway 52 to its junction with U.S. Highway 61, thence along U.S. Highway 61 to the Iowa-Illinois State line, on the one hand, and, on the other, points in that part of Colorado on and west of a line beginning at the Colorado-Wyoming State line and extending along U.S. Highway 85 to its junction with U.S. Highway 50, thence along U.S. Highway 50 to the Colorado-Kansas State line. Restriction: The operations authorized in (1) and (2) above are restricted against the transportation of agricultural machinery and agricultural tractors, and the operations authorized in (2) above are restricted to commodities which are transported on trailers. The purpose of this filing is to eliminate the gateways of points in Illinois.

No. MC 113459 (Sub-No. E58), filed May 14, 1974. Applicant: H.J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (A) *Earth drilling machinery and equipment and machinery, equipment, materials, supplies and pipe* incidental to, used in, or in connection with (1) the transportation, installation, removal, operation, repair, servicing, maintenance and dismantling of drilling machinery and equipment, (2) the completion of holes or wells drilled, (3) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (4) the injection or removal of commodities into or from holes or wells, the transportation of which, by reason of size or weight, require the use of special equipment, from points in Missouri to points in Nevada (points in Kansas and Colorado)*; (B) (1) *machinery, equipment, materials and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products and by-products, water or sewerage, restricted to the transportation of shipments moving to or from pipeline rights-of-way; and (2) *earth drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe* incidental to, used in, or in connection with: (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells, between points in Arkansas, on the one hand, and, on the other, points in Nevada (points in Oklahoma)*; (C) (1) *commodities*, the transportation of which, by reason of size or weight, require the use of special equipment (except those used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of main or trunk pipelines and except farm machinery); and (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* when moving in connection therewith, restricted to commodities which are transported on trailers; from points in Missouri to points in Utah (points in Oklahoma)*; and (D) *metal tubing and pipe*, the transportation of which, by reason of size or weight, require the use of special equipment; from points in New Mexico to points in Michigan (points in Oklahoma)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113459 (Sub-No. E59), filed May 14, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Earth drilling machinery and equipment and machinery, equipment, materials, supplies and pipe*, incidental to, used in, or in connection with, (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment; (b) the completion of holes or wells drilled; (c) the production, storage and transmission of commodities resulting from drilling operations at well or hole sites; and (d) the injection or removal of commodities into or from holes or wells, the transportation of which, because of size or weight, require the use of special equipment; (A) between points in Bullitt, Hardin, Meade, Breckinridge, Hancock, Daviess, Henderson, Union, Webster, McLean, Crittenden, Hopkins, Ohio, Grayson, Edmonson, Hart, Warren, Butler, Muhlenberg, Logan, Todd, Christian, Trigg, Simpson, Lyon, Caldwell, and Jefferson Counties, Ky., on the one hand, and, on the other, points in Minnesota (Sterling, Ill., and points in Illinois south of U.S. Highway 36)*; (B) between Bullitt, Hardin, Meade, Breckinridge, Hancock, Daviess, Henderson, Union, Webster, McLean, Crittenden, Hopkins, Ohio, Grayson, Edmonson, Hart, Warren, Butler, Muhlenberg, Logan, Todd, Christian, Trigg, Simpson, Lyon, Caldwell, and Jefferson Counties, Ky., on the one hand, and, on the other, points in that part of Iowa on and east of Interstate Highway 35 (Sterling, Ill., and points in Illinois south of U.S. Highway 36)*; (C) between points in that part of Iowa on and east of a line beginning at the Iowa-Minnesota State line and extending along Iowa Highway 76 to its junction with U.S. Highway 52, thence along U.S. Highway 52 to its junction with Iowa Highway 136, thence along Iowa Highway 136 to its junction with Iowa Highway 64, thence along Iowa Highway 64 to its junction with Iowa Highway 38, thence along Iowa Highway 38 to its junction with U.S. Highway 61, thence along U.S. Highway 61 to its junction with Iowa Highway 92, thence along Iowa Highway 92 to the Iowa-Illinois State line, on the one hand, and, on the other, points in Nevada (points in Illinois, Kansas, and Colorado)*; and (D) between Bullitt, Hardin, Meade, Breckinridge, Hancock, Daviess, Henderson, Union, Webster, McLean, Crittenden, Hopkins, Ohio, Grayson, Edmonson, Hart, Warren, Butler, Muhlenberg,

Logan, Todd, Christian, Trigg, Simpson, Lyon, Caldwell, and Jefferson Counties, Ky., on the one hand, and, on the other, points in Missouri (points in Illinois)*; (2) *commodities*, the transportation of which, because of size or weight, require the use of special equipment (except those used in, or in connection with, the construction, operation, repair, servicing, maintenance and dismantling of main or trunk pipeline and except farm machinery); (3) *parts* of commodities authorized in (2) above, either when incidental to the transportation of such commodities, or when transported as separate in unrestricted shipments; (4) *self-propelled articles*, each weighing 15,000 pounds or more, in *related machinery, tools, parts, and supplies* when moving in connection therewith restricted to commodities which are transported on trailers; (5) *machinery, equipment, materials, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission and distribution of natural gas and petroleum and their products and by-products, except the stringing and picking up of pipe in connection with main or trunk pipelines; (6) *machinery, equipment, materials, and supplies*, used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products and by-products, water or sewerage, restricted to the transportation of shipments moving into or from pipeline rights-of-way; and (7) *earth drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe* incidental to, used in, or in connection with: (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells; between points in Texas, on the one hand, and, on the other, points in Nebraska, South Dakota, North Dakota, and Montana (points in Oklahoma)*. Restriction: The operations authorized in parts (A), (B), and (C) of (1) above, are restricted against the transportation of agricultural machinery and agricultural tractors. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113843 (Sub-No. E282) (Correction), filed May 14, 1974, published in the FEDERAL REGISTER July 12, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen* foods, from Baltimore, Md., to points in that part of Vermont on and north of U.S. Highway 2. The purpose of this filing is to eliminate the gateway of Elmira, N.Y. The purpose of this correction is to clarify the destination point.

No. MC 113843 (Sub-No. E853) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER October 10, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Chambersburg, Pa., to points in that part of New York bounded by a line beginning at the New York-Pennsylvania State line and extending along New York Highway 17 to Deposit, thence along New York Highway 8 to junction New York Highway 206, thence along New York Highway 206 to junction New York Highway 7, thence along New York Highway 7 to junction New York Highway 28, thence along New York Highway 28 to junction Interstate Highway 90, thence along Interstate Highway 90 to junction New York Highway 49, thence along New York Highway 49 to junction New York Highway 69, thence along New York Highway 69 to junction New York Highway 13, thence along New York Highway 13 to Lake Erie, thence along the Lake Erie shoreline and the U.S.-Canada International Boundary line to the New York-Vermont State line, thence along New York Highway 149 to junction New York Highway 40, thence along New York Highway 40 to junction New York Highway 196, thence along New York Highway 196 to Glen Falls, thence along New York Highway 50 to Schenectady, thence along New York Highway 7 to junction New York Highway 8, thence along New York Highway 8 to Deposit, thence along New York Highway 17 to the New York-Pennsylvania State line and the point of beginning. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC 113843 (Sub-No. E931) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER November 4, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen* foods, from Moosic, Penn., to points in Ohio (except points in that portion of Ohio on and east of a line beginning at the Pennsylvania-West Virginia State line and extending along Ohio Highway 213 to junction Ohio Highway 152, thence along Ohio Highway 152 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction Ohio Highway 800, thence along Ohio Highway 800 to junction Ohio Highway 148, thence along Ohio Highway 148 to the Ohio River). The purpose of this filing is to eliminate the gateway of Elmira, New York. The purpose of this correction is to clarify the territorial description.

No. MC 114211 (Sub-No. E377), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts thereof*, from points in Minnesota, to points in that part of Texas on and south of a line beginning at the Texas-Louisiana State line, thence along Interstate Highway 20 to junction U.S. Highway 271, thence along U.S. Highway 271 to junction Texas Highway 222, thence along Texas Highway 22 to junction U.S. Highway 281, thence along U.S. Highway 281 to junction U.S. Highway 190, thence along U.S. Highway 190 to junction Texas Highway 29, thence along Texas Highway 29 to junction U.S. Highway 290, thence along U.S. Highway 290 to junction U.S. Highway 67, thence along U.S. Highway 67 to the Texas-Mexico International Boundary line, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is eliminate the gateway of Waterloo, Iowa.

No. MC 114211 (Sub-No. E378), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled grading, paving, and finishing machinery, equipment, parts, accessories, and attachments*, from points in Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, West Virginia, Virginia, Ohio, Indiana, Kentucky, Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia, Florida, South Carolina, Michigan, Pennsylvania, and points in that part of Illinois east and south of a line from Chicago, Ill., thence along U.S. Highway 66 to junction Illinois Highway 126, thence along Illinois Highway 126 to junction Illinois Highway 47, thence along Illinois Highway 47 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Illinois Highway 29, thence along Illinois Highway 29 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Illinois Highway 4, thence along Illinois Highway 4 to junction Illinois Highway 16, thence along Illinois Highway 16 to junction U.S. Highway 67, thence along U.S. Highway 67 to the Missouri-Illinois State line to points in Washington, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateways of Canton, S. Dak., and Minneapolis, Minn.

No. MC 114211, (Sub-No. E379), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Farm tractors and parts thereof*, from points in Nebraska to points in that part of Indiana on and north of a line beginning at the Illinois-Indiana State line, thence along Interstate Highway 90 to junction U.S. Highway 421, thence along U.S. Highway 421 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Indiana-Ohio State line. The purpose of this filing is to eliminate the gateway of Ft. Dodge, Iowa.

No. MC 114211 (Sub-No. E380), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts thereof*, from points in that part of Nebraska on and west of a line beginning at the South Dakota-Nebraska State line, thence along Nebraska Highway 14 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction U.S. Highway 275, thence along U.S. Highway 275 to junction Nebraska Highway 51, thence along Nebraska Highway 51 to junction U.S. Highway 73, thence along U.S. Highway 73 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 83, thence along U.S. Highway 83 to the Colorado-Nebraska State line, to points in Indiana restricted against the transportation of commodities the transportation of which, because of size or weight, requires the use of special equipment or special handling and further restricted against the transportation of those commodities described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459. The purpose of this filing is to eliminate the gateways of Omaha, Nebr., Council Bluffs, Iowa, and Fort Dodge, Iowa.

No. MC 114211 (Sub-No. E381), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery, agricultural implements, and parts thereof*, the transportation of which, because of size or weight, requires special equipment, from points in Nebraska to points in that part of Indiana on and north of a line beginning at the Illinois-Indiana State line, thence along Interstate Highway 90 to U.S. Highway 421, thence along U.S. Highway 421 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Indiana-Ohio State line. The purpose of this filing is to eliminate the gateway of Fort Dodge, Iowa.

No. MC 114211 (Sub-No. E382), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts thereof*, from points in that part of Nebraska on and west of a line beginning at the South Dakota-Nebraska State line, thence along U.S. Highway 83, to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Nebraska Highway 7, thence along Nebraska Highway 7 to junction Nebraska Highway 91, thence along Nebraska Highway 91 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction Nebraska Highway 70, thence along Nebraska Highway 70 to U.S. Highway 30, thence along U.S. Highway 30 to the Wyoming-Nebraska State line to points in Indiana. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa, and Fort Dodge, Iowa.

No. MC 114211 (Sub-No. E384), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled tractors, road making machinery, and contractors' equipment and supplies*, from points in that part of Kansas on and west of a line beginning at the Kansas-Nebraska State line, thence along U.S. Highway 183 to junction Kansas Highway 9, thence along Kansas Highway 9 to junction Kansas Highway 23, thence along Kansas Highway 23 to junction U.S. Highway 83, thence along U.S. Highway 83 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction Kansas Highway 25, thence along Kansas Highway 25 to junction U.S. Highway 160, thence along U.S. Highway 160 to the Kansas-Colorado State line and to points in that part of New York on and east of a line beginning at Silver Creek, N.Y., thence along New York Highway 428 to junction New York Highway 83, thence along New York Highway 83 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction New York Highway 17, thence along New York Highway 17 to junction U.S. Highway 219, thence along U.S. Highway 219 to the New York-Pennsylvania State line, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of the plant site of Stinar Corporation, in Minneapolis, Minn.

No. MC 114211 (Sub-No. E385), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm tractors and parts thereof*, from points in Iowa to points in that part of Texas on and west of a line beginning at the Oklahoma-Texas State line, thence along Interstate Highway 35 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction U.S. Highway 75, thence along U.S. Highway 75 to Galveston, Tex., with no transportation of compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr.

No. MC 114211 (Sub-No. E386), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled articles, road making machinery, and contractors' equipment and supplies*, from that part of Kansas on and west of a line beginning at the Kansas-Nebraska State line, thence along U.S. Highway 183 to junction Kansas Highway 9, thence along Kansas Highway 9 to junction Kansas Highway 23, thence along Kansas Highway 23 to junction U.S. Highway 83, thence along U.S. Highway 83 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction Kansas Highway 25, thence along Kansas Highway 25 to junction U.S. Highway 160, thence along U.S. Highway 160 to the Kansas-Colorado State line to points in Maine, Vermont, and New Hampshire, with no transportation for compensation on return except as otherwise authorized, restricted against the transportation of agricultural implements and machinery as defined in Appendix XII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 292. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E387), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grading, paving, and paving machinery, equipment, parts, accessories, and attachments*, between points in New Mexico, on the one hand, and, on the other, points in Minnesota and points in that part of Illinois on and north of a line beginning at the Iowa-Illinois State line, thence along U.S. Highway 30 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction Interstate Highway 294, thence along Interstate Highway 294 to junction Interstate Highway 80, thence along Interstate Highway 80 to Gary, Ind., and points in that part of Iowa on and north of a line beginning at the Illinois-Iowa State line, thence along U.S. Highway 30 to junction U.S. Highway 61, thence along U.S. Highway 61 to junction Iowa Highway 64, thence along Iowa Highway 64 to junction Iowa Highway 38, thence along Iowa Highway 38 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Iowa-South Dakota State line, and points in that part of South Dakota on and east of a line beginning at the Nebraska-South Dakota State line, thence

along U.S. Highway 81 to junction U.S. Highway 16, thence along U.S. Highway 16 to junction South Dakota Highway 37, thence along South Dakota Highway 37 to junction U.S. Highway 212, thence along U.S. Highway 212 to junction U.S. Highway 281, thence along U.S. Highway 281 to junction South Dakota Highway 10, thence along South Dakota Highway 10 to junction South Dakota Highway 45, thence along South Dakota Highway 45 to the North Dakota-South Dakota State line. The purpose of this filing is to eliminate the gateway of Canton, S. Dak.

No. MC 114211 (Sub-No. E388), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (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), *equipment* designed for use in conjunction with tractors, *agricultural, industrial, and construction machinery and equipment, trailers* designed for the transportation of the above-described commodities (except those trailers designed to be drawn by passenger automobiles), *attachments* for the above-described commodities, *internal combustion engines and parts*, the commodities described above, the transportation of which, because of size or weight, require special equipment from points in Nebraska to points in Virginia, New York, Vermont, New Hampshire, Rhode Island, Connecticut, Delaware, Maryland, the District of Columbia, New Jersey, Massachusetts, Maine, and Pennsylvania, restricted to the transportation of traffic originating at or destined to the plant sites, warehouse sites, and experimental farms of Deere and Company. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

No. MC 114211 (Sub-No. E389), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *self-propelled farm machinery*, each weighing 15,000 pounds or more, and *parts thereof*, from points in Missouri to points in that part of Montana on and north of a line beginning at the North Dakota-Montana State line, thence along U.S. Highway 2 to the Idaho-Montana State line, and to points in that part of Idaho on and north of a line beginning at the Idaho-Montana State line, thence along Idaho Highway 200 to junction U.S. Highway 95, thence along U.S. Highway 95 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Washington-Idaho State line, and to points in that part of Washington on and north of a line beginning at the Washington-Idaho State line, thence along U.S. Highway 12 to junction Washington Highway 126, thence along Washington Highway 126 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction Washington Highway 11, thence along Washington Highway 11 to the Washington-Oregon State line, and to points in that part of North Dakota on and north of a line beginning at the North Dakota-Canada International Boundary line, thence along Interstate Highway 29 to junction North Dakota Highway 5, thence along North Dakota Highway 5 to junction North Dakota Highway 8, thence along North Dakota Highway 8 to junction U.S. Highway 2, thence along U.S. Highway 2 to the Montana-North Dakota State line, with no transportation for compensation on return except as otherwise authorized, restricted to commodities which are transported on trailers. The purpose of this filing is to eliminate the gateways of Minneapolis, Minn., and Fort Dodge, Iowa.

No. MC 114211 (Sub-No. E399), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson, (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts thereof*, except commodities requiring special equipment, from points in that part of South Dakota on and north of a line beginning at the South Dakota-Wyoming State line, thence along U.S. Highway 18 to junction South Dakota Highway 79 thence along South Dakota Highway 79 to junction Interstate Highway 90, thence along Interstate Highway 90 to junction South Dakota Highway 37, thence along South Dakota Highway 37 to junction U.S. Highway 414 to the South Dakota-Minnesota State line to points in Indiana.

No. MC 114211 (Sub-No. E402), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled rollers*, from points in that part of Iowa on and northwest of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 169 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Iowa-Nebraska State line to points in Massachusetts and Connecticut, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E414), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled tractors, road making machinery, and contractors' equipment and supplies*, each weighing 15,000 pounds or more, from points in that part of Missouri on and south of a line beginning at the Kansas-Missouri State line, thence along U.S. Highway 24 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Missouri Highway 6, thence along Missouri Highway 6 to junction Missouri Highway 15, thence along Missouri Highway 15 to junction U.S. Highway 136, thence along U.S. Highway 136 to the Illinois-Missouri State line to points in Washington, North Dakota, and to points in that part of Montana on and north of a line beginning at the Montana-North Dakota State line, thence along U.S. Highway 12 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction Montana Highway 41, thence along Montana Highway 41 to junction Interstate Highway 15, thence along Interstate Highway 15 to junction Beaverhead County Highway 324, thence along Beaverhead County Highway 324 to the Montana-Idaho State line, and to points in that part of Idaho on and north of a line beginning at the Montana-Idaho State line, thence along the southern boundary of Idaho County, Idaho, to the Idaho-Oregon State line, and to points in that part of Oregon on and northwest of a line beginning at the Washington-Oregon State line, thence along Oregon Highway 11 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Interstate Highway 5, thence along Interstate Highway 5 to junction Oregon Highway 126, thence along Oregon Highway 126 to Florence, Oreg., with no transportation for compensation on return except as otherwise authorized and restricted to commodities which are transported on trailers. The purpose of this filing is to eliminate the gateways of Minneapolis, Minn., and Waterloo, Iowa.

No. MC 114211 (Sub-No. E594), filed June 4, 1974. Applicant: WARREN TRANPSORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grading, paving, and finishing machinery, equipment, parts, accessories, and attachments*, from Thief River Falls, Minn., to points in California, Nevada, Arizona, Utah, New Mexico, Texas, Oklahoma, Arkansas, Louisiana, Mississippi, Missouri, Alabama, Georgia, Florida, Tennessee, South Carolina, North Carolina, Virginia, Kentucky, West Virginia, the District of Columbia, Maryland, Delaware, New Jersey, Pennsylvania, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, and to points in that part of Ohio on and east of a line beginning at the Ohio-Indiana State line, thence along U.S. Highway 36 to junction U.S. Highway 127, thence along U.S. Highway 127 to junction Alternate U.S. Highway 20, thence along Alternate U.S. Highway 20 to junction Ohio Highway 2, thence along Ohio Highway 2 to Toledo, Ohio, and to

points in that part of Oregon on and south of a line beginning at the Idaho-Georgia State line, thence along U.S. Highway 20 to junction U.S. Highway 97, thence along U.S. Highway 97 to junction Oregon Highway 58, thence along Oregon Highway 58 to junction Interstate Highway 5, thence along Interstate Highway 5 to junction Oregon Highway 126, thence along Oregon Highway 126 to Florence, Oreg., and to points in that part of Wyoming on and south of a line beginning at the Utah-Wyoming State line, thence along Wyoming Highway 89 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 187, thence along U.S. Highway 187 to junction Wyoming Highway 28, thence along Wyoming Highway 28 to junction Wyoming Highway 789, thence along Wyoming Highway 789 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Nebraska-Wyoming State line, and to points in that part of Illinois on and south of a line beginning at the Iowa-Illinois State line, thence along U.S. Highway 34 to junction Illinois Highway 116, thence along Illinois Highway 116 to junction Interstate Highway 74, thence along Interstate Highway 74 to the Indiana-Illinois State line, and to points in that part of Indiana on and south of a line beginning at the Illinois-Indiana State line, thence along U.S. Highway 136 to junction Indiana Highway 32, thence along Indiana Highway 32 to the Indiana-Ohio State line. The purpose of this filing is to eliminate the gateway of Canton, S. Dak.

No. MC 119767 (Sub-No. E8), filed June 4, 1974. Applicant: BEAVER TRANSPORT CO., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: E. Stephen Heisley, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared food products, dairy products and by-products, and materials, supplies, and equipment* used or useful in the preparation, packing, and sale of these commodities, (1) from Minneapolis, Newport, St. Paul, and South St. Paul, Minn., to points in Indiana and Illinois (Rock Elm, Spring Lake, Eau Galle, Weston, Dunn, Waubeck, Waterville, and Durand, Wis.)*, (2) from Minneapolis, St. Paul, South St. Paul, and Newport, Minn., to Louisville, Ky. (Rock Elm, Spring Lake, Eau Galle, Weston, Dunn, Waubeck, Waterville, and Duran, Wis.)*, (3) from Minneapolis, St. Paul, South St. Paul, and Newport, Minn., to St. Louis, Mo. (Rock Elm, Spring Lake, Eau Galle, Weston, Dunn, Waubeck, Waterville, and Durand, Wis.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 119767 (Sub-No. E9), filed June 4, 1974. Applicant: BEAVER TRANSPORT CO., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: E. Stephen Heisley, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared food products, dairy products and by-products, and materials, supplies, and equipment* used or useful in the preparation, packing, and sale of these commodities, (1) from St. Louis, Mo., to points in Wisconsin (East St. Louis, Ill.)*; (2) from St. Louis, Mo., to Minneapolis-St. Paul, South St. Paul, and Newport, Minn. (East St. Louis, Ill., and Rock Elm, Spring Lake, Eau Galle, Weston, Dunn, Waubeck, Waterville, and Durand, Wis.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 119988 (Sub-No. E27), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Texas 75902. Applicant's representative: Joe E. Kinard, 201 W. Commerce St., Lufkin, Texas 75208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and (2) *newspaper supplements* otherwise exempt from economic regulation under section 203(b)(7) of the Act when transported in mixed loads with printed advertising matter, from the facilities of the Oklahoma Publishing Co., Web Offset Division, at or near Oklahoma City, Okla., to those points in New Mexico on and south of a line beginning at the New Mexico-Texas State line and extending along U.S. Highway 380 to junction U.S. Highway 85, thence along U.S. Highway 85 to junction U.S. Highway 60, thence along U.S. Highway 60 to the New Mexico-Arizona State line. The purpose of this filing is to eliminate the gateway of that part of Texas on and east of a line beginning at the Texas-Oklahoma Boundary line and extending along U.S. Highway 81 to junction U.S. Highway 181 to the Gulf of Mexico.

No. MC 119988 (Sub-No. E42), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Texas 75902. Applicant's representative: Joe E. Kinard, 201 W. Commerce Street, Dallas, Tex. 75208. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and (2) *newspaper supplements* otherwise exempt from economic regulations under section 203(b)(7) of the Act when transported in mixed loads with printed advertising matter, from the facilities of the Oklahoma Publishing Co., Web Offset Division, at or near Oklahoma City, Okla., to points in North Carolina. The purpose of this filing is to eliminate the gateway of Montgomery County, Kans.

No. MC 119988 (Sub-No. E43), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Tex. 75902. Applicant's representative: Joe E. Kinard, 201 W. Commerce Street, Dallas, Tex. 75208. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and (2) *newspaper supplements* otherwise exempt from economic regulations under section 203(b)(7) of the Act when transported in mixed loads with printed advertising matter, from the facilities of the Oklahoma Publishing Co., Web Offset Division, at or near Oklahoma City, Okla., to points in South Carolina. The purpose of this filing is to eliminate the gateway of Montgomery County, Kans.

No. MC 119988 (Sub-No. E45), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Texas 75902. Applicant's representative: Joe E. Kinard, 201 W. Commerce St., Dallas, Texas 75208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and (2) *newspaper supplements* otherwise exempt from economic regulation under section 203(b)(7) of the Act when transported in mixed loads with printed advertising matter, from the facilities of Allied Printers and Publishers at or near Tulsa, Okla., to points in Arizona. The purpose of this filing is to eliminate the gateway of that part of Texas on and east of a line beginning at the Texas-Oklahoma boundary line, extending along U.S. Highway 81 to junction U.S. Highway 181 to the Gulf of Mexico.

No. MC 119988 (Sub-No. E46), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO., INC., P.O. Box 1384, Lufkin, Tex. 75902. Applicant's representative: Joe E. Kinard, 201 W. Commerce Street, Dallas, Tex. 75208. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and (2) *newspaper supplements* otherwise exempt from economic regulation under Section 203(b)(7) of the Act when transported in mixed loads with printed advertising matter, from the facilities of Allied Printers and Publishers at or near Tulsa, Okla., to points in California (except Los Angeles) on and south of a line beginning at the California-Arizona State line and extending along Interstate Highway 40 to junction California Highway 58, thence along California Highway 58 to junction California Highway 99, thence along California Highway 99 to junction California Highway 46, thence along California Highway 46 to Pacific Ocean. The purpose of this filing is to eliminate the gateway of that part of Texas on and east of a line beginning at the Texas-Oklahoma boundary line and extending along U.S. Highway 81 to junction U.S. Highway 181, thence along U.S. Highway 181 to the Gulf of Mexico.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-1561 Filed 1-15-75;8:45 am]

[Notice 4]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

JANUARY 10, 1975.

The following applications (except as otherwise specifically noted, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application), are governed by Special Rule 1100.247[1] of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER, issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the Federal Register of a notice that the proceeding has been assigned for oral hearing.*

No. MC 6078 (Sub-No. 77), filed December 16, 1974. Applicant: D. F. BAST, INC., P.O. Box 2288, Allentown, Pa. 18001. Applicant's representative: Bert Collins, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Off-highway dump vehicles*, with or without body; *cabs, accessories and parts*, for said vehicles, from Lower Macungie Township (Lehigh County) and Allentown, Pa., to points in the United States (except Alaska and Hawaii), restricted to commodities, the transportation of which because of size or weight requires the use of special equipment, and related parts and accessories when their transportation is incidental to the transportation of commodities which by reason of size or weight require special equipment.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 26396 (Sub-No. 126), filed December 6, 1974. Applicant: POPELKA TRUCKING CO., d/b/a THE WAGGONERS, a Corporation, Box 990, Livingston, Mont. 59047. Applicant's representative: Jacob P. Billig, 1126 16th Street, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Particle board*, from Albany, Bend, Millersburg, and Dillard, Oreg., to points in North Dakota, South Dakota, Minnesota and Nebraska.

NOTE.—Applicant holds contract carrier authority in MC 26396 Sub-No. 3, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Missoula, Mont.

No. MC 26639 (Sub-No. 1), filed December 5, 1974. Applicant: DEL TRANSPORT, INC., 100 Yorkshire Street, Providence, R.I. 02908. Applicant's representative: Frank J. Weiner, 15 Court Square, Boston, Mass. 02108. 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, and commodities requiring special equipment), between points in Rhode Island.

NOTE.—Applicant states that the requested authority will be tacked with its existing regular route authority in MC 26639 at points in the Attleboro, Mass., Commercial Zone which extends into Rhode Island, to provide service between Boston, Mass., and points in Rhode Island. Applicant further states that this application is filed pursuant to the procedure established by the Commission in *Las Vegas Tank Lines, Inc. Extension Additional California Points*, 107 M.C.C. 589 and there is an agreement by the parties involved, as part of the application, which includes a covenant for cancellation of the Certificate of Registration by Paul E. Pelletier, doing business as Pep Transportation, conditioned upon applicant's obtaining an appropriate Certificate of Public Convenience and Necessity; that the transfer of the underlying Rhode Island interstate Certificate No. MC 280 is and will be an inseparable part of the proposed transaction; and that the aggregated gross revenues of the parties are less than $300,000.00 annually, and that the transaction does not require prior approval under section 5 of the Interstate Commerce Act. If a hearing is deemed necessary, applicant requests it be held at either Providence, R.I., or Boston, Mass.

No. MC 29910 (Sub-No. 153), filed November 29, 1974. Applicant: ARKANSAS-BEST FREIGHT SYSTEM, INC., 301 South 11th Street, Fort Smith, Ark. 72901. Applicant's representative: Don A. Smith, P.O. Box 43, Kelley Bldg., Fort Smith, Ark. 72901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electrical transformers and parts, and materials, equipment, and supplies*, used in the manufacture thereof, between Pine Bluff, Ark., on the one hand, and, on the other, points in Illinois, Indiana, Ohio, Michigan, Missouri, Iowa, Wisconsin, those points in Nebraska on and east of U.S. Highway 81, those points in New York, on, north, and west of Interstate Highway 84, and points in Pennsylvania (except Philadelphia and its Commercial Zone).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at New Orleans, La., or Memphis, Tenn.

No. MC 29910 (Sub-No. 154), filed December 16, 1974. Applicant: ARKANSAS-BEST FREIGHT SYSTEM, INC., 301 South 11th Street, Fort Smith, Ark. 72901. Applicant's representative: Don A. Smith, P.O. Box 43, Kelley Bldg., Fort Smith, Ark. 72901. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the Jeffery Energy Center located at Pottawatomie County, Kans., as an off-route point in connection with applicant's authorized regular route operations between Topeka, Kans., and Manhattan, Kans.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Kans.

No. MC 30844 (Sub-No. 523), filed December 9, 1974. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial Street, Waterloo, Iowa 50702. Applicant's representative: Larry Strickler (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats,*

[1] Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

meat products, meat by-products, and articles distributed by meat packinghouses (except hides and commodities in bulk), from the plantsites and facility of Coffeyville Packing Co., Inc., at or near Coffeyville, Kans., to points in Connecticut, Delaware, District of Columbia, Illinois, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, Texas, West Virginia, Wisconsin, and Indiana, restricted to shipments originating at Coffeyville, Kans.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo., or Washington, D.C.

No. MC 34027 (Sub-No. 5), filed November 22, 1974. Applicant: GELTINGS, INC., 214 South Clark, P.O. Box 82, Pella, Iowa 50219. Applicant's representative: Larry D. Knox, 9th Floor, Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Pella and Chariton, Iowa, serving the intermediate point of Knoxville, Iowa: From Pella, Iowa, south over unnumbered highway to junction Iowa Highway 92, thence west over Iowa Highway 92 to Knoxville, Iowa, thence south over Iowa Highway 14 to Chariton, Iowa, and return over the same route.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 41406 (Sub-No. 47) filed November 11, 1974. Applicant: ARTIM TRANSPORTATION SYSTEM, INC., 7105 Kennedy Avenue, P.O. Box 2176, Hammond, Ind. 46323. Applicant's representative: William J. Walsh (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from Centerville, Iowa, to points in Illinois, Indiana, Ohio, Pennsylvania, West Virginia, and the Lower Peninsula of Michigan.

NOTE.—Common control may be involved. Applicant states that it intends to tack the requested authority with its existing authority (a) in Sub-No. 18 at Chicago, Ill., and Portage, Ind., to serve Henderson, Louisville, and Paducah, Ky., and specified counties in Wisconsin; (b) in pending MC-F-11406 at Monroe and Detroit, Mich., and Youngstown, Middletown, Ohio, and Pittsburgh, Pa., to serve points in New York and points in Kentucky within 5 miles of the Ohio River; (c) in pending Sub-No. 42 at Kingsbury, Ind., to serve New York, N.Y.; and (d) in pending Sub-No. 39, at Benton Harbor and St. Joseph, Mich., to serve Glasgow, Ky. If a hearing is deemed necessary, applicant requests it be held at either Chicago, Ill., or Des Moines, Iowa, or Washington, D.C.

No. MC 51146 (Sub-No. 407), filed December 2, 1974. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, Wis. 54304. 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: *Printed matter, publications, and exempted printed matter*, as described in Section 203(B)(7) of the Act, as amended, when transported at the same time and in the same vehicle with printed matter, *and materials, supplies, and equipment* used in the maintenance and operation of printing plants, between the plantsite of the R. R. Donnelly & Sons Company located at or near Gallatin, Tenn., on the one hand, and, on the other, points in Minnesota, Iowa, Wisconsin, Michigan, Missouri, Illinois, Indiana, Kentucky, Ohio, West Virginia, Maryland, Delaware, New Jersey, Pennsylvania, Rhode Island, Connecticut, New York, Massachusetts, Vermont, New Hampshire, Maine, and the District of Columbia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 51146 (Sub-No. 410) filed December 9, 1974. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, Wis. 54304. 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: (1) *Household and commercial appliances;* (2) *parts, accessories, and attachments*, for household and commercial appliances; and (3) *materials, equipment, and supplies*, used in the manufacture and distribution of the commodities described in (1) and (2) above, between Searcy, Ark., and Ripon, Wis.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 66462 (Sub-No. 19), filed November 18, 1974. Applicant: THE WILLETT COMPANY, a Corporation, 700 South Desplaines Street, Chicago, Ill. 60607. Applicant's representative: Thomas F. McFarland, Jr., 20 North Wacker Drive, Suite 1034, Chicago, Ill. 60606. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Muriatic acid*, in bulk, in tank vehicles, from Lemont, Ill. to points in Lake and Porter Counties, Ind., and (2) *sulphuric acid*, in bulk, in tank vehicles, from the plantsite of Keil Chemical Company, located at or near Hammond, Ind., to points in Illinois; and (3) *sulphuric acid*, in bulk, in tank vehicles, from De Pue, Ill., to points in Indiana.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 66462 (Sub-No. 20), filed November 21, 1974. Applicant: THE WILLETT COMPANY, a Corporation, 700 South Desplaines Street, Chicago, Ill. 60607. Applicant's representative: Thomas F. McFarland, Jr., 20 North Wacker Drive, Suite 1034, Chicago, Ill. 60606. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Ferric chloride, ferrous chloride, and muriatic acid*, in bulk, in tank vehicles, from the facilities of K. A. Steel Chemicals, Inc., located at or near Gary, Ind., to points in Arkansas, Illinois, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Tennessee, and Wisconsin; and (2) *spent muriatic acid*, in bulk, in tank vehicles, from points in Illinois, Michigan, and Wisconsin, to the facilities of K. A. Steel Chemicals, Inc., at Gary, Ind.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 72243 (Sub-No. 48, filed December 12, 1974. Applicant: THE AETNA FREIGHT LINES, INCORPORATED, 2507 Youngstown Rd. SE., P.O. Box 350, Warren, Ohio 44482. Applicant's representative: Einar Viren, 904 City National Bank Bldg., Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron, steel, and iron or steel articles*, from the plantsite and warehouses of C. F. & I. Steel Corporation located in Pueblo, Colo., to points in Alabama, Arkansas, Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, South Dakota, Tennessee, Virginia, Wisconsin, Wyoming, and the District of Columbia.

NOTE.—If a hearing is deemd necessary, the applicant requests it be held at Denver, Colo.

No. MC 74321 (Sub-No. 111), filed December 9, 1974. Applicant: B. F. WALKER, INC., P.O. Box 17-B, Denver, Colo. 80217. Applicant's representative: Richard P. Kissinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, fabricated and unfabricated*, from points in Liberty County, Tex., to points in Alabama, Arkansas, Louisiana, Mississippi, and Oklahoma.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Denver, Colo.

No. MC 75226 (Sub-No. 8), filed November 18, 1974. Applicant: DeCARLI'S EXPRESS, INC., Drawer K, 13 John Fitch Boulevard, South Windsor, Conn. 06074. Applicant's representative: John E. Fay, 630 Oakwood Avenue, West Hartford, Conn. 06110. 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, and those requiring special equipment), (1) between South Windsor, Conn., on the one hand, and, on the other, points in

Connecticut; and (2) between Springfield, Mass., and points in Massachusetts within 15 miles of Springfield, Mass., on the one hand, and, on the other, Litchfield, Fairfield, New London, and Windham Counties, Conn., restricted to traffic moving in connection with interstate common carriers.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Hartford, Conn., or Washington, D.C.

No. MC 87103 (Sub-No. 15), filed December 10, 1974. Applicant: MILLER TRANSFER AND RIGGING CO., a Corporation, P.O. Box 6077, Akron, Ohio 44312. Applicant's representative: Edward P. Bocko (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Metal working lathes;* and (2) *electronic control consoles* moving in connection therewith or moving separately, on air-ride vehicles having a manufacturer's rated capacity not exceeding 16,000 pounds in exclusive use service, from the plant site of the Warner & Swasey Co., Cleveland Turning Machine Division, at or near points in Cuyahoga County, Ohio, to points in and east of Minnesota, Iowa, Missouri, Arkansas, and Louisiana.

NOTE.—Applicant holds contract carrier authority in MC 119302 and Subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at either Cleveland, Ohio, or Washington, D.C.

No. MC 87928 (Sub-No. 47), filed December 12, 1974. Applicant: AUTOMOBILE TRANSPORT, INC., 36555 Michigan Avenue, Wayne, Mich. 48184. Applicant's representative: S. S. Eisen, 370 Lexington Avenue, New York, N.Y. 10017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Automobiles, trucks, and buses*, as described in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, in truckaway and driveaway service, from Chesapeake, Va., to points in the United States (except Alaska and Hawaii); and (2) *wrecked, disabled, or rejected vehicles*, from points in the United States (except Alaska and Hawaii), to Chesapeake, Va.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 89684 (Sub-No. 86) (Correction), filed November 4, 1974, published in the FEDERAL REGISTER issue of December 12, 1974, and republished as corrected this issue. Applicant: WYCOFF COMPANY, INCORPORATED, 560 South 300 West, Salt Lake City, Utah 84111. Applicant's representative: Harry D. Pugsley, Suite 400, 315 East 2nd South, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except articles of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), having a prior or subsequent movement by aircraft, Between Stapleton International Airport at Denver, Colo. and the junction of Interstate Highway 80 (U.S. Highway 30) and U.S. Highway 30 approximately 6 miles west of Little America, Wyo.: (1) From Stapleton International Airport located in the Denver, Colo., Commercial Zone over U.S. Highway 287 to Laramie, Wyo., thence over Interstate Highway 80 (U.S. Highway 30) to junction U.S. Highway 30, approximately 6 miles west of Little America, Wyo.; and (2) From Stapleton International Airport located in the Denver, Colo. Commercial Zone over Interstate Highway 25 to junction Colorado Highway 14, thence over Colorado Highway 14 to Ft. Collins, Colo., thence over U.S. Highway 287 to Laramie, Wyo., thence over Interstate Highway 80 (U.S. Highway 30) to junction U.S. Highway 30, approximately 6 miles west of Little America, Wyo., serving no intermediate points, in (1) and (2) above and serving as off-route points in (1) and (2) above, (A) Jim Bridger Power Plant in Wyoming in Sweetwater County Road No. 15, approximately 8 miles north of Point of Rock, Wyo.; (B) Texasgulf, Inc. plant in Wyoming, approximately 8 miles east of Granger, Wyo., on an unnumbered highway; (C) FMC Corp. plant at Westvaco, Wyo., on Sweetwater County Road No. 3, approximately 6 miles north of U.S. Highway 30; (D) Allied Chemical Corp. and Church & Dwight Co. plants at Alchem, Wyo., on Sweetwater County Road No. 40, approximately 4 miles north of U.S. Highway 30; and (E) Stauffer Chemical Co. plant at Stauffer, Wyo., on Wyoming State Highway 372, approximately 15 miles north of Interstate Highway 80.

NOTE.—The purpose of this correction is to indicate the correct routes sought in this proceeding. If a hearing is deemed necessary, applicant requests it be held at Rock Springs, Wyo.

No. MC 95350 (Sub-No. 6), filed December 9, 1974. Applicant: R. W. JONES TRUCKING COMPANY, a Corporation, P.O. Drawer T, Vernal, Utah 84078. Applicant's representative: Harry D. Pugsley, Suite 400, 315 East 2nd South, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, materials, equipment, and supplies and facilities*, used in, and incidental to, and in connection with the discovery, development, production, extraction, and preservation of oil shales, natural gas, and petroleum; and the construction, dismantling, repair, servicing, and maintenance of facilities for the storage, operations, processing, repressuring, and blending of oil shale, natural gas, gasoline, and petroleum, between points in Wyoming, Utah, and Colorado.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Vernal or Salt Lake City, Utah.

No. MC 95540 (Sub-No. 919), filed November 26, 1974. Applicant: WATKINS MOTOR LINES, INC., 1940 Monroe Drive, P.O. Box 1636, Atlanta, Ga. 30342. Applicant's representative: Jerome F. Marks (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay and clay products* (except in bulk), from points in Scott and Stoddard Counties, Mo., to points in Missouri, Illinois, Ohio, Pennsylvania, West Virginia, Tennessee, Kentucky, Michigan, Wisconsin, Minnesota, Nebraska, Iowa, Indiana, Arkansas, Kansas, Oklahoma, Texas, New Jersey, New York, North Carolina, Rhode Island, South Carolina, Virginia, and the District of Columbia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 95876 (Sub-No. 163), filed November 26, 1974. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Val M. Higgins, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, from points in Utah, Colorado, and Wyoming, to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Texas, and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Denver, Colo., or Minneapolis, Minn.

No. MC 99493 (Sub-No. 4), filed November 29, 1974. Applicant: CENTRAL STORAGE & TRANSFER CO. OF HARRISBURG, a Corporation, 3500 Industrial Road, Harrisburg, Pa. 17105. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. 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, and commodities in bulk), (1) between Harrisburg, Pa., and points within five miles thereof, on the one hand, and, on the other, points in Adams, Berks, Blair, Bucks, Carbon, Centre, Chester, Clinton, Columbia, Cumberland, Dauphin, Delaware, Franklin, Huntingdon, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Perry, Philadelphia, Schuylkill, Snyder, Union, Wyoming, and York Counties, Pa.; (2) between points in the Philadelphia, Pa., Commercial Zone, on the one hand, and, on the other, points in Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Perry, and York Counties, Pa., restricted in (2) above to traffic moving in foreign commerce; and (3) between points in York (York County), Pa. and its Commercial Zone, on the one hand, and, on the other, points in Adams, Berks, Blair, Bucks, Carbon, Centre, Chester, Clinton, Columbia, Cumberland, Dauphin, Delaware, Franklin, Huntingdon, Juniata,

Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Perry, Philadelphia, Schuylkill, Snyder, Union, Wyoming, and York Counties, Pa.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Harrisburg, Pa.

No. MC 100666 (Sub-No. 287), filed December 12, 1974. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Bldg., 3535 NW. 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from points in Ellis County, Tex., to points in Arkansas, Colorado, Kansas, Louisiana, Mississippi, New Mexico, Oklahoma, and Tennessee; and (2) *scrap iron and scrap steel*, from points in Arkansas, Colorado, Kansas, Louisiana, Mississippi, New Mexico, Oklahoma, and Tennessee, to points in Ellis County, Tex.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 103051 (Sub-No. 333), filed December 13, 1974. Applicant: FLEET TRANSPORT COMPANY, INC., 934 44th Avenue North, Nashville, Tenn. 37209. Applicant's representative: Russell E. Stone (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sugar*, in bulk, in tank vehicles, from Belle Glade, Fla., to Athens and Savannah, Ga., and Elkin, Greensboro, and Winston-Salem, N.C.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Nashville, Tenn., or Atlanta, Ga.

No. MC 103993 (Sub-No. 846), filed November 29, 1974. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Portable bleachers*, mounted on wheeled undercarriages, from points in St. Joseph County, Mich., to points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 105632 (Sub-No. 31), filed December 11, 1974. Applicant: SOUTHERN REGION MOTOR TRANSPORT, INC., 966 Bankhead Avenue, NW., Atlanta, Ga. 30318. Applicant's representative: William H. Teasley, P.O. Box 1808, Washington, D.C. 20013. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except Classes A and B explosives and commodities in bulk, in tank vehicles), between Macon (Bibb County), Ga., and Cochran (Bleckley County), Ga., restricted to the movement of trailers having immediate prior or subsequent movement by rail.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Atlanta or Macon, Ga., or Washington, D.C.

No. MC 106497 (Sub-No. 104), filed December 13, 1974. Applicant: PARKHILL TRUCK COMPANY, a Corporation, P.O. Box 912 (Bus. Rte 1-44 east), Joplin, Mo. 64801. Applicant's representative: A. N. Jacobs, P.O. Box 113, Joplin, Mo. 64801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, from the plants and storage facilities of CF&I Steel Corporation, at or near Pueblo, Colo., to points in Washington, Oregon, California, Wyoming, Colorado, New Mexico, Kansas, Oklahoma, Texas, Iowa, Missouri, Arkansas, Louisiana, Illinois, Michigan, Indiana, Kentucky, Ohio, West Virginia, Pennsylvania, New York, Virginia, North Carolina, Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, Maryland, and the District of Columbia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Tulsa, Okla., or Kansas City, Mo.

No. MC 106674 (Sub-No. 147), filed December 6, 1974. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, Remington, Ind. 47977. Applicant's representative: Jerry L. Johnson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wire*, from the facilities of Andrews Wire Company at or near Gallatin, Tenn., to points in Alabama, Arkansas, Illinois, Indiana, Kentucky, Michigan, Mississippi, Missouri, Ohio, Tennessee, Texas, Wisconsin, and West Virginia; and (2) *wire reels*, from points in Alabama, Arkansas, Illinois, Indiana, Kentucky, Michigan, Mississippi, Missouri, Ohio, Tennessee, Texas, Wisconsin, and West Virginia, to the facilities of Andrews Wire Company at or near Gallatin, Tenn., restricted to the transportation of traffic originating at or destined to Andrews Wire Company at or near Gallatin, Tenn.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill., or Indianapolis, Ind.

No. MC 107403 (Sub-No. 927), filed Dec. 13, 1974. Applicant: MATLACK, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: Harry C. Ames, Jr., 666 11th St., NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid pitch*, in bulk, in tank vehicles, from Lima, Ohio, to West Bend, Wis.; (2) *methyl chloride*, in bulk, in tank vehicles, from Institute, W. Va., to Chattanooga, Tenn., and Beaumont, Tex.; (3) *Lead oxides*, in bulk, in tank vehicles, from Hammond Lead Products, Inc. (West Pottsgrove Township, Montgomery County), Stowe, Pa., to Huguenot, N.Y., Trenton, N.J., Beltsville, Md., Secaucus, N.J., Sumter, S.C., Bennington, Vt., Middletown, Del., Port Jervis, N.Y., and Lynchburg, Va.; and (4) *dry adinic acid*, in bulk, in tank vehicles, from Hopewell, Va., to Chestertown, Md.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107515 (Sub-No. 971), filed December 5, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 30050. Applicant's representative: Alan E. Serby, 3379 Peachtree Road NE., Suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts* (except commodities in bulk), from the plantsite and other facilities utilized by Kentucky Sausage Co., at Nashville, Tenn., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Louisiana, Kansas, Iowa, Michigan, Mississippi, Missouri, North Carolina, Ohio, South Carolina, Texas, Oklahoma, Wisconsin, Virginia, West Virginia, Minnesota, and Nebraska, restricted to traffic originating at Kentucky Sausage Co.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Atlanta, Ga.

No. MC 107818 (Sub-No. 74), filed December 18, 1974. Applicant: GREENSTEIN TRUCKING COMPANY, a Corporation, 280 NW. 12th Avenue, P.O. Box 608, Pompano Beach, Fla. 33061. Applicant's representative: Martin Sack, Jr., 1754 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay and clay products*, in bags and bales, from points in Sumter County, S.C., and Thomas County, Ga., to points in the United States in and east of Minnesota, Iowa, Missouri, Arkansas, and Mississippi.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Philadelphia, Pa., or Washington, D.C.

No. MC 107913 (Sub-No. 14), filed November 18, 1974. Applicant: F & W EXPRESS, INC., 575 South Front Street, Memphis, Tenn. 38103. Applicant's representative: Edward G. Grogan, Suite 2020, First National Bank Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) Between Greenville, Miss., and Magnolia, Ark.: From Greenville, Miss., over U.S. Highway 82 to Magnolia, Ark., and return over the same route, serving all intermediate points and the off-route

points of Shuler, Ark., and the plant site of Michigan Chemical Company near El Dorado, Ark.; (2) Between Magnolia, Ark., and Fordyce, Ark.: From Magnolia, Ark., over U.S. Highway 79 to Fordyce, Ark., and return over the same route, serving all intermediate points and the off-route point of East Camden, Ark.; (3) Between Camden, Ark., and El Dorado, Ark.: From Camden, Ark., over Arkansas Highway 7 to El Dorado, Ark., and return over the same route, serving all intermediate points; (4) Between El Dorado, Ark., and Thorton, Ark.: From El Dorado, Ark., over U.S. Highway 167 to Thorton, Ark., and return over the same route, serving all intermediate points; (5) Between Fordyce, Ark., and junction U.S. Highway 65 and U.S. Highway 165 near Dermott, Ark.: From Fordyce, Ark., over Arkansas Highway 8 to Warren, Ark., thence over Arkansas Highway 4 to Monticello, Ark., thence over Arkansas Highway 35 to Dermott, Ark., thence over U.S. Highway 165 to its junction with U.S. Highway 65, and return over the same route, serving all intermediate points; (6) Between Hamburg, Ark., and Lake Village, Ark.: From Hamburg, Ark., over Arkansas Highway 81 to Star City, Ark., thence over Arkansas Highway 114 to Gould, Ark., thence over U.S. Highway 65 to Lake Village, Ark., and return over the same route, serving all intermediate points; (7) between West Helena, Ark., and Dumas, Ark.: From West Helena, Ark., over U.S. Highway 49 to junction Arkansas Highway 1, thence over Arkansas Highway 1 to the Arkansas River, thence over Arkansas Highway 54 to Dumas, Ark., and return, for joinder purposes only; and (8) Between Memphis, Tenn., and Fordyce, Ark.: From Memphis, Tenn., over Interstate Highway 40 to Little Rock, Ark., thence over U.S. Highway 167 to Fordyce, Ark., and return, serving no intermediate points.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either El Dorado, Ark., or Memphis, Tenn.

No. MC 108449 (Sub-No. 381), filed December 23, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: W. A. Mylenbeck (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except potato products and frozen potatoes), from the plantsite of Western Potato Service, Inc., located at Grand Forks, N. Dak., to points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, Wisconsin, Kentucky, Maryland, North Carolina, New Jersey, New York, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either St. Paul, Minn., or Chicago, Ill.

No. MC 109533 (Sub-No. 67) (Partial correction), filed October 21, 1974, published in the FEDERAL REGISTER, issues of November 27, 1974, and December 19, 1974, and in third publication, as corrected, this issue. Applicant: OVERNITE TRANSPORTATION COMPANY, a Corporation, 1100 Commerce Road, Richmond, Va. 23224. Applicant's representative: E. T. Liipfert, Suite 1100, 1660 L Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment); (1) Between Jacksonville, Fla., and Houston, Tex., serving all intermediate points and the off-route points of Gonzales, Fla., Port Arthur and Port Neches, Tex., Lemoyne, Ala., Calvert, Ala., and the plant site of Dow Badische Company at or near Calvert, Ala.: From Jacksonville over Interstate Highway 10 and also U.S. Highway 90 to New Orleans, La., thence over U.S. Highway 61 to Baton Rouge, La., thence over U.S. Highway 90 to Opelousas, La., thence over U.S. Highway 167 to Lafayette, La., thence over Interstate Highway 10 and also U.S. Highway 90 to Houston, and return over the same route.

NOTE.—The purpose of this partial republication is to correct Route No. 1. The rest of the notice remains as originally published. If a hearing is deemed necessary, applicant requests it be held at either Atlanta, Ga., or New Orleans, La.

No. MC 110420 (Sub-No. 730), filed November 27, 1974. Applicant: QUALITY CARRIERS, INC., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: David A. Petersen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn products, and blends* containing corn products, in bulk, in tank vehicles, from Indianapolis, Ind., to points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 110563 (Sub-No. 149), filed December 20, 1974. Applicant: COLDWAY FOOD EXPRESS, INC., P.O. Box 747, Ohio Building, Sidney, Ohio 45365. Applicant's representative: Joseph M. Scanlan, 111 W. Washington, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Confectionery products*, from the Port of New York located at or near New York City, Port of Newark, N.J., located at or near Newark, N.J., the Port of Elizabeth, N.J., located at or near Elizabeth, N.J., and Hazleton, Pa., to points in Georgia, Florida, North Carolina, and South Carolina.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Hartford, Conn., and Washington, D.C.

No. MC 110563 (Sub-No. 150), filed December 20, 1974. Applicant: COLDWAY FOOD EXPRESS, INC., P.O. Box 747, Ohio Building, Sidney, Ohio 45365. Applicant's representative: Joseph M. Scanlan, 111 W. Washington, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Confectionery products*, (a) from the Port of New York located at or near New York City, N.Y., Port of Newark, N.J., located at or near Newark, N.J.; the Port of Elizabeth, New Jersey, located at or near Elizabeth, N.J., and Hazelton, Pa., to points in Ohio, Michigan, Indiana, Illinois, Wisconsin, Missouri, Iowa, Minnesota, Nebraska, Kansas, Colorado, North Dakota, and South Dakota; and (b) from Detroit, Mich., to points in Wisconsin, Illinois, Missouri, Iowa, Minnesota, Nebraska, Kansas, Colorado, North Dakota, and South Dakota.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Stamford, Conn., or Washington, D.C.

No. MC 110563 (Sub-No. 151), filed December 20, 1974. Applicant: COLDWAY FOOD EXPRESS, INC., P.O. Box 747, Ohio Building, Sidney, Ohio 45365. Applicant's representative: Joseph M. Scanlan, 111 W. Washington, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Wichita, Kans., to points in Ohio, Pennsylvania, Maryland, Virginia, West Virginia, Kentucky, Delaware, New Jersey, Indiana, Illinois, New York, Connecticut, Rhode Island, Michigan, Massachusetts, Maine, Vermont, New Hampshire, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Wichita or Kansas City, Kans.

No. MC 111941 (Sub-No. 23), filed December 13, 1974. Applicant: PIERCETON TRUCKING COMPANY, INC., P.O. Box 233, Laketon, Ind. 46943. Applicant's representative: Alki E. Scopelitis, 815 Merchants Bank Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt, and asphalt products*, from Warsaw, Ind., to points in Michigan.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 113024 (Sub-No. 134), filed December 2, 1974. Applicant: ARLINGTON J. WILLIAMS, INC., R.D. No. 2, South Du Pont Highway, Smyrna, Del. 19977. Applicant's representative: Samuel W. Earnshaw, 833 Washington Bldg., Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Crude rubber* (except in bulk), from Laplace, La., to McCook, Nebr., and Wilmington, Del., under a continuing contract or contracts with Electric Hose & Rubber Company, located at Wilmington, Del.

NOTE.—Applicant holds common carrier authority in MC 135046 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 113855 (Sub-No. 304), filed December 13, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road SE., Rochester, Minn. 55901. Applicant's representative: Alan Foss, 502 First National Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, from the plant and storage facilities of the CF & I Steel Corporation, at or near Pueblo, Colo., to points in South Dakota, North Dakota, Montana, Nebraska, Minnesota, Iowa, Wisconsin, Illinois, Indiana, Michigan, Kentucky, Ohio, West Virginia, Pennsylvania, New York, Connecticut, Massachusetts, Rhode Island, New Jersey, Delaware, Virginia, North Carolina, and Maryland.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo.

No. MC 114004 (Sub-No. 152), filed November 26, 1974. Applicant: CHANDLER TRAILER CONVOY, INC., 8828 New Benton Highway, Little Rock, Ark. 72209. Applicant's representative: Harold G. Hernly, Jr., 118 N. St. Asaph Street, Alexandria, Va. 22314. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, *and buildings*, in sections, from points in East Carroll Parish, Franklin Parish and Bossier Parish, La., to points in the United States including Alaska but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Shreveport, La., or Little Rock, Ark.

No. MC 114045 (Sub-No. 413), filed November 29, 1974. Applicant: TRANS-COLD EXPRESS, INC., P.O. Box 5842, Dallas, Tex. 75222. Applicant's representative: Arnold L. Burke, 127 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery:* (1) from Chicago, Ill., to Kansas City, Mo., restricted to the transportation of shipments moving to the above-named destination for in transit storage; and (2) from Kansas City, Mo., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, and Wyoming, restricted in (2) above to the transportation of commodities moving from storage in transit.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114211 (Sub-No. 239), filed December 9, 1974. Applicant: WARREN TRANSPORT, INC., 324 Manhard, P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Daniel Sullivan, 327 South LaSalle, Chicago, Ill. 60604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) (1) *Equipment*, designed for use in conjunction with self-propelled vehicles; (2) *self-propelled vehicles;* (3) *material handling equipment;* (4) *trailers;* and (5) *attachments, parts, and accessories*, from Omaha, Nebr., to points in the United States (except Alaska and Hawaii), and (B) *materials, equipment and supplies* (except commodities in bulk), used in the manufacturing and distribution of the commodities named above, from points in the United States (except Alaska and Hawaii), to Omaha, Nebr.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr.

No. MC 114273 (Sub-No. 225), filed November 27, 1974. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Robert E. Konchar, Suite 315, Commerce Exchange Building, 2720 First Avenue NE., P.O. Box 1943, Cedar Rapids, Iowa 52406. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hassocks, bean bag chairs, modular furniture, lawn furniture, pads and cushions*, from Richmond, Va., to points in Ohio and Michigan.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114533 (Sub-No. 314), filed December 13, 1974. Applicant: BANKERS DISPATCH CORPORATION, 1106 West 35th Street, Chicago, Ill. 60609. Applicant's representative: Warren W. Wallin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Exposed and processed film and prints, complimentary replacement film and incidental dealer handling supplies* (except motion picture film, and materials and supplies used in connection with commercial and television motion pictures); *graphic arts materials; audit media and other business records*, between Peoria, Ill., on the one hand, and, on the other, points in Indiana (except Hammond), and Wisconsin (except Milwaukee); and (2) *audit media and other business records*, between Detroit, Mich., and points within the Detroit Commercial Zone, on the one hand, and, on the other, points in Allen, Huntington, Adams, Grant, Miami, Wabash, Whitely, Kosciusko, Fulton, Marshall, De Kalb, Noble, Lagrange, Elkhart, St. Joseph, La Porte, Porter, Lake Steuben, and Wells Counties, Ind.

NOTE.—Applicant holds contract carrier authority in MC 28616 and other subs, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill., Detroit, Mich., or Washington, D.C.

No. MC 115841 (Sub-No. 489), filed November 25, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 105 Vulcan Road, Suite 200, P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuffs* (except commodities in bulk), from Austin, Brownstown, Converse, Franklin, Redkey, Scottsbury, and Warren, Ind., to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas, and those points in the United States in and east thereof, restricted to traffic originating at and destined to the named points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Louisville, Ky., or Indianapolis, Ind.

No. MC 116300 (Sub-No. 17), filed December 13, 1974. Applicant: NANCE AND COLLUMS, INC., P.O. Drawer J, Fernwood, Miss. 39635. Applicant's representative: Harold D. Miller, Jr., 700 Petroleum Bldg., P.O. Box 22567, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips, sawdust, wood shavings, and other scrap waste lumber materials*, from points in Pike County, Miss., to points in Louisiana Alabama, Arkansas, and that part of Florida on and west of a line formed by the intersection of the Chattahoochee and Apalachicola Rivers.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New Orleans, La., or Jackson, Miss.

No. MC 117765 (Sub-No. 181), filed December 6, 1974. Applicant: HAHN TRUCK LINE, INC., 5315 Northwest 5th Street, Oklahoma City, Okla. 73107. Applicant's representative: R. E. Hagan (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Feed ingredients and mixtures*, from Des Moines, Iowa, to points in Oklahoma; and (2) *salt and salt products*, from Hutchinson, Kanopolis, and Lyons, Kans., to points in Indiana and Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 119789 (Sub-No. 232), filed December 26, 1974. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, Dallas, Tex. 75222. Applicant's representative: James K. Newbold, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Insulators, electric wire or wiring, pottery or pottery and iron combined, and parts*, from Sandersville, Ga., to points in Arizona, California, Colorado, Nevada, New Mexico, Texas and Utah.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 119789 (Sub-No. 233), filed December 26, 1974. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, Dallas, Tex. 75222. Applicant's

representative: James K. Newbold, Jr. (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Confectionery chocolate, chocolate-coating, chocolate-syrup, cocoa, dry with or without sugar cocoa compounds, and beverage preparations, dry*, from Fulton, N.Y., to points in California, Colorado, Louisiana, Missouri, Nebraska, Oklahoma, Oregon, and Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y., or Washington, D.C.

No. MC 119792 (Sub-No. 46), (Correction), filed November 11, 1974, and published in the FEDERAL REGISTER, issue of December 12, 1974, and republished as corrected this issue. Applicant: CHICAGO SOUTHERN TRANSPORTATION COMPANY, INC., 3215 South Hamilton Avenue, Chicago, Ill. 60603. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen potatoes and potato products*, from the plantsite and storage facilities of J. R. Simplot Company in Minnesota, to points in Kentucky, Tennessee, Alabama, Mississippi, Louisiana, North Carolina, South Carolina, Georgia, Arkansas, Virginia, and Florida.

NOTE.—The purpose of this correction is to indicate that South Carolina is included in the territorial description. If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 119792 (Sub-No. 49), filed December 16, 1974. Applicant: CHICAGO SOUTHERN TRANSPORTATION COMPANY, a Corporation, 3215 South Hamilton Avenue, Chicago, Ill. 60608. Applicant's representative: Carl L. Steiner, 39 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food products and food ingredients* (except commodities in bulk), from the plantsite and storage facilities of Universal Foods, at Belle Chasse, La., to points in Alabama, Mississippi, Georgia, and Florida.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New Orleans, La.

No. MC 120430 (Sub-No. 9), filed Dec. 23, 1974. Applicant: COASTAL TRANSPORT CO., INC., P.O. Box 22592, Houston, Tex. 77027. Applicant's representative: Leroy Hallman, 4555 First National Bank Building, Dallas, Tex. 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plywood particleboard and lumber*, from the plantsite and storage facilities of Kirby Lumber Corp., at or near Silsbee, Tex., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin; and (2) plywood from the plantsite and storage facilities of Kirby Lumber Corp., at or near Bon Weir, Tex., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin, restricted in (1) and (2) above, against the transportation of any shipments from or to, the facilities of United States Gypsum Company.

NOTE.—Applicant holds contract carrier authority in MC 134957, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either Houston or Dallas, Tex.

No. MC 123023 (Sub-No. 3), filed December 13, 1974. Applicant: DIPIETRO TRUCKING CO., a Corporation, 2201 Sixth Avenue South, Seattle, Wash. 98134. 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: *Bananas*, from Long Beach and Wilmington, Calif., to Lewiston, Idaho, and points in Washington and Oregon.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Seattle, Wash.

No. MC 123048 (Sub-No. 319), filed December 13, 1974. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 5021 21st Street, Racine, Wis. 53406. Applicant's representative: Paul C. Gartzke, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Self-propelled draglines, shovels and drills, and accessories, attachments, and parts*, for self-propelled draglines, shovels, and drills; and (2) *material, equipment, and supplies*, used or useful in the manufacture, sale, and distribution of the commodities in (1) above, between points in the United States (including Alaska, but excluding Hawaii), restricted to shipments originating at or destined to the plants, warehouses, storage and other facilities owned, operated or used by Marion Power Shovel Co., Ind.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 123255 (Sub-No. 45), filed December 18, 1974. Applicant: B & L MOTOR FREIGHT, INC., 140 Everett Avenue, Newark, Ohio 43055. Applicant's representative: C. F. Schnee, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages* (except in bulk, in tank vehicles), from Newark, N.J., and Pabst, Ga., to points in Ohio.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 123407 (Sub-No. 214), filed December 9, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Robert W. Sawyer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, and lumber products*, from Ashland, Wis., to points in the United States in and east of Montana, Wyoming, Colorado, and New Mexico.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Washington, D.C.

No. MC 123640 (Sub-No. 20), filed December 13, 1974. Applicant: SUMMIT CITY ENTERPRISES, INC., 3200 Maumee Ave., Fort Wayne, Ind. 46803. Applicant's representative: Irving Klein, 280 Broadway, New York, N.Y. 10007. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities sold and dealt in by wholesale hardware houses*, between Cape Girardeau, Mo., on the one hand, and, on the other, points in Ohio, under a continuing contract with Hardware Wholesalers, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 123900 (Sub-No. 6), filed December 16, 1974. Applicant: DORIC TRANSPORTATION CORP., 75 Varick Street, New York, N.Y. 10013. Applicant's representative: Bert Collins, Suite 6193 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Printed and unprinted paper, books, materials, supplies, and equipment* used or useful in the production, distribution or sale of the foregoing commodities (except in bulk), between the plantsite or other facilities of American Book-Stratford Press and/or its subsidiaries, located at Saddle Brook, N.J., on the one hand, and, on the other, points in Nassau, Suffolk, Westchester, Orange, and Rockland Counties, N.Y., under a continuing contract with Book-Stratford Press, Inc., and/or its subsidiaries.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC 124117 (Sub-No. 10), filed December 4, 1974. Applicant: EARL FREEMAN, doing business as MID-TENN EXPRESS, P.O. Box 101, Eagleville, Tenn. 37060. Applicant's representative: Robert L. Baker, 618 Hamilton Bank Building, Nashville, Tenn. 37219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and related advertising materials*, (1) From Baltimore, Md., Belleville and Peoria, Ill., Columbus, Ohio, Ft. Wayne and Evansville, Ind.,

New Orleans, La., St. Louis and St. Joseph, Mo., St. Paul, Minn., Louisville and Newport, Ky., Perry, Ga., Winston-Salem, N.C., Milwaukee, Wis., and Detroit, Mich., to points in Tennessee on and west of the Tennessee River; and (2) from Detroit, Mich., to points in Tennessee on and east of U.S. Highway 27.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Jackson, Tenn., or Washington, D.C.

No. MC 125035 (Sub-No. 42), filed December 16, 1974. Applicant: RAY E. BROWN TRUCKING, INC., P.O. Box 501, Massillon, Ohio 44646. Applicant's representative: David L. Pemberton, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal feed, materials, supplies, and packaging*, between Sebring, Ohio, and Everson, Pa., on the one hand, and, on the other, points in the United States east of U.S. Highway 85, under a continuing contract or contracts with Allied Mills, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Cleveland or Columbus, Ohio.

No. MC 124211 (Sub-No. 254), filed December 16, 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: (1) *Adhesives, beverages, flour, foodstuffs* (except frozen foodstuffs, meats, and packinghouse products), *gluten, grain products, starch, and spirits;* and (2) *ingredients of the commodities named in (1) above*, between points in Atchison County, Kans., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii); (3) *paint, paint materials, plumbing fixtures and supplies, appliances and accessories*, between points in Douglas County, Nebr., on the one hand, and, on the other, points in the United States on and west of U.S. Highway 81 (except Alaska and Hawaii); and (4) *foodstuffs* (except frozen foodstuffs, meats and packinghouse products), in vehicles other than those equipped with mechanical refrigeration, between Sioux City, Iowa, on the one hand, and, on the other, points in Idaho, parts (1), (2), (3), and (4) above is restricted against the transportation of commodities in bulk, in tank or hopper type vehicles.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Kansas City, Mo., or Omaha, Nebr.

No. MC 125777 (Sub-No. 150), filed December 9, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: Edward G. Bazelon, 39 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coke, pig iron, scrap metal, and ores*, in bulk, in dump vehicles, from ports of entry located on the United States-Canadian International Boundary line in Michigan and New York, to points in the United States (except Alaska and Hawaii), restricted to traffic moving from Canada.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 128273 (Sub-No. 164), filed December 6, 1974. Applicant: MID-WESTERN DISTRIBUTION, INC., P.O. Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Rubber, rubber products, and such other commodities*, as are manufactured, processed, and dealt in by rubber manufacturers (except commodities in bulk, and commodities which, because of size or weight require the use of special equipment), from Topeka, Kans., to points in Alabama, Mississippi, Tennessee, Illinois, Ohio, Michigan, Wisconsin, Indiana, Kentucky, and points in the United States on and west of the Mississippi River (except Kansas, Alaska, and Hawaii); and (2) *tires and equipment, materials and supplies*, used in the manufacture and distribution of rubber and rubber products, and such other commodities as are manufactured and processed and dealt in by rubber manufacturers (except commodities in bulk and commodities which, because of size or weight, require use of special equipment), from points in Alabama, Mississippi, Tennessee, Illinois, Ohio, Michigan, Wisconsin, Indiana, Kentucky, and points in the United States on and west of the Mississippi River (except Kansas, Alaska, and Hawaii), to Topeka, Kans.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Akron, Ohio.

No. MC 128831 (Sub-No. 8), filed December 16, 1974. Applicant: DIXON RAPID TRANSFER, INC., Route 64 East, Mt. Morris, Ill. 61054. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and duct* used in heating, cooling, air conditioning, and exhaust systems, and *materials and supplies* used in the installation thereof; and *building construction wall sections* and *parts and accessories* used in the installation thereof: (1) from the plantsite of United Sheet Metal, Division of United McGill Corp. at Westerville, Ohio, to points in Nebraska, Indiana, Iowa, Michigan, Missouri, Minnesota, Wisconsin, and Illinois; and (2) from the plantsite of United Sheet Metal, Division of United McGill Corp. at Rockford, Ill., to points in Nebraska, Indiana, Iowa, Michigan, Ohio, Missouri, Minnesota, Wisconsin, Kansas, South Dakota, and North Dakota.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 129171 (Sub-No. 16), filed December 6, 1974. Applicant: ARTHUR SHELLEY, INC., R.D. #2, Dallas, Pa. 18612. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, Pa. 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery and related advertising matter*, from the plantsite of Cadbury Corporation, Humbolt Industrial Park, Hazle Township, Pa., to Detroit, Mich., Dallas, Tex., Denver, Colo., Salt Lake City, Utah, Kansas City, Kans., Kansas City, Mo., Chicago, Ill., Seattle, Wash., Los Angeles, Emeryville, and Hayward, Calif., restricted to shipments originating at and destined to the above points.

NOTE.—Applicant holds contract carrier authority in MC 126381 (Sub-No. 2), therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 133106 (Sub-No. 47) (Correction), filed November 22, 1974, published in the FEDERAL REGISTER issue of December 19, 1974, and republished as amended this issue. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is manufactured or distributed by Warner Lambert Company, and related advertising material*, from the plantsites and storage facilities utilized by Warner Lambert Company, located at Long Island City, N.Y., Lititz and Philadelphia, Pa., and South Brunswick and North Bergen, N.J., to Morrow, Ga., under contract with Warner-Lambert Company.

NOTE.—The purpose of this correction is to indicate the applicant's representative's name from Frederick J. Cosman, to Frederick J. Coffman. If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y., or Kansas City, Mo.

No. MC 133223 (Sub-No. 3), filed December 24, 1974. Applicant: OLYMPIC FREIGHTWAYS, INC., 1801 West 31st Place, Chicago, Ill. 60608. Applicant's representative: Anthony T. Thomas, 6017 Cermack Road, Cicero, Ill. 60650. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fresh bakery goods*, from the plantsite of East Balt. Commissary, Inc., located at Chicago, Ill., to points in Michigan; and (2) *frozen bakery goods*, from the plantsite of East Balt. Commissary, Inc. located at Chicago, Ill., to points in Indiana, Iowa, Michigan, Missouri, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 133655 (Sub-No. 80), filed November 25, 1974. Applicant: TRANS-NATIONAL TRUCK, INC., P.O. Box 4168, Amarillo, Tex. 79105. 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: *Printed matter, publications, and exempted printed matter*, as described in Section 203(B)(7) of the Act, as amended, when transported at the same time and in the same vehicle with printed matter, and *materials, supplies, and equipment* used in the maintenance and operation of printing plants, between the plantsite of the R. R. Donnelly & Sons Company located at or near Warsaw, Ind., on the one hand, and, on the other, points in Washington, Idaho, Montana, North Dakota, South Dakota, Nebraska, Wyoming, Oregon, Utah, Nevada, California, Colorado, Arizona, New Mexico, Kansas, Oklahoma, Texas, Arkansas, Louisiana, Mississippi, Tennessee, Alabama, Georgia, North Carolina, South Carolina, and Florida.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 134783 (Sub-No. 29), filed December 9, 1974. Applicant: DIRECT SERVICE, INC., P.O. Box 786, Plainview, Tex. 79072. Applicant's representative: Charles J. Kimball, 2310 Colorado State Bank Bldg., 1600 Broadway, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hides, skins, chromes, and pieces therefrom and tannery products, supplies, and by products*, from points in Minnesota, Wisconsin, Iowa, South Dakota, Nebraska, Missouri, Kansas, Colorado, Oklahoma, New Mexico, Texas, and Louisiana, to points in California, restricted to traffic moving under a through, export bill of lading.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Houston, Tex.

No. MC 135007 (Sub-No. 47), filed Dec. 23, 1974. Applicant: AMERICAN TRANSPORT, INC., 7850 F Street, Omaha, Nebr. 68127. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Carpet lining and padding*, from Norfolk, Va., to points in Colorado, Iowa, Kansas, Louisiana, Missouri, Nebraska, New Mexico, Oklahoma, and Texas, under contract with William Volker & Company.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., or Omaha, Nebr.

No. MC 135256 (Sub-No. 3), filed December 13, 1974. Applicant: JOHN BRUSH, doing business as DATA TRANSPORT, P.O. Box 234, Greenlawn, N.Y. 11740. Applicant's representative: William J. Augello, 120 Main Street, P.O. Box Z, Huntington, N.Y. 11743. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Business papers, records and documents*, between Brooklyn, N.Y., on the one hand, and, on the other, Paramus, N.J.; and (2) between Woodbridge and Paramus, N.J., on the one hand, and, on the other, Abraham & Straus stores in New York City (except Brooklyn), and points in Nassau and Suffolk Counties, N.Y., under contract with Abraham & Straus.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC 136008 (Sub-No. 42) (Amendment), filed October 1, 1974, published in the FEDERAL REGISTER issue of November 1, 1974, and republished as amended this issue. Applicant: JOE BROWN COMPANY, INC., 20 Third Street, P.O. Box 1669, Ardmore, Okla. 73401. Applicant's representative: Rufus H. Lawson, 106 Bixler Building, 2400 Northwest 23rd St., Oklahoma City, Okla. 73107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bulk, in open top dump trucks only, between points in Oklahoma, Kansas, Texas, and Louisiana.

NOTE.—The purpose of this republication is to clarify applicant's proposed operations. If a hearing is deemed necessary, the applicant requests it be held at Oklahoma City, Okla., or Dallas, Tex.

No. MC 136008 (Sub-No. 47), filed December 17, 1974. Applicant: JOE BROWN COMPANY, INC., 20 Third Street, P.O. Box 1669, Ardmore, Okla. 73401. Applicant's representative: Rufus H. Lawson, 106 Bixler Building, 2400 Northwest 23rd Street, Oklahoma City, Okla. 73107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rock, sand, gravel, stone, calishe and dirt*, between points in Armstrong, Briscoe, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hall, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Farmer, Potter, Randall, Roberts, Sherman, Swishes, and Wheeler Counties, Tex., on the one hand, and, on the other, points in Beaver, Beckham, Cimarron, Custer, Devey, Ellis, Greer, Harmon, Harper, Jackson, Kiowa, Major, Roger Mills, Texas, Tillman, Washita, Woods and Woodward Counties, Okla.; points in Colfax, Curry, DeBaca, Guadalupe, Harding, Quay, Roosevelt, San Miguel and Union Counties, N. Mex.; points in Clark, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearny, Meade, Morton, Seward, Stanton and Stevens Counties, Kans.; and points in Baca, Bent, Crowley, Las Animas and Prowers Counties, Colo.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla. or Dallas, Tex.

No. MC 136012 (Sub-No. 2), filed December 16, 1974. Applicant: UNITED STATES TRANSPORTATION, INC., 8345 Clough Pike, Cincinnati, Ohio 45244. Applicant's representative: Richard L. Goodman, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid brewery yeast*, in bulk, in tank vehicles, from Detroit, Mich., to Cincinnati, Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held a Cincinnati, or Columbus, Ohio.

No. MC 136168 (Sub-No. 3), filed Dec. 11, 1974. Applicant: WILSON CERTIFIED EXPRESS, INC., P.O. Box 529, Albert Lea, Minn. 56007. Applicant's representative: Donald L. Stern, Suite 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, and meat by-products and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsites and warehouse facilities utilized by Wilson & Co., Inc., at Albert Lea, Minn., Cedar Rapids, Cherokee, and Des Moines, Iowa; Monmouth, Ill.; and Omaha, Nebr., to points in Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming; and (2) *materials, supplies, and equipment*, utilized in the manufacture, sale and distribution of commodities in (1) above, from points in Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming, to facilities utilized by Wilson & Co., Inc., at Albert Lea, Minn.; Cedar Rapids, Cherokee, and Des Moines, Iowa; Monmouth, Ill.; and Omaha, Nebr., under contract with Wilson & Co., Inc., restricted to traffic originating or terminating at the above facilities utilized by Wilson & Co., Inc., and further restricted to transportation to be performed under contract with Wilson & Co., Inc.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Omaha, Nebr.

No. MC 138772 (Sub-No. 3), filed October 15, 1974. Applicant: DELBERT D. McCLELLAND, doing business as ALL WAYS FREIGHT LINE, 215 North 18th Street, Leavenworth, Kans. 66048. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those which because of size or weight require the use of special equipment): (1) Between Blue Rapids and Marysville, Kans., serving all intermediate points, and the off-route point of Oketo, Kans.: From Blue Rapids, Kans., over U.S. Highway 77 to junction Kansas Highway 15E, thence over Kansas Highway 15E to Hanover, Kans., thence over unnumbered County Highway through Bremen and Herkimer, Kans., to junction U.S. Highway 36, thence over U.S. Highway 36 to Marysville, Kans.; (2) Between Atchison and Seneca, Kans., serving Horton, Kans., as an intermediate point: From

Atchison, Kans., over U.S. Highway 73 to junction U.S. Highway 36, thence over U.S. Highway 36 to Seneca, Kans., and return over the same route; (3) Between Horton and Seneca, Kans., as an alternate route, serving no intermediate points: From Horton, Kans., over Kansas Highway 20 to junction U.S. Highway 75, thence over U.S. Highway 75 to junction U.S. Highway 36, thence over U.S. Highway 36 to Seneca, Kans., and return over the same route; and (4) Between St. Joseph, Mo., and McLouth, Kans., serving those intermediate points from junction U.S. Highway 159 and Kansas Highway 20 (including Horton, Kans.) Southward: From St. Joseph, Mo., over U.S. Highway 36 to junction U.S. Highway 159, thence over U.S. Highway 159 to junction U.S. Highway 59 (near Nortonville, Kans.), thence over U.S. Highway 59 to junction Kansas Highway 192, thence over Kansas Highway 192 to junction U.S. Highway 73, thence over U.S. Highway 73 to junction Kansas Highway 92, thence over Kansas Highway 92 to McLouth, Kans., and return over the same route.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 138875 (Sub-No. 23), filed November 29, 1974. Applicant: SHOEMAKER TRUCKING COMPANY, a Corporation, 11900 Franklin Road, Boise, Idaho 83705. Applicant's representative: Frank L. Sigloh, P.O. Box 7651, Boise, Idaho 83707. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Diatomaceous earth*, from the plantsite of Southern Mining and Minerals, Inc., located at or near Westfall (Malheur County), Oreg., to ports and docks in Oregon, Washington, and California, restricted to the transportation of export traffic having a prior or subsequent movement by ocean vessels.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Boise, Idaho.

No. MC 139460 (Sub-No. 17), filed November 26, 1974. Applicant: FORT EDWARD EXPRESS CO., INC., Route 9, Saratoga Road, Fort Edward, N.Y. 12828. Applicant's representative: J. Fred Relyea (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from ports of entry on the International Boundary line between the United States and Canada at or near Champlain and Trout River, N.Y., and Derby, Highgate, and Norton, Vt., to points in New York on and east of Interstate Highway 81 (except points in Clinton, Essex, Franklin, Hamilton, Herkimer, Jefferson, Lewis, Saratoga, St. Lawrence, Warren, and Washington Counties, N.Y.); points in Pennsylvania on and east of Interstate Highway 81 and those points on and north of Interstate Highway 80, and that part of Massachusetts on and west of U.S. Highway 5.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C., Providence, R.I., or Boston, Mass.

No. MC 139482 (Sub-No. 5), filed December 2, 1974. Applicant: NEW ULM FREIGHT LINES, INC., County Road No. 29 West, New Ulm, Minn. 56073. Applicant's representative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, Minn. 55403. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Equipment, materials, and supplies* used in the manufacture, assembly, equipping, outfitting, and furnishing of mobile and modular homes, between the warehouse facilities of Distribution Center, Inc., or New Ulm Terminal Warehouse Company located at or near New Ulm, Minn., Spencer, Wis., Prairie du Chien, Wis., and Loveland, Colo., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. Applicant holds contract carrier authority in MC 133882 Sub-No. 1, therefore dual operations may also be involved. If a hearing is deemed necessary, applicant requests it be held at New Ulm, Mankato, or Minneapolis-St. Paul, Minn.

No. MC 139902 (Sub No. 4), filed December 26, 1974. Applicant: MOWRY TRUCKING, INC., Box 125, Cambridge, Nebr. 69022. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural equipment, fifth-wheel equipment, motor vehicle accessories, equipment* used in the handling and care of livestock, bleachers, and parts and accessories thereof, from the plantsite and storage facilities of Cambridge Industries, Inc., located at or near Cambridge, Nebr., to points in North Dakota, South Dakota, Minnesota, Illinois, Indiana, Wisconsin, Iowa, Kansas, Colorado, Wyoming, Oregon, Washington, Idaho, Utah, Montana, Texas, Oklahoma, Louisiana, New Mexico, and Ohio; and (2) *equipment, materials, and supplies* used in the manufacture, production and distribution of the commodities described in part (1), from points in North Dakota, South Dakota, Minnesota, Illinois, Indiana, Wisconsin, Iowa, Kansas, Colorado, Wyoming, Oregon, Washington, Idaho, Utah, Montana, Texas, Oklahoma, Louisiana, New Mexico, Ohio, and ports of entry on the International Boundary line between the United States and Canada located in Minnesota, North Dakota, and Montana, to the plantsite and storage facilities of Cambridge Industries, Inc., located at or near Cambridge, Nebr., restricted against the transportation of commodities in bulk and further restricted to a transportation service to be performed under a continuing contract with Cambridge Industries, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Omaha or Lincoln, Nebr.

No. MC 140138 (Sub-No. 2) (Amendment), filed November 5, 1974, published in the FEDERAL REGISTER issue of December 5, 1974, and republished as amended this issue. Applicant: A. W. HURST, doing business as SIERRA RENTAL & TRANSPORT CO., 311 Sutro Street, Reno, Nev. 89502. Applicant's representative: A. W. Hurst same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gravel, rock, road mix, cinders, stone, decomposed granite, aggregate, paving materials*, in bulk, and *water*, in tank vehicles, between points in Washoe, Pershing, Storey, Carson City, Douglas, Lyon, Mineral, and Esmeralda Counties, Nev., and Inyo, Mono, Alpine, El Dorado, Sierra, Placer, Nevada, Plumas, Lassen, and Modoc Counties, Calif.

NOTE.—The purpose of this republication is to correct the territorial description. If a hearing is deemed necessary, the applicant requests it be held at either Carson City or Reno, Nev.

No. MC 140179 (Sub-No. 1), filed November 12, 1964. Applicant: NRG HAULING, INC., Sacramento, Ky. 42372. Applicant's representative: Fred F. Bradley, P.O. Box 773, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal, sand, gravel, limestone, and fluorspar*, in bulk, in dump vehicles, (1) between points in Ballard, Breckinridge, Butler, Caldwell, Calloway, Carlisle, Christian, Crittenden, Daviess, Edmonson, Fulton, Graves, Grayson, Hancock, Henderson, Hichman, Hopkins, Livingston, Logan, Lyon, Marshall, McCracken, McLean, Meade, Muhlenberg, Ohio, Todd, Trigg, Union, and Webster Counties, Ky.; and (2) between the points in (1) above, on the one hand, and, on the other, points in Kentucky.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Louisville or Frankfort, Ky., or Nashville, Tenn.

No. MC 140334 (Sub-No. 1), filed November 18, 1974. Applicant: AM-CAN TRANSPORT SERVICE, INC., P.O. Box 859, Anderson, S.C. 29621. Applicant's representative: David R. Parker, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Materials, supplies and equipment* used in the manufacture, production, and distribution of tires, and *tires* (except commodities in bulk, in tank vehicles); (A) From the ports of entry on the International boundary line between the United States and Canada in Maine, to Boston, Mass., Baltimore, Md., Lake Success, N.Y., and points in Anderson and Greenville Counties, S.C.; and (B) From points in Anderson and Greenville Counties, S.C., to the ports of entry on the International Boundary line between the United States and Canada in Maine, and Boston, Mass., Lake Success, N.Y., and Baltimore, Md., under a continuing contract or contracts with Michelin Tire Corporation, and further restricted to traffic either originating at or destined to the facilities of Michelin Tire Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 140413 (Sub-No. 2), filed Dec. 9, 1974. Applicant: JOE L. RABUN, doing business as RABUN TRUCKING, Route 2, Stapleton, Ga. 30823. Applicant's representative: Archie B. Culbreth, Suite 246, 1252 W. Peachtree St. NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural lime*, in bulk, from points in Blount, Jefferson and Knox Counties, Tenn., to points in Georgia and South Carolina.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 140432, filed November 25, 1974. Applicant: CHIPPEWA TRANSPORTATION, INC., 4250 Broadway, Denver, Colo. 80216. Applicant's representative: Douglas John Traeger, Suite 450, 1515 Cleveland Place, Denver, Colo. 80202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building materials*, as defined in Appendix VI to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, and *plate glass and mirrors*, and (2) *plastic film and cellulose*, on rolles, (a) between points in California and Texas on the one hand, and, on the other, points in the Denver, Colo. Commercial Zone; (b) between points in Cook County, Ill., on the one hand, and, on the other, points in the Denver, Colo., Commercial Zone, restricted in (b) above, to traffic destined to construction job sites (except traffic destined to points in the Denver, Colo., Commercial Zone); (c) from points in California, Texas; Lane and Multnomah Counties, Oreg.; King and Spokane Counties, Wash.; Winnebago County, Wis.; Saranac, Grand Rapids, Detroit, Roseville, Holland, Walled Lake, West Branch, Troy, and Quincy, Mich.; Florence and Mobile, Ala.; Norcross, Ga.; Mt. Zion, Ill.; Niles, Mount Vernon, and Ashville, Ohio; Reading, Lancaster, and Carlisle, Pa.; Bellevue, Ky.; Frederickburg, Va.; Huntington, Ind.; Henryetta, Okla.; St. Louis and St. Joseph, Mo.; New Haven and Berlin, Conn.; South Pittsburg, Tenn.; Everett and Seattle, Wash.; and Taylorsville, Miss., and points in their respective commercial zones, to points in Arkansas, Arizona, California, Colorado, Idaho, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, New Mexico, Nevada, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming, restricted to traffic destined to construction job sites; (d) from points in the Denver, Colo., Commercial Zone, to points in the destination territory described in (c) above; and (e) from points in the Denver, Colo., Commercial Zone, to East St. Louis, Ill.; Dyersberg and Memphis, Tenn.; Phoenix and Tucson, Ariz., and Salt Lake City, Utah, and points in their respective commercial zones, under a continuing contract or contracts with Ray Carson Company, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 140456 (Sub-No. 1), filed December 9, 1974. Applicant: MERRIMACK TRANSPORT, INC., Star Industrial Court, Merrimack, N.H. 03054. Applicant's representative: Francis P. Barrett, 60 Adams Street, P.O. Box 238, Milton (Boston), Mass. 02187. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Empty beverage containers, lids, covers, and ends*, from Lawrence, Mass., to Merrimack, N.H., under contract with Crown Cork & Seal Company, Inc.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Concord, N.H.

No. MC 140466, filed November 29, 1974. Applicant: W. H. McCANN, M. B. ETHRIDGE, AND MRS. R. E. PRINCE, doing business as PRINCE TRUCK LINE, P.O. Box 65, Shuqualak, Miss. 39361. Applicant's representative: Thomas F. Kilroy, P.O. Box 624, Springfield, Va. 22150. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, lumber products, building materials, poles, piling, timbers, and cross ties*, from points in Alabama, Louisiana, and Mississippi, to points in Iowa, Missouri, Minnesota, Arkansas, and points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the International Boundary line between the United States and Canada.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Jackson, Miss.

APPLICATIONS OF PASSENGER(S)

No. MC 140365, filed October 30, 1974. Applicant: METROPOLITAN SUD (1967), INC., 118 Boul. Industriel, Longueuil, Quebec, Canada. Applicant's representative: Jean Guy Audette, 660 Rue Robitaille, St-Lambert, Quebec, Canada. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round trip charter operations, beginning and ending at points of entry on the International Boundary line between the United States and Canada located in Vermont and New York, and extending to points in Maine, New Hampshire, Vermont, Rhode Island, Connecticut, New York, Massachusetts, Pennsylvania, New Jersey, Maryland, and the District of Columbia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Augusta, Maine or Plattsburg, N.Y.

BROKER APPLICATION(S)

No. MC 130189 (Sub-No. 1), filed November 4, 1974. Applicant: SHENANDOAH TOURS, INC., doing business as SHENANDOAH TOURS, 2301 Poplar Street, Staunton, Va. 22401. Applicant's representative: Robert E. Everidge (same address as applicant). Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at Lexington, Harrisonburg, and Winchester, Va., to sell or offer to sell transportation of *passengers, individually* or in groups, *and their baggage*, in the same vehicle with passengers, by motor common carrier, in charter and special operations, in all expense sightseeing tours, beginning and ending at Harrisonburg, Winchester, and Lexington, Va., and points in Rockingham, Shenandoah, Page, Clarke, Frederick, Warren, and Rockbridge Counties, Va., and extending to points in the United States, including Alaska, but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Winchester, Va.

No. MC 130272 (Amendment), filed October 21, 1974, published in the FEDERAL REGISTER, issue of November 27, 1974, and republished as amended this issue. Applicant: ANNAMARIE SPADUZZI AND RALPH SPADUZZI, a Partnership, 123 Huntington Avenue, New Haven, Conn. 06512. Applicant's representative: Annamarie Spaduzzi and Ralph Spaduzzi (same address as applicant). Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at East Haven, Conn., to sell or offer to sell the transportation of *Groups of passengers and their baggage*, in round trip sightseeing and pleasure tours, by motor vehicle, beginning and ending at East Haven, Conn., and extending to points in New York, New Jersey, Vermont, Pennsylvania, Massachusetts, Florida, the District of Columbia, and ports of entry on the International Boundary line between the United States and Canada located at the Montreal and Quebec Provincial Boundaries.

NOTE.—The purpose of this republication is to amend applicant's proposed operations. If a hearing is deemed necessary, applicant requests it be held at either East Haven, New Haven, or Hartford, Conn.

No. MC 130282, filed December 5, 1974. Applicant: PER-FLO TRAVEL AGENCY, INC., Box 476, Goldsboro, N.C. 27530. Applicant's representative: Wade H. Hargrove, Box 790, Raleigh, N.C. 27601. Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at Goldsboro, N.C., to sell or offer to sell transportation of *passengers* individually and in groups *and their baggage*, in the same vehicle with passengers by motor vehicle, between points in the United States, including Hawaii and Alaska.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Raleigh, N.C.

No. MC 130283, filed December 4, 1974. Applicant: MID-AMERICA TRAVEL CLUB, INC., 136 North Water, Sparta, Wis. 54656. Applicant's representative: Paul C. Gartzke, 121 West Doty Street,

Madison, Wis. 53703. Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at Sparta, Wis., to sell or offer to sell the transportation of *passengers and their baggage*, by motor common carrier, in round-trip special and charter operations, beginning and ending at points in La Crosse, Monroe, Trempealeau, Jackson, and Eau Claire Counties, Wis., and extending to points in the United States including Alaska but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Madison, Wis., or Minneapolis/St. Paul, Minn.

No. MC 130284, filed December 11, 1974. Applicant: IVAN E. ELWOOD AND JERRY LEE CONANT, a Partnership, 1077 Hamner Avenue, Corona, Calif. 91720. Applicant's representative: Ivan E. Elwood (same address as applicant). Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at Corona, Calif., to sell or offer to sell by motor, rail and water carriers, the transportation of *Nevada desert alluvium, montmorillonite*, a Nevada soil, in bulk, and/or bags, from points in Nevada, to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Corona, San Bernardino, Santa Ana, or Los Angeles, Calif.

By the Commission.

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

[FR Doc.75-1334 Filed 1-15-75;8:45 am]

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PART II

ENVIRONMENTAL PROTECTION AGENCY

■

GLASS MANUFACTURING POINT SOURCE CATEGORY

Effluent Guidelines and Standards

Title 40—Protection of the Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

[FRL 321-1]

PART 426—EFFLUENT LIMITATIONS AND GUIDELINES FOR EXISTING SOURCES AND STANDARDS OF PERFORMANCE AND PRETREATMENT STANDARDS FOR NEW SOURCES FOR THE GLASS CONTAINER MANUFACTURING POINT SOURCE CATEGORY

On August 21, 1974, notice was published in the FEDERAL REGISTER (39 FR 30282), that the Environmental Protection Agency (EPA or Agency) was proposing effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources within the glass container manufacturing, machine pressed and blown glass manufacturing, glass tubing, manufacturing, television picture tube envelope manufacturing, incandescent lamp envelope manufacturing, and hand pressed and blown glass manufacturing subcategories of the glass manufacturing category of point sources.

The purpose of this notice is to establish final effluent limitations and guidelines for existing sources and standards of performance and pretreatment standards for new sources in the glass manufacturing category of point sources by amending 40 CFR Ch. I, Subchapter N, Part 426 by adding thereto the glass container manufacturing subcategory (Subpart H), the machine pressed and blown glass manufacturing subcategory (Subpart I), the glass tubing (Danner) manufacturing subcategory (Subpart J), the television picture tube envelope manufacturing subcategory (Subpart K), the incandescent lamp envelope manufacturing subcategory (Subpart L), and the hand pressed and blown glass manufacturing subcategory (Subpart M). This final rulemaking is promulgated pursuant to sections 301, 304 (b) and (c), 306 (b) and (c), and 307(c) of the Federal Water Pollution Control Act, as amended (the Act) (33 U.S.C. 1251, 1311, 1314 (b) and (c), 1316 (b) and (c) and 1317(c)); 86 Stat. 816 et seq.; Pub. L. 92-500. A regulation regarding cooling water intake structures for all categories of point sources under section 316(b) of the Act will be promulgated in 40 CFR Part 402.

In addition, the EPA is simultaneously proposing a separate provision which appears in the proposed rules section of the FEDERAL REGISTER, stating the application of the limitations and standards set forth below to users of publicly owned treatment works which are subject to pretreatment standards under section 307(b) of the Act. The basis of that proposed regulation is set forth in the associated notice of proposed rulemaking.

The legal basis, methodology, and factual conclusions which support promulgation of this regulation were set forth in substantial detail in the notice of public review procedures published August 6, 1973 (38 FR 21202) and in the notice of proposed rulemaking for the glass container manufacturing, machine pressed and blown glass manufacturing, glass tubing manufacturing, television picture tube envelope manufacturing, incandescent lamp envelope manufacturing, and hand pressed and blown glass manufacturing subcategories. In addition, the regulation as proposed was supported by two other documents: (1) The document entitled "Development Document for Proposed Effluent Limitations Guidelines and New Source Performance Standards for the PRESSED AND BLOWN GLASS Segment of the Glass Manufacturing Point Source Category" (August, 1974) and (2) the document entitled "Economic Analysis of Proposed Effluent Limitations for Selected Pressed and Blown Glass Industry Sectors" (August, 1974). Both of these documents were made available to the public and circulated to interested persons shortly after the time of publication of the notice of proposed rulemaking.

Interested persons were invited to participate in the rulemaking by submitting written comments within 30 days from the date of publication. Prior public participation in the form of solicited comments and responses from the States, Federal agencies, and other interested parties were described in the preamble to the proposed regulation. The EPA has considered carefully all of the comments received and a discussion of these comments with the Agency's response thereto follows.

(a) *Summary of comments.* The following responded to the request for comments which was made in the preamble to the proposed regulation: Glass Container Manufacturers Institute, Owens-Illinois, General Electric Company, Corning Glass Works, and United States Department of Commerce.

Each of the comments received was carefully reviewed and analyzed. The following is a summary of the significant comments and EPA's response to those comments.

(1) The comment was made that individual plants in the various subcategories may have auxiliary operations such as corrugating, plating, and various forms of decorating, which could significantly affect waste water discharges.

Effluent limitations guidelines for the pressed and blown glass segment are not applicable to wastes derived from such auxiliary operations. Many of these auxiliary waste water streams are the subject of other studies and effluent limitations guidelines have been or will be promulgated with regard to these operations. The issuance of a discharge permit for an entire plant facility would involve a determination of what constitutes BPCTCA and BATEA with regard to auxiliary streams such as boiler blowdowns, non-contact cooling waters, electroplating waste waters, corrugating waste waters, and those instances where decorating requires waste water discharge.

(2) The comment was made that the standard method of oil analysis as defined in the proposed regulation will not distinguish between biodegradable, compatible pollutants (animal and vegetable oils) and nonbiodegradable, incompatible pollutants (mineral oils). Also, the standard method of hexane extraction is in disagreement with 38 FR 28759 which requires freon extraction as the method of oil analysis.

The existing information with regard to the treatability of animal and vegetable oils has been reviewed. It has been determined that animal and vegetable oils can be adequately removed in publicly owned treatment works, whereas mineral oil may not be readily removed and may pass through untreated. Therefore, with regard to pretreatment, it is appropriate that separate regulations be established for these categories of oils. The regulation has been modified to reflect this evaluation.

Also, the Agency has redefined oil for this regulation to reflect the latest technique or techniques of oil analysis described in the most recent addition of Standard Methods.

(3) One commenter stated that based on their experience with recirculation of cullet quench water, a blowdown of the equivalent of 50 gallons/ton is necessary for control of dissolved solids rather than the 18.5 gallons/ton used in the development of BATEA guidelines for the glass container manufacturing subcategory.

During the sampling program initiated by the Agency, the maximum level of dissolved solids in the above mentioned recirculation system was 277 mg/1. A similar recirculation system employed at another plant maintained levels of 1700 mg/1 of dissolved solids. The calculation of guidelines is based upon this demonstrated level of 1700 mg/1, which is considered to be very conservative. Based on this 1700 mg/1, the commenter's system could be recirculated with a blowdown of approximately one-sixth the present level or 8.4 gallons/ton, or less than that used in the guidelines calculation. Therefore, the Agency feels that the 18.5 gallons/ton blowdown is a conservative and valid value.

(4) The comment was made that the reduction to 5 mg/1 of oil and suspended solids which is stated to be achievable using the technique of diatomaceous earth filtration is not as yet demonstrated in the pressed and blown glass segment. Based on 10 days of sampling using a diatomaceous earth filter at full-scale operating conditions, values of 7.1 mg/1 for suspended solids and 8.6 mg/1 for oil were observed.

The data supplied by the commenter in actuality averaged 7.63, not 8.6 mg/1 for oil. However, based upon data pertaining to the application of diatomaceous earth filtration to waste waters generated in the pressed and blown glass industry segment, it is apparent that effluent levels on the order of 5-10 mg/1 of suspended solids and oil are attainable. The BATEA and new source performance standards have been modified to reflect the current experience of this industry segment with diatomaceous earth filtration.

(5) Based on data acquired at one of the commenter's plants, the commenter

feels that BATEA effluent limitations guidelines may not, in some instances, be met by treatment methods recommended for BATEA.

The Agency does not feel that the system currently employed at this facility constitutes BATEA. This plant employs a cullet quench recirculation system, but as discussed in a previous comment does not recycle to the extent possible. The plant also does not employ dissolved air flotation to treat the blowdown from the recirculation system, but relies only on the use of diatomaceous earth filtration. It is felt that with alterations, this plant could in fact achieve the promulgated BATEA effluent limitations guidelines.

(6) The comment was made that the costs presented in the Development Document with regard to the glass container manufacturing subcategory do not take into account such factors as age of facility, production halts, the costs of segregation of the cullet quench waste water stream, size of facility, and manpower for installation. One plant has experienced capital costs of $616,048 and annual operating expenses of $82,132 as opposed to the $312,000 and $66,900 presented for the model plant in the Development Document for BATEA.

The production capacity of the plant used by the commenter for illustrative purposes is approximately 1400 tons per day and is a very old plant. The model plant presents cost estimates in August, 1971-dollars for a facility with a capacity of 500 tons per day. Following the sizing and scaling procedures presented in the Development Document, the model plant would indicate a capital cost of $679,000 for a 1400 tons per day facility. In addition, the Agency also utilized an alternate costing procedure for a new model plant of 1400 tons per day capacity. The result yielded capital costs of $645,000 and annual operating costs of $124,200. Both of these estimates approximate the costs suggested by the commenter; as a result, these estimates clearly substantiate both the methodology and the conclusions developed by the Agency on this issue. It is therefore, felt that the cost estimates presented in the Development Document properly reflect the age, size, manpower, and production considerations which the commenter felt to be lacking. It was also learned that the treatment system utilized by the commenter's illustrative plant was installed over the course of three years with little or no halt in production. Therefore, based on the commenter's experience, no major difficulties in loss of production are anticipated should this system be installed to attain BATEA effluent limitations guidelines by 1983.

(7) A commenter stated that while new source performance standards (NSPS) are based on BATEA, this technology is not currently demonstrated in the glass container manufacturing subcategory.

BATEA and NSPS are based on a dissolved air flotation system to treat the blowdown from a cullet quench recirculation system. An oil adsorptive diatomaceous earth filtration polishing step is specified to further treat the effluent discharge stream. Cullet quench recirculation is employed by many plants in the glass container manufacturing subcategory and is therefore currently demonstrated. Dissolved air flotation and diatomaceous earth filtration techniques are demonstrated by industrial and water treatment applications and to a limited extent in the pressed and blown glass segment. Sufficient data exists on the operation of dissolved air flotation units and diatomaceous earth filters to predict that such a system can routinely achieve both the BATEA and NSPS effluent limitations guidelines.

(8) One commenter stated that the water usages established for the model plant in the machine pressed and blown glass subcategory are not in agreement with usages experienced by the commenter. Another commenter recommended that a separate subcategory be established with regard to tableware as opposed to pressed ware.

Based on the information at hand, the characterization of the machine pressed and blown glass subcategory is correct. However, considerable additional data has been received and more is now being compiled with regard to this subcategory. The Agency will reanalyze all data for this subcategory in light of this new information and postpone promulgation of the regulations for this subcategory.

(9) One commenter stated that continuous quenching is required in the manufacture of tubing suitable for the making of scientific glassware to ensure quality control; therefore, he concludes that a resubcategorization of the glass tubing manufacturing subcategory is necessary to take these process variations into account.

No corroboration can be obtained at this time with regard to the necessity of continuous quenching in the manufacture of tubing suitable for scientific glassware. A second large producer of this product has indicated the use of intermittent quenching. It has been indicated by the commenter that the processes employed the majority of the time at its tubing facility are the Vello and Updraw methods. It has also been learned that an alternate process, the Danner process, does not require continuous quenching and is employed at plants which quench intermittently. The glass tubing subcategory has been redefined as the glass tubing (Danner) manufacturing subcategory and further study is being accomplished with regard to this industry to determine if further subcategorization is necessary. Accordingly, plants not using the Danner process are not now affected by the regulation promulgated herein. If it is found that further subcategorization is warranted, a proposed amendment to this regulation will be published in the FEDERAL REGISTER.

It has also been determined that no shear spray oil is used in the manufacture of glass tubing. Oil which appeared in prior analyses is apparently lubricating oil leakage into the non-contact cooling water stream. Therefore, oil has been eliminated as a parameter from the glass tubing process waste water limitations.

(10) One commenter suggested that while the Agency is recommending certain treatment technologies, alternative technologies are available which are capable of achieving effluent limitations guidelines.

The Agency is not requiring or recommending that any particular technologies be employed. Should a discharger determine that any treatment technology is the optimum for his operating process and capable of attaining the effluent limitations, it would not be in conflict with the Agency's intent for this alternative technology to be utilized.

(11) One commenter felt that the problem of disposal of lime precipitates was inadequately addressed in the Development Document.

The technology of lime precipitation for fluoride removal is currently practiced by all plants in the incandescent lamp envelope manufacturing and the television picture tube envelope manufacturing subcategories, and they are currently disposing of the resultant sludge. No serious problems have been indicated and no data has been provided to lead the Agency to suspect the occurrence of any serious difficulties with regard to sludge disposal.

(12) One commenter felt that the definition of "product frosted" is misleading as it implies that only that amount of glass which is etched is considered rather than that fraction associated with the "furnace pull" which is etched.

The Agency recognizes the need for further clarification of what is meant by "product frosted" and has redefined the term to clarif its definition in the regulation.

(13) One commenter felt that age is a factor with regard to the incandescent lamp envelope manufacturing subcategory in that older plants experience restrictions due to design and lay-out, structural strength, and usable space.

The data which form the basis of the effluent limitations guidelines were primarily derived from the commenter's oldest plant, because that is where the most reliable and available data was obtained. Therefore, the data, guidelines, and cost of treatment reflect that of an old plant, of an age characteristic of a major portion of this subcategory. Therefore, it is felt that age has been taken into consideration.

(14) The comment was made that the proposed BPCTCA limitations for fluoride removal for the incandescent lamp envelope manufacturing subcategory do not reflect the levels of treatment currently demonstrated by plants in this subcategory.

Further investigation and analyses have been accomplished with regard to this subcategory. It has been determined that the presence of the ammonium ion in the frosting waste water creates an apparent interference by inhibiting solids settling. It is expected that further research into the use of coagulant aids,

such as polyelectrolytes, would enable reductions of the present levels of fluoride and suspended solids discharged. It is recognized that this will require further investigation on the part of industry. BPCTCA effluent limitations guidelines are now based upon current operating levels.

(15) The comment was made that the attainment of the proposed BPCTCA limitations for ammonia in the incandescent lamp envelope manufacturing subcategory is not presently demonstrated in this subcategory. The steam stripping of ammonia presents serious problems with regard to potential air pollution, energy consumption, and scaling in the column.

The steam stripping of ammonia has been demonstrated in many other industry segments, but has not been demonstrated in this industry segment. The presence of calcium in the waste waters resulting from fluoride treatment could cause scaling problems during ammonia stripping if proper design and preventative measures are not taken into consideration. The application of steam stripping requires further development by plants in the incandescent lamp envelope subcategory to be able to apply the most effective method of ammonia removal. Since these methods require further development prior to implementation by this industry segment, the ammonia limitations are not required for 1977 (BPCTCA).

(16) The comment was made that activated alumina, although effective to the extent called for by the limitations, would reflect costs which are prohibitive and therefore is not justified as best available technology economically achievable.

The Agency is in agreement in light of further information received with regard to toxicity levels of fluoride. Research done at the Colorado School of Mines Research Institute indicates that fluoride in the presence of excess calcium is of much less environmental significance that fluoride in the absence of calcium. It is recognized that the discharge of fluoride in concentrations of tens of milligrams per liter may cause water quality problems in a few specific locations. However, these specific problems will be controlled by water quality regulations and should not constitute the basis for a national limitation. Promulgated BATEA limitations are based on sand filtration.

(17) The comment was made that while the model plant employed in the economic impact analysis as representative of the incandescent lamp envelope manufacturing subcategory had a dollar sales of $30,000,000 annually, it is the experience of the commenter that his company's largest plant has sales slightly in excess of $7,000,000. Therefore, a question was raised as to the validity of the economic impact analysis for this subcategory.

The Agency believes that the economic impact analysis is valid in spite of the fact that the model plant used in the analysis is larger than the commenter's plants. Since the annual costs of pollution control are small (approximately 1.8 percent of total annual sales) it is expected that firms within the industry should be able to pass on the costs of pollution control through price increases. Incandescent lamp envelopes are an intermediate step in the manufacture of incandescent lamps, and constitute a very small portion of the total cost of the final product. Hence, it is believed that even a higher relative cost of pollution control (as might occur in the case of small plants) could be easily passed on in higher prices.

(18) The comment was made with regard to the television picture tube envelope manufacturing subcategory, that control technologies are applied only to the abrasive and acid polishing waste waters, but that effluent limitations apply to the total discharge stream. The proposed limitations assume that cullet quench water contains no fluoride or lead. By material balance it has been determined that fluoride is present in concentrations on the order of one to two mg/l. By actual analyses, lead in concentrations on the order of 0.22 mg/l was indicated to occur.

There is no contact of floride with the cullet quench waste water stream. The indication of fluoride content in this stream could be due to many factors such as leakage, error in the sample analyses, the presence of significant fluoride concentration in the influent cullet quench water stream, or evaporative losses which would tend to concentrate fluoride levels at the plant outfall. However, there is insufficient data available at this time to establish the level of lead or fluoride existent in the cullet quench discharge stream. Other than by practicing good housekeeping procedures, the probable low levels of both pollutants in this stream would render treatment impractical. It has therefore been specified in the promulgated regulations that the fluoride and lead limitations apply only to the abrasive and acid polishing discharge streams.

(19) The comment was made that because of the anticipated economic impact with regard to the hand pressed and blown glass manufacturing subcategory, an allowance should be made for those plants discharging relatively small volumes of process waste water.

After careful review of the available data with respect to plants within the hand pressed and blown glass manufacturing subcategory, it has been determined that treatment requirements could seriously impact plants within the subcategory. Therefore, no BPCTCA limitations are imposed upon the hand pressed and blown glass manufacturing subcategory. It is felt that the additional time from 1977 until 1983 can be utilized in acquiring the capital necessary to invest in systems which will achieve the pollutant reductions specified by BATEA effluent limitations guidelines, as well as researching means of implementation less costly than these currently available. It is believed that the two factors mentioned above will help to minimize any potential economic impact.

(20) The comment was made that the references to concentrations in the preamble to the proposed regulation could be misinterpreted to mean that concentration limitations are being required for the glass container, glass tubing, television picture tube envelope, and incandescent lamp envelope manufacturing subcategories.

The references to concentration and flow which appeared in the preamble to the proposed regulation were included for illustrative purposes, to enable the reader to obtain an understanding of the relative volume and concentrations of pollutants which may exist at a typical plant. Effluent limitations guidelines appear in the regulation, not in the preamble to the regulation. For the aforementioned subcategories, limitations as are required by effluent limitations guidelines shall be stated in quantitative terms, i.e., unit of weight per unit of time (kg/day) for each pollutant limited.

(b) *Revision of the proposed regulations prior to promulgation.* As a result of public comments and continuing review and evaluation of the proposed regulation by EPA, the following changes have been made in the regulation.

(1) The machine pressed and blown glass manufacturing subcategory is the subject of further study and is not promulgated as a subpart to this regulation. Sections 426.90, 426.91, 426.92, 426.93, 426.94, 426.95, and 426.96 have been reserved and a proposed amendment to this regulation will be published in the FEDERAL REGISTER at a later date.

(2) The proposed glass tubing manufacturing subcategory has been redefined as the glass tubing (Danner) manufacturing subcategory with the appropriate description of applicability discussed in § 426.100.

(3) Oil has been omitted as a parameter with regard to the process waste waters resulting from the glass tubing (Danner) manufacturing subcategory.

(4) Sections 426.81, 426.111, and 426.121 have been modified to reflect a definition of oil based on recognized standard methods of analysis. Pretreatment regulations have been modified to reflect the differences between animal and vegetable and mineral oils.

(5) The bases for the determination of BATEA effluent limitations guidelines and new source performance standards earth filtration have been modified to reflect current operating levels experienced in this industry segment.

(6) The definition of "product frosted" has been redefined in § 426.121 to clarify its definition.

(7) BPCTCA effluent limitations guidelines for the incandescent lamp envelope manufacturing subcategory have been modified and are now based upon current operating levels experienced in the industry.

(8) BATEA effluent limitations guidelines with regard to fluoride removal have been modified as the result of a determination that activated alumina filtration is not cost effective. Promulgated BATEA limitations are based on sand filtration.

(9) Sections 426.112, 426.113, and 426.115 have been clarified to explain that fluoride and lead limitations apply only to the abrasive and acid polishing discharge streams.

(10) BPCTCA effluent limitations guidelines have been modified to the extent that no limitations are specified for those plants in the hand pressed and blown glass manufacturing subcategory.

(c) *Economic impact.* The resultant changes with respect to the regulation will have no significant affect on the conclusions of the economic analysis prepared for the proposed regulation, with the exception that the projected impact in the hand pressed and blown glass manufacturing subcategory has been minimized in that BPCTCA limitations are no longer specified for the hand pressed and blown glass manufacturing subcategory.

(d) *Cost-benefit analysis.* The detrimental effects of the constituents of waste waters now discharged by point sources within the pressed and blown glass segment of the glass manufacturing point source category are discussed in Section VI of the report entitled "Development Document for Effluent Limitations Guidelines for the PRESSED AND BLOWN GLASS Manufacturing Segment of the Glass Manufacturing Point Source Category" (November, 1974). It is not feasible to quantify in economic terms, particularly on a national basis, the costs resulting from the discharge of these pollutants to our Nation's waterways. Nevertheless, as indicated in Section VI, the pollutants discharged have substantial and damaging impacts on the quality of water and therefore on its capacity to support healthy populations of wildlife, fish and other aquatic wildlife, and on its suitability for industrial, recreational and drinking water supply uses.

The total cost of implementing the effluent limitations guidelines includes the direct capital and operating costs of the pollution control technology employed to achieve compliance and the indirect economic and environmental costs identified in Section VIII and in the supplementary report entitled "Economic Analysis of Proposed Effluent Limitations for Selected Pressed and Blown Glass Industry Sectors" (August, 1974). Implementing the effluent limitations guidelines will substantially reduce the environmental harm which would otherwise be attributable to the continued discharge of polluted waste waters from existing and newly constructed plants in the glass industry. The Agency believes that the benefits of thus reducing the pollutants discharged justify the associated costs which, though substantial in absolute terms, represent a relatively small percentage of the total capital investment in the industry.

(e) Publication of information on processes, procedures, or operating methods which result in the elimination or reduction of the discharge of pollutants.

In conformance with the requirements of Section 304(c) of the Act, a manual entitled, "Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the PRESSED AND BLOWN GLASS Segment of the Glass Manufacturing Point Source Category", will be published and will be available for purchase from the Government Printing Office, Washington, D.C. 20402 for a nominal fee.

Copies of the economic analysis document previously cited will be available from the National Technical Information Service, Springfield, Virginia 22151.

(f) *Final rulemaking.* In consideration of the foregoing, 40 CFR Ch. I, Subchapter N, Part 426, is hereby amended by adding additional Subparts H, I, J, K, L, and M to read as set forth below. This regulation is being promulgated pursuant to an order of the Federal District Court for the District of Columbia entered in Natural Resources Defense Council, Inc. v. Train (Cv. No. 1609-73). That order requires that effluent limitations requiring the application of best practicable control technology currently available for this industry be effective upon publication. Accordingly, good cause is found for the final regulation promulgated below establishing best practicable control technology currently available for each subpart to be effective on January 16, 1975.

The final regulation promulgated below establishing the best available technology economically achievable, the standards of performance for new sources and the new source pretreatment standards shall become effective on February 18, 1975.

Dated: January 7, 1975.

RUSSELL E. TRAIN,
Administrator.

Subpart H—Glass Container Manufacturing Subcategory

Sec.

Subpart I—Machine Pressed and Blown Glass Manufacturing Subcategory

Subpart J—Glass Tubing (Danner) Manufacturing Subcategory

Sec.

Subpart K—Television Picture Tube Envelope Manufacturing Subcategory

Subpart L—Incandescent Lamp Envelope Manufacturing Subcategory

Subpart M—Hand Pressed and Blown Glass Maufacturing Subcategory

AUTHORITY: Secs. 301, 304 (b) and (c), 306 (b) and (c), 307(c), Federal Water Pollution Control Act, as amended (the Act); (33 U.S.C. 1251, 1311, 1314 (b) and (c), 1316 (b) and (c), 1317(c)); 86 Stat. 816 et seq.; Pub. L. 92-500.

Subpart H—Glass Container Manufacturing Subcategory

§ 426.80 Applicability; description of the glass container manufacturing subcategory.

The provisions of this subpart are applicable to discharges resulting from the process by which raw materials are melted in a furnace and mechanically processed into glass containers.

§ 426.81 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

(b) The term "furnace pull" shall mean that amount of glass drawn from the glass furnace or furnaces.

(c) The term "oil" shall mean those components of a waste water amenable to measurement by the technique or techniques described in the most recent addition of "Standard Methods" for the analysis of grease in polluted waters, waste waters, and effluents, such as "Standard Methods," 13th Edition, 2nd Printing, page 407.

§ 426.82 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) g/kkg of furnace pull		
Oil	60.0	30.0
TSS	140.0	70.0
pH	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of furnace pull		
Oil	0.06	0.03
TSS	0.14	0.07
pH	Within the range 6.0 to 9.0.	

§ 426.83 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) g/kkg of furnace pull		
Oil	1.6	0.8
TSS	1.6	0.8
pH	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of furnace pull		
Oil	0.0016	0.0008
TSS	0.0016	0.0008
pH	Within the range 6.0 to 9.0.	

§ 426.84 [Reserved]

§ 426.85 Standards of performance for new sources.

The following standards of performance establish the quanity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) g/kkg of furnace pull		
Oil	1.6	0.8
TSS	1.6	0.8
pH	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of furnace pull		
Oil	0.0016	0.0008
TSS	0.0016	0.0008
pH	Within the range 6.0 to 9.0.	

§ 426.86 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a new source within the glass container manufacturing subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in Part 128 of this chapter, for existing sources (and which would be a new point source subject to Section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in Part 128 of this chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132, and 128.133 of this chapter shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart. Because of the recognition that animal and vegetable oils can be adequately removed in a publicly owned treatment works, whereas mineral oil may not be readily removed and may pass through untreated, two separate limitations are established.

Pollutant or Pollutant Property	Pretreatment Standards: Maximum for any one day	Pretreatment Standards: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) g/kkg of furnace pull		
Oil (animal & vegetable)	No limitation	
Oil (mineral)	60.0	30.0
TSS	No limitation	
pH	No limitation	
(English units) lb/1000 lb of furnace pull		
Oil (animal & vegetable)	No limitation	
Oil (mineral)	0.06	0.03
TSS	No limitation	
pH	No limitation	

Subpart I—Machine Pressed and Blown Glass Manufacturing Subcategory

§§ 426.90–426.96 [Reserved]

Subpart J—Glass Tubing (Danner) Manufacturing Subcategory

§ 426.100 Applicability; description of the glass tubing (Danner) manufacturing subcategory.

The provisions of this subpart are applicable to discharges resulting from the process by which raw materials are melted in a furnace and glass tubing mechanically drawn from the furnace horizontally by means of the Danner process, which requires the intermittent quenching of cullet.

§ 426.101 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

(b) The term "furnace pull" shall mean that amount of glass drawn from the glass furnace or furnaces.

(c) The term "cullet" shall mean any excess glass generated in the manufacturing process.

§ 426.102 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can effect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) g/kkg of furnace pull		
TSS	460.0	230.0
pH	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of furnace pull		
TSS	0.46	0.23
pH	Within the range 6.0 to 9.0.	

§ 426.103 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) g/kkg of furnace pull		
TSS	0.4	0.2
pH	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of furnace pull		
TSS	0.0004	0.0002
pH	Within the range 6.0 to 9.0.	

§ 426.104 [Reserved]

§ 426.105 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) g/kkg of furnace pull		
TSS	0.4	0.2
pH	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of furnace pull		
TSS	0.0004	0.0002
pH	Within the range 6.0 to 9.0.	

§ 426.106 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a new source within the glass tubing (Danner) manufacturing subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in Part 128 of this chapter, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in Part 128 of this chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132, and 128.133 of this chapter shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart.

Pollutant or pollutant property	*Pretreatment standards*
pH	No limitation.
TSS	Do

Subpart K—Television Picture Tube Envelope Manufacturing Subcategory

§ 426.110 Applicability; description of the television picture tube envelope manufacturing subcategory.

The provisions of this subpart are applicable to discharges resulting from the process by which raw materials are melted in a furnace and processed into television picture tube envelopes.

§ 426.111 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

(b) The term "furnace pull" shall mean that amount of glass drawn from the glass furnace or furnaces.

(c) The term "oil" shall mean those components of a waste water amenable to measurement by the technique or techniques described in the most recent addition of "Standard Methods" for the

analysis of grease in polluted waters, waste waters, and effluents, such as "Standard Methods," 13th Edition, 2nd Printing, page 407.

§ 426.112 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available (The fluoride and lead limitations are applicable to the abrasive polishing and acid polishing waste water streams while the TSS, oil, and pH limitations are applicable to the entire process waste water stream):

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) g/kkg of furnace pull		
Oil	260.0	130.0
TSS	300.0	150.0
Fluoride	140.0	70.0
Lead	9.0	4.5
pH	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of furnace pull		
Oil	0.26	0.13
TSS	0.30	0.15
Fluoride	0.14	0.07
Lead	0.009	0.0045
pH	Within the range 6.0 to 9.0.	

§ 426.113 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable (The fluoride and lead limitations are applicable to the abrasive polishing and acid polishing waste water streams while the TSS, oil, and pH limitations are applicable to the entire process waste water stream):

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) g/kkg of furnace pull		
Oil	260.0	130.0
TSS	260.0	130.0
Fluoride	120.0	60.0
Lead	0.9	0.45
pH	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of furnace pull		
Oil	0.26	0.13
TSS	0.26	0.13
Fluoride	0.12	*0.06
Lead	0.0009	0.00045
pH	Within the range 6.0 to 9.0.	

§ 426.114 [Reserved]

§ 426.115 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart (The fluoride and lead limitations are applicable to the abrasive polishing and acid polishing waste water streams while the TSS, oil, and pH limitations are applicable to the entire process waste water stream):

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily value for thirty consecutive days shall not exceed—
(Metric units) g/kkg of furnace pull		
Oil	260.0	130.0
TSS	260.0	130.0
Fluoride	120.0	60.0
Lead	0.9	0.45
pH	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of furnace pull		
Oil	0.26	0.13
TSS	0.26	0.13
Fluoride	0.12	0.06
Lead	0.0009	0.00045
pH	Within the range 6.0 to 9.0.	

§ 426.116 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a new source within the television picture tube envelope manufacturing subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in Part 128 of this chapter, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in Part 128 of this chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132, and 128.133 of this chapter shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart. Because of the recognition that animal and vegetable oils can be adequately removed in a publicly owned treatment works, whereas mineral oil may not be readily removed and may pass through untreated, two separate limitations are established.

Pollutant or Pollutant Property	Pretreatment Standards: Maximum for any one day	Pretreatment Standards: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) g/kkg of furnace pull		
Oil (animal & vegetable).	No limitation	
Oil (mineral)	260.0	130.0
TSS	No limitation	
Fluoride	120.0	60.0
Lead	No limitation	
pH	No limitation	
(English units) lb/1000 lb of furnace pull		
Oil (animal & vegetable).	No limitation	
Oil	0.26	0.13
TSS	No limitation	
Fluoride	0.12	0.06
Lead	No limitation	
pH	No limitation	

Subpart L—Incandescent Lamp Envelope Manufacturing Subcategory

§ 426.120 Applicability; description of the incandescent lamp envelope manufacturing subcategory.

The provisions of this subpart are applicable to discharges resulting from the processes by which (a) raw materials are melted in a furnace and mechanically processed into incandescent lamp envelopes or (b) incandescent lamp envelopes are etched with hydrofluoric acid to produce frosted envelopes.

§ 426.121 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

(b) The term "furnace pull" shall mean that amount of glass drawn from the glass furnace or furnaces.

(c) The term "oil" shall mean those components of a waste water amenable to measurement by the technique or techniques described in the most recent addition of "Standard Methods" for the analysis of grease in polluted waters, waste waters, and effluents, such as "Standard Methods," 13th Edition, 2nd Printing, page 407.

(d) The term "product frosted" shall mean that portion of the "furnace pull" associated with the fraction of finished incandescent lamp envelopes which is frosted; this quantity shall be calculated by multiplying "furnace pull" by the fraction of finished incandescent lamp envelopes which is frosted.

§ 426.122 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) Any manufacturing plant which produces incandescent lamp envelopes shall meet the following limitations with regard to the forming operations.

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) g/kkg of furnace pull		
Oil	230.0	115.0
TSS	230.0	115.0
pH	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of furnace pull		
Oil	0.23	0.115
TSS	0.23	0.115
pH	Within the range 6.0 to 9.0.	

(b) Any manufacturing plant which frosts incandescent lamp envelopes shall meet the following limitations with regard to the finishing operations.

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) g/kkg of product frosted		
Fluoride	230.0	115.0
Ammonia	No limitation	
TSS	460.0	230.0
pH	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of product frosted		
Fluoride	0.23	0.115
Ammonia	No limitation	
TSS	0.46	0.23
pH	Within the range 6.0 to 9.0.	

§ 426.123 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

(a) Any manufacturing plant which produces incandescent lamp envelopes shall meet the following limitations with regard to the forming operation.

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) g/kkg of furnace pull		
Oil	90.0	45.0
TSS	90.0	45.0
pH	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of furnace pull		
Oil	0.09	0.045
TSS	0.09	0.045
pH	Within the range 6.0 to 9.0.	

(b) Any manufacturing plant which frosts incandescent lamp envelopes shall meet the following limitations with regard to the finishing operations.

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily value for thirty consecutive days shall not exceed—
(Metric units) g/kkg of product frosted		
Fluoride	104.0	52.0
Ammonia	240.0	120.0
TSS	80.0	40.0
pH	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of product frosted		
Fluoride	0.104	0.052
Ammonia	0.24	0.12
TSS	0.08	0.04
pH	Within the range 6.0 to 9.0.	

§ 426.124 [Reserved]

§ 426.125 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

(a) Any manufacturing plant which produces incandescent lamp envelopes shall meet the following limitations with regard to the forming operations.

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) g/kkg of furnace pull		
Oil	90.0	45.0
TSS	90.0	45.0
pH	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of furnace pull		
Oil	0.09	0.045
TSS	0.09	0.045
pH	Within the range 6.0 to 9.0.	

(b) Any manufacturing plant which frosts incandescent lamp envelopes shall meet the following limitations with regard to the finishing operations.

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily value for thirty consecutive days shall not exceed—
(Metric units) g/kkg of product frosted		
Fluoride	104.0	52.0
Ammonia	240.0	120.0
TSS	80.0	40.0
pH	Within the range 6.0 to 9.0.	
(English units) lb/1000 lb of product frosted		
Fluoride	0.104	0.052
Ammonia	0.24	0.12
TSS	0.08	0.04
pH	Within the range 6.0 to 9.0.	

§ 426.126 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a new source within the incandescent lamp envelope manufacturing subcategory including those plants where (a) raw materials are melted in a furnace and mechanically processed into incandescent lamp envelopes or (b) incandescent lamp envelopes are etched with hydrofluoric acid to produce frosted envelopes, which is a user of a publicly owned treatment works, and a major contributing industry as defined in Part 128 of this chapter, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in Part 128 of this chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132, and 128.133 of this chapter shall not apply. The following pretreatment standards establish the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart, including those plants where (c) raw materials are melted in a furnace and mechanically processed into incandescent lamp envelopes or (d) incandescent lamp envelopes are etched with hydrofluoric acid to produce frosted envelopes. Because of the recognition that animal and vegetable oils can be adequately removed in a publicly owned treatment works, whereas mineral oil may not be readily removed and may pass through untreated, two separate limitations are established.

(a)

Pollutant or Pollutant Property	Pretreatment Standards: Maximum for any one day	Pretreatment Standards: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) g/kkg of furnace pull		
Oil (animal & vegetable)	No limitation	
Oil (mineral)	230.0	115.0
TSS	No limitation	
pH	No limitation	
(English units) lb/1000 lb of furnace pull		
Oil (animal & vegetable)	No limitation	
Oil (mineral)	0.23	0.115
TSS	No limitation	
pH	No limitation	
(Metric units) g/kkg of product frosted		
Fluoride	104.0	52.0
Ammonia	No limitation	
TSS	No limitation	
pH	No limitation	
(English units) lb/1000 lb of product frosted		
Fluoride	0.104	0.052
Ammonia	No limitation	
TSS	No limitation	
pH	No limitation	

Subpart M—Hand Pressed and Blown Glass Manufacturing Subcategory

§ 426.130 Applicability; description of the hand pressed and blown glass manufacturing subcategory.

The provisions of this subpart are applicable to discharges resulting from the process by which raw materials are melted in a furnace and processed by hand into pressed or blown glassware. This includes those plants which (a) produce leaded glass and employ hydrofluoric acid finishing techniques, (b) produce non-leaded glass and employ hydrofluoric acid finishing techniques, or (c) produce leaded or non-leaded glass and do not employ hydrofluoric acid finishing techniques.

§ 426.131 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

§ 426.132 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limita-

tions establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) Any plant which melts raw materials, produces hand pressed or blown leaded glassware, employs hydrofluoric acid finishing techniques, and discharges greater than 50 gallons per day of process waste water, shall meet the following limitations.

Effluent characteristic	*Effluent limitations*
Lead	No limitation.
Fluoride	Do.
TSS	Do.
pH	Do.

(b) Any plant which melts raw materials, produces non-leaded hand pressed or blown glassware, discharges greater than 50 gallons per day of process waste water, and employs hydrofluoric acid finishing techniques shall meet the following limitations.

Effluent characteristic	*Effluent limitations*
Fluoride	No limitation.
TSS	Do.
pH	Do.

(c) Any plant which melts raw materials, produces leaded or non-leaded hand pressed or blown glassware, discharges greater than 50 gallons per day of process waste water, and does not employ hydrofluoric acid finishing techniques shall meet the following limitations.

Effluent characteristic	*Effluent limitations*
TSS	No limitation.
pH	Do.

§ 426.133 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

(a) Any plant which melts raw materials, produces hand pressed or blown leaded glassware, discharges greater than 50 gallons per day of process waste water, and employs hydrofluoric acid finishing techniques shall meet the following limitations.

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
	mg/l	
Lead	0.2	0.1
Fluoride	26.0	13.0
TSS	20.0	10.0
pH	Within the range 6.0 to 9.0.	

(b) Any plant which melts raw materials, produces non-leaded hand pressed or blown glassware, discharges greater than 50 gallons per day of process waste water, and employs hydrofluoric acid finishing techniques shall meet the following limitations.

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
	mg/l	
Fluoride	26.0	13.0
TSS	20.0	10.0
pH	Within the range 6.0 to 9.0.	

(c) Any plant which melts raw materials, produces leaded or non-leaded hand pressed or blown glassware, discharges greater than 50 gallons per day of process waste water, and does not employ hydrofluoric acid finishing techniques shall meet the following limitations.

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
	mg/l	
TSS	20.0	10.0
pH	Within the range 6.0 to 9.0.	

§ 426.134 [Reserved].

§ 426.135 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

(a) Any plant which melts raw materials, produces hand pressed or blown leaded glassware, discharges greater than 50 gallons per day of process waste water, and employs hydrofluoric acid finishing techniques shall meet the following limitations.

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
	mg/l	
Lead	0.2	0.1
Fluoride	26.0	13.0
TSS	20.0	10.0
pH	Within the range 6.0 to 9.0.	

(b) Any plant which melts raw materials, produces non-leaded hand pressed or blown glassware, discharges greater than 50 gallons per day of process waste water, and employs hydrofluoric acid finishing techniques shall meet the following limitations.

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
	mg/l	
Fluoride	26.0	13.0
TSS	20.0	10.0
pH	Within the range 6.0 to 9.0.	

(c) Any plant which melts raw materials, produces leaded or non-leaded hand pressed or blown glassware, discharges greater than 50 gallons per day of process waste water, and does not employ hydrofluoric acid finishing techniques shall meet the following limitations.

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
	mg/l	
TSS	20.0	10.0
pH	Within the range 6.0 to 9.0.	

§ 426.136 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a new source within the hand pressed and blown manufacturing subcategory including any plant which melts raw materials and (a) produces hand pressed or blown leaded glassware and employs hydrofluoric acid finishing techniques, (b) produces non-leaded hand pressed or blown glassware and employs hydrofluoric acid finishing techniques, or (c) produces leaded or non-leaded hand pressed or blown glassware and does not employ hydrofluoric acid finishing techniques, which is a user of a publicly owned treatment works and a major contributing industry as defined in Part 128 of this chapter, for existing sources (and which would be a new point source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the same standard as set forth in Part 128 of this chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132, and 128.133 of this chapter shall not apply. The following pretreatment standards establish the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a new point source subject to the provisions of this subpart, including any plant which melts raw materials and (1) produces hand pressed or blown leaded glassware and employs hydrofluoric acid finishing techniques, (2) produces non-leaded

hand pressed or blown glassware and employs hydrofluoric acid finishing techniques, or (3) produces leaded or nonleaded hand pressed or blown glassware and does not employ hydrofluoric acid finishing techniques.

(a)

Pollutant or Pollutant Property	Pretreatment Standards: Maximum for any one day	Pretreatment Standards: Average of daily values for thirty consecutive days shall not exceed—
	mg/l	
Fluoride	26.0	13.0
Lead	No limitation	
TSS	No limitation	
pH	No limitation	

(b)

Pollutant or Pollutant Property	Pretreatment Standards: Maximum for any one day	Pretreatment Standards: Average of daily values for thirty consecutive days shall not exceed—
	mg/l	
Fluoride	26.0	13.0
Lead	No limitation	
TSS	No limitation	
pH	No limitation	

(c)

Pollutant or Pollutant Property	Pretreatment Standards
TSS	No limitation
pH	No limitation

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ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 426]

[FRL 321-2]

GLASS MANUFACTURING POINT SOURCE CATEGORY

Proposed Application of Effluent Limitations Guidelines for Existing Sources

Notice is hereby given pursuant to sections 301, 304, and 307(b) of the Federal Water Pollution Control Act, as amended (the Act); (33 U.S.C. 1251, 1311, 1314, and 1317(b)); 86 Stat. 816 et seq.; Pub. L. 92-500, that the proposed regulation set forth below concerns the application of effluent limitations guidelines for existing sources to pretreatment standards for incompatible pollutants. The proposal will amend 40 CFR Part 426—Glass Manufacturing Point Source Category, establishing for Subparts H through M therein the extent of application of effluent limitations guidelines to existing sources which discharge to publicly owned treatment works. The regulation is intended to be complementary to the general regulation for pretreatment standards set forth at 40 CFR Part 128. The general regulation was proposed July 19, 1973 (38 FR 19236), and published in final form on November 8, 1973 (38 FR 30982).

The proposed regulation is also intended to supplement a final regulation being simultaneously promulgated by the Environmental Protection Agency (EPA or Agency) which provides effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources within the glass container manufacturing, machine pressed and blown glass manufacturing, glass tubing (Danner) manufacturing, television picture tube envelope manufacturing, incandescent lamp envelope manufacturing, and hand pressed and blown glass manufacturing subcategories of the glass manufacturing point source category. The latter regulation applies to the portion of a discharge which is directed to the navigable waters. The regulation proposed below applies to users of publicly owned treatment works which fall within the description of the point source category to which the guidelines and standards (40 CFR Part 426) promulgated simultaneously apply. However, the proposed regulation applies to the introduction of incompatible pollutants which are directed into a publicly owned treatment works, rather than to discharges of pollutants to navigable waters.

The general pretreatment standard divides pollutants discharged by users of publicly owned treatment works into two broad categories: "compatible" and "incompatible." Compatible pollutants are generally not subject to pretreatment standards. (See 40 CFR 128.110 (State or local law) and 40 CFR 128.131 (Prohibited wastes) for requirements which may be applicable to compatible pollutants). Incompatible pollutants are subject to pretreatment standards as provided in 40 CFR 128.133, which provides as follows:

"In addition to the prohibitions set forth in § 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works by a major contributing industry not subject to section 307(c) of the Act shall be, for sources within the corresponding industrial or commercial category, that established by a promulgated effluent limitations guideline defining best practicable control technology currently available pursuant to sections 301 (b) and 304(b) of the Act; provided that, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall be correspondingly reduced for that pollutant: *And provided further*, That when the effluent limitations guidelines for each industry are promulgated, a separate provision will be proposed concerning the application of such guidelines to pretreatment."

The regulation proposed below is intended to implement that portion of § 128.133, above, requiring that a separate provision be made stating the application to pretreatment standards of effluent limitations guidelines based upon best practicable control technology currently available.

Questions were raised during the public comment period on the proposed general pretreatment standard (40 CFR Part 128) about the propriety of applying a standard based upon best practicable control technology currently available to all plants subject to pretreatment standards. In general, EPA believes the analysis supporting the effluent limitations guidelines is adequate to make a determination regarding the application of those standards to users of publicly owned treatment works. However, to ensure that those standards are appropriate in all cases, EPA now seeks additional comments focusing upon the application of effluent limitations guidelines to users of publicly owned treatment works.

Sections 426.86, 426.96, 426.106, 426.116, 426.126, and 426.136 of the proposed regulation for point sources within the glass container manufacturing, machine pressed and blown glass manufacturing, glass tubing (Danner) manufacturing, television picture tube envelope manufacturing, incandescent lamp envelope manufacturing, and hand pressed and blown glass manufacturing subcategories (August 21, 1974; 38 FR 30282), contained the proposed pretreatment standard for new sources. The regulation promulgated simultaneously herewith contains §§ 426.86, 426.96, 426.106, 426.116, 426.126 and 426.136 which state the applicability of standards of performance for purposes of pretreatment standard for new sources.

A preliminary Development Document was made available to the public on approximately October 7, 1974, and the final Development Document entitled "Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the PRESSED AND BLOWN GLASS Segment of the Glass Manufacturing Point Source Category" is now being published. The economic analysis report entitled "Economic Analysis of the Proposed Effluent Limitations for Selected Pressed and Blown Glass Industry Sectors" (August 1974), was made available at approximately the time of proposal. Copies of the final Development Document and economic analysis report will continue to be maintained for inspection and copying during the comment period at the EPA Information Center, Room 227, West Tower, Waterside Mall, 401 M Street, SW., Washington, D.C. Copies will also be available for inspection at EPA regional offices and at State water pollution control agency offices. Copies of the Development Document may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Copies of the economic analysis report will be available for purchase through the National Technical Information Service, Springfield, Virginia 22151.

On June 14, 1973, the Agency published procedures designed to ensure that, when certain major standards, regulations, and guidelines are proposed, an explanation of their basis, purpose, and environmental effects is made available to the public (38 FR 15653). The procedures are applicable to major standards, regulations, and guidelines which are proposed on or after December 31, 1973, and which either prescribe national standards of environmental quality or require national emission, effluent, or performance standards or limitations.

The Agency determined to implement these procedures in order to ensure that the public was provided with background information to assist it in commenting on the merits of a proposed action. In brief, the procedures call for the Agency to make public the information available to it delineating the major environmental effects of a proposed action, to discuss the pertinent nonenvironmental factors affecting the decision, and to explain the viable options available to it and the reasons for the option selected.

The procedures contemplate publication of this information in the FEDERAL REGISTER, where this is practicable. They provide, however, that where such publication is impracticable because of the length of this material, the material may be made available in an alternate format.

The Development Document referred to above contains information available to the Agency concerning the major environmental effects of the regulation proposed below. The information includes: (1) The identification of pollutants present in waste waters resulting from the manufacture of pressed and blown glass products, the characteristics of these pollutants, and the degree of pollutant reduction attainable through implementation of the proposed standard; and (2) the anticipated effects on other aspects of the environment (including air, subsurface waters, solid waste dis-

posal and land use, and noise) of the treatment technologies available to meet the standard proposed.

The Development Document and the economic analysis report referred to above also contain information available to the Agency regarding the estimated cost and energy consumption implications of those treatment technologies and the potential effects of those costs on the price and production of pressed and blown glass products. The two reports exceed, in the aggregate, 200 pages in length and contain a substantial number of charts, diagrams and tables. It is clearly impracticable to publish the material contained in these documents in the FEDERAL REGISTER. To the extent possible, significant aspects of the material have been presented in summary form in the preamble to the proposed regulation containing effluent limitations guidelines, new source performance standards, and pretreatment standards for new sources within the glass manufacturing category (39 FR 30282; August 21, 1974). Additional discussion is contained in the analysis of public comments on the proposed regulation and the Agency's response to those comments. This discussion appears in the preamble to the promulgated regulation (40 CFR Part 426) which currently is being published in the Rules and Regulations section of the FEDERAL REGISTER (as part of Part II).

The options available to the Agency in establishing the level of pollutant reduction attainable through the best practicable control technology currently available, and the reasons for the particular level of reduction selected are discussed in the documents described above. In applying the effluent limitations guidelines to pretreatment standards for the introduction of incompatible pollutants into municipal systems by existing sources in the glass container manufacturing, machine pressed and blown glass manufacturing, glass tubing (Danner) manufacturing, television picture tube envelope manufacturing, incandescent lamp envelope manufacturing, and hand pressed and blown glass manufacturing subcategories the Agency has, essentially, three options. The first is to declare that the guidelines do not apply. The second is to apply the guidelines unchanged. The third is to modify the guidelines to reflect: (1) Differences between direct dischargers and plants utilizing municipal systems which affect the practicability of the latter employing the technology available to achieve the effluent limitations guidelines; or (2) characteristics of the relevant pollutants which require higher levels of reduction (or permit less stringent levels) in order to ensure that the pollutants do not interfere with the treatment works or pass through them untreated.

Most of the subcategories of the pressed and blown glass segment of the glass manufacturing point source category discharge waste waters containing both pollutants which will be adequately treated by a publicly owned treatment works and pollutants which will pass through inadequately treated. Oil emulsions of a mineral or biodegradable animal or vegetable nature are utilized as shear spray within the glass container manufacturing, machine pressed and blown glass manufacturing, incandescent lamp envelope manufacturing, and television picture tube envelope manufacturing subcategories. It has been determined that animal and vegetable oils can be adequately removed in publicly owned treatment works, whereas mineral oil may not be readily removed and may pass through untreated. Therefore, it is appropriate that separate pretreatment regulations be established for these categories of oils.

Fluoride resulting from the use of hydrofluoric acid is present in waste waters discharged by plants within the television picture tube envelope manufacturing, incandescent lamp envelope manufacturing, and handpressed and blown glass manufacturing subcategories. The quantities of fluoride discharged by plants within the hand pressed and blown glass manufacturing subcategory are considered insignificant and no pretreatment limitation is specified. The quantities of fluoride discharged by plants within the television picture tube envelope manufacturing and incandescent lamp envelope manufacturing subcategories are significant in terms of both concentration and loading. Fluoride levels on the order of 750 to 2800 mg/l are typical of certain discharge streams from plants within these subcategories.

The proposed regulation requires the pretreatment of fluoride to the levels attainable by the application of the best practicable control technology currently available. This is justified on the basis of the expected passage of fluoride through a publicly owned treatment works untreated. The proposed regulation requires the pretreatment of mineral oil to a level of 100 mg/l to reflect the capability of publicly owned treatment systems.

No limitations are established for total suspended solids, ammonia, or lead since they are expected to be adequately treated by publicly owned treatment works.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the EPA Information Center, Environmental Protection Agency, Washington, D.C. 20460, Attention: Mr. Philip B. Wisman. Comments on all aspects of the proposed regulations are solicited. In the event comments are in the nature of criticisms as to the adequacy of data which are available, or which may be relied upon by the Agency, comments should identify and, if possible, provide any additional data which may be available and should indicate why such data are essential to the development of the regulations. In the event comments address the approach taken by the Agency in establishing pretreatment standards for existing sources, EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of sections 301, 304, and 307(b) of the Act.

A copy of all public comments will be available for inspection and copying at the EPA Information Center, Room 227, West Tower, Waterside Mall, 401 M Street SW., Washington, D.C. 20460. The EPA information regulation, 40 CFR Part 2, provides that a reasonable fee may be charged for copying.

In consideration of the foregoing, it is hereby proposed that 40 CFR 426 be amended to add §§ 426.84, 426.94, 426.104, 426.114, 426.124, and 426.134 as set forth below. All comments received on or before February 18, 1975, will be considered.

Dated: January 7, 1975.

RUSSELL E. TRAIN,
Administrator.

Part 426 is proposed to be amended as follows:

Subpart H is amended by adding § 426.84 as follows:

§ 426.84 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the glass container manufacturing subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in Part 128 of this chapter (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132, and 128.133 of this chapter shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

Pollutant or pollutant property	*Pretreatment standard*
pH	No limitation.
TSS	Do.
Oil (animal and vegetable).	Do.
Oil (mineral)	100 mg/l daily maximum.

Subpart I is amended by adding § 426.94 as follows:

§ 426.94 [Reserved]

Subpart J is amended by adding § 426.104 as follows:

§ 426.104 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the glass tubing manufacturing subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in Part 128 of this chapter (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall

be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132, and 128.133 of this chapter shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

Pollutant or pollutant property	*Pretreatment standard*
pH	No limitation.
TSS	Do.

Subpart K is amended by adding § 426.114 as follows:

§ 426.114 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the television picture tube envelope manufacturing subcategory which is a user of a publicly owned treatment works and a major contributing industry as defined in Part 128 of this chapter (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132, and 128.133 of this chapter shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart.

Pollutant or Pollutant Property	Pretreatment Standards	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) g/kkg of furnace pull		
Lead	No limitation	
Fluoride	140.0	70.0
Oil (animal & vegetable)	No limitation	
Oil (mineral)	100 mg/l daily maximum.	
TSS	No limitation	
pH	No limitation	
(English units) lb/1000 of furnace pull		
Lead	No limitation	
Fluoride	0.14	0.07
Oil (animal & vegetable)	No limitation	
Oil (mineral)	100 mg/l daily maximum.	
TSS	No limitation	
pH	No limitation	

Subpart L is amended by adding § 426.124 as follows:

§ 426.124 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the incandescent lamp envelope manufacturing subcategory including those plants where (a) raw materials are melted in a furnace and mechanically processed into incandescent lamp envelopes and (b) incandescent lamp envelopes are etched with hydrofluoric acid to produce frosted envelopes, which is a user of publicly owned treatment works and a major contributing industry as defined in Part 128 of this chapter (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132, and 128.133 of this chapter shall not apply. The following pretreatment standards establish the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart, including those plants where (c) raw materials are melted in a furnace and mechanically processed into incandescent lamp envelopes and (d) incandescent lamp envelopes are etched with hydrofluoric acid to produce frosted envelopes.

Pollutant or Pollutant Property	Pretreatment Standard
pH	No limitation
TSS	No limitation
Oil (animal and vegetable)	No limitation
Oil (mineral)	100 mg/l daily maximum

Pollutant or Pollutant Property	Pretreatment Standards	
	Maximum for any one day	Average of daily values for thirty consecutive days shall not exceed—
(Metric units) g/kkg of product frosted		
Fluoride	230.0	115.0
Ammonia		No limitation
TSS		No limitation
pH		No limitation
(English units) lb/1000 lb of product frosted		
Fluoride	0.23	0.115
Ammonia		No limitation
TSS		No limitation
pH		No limitation

Subpart M is amended by adding § 426.134 as follows:

§ 426.134 Pretreatment standards for existing sources.

The pretreatment standards under section 307(b) of the Act for a source within the hand pressed and blown glass manufacturing subcategory including any plant which melts raw materials and (a) produces hand-pressed or blown leaded glassware and employs hydrofluoric acid finishing techniques, (b) produces non-leaded hand pressed or blown glassware and employs hydrofluoric acid finishing techniques, and (c) produces leaded or non-leaded hand pressed or blown glassware and does not employ hydrofluoric acid finishing techniques, which is a user of a publicly owned treatment works and a major contributing industry as defined in Part 128 of this chapter (and which would be an existing point source subject to section 301 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in Part 128 of this Chapter, except that, for the purpose of this section, §§ 128.121, 128.122, 128.132, and 128.133 of this Chapter shall not apply. The following pretreatment standards establish the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by a point source subject to the provisions of this subpart, including any plant which melts raw materials and (d) produces hand pressed or blown leaded glassware and employs hydrofluoric acid finishing techniques, (e) produces non-leaded hand pressed or blown glassware and employs hydrofluoric acid finishing techniques, and (f) produces leaded or non-leaded hand pressed or blown glassware and does not employ hydrofluoric acid finishing techniques.

(a)

Pollutant or pollutant property	*Pretreatment standard*
Fluoride	No limitation.
Lead	Do.
TSS	Do.
pH	Do.

(b)

Pollutant or pollutant property	*Pretreatment standard*
Fluoride	No limitation.
TSS	Do.
pH	Do.

(c)

Pollutant or pollutant property	*Pretreatment standard*
TSS	No limitation.
pH	Do.

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PART III

ENVIRONMENTAL PROTECTION AGENCY

■

WATER QUALITY PROGRAMS AND IMPLEMENTATION PLANS

Final Agreement

ENVIRONMENTAL PROTECTION AGENCY

[FRL 309-2]

WATER QUALITY PROGRAMS AND IMPLEMENTATION PLANS

Final Agreement

A joint agreement for interagency coordination of areawide waste treatment management planning assistance to State and local governments has been worked out between the Environmental Protection Agency and the Department of the Army (Corps of Engineers). This agreement, presented below, defines the relationship between areawide waste treatment management planning conducted by the Army Corps of Engineers under its Urban Studies Program and areawide waste treatment management planning authorized under Title II of the Federal Water Pollution Control Act Amendments of 1972 and administered by EPA. It also sets forth coordination and funding procedures to be followed in those areas that have or may have Corps Urban Studies in areas designated for areawide planning. The agreement further specifies that the Corps of Engineers may provide technical assistance in areawide planning outside the Urban Studies Program.

The agreement is effective on signature of the parties.

RUSSELL E. TRAIN,
Administrator.

JOINT AGREEMENT FOR INTERAGENCY COORDINATION OF AREAWIDE WASTE TREATMENT MANAGEMENT PLANNING ASSISTANCE TO STATE AND LOCAL GOVERNMENTS BETWEEN THE ENVIRONMENTAL PROTECTION AGENCY AND THE DEPARTMENT OF THE ARMY

Purpose. This interagency agreement defines the relationship between areawide waste treatment management planning conducted by the Army Corps of Engineers under its Urban Studies Program and areawide waste treatment management planning authorized under Title II of the Federal Water Pollution Control Act Amendments of 1972 and administered by the Environmental Protection Agency. The agreement also acknowledges that the Corps of Engineers may provide technical assistance in 208 planning outside the Army Urban Studies Program.

The Army Corps of Engineers is authorized by specific resolutions of Public Works Committee of Congress to conduct regional wastewater management planning for designated urban regions of the United States. Such planning is normally conducted in conjunction with other urban water resources problems as part of the Corps of Engineers Urban Studies Program. Further, section 208 of the Federal Water Pollution Control Act Amendments of 1972 (Pub. L. 92-500) authorizes the Secretary of the Army, acting through the Chief of Engineers, to provide consulting and technical assistance to planning agencies designated under section 208(a) in developing and operating a continuing areawide waste treatment management planning process under section 208(b) upon request of the Governor or the designated planning agency.

The Administrator of the Environmental Protection Agency, in fulfilling his responsibility for administering Pub. L. 92-500, is required by the Act to encourage and facilitate the development and implementation of areawide waste treatment management plans. Subsection 208(f) authorizes the Administrator to make grants to designated planning agencies to develop and operate continuing areawide waste treatment management planning processes in accordance with specific requirements of Section 208. The Act further authorizes the Administrator under Subsection 208(g) to consult with and provide technical assistance to a designated agency upon request of the Governor or the designated 208 agency.

While each Federal agency executes its areawide waste treatment planning responsibilities in a different manner—the Army through technical assistance and the Environmental Protection Agency primarily through grants, the two programs are compatible and are designed to achieve the same goal. The provisions delineated in this agreement are intended to provide guidance to representatives of both agencies in instances where the two programs may involve the same geographical area.

Objectives. A common goal of both agencies is to enhance the capability of local and State governments in developing regional wastewater management planning processes which will achieve the National water quality goals stipulated in Pub. L. 92-500. In accordance with this goal, three specific objectives have been established for the areawide waste treatment management planning program.

These are:

(1) Development of a local planning process which can successfully conduct the required planning on an areawide scale;

(2) Development of an initial plan meeting requirements of the Act; and

(3) Establishment of a continuing planning process at the regional level which can successfully evaluate the current plan and appropriately update such a plan to allow continued annual recertification by the Governor as required by the Act.

Coordinating provisions. 1. Planning by the Corps of Engineers under the provisions of section 208 will be to the level of precision required by the Administrator for approval of any plan certified and submitted to him by any Governor under section 208.

2. Acceptance of request by the Secretary of the Army to provide consultation or technical assistance in areawide wastewater management planning is contingent upon the resources and manpower available to the Corps of Engineers to provide such assistance.

3. The Corps of Engineers will assign appropriate priority to planning required by section 208 to enable the designated planning agency and/or the Governor to comply with time limitations prescribed by the Regional Administrator, Environmental Protection Agency.

4. The existence of an urban study resolution shall not preclude approval of a 208 designation for an area, nor shall approval of a 208 designation for an area preclude funding for an urban study.

5. In no case shall there be a duplication of Environmental Protection Agency and Corps of Engineers funding for the same specific task in development of a wastewater management plan or planning process under Title II of the Federal Water Pollution Control Act Amendments of 1972.

Where a potential duplication of the same specific task is identified, applicable Corps of Engineers and Environmental Protection Agency budgets will be appropriately modified.

6. All section 208 planning activities undertaken by the Corps of Engineers will be set forth in a plan of study approved by the designated local planning agency, the State and the Environmental Protection Agency Regional Administrator. Such planning will be in accordance with all applicable laws, Environmental Protection Agency guidelines, criteria, and regulations, as well as applicable State and local laws and regulations.

7. Where plans of study under the Army Urban Studies Program have been approved by local officials and the Environmental Protection Agency prior to the 208 designation, the plans of study for the 208 project and the Urban Study will be reviewed to identify the additional planning needed to meet 208 requirements. The urban study will be completed in accordance with provisions of the original plan of study as revised to include any additional section 208 requirements requested by the designated planning agency.

8. Where an urban study has been authorized and funded for an area also designated under section 208 and a plan of study has not been approved, the Corps of Engineers will delete areawide waste water planning from the urban study if the designated planning agency elects to accomplish such planning using section 208 grant funds. Under such conditions, the Corps of Engineers will assess the remaining water resources problems to determine the feasibility of undertaking an urban study.

Conversely, if the designated planning agency requests the Corps of Engineers to conduct the section 208 planning as an integral part of the urban study, a plan of study will be developed to meet the requirements of the designated 208 planning agency, subject to the approval of the Environmental Protection Agency Regional Administrator. If agreement concerning the plan of study for the 208 designated area cannot be set forth in a mutually agreeable manner, wastewater planning for the area will be deleted from the urban study and accomplished by the designated planning agency. As above, the Corps of Engineers would then assess the feasibility of undertaking the remaining facets of the urban study.

9. Technical assistance provided by the Corps of Engineers may include the development of alternative plans or portions of plans for meeting the provisions of section 208(b). The decision to adopt or implement specific alternatives or proposals generated by this planning is the responsibility of the designated planning and the designated management agency(ies).

10. Technical assistance provided by the Corps of Engineers for designated 208 areas not included in the urban studies program will be accomplished as directed by the designated planning agency.

11. Upon request of the Governor(s), and upon agreement of the Regional Administrator, Environmental Protection Agency, the Army Corps of Engineers may consult with and provide technical assistance on a reimbursable basis in developing State plans for areas not designated under section 208(a).

Funding policy. Funding policy is based on the premise that a designated agency needs to fully participate in the planning process and to build planning expertise.

1. Section 208 studies initiated through June 30, 1975 can be at 100 percent Federal expense except that costs and effort provided by non-Federal interests prior to designation will not be reimbursed. For areawide wastewater management studies of designated areas initiated through June 30, 1975, the source of Federal funds by planning category will be as follows:

a. Section 208 planning included in Army urban studies will be funded 75 percent by Army and 25 percent by the Environmental Protection Agency. (The funds from the Environmental Protection Agency will be granted to the designated agency for internal activities.). Section 208 planning added to planning already included in Army urban studies will be funded 100 percent by the Environmental Protection Agency.

b. Section 208 planning by the Corps of Engineers in areas not associated with the Army Urban Studies Program will be funded 100 percent by EPA.

2. In areas not designated under section 208, wastewater management planning conducted by the Corps as a part of an urban study will be cost shared at 75 percent Federal/25 percent non-Federal.

Signed at Washington, D.C., this 22d day of November 1974.

ENVIRONMENTAL PROTECTION AGENCY,
RUSSELL E. TRAIN,
Administrator of EPA.

DEPARTMENT OF THE ARMY,
HOWARD H. CALLAWAY,
Secretary of the Army.

[FR Doc.75-1546 Filed 1-15-75;8:45 am]

NOTICE TO FEDERAL REGISTER READERS

As part of its continuing program to improve the quality of the daily FEDERAL REGISTER and CODE OF FEDERAL REGULATIONS, the Office of the Federal Register is soliciting the views of interested persons on the effectiveness of individual Federal Register documents and on regulations contained in the CODE OF FEDERAL REGULATIONS.

Our goal is twofold:

First—to make each document published in the FEDERAL REGISTER easily understandable, thus making compliance easier, more efficient, and less costly; and

Second—to identify and correct any existing Federal regulations which are obsolete, unnecessarily wordy, or unclearly stated.

We believe this effort is consistent with the objectives stated by President Ford in his October 8th speech on the economy in which he announced "a joint effort by the Congress, the executive branch and the private sector to identify and eliminate existing Federal rules and regulations that increase costs to the consumer without any good reason in today's economic climate."

The Office of the Federal Register welcomes your comments and suggestions. The survey blank below is provided for that purpose. All comments received will be maintained in a public docket and will be available for inspection in the Office of the Federal Register to any interested persons or agencies. Comments which point out the need for substantive changes in existing regulations also will be forwarded to the responsible agency.

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I. For the following reasons I found it difficult to understand the document from ____________ (agency) in column ______, page ______ of the ________ (date) issue of the FEDERAL REGISTER:

☐ only technical language was used; ☐ document contained long and difficult sentences; ☐ preamble did not contain a clear and concise explanation of the document's purpose; ☐ other (explain) ________________________

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II. I believe that the requirement(s) contained in:

A. The document from ____________ (agency) in column ______, page ______ of the ________ (date) issue of the FEDERAL REGISTER, or

B. Section(s) ________ of Title ________ of the CODE OF FEDERAL REGULATIONS

impose(s) an: ☐ unnecessary; ☐ unreasonable; ☐ impractical; or ☐ obsolete requirement on those persons subject to that regulation.

My reasons are: ________________________________

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III. (Optional) I suggest that the provision(s) mentioned above be rewritten as follows:

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