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Title 3—The President

EXECUTIVE ORDER 11834

Activation of the Energy Research and Development Administration and the Nuclear Regulatory Commission

By virtue of the authority vested in me by the Energy Reorganization Act of 1974 (Public Law 93-438; 88 Stat. 1233), Section 301 of title 3 of the United States Code, and as President of the United States of America, it is hereby ordered:

Section 1. Pursuant to Section 312(a) of the Energy Reorganization Act of 1974 I hereby prescribe January 19, 1975, as the effective date of that Act. This action shall not impair in any way the activation of the Energy Resources Council by Executive Order No. 11814 of October 11, 1974.[1]

Sec. 2. The Director of the Office of Management and Budget shall take all steps necessary or appropriate to ensure or effectuate the transfers provided for in the Energy Reorganization Act of 1974, the Solar Heating and Cooling Demonstration Act of 1974 (Public Law 93-409; 88 Stat. 1069), the Geothermal Energy Research, Development, and Demonstration Act of 1974 (Public Law 93-410; 88 Stat. 1079), the Solar Energy Research, Development, and Demonstration Act of 1974 (Public Law 93-473; 88 Stat. 1431), to the extent required or permitted by law, including transfers of funds, personnel and positions, assets, liabilities, contracts, property, records, and other items related to the transfer of functions, programs, or authorities.

Sec. 3. As required by the Energy Reorganization Act of 1974, this Order shall be published in the FEDERAL REGISTER.

Gerald R. Ford

THE WHITE HOUSE,
January 15, 1975.

[FR Doc.75-1838 Filed 1-16-75;10:43 am]

[1] 39 FR 36955, Oct. 16, 1974.

rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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

Title 10—Energy

CHAPTER I—ATOMIC ENERGY COMMISSION

PART 2—RULES OF PRACTICE

Discovery; Issues Not Raised by Parties

The Atomic Energy Commission has adopted amendments to its "Rules of Practice", 10 CFR Part 2. These amendments will (1) change Commission discovery procedures as they relate to the attendance and testimony of AEC personnel at hearings and staff responses to written interrogatories and (2) provide that while Atomic Safety and Licensing Boards are neither required not expected to look for new issues not raised by the parties, in extraordinary circumstances where a board determines that a serious safety, environmental, or common defense and security matter was not raised by the parties to a hearing, the board may exercise its discretion to examine and decide such matters; Atomic Safety and Licensing Appeal Boards may give appropriate consideration to such matters.

On July 16, 1974, the Commission issued a decision In the Matter of Consumers Power Company (Midland Plant, Units 1 and 2) in which it questioned whether the AEC regulations requiring interlocutory Commission review before a licensing board may order discovery involving Commission personnel and/or documents served any useful purpose. The Commission pointed out in its decision that these AEC regulations requiring interlocutory review can contribute to delay in adjudication, that in procedural matters the licensing boards have a better appreciation for all the circumstances surrounding a particular case, and that these regulations accord a preferential status to Commission personnel and documents while discriminating against other parties who cannot invoke Commission review of their refusal to respond to discovery.

To conform the regulations in Part 2 to this Commission decision, §§ 2.720(h), 2.744 (d) and (g), and paragraph IV(d) to Appendix A are amended, and § 2.744 (e) is deleted, to permit the presiding officer in his discretion to compel the attendance and testimony of AEC personnel and require the staff to answer written interrogatories. In either case the presiding officer may, in his discretion, determine that such action would place an unwarrantedly severe burden upon the AEC personnel whose attendance or written response is requested and on this basis disallow the discovery request.

On July 16, 1974 the Commission also issued a decision In the Matter of Consolidated Edison Company of New York (Indian Point Nuclear Generating Unit 3) in which it held that a licensing board has the authority to examine and decide issues which the board itself deems relevant even though the parties have not placed such matters in controversy. To conform the AEC regulations to this decision, §§ 2.104(c), 2.760a, 2.785, and sections VIII and IX of Appendix A to Part 2 are amended. When the presiding officer, such as an Atomic Safety and Licensing Board, determines in an operating license proceeding that a serious safety, environmental, or common defense and security issue exists that has not been raised by the parties to the proceeding, the presiding officer may examine and decide that issue. Atomic Safety and Licensing Appeal Boards may give appropriate consideration to such matters. However, this authority with respect to new issues not in controversy among the parties will be exercised sparingly and only in extraordinary circumstances.

Inasmuch as the amendments set forth below are procedural changes, notice of proposed rule making and public procedure thereon are not required by section 553 of title 5 of the United States Code.

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

1. The prefatory language of § 2.104 (c) of 10 CFR Part 2 is revised to read as follows:

§ 2.104 Notice of hearing.

* * * * *

(c) In the case of an application for an operating license in which a hearing will be held, the notice of hearing will, except as provided in paragraph (d) of this section and unless the Commission determines otherwise, state, in implementation of paragraph (a)(3) of this section, that the presiding officer will consider any matters in controversy among the parties and may, under extraordinary circumstances, where he determines that a serious safety, environmental, or common defense and security matter has not been raised by the parties, consider such other matters within the purview of: * * *

* * * * *

2. Paragraphs 2.720(h)(2)(i), (ii), and (iii) are revised to read as follows:

§ 2.720 Subpoenas.

* * * * *

(h)(1) * * *

(2)(i) In a proceeding in which the AEC is a party, the AEC staff will make available one or more witnesses designated by the General Manager or the Director of Regulation, as appropriate, or by their designees, for oral examination at the hearing or on deposition regarding any matter, not privileged, which is relevant to the issues in the proceeding. The attendance and testimony of the Commissioners and named AEC personnel at a hearing or on deposition may not be required by the presiding officer, by subpoena or otherwise: *Provided*, That the presiding officer may, upon a showing of exceptional circumstances, such as a case in which a particular named AEC employee has direct personal knowledge of a material fact not known to the witnesses made available by the General Manager or the Director of Regulation, require the attendance and testimony of named AEC personnel.

(ii) In addition, a party may file with the presiding officer written interrogatories to be answered by AEC personnel with knowledge of the facts designated by the General Manager or the Director of Regulation, as appropriate. Upon a finding by the presiding officer that answers to the interrogatories are necessary to a proper decision in the proceeding and that answers to the interrogatories are not reasonably obtainable from any other source, the presiding officer may require that the staff answer the interrogatories.

(iii) No deposition of a particular named AEC employee or answer to interrogatories by AEC personnel pursuant to paragraphs (h)(2)(i) and (ii) of this section shall be required before the matters in controversy in the proceeding have been identified by order of the Commission or the presiding officer, pursuant to § 2.751a, or after the beginning of the prehearing conference held pursuant to § 2.752 except upon leave of the presiding officer for good cause shown.

* * * * *

3. In § 2.744, paragraph (e) is deleted and paragraphs (d) and (g) are revised to read as follows:

§ 2.744 Production of AEC records and documents.

* * * * *

(d) Upon a determination by the presiding officer that the requesting party has demonstrated the relevancy of the record or document and that its production is not exempt from disclosure under § 2.790 or that, if exempt, its disclosure is necessary to a proper decision in the proceeding, and the document or the information therein is not reasonably obtainable from another source, he shall order the General Manager or Director of Regulation, as appropriate, to produce the document.

* * * * *

(g) No request pursuant to this section shall be made or entertained before the matters in controversy have been identified by the Commission or the presiding officer, or after the beginning of the prehearing conference held pursuant to § 2.752 except upon leave of the presiding officer for good cause shown.

4. Section 2.760a is revised to read as follows:

§ 2.760a Initial decisions in contested proceedings on applications for facility operating licenses.

In any initial decision in a contested proceeding on an application for an operating license for a production or utilization facility, the presiding officer shall make findings of fact and conclusions of law on the matters put into controversy by the parties to the proceeding and on matters which have been determined to be the issues in the proceeding by the Commission or the presiding officer. Matters not put into controversy by the parties will be examined and decided by the presiding officer only in extraordinary circumstances where he determines that a serious safety, environmental, or common defense and security matter exists. This authority is to be used sparingly. Depending on the resolution of those matters, the Director of Regulation, after making the requisite findings, will issue, deny, or appropriately condition the license.

§ 2.780 [Amended]

5. The note following § 2.780(f) is deleted.

6. Section 2.785 is amended by redesignating the existing language of paragraph (b) as paragraph (b)(1) and by adding a new paragraph (b)(2) to read as follows:

§ 2.785 Functions of Atomic Safety and Licensing Appeal Boards.

* * * * *

(b)(1) * * *

(2) In a proceeding on an application for an operating license where the Atomic Safety and Licensing Appeal Board determines that a serious safety, environmental, or common defense and security matter exists that has not been raised by the parties, it may give appropriate consideration to that matter. The authority of an Atomic Safety and Licensing Appeal Board to consider such new matters will be exercised sparingly and only in extraordinary circumstances.

* * * * *

7. In Appendix A to Part 2, paragraph IV(d) is revised to read as follows:

IV. DISCOVERY

* * * * *

(d) In general, regulatory staff documents that are relevant to a proceeding will be publicly available as a matter of course unless there is a compelling justification for their nondisclosure. Therefore, document discovery directed at the staff will be restricted, as provided in § 2.744, since most staff documents will be publicly available and should reasonably disclose the basis for the staff's position. Formal discovery of documents against the regulatory staff will be limited to cases where it concerns a matter necessary to a proper decision in a case and the information sought is not obtainable elsewhere. Discovery as a legitimate means of obtaining information will not be inhibited, but in view of the comprehensive body of information routinely available without request, there should be minimum need to resort to time consuming discovery procedures. Discovery against the staff (and other AEC personnel, including consultants) by way of deposition is permitted upon a showing of exceptional circumstances. Interrogatories may be addressed to the staff where the information is necessary to proper decision in the case and not obtainable elsewhere.

8. In Appendix A to Part 2, the prefatory language of paragraph VIII(b) is amended and paragraph VIII(c) is revised to read as follows:

VIII. PROCEDURES APPLICABLE TO OPERATING LICENSE PROCEEDINGS

* * * * *

(b) In an operating license proceeding, the board will determine the matters in controversy among the parties and, in extraordinary circumstances where the board determines that a serious safety, environmental, or common defense and security matter was not raised by the parties, the board will determine such matter as the issues to be decided. Those issues will be specified in the notice of hearing issued by the Commission, or in a prehearing conference order issued by the board, or in an order issued by the board in the exercise of its discretion during the hearing.

The issues will be the matters in controversy among the parties or raised by the board within the purview of the following:

* * *

* * * * *

(c) The board, in operating license proceedings, will make findings on the matters in controversy among the parties and any matter not raised by the parties but examined by the board in its discretion in accordance with paragraph (b) of this section and § 2.760a. Depending on the resolution of those matters, the Director of Regulation would issue, deny, or appropriately condition the operating license.

9. In Appendix A to Part 2, paragraph IX(a) is revised to read as follows:

IX. LICENSING PROCEEDINGS SUBJECT TO APPELLATE JURISDICTION OF ATOMIC SAFETY AND LICENSING APPEAL BOARD

(a) An Atomic Safety and Licensing Appeal Board, composed of three members assigned from the Atomic Safety and Licensing Appeal Panel, designated by the Commission, reviews initial decisions of presiding officers in (1) proceedings on applications under Part 50 for facility licenses or construction permits, (2) proceedings on applications for authorizations under Part 115, and (3) such other licensing proceedings as the Commission specifies. In such proceedings, an Atomic Safety and Licensing Appeal Board performs the functions and exercises the authority of the Commission described in sections I(e), V(f)(4), and VI(f), except as their context may require otherwise. The Atomic Safety and Licensing Appeal Board is required to decide each matter before it in accordance with the rules and regulations, case precedent, and established policies of the Commission. In a proceeding on an application for an operating license if the Atomic Safety and Licensing Appeal Board determines that a serious safety, environmental, or common defense and security matter has not been raised by the parties, it has the authority, to be used sparingly, to give appropriate consideration to that matter but only in extraordinary circumstances. It has no responsibility or authority for issuing rules or regulations. The Appeal Board for a particular proceeding is composed of three members assigned from the Atomic Safety and Licensing Appeal Panel and possessing qualifications deemed appropriate to the issues to be decided. The Chairman of the Appeal Board for a particular proceeding shall be qualified in the conduct of administrative proceedings.

* * * * *

Effective date: These amendments become effective on February 18, 1975.

(Sec. 161, Pub. L. 83-703, 68 Stat. 948 (42 U.S.C. 2201))

Dated at Germantown, Maryland, this 13th day of January 1975.

For the Atomic Energy Commission.

PAUL C. BENDER,
Secretary of the Commission.

[FR Doc.75-1662 Filed 1-16-75;8:45 am]

PART 2—RULES OF PRACTICE

PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

Licensing of Duplicate Nuclear Power Plants; Review of Standard Nuclear Power Plant Designs

On April 16, 1974, the Atomic Energy Commission published in the FEDERAL REGISTER (39 FR 13668), proposed amendments to 10 CFR Parts 2 and 50 of its regulations. The proposed amendments were intended to implement two approaches to standardization of nuclear power reactors identified by the Commission in a statement issued on March 5, 1973:

(1) the "Reference System" concept under which an entire facility design or major fraction thereof can be identified as a standard design to be used in multiple applications and (2) the "Duplicate Plant" concept under which simultaneous AEC staff review of the safety related parameters of duplicate plants to be constructed by a utility or a group of utilities may be conducted.

Interested persons were invited to submit written comments and suggestions for consideration in connection with the proposed amendments by May 30, 1974. After consideration of the comments and other factors involved, the Commission has adopted the proposed amendments with the following modifications:

(1) Appropriate references have been made in Appendix N of Part 50 to new § 2.761a of Part 2 and § 50.10(e) of Part 50 which were published on April 24, 1974 (39 FR 14506).

(2) The reference in Appendix N to information that might be included in a single preliminary safety analysis report

has been changed to exclude the information required by § 50.34(a)(6) (applicant's organization), § 50.34(a)(7) (quality assurance) and § 50.34(a)(9) (technical qualification of the applicant) and to modify the sentence pertaining to the quality assurance program to clarify that only the quality assurance program with respect to aspects of facility design and construction that are common to all duplicate plants should be included in the single preliminary safety analysis report. The reference to information that might be included in a single final safety analysis report has been changed to exclude the information required by § 50.34 (c) (physical security plan). The requirement for inclusion of antitrust information in an operating license application submitted pursuant to Appendix N has been eliminated to reflect an amendment to § 50.33a published September 25, 1974 (39 FR 34394).

(3) In paragraph 3 of Appendix O, the information that should be excluded from a submittal of a nuclear power reactor design for review has been broadened to include information relating to up-to-date site information, requalification programs for reactor operators and information pertaining to design features required by § 50.34(c).

The Atomic Energy Act of 1954, as amended, requires a license issued by the Commission for the transfer or receipt in interstate commerce, manufacture, production, transfer, acquisition, possession, use, import or export of any production or utilization facility such as a nuclear power reactor. Such licensing, carried out pursuant to the Commission's regulations in 10 CFR Part 50 and 10 CFR Part 2 has typically involved the issuance of a permit to construct single or multiple nuclear power reactors at a single identified site, followed by the issuance of a license to operate the reactor(s) after construction is completed. The reactor designs described in such applications have been "non-standard" in the sense that they are, in major respects, unique to the site on which they will be constructed and operated.

The Commission believes that standardization of nuclear power reactors can make a significant contribution to higher operating reliability, maintenance and improvement of protection to public health and safety and environmental values, concentration of safety-related research and development efforts into fewer areas, and greater efficiency in AEC reviews of plant design.

The "Duplicate Plant" concept. The amendments to 10 CFR Part 2 and 50 which follow contemplate, in implementation of the "Duplicate Plant" approach referred to above, that one or more utilities would submit individual construction permit applications which would reference, for the technical information pertaining to design specified in § 50.34 of Part 50, a single document describing the design of the reactors which are to be constructed and operated at the various sites and the postulated site parameters for the design. To the maximum extent practicable, the design so specified should be identical for the various plants covered by the individual applications.[1] Each applicant will be required to submit an environmental report for each individual site. The environmental report shall discuss the environmental effects of construction and operation of the proposed reactor at the actual site where it will be located. However, since the design will be essentially the same for all reactors, it is expected that certain basic assumptions concerning the release of radioactive materials during both normal operations and postulated accident conditions will be the same for each of the reactors. The environmental effects of such releases will be individually assessed for each individual site.

The amendments relating to the "Duplicate Plant" concept necessarily provide a degree of flexibility in the hearing process since proceedings on some of the applications involved may be contested, while others may be uncontested. Further, the environmental review may be completed before the radiological health and safety review in the case of some applications, while the reverse may be true for others. Though each application will involve a separate proceeding, the required construction permit hearings may, as appropriate, be comprised of two (or more) phases, the sequence of those phases depending on the circumstances, and for any of the phases the hearing sessions may be consolidated to consider common issues relating to all or some of the applications involved.

Thus, for example, in one phase a consolidated construction permit hearing may be convened to consider the radiological health and safety aspects of the nuclear reactors of the proposed design in the context of the postulated site parameters. Following such a consolidated hearing, a partial initial decision will be rendered by the presiding officer which will be appealable in accordance with the existing provisions of the Commission's rules of practice, 10 CFR Part 2. No construction permit will, of course, be issued for any facility until the completion of the other phase(s) of the hearing on that facility and the resolution of all issues under the Atomic Energy Act of 1954 and the National Environmental Policy Act of 1969 (NEPA). It is expected that antitrust issues will be considered, as now, at separate hearing sessions.

At another phase of the hearings, matters more directly related to an individual application, such as issues under NEPA, the technical and financial qualifications of the applicant, and common defense and security, may be considered separately for each applicant.

In order for an application to be considered as provided in the amendments, it will, of necessity, have to be filed at the same time as other applications that reference the same design or at least within a time sufficient to permit consideration in a manner and in a time frame consistent with the amendments. A similar procedure for consolidated hearings and separate phases for such standardized reactors will be available at the operating license stage. One of the major purposes of the amendments is to assure that there is no unnecessary duplication in the review and hearing process. Accordingly, the amendments provide that matters reserved for consideration in one phase of the hearings will, in general, not be considered at another phase. Such matters could, however, be considered on the basis of significant new information which substantially affects the conclusions reached at the other phase or other good cause. For example, if the radiological health and safety phase was concluded first, consideration of such matters at a later phase will be restricted to the question whether a given site falls within the postulated site parameters for the design referenced in the application. Depending on the circumstances, including the number of applications involved, one atomic safety and licensing board may preside over all hearing sessions or a number of boards may be designated.

The "Reference System" concept. The amendments to Parts 2 and 50 in implementation of the "Reference System" concept specifically provide for submittals of either preliminary or final designs for an entire reactor facility or a major portion thereof for review by the Commission's regulatory staff. In lieu of the specific site information required to be submitted in a safety analysis report for an entire reactor design, postulated site parameters for the design should be submitted.

The submittal will be reviewed by the regulatory staff and referred to the Advisory Committee on Reactor Safeguards. If the design is found acceptable, a determination to that effect will be published in the FEDERAL REGISTER and the approved design will be relied on by the staff and the ACRS in their reviews of individual license applications which reference the approved design, unless there existed significant new information that substantially affects the earlier conclusions or other good cause. Such a design approval will not constitute a commitment to issue a permit or a license, or in any way bind presiding officers, the Atomic Safety and Licensing Appeal Boards or the Commission in adjudicatory proceedings. However, the Commission could approve a standardized design in a rulemaking proceeding and, in that event, the design could be challenged only as provided in § 2.758 of the Commission's rules of practice in 10 CFR Part 2. Such approval of a design through a rulemaking proceeding may require preparation of an environmental impact statement in accordance with § 51.5 of 10 CFR Part 51.

Notice of receipt of a submittal for review of a standard design will be published in the FEDERAL REGISTER, inviting comments by interested persons. The submittal and documents pertaining

[1] If the design were not identical in any particular application, that application might not be processed under the proposed amendments.

thereto will be placed in the Public Document Room pursuant to § 2.790.

With reference to the Duplicate Plant concept in proposed Appendix N to Part 50, several comments were made as to the possible discrepancy between the language in the introduction and in footnote 1 of the Appendix as to the degree of identity required between the duplicate designs. In this regard, it is the Commission's intent to permit flexibility to the staff in determining whether the design of the nuclear power reactor is sufficiently similar to the design of the other reactors for which construction permit applications have been made to permit a single design review.

Comments were addressed to the requirement of common quality assurance programs for duplicate plants in Appendix N as unnecessary and counterproductive, and to the requirement of a quality assurance program for reference design plants in Appendix O as too broad. We agree with the commenters as to duplicate plants, and accordingly, have changed Appendix N to clarify that only the quality assurance program with respect to aspects of facility design, construction and operation that are common to all of the applications proposing a power reactor of the same design should be included in the single preliminary safety analysis report. However, with respect to referenced plants, we believe persons requesting design review should provide quality assurance information concerning design, procurement and fabrication of all the components encompassed by the request.

One commenter suggested that paragraph 2 of Appendix N allow the inclusion of more than one set of site parameters in the duplicate plant design which would allow greater flexibility in the use of duplicate plants. The Commission believes that the submission of only one set of site parameters will greatly enhance the efficiency of staff review. It is assumed that the applicants for construction permits for duplicate plants would submit a set of site parameters that would be broad enough to encompass all the applications involved.

Several comments were received to the effect that an environmental impact statement need not be issued by the Commission in conjunction with a rule making proceeding to approve a referenced design since subsequent individual plant application reviews will be accompanied by an environmental impact statement. However, the National Environmental Policy Act and 10 CFR Part 51 require such a statement in a rule making proceeding that involves a major Federal action significantly affecting the quality of the human environment. Paragraph 7 of Appendix O reflects this requirement. The fact that subsequent individual application reviews may also be accompanied by environmental impact statements does not affect the statutory obligation respecting such statements in a rule making proceeding.

Another comment suggested that a rule making proceeding be held only on the petition of the party submitting the reference design. Since no other mechanism for public participation is available with respect to a reference design prior to an application for an individual facility license, only by a rule making proceeding can the benefits of 10 CFR 2.758 to limit reconsideration of a reference design be achieved. Further, under the Administrative Procedure Act and Subpart H of Part 2, the right to petition for the promulgation, amendment, or repeal of a rule cannot be limited to a particular person.

A general comment that was not addressed to specific sections of the proposed rules recommended to the Commission consideration of the concept of "replication" as an additional alternative to standardization of nuclear power plant design. The question of replication is a separate matter, and does not affect the merits of the present proposals. Further, since it is expected that the "replication" approach will be used only on an interim basis, it does not appear necessary or desirable to provide for it in Commission regulations.

Pursuant to the Atomic Energy Act of 1954, as amended, and sections 552 and 553 of Title 5 of the United States Code, the following amendments of 10 CFR Parts 2 and 50 are published as a document subject to codification.

1. A new § 2.110 is added to 10 CFR Part 2 to read as follows:

§ 2.110 Filing and administrative action on submittals for design review.

(a) A submittal pursuant to Appendix O of Part 50 of this chapter shall be subject to §§ 2.101(a) and 2.790 to the same extent as if it were an application for a permit or license.

(b) Upon initiation of review of such a submittal by the regulatory staff, the Director of Regulation shall publish in the FEDERAL REGISTER a notice of receipt of the submittal, inviting comments from interested persons within 60 days of publication or such other time as may be specified, for consideration by the staff and ACRS in their review.

(c) Upon completion of review of such a submittal by the regulatory staff and the ACRS, the Director of Regulation shall publish in the FEDERAL REGISTER a determination as to whether or not the design is acceptable, subject to such conditions as may be appropriate, and place in the Public Document Room an analysis of the design in the form of a report.

2. A new Subpart D is added to 10 CFR Part 2 to read as follows:

Subpart D—Additional Procedures Applicable to Proceedings for the Issuance of Licenses To Construct or Operate Nuclear Power Plants of Duplicate Design at Multiple Sites

Sec.

2.400 Scope of subpart.
2.401 Notice of hearing on applications pursuant to Appendix N of Part 50 for construction permits.
2.402 Separate hearings on separate issues; consolidation of proceedings.
2.403 Notice of proposed action on applications for operating licenses pursuant to Appendix N of Part 50.
2.404 Hearings on applications for operating licenses pursuant to Appendix N of Part 50.
2.405 Initial decisions in consolidated hearings.
2.406 Finality of decisions on separate issues.
2.407 Applicability of other sections.

§ 2.400 Scope of subpart.

This subpart describes procedures applicable to licensing proceedings which involve the consideration in hearings of a number of applications, filed by one or more applicants pursuant to Appendix N of Part 50 of this chapter, for licenses to construct and operate nuclear power reactors of essentially the same design to be located at different sites.

§ 2.401 Notice of hearing on applications pursuant to Appendix N of Part 50 for construction permits.

(a) In the case of applications pursuant to Appendix N of Part 50 of this chapter for construction permits for nuclear power reactors of the type described in § 50.22 of this chapter, the Secretary will issue notices of hearing pursuant to § 2.104.

(b) The notice of hearing will also state the time and place of the hearings on any separate phase of the proceeding.

§ 2.402 Separate hearings on separate issues; consolidation of proceedings.

(a) In the case of applications pursuant to Appendix N of Part 50 of this chapter for construction permits for nuclear power reactors of a type described in § 50.22 of this chapter, the Commission or the presiding officer may order separate hearings on particular phases of the proceeding, such as matters related to the acceptability of the design of the reactor, in the context of the site parameters postulated for the design; environmental matters; or antitrust aspects of the application.

(b) If a separate hearing is held on a particular phase of the proceeding, the Commission may, pursuant to § 2.716, consolidate for hearing on that phase two or more proceedings to consider common issues relating to the applications involved in the proceedings, if it finds that such action will be conducive to the proper dispatch of its business and to the ends of justice. In fixing the place of any such consolidated hearing due regard will be given to the convenience and necessity of the parties, petitioners for leave to intervene or the attorneys or representatives of such persons, and the public interest.

§ 2.403 Notice of proposed action on applications for operating licenses pursuant to Appendix N of Part 50.

In the case of applications pursuant to Appendix N of Part 50 of this chapter for operating licenses for nuclear power reactors, if the Commission has not found that a hearing is in the public interest, the Director of Regulation will, prior to acting thereon, cause to be published in the FEDERAL REGISTER, pursuant to § 2.105, a notice of proposed action with respect to each application as soon

as practicable after the applications have been docketed

§ 2.404 Hearings on applications for operating licenses pursuant to Appendix N of Part 50.

If a request for a hearing and/or petition for leave to intervene is filed within the time prescribed in the notice of proposed action on an application for an operating license pursuant to Appendix N of Part 50 of this chapter with respect to a specific reactor(s) at a specific site and the Commission or an atomic safety and licensing board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel has issued a notice of hearing or other appropriate order, the Commission or the atomic safety and licensing board may order separate hearings on particular phases of the proceeding and/or consolidate for hearing two or more proceedings in the manner described in § 2402.

§ 2.405 Initial decisions in consolidated hearings.

At the conclusion of any hearing held pursuant to this subpart, the presiding officer will render a partial initial decision which may be appealed pursuant to § 2.762. No construction permit or full power operating license will be issued until an initial decision has been issued on all phases of the hearing and all issues under the Act and the National Environmental Policy Act of 1969 appropriate to the proceeding have been resolved.

§ 2.406 Finality of decisions on separate issues.

Notwithstanding any other provision of this chapter, in a proceeding conducted pursuant to this subpart and Appendix N of Part 50 of this chapter, no matter which has been reserved for consideration in one phase of the hearing shall be considered at another phase of the hearing except on the basis of significant new information that substantially affects the conclusion(s) reached at the other phase or other good cause.

§ 2.407 Applicability of other sections.

The provisions of Subparts A and G relating to construction permits and operating licenses apply, respectively, to construction permits and operating licenses subject to this subpart, except as qualified by the provisions of this subpart.

3. New Appendices N and O are added to 10 CFR Part 50 to read as follows:

APPENDIX N—STANDARDIZATION OF NUCLEAR POWER PLANT DESIGNS: LICENSES TO CONSTRUCT AND OPERATE NUCLEAR POWER REACTORS OF DUPLICATE DESIGN AT MULTIPLE SITES

Section 101 of the Atomic Energy Act of 1954, as amended, and § 50.10 of this part require a Commission license to transfer or receive in interstate commerce, manufacture, produce, transfer, acquire, possess, use, import or export any production or utilization facility. The regulations in this part require the issuance of a construction permit by the Commission before commencement of construction of a production or utilization facility, except as provided in § 50.10(e), and the issuance of an operating license before operation of the facility.

The Commission's regulations in Part 2 of this chapter specifically provide for the holding of hearings on particular issues separately from other issues involved in hearings in licensing proceedings (§ 2.761a, Appendix A, section I(c)), and for the consolidation of adjudicatory proceedings and of the presentations of parties in adjudicatory proceedings such as licensing proceedings (§§ 2.715a, 2.716).

This Appendix sets out the particular requirements and provisions applicable to situations in which applications are filed by one or more applicants for licenses to construct and operate nuclear power reactors of essentially the same design to be located at different sites.[1]

1. Except as otherwise specified in this Appendix or as the context otherwise indicates, the provisions of this part applicable to construction permits and operating licenses, including the requirement in § 50.58 for review of the application by the Advisory Committee on Reactor Safeguards and the holding of public hearings, apply to construction permits and operating licenses subject to this Appendix N.

2. Applications for construction permits submitted pursuant to this Appendix N shall include the information required by §§ 50.33, 50.33a, 50.34(a) and 50.34a(a) and (b). The applicant shall also submit the information required by § 51.20 of this chapter.

For the technical information required by §§ 50.34(a)(1)–(5) and (8) and 50.34a(a) and (b), reference may be made to a single preliminary safety analysis of the design[2] which, for the purposes of § 50.34(a)(1) includes one set of site parameters postulated for the design of the reactors, and an analysis and evaluation of the reactors in terms of such postulated site parameters. Such single preliminary safety analysis shall also include information pertaining to design features of the proposed reactors that affect plans for coping with emergencies in the operation of the reactors, and shall describe the quality assurance program with respect to aspects of design, fabrication, procurement and construction that are common to all of the reactors.

(3) Applications for operating licenses submitted pursuant to this Appendix N shall include the information required by §§ 50.33, 50.34(b) and (c), and 5034a(c). The applicant shall also submit the information required by § 51.21 of this chapter. For the technical information required by §§ 50.34(b)(2)–(5) and 50.34a(c), reference may be made to a single final safety analysis of the design.

APPENDIX O—STANDARDIZATION OF DESIGN; STAFF REVIEW OF STANDARD DESIGNS

This appendix sets out procedures for the filing, staff review and referral to the Advisory Committee on Reactor Safeguards of standard designs for a nuclear power reactor of the type described in § 50.22 or major portions thereof.

1. Any person may submit a proposed preliminary or final standard design for a nuclear power reactor of the type described in § 50.22 to the regulatory staff for its review. Such a submittal may consist of either the preliminary or final design for the entire reactor facility or the preliminary or final design of major portions thereof.

2. The submittal for review of the standard design shall be made in the same manner and in the same number of copies as provided in § 50.30(a), (c)(1) and (3) for license applications.

3. The submittal for review of the standard design shall include the information described in § 50.33(a)–(d) and the applicable technical information required by §§ 50.34(a) and (b), as appropriate, and 50.34a (other than that required by §§ 50.34(a)(6) and (10), 50.34(b)(1), (6)(i), (ii), (iv), and (v) and 50.34(b)(7) and (8)). The submittal shall also include a description, analysis and evaluation of the interfaces between the submitted design and the balance of the nuclear power plant. With respect to the requirements of §§ 50.34(a)(1), the submittal for review of a standard design shall include the site parameters postulated for the design, and an analysis and evaluation of the design in terms of such postulated site parameters. The information submitted pursuant to § 50.34(a)(7) shall be limited to the quality assurance program to be applied to the design, procurement and fabrication of the structures, systems, and components for which design review has been requested and the information submitted pursuant to § 50.34(a)(9) shall be limited to the qualifications of the person submitting the standard design to design the reactor or major portion thereof. The submittal shall also include information pertaining to design features that affect plans for coping with emergencies in the operation of the reactor or major portion thereof.

4. Once the regulatory staff has initiated a technical review of a submittal under this Appendix, the submittal will be referred to the Advisory Committee on Reactor Safeguards (ACRS) for a review and report.

5. Upon completion of their review of a submittal under this Appendix, the regulatory staff shall publish in the FEDERAL REGISTER a determination as to whether or not the preliminary or final design is acceptable, subject to such conditions as may be appropriate, and make available in the Public Document Room an analysis of the design in the form of a report. An approved design shall be utilized by and relied upon by the regulatory staff and the ACRS in their review of any individual facility license application which incorporates by reference a design approved in accordance with this paragraph unless there exists significant new information which substantially affects the earlier determination or other good cause.

6. The determination and report by the regulatory staff shall not constitute a commitment to issue a permit or license, or in any way affect the authority of the Commission, Atomic Safety and Licensing Appeal Board, atomic safety and licensing boards, and other presiding officers in any proceeding under Subpart G of Part 2 of this chapter.

7. The Commission may, on its own initiative or in response to a petition for rule making, approve the design in a rule making proceeding and in that event, the approved design will be subject to challenge only as provided in § 2.758 of this chapter. An environmental impact statement may be prepared for such a rule making action in accordance with § 51.5 of this chapter. If an environmental impact statement is prepared, the Commission may require the petitioner for rule making to submit information to the Commission to aid the Commission in the

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[1] If the design for the power reactor(s) proposed in a particular application is not identical to the others, that application may not be processed under this appendix and Subpart D of Part 2 of this chapter.

[2] As used in this Appendix, the design of a nuclear power reactor included in a single referenced safety analysis report means the design of those structures, systems and components important to radiological health and safety and the common defense and security.

preparation of the environmental impact statement.

Effective date: The foregoing amendments are effective on February 18, 1975.

(Sec. 161, Pub. L. 83-703, 68 Stat. 948 (42 U.S.C. 2201))

Dated at Germantown, Maryland, this 11th day of January 1975.

For the Atomic Energy Commission.

PAUL C. BENDER,
Secretary of the Commission.

[FR Doc.75-1586 Filed 1-16-75;8:45 am]

PART 51—LICENSING AND REGULATORY POLICY AND PROCEDURES FOR ENVIRONMENTAL PROTECTION

Environmental Effects of Transportation of Radioactive Materials to and From Nuclear Power Plants; Correction

In FR Doc. 75-125, appearing at page 1005, in the issue for Monday, January 6, 1975, the following corrections are made.

1. In § 51.20(g)(3), on page 1008, third column, the last line reading "submitted prior to" is corrected to read "submitted prior to February 5, 1975.".

2. In Summary Table S-4, on page 1009, the column heading "Estimated number of persons" is corrected to read "Estimated number of persons exposed".

Dated at Germantown, Md. this 11 day of January, 1975.

For the Atomic Energy Commission.

PAUL C. BENDER,
Secretary of the Commission.

[FR Doc.75-1585 Filed 1-16-75;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 74-WE-10-AD; Amdt. 39-2069]

PART 39—AIRWORTHINESS DIRECTIVES

General Dynamics Models 22, 22M, 30, 30A Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring a thorough inspection of all electrical appurtenances physically located within lavatory waste container areas for proper condition and modifications of existing waste containers on all General Dynamics Models 22, 22M, 30, and 30A series airplanes was published in 39 FR 13555.

Interested persons have been afforded an opportunity to participate in the making of this amendment.

No comments were received on the above notice.

AD 74-08-09 is a companion agency action to this action. That directive, issued subsequently to the NPRM in this docket, requires the installation of certain placards and an ashtray in the lavatory, the adoption of a flight announcement procedure and certain inspections of the lavatory which will provide additional safety measures toward fire prevention and containerization.

After review and consideration of the additional information developed since issuance of the Notice, the FAA has determined that partial relief, consistent with safety, may be provided the operators by extending the compliance time to accomplish lavatory rework; however the inspection time will remain as proposed.

Subsequent to the issuance of the above notice, the General Dynamics Company has developed Service Bulletins describing satisfactory modifications. These Service Bulletins are included in this airworthiness directive.

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

GENERAL DYNAMICS. Applies to Models 22, 22M, 30, and 30A series airplanes, certificated in all categories.

Compliance required as indicated.

To reduce potential fire hazard existing in lavoratory waste containers of General Dynamics Models 22, 22M, 30, and 30A series airplanes, accomplish the following:

(a) Within 300 hours time in service from the effective date of this airworthiness directive, unless already accomplished within the last 1,000 hours, perform a thorough inspection of all electrical appurtenances, including wiring, terminal boxes, switches and hot water heaters physically located within lavatory waste container areas for wear, abrasion and corrosion. Repair or replace as necessary.

(b) By December 31, 1975, unless already accomplished, modify the existing lavatory waste containers in accordance with the following General Dynamics Service Bulletins, as applicable, or later FAA-approved revisions, or in a manner approved by the Chief, Aircraft Engineering Division, FAA Western Region:

Model	*Service Bulletin Number*
22	25-102A
22M	25-25A
30, 30A	25-34A

(c) Aircraft may be operated to a base for accomplishment of maintenance required under this airworthiness directive, per FAR's 21.197 and 21.199.

This amendment becomes effective January 24, 1975.

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

Issued in Los Angeles, California on January 9, 1975.

LYNN L. HINK,
Acting Director,
FAA Western Region.

[FR Doc.75-1576 Filed 1-16-75;8:45 am]

[Docket No. 74-EA-92; Amdt. 39-2068]

PART 39—AIRWORTHINESS DIRECTIVES

Leigh Systems, ELT

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to amend AD 74-18-15 applicable to Leigh Systems emergency locator transmitters utilizing magnesium batteries.

Since the publication of AD 74-18-15, Leigh Systems has changed its production system to include the electrical suppressor in newly manufactured transmitters. Thus the purpose of this amendment is to restrict its applicability to unsuppressed transmitters.

Since this amendment is less restrictive in nature, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89 [31 FR 13697] § 39.13 of Part 39 of the Federal Aviation Regulations is amended by amending AD 74-18-15 as follows:

(a) Delete the applicability statement and insert in lieu thereof the following:

Emergency Locator Transmitter Leigh Systems Sharc 7 Series. Applies to Leigh Systems Sharc 7 Series Serial Nos. 1000-24000 Emergency Locator Transmitter.

(b) Amend item (a) by deleting "Lithium battery equipped units" through "covers this same subject)".

This amendment is effective January 23, 1975.

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

Issued in Jamaica, N.Y. on January 9, 1975.

JAMES BISPO,
Acting Director,
Eastern Region.

[FR Doc.75-1575 Filed 1-16-75;8:45 am]

[Docket No. 74-WE-11-AD; Amdt. 39-2070]

PART 39—AIRWORTHINESS DIRECTIVES

McDonnell Douglas Models DC-8-20, -30, -40, -50, -60 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring a thorough inspection of all electrical appurtenances physically located within lavatory waste container areas for proper condition and modification of existing waste containers on all McDonnell Douglas DC-8-20, -30, -40, -50, and -60 series airplanes was published in 39 FR 13555.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all comments received in response to the above notice, insofar as they relate to matters within the scope of the notice.

One comment strongly endorses the concept described in the notice and suggests that a smoke/combustion detector be installed in each lavatory and that the FAA examine the possibility of providing effective fireproof containers and receptacles in each lavatory. These two suggestions are not within the scope of the notice, but will be given separate consideration.

In addition to receiving written responses, the FAA held a joint industry/agency consultative conference on August 22, 1974, which was attended by

representatives of the majority of U.S. DC-8 operators, the Air Transport Association of America (ATA), The McDonnell Douglas Company, as well as the Agency.

The ATA and the affected airlines recommended extending the proposed compliance time for modification of existing waste containers in consideration of the fact that a lead time of approximately six months is anticipated in receiving service kits, and an additional period of 12 months is required to service all of the aircraft involved.

AD 74-08-09 is a companion agency action to this action. That directive, issued subsequently to the NPRM in this docket, requires the installation of certain placards and an ashtray in the lavatory, the adoption of a flight announcement procedure and certain inspections of the lavatory which will provide additional safety measures toward fire prevention and containerization.

After review and consideration of the additional information developed since issuance of the notice, the FAA has determined that partial relief, consistent with safety, may be provided the operators by extending the compliance time to accomplish container modification; however, the inspection time will remain as proposed.

Subsequent to the issuance of the above notice, it has been determined that some DC-8-60 Series airplanes must be inspected and containers modified. Therefore, these aircraft have been added to this airworthiness directive. Further, the McDonnell Douglas Company has developed a satisfactory modification which is included in this airworthiness directive.

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

MCDONNELL DOUGLAS. Applies to Models DC-8-20, -30, -40, -50, and -60 Series airplanes, certificated in all categories.

Compliance required as indicated.

To reduce potential fire hazard existing in lavatory waste containers of McDonnell Douglas Models DC-8-20, -30, -40, -50, and -60 Series airplanes, accomplish the following:

(a) Within 300 hours time in service from the effective date of this airworthiness directive, unless already accomplished within the last 1,000 hours, perform a thorough inspection of all electrical appurtenances, including wiring, terminal boxes, switches, and hot water heaters, physically located within lavatory waste container areas for wear, abrasion and corrosion. Repair or replace as necessary.

(b) By December 31, 1975, unless already accomplished, modify the existing lavatory waste containers in accordance with McDonnell Douglas All Operators Letter (AOL) 8-676A, dated December 16, 1974, and enclosed data, as applicable, or later FAA-approved revisions, or in a manner approved by the Chief, Aircraft Engineering Division, FAA Western Region.

(c) Aircraft may be operated to a base for accomplishment of maintenance required under this airworthiness directive, per FAR's 21.197 and 21.199.

This amendment becomes effective January 24, 1975.

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

Issued in Los Angeles, California on January 9, 1975.

LYNN L. HINK,
Acting Director,
FAA Western Region.

[FR Doc.75-1577 Filed 1-16-75;8:45 am]

[Docket No. 14248; Amdt. 39-2072]

PART 39—AIRWORTHINESS DIRECTIVES

Mitsubishi Model MU-2B Airplanes

Pursuant to the authority delegated to me by the Administrator an airworthiness directive (AD) was adopted on November 12, 1974, and made effective immediately upon receipt of the airmail letter AD as to all known United States operators of Mitsubishi Heavy Industries, Ltd., Model MU-2B-26 (S/N 328 and below) and MU-2B-36 (S/N 673 and below) airplanes because of the report of an inflight failure and separation of a front windshield outer pane on a Mitsubishi Model MU-2B-35 airplane. The AD requires a visual check of the front windshield prior to each takeoff and the replacement of front windshields and the correction of malfunctioning air conditioning systems if found necessary.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the AD effective immediately as to all known U.S. operators of Mitsubishi Model MU-2B-26 (S/N 328 and below) and MU-2B-36 (S/N 673 and below) airplanes by airmail letter dated November 13, 1974. These conditions still exist and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), the AD is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

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

MITSUBISHI HEAVY INDUSTRIES, LIMITED. Applies to Mitsubishi Models MU-2B-26 (S/N 328 and below) and MU-2B-36 (S/N 673 and below) airplanes, except those airplanes modified in accordance with Mitsubishi Service Recommendation No. 027, dated September 12, 1974, or an FAA approved equivalent.

Compliance required as indicated.

To detect cracks and optical distortion in the front windshield outer panes that could result from the discharge of unusually hot defogging air caused by an air conditioning system failure, accomplish the following:

(a) Before further flight and thereafter prior to the first takeoff each day, from outside the aircraft, visually check the outer lower edge of the left hand and right hand front windshield outer panes for cracks and small oval shaped optical distortions. The check required by this AD may be performed by the pilot.

NOTE: Distortions generally appear at the same intervals as those of the defogging air outlet holes, approximately 0.5 inches apart, and in an area approximately 0.8 inches above the top of the outside bottom windshield retainer edge. Particular attention should be given to these areas during the checks required by paragraph (a).

(b) If cracks or small oval shaped optical distortions are found during a check required by paragraph (a), before further flight, accomplish the following and continue to check in accordance with paragraph (a) of this AD:

(1) Replace the windshield outer pane in which a crack or optical distortion is found in accordance with the performance rules of FAR 43.13.

NOTE: Mitsubishi replacement windshield part numbers are as follows: Aircraft with electrically heated windshields incorporated in accordance with Mitsubishi Service Recommendation No. 014—Windshield part numbers 010A-931026-11 and -12. Other aircraft—Serial numbers 4 through and including 7—Windshield part numbers 010A-31026-1 and -2; Serial numbers 8 and up—Windshield part numbers 010A-31450-1 and -2.

(2) Correct the malfunctioning of the air conditioning system in accordance with the performance rules of FAR 43.13.

(c) The inspections required by paragraphs (a) and (b) of this AD may be discontinued upon the incorporation of the modification specified in Mitsubishi Service Recommendation No. 027, dated September 12, 1974, or an FAA approved equivalent.

(d) Notwithstanding the compliance time for repair specified in paragraph (b) of this AD, the aircraft may be flown in accordance with FAR 21.197 to a base where the repair can be performed; provided that, the aircraft is not pressurized.

This amendment is effective January 17, 1975 as to all persons except those persons to whom it was made effective upon receipt of the airmail letter dated November 13, 1974, that contained this amendment.

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

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

[FR Doc.75-1578 Filed 1-16-75;8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER A—GENERAL

PART 2—ADMINISTRATIVE FUNCTIONS, PRACTICES, AND PROCEDURES

Revision of Delegations of Authority To Terminate Exemptions for New Drugs for Investigational Use

The Commissioner of Food and Drugs is amending "Part 2—Administrative Functions, Practices, and Procedures" (21 CFR Part 2) to provide for revised delegations relating to authority to terminate exemptions for new drugs for

investigational use in human beings or in animals. Recent reorganizations disestablished certain units thereby changing the status of other units and requiring title changes. The delegations of authority are being amended to make these changes.

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

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

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

* * * * *

(u) *Delegations regarding termination of exemptions for new drugs for investigational use in human beings or in animals.* (1) The Director and Deputy Director of the Bureau of Drugs are authorized to perform all the functions of the Commissioner of Food and Drugs with regard to the termination of exemptions for new drugs for investigational use in human beings under § 312.1 and in animals under § 312.9 of this chapter, except those which pertain to a biological product subject to the licensing provisions of section 351 of the Public Health Service Act (42 U.S.C. 262). The Associate Director and Deputy Associate Director for New Drug Evaluation and the Directors of the Divisions of: Anti-Infective Drug Products; Cardio-Renal Drug Products; Surgical-Dental Drug Products; Metabolism and Endocrine Drug Products; Neuropharmacological Drug Products; and Oncology and Radiopharmaceutical Drug Products of the Bureau of Drugs are authorized to notify sponsors and invite correction prior to termination action on such exemptions.

(2) The Director, Deputy Director, and Associate Director of the Bureau of Biologics are authorized to perform all the functions of the Commissioner of Food and Drugs with regard to the termination of those exemptions for new drugs for investigational use in human beings under § 312.1 and in animals under § 312.9 of this chapter pertaining to a biological product subject to the licensing provisions of section 351 of the Public Health Service Act (42 U.S.C. 262).

(3) The Director and Deputy Director of the Bureau of Veterinary Medicine are authorized to perform all the functions of the Commissioner of Food and Drugs with regard to the termination of exemptions for new animal drugs for investigational use in animals under § 135.3 of this chapter.

* * * * *

Effective date: This order shall be effective on January 17, 1975.

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

Dated: January 13, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-1590 Filed 1-16-75;8:45 am]

PART 121—FOOD ADDITIVES

Food Additives Permitted in Food for Human Consumption; Citric Acid; Correction

In FR Doc. 74-21188, appearing at page 34188 in the FEDERAL REGISTER of Monday, September 23, 1974, the following corrections are made on page 34190: § 121.1259(d), item 5 under the heading "APPARATUS," "Wavelength repeatability, ±0.02 nanometer." is changed to read "Wavelength repeatability, ±0.2 nanometer." and under the heading "REAGENTS AND MATERIALS," as corrected on page 38896 in the issue of November 3, 1974, the entry "1,2-Dichloroethane, spectrograde (Matheson, Coleman and Bell, East Rutherford, N.J. or its equivalent). Use 100 milliliters for the test. * * *" is changed to read "1,2-Dichloroethane, spectrograde (Matheson, Coleman and Bell, East Rutherford, N.J., or equivalent). Use 20 milliliters for the test. * * *."

Dated: January 13, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-1589 Filed 1-16-75;8:45 am]

Title 41—Public Contracts, Property Management

CHAPTER 51—COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

PART 51-6—PREPARATION OF ENVIRONMENTAL STATEMENTS

Revised Guidelines

On October 18, 1974, notice was published in the FEDERAL REGISTER (39 FR 37209) proposing procedures for Preparation of Environmental Statements as revised regulations to describe the policies and procedures for the administration of Pub. L. 92-28, June 23, 1971 (85 Stat. 77, 41 U.S.C. 46-48) (hereinafter referred to as the "Act"). Interested persons were given 45 days in which to submit written comments regarding the proposed regulations.

After consideration of all such relevant matter presented by interested persons, the only change in the proposed regulations was in Part 51-6.12(b) which was changed by inserting "publishing a notice in" in lieu of "for example, supplying information to".

Effective Date. This revision is effective upon issuance.

By the Committee.

C. W. FLETCHER,
Executive Director.

1. The Table of Parts is revised to read as follows:

Part	
51-1	General.
51-2	Committee for Purchase from the Blind and Other Severely Handicapped.
51-3	Central nonprofit agencies.
51-4	Workshops.
51-5	Procurement requirements and procedures.
51-6	Preparation of Environmental Statements.

2. Part 51-6 is added as follows:

Sec.	
51-6.1	Purpose and authority.
51-6.2	Policy.
51-6.3	Implementation.
51-6.4	Identification of actions requiring environmental impact statements.
51-6.5	Time scheduling.
51-6.6	General considerations as to utilization of impact statements.
51-6.7	EPA procedures under the Clean Air Act.
51-6.8	Securing information required in preparation of environmental impact statements.
51-6.9	Obtaining of comments on draft statements.
51-6.10	Content of environmental impact statements.
51-6.11	Filing and distribution of environmental impact statements.
51-6.12	Availability of environmental impact statements to the public.
51-6.13	Utilization of final impact statements in decisional process.
51-6.14	Comments on statements of other agencies.

AUTHORITY: Pub. L. 91-190, January 1, 1970. (42 U.S.C. 4332(2)(C)).

§ 51-6.1 Purpose and authority.

(a) *Authority.* The following procedures are established, after consultation with the Council on Environmental Quality, in accordance with the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969, Public Law 91-190 (42 U.S.C. 4332(2)(C)), hereinafter referred to as NEPA; section 2 of Executive Order 11514 (42 U.S.C. 4321 Note); and 1500.3 of the Guidelines for Preparation of Environmental Impact Statements promulgated by the Council on Environmental Quality, 40 CFR Part 1500 (38 FR 20550), hereby incorporated by reference and hereafter referred to as the CEQ Guidelines.

(b) *Scope.* These procedures apply to the recognition of the need for environmental impact statements with respect to major actions significantly affecting the quality of the human environment, to the preparation of such statements, and to their circulation and review within and outside the Committee for Purchase from the Blind and Other Severely Handicapped (Hereinafter, the Committee). The procedures also provide for appropriate action with respect to environmental impact statements submitted to the Committee for comment. These procedures are to be applied in the light of the definitions and instructions in the CEQ guidelines.

§ 51–6.2 Policy.

These procedures provide for:

(a) Designation of the official responsible for environmental impact statements.

(b) Identification of the proposed actions requiring environmental impact statements, the pertinent review process, and the time scheduling for consultations required by section 102(2)(C) of NEPA.

(c) Obtaining of the information required in the preparation of environmental impact statements.

(d) Consultation with and taking account of the comments of appropriate Federal, State, and local agencies, including the Administrator of the Environmental Protection Agency as to the environmental impact of matters under section 309 of the Clean Air Act, as amended (42 U.S.C. 1857h–7), and 1500.9 (b) of the CEQ Guidelines.

(e) Making suitable arrangements as required by section 2(b) of Executive Order 11514 and 1500.6(e) of the CEQ Guidelines, for timely public information on Committee plans and programs with environmental impact, including procedures relating to (i) the use of environmental impact statements in Committee policy and action review processes, (ii) the appropriate distribution of environmental impact statements, and (iii) the availability to the public of environmental impact statements and comments received thereon.

§ 51–6.3 Implementation.

(a) There shall be an Environmental Quality Officer (EQO), designated, who shall be responsible for (i) identifying actions requiring an environmental impact statement; (ii) making sure that each required statement is prepared timely and with the prescribed content; (iii) ensuring compliance with the requirements of NEPA, the CEQ Guidelines, and these procedures; (iv) maintaining compliance with all applicable scheduling, consultation, circulation, and publicity requirements; (v) receive all environmental impact statements submitted by other agencies to the Committee and coordinate the appropriate review and reply; (vi) perform such other functions as are specified in these procedures or are appropriate under the CEQ Guidelines or other instructions or recommendations of CEQ. The fulfillment of these duties will require constant and active attention by the EQO to insure that the possible timely applicability of NEPA is taken into account in all relevant cases and that, if an impact statement may be needed, the requirements of the Act, the CEQ Guidelines, these procedures are promptly and fully followed.

(b) The EQO shall be responsive to requests from the CEQ for reports or other information in connection with the implementation of NEPA and for the preparation and circulation of environmental impact statements, as required by 1500.11(f) of the Guidelines. In addition to the above, all contacts with CEQ, EPA, and other governmental agencies, or with nongovernmental matters shall be through or coordinated with the EQO.

(c) Letters transmitting environmental impact statements to the CEQ (section 11(a), below), as well as any reports or other communications to the Council, shall be addressed to its Chairman and shall be signed by the Executive Director of the Committee. Communications announcing decisions to prepare environmental impact statements (section 4(c), below) or transmitting final statements for the information of agencies or persons commenting on draft statements (section 11(c), below) shall also be signed by the Executive Director and, in the case of a Federal agency, shall be addressed to its departmental EQO or equivalent official.

§ 51–6.4 Identifying major actions significantly affecting the environment.

(a) Under the Committee's responsibility as prescribed by law, the only major actions which it may take that could significantly effect the quality of the environment are those involving the addition of a commodity or service to the Procurement List established by the Committee. The Procurement List is a listing of commodities and services which Federal Government departments and agencies must procure from sheltered workshops serving the blind or other severely handicapped.

(b) The statutory clause "Major Federal Actions significantly affecting the quality of the human environment" is to be construed by the Committee with a view to the overall, cumulative impact of the action proposed, related to Federal actions and projects in the area and further actions contemplated. The Council on the basis of a written assessment of the impact involved is available to assist in determining whether specific actions require impact statements. Significant effects can also include actions which may have both beneficial and detrimental effects, even if on balance the Committee believes that the effect will be beneficial. Significant effects also include secondary effects. While a precise definition of environmental "significance," valid in all contexts, is not possible, effects to be considered in assessing significance include, but are not limited to, those outlined in Appendix II of the guidelines. In all cases early notification shall be given by the EQO, and a determination as to the potential environmental effects of the action and the consequent need or absence of need to submit an impact statement in connection with it shall be made and, in the case of a negative determination in accordance with subsection (f) below, appropriately documented. If it appears appropriate in making such a determination, agencies outside the Committee having expertise in matters involved should be consulted. Agencies with special environmental expertise are listed in Appendix II of the CEQ Guidelines. Non-government organizations or individuals believed to have special knowledge should also be consulted when it appears appropriate. The appraisal provided for in this paragraph shall take place as early in the Committee's consideration of the proposed action as possible (Guidelines, 1500.2(a)).

(c) When a decision to prepare an environmental impact statement on a proposed action is made, the Committee shall promptly announce this fact in the FEDERAL REGISTER (see CEQ Guidelines, 1500.6(e)).

(d) The EQO shall cause to be maintained for public inspection a list of all matters to which it has been decided to prepare an impact statement, shall consolidate the list quarterly, and as it is so revised, shall transmit it to the Council (see CEQ Guidelines, 1500.6(e)).

(e) The Committee shall determine whether a hearing should be held with respect to an environmental matter in accordance with criteria set forth in 1500.7(d) of the Guidelines. Normally, all hearings contemplated in this paragraph should be based on a draft environmental impact statement, which should in any event be made available to the public at least 15 days before the hearing.

(f) If as a result of the consideration of a proposed action as provided for by (b) above it is determined that no environmental impact statement is required under section 102(2)(C) of NEPA, a succinct but complete environmental assessment (negative impact statement) describing the action, the environmental impacts considered and the reasons why it has been concluded that an impact statement need not be filed shall be prepared. The EQO shall prepare such an assessment. A file of such assessments, available for public inspection, shall be maintained by the EQO (see CEQ Guidelines, 1500.6(e)).

§ 51–6.5 Time scheduling.

(a) In general, the timing of the preparation, circulation, submission, and public availability of environmental impact statements will be observed as follows:

(i) Not less than 45 days for comments on draft statements, subject to a possible extension of up to 15 days (see CEQ Guidelines, 1500.9(f));

(ii) Not less than 90-day and 30-day periods, respectively, which may run concurrently, for public availability of draft and final statements prior to proposed actions (CEQ Guidelines, 1500.11(b));

(iii) Not less than 15 days for public availability of draft statements prior to any relevant hearings on proposed actions (CEQ Guidelines, 1500.7(d)).

(b) The periods specified in the preceding subsection are to be calculated from the date on which the CEQ published in the FEDERAL REGISTER the weekly list in which the respective statement is included (CEQ Guidelines, 1500.11(c)).

(c) In the event of emergencies or overriding considerations of expense, the CEQ may be consulted, through the EQO, on possible variations of the specified periods (CEQ Guidelines, 1500.11(e)).

§ 51–6.6 General considerations as to utilization of impact statements.

(a) The preparation of a requisite impact statement should be undertaken as early as possible in the Committee's process of considering the respective proposal. The normal process for consideration and review of actions shall be followed, with such adjustment, particularly as to time periods, as may be necessary to permit ample fulfillment of the requirements of NEPA, the CEQ Guidelines, and these procedures (see CEQ Guidelines, 1500.3(a) and 1500.11(b)).

(b) As indicated in 1500.9(a) of the CEQ Guidelines and contemplated in section 4(b) above, a general principle to be applied is to obtain the views of other agencies at the earliest feasible time in the development of program or project proposals. Duplication in the clearance process should be avoided, but significant changes or redirections of a proposal may call for further environmental analysis and comment (CEQ Guidelines, 1500.11(b)).

§ 51–6.7 EPA procedures under the Clean Air Act.

(a) Comments from the Environmental Protection Agency (EPA) should be requested on the environmental impact of any major action significantly affecting the quality of the human environment, in areas of EPA responsibility, which include: Air or water quality, noise abatement and control, pesticide regulation, solid waste disposal, and generally applicable environmental radiation criteria and standards. (See 1500.9(b) of the CEQ Guidelines and section 309 of the Clean Air Act (42 U.S.C. 1857h–7).)

(b) Where an environmental impact statement is being filed with EPA for comment, no special additional procedure is required.

§ 51–6.8 Securing information required in preparation of environmental impact statements.

(a) All available resources should be tapped in developing the factual and analytic information and reference sources required in the preparation of an environmental impact statement. The assistance of other agencies with jurisdiction by law or special expertise concerning the environmental impacts involved should be sought. See section 4(b) above, and 1500.9(a) and Appendixes II and III of CEQ Guidelines, which list the agencies to be consulted.

(b) If the EQO has difficulty in securing requisite information or needs guidance in making the necessary analysis, he should consult with staff members of the Council on Environmental Quality, the Office of Management and Budget, and the Environmental Protection Agency, or other pertinent sources.

§ 51–6.9 Obtaining of comments on draft statements.

(a) With respect to draft environmental impact statements, it is essential that the EQO consult with and take account of the comments of appropriate Federal, State, and local agencies. Initially this consultation may take the form of informal fact finding and analytical advice in the preparation of impact statements, as contemplated in sections 4 and 8 above, but in any event, consultation shall involve the formal solicitation of review and comments on the draft statement (CEQ Guidelines, 1500.9(a)–(b)). When appropriate, the procedures set forth in Office of Management and Budget Circular No. A–95 for obtaining state and local comments through clearing houses shall be utilized (CEQ Guidelines, 1500.9(c)).

(b) Comments should also be requested from private organizations or persons which appear to have a special interest in some significant environmental aspect of the proposed action (CEQ Guidelines, 1500.9(d)).

§ 51–6.10 Content of environmental impact statements.

(a) Environmental impact statements are to provide adequate, meaningful, and factual information and analysis to permit an evaluation of the action from the environmental standpoint. Perfunctory generalities are not acceptable, but, on the other hand, information should be conveyed as succinctly and understandably as the subject will permit. Quantitative information about the proposed action, including actual or estimated data on its probable effects, should be included to the furthest extent practicable. Where a cost-benefit analysis of the proposed action has been prepared, this analysis should be attached to the environmental impact statement sent to the commenting agencies and to the Council on Environmental Quality and made available to the public.

(b) The basic content requirements for a draft statement are set forth in 1500.8 of the CEQ Guidelines and those for a final statement in 1500.10. Appendix I of the Guidelines provides the format of a summary sheet which must accompany each draft and final statement. Statements shall follow the prescribed outline and content requirements as closely as is feasible in each particular case.

(c) All reasonable alternatives and their environmental impacts are to be discussed, regardless of whether or not they are within the authority of the Committee (CEQ Guidelines 1500.8(a)(4)).

(d) Any substantial points of view in opposition to the proposed action on environmental grounds which are known to exist shall be described in the draft statement as well as in the final statement. So far as possible, quotations of salient passages from expressions of such points of view should be included to make sure there is no doubt that they have been accurately presented. As to final statements, CEQ has directed (Guidelines 1500.10(a)) that all substantive comments (or if any is exceptionally voluminous, a summary thereof) received on the draft should be attached to each copy, whether or not each such comment is thought to merit individual discussion in the text of the statement.

(e) Each draft and final statement should refer to the underlying studies, reports and other documents considered and should indicate how such documents may be obtained. In general, with the exception of standard reference documents such as Congressional materials, the Committee should maintain a file of the respective documents which may be consulted by interested persons. Even if especially significant documents are attached to the statement, care should be taken to insure that it remains an essentially self-contained instrument easily understood by the reader without the need for undue cross reference (CEQ Guidelines, 1500.8(b)).

(f) Environmental impact statements should, to the extent possible, include statements or findings concerning environmental impact required by other statutes, such as section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. Section 470f), with a view to the issuance of a single document meeting all applicable requirements. Any procedures or instructions issued by the Federal agency having jurisdiction with regard to such a statute should, of course, be consulted in the preparation of the combined statement (CEQ Guidelines 1500.9(a)).

§ 51–6.11 Filing and distribution of environmental impact statements.

(a) Five copies of each draft or final statement are to be filed with CEQ (Guidelines, 1500.11(a) and supplemental CEQ instructions of March 1, 1974).

(b) At the same time that each draft statement is filed with the Council, copies should also be sent to all pertinent entities, i.e., Federal, state, and local agencies, and private organizations and individuals (CEQ Guidelines, 1500.9).

(c) At the same time that each final statement is filed with the Council, copies should also be sent to all entities which made substantive comments on the draft statement, or requested a copy, so that they may be appropriately informed (CEQ Guidelines, 1500.10(b)).

§ 51–6.12 Availability of environmental impact statement to the public.

(a) Environmental impact statements, both draft and final, and any substantive comments thereon shall be made available to the public pursuant to the Freedom of Information Act (5 U.S.C. 552). When appropriate, copies of each statement shall also be made available through State, regional, and metropolitan clearinghouses, or such alternate point as the Governor of the respective State may designate to CEQ (Guidelines, 1500.11(d)).

(b) A notice of the filing and availability of each environmental impact statement, draft and final, shall be inserted in the FEDERAL REGISTER. When appropriate, other methods for publicizing the existence of draft statement, such as, publishing a notice in local newspapers or sending a notice directly to non-governmental groups or persons believed to be interested (CEQ Guidelines, 1500.9(d)), should be utilized.

(c) Each statement should be reproduced in a number of copies sufficient

to meet the anticipated demands, not only of agencies, organizations, and individuals who must receive copies as required by section 11 above (1500.9 and 1500.10(b) of the CEQ Guidelines), but also for a reasonable number of additional requests. Copies to be made available to the public shall normally be provided without charge, but when copies are significant, a fee may be established which shall not exceed the actual cost per copy of reproducing the copies additional to those required to be sent to other Federal agencies (CEQ Guidelines 1500.9(d)).

§ 51–6.13 Utilization of final impact statement in the decisional process.

(a) Section 102(2) of NEPA requires that the final environmental impact statement shall accompany the proposal to which it relates through the Committee's decision process.

(b) In this process pertinent nonenvironmental factors are to be considered and balanced with those relating to the environment. It is requisite that the entire process be based on an administrative record in which the statement is included and fully taken into account together with the relevant nonenvironmental factors presented in the record. Although no significant factor should be neglected, the document should give particular attention to any appreciable adverse environmental effects set forth in the impact statement and should closely, though succinctly, balance them with any other relevant interests and considerations of Federal policy set forth in the record, including particularly an analysis of the alternatives to the proposed action and their relationship to the non-environmental factors. The final decision should contain sufficient analysis to make clear the essential basis of the determination.

§ 51–6.14 Comments on statements of other agencies.

(a) As set forth in section 3(a)(vi) above and pursuant to Appendix III of the CEQ Guidelines, the EQO shall receive all environmental impact statements submitted by other agencies for comment and coordinate the appropriate review and reply. If the Committee received a request for comment direct from another agency, the request, together with the respective statement, shall be referred to the EQO for appropriate action.

(b) Comments should of course be confined to matters within the jurisdiction or expertise of the Committee. However, comments need not be limited to environmental aspects but may relate to fiscal, economic, and other non-environmental matters of concern to the Committee.

(c) At the time comments are sent to the agency responsible for a statement, five copies shall be forwarded to the CEQ by the EQO (CEQ Guidelines, 1500.11(a)). Copies of replies indicating that the Committee has no comment on an impact statement should not be forwarded to the CEQ.

(d) With regard to requests for comment on statements relating to proposals for legislation, close coordination shall be maintained between the EQO and the Committee's counsel in relation to the latter's normal responsibility concerning the Committee's comments on legislative proposals themselves.

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Title 46—Shipping

CHAPTER IV—FEDERAL MARITIME COMMISSION

[Docket No. 75-1; General Order 22; Amdt. 5]

PART 503—PUBLIC INFORMATION

Implementation of Freedom of Information Act

Recent amendments to the Freedom of Information Act (5 U.S.C. 552) have made it necessary to amend the regulations of the Federal Maritime Commission dealing with Public Information. These regulations are published at 46 CFR Part 503. The purpose of the amendments to those regulations promulgated here is to make procedural and substantive modifications to the current provisions to ensure effective implementation of the Freedom of Information Act amendments by the FMC.

The significant portions of the regulations which are here modified deal with procedures to be followed by persons seeking certain records from the Commission and the actions to be taken by the Commission in case of such a request. The regulations, as modified, make it clear that the person responsible for Commission action on such requests is the Secretary of the Commission in the first instance. Should the Secretary determine that request for records should be denied in whole or in part, that determination may be appealed to the Chairman of the Commission who will make a decision whether or not to uphold the initial denial. In conformity with the Freedom of Information Act amendments, these regulations provide for stringent time limits within which this agency action, both initially and on appeal, must be accomplished, and limited exceptions to such limitations.

Additionally, the regulation modifications contained here provide for a schedule of fees to be charged to any person requesting records or other documents from the Commission. Because the previously published regulations contained such a schedule of fees, the modification of the regulations in this regard has been minimal. The only modification made deals with the discretionary ability of the Commission to waive or reduce the fees charged when the information furnished is determined by the Commission to be of primary benefit to the general public. However, in order to comply with the mandate of the Freedom of Information Act amendments, Subpart E of Part 503 prescribing fees to be charged is hereby republished in its entirety as amended for comment and public procedure thereon.

The regulations are further amended to correspond precisely to the Freedom of Information Act provisions with regard to those records and documents which may be exempt from disclosure. Requisite conforming language has been inserted in these regulations with regard to information properly classified pursuant to Executive Order and limitations on the availability of investigative files. The new rules also provide that if a nonexempt portion of documents requested may be reasonably segregable from the exempt matters those segregable nonexempt portions will be provided to the person requesting the entire document.

A further modification of the current regulations deals with the publication by this agency of various indices of documents of the Commission. Pursuant to Freedom of Information Act provisions this Commission has determined that publication of such indices is impracticable or unnecessary. This determination reflects the existence of indices which predate the FOIA amendments and which are available to the public in the Office of Secretary of the Commission or furnished upon request. Opinions of the Commission, reports of decisions, docket files and other such records are currently indexed. Publication of such indices on a quarterly basis seems to be unnecessary and unnecessarily costly in view of the paucity of public requests for such indexed records historically.

The final substantial amendment to the regulations of this part deals with an annual report by the Commission to both Houses of Congress detailing the activities of the Commission with respect to requests for documents and the Commission's treatment of such requests.

All further amendments included herein to the provisions of this Part are of a procedural nature which consist primarily of conforming language by which the regulations of this Part are made to conform to the provisions of the Freedom of Information Act as amended and effective February 19, 1975.

Therefore, pursuant to sections 3 and 4 of the Administrative Procedure Act, and the Freedom of Information Act, 5 U.S.C. 552, as amended by Pub. L. 93-502, November 21, 1974, Title 46 Code of Federal Regulations Part 503 is amended as follows:

1. Section 503.1 is revoked in its entirety and is hereby superseded by a new § 503.1, which reads as follows:

§ 503.1 Statement of policy.

(a) The Chairman of the Federal Maritime Commission is responsible for the effective administration of the provisions of Pub. L. 89-487, as amended. The Chairman shall carry out this responsibility through the program and the officials as hereinafter provided in this Part.

(b) In addition, the Chairman, pursuant to his responsibility hereby directs that every effort be expended to facilitate the maximum expedited service

to the public with respect to the obtaining of information and records. Accordingly, members of the public may make requests for information, records, decisions or submittals in accordance with the provisions of § 503.31 of this Part.

2. Section 503.22 is amended by the addition of the following sentence at the end thereof:

§ 503.22 Current Index.

* * * Publication of such indices has been determined by the Commission to be unnecessary and impracticable. The indices shall, nonetheless, be provided to any member of the public at a cost not in excess of the direct cost of duplication of any such index upon request therefor made in accordance with Subpart D of this part.

3. Section 503.31 is hereby revoked and is superseded by new § 503.31, reading as follows:

§ 503.31 Identification of records.

A member of the public who requests permission to inspect, copy or be provided with any records described in §§ 503.11, 503.21, 503.24 and 503.25 of this part shall:

(a) Reasonably describe the record or records sought; and

(b) Submit such request in writing to the Secretary, Federal Maritime Commission, Washington, D.C. 20573. Any such request shall be clearly marked on the exterior with the letters FOIA.

§ 503.32 [Amended]

4. Section 503.32 is hereby amended by deletion in the first paragraph of the words "* * * in person or in writing at the Public Reference Room * * *" and substituting therefor the following language: "* * * in writing addressed to the Office of the Secretary * * *."

5. Section 503.33 is amended by deletion of the first two sentences thereof and the substitution therefor of the following language:

§ 503.33 Other records available upon written request.

Any written request to the Office of the Secretary, Federal Maritime Commission, Washington, D.C. 20573, for records listed in paragraphs (a) through (e), inclusive, of this section shall identify the record as provided in section 503.31. The Secretary shall evaluate each request in conjunction with the official having responsibility for the subject matter area, and the General Counsel, and the Secretary shall determine whether or not to grant the request in accordance with the provisions of § 503.34. * * *

* * * * *

6. Section 503.34 is hereby revoked and superseded by the following new § 503.34:

§ 503.34 Procedures on requests for documents.

(a) Determination of compliance with requests for document.

(1) Upon request by any member of the public for documents, made in accordance with the rules of this part, the Commission's Secretary or his delegate in his absence, shall determine whether or not such request shall be granted.

(2) Except as provided in paragraph (c) of this section, such determination shall be made by the Secretary within ten (10) days (excepting Saturdays, Sundays and legal public holidays) after receipt of any such request.

(3) The Secretary shall immediately notify the party making such request of the determination made, the reasons therefor, and, in the case of a denial of such request, shall notify the party of his right to appeal that determination to the Chairman.

(b) Appeals from adverse determination (denial of request).

(1) Any party whose request for documents or other information pursuant to this part has been denied in whole or in part by the Secretary may appeal such determination. Any such appeal shall be addressed to: Chairman, Federal Maritime Commission, Washington, D.C. 20573, and shall be submitted within a reasonable time following receipt by the party of notification of the initial denial by the Secretary in the case of a total denial of the request or within a reasonable time following receipt of any of the records requested in the case of a partial denial. In no case shall an appeal be filed later than ten (10) working days following receipt of notification of denial or receipt of a part of the records requested.

(2) Upon appeal from any denial or partial denial of a request for documents by the Secretary, the Chairman of the Federal Maritime Commission or the Chairman's specific delegate in his absence, shall make a determination with respect to that appeal within twenty (20) days (excepting Saturdays, Sundays and legal public holidays) after receipt of such appeal, except as provided in paragraph (c) of this section. If, on appeal, the denial is upheld, either in whole or in part, the Chairman shall so notify the party submitting the appeal and shall notify such person of the provisions of paragraph 4 of subsection (a) of the FOIA (Pub. L. 93-502, 88 Stat. 1561-1562, November 21, 1974) regarding judicial review of such determination upholding the denial. Notification shall also include the statement that the determination is that of the Chairman of the Federal Maritime Commission and the name of the Chairman.

(c) *Exception to time limitation.* In unusual circumstances as specified in this paragraph, the time limits prescribed with respect to initial actions or actions on appeal may be extended by written notice from the Secretary of the Commission to the person making such request setting forth the reasons for such extension and the date on which a determination is expected to be dispatched. No such notice shall specify a date that would result in an extension for more than ten working days. As used in this paragraph, "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.

(d) *Effect of failure by Commission to meet the time limitation.* Failure by the Commission either to deny or grant any request for documents within the time limits prescribed by FOIA (5 U.S.C. 552, as amended) and these regulations shall be deemed to be an exhaustion of the administrative remedies available to the person making the request.

§ 503.35 Exceptions to availability of records.

7. Section 503.35 is hereby amended by the deletion of paragraphs (a) and (g) and the substitution of new paragraphs (a) and (g), reading as follows:

* * * * *

(a) Records specifically authorized under criteria established by Executive Order to be kept secret in the interest of national defense or foreign policy and which are in fact properly classified pursuant to such Executive Order. Records to which this provision applies shall be deemed by the Commission to have been properly classified. This exception may apply to records in the custody of the Commission which have been transmitted to the Commission by another agency which has designated the record as nonpublic under Executive Order.

* * * * *

(g) Investigatory records compiled for law enforcement purposes, but only to the extent that the production of such records would (1) interfere with enforcement proceedings, (2) deprive a person of a right to a fair trial or an impartial adjudication, (3) constitute an unwarranted invasion of personal privacy, (4) 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, (5) disclose investigative techniques and procedures, or (6) endanger the life or physical safety of law enforcement personnel. Any record, portions of which are exempt under the provisions of this section, will be provided to any person requesting such record after the exempt portion or portions thereof have been deleted, provided such nonexempt portion or portions are reasonably segregable.

8. A new § 503.36 entitled *Commission Report of Actions* is hereby promulgated following § 503.35 and reading as follows:

§ 503.36 Commission report of actions.

On or before March 1 of each calendar year, the Federal Maritime Commission shall submit a report of its activities with regard to public information requests during the preceding calendar year to the Speaker of the House of Representatives and to the President of the Senate. This report shall include—

(a) The number of determinations made by the Federal Maritime Commission not to comply with requests for records made to the agency under the provisions of this part and the reasons for each such determination.

(b) The number of appeals made by persons under such provisions, the result of such appeals, and the reason for the action upon each appeal that results in a denial of information.

(c) The names and titles or positions of each person responsible for the denial of records requested under the provisions of this Part and the number of instances of participation for each.

(d) The results of each proceeding conducted pursuant to subsection (a) (4) (F) of FOIA, as amended November 21, 1974, 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.

(e) A copy of every rule made by the Commission implementing the provisions of the FOIA, as amended November 21, 1974.

(f) A copy of the fee schedule and the total amount of fees collected by the agency for making records available under this section.

(g) Such other information as indicates efforts to administer fully the provisions of the FOIA, as amended.

9. Subpart E—*Fees* is amended by the addition of a new paragraph (g) to § 503.43 and is republished in its entirety as follows:

Subpart E—Fees

§ 503.41 Policy and services available.

Pursuant to policies established by the Congress, the Government's costs for special services furnished to individuals or firms who request such service are to be recovered by the payment of fees (Act of Aug. 31, 1951—5 U.S.C. 140). Upon written request directed to the Federal Maritime Commission pursuant to the FOIA as amended and as implemented by the provisions of this part, there are available upon payment of the fees hereinafter prescribed, with respect to documents subject to inspection, services as follows:

(a) Copying records/documents.

(b) Certification of copies of documents.

(c) Records search.

(d) Subscriptions to publications of the Commission.

(e) Transcripts of hearings.

§ 503.42 Payment of fees and charges.

The fees charged for special services may be paid by check, draft, or postal money order, payable to the Federal Maritime Commission, except for charges for transcript of hearings. Fees for transcript of hearings are payable to the firm providing the services.

§ 503.43 Fees for services.

The basic fees set forth below provide for documents to be mailed with ordinary first-class postage prepaid. If copy is to be transmitted by registered, certified, air, or special delivery mail, postage therefor will be added to the basic fee. Also, if special handling or packaging is required, costs thereof will be added to the basic fee.

(a) The copying of records and documents will be available at the rate of 30 cents per page (one side) by the Xerox process, limited to size 8¼" x 14" or smaller.

(b) The certification and validation (with Federal Maritime Commission seal) of documents filed with or issued by the Commission will be available at $2.00 for each such certification.

(c) To the extent that time can be made available, records and information search will be performed for reimbursement at the following rates:

(1) By clerical personnel at a rate of $4.50 per person per hour.

(2) By professional personnel at an actual hourly cost basis to be established prior to search.

(3) No charge for records' search will be imposed for the first one-half hour.

(d) Annual subscriptions to Commission publications for which there are regular mailing lists are available at the charges indicated below for calendar year terms. Subscriptions for periods of less than a full calendar year will be prorated on a quarterly basis. No provision is made for refund upon cancellation of subscription by a purchaser.

(1) Orders, notices, rulings, and decisions (initial and final) issued by Administrative Law Judges and by the Commission in all formal docketed proceedings before the Federal Maritime Commission are available at an annual subscription rate of $30.

(2) Final decisions (only) issued by the Commission in all formal docketed proceedings before the Commission are available at an annual subscription rate of $10.

(3) General orders of the Commission, including all proposed and final rules, are available at an annual subscription rate of $2 (initial annual subscription will entitle the purchaser to a complete set of current General Orders issued to date).

(4) *Exceptions.* No charge will be made by the Commission for notices, decisions, orders, etc., required by law to be served on a party to any proceeding or matter before the Commission. No charge will be made for single copies of Commission publications individually requested in person or by mail. In addition a subscription to Commission mailing lists will be entered without charge when one of the following conditions is present:

(i) The furnishing of the service without charge is an appropriate courtesy to a foreign country or international organization.

(ii) The recipient is another governmental agency, Federal, State, or local, concerned with the domestic or foreign commerce by water of the United States or, having a legitimate interest in the proceedings and activities of the Commission.

(iii) The recipient is a college or university.

(iv) The recipient does not fall into paragraphs (d) (4) (i), (ii), or (iii) of this section, but is determined by the Commission to be appropriate in the interest of its program.

(e) Transcripts of testimony and of oral argument are furnished by a nongovernmental contractor, and may be purchased directly from the reporting firm.

(f) The Commission publication entitled "Automobile Manufacturers' Measurements" is available on a fiscal year subscription basis, including any supplements issued during the fiscal year in which purchased, for a fee of $5.00.

(g) Upon a determination by the Commission that waiver or reduction of the fees prescribed in this section is in the public interest because the information furnished has been determined to be of primary benefit to the general public, such information shall be furnished without charge or at a reduced charge in the discretion of the Commission.

Notice and public procedure on these amendments are deemed to be unnecessary and impracticable, with the exception of the amendments to and republication of Subpart E—Fees, since these amendments merely conform to the requirements of the Freedom of Information Act amendments of November 21, 1974. Comments with respect to Subpart E, if any, shall be submitted to the Secretary, Federal Maritime Commission, not later than January 27, 1975.

Effective date. In the absence of comments, or upon whatever modification may be required in response to comments submitted with respect to Subpart E, these amendments shall become effective on February 19, 1975.

By the Commission.

[SEAL] FRANCIS C. HURNEY, *Secretary.*

[FR Doc.75-1656 Filed 1-16-75;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

PART 0—COMMISSION ORGANIZATION

Radio Operator Examination Points

1. The purpose of this Order is to change the commercial and amateur radio operator examination points listed in § 0.485 and Appendix 1 to Part 97 of the Commission's rules.

2. FCC examinations are given four times a year at Birmingham, Alabama. A greater percentage of the population would be served by reducing the frequency of examinations at Birmingham to twice a year, and adding a new examination point at Montgomery, Alabama, where examinations would also be given twice a year.

3. An examination point is needed to serve the population in Southern Georgia, Eastern Alabama, and Northern Florida. A new examination point will, therefore, be added at Albany, Georgia where examinations will be given twice a year.

4. Examinations are now given twice a year at Hartford, Connecticut. The volume of examinations is sufficient to warrant increasing the frequency of examinations from twice a year to four times a year.

5. The FCC and the Civil Service Commission are currently engaged in an experimental program whereby Civil Service conducts FCC examinations in 99 cities. These 99 cities are concentrated in areas covered by five FCC district offices. Because of the experimental nature of this program, it is not practical to list the individual cities or the frequency of the examinations; however, a general reference to the experimental program should be included in the rules.

6. The following is a list of cities which are currently shown in the Rules, but which will be withdrawn—not because examinations will cease to be given, but because these cities are part of the 99 cities involved in the FCC/Civil Service experimental program.

Billings, Mont.	Hilo, Hawaii
Charleston, W. Va.	Indianapolis, Ind.
Cincinnati, Ohio	Juneau, Alaska
Cleveland, Ohio	Ketchikan, Alaska
Columbus, Ohio	Lihue, Hawaii
Davenport, Iowa	Louisville, Ky.
Fairbanks, Alaska	Milwaukee, Wis.
Fort Wayne, Ind.	Spokane, Wash.
Grand Rapids, Mich.	Wailuku, Hawaii
Helena, Mont.	

In addition, since Hawaii and Guam are two areas involved in the FCC-Civil Service experiment, there are no longer arrangements with other Federal agencies to conduct examinations at these two locations. References to these arrangements are, therefore, being deleted from the rules.

7. Authority for the amendment is contained in section 4(i) and 303(r) of the Communications Act of 1934, as amended, section 552 of the Administrative Procedure Act, and § 0.231(e) of the Commission's rules. Because the amendment is procedural in nature, the prior notice and effective date provisions of section 553 of the Administrative Procedure Act do not apply.

8. *It is ordered*, That effective January 17, 1975 Parts 0 and 97 of the rules and Regulations are amended as set forth below.

Adopted: December 30, 1974.

Released: January 7, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] R. D. LICHIWARDT,
Acting Executive Director.

Parts 0 and 97 of Chapter I of Title 47 of the Code of Federal Regulations are amended as follows:

§ 0.485 Amateur and commercial operator examination points.

* * * * *

(c) * * *

QUARTERLY POINTS

Albany, N.Y.	Phoenix, Ariz.
Des Moines, Iowa	Pittsburgh, Pa.
Fresno, Calif.	St. Louis, Mo.
Hartford, Conn.	Salt Lake City, Utah
Knoxville, Tenn.	San Antonio, Tex.
Little Rock, Ark.	Sioux Falls, S. Dak.
Memphis, Tenn.	Syracuse, N.Y.
Nashville, Tenn.	Tulsa, Okla.
Oklahoma City, Okla.	Winston-Salem, N.C.
Omaha, Nebr.	

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Albany, Ga.	Las Vegas, Nev.
Albuquerque, N. Mex.	Lubbock, Tex.
Bangor, Maine	Montgomery, Ala.
Birmingham, Ala.	Portland, Maine
Boise, Idaho	Reno, Nev.
Columbia, S.C.	Salem, Va.
Corpus Christi, Tex.	Tucson, Ariz.
El Paso, Tex.	Wichita, Kans.
Jackson, Miss.	Williamsport, Pa.
Jacksonville, Fla.	Wilmington, N.C.

ANNUAL

Bakersfield, Calif.	Marquette, Mich.
Jamestown, N. Dak.	Rapid City, S. Dak.
Klamath Falls, Oreg.	

(d) Because of a joint FCC–Civil Service Commission experiment, there are 99 additional cities where FCC radio operator examinations are available. This number may fluctuate from time to time during the experiment. The states involved in this experimental program are:

Alaska	Michigan
Hawaii (including Guam)	Montana
Idaho	Ohio
Illinois	Washington
Indiana	West Virginia
Kentucky	Wisconsin

Specific examination schedules are available from any of the Commission's district offices or from its main office in Washington, D.C.

* * * * *

Part 97, Appendix 1, is amended to read as follows:

APPENDICES

APPENDIX 1

EXAMINATION POINTS

* * * * *

QUARTERLY POINTS

Albany, N.Y.	Omaha, Nebr.
Des Moines, Iowa	Phoenix, Ariz.
Fresno, Calif.	Pittsburgh, Pa.
Hartford, Conn.	St. Louis, Mo.
Knoxville, Tenn.	Salt Lake City, Utah
Little Rock, Ark.	San Antonio, Tex.
Memphis, Tenn.	Sioux Falls, S. Dak.
Nashville, Tenn.	Syracuse, N.Y.
Oklahoma City, Okla.	Tulsa, Okla.
	Winston-Salem, N.C.

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Albany, Ga.	Las Vegas, Nev.
Albuquerque, N. Mex.	Lubbock, Tex.
Bangor, Maine	Montgomery, Ala.
Birmingham, Ala.	Portland, Maine
Boise, Idaho	Reno, Nev.
Columbia, S.C.	Salem, Va.
Corpus Christi, Tex.	Tucson, Ariz.
El Paso, Tex.	Wichita, Kans.
Jackson, Miss.	Williamsport, Pa.
Jacksonville, Fla.	Wilmington, N.C.

ANNUAL

Bakersfield, Calif.	Marquette, Mich.
Jamestown, N. Dak.	Rapid City, S. Dak.
Klamath Falls, Oreg.	

Because of a joint-FCC-Civil Service Commission, experiment, there are 99 additional cities where FCC radio operator examinations are available. This number may fluctuate from time-to-time during the experiment. The states involved in this experimental program are:

Alaska	Michigan
Hawaii (including Guam)	Montana
Idaho	Ohio
Illinois	Washington
Indiana	West Virginia
Kentucky	Wisconsin

Specific examination schedules are available from any of the Commission's district offices or from its main office in Washington, D.C.

[FR Doc.75-1651 Filed 1-16-75;8:45 am]

[FCC 75-7]

PART 81—STATIONS ON LAND IN THE MARITIME SERVICES AND ALASKA-PUBLIC FIXED STATIONS

PART 83—STATIONS ON SHIPBOARD IN THE MARITIME SERVICES

Order Concerning Availability of New Frequency for Ship Station Use

In the matter of amendments of Parts 81 and 83 of the Commission's rules, to make available a new frequency for use by ship stations and the Public Coast II-B station at Memphis, Tennessee.

1. WJG, Inc., licensee of Public Coast II-B station WJG, Memphis, Tennessee, has requested that an alternate frequency be made available for use by ship stations and its coast station. Use of the presently available frequency of 6451.9 kHz is seriously impaired by U.S. Navy use of the frequency 6453 kHz and, therefore, use of this frequency will be deleted as of March 8, 1975, replaced by the frequency 6202.2 kHz.

2. Monitoring by the station licensee and a study of present assignments show that 6202.2 kHz (carrier 6200.8 kHz) may be made available for simplex operation and interference should not occur. This is the ship transmitting frequency of a channel allocated for duplex (two frequency) operation. The companion frequency allocated for coast station use, 6515.4 kHz, is used by the Government for simplex operation only.

3. Editorial amendment to delete the phrase "after January 1, 1974" of the affected rules is also in order.

4. The rule amendments adopted herein pertain to the use of a frequency allocated to the Maritime Mobile Service,

and since users of this or other frequencies in this band are not affected, we find the amendment to be minor in nature and the prior notice, effective date, and procedure provisions of 5 U.S.C., Section 553 are impracticable and unnecessary.

5. Accordingly, it is ordered, That effective February 18, 1975, Parts 81 and 83 of the Commission's rules are amended as set forth below.

Adopted: January 3, 1975.

Released: January 9, 1975.

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

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

Parts 81 and 83 of Chapter 1 of Title 47 of the Code of Federal Regulations are amended as follows:

1. The list of frequencies in § 81.304(a) is amended by adding 6200.8 kHz, and § 81.304(b)(27) is amended to read as follows:

§ 81.304 Frequencies available.

(a) * * *

Carrier frequency (kHz)	See section	Conditions of use
*	*	*
6147.5	81.306(c)	3, 5, 47.
6200.8	81.306(c)	5, 27.
6451.9	81.306(c)	3, 4, 5, 47.
*	*	*

(b) * * *

(27) For use with emissions 2.8A3A and 2.8A3J, with coast and ship stations operating (simplex) on the same frequency.

* * * * *

2. Section 81.306(c) is amended and footnote 1 added to read as follows:

§ 81.306 Frequencies available below 27.5 MHz.

* * * * *

(c) Subject to the specific limitations imposed in this paragraph and in § 81.304 with respect to particular frequencies, the carrier frequencies designated herein are assignable for working purposes to Class II Public Coast stations using telephony when the coast station and the mobile station transmit alternately on the same frequency: *Provided*, That these frequencies are assignable only to coast stations located in the vicinity of the harbors, ports, or places designated hereinafter opposite the respective frequency:

Coast station location:	Frequency (kHz)
Baltimore, Md	2400.0
Louisville, Ky	2086.0
	2782.0
	4069.2
	6455.0
	8780.0
	13,158.0
	17,283.0
Memphis, Tenn	2086.0
	2782.0
	4088.4
	6200.8
	[1] 6451.9
	8246.0
	12,379.0
	16,488.0
Pittsburgh, Pa	2086.0
	2782.0
	4387.0
	6451.9
	8207.6
	12,379.0
	16,488.0
St. Louis, Mo	2086.0
	2782.0
	4367.8
	6147.5
	8210.8
	13,158.0
	17,283.0
Lake Dallas-Lake Texhoma, Tex	2738.0
Lake Mead, Nev	2782.0
The Dalles-Umatilla, Oreg.	2784.0

[1] For use until Mar. 1, 1975.

* * * * *

3. The list of frequencies in § 83.351(a) is amended by adding 6200.8 kHz and arranging other frequencies in the proper order, and § 83.351(b)(15) is amended to read as follows:

§ 83.351 Frequencies available.

(a) * * *

Carrier frequency (kHz)	See section	Conditions of use
*	*	*
4434.9	83.360	13, 16.
6147.5	83.354(c)	3, 5, 15, 21.
6200.8	83.354(c)	5, 15, 21.
6210.4	83.360	13, 16.
6213.5	83.360	13, 16.
6451.9	83.354(c)	3, 5, 15, 21.
6455.0	83.354(c)	3, 4, 15, 21.
6518.6	83.360	13, 16.
*	*	*

(b) * * *

(15) Emissions 2.8A3A and 2.8A3J.

* * * * *

4. Section 83.354(c) is amended and footnote 1 added to read as follows:

§ 83.354 Frequencies below 5000 kHz for public correspondence.

* * * * *

(c) Frequencies available for use when the mobile stations and the coast station transmit alternately on the same radio channel:

Coast station location:	Frequency (kHz)
Baltimore, Md	2400.0
Louisville, Ky	2086.0
	2782.0
	4069.2
	6455.0
	8780.0
	13,158.0
	17,283.0
Memphis, Tenn	2086.0
	2782.0
	4088.4
	6200.8
	[1] 6451.9
	8246.0
	12,379.0
	16,488.0
Pittsburgh, Pa	2086.0
	2782.0
	4387.0
	6451.9
	8207.6
	12,379.0
	16,488.0
St. Louis, Mo	2086.0
	2782.0
	4367.8
	6147.5
	8210.8
	13,158.0
	17,283.0
Lake Dallas-Lake Texhoma, Tex	2738.0
Lake Mead, Nev	2782.0
The Dalles-Umatilla, Oreg	2784.0

* * * * *

[1] For use until Mar. 1, 1975.

[FR Doc.75-1485 Filed 1-16-75;8:45 am]

NATIONAL ENVIRONMENTAL POLICY ACT

Implementation Procedures

In the matter of amendment of §§ 81.24, 87.31, 89.63, 91.58, 93.58, 95.19, 95.37, 95.41, and 99.11 of the Commission's Rules with respect to implementation of the National Environmental Policy Act of 1969.

1. On September 26, 1974, the Commission amended Part 1 of its rules by the addition thereto of Subpart I, which sets forth rules applicable Commission-wide to implement the National Environmental Policy Act of 1969. It was not felt necessary to repeat the text of that subpart in all of the various parts of the Commission's rules where they would be applicable. Even though their inclusion in Part 1 is deemed sufficient notice to applicants, for further dissemination of their adoption we are hereby amending those rules parts governing the Safety and Special Radio Services to include, where appropriate, a rule directing applicants' attention to Subpart I of Part 1, but without repeating the text of Subpart I.

2. Authority for the adoption of this Order is contained in section 4(i) of the Communications Act of 1934, as amended, and in § 0.231(d) of the Commission's rules and regulations. Since the amendments adopted herein are editorial in nature, the prior notice, procedure, and effective date provisions of 5 U.S.C. 553 are not applicable.

3. Accordingly, it is ordered, That effective January 24, 1975, §§ 81.24, 87.31, 89.63, 91.58, 93.58, 95.19, 95.37, 97.41, and 99.11 are amended as set forth below.

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

Adopted: January 6, 1975.

Released: January 10, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] R. D. LICHTWARDT,
Acting Executive Director.

Parts 81, 87, 89, 91, 93, 95, 97, and 99 of Chapter I, 47 CFR, are amended as follows:

PART 81—STATIONS ON LAND IN THE MARITIME SERVICES AND ALASKA—PUBLIC FIXED STATIONS

1. In § 81.24, paragraph (h) is added to read as follows:

§ 81.24 Application precedent to authorization.

* * * * *

(h) Each applicant in the Safety and Special Radio Services (1) for modification of a station license involving a site change or a substantial increase in tower height or (2) for a license for a new station must, before commencing construction, supply the environmental information, where required, and must follow the procedure prescribed by Subpart I of Part 1 of this chapter (§§ 1.1301 through 1.1319) unless Commission action authorizing such construction would be a minor action with the meaning of Subpart I of Part 1.

PART 87—AVIATION SERVICES

2. In § 87.31, paragraph (g) is added to read as follows:

§ 87.31 Application for ground station authorization.

* * * * *

(g) Each applicant in the Safety and Special Radio Services (1) for modification of a station license involving a site change or a substantial increase in tower height or (2) for a license for a new station must, before commencing construction, supply the environmental information, where required, and must follow the procedure prescribed by Subpart I of Part 1 of this chapter (§§ 1.1301 through 1.1319) unless Commission action authorizing such construction would be a minor action with the meaning of Subpart I of Part 1.

PART 89—PUBLIC SAFETY RADIO SERVICE

3. In § 89.63, paragraph (k) is added to read as follows:

§ 89.63 Supplementary information to be submitted with application.

Each application for station authorization shall be accompanied by such supplemental information listed below as may be required:

* * * * *

(k) Each applicant in the Safety and Special Radio Services (1) for modification of a station license involving a site change or a substantial increase in tower height or (2) for a license for a new station must, before commencing construction, supply the environmental information, where required, and must follow the procedure prescribed in Subpart I of Part 1 of this chapter (§§ 1.1301 through 1.1319) unless Commission action authorizing such construction would be a minor action with the meaning of Subpart I of Part 1.

PART 91—INDUSTRIAL RADIO SERVICES

4. In § 91.58, paragraph (l) is added to read as follows:

§ 91.58 Supplemental information to be submitted with application.

Each application for station authorization shall be accompanied by such supplemental information listed below as may be required.

* * * * *

(l) Each applicant in the Safety and Special Radio Services (1) for modification of a station license involving a site change or a substantial increase in tower height or (2) for a license for a new station must, before commencing construction, supply the environmental information, where required, and must follow the procedure prescribed by Subpart I of Part 1 of this chapter (§§ 1.1301 through 1.1319) unless Commission action authorizing such construction would be a minor action with the meaning of Subpart I of Part 1.

PART 93—LAND TRANSPORTATION RADIO SERVICES

5. In § 93.58, paragraph (l) is added to read as follows:

§ 93.58 Supplemental information to be submitted with application.

Each application for station authorization shall be accompanied by such supplemental information listed below as may be required.

* * * * *

(l) Each applicant in the Safety and Special Radio Services (1) for modification of a station license involving a site change or a substantial increase in tower height or (2) for a license for a new station must, before commencing construction, supply the environmental information, where required, and must follow the procedure prescribed by Subpart I of Part 1 of this chapter (§§ 1.1301 through 1.1319) unless Commission action authorizing such construction would be a minor action with the meaning of Subpart I of Part 1.

PART 95—CITIZENS RADIO SERVICE

6. In § 95.19(b), paragraph (6) is added to read as follows:

§ 95.19 Standard forms to be used.

* * * * *

(b) * * * (6) Each applicant in the Safety and Special Radio Services (1) for modification of a station license involving a site change or a substantial increase in tower height or (2) for a license for a new station must, before commencing construction, supply the environmental information, where required, and must follow the procedure prescribed by Subpart I of Part 1 of this chapter (§§ 1.1301 through 1.1319) unless Commission action authorizing such construction would be a minor action with the meaning of Subpart I of Part 1.

7. In § 95.37, paragraph (f) is added to read as follows:

§ 95.37 Limitations on antenna structures.

* * * * *

(f) Subpart I of Part 1 of this chapter contains procedures implementing the National Environmental Policy Act of 1969. Applications for authorization of the construction of certain classes of communications facilities defined as "major actions" in § 1.1305 thereof, are required to be accompanied by specified statements. Generally these classes are:

(1) Antenna towers or supporting structures which exceed 300 feet in height and are not located in areas devoted to heavy industry or to agriculture.

(2) Communications facilities to be located in the following areas:

(i) Facilities which are to be located in an officially designated wilderness area or in an area whose designation as a wilderness is pending consideration;

(ii) Facilities which are to be located in an officially designated wildlife preserve or in an area whose designation as a wildlife preserve is pending consideration;

(iii) Facilities which will affect districts, sites, buildings, structures or objects, significant in American history, architecture, archaeology or culture, which are listed in the National Register of Historic Places or are eligible for listing (see 36 CFR 800.2(d) and (f) and 800.10); and

(iv) Facilities to be located in areas which are recognized either nationally or locally for their special scenic or recreational value.

(3) Facilities whose construction will involve extensive change in surface features (e.g. wetland fill, deforestation or water diversion).

NOTE: The provisions of this paragraph do not include the mounting of FM, television or other antennas comparable thereto in size on an existing building or antenna tower. The use of existing routes, buildings and towers is an environmentally desirable alternative to the construction of new routes or towers and is encouraged.

If the required statements do not accompany the application, the pertinent facts may be brought to the attention of the Commission by any interested person during the course of the license term and considered de novo by the Commission.

PART 97—AMATEUR RADIO SERVICE

8. In § 97.41, paragraph (i) is added to read as follows:

§ 97.41 Application for station license.

* * * * *

(i) Each applicant in the Safety and Special Radio Services (1) for modification of a station license involving a site change or a substantial increase in tower height or (2) for a license for a new station must, before commencing construction, supply the environmental information, where required, and must follow the procedure prescribed by Subpart I of Part 1 of this chapter (§§ 1.1301 through 1.1319) unless Commission action authorizing such construction would be a minor action with the meaning of Subpart I of Part 1.

PART 99—DISASTER COMMUNICATIONS SERVICE

9. In § 99.11, paragraph (h) is added to read as follows:

§ 99.11 Applications.

* * * * *

(h) Each applicant in the Safety and Special Radio Services (1) for modification of a station license involving a site change or a substantial increase in tower height or (2) for a license for a new station must, before commencing construction, supply the environmental information, where required, and must follow the procedure prescribed by Subpart I of Part 1 of this chapter (§§ 1.1301 through 1.1319) unless Commission action authorizing such construction would be a minor action with the meaning of Subpart I of Part 1.

[FR Doc.75-1652 Filed 1-16-75;8:45 am]

Title 49—Transportation

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 74-10; Notice 12]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Emergency Air Brake Systems

This notice amends Standard No. 121, *Air brake systems*, 49 CFR 571.121, to delete as of September 1, 1976, the emergency brake option that for trucks and buses permits automatic application of the parking brakes in place of a modulated emergency brake system. A notice of proposed rulemaking to be issued shortly proposes modification of the air brake system parking brake requirements and the trailer emergency braking requirements.

Based on a December 1972 petition from the American Trucking Association (ATA), the NHTSA proposed elimination of the automatic parking brake for use as an emergency braking capability (38 FR 14963, June 7, 1973). In response to comments on that proposal which stated that leadtime was insufficient to implement the proposal by September 1, 1974, the NHTSA indicated it would defer final action to a later date and issue any changes with an effective date beyond September 1, 1974 (39 FR 804, January 3, 1974). The NHTSA again indicated in May 1974 that "the majority of the changes proposed in response to the ATA petition continue to be viewed favorably." (39 FR 17550, May 17, 1974.) The NHTSA has now completed its consideration of the modulated braking provision and hereby amends the standard as proposed in June 1973, with an effective date of September 1, 1976, to permit adequate time for engineering necessary changes. It appears, in fact, that the majority of new brake systems are designed to meet generally the modulated emergency brake requirements.

The fundamental change is elimination of the option that permits automatic application of the parking brakes in place of a modulated emergency brake system. The NHTSA agrees with the ATA that a driver should not be forced to use two different methods of applying the emergency brakes depending on what vehicle he is driving at the time.

In the parking brake system proposal to be published shortly, it is proposed that the parking brake provisions found as options in the present S5.7 be made mandatory in a revised S5.6 parking brake section. Thus the present S5.7 requirement that a vehicle with a modulated brake capability also have a parking brake capable of manual application at any service reservoir pressure level would be found in the parking brake section. Also the requirement that the parking brake be capable of application in the event of a failure of specific components common to the service brake and emergency braking systems would be moved to the revised parking brake section. Finally the requirement that a parking brake be releasable only if it can be reapplied would be found in the new parking brake provisions.

Several other requirements proposed in June 1973 for the modulated emergency brake system are found in this amendment. The modulated emergency brake must be applied, released, and be capable of modulation, by means of the service brake control. The NHTSA has concluded that the driver is most likely to maintain the best control of his vehicle when he can modulate any braking available to him through a single control. The emergency system must be capable of two full applications and releases in the event the service brake system fails. This ensures that a disabled vehicle can be safely moved off the roadway.

As proposed in June 1973 and made final in this notice, the emergency brake system of a towing vehicle must operate in the event the trailer air control line or the trailer supply and control lines fail. These requirements ensure that a loaded combination vehicle can stop in specified distances with a failed control line, and that a loaded straight truck (capable of towing) or "bobtail" tractor-trailer is capable of stopping in the event a trailer breaks away. Additionally, the service brake control of a towing vehicle must be capable of modulating the brakes on a towed vehicle following a failure on the towing vehicle. Also, the emergency stopping distance requirement presently in the standard becomes the only permissible test of a truck or bus emergency braking system.

A new test condition has been added to specify when to vent the control and supply lines to atmosphere for test purposes.

As noted above, the majority of these changes appear to be incorporated in large measure in the design of the new brake systems. The NHTSA concludes that truck and bus manufactures are capable of meeting these modulated brake requirements by September 1, 1976.

In consideration of the foregoing, Standard No. 121 (49 CFR 571.121) is amended as follows:

§ 571.121 [Amended]

1. S 5.7 is amended to read:

S 5.7 *Emergency brake system—trucks and buses.* Each vehicle shall be equipped with an emergency brake system which, under the conditions of S 6.1, conforms to the requirements of S 5.7.1 through S 5.7.4. The emergency brake system may be a part of the service brake system or incorporate portions of the service brake and parking brake systems.

S 5.7.1 *Emergency brake system performance.* When stopped six times for each combination of weight and speed specified in S 5.3.1.1 on a road surface with a skid number of 75, with a single failure in the service brake system of a part designed to contain compressed air or brake fluid (except failure of a common valve, manifold brake fluid housing, or brake chamber housing), the vehicle shall stop at least once in not more than the distance specified in Column 3 of Table II, measured from the point at which movement of the service brake control begins, without any part of the vehicle leaving the roadway, except that a truck-tractor tested at its unloaded vehicle weight plus 500 pounds shall stop at least once in not more than the distance specified in Column 4 of Table II.

S5.7.2 *Emergency brake system operation.* The emergency brake system shall be applied and released, and be capable of modulation, by means of the service brake control.

S5.7.3 *Emergency brake system application and release.* With all air reservoirs charged to 100 psi, and with a failure as specified in S5.7.1, the emergency brake system shall, by means of the service brake control, be capable of not less than two applications and releases, as determined by brake chamber air pressure of 60 psi or more during the pressure phase of operation, and brake chamber air pressure of not more than 1 psi during the pressure release phase of operation.

S5.7.4 *Towing vehicle emergency brake requirements.* In addition to meeting the other requirements of S5.7, a vehicle designed to tow another vehicle equipped with air brakes shall—

(a) In the case of a truck-tractor in the unloaded condition and a single unit truck which is capable of towing an air-brake equipped vehicle and is loaded to gross vehicle weight rating, be capable of meeting the requirements of S5.7.1 by operation of the service brake control only, when the single failure in the service brake system consists of the trailer air control line or the trailer air supply line and air control line from the towing vehicle being vented to the atmosphere in accordance with S6.1.14;

(b) In the case of a truck-tractor loaded to gross vehicle weight rating, be capable of meeting S5.7.1 by operation of the service brake control only, when the single failure in the service brake system consists of the air control line from the towing vehicle being vented to the atmosphere in accordance with S6.1.14; and

(c) Be capable of modulating the air in the supply or control line to the trailer by means of the service brake control with a single failure as specified in S 5.7.1.

2. A new S 6.1.14 is added to the test conditions to read:

S 6.1.14 In testing the emergency braking system of towing vehicles under S 5.7.4(a) and S 5.7.4(b), the hose(s) is vented to the atmosphere at any time not less than 1 second and not more than 1 minute before the emergency stop begins, while the vehicle is moving at the speed from which the stop is to be made and any manual control for the towing vehicle protection system is in the position to supply air and brake control signals to the vehicle being towed. No brake application is made from the time the line(s) is vented until the emergency stop begins and no manual operation of the parking brake system or towing vehicle protection system occurs from the time the line(s) is vented until the stop is completed.

Effective date. September 1, 1976.

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

Issued on January 10, 1975.

JAMES B. GREGORY,
Administrator.

[FR Doc.75-1565 Filed 1-16-75;8:45 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Revised S.O. No. 1156; Amdt. No. 3]

PART 1033—CAR SERVICE

Chicago, Rock Island and Pacific Railroad Co. Authorized To Operate Over Tracks of Missouri Pacific Railroad Co. and over tracks of Union Pacific Railroad Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 10th day of January 1975.

Upon further consideration of Service Order No. 1156 (38 FR 29220, 35002; 39 FR 7792, 24510 and 35573), and good cause appearing therefor:

It is ordered, That:

Service Order No. 1156 be, and it is hereby, amended by substituting the following paragraph (f) for paragraph (f) thereof:

§ 1033.1156 Service Order No. 1156.

(a) (*Chicago, Rock Island and Pacific Railroad Company authorized to operate over tracks of Missouri Pacific Railroad Company and over Tracks of Union Pacific Railroad Company*) * * *

* * * * *

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

Effective date. This amendment shall become effective at 11:59 p.m., January 15, 1975.

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

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

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-1668 Filed 1-16-75;8:45 am]

[S.O. No. 1188; Amdt. No. 1]

PART 1033—CAR SERVICE

Chicago, Rock Island and Pacific Railroad Co. Authorized To Operate Over Tracks of Chicago and North Western Transportation Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 10th day of January 1975.

Upon further consideration of Service Order No. 1188 (39 FR 24016), and good cause appearing therefor:

It is ordered, That:

Service Order No. 1188 be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

§ 1033.1188 Service Order No. 1188.

(a) (*Chicago, Rock Island and Pacific Railroad Company Authorized To Operate Over Tracks of Chicago and North Western Transportation Company*) * * *

* * * * *

(e) *Expiraton date.* This order shall expire at 11:59 p.m., July 15, 1975, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., January 15, 1975.

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

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

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-1670 Filed 1-16-75;8:45 am]

[S.O. No. 1200; Amdt. No. 1]

PART 1033—CAR SERVICE

Missouri Pacific Railroad Co. Authorized To Operate Over Tracks of Union Pacific Railroad Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 10th day of January 1975.

Upon further consideration of Service Order No. 1200 (39 FR 38103), and good cause appearing therefor:

It is ordered, That:

Service Order No. 1200 be, and it is hereby, amended by substituting the following paragraph (d) for paragraph (d) thereof:

§ 1033.1200 Service Order No. 1200.

(a) (*Missouri Pacific Railroad Company Authorized To Operate Over Tracks Of Union Pacific Railroad Company*) * * *

* * * * *

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

Effective date. This amendment shall become effective at 11:59 p.m., January 15, 1975.

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

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

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-1673 Filed 1-16-75;8:45 am]

[S.O. No. 1182; Amdt. No. 2]

PART 1033—CAR SERVICE

Substitution of Stock Cars for Boxcars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 9th day of January 1975.

Upon further consideration of Service Order No. 1182 (39 FR 13159 and 37393), and good cause appearing therefor:

It is ordered, That:

Revised Service Order No. 1182 be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

§ 1033.1182 Service Order No. 1156.

(a) (*Substitution of Stock Cars for Boxcars*) * * *

* * * * *

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

Effective date. This amendment shall become effective at 11:59 p.m., January 15, 1975.

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

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

By the Commission, Railroad Service Board.

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

[FR Doc.75–1669 Filed 1–16–75;8:45 am]

[Revised S.O. No. 1197; Amdt. No. 1]

PART 1033—CAR SERVICE

The Atchison, Topeka and Santa Fe Railway Co. and the Denver and Rio Grande Western Railroad Co. Authorized To Operate Over Tracks of the Chicago, Rock Island and Pacific Railroad Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 10th day of January 1975.

Upon further consideration of Service Order No. 1197 (39 FR 37062), and good cause appearing therefor:

It is ordered, That:

Service Order No. 1197 be, and it is hereby, amended by substituting the following paragraph (d) for paragraph (d) thereof:

§ 1033.1197 Service Order No. 1197.

(a) (*The Atchison, Topeka and Santa Fe Railway Company and the Denver and Rio Grande Western Railroad Company authorized to operate over tracks of the Chicago, Rock Island and Pacific Railroad company*) * * *

* * * * *

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

Effective date. This amendment shall become effective at 11:59 p.m., January 15, 1975.

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

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

By the Commission, Railroad Service Board.

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

[FR Doc.75–1672 Filed 1–16–75;8:45 am]

[S.O. No. 1190; Amdt. No. 1]

PART 1033—CAR SERVICE

Union Pacific Railroad Co. Authorized To Operate Over Tracks of the Southern Pacific Transportation Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 10th day of January 1975.

Upon further consideration of Service Order No. 1190 (39 FR 26030), and good cause appearing therefor:

It is ordered, That:

Service Order No. 1190 be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

§ 1033.1190 Service Order No. 1190.

(a) (*Union Pacific Railroad Company authorized to operate over tracks of the Southern Pacific Transportation Company.*) * * *

* * * * *

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

Effective date. This amendment shall become effective at 11:59 p.m., January 15, 1975.

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

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

By the Commission, Railroad Service Board.

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

[FR Doc.75–1671 Filed 1–16–75;8:45 am]

Title 7—Agriculture

SUBTITLE A—OFFICE OF THE SECRETARY OF AGRICULTURE

PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

Assistant Secretary for Conservation, Research, and Education and Administrator, Agricultural Research Service

Part 2, of 7 CFR Subtitle A, is amended to provide two new delegations of authority related to research on livestock, wheat, and feed grains and to correct the erroneous deletion of the delegation of authority to the Administrator, Agricultural Research Service, to appoint uniformed armed guards which occurred in 39 FR 13625.

Subpart C—Delegations of Authority to the Under Secretary, Assistant Secretaries and Director of Agricultural Economics

1. Section 2.19 is amended by adding the following new paragraphs:

§ 2.19 Delegations of authority to the Assistant Secretary for Conservation, Research, and Education.

* * * * *

(a) *Related to agricultural research.*

* * *

(24) Conduct research on losses of livestock in interstate commerce due to injury or disease (45 U.S.C. 71 note).

(25) Conduct research on varietal improvement of wheat and feed grain to enhance their conservation and environmental qualities (7 U.S.C. 428b).

* * * * *

Subpart G—Delegations of Authority by the Assistant Secretary for Conservation, Research, and Education

2. Section 2.57 is amended as follows:

§ 2.57 Administrator, Agricultural Research Service.

(a) * * *

(23) Appoint uniformed armed guards as special policemen, make all needful rules and regulations, and annex to such rules and regulations such reasonable penalties (not to exceed those prescribed in 40 U.S.C. 318c), as will ensure their enforcement, for the protection of persons, property, buildings and grounds of the Arboretum, Washington, D.C., the U.S. Meat Animal Research Center, Clay Center, Nebraska, the U.S. Agricultural Research Center, Beltsville, Maryland,

and the Animal Disease Laboratory, Plum Island, New York, over which the United States has exclusive or concurrent criminal jurisdiction, in accordance with the limitations and requirements of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, the Act of June 1, 1948 (62 Stat. 281), as amended, and the policies, procedures and controls prescribed by the General Services Administration. Any rules or regulations promulgated under this authority shall be approved by the Director of the Office of Operations and the General Counsel prior to issuance.

(24) Conduct research on losses of livestock in interstate commerce due to injury or disease (45 U.S.C. 71 note).

(25) Conduct research on varietal improvement of wheat and feed grain to enhance their conservation and environmental qualities (7 U.S.C. 428b).

(26) Provide management support services for the Cooperative State Research Service and National Agricultural Library, as agreed upon by the agencies, including administrative, budget, financial, personnel, and matters such as procurement, property management, communications, messenger and paperwork management, but excluding fiscal accounting.

Effective date: These amendments shall become effective on January 17, 1975, except that the amendments to 7 CFR 2.57(a) (23) and (26) are to correct a previous delegation of authority which was erroneously deleted, and are, therefore, effective as of April 10, 1974.

Dated: January 14, 1975.

For Subpart C:

EARL L. BUTZ,
Secretary of Agriculture.

For Subpart G:

ROBERT W. LONG,
Assistant Secretary, Conservation, Research, and Education.

[FR Doc.75-1609 Filed 1-16-75;8:45 am]

CHAPTER VII—AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE (AGRICULTURAL ADJUSTMENT), DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 722—COTTON

Subpart—1975 Crop of Upland Cotton; Base Acreage Allotments

STATE RESERVES AND COUNTY BASE ACREAGE ALLOTMENTS

Section 722.467 is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.) (referred to as the "act"), with respect to the 1975 crop of upland cotton (referred to as "cotton"). The purpose of this section is to establish State reserves, allocate the State reserves to counties and establish county base acreage allotments (referred to as "county allotments"). Determinations with respect to the State reserves and county allotments were made initially by the respective State committees and are hereby approved and made effective by the Administrator, ASCS, pursuant to delegated authority (35 FR 19798, 36 FR 6907, 37 FR 624, 3845, 22008).

Notice that the Secretary was preparing to make determinations with respect to the above provisions was published in the FEDERAL REGISTER on July 17, 1974 (39 FR 26160).

In order that farmers may be informed as soon as possible of 1975 farm base acreage allotments so that they may make plans for their 1975 farming operations, it is essential that this section be made effective immediately. Accordingly, § 722.467 shall be effective upon filing this document with the Director, Office of the Federal Register. The material previously appearing in this section under centerhead "1974 Crop of Upland Cotton; Base Acreage Allotments" remain in full force and effect as to the crop to which it was applicable.

Section 722.467 is amended as follows:

§ 722.467 State reserve and county allotments for the 1975 crop of cotton.

(a) *State reserves.* The total State reserve for all uses established by the State committee shall not exceed one percent of the State allotment available for distribution to counties in the State. The allotment available for distribution shall be the State's share of the national allotment less the allotment in the State productivity pool attributable to history acreage pooled as a result of productivity adjustments under section 344a(f) of the act. It is hereby determined that no State reserve for abnormal conditions is required. The State committee may establish a single reserve for new farms and correction of errors. The amount of the reserve held in each State and the amount of allotment in the State productivity pool is available for inspection at each State ASCS office.

(b) *Apportionment of State allotments to counties*—(1) *Computed county allotment.* The State allotment less the allotment in the State productivity pool and the State reserve is apportioned among counties in the State on the basis of the acreage planted (including acreage regarded as having been planted) to cotton within the farm acreage allotment during 1969, 1970, and the farm base acreage allotment during 1971, 1972, and 1973, adjusted for abnormal weather conditions or other natural disaster. It is hereby determined that no adjustments for abnormal weather conditions or other natural disaster are required. The acreage apportioned under this paragraph is referred to as the computed county allotment.

(2) *County allotments.* The county allotment is the sum of the computed county allotment and allocation to the county from the State reserve for trends. The following table sets forth the county allotment and allocations from the State reserve.

[In acres]

County	Computed county allotment	Allocation from State reserves for trends	County allotment (sum of columns (1) and (2))	Allocation from State reserve for inequity and hardship cases
	(1)	(2)	(3)	(4)
ALABAMA				
Autauga	6,464.3	0	6,464.3	0
Baldwin	1,772.1	0	1,772.1	0
Barbour	8,649.1	0	8,649.1	0
Bibb	2,505.8	0	2,505.8	0
Blount	10,830.9	0	10,830.9	0
Bulloek	5,156.4	0	5,156.4	0
Butler	5,963.6	0	5,963.6	0
Calhoun	4,350.3	0	4,350.3	0
Chambers	4,699.8	0	4,699.8	0
Cherokee	15,074.2	0	15,074.2	0
Chilton	6,082.9	0	6,082.9	0
Choctaw	3,949.8	0	3,949.8	0
Clarke	3,025.2	0	3,025.2	0
Clay	1,269.2	0	1,269.2	0
Cleburne	1,186.5	0	1,186.5	0
Coffee	11,325.9	0	11,325.9	0
Colbert	14,767.6	0	14,767.6	0
Conecuh	7,780.4	0	7,780.4	0
Coosa	669.9	0	669.9	0
Covington	10,000.3	0	10,000.3	0
Crenshaw	6,244.2	0	6,244.2	0
Cullman	20,746.3	0	20,746.3	0
Dale	4,986.6	0	4,986.6	0
Dallas	17,504.2	0	17,504.2	0
De Kalb	20,131.6	0	20,131.6	0
Elmore	10,512.5	0	10,512.5	0
Escambia	6,644.4	0	6,644.4	0
Etowah	7,609.7	0	7,609.7	0
Fayette	5,719.5	0	5,719.5	0
Franklin	8,651.3	0	8,651.3	0
Geneva	12,484.1	0	12,484.1	0
Greene	8,408.2	0	8,408.2	0
Hale	9,088.0	0	9,088.0	0
Henry	10,271.5	0	10,271.5	0
Houston	16,917.2	0	16,917.2	0
Jackson	15,649.9	0	15,649.9	0
Jefferson	2,230.8	0	2,230.8	0
Lamar	6,915.8	0	6,915.8	0
Lauderdale	18,000.2	0	18,000.2	0
Lawrence	26,418.5	0	26,418.5	0
Lee	6,005.5	0	6,005.5	0

[In acres]

County	Computed county allotment (1)	Allocation from State reserves for trends (2)	County allotment (sum of columns (1) and (2)) (3)	Allocation from State reserve for inequity and hardship cases (4)
Limestone	36,315.0	0	36,315.0	0
Lowndes	6,741.8	0	6,741.8	0
Macon	9,967.8	0	9,967.8	0
Madison	40,934.1	0	40,934.1	0
Marengo	10,258.6	0	10,258.6	0
Marion	8,304.1	0	8,304.1	0
Marshall	18,761.2	0	18,761.2	0
Mobile	1,779.6	0	1,779.6	0
Monroe	11,453.4	0	11,453.4	0
Montgomery	6,320.6	0	6,320.6	0
Morgan	18,031.9	0	18,031.9	0
Perry	7,058.0	0	7,058.0	0
Pickens	9,378.1	0	9,378.1	0
Pike	9,322.4	0	9,322.4	0
Randolph	3,741.0	0	3,741.0	0
Russell	6,233.7	0	6,233.7	0
St. Clair	2,445.1	0	2,445.1	0
Shelby	4,053.4	0	4,053.4	0
Sumter	8,814.0	0	8,814.0	0
Talladega	7,906.8	0	7,906.8	0
Tallapoosa	4,511.7	0	4,511.7	0
Tuscaloosa	10,550.0	0	10,550.0	0
Walker	2,657.9	0	2,657.9	0
Washington	1,846.3	0	1,846.3	0
Wilcox	6,660.1	0	6,660.1	0
Winston	4,389.2	0	4,389.2	0
ARIZONA				
Cochise	10,710.5	0	10,710.5	0
Gila	25.2	0	25.2	0
Graham	6,047.2	0	6,047.2	0
Greenlee	1,180.4	0	1,180.4	0
Maricopa	82,111.5	0	82,111.5	0
Mohave	284.1	0	284.1	0
Pima	15,041.1	0	15,041.1	0
Pinal	87,875.7	0	87,875.7	0
Santa Cruz	212.4	0	212.4	0
Yavapai	7.8	0	7.8	0
Yuma	22,984.4	0	22,984.4	0
ARKANSAS				
Arkansas	6,552.0	0	6,552.0	0
Ashley	18,517.5	0	18,517.5	0
Baxter	5.9	0	5.9	0
Bradley	1,572.8	0	1,572.8	0
Calhoun	1,056.4	0	1,056.4	0
Chicot	23,068.6	0	23,068.6	0
Clark	1,646.1	0	1,646.1	0
Clay	26,943.2	0	26,943.2	0
Cleburne	445.7	0	445.7	0
Cleveland	806.1	0	806.1	0
Columbia	2,279.1	0	2,279.1	0
Conway	3,699.2	0	3,699.2	0
Craighead	56,292.1	0	56,292.1	0
Crawford	18.3	0	18.3	0
Crittenden	66,239.8	0	66,239.8	0
Cross	25,767.4	0	25,767.4	0
Dallas	856.4	0	856.4	0
Desha	30,308.5	0	30,308.5	0
Drew	9,421.2	0	9,421.2	0
Faulkner	5,469.7	0	5,469.7	0
Franklin	262.5	0	262.5	0
Fulton	116.2	0	116.2	0
Grant	52.5	0	52.5	0
Greene	25,933.3	0	25,933.3	0
Hempstead	2,903.3	0	2,903.3	0
Howard	580.7	0	580.7	0
Independence	2,464.9	0	2,464.9	0
Izard	255.7	0	255.7	0
Jackson	29,486.9	0	29,486.9	0
Jefferson	60,643.9	0	60,643.9	0
Johnson	535.3	0	535.3	0
Lafayette	9,537.6	0	9,537.6	0
Lawrence	13,661.5	0	13,661.5	0
Lee	30,854.4	0	30,854.4	0
Lincoln	21,692.8	0	21,692.8	0
Little River	3,150.9	0	3,150.9	0
Logan	756.4	0	756.4	0
Lonoke	32,630.6	0	32,630.6	0
Marion	1.8	0	1.8	0
Miller	5,961.2	0	5,961.2	0
Mississippi	124,379.3	0	124,379.3	0
Monroe	26,436.0	0	26,436.0	0
Nevada	542.9	0	542.9	0
Ouachita	1,409.5	0	1,409.5	0
Perry	572.2	0	572.2	0
Phillips	56,403.1	0	56,403.1	0
Pike	118.1	0	118.1	0
Poinsett	57,694.1	0	57,694.1	0
Pope	1,507.5	0	1,507.5	0

[In acres]

County	Computed county allotment (1)	Allocation from State reserves for trends (2)	County allotment (sum of columns (1) and (2)) (3)	Allocation from State reserve for inequity and hardship cases (4)
Prairie	5,863.3	0	5,863.3	0
Pulaski	11,646.7	0	11,646.7	0
Randolph	6,286.8	0	6,286.8	0
St. Francis	44,712.1	0	44,712.1	0
Scott	14.0	0	14.0	0
Searcy	94.5	0	94.5	0
Sebastian	92.6	0	92.6	0
Sevier	107.0	0	107.0	0
Sharp	235.7	0	235.7	0
Union	13.8	0	13.8	0
Van Buren	114.3	0	114.3	0
Washington	2.0	0	2.0	0
White	7,454.6	0	7,454.6	0
Woodruff	24,992.3	0	24,992.3	0
Yell	3,766.0	0	3,766.0	0
CALIFORNIA				
Fresno	124,962.9	0	124,962.9	0
Imperial	32,311.8	0	32,311.8	0
Kern	123,704.4	0	123,704.4	0
Kings	65,772.9	0	65,772.9	0
Madera	30,377.5	0	30,377.5	0
Merced	18,180.5	0	18,180.5	0
Riverside	13,227.8	0	13,227.8	0
San Benito	95.2	0	95.2	0
San Bernardino	240.1	0	240.1	0
San Diego	0	0	0	0
Stanislaus	36.3	0	36.3	0
Tulare	97,000.1	0	97,000.1	0
FLORIDA				
Alachua	41.2	0	41.2	0
Baker	2.0	0	2.0	0
Bay	0	0	0	0
Calhoun	226.1	0	226.1	0
Columbia	112.8	0	112.8	0
Dixie	7.8	0	7.8	0
Escambia	727.3	0	727.3	0
Gadsden	31.9	0	31.9	0
Hamilton	743.5	0	743.5	0
Holmes	2,026.2	0	2,026.2	0
Jackson	4,649.8	0	4,649.8	0
Jefferson	831.6	0	831.6	0
Lafayette	102.0	0	102.0	0
Leon	126.1	0	126.1	0
Levy	3.9	0	3.9	0
Liberty	9.9	0	9.9	0
Madison	1,490.2	0	1,490.2	0
Okaloosa	516.2	0	516.2	0
Santa Rosa	5,182.4	0	5,182.4	0
Suwannee	399.7	0	399.7	0
Taylor	17.7	0	17.7	0
Union	7.5	0	7.5	0
Walton	1,118.5	0	1,118.5	0
Washington	440.3	0	440.3	0
GEORGIA				
Appling	2,811.4	0	2,811.4	0
Atkinson	643.0	0	643.0	0
Bacon	1,494.6	0	1,494.6	0
Baker	2,069.4	0	2,069.4	0
Baldwin	1,257.0	0	1,257.0	----------
Banks	1,481.7	0	1,481.7	0
Barrow	3,431.8	0	3,431.8	0
Bartow	11,623.7	0	11,623.7	0
Ben Hill	3,487.2	0	3,487.2	0
Berrien	2,384.8	0	2,384.8	0
Bibb	429.4	0	429.4	0
Bleckley	5,259.2	0	5,259.2	0
Brantley	28.8	0	28.8	0
Brooks	5,674.6	0	5,674.6	0
Bryan	140.9	0	140.9	0
Bulloch	9,522.7	0	9,522.7	0
Burke	23,364.4	0	23,364.4	0
Butts	2,492.0	0	2,492.0	0
Calhoun	3,789.4	0	3,789.4	0
Candler	4,399.6	0	4,399.6	0
Carroll	3,904.1	0	3,904.1	0
Catoosa	229.7	0	229.7	0
Charlton	8.5	0	8.5	0
Chatham	22.0	0	22.0	0
Chattahoochee	27.4	0	27.4	0
Chattooga	2,845.2	0	2,845.2	0
Cherokee	45.4	0	45.4	0
Clarke	774.3	0	774.3	0
Clay	2,244.3	0	2,244.3	0
Clayton	135.6	0	135.6	0
Clinch	85.0	0	85.0	0
Cobb	52.2	0	52.2	0
Coffee	4,702.4	0	4,702.4	0
Colquitt	15,151.4	0	15,151.4	0

[In acres]

County	Computed county allotment (1)	Allocation from State reserves for trends (2)	County allotment (sum of columns (1) and (2)) (3)	Allocation from State reserve for inequity and hardship cases (4)
Columbia	1,031.6	0	1,031.6	0
Cook	2,578.4	0	2,578.4	0
Coweta	3,335.0	0	3,335.0	0
Crawford	1,297.2	0	1,297.2	0
Crisp	7,501.1	0	7,501.1	0
Dade	67.6	0	67.6	0
Dawson	95.7	0	95.7	0
Decatur	2,544.7	0	2,544.7	0
De Kalb	7.4	0	7.4	0
Dodge	9,081.7	0	9,081.7	0
Dooly	10,407.2	0	10,407.2	0
Dougherty	1,356.8	0	1,356.8	0
Douglas	22.3	0	22.3	0
Early	9,180.9	0	9,180.9	0
Echols	32.0	0	32.0	0
Effingham	992.2	0	992.2	0
Elbert	5,669.6	0	5,669.6	0
Emanuel	10,907.9	0	10,907.9	0
Evans	1,843.8	0	1,843.8	0
Fayette	515.0	0	515.0	0
Floyd	4,937.2	0	4,937.2	0
Forsyth	189.3	0	189.3	0
Franklin	4,884.7	0	4,884.7	0
Fulton	273.3	0	273.3	0
Glascock	3,132.6	0	3,132.6	0
Gordon	6,274.1	0	6,274.1	0
Grady	2,380.3	0	2,380.3	0
Greene	1,556.4	0	1,556.4	0
Gwinnett	1,143.6	0	1,143.6	0
Habersham	29.2	0	29.2	0
Hall	793.2	0	793.2	0
Hancock	4,810.8	0	4,810.8	0
Haralson	450.9	0	450.9	0
Harris	566.7	0	566.7	0
Hart	7,394.7	0	7,394.7	0
Heard	551.5	0	551.5	0
Henry	4,346.4	0	4,346.4	0
Houston	4,124.1	0	4,124.1	0
Irwin	6,618.6	0	6,618.6	0
Jackson	3,659.2	0	3,659.2	0
Jasper	1,762.2	0	1,762.2	0
Jeff Davis	1,504.6	0	1,504.6	0
Jefferson	13,080.1	0	13,080.1	0
Jenkins	7,756.5	0	7,756.5	0
Johnson	10,275.9	0	10,275.9	0
Jones	36.2	0	36.2	0
Lamar	1,340.1	0	1,340.1	0
Lanier	459.4	0	459.4	0
Laurens	18,932.2	0	18,932.2	0
Lee	2,599.0	0	2,599.0	0
Liberty	82.3	0	82.3	0
Lincoln	1,110.6	0	1,110.6	0
Long	327.2	0	327.2	0
Lowndes	2,124.0	0	2,124.0	0
Lumpkin	27.0	0	27.0	0
McDuffie	3,838.3	0	3,838.3	0
Macon	8,134.1	0	8,134.1	0
Madison	5,931.2	0	5,931.2	0
Marion	2,274.7	0	2,274.7	0
Meriwether	5,530.8	0	5,530.8	0
Miller	3,653.9	0	3,653.9	0
Mitchell	8,102.3	0	8,102.3	0
Monroe	335.2	0	335.2	0
Montgomery	2,525.4	0	2,525.4	0
Morgan	9,238.0	0	9,238.0	0
Murray	1,331.0	0	1,331.0	0
Newton	3,684.5	0	3,684.5	0
Oconee	5,656.4	0	5,656.4	0
Oglethorpe	3,756.2	0	3,756.2	0
Paulding	280.7	0	280.7	0
Peach	1,485.4	0	1,485.4	0
Pickens	0	0	0	0
Pierce	1,302.9	0	1,302.9	0
Pike	3,702.6	0	3,702.6	0
Polk	3,821.3	0	3,821.3	0
Pulaski	7,660.2	0	7,660.2	0
Putnam	507.4	0	507.4	0
Quitman	723.4	0	723.4	0
Randolph	4,053.2	0	4,053.2	0
Richmond	1,502.7	0	1,502.7	0
Rockdale	924.5	0	924.5	0
Schley	2,366.1	0	2,366.1	0
Screven	10,547.6	0	10,547.6	0
Seminole	3,149.4	0	3,149.4	0
Spalding	1,333.1	0	1,333.1	0
Stephens	343.4	0	343.4	0
Stewart	2,022.0	0	2,022.0	0
Sumter	7,842.2	0	7,842.2	0
Talbot	280.2	0	280.2	0
Taliaferro	456.5	0	456.5	0
Tattnall	3,337.4	0	3,337.4	0
Taylor	5,013.5	0	5,013.5	0
Telfair	3,175.3	0	3,175.3	0
Terrell	9,088.7	0	9,088.7	0
Thomas	3,993.2	0	3,993.2	0
Tift	4,624.6	0	4,624.6	0
Toombs	4,917.6	0	4,917.6	0
Treutlen	2,198.0	0	2,198.0	0
Troup	579.7	0	579.7	0
Turner	5,304.6	0	5,304.6	0
Twiggs	2,150.2	0	2,150.2	0
Upson	424.7	0	424.7	0

[In acres]

County	Computed county allotment (1)	Allocation from State reserves for trends (2)	County allotment (sum of columns (1) and (2)) (3)	Allocation from State reserve for inequity and hardship cases (4)
Walker	488.5	0	488.5	0
Walton	12,381.3	0	12,381.3	0
Ware	497.5	0	497.5	0
Warren	6,912.6	0	6,912.6	0
Washington	11,173.4	0	11,173.4	0
Wayne	1,392.5	0	1,392.5	0
Webster	1,099.6	0	1,099.6	0
Wheeler	2,180.4	0	2,180.4	0
White	218.4	0	218.4	0
Whitfield	411.9	0	411.9	0
Wilcox	7,308.9	0	7,308.9	0
Wilkes	1,877.2	0	1,877.2	0
Wilkinson	1,499.9	0	1,499.9	0
Worth	13,228.8	0	13,228.8	0
ILLINOIS				
Alexander	1,104.7	0	1,104.7	0
Massac	2.1	0	2.1	0
Pulaski	742.2	0	742.2	0
KANSAS				
Montgomery	8.0	0	8.0	0
KENTUCKY				
Ballard	2.5	0	2.5	0
Calloway	16.1	0	16.1	0
Carlisle	30.0	0	30.0	0
Fulton	3,927.7	0	3,927.7	17.0
Graves	84.4	0	84.4	0
Hickman	502.6	0	502.6	3.0
McCracken	3.0	0	3.0	0
Marshall	5.7	0	5.7	0
LOUISIANA				
Acadia	6,448.6	0	6,448.6	0
Allen	302.4	0	302.4	0
Ascension	0	0	0	0
Avoyelles	14,366.6	239.8	14,606.4	0
Beauregard	109.8	0	109.8	0
Bienville	534.1	0	534.1	0
Bossier	12,453.3	162.7	12,616.0	0
Caddo	22,234.9	261.6	22,496.5	0
Caldwell	5,732.9	59.2	5,792.1	0
Catahoula	8,875.5	112.3	8,987.8	0
Claiborne	1,043.7	0	1,043.7	0
Concordia	7,182.3	46.1	7,228.4	0
De Soto	3,533.9	0	3,533.9	0
East Baton Rouge	104.4	0	104.4	0
East Carroll	24,491.6	328.6	24,820.2	0
East Feliciana	148.4	0	148.4	0
Evangeline	9,627.5	0	9,627.5	0
Franklin	41,405.3	501.5	41,906.8	0
Grant	3,153.4	37.5	3,190.9	0
Iberia	19.0	0	19.0	0
Iberville	148.2	0	148.2	0
Jackson	263.8	0	263.8	0
Jefferson Davis	45.1	0	45.1	0
Lafayette	7,069.5	0	7,069.5	0
La Salle	347.1	3.5	350.6	0
Lincoln	143.3	0	143.3	0
Livingston	7.5	0	7.5	0
Madison	15,299.1	201.1	15,500.2	0
Morehouse	26,463.0	341.5	26,804.5	0
Natchitoches	15,231.5	164.1	15,395.6	0
Ouachita	10,477.1	135.4	10,612.5	0
Pointe Coupee	4,299.1	0	4,299.1	0
Rapides	13,930.2	97.8	14,028.0	0
Red River	7,157.8	114.0	7,271.8	0
Richland	36,242.2	472.6	36,714.8	0
Sabine	228.9	0	228.9	0
St. Helena	907.2	0	907.2	0
St. Landry	21,419.6	0	21,419.6	0
St. Martin	3,365.9	0	3,365.9	0
St. Tammany	0	0	0	0
Tangipahoa	85.8	0	85.8	0
Tensas	15,286.0	181.4	15,467.4	0
Union	1,035.6	0	1,035.6	0
Vermilion	1,761.8	0	1,761.8	0
Vernon	135.3	0	135.3	0
Washington	759.7	0	759.7	0
Webster	579.6	0	579.6	0
W. Baton Rouge	173.1	0	173.1	0
W. Carroll	19,935.5	272.8	20,208.3	0
W. Feliciana	470.6	0	470.6	0
Winn	280.7	0	280.7	0

[In acres]

County	Computed county allotment (1)	Allocation from State reserves for trends (2)	County allotment (sum of columns (1) and (2)) (3)	Allocation from State reserve for inequity and hardship cases (4)
MISSISSIPPI				
Adams	1,411.5	0	1,411.5	0
Alcorn	9,070.4	0	9,070.4	0
Amite	1,840.9	0	1,840.9	0
Attala	8,594.6	0	8,594.6	0
Benton	8,211.1	0	8,211.1	0
Bolivar	83,159.3	0	83,159.3	0
Calhoun	11,322.3	0	11,322.3	0
Carroll	10,176.4	0	10,176.4	0
Chickasaw	9,889.9	0	9,889.9	0
Choctaw	2,223.0	0	2,223.0	0
Claiborne	2,720.7	0	2,720.7	0
Clarke	2,344.0	0	2,344.0	0
Clay	5,114.7	0	5,114.7	0
Coahoma	63,006.3	0	63,006.3	0
Copiah	4,607.8	0	4,607.8	0
Covington	4,675.8	0	4,675.8	0
De Soto	21,818.2	0	21,818.2	0
Forrest	225.5	0	225.5	0
Franklin	226.1	0	226.1	0
George	163.8	0	163.8	0
Greene	658.9	0	658.9	0
Grenada	7,833.5	0	7,833.5	0
Hinds	14,446.8	0	14,446.8	0
Holmes	23,962.1	0	23,962.1	0
Humphreys	32,849.8	0	32,849.8	0
Issaquena	9,237.6	0	9,237.6	0
Itawamba	6,880.8	0	6,880.8	0
Jasper	3,737.1	0	3,737.1	0
Jefferson	2,439.1	0	2,439.1	0
Jefferson Davis	5,504.3	0	5,504.3	0
Jones	3,869.3	0	3,869.3	0
Kemper	5,065.2	0	5,065.2	0
Lafayette	9,967.7	0	9,967.7	0
Lamar	633.9	0	633.9	0
Lauderdale	1,797.6	0	1,797.6	0
Lawrence	2,530.8	0	2,530.8	0
Leake	9,643.6	0	9,643.6	0
Lee	17,381.7	0	17,381.7	0
Leflore	52,155.1	0	52,155.1	0
Lincoln	1,962.6	0	1,962.6	0
Lowndes	10,513.0	0	10,513.0	0
Madison	22,180.2	0	22,180.2	0
Marion	3,623.8	0	3,623.8	0
Marshall	23,515.4	0	23,515.4	0
Monroe	18,853.1	0	18,853.1	0
Montgomery	5,064.8	0	5,064.8	0
Neshoba	7,076.4	0	7,076.4	0
Newton	2,107.1	0	2,107.1	0
Noxubee	16,262.6	0	16,262.6	0
Oktibbeha	1,946.8	0	1,946.8	0
Panola	26,973.7	0	26,973.7	0
Pearl River	0	0	0	0
Perry	1,047.0	0	1,047.0	0
Pike	1,340.8	0	1,340.8	0
Pontotoc	13,142.1	0	13,142.1	0
Prentiss	11,429.2	0	11,429.2	0
Quitman	40,977.1	0	40,977.1	0
Rankin	5,234.4	0	5,234.4	0
Scott	5,742.7	0	5,742.7	0
Sharkey	19,695.4	0	19,695.4	0
Simpson	6,448.9	0	6,448.9	0
Smith	5,299.1	0	5,299.1	0
Sunflower	86,232.9	0	86,232.9	0
Tallahatchie	40,860.6	0	40,860.6	0
Tate	16,317.7	0	16,317.7	0
Tippah	10,515.1	0	10,515.1	0
Tishomingo	6,173.6	0	6,173.6	0
Tunica	32,941.3	0	32,941.3	0
Union	11,753.0	0	11,753.0	0
Walthall	5,299.3	0	5,299.3	0
Warren	4,370.5	0	4,370.5	0
Washington	57,243.1	0	57,243.1	0
Wayne	3,408.1	0	3,408.1	0
Webster	5,882.2	0	5,882.2	0
Wilkinson	664.4	0	664.4	0
Winston	6,972.8	0	6,972.8	0
Yalobusha	9,150.4	0	9,150.4	0
Yazoo	29,562.5	0	29,562.5	0
MISSOURI				
Bollinger	66.7	0	66.7	0
Butler	12,442.1	0	12,442.1	0
Cape Girardeau	94.1	0	94.1	0
Dunklin	54,765.5	0	54,765.5	0
Howell	1.3	0	1.3	0
Mississippi	18,136.0	0	18,136.0	0
New Madrid	59,530.9	0	59,530.9	0
Pemiscot	62,472.9	0	62,472.9	0
Ripley	1,467.4	0	1,467.4	0
Scott	10,957.3	0	10,957.3	0
Stoddard	26,430.4	0	26,430.4	0
Vernon	2.8	0	2.8	0
Wayne	0	0	0	0

[In acres]

County	Computed county allotment (1)	Allocation from State reserves for trends (2)	County allotment (sum of columns (1) and (2)) (3)	Allocation from State reserve for inequity and hardship cases (4)
NEVADA				
Clark	0.8	0	0.8	0
Nye	2,442.2	0	2,442.2	0
NEW MEXICO				
Chaves	20,992.1	0	20,992.1	0
Curry	1,000.7	0	1,000.7	0
De Baca	374.7	0	374.7	0
Dona Ana	25,898.3	0	25,898.3	0
Eddy	18,270.5	0	18,270.5	0
Grant	76.4	0	76.4	0
Harding	6.7	0	6.7	0
Hidalgo	4,492.4	0	4,492.4	0
Lea	18,313.9	0	18,313.9	0
Lima	9,579.6	0	9,579.6	0
Otero	1,490.0	0	1,490.0	0
Quay	1,870.8	0	1,870.8	0
Roosevelt	12,933.8	0	12,933.8	0
Sierra	1,722.0	0	1,722.0	0
Socorro	1,013.0	0	1,013.0	0
NORTH CAROLINA				
Alamance	14.3	0	14.3	0
Alexander	277.6	0	277.6	0
Anson	7,784.3	0	7,784.3	0
Beaufort	661.8	0	661.8	0
Bertie	5,002.5	0	5,002.5	0
Bladen	2,145.2	0	2,145.2	0
Brunswick	150.5	0	150.5	0
Burke	30.9	0	30.9	0
Cabarrus	2,034.4	0	2,034.4	0
Caldwell	9.0	0	9.0	0
Camden	186.0	0	186.0	0
Carteret	25.2	0	25.2	0
Catawba	707.5	0	707.5	0
Chatham	133.1	0	133.1	0
Chowan	1,893.1	0	1,893.1	0
Cleveland	19,254.5	0	19,254.5	0
Columbus	1,641.0	0	1,641.0	0
Craven	244.7	0	244.7	0
Cumberland	7,928.7	0	7,928.7	0
Currituck	175.0	0	175.0	0
Davidson	455.2	0	455.2	0
Davie	854.9	0	854.9	0
Duplin	1,900.7	0	1,900.7	0
Durham	73.0	0	73.0	0
Edgecombe	9,378.4	0	9,378.4	0
Forsyth	34.2	0	34.2	0
Franklin	6,282.6	0	6,282.6	0
Gaston	1,593.8	0	1,593.8	0
Gates	1,421.1	0	1,421.1	0
Granville	260.8	0	260.8	0
Greene	2,618.1	0	2,618.1	0
Guilford	31.4	0	31.4	0
Halifax	18,023.7	863.1	18,886.8	0
Harnett	8,968.8	0	8,968.8	0
Hertford	3,647.4	0	3,647.4	0
Hoke	10,573.8	506.3	11,080.1	0
Hyde	115.4	0	115.4	0
Iredell	3,969.7	0	3,969.7	0
Johnston	13,239.0	0	13,239.0	0
Jones	157.5	0	157.5	0
Lee	655.5	0	655.5	0
Lenoir	1,351.7	0	1,351.7	0
Lincoln	4,100.5	0	4,100.5	0
Martin	2,075.2	0	2,075.2	0
Mecklenburg	2,829.7	0	2,829.7	0
Montgomery	2,184.9	197.0	2,381.9	0
Moore	1,764.9	0	1,764.9	0
Nash	10,079.4	0	10,079.4	0
Northampton	16,764.6	802.8	17,567.4	0
Onslow	136.8	0	136.8	0
Orange	42.4	0	42.4	0
Pamlico	24.9	0	24.9	0
Pasquotank	128.6	0	128.6	0
Pender	178.0	0	178.0	0
Perquimans	712.5	0	712.5	0
Person	2.0	0	2.0	0
Pitt	4,729.9	0	4,729.9	0
Polk	744.2	0	744.2	0
Randolph	11.2	0	11.2	0
Richmond	3,883.8	0	3,883.8	0

[In acres]

County	Computed county allotment (1)	Allocation from State reserves for trends (2)	County allotment (sum of columns (1) and (2)) (3)	Allocation from State reserve for inequity and hardship cases (4)
Robeson	34,544.6	0	34,544.6	0
Rowan	2,668.1	0	2,668.1	0
Rutherford	4,682.3	0	4,682.3	0
Sampson	17,057.8	0	17,057.8	0
Scotland	12,798.1	612.8	13,410.9	0
Stanly	340.3	0	340.3	0
Tyrell	144.7	0	144.7	0
Union	8,451.5	0	8,451.5	0
Vance	2,648.9	0	2,648.9	0
Wake	3,043.8	0	3,043.8	0
Warren	5,254.8	0	5,254.8	0
Washington	360.7	0	360.7	0
Wayne	7,071.1	0	7,071.1	0
Wilkes	35.3	0	35.3	0
Wilson	5,736.7	0	5,736.7	0
Yadkin	19.5	0	19.5	
OKLAHOMA				
Adair	24.8	0	24.8	0
Atoka	1,162.2	0	1,162.2	0
Beckham	42,099.4	0	42,099.4	0
Blaine	8,320.4	0	8,320.4	0
Bryan	11,077.2	0	11,077.2	0
Caddo	32,289.1	0	32,289.1	0
Canadian	8,485.4	0	8,485.4	0
Carter	1,013.6	0	1,013.6	0
Choctaw	892.9	0	892.9	0
Cimarron	0	0	0	0
Cleveland	986.2	0	986.2	0
Coal	2,176.5	0	2,176.5	0
Comanche	7,746.4	0	7,746.4	0
Cotton	12,604.8	0	12,604.8	0
Craig	38.9	0	38.9	0
Creek	504.3	0	504.3	0
Custer	17,406.9	0	17,406.9	0
Dewey	5,134.7	0	5,134.7	0
Ellis	282.9	0	282.9	0
Garfield	6.4	0	6.4	0
Garvin	3,570.1	0	3,570.1	0
Grady	12,033.7	0	12,033.7	0
Grant	31.7	0	31.7	0
Greer	27,600.9	0	27,600.9	0
Harmon	32,319.4	0	32,319.4	0
Haskell	1,114.0	0	1,114.0	0
Hughes	2,017.1	0	2,017.1	0
Jackson	29,140.7	0	29,140.7	0
Jefferson	11,154.8	0	11,154.8	0
Johnston	2,321.7	0	2,321.7	0
Kay	54.7	0	54.7	0
Kingfisher	663.1	0	663.1	0
Kiowa	37,758.2	0	37,758.2	0
Le Flore	1,424.2	0	1,424.2	0
Lincoln	468.2	0	468.2	0
Logan	1,794.9	0	1,794.9	0
Love	5,540.1	0	5,540.1	0
McClain	6,540.7	0	6,540.7	0
McCurtain	4,541.4	0	4,541.4	0
McIntosh	5,661.2	0	5,661.2	0
Major	763.5	0	763.5	0
Marshall	3,009.3	0	3,009.3	0
Mayes	203.7	0	203.7	0
Murray	209.6	0	209.6	0
Muskogee	10,841.7	0	10,841.7	0
Noble	288.9	0	288.9	0
Nowata	308.3	0	308.3	0
Okfuskee	825.6	0	825.6	0
Oklahoma	371.1	0	371.1	0
Okmulgee	6,169.9	0	6,169.9	0
Osage	1,732.3	0	1,732.3	0
Pawnee	2,141.4	0	2,141.4	0
Payne	1,430.6	0	1,430.6	0
Pittsburg	1,818.9	0	1,818.9	0
Pontotoc	690.6	0	690.6	0
Pottawatomie	310.0	0	310.0	0
Pushmataha	162.6	0	162.6	0
Roger Mills	14,500.1	0	14,500.1	0
Rogers	177.5	0	177.5	0
Seminole	601.2	0	601.2	0
Sequoyah	484.1	0	484.1	0
Stephens	3,961.4	0	3,961.4	0
Texas	5.9	0	5.9	0
Tillman	48,299.4	0	48,299.4	0
Tulsa	495.6	0	495.6	0
Wagoner	5,090.6	0	5,090.6	0
Washita	49,900.0	0	49,900.0	0
Woodward	459.4	0	459.4	0

[In acres]

County	Computed county allotment (1)	Allocation from State reserves for trends (2)	County allotment (sum of columns (1) and (2)) (3)	Allocation from State reserve for inequity and hardship cases (4)
SOUTH CAROLINA				
Abbeville	4,138.0	0	4,138.0	0
Aiken	12,282.9	0	12,282.9	0
Allendale	6,901.2	0	6,901.2	0
Anderson	14,279.7	0	14,279.7	0
Bamberg	8,919.8	0	8,919.8	0
Barnwell	9,409.4	0	9,409.4	0
Beaufort	10.2	0	10.2	0
Berkeley	4,111.2	0	4,111.2	0
Calhoun	11,362.6	0	11,362.6	0
Charleston	246.0	0	246.0	0
Cherokee	6,462.4	0	6,462.4	0
Chester	5,634.6	0	5,634.6	0
Chesterfield	18,675.7	0	18,675.7	0
Clarendon	24,502.9	0	24,502.9	0
Colleton	4,744.6	0	4,744.6	0
Darlington	21,550.6	0	21,550.6	0
Dillon	16,325.3	0	16,325.3	0
Dorchester	5,240.8	0	5,240.8	0
Edgefield	6,292.2	0	6,292.2	0
Fairfield	2,069.8	0	2,069.8	0
Florence	21,502.9	0	21,502.9	0
Georgetown	1,363.3	0	1,363.3	0
Greenville	6,060.0	0	6,060.0	0
Greenwood	1,952.1	0	1,952.1	0
Hampton	5,062.2	0	5,062.2	0
Horry	4,166.5	0	4,166.5	0
Jasper	965.9	0	965.9	0
Kershaw	9,665.3	0	9,665.3	0
Lancaster	3,765.9	0	3,765.9	0
Laurens	9,423.8	0	9,423.8	0
Lee	26,740.6	0	26,740.6	0
Lexington	6,237.7	0	6,237.7	0
McCormick	1,708.2	0	1,708.2	0
Marion	7,961.4	0	7,961.4	0
Marlboro	27,670.4	0	27,670.4	0
Newberry	3,600.1	0	3,600.1	0
Oconee	3,127.5	0	3,127.5	0
Orangeburg	39,758.0	0	39,758.0	0
Pickens	1,666.8	0	1,666.8	0
Richland	3,335.1	0	3,335.1	0
Saluda	4,764.1	0	4,764.1	0
Spartanburg	10,192.3	0	10,192.3	0
Sumter	26,954.8	0	26,954.8	0
Union	2,760.4	0	2,760.4	0
Williamsburg	23,939.3	0	23,939.3	0
York	8,744.8	0	8,744.8	0
TENNESSEE				
Bedford	351.0	0	351.0	0
Benton	1,179.3	0	1,179.3	0
Bradley	71.1	0	71.1	0
Cannon	4.1	0	4.1	0
Carroll	12,783.3	0	12,783.3	0
Chester	7,443.9	0	7,443.9	0
Coffee	212.3	0	212.3	0
Crockett	23,008.6	0	23,008.6	0
Decatur	1,908.9	0	1,908.9	0
Dickson	5.4	0	5.4	0
Dyer	21,765.4	0	21,765.4	0
Fayette	28,791.9	0	28,791.9	0
Franklin	2,842.0	0	2,842.0	0
Gibson	30,690.0	0	30,690.0	0
Giles	4,527.8	0	4,527.8	0
Grundy	28.6	0	28.6	0
Hamilton	37.4	0	37.4	0
Hardeman	13,678.8	0	13,678.8	0
Hardin	5,237.6	0	5,237.6	0
Haywood	29,088.1	0	29,088.1	0
Henderson	10,927.0	0	10,927.0	0
Henry	2,821.7	0	2,821.7	0
Humphreys	1.2	0	1.2	0
Lake	14,612.6	0	14,612.6	0
Lauderdale	24,027.0	0	24,027.0	0
Lawrence	11,455.9	0	11,455.9	0
Lewis	33.9	0	33.9	0
Lincoln	7,346.4	0	7,346.4	0
Loudon	2.3	0	2.3	0
McMinn	12.1	0	12.1	0
McNairy	12,068.6	0	12,068.6	0
Madison	21,734.3	0	21,734.3	0
Marion	51.0	0	51.0	0
Marshall	29.4	0	29.4	0
Maury	12.3	0	12.3	0
Meigs	94.3	0	94.3	0
Obion	6,024.8	0	6,024.8	0
Perry	0	0	0	0

[In acres]

County	Computed county allotment (1)	Allocation from State reserves for trends (2)	County allotment (sum of columns (1) and (2)) (3)	Allocation from State reserve for inequity and hardship cases (4)
Polk	176.1	0	176.1	0
Rhea	0.5	0	0.5	0
Robertson	0.4	0	0.4	0
Rutherford	2,356.3	0	2,356.3	0
Shelby	24,779.0	0	24,779.0	0
Sumner	1.6	0	1.6	0
Tipton	31,429.9	0	31,429.9	0
Warren	4.9	0	4.9	0
Wayne	1,330.6	0	1,330.6	0
Weakley	6,470.6	0	6,470.6	0
Williamson	1.2	0	1.2	0
Wilson	32.4	0	32.4	0
TEXAS				
Anderson	1,748.5	0	1,748.5	0
Andrews	6,150.2	0	6,150.2	0
Angelina	854.7	0	854.7	0
Aransas	882.6	0	882.6	0
Archer	1,193.7	0	1,193.7	0
Armstrong	1,306.3	0	1,306.3	0
Atascosa	3,738.5	0	3,738.5	0
Austin	10,300.4	0	10,300.4	0
Bailey	66,494.3	0	66,494.3	0
Bastrop	7,248.3	0	7,248.3	0
Baylor	12,123.9	0	12,123.9	0
Bee	9,321.5	0	9,321.5	0
Bell	44,970.0	0	44,970.0	0
Bexar	1,455.9	0	1,455.9	0
Blanco	21.3	0	21.3	0
Borden	13,422.1	0	13,422.1	0
Bosque	6,866.9	0	6,866.9	0
Bowie	7,192.8	0	7,192.8	0
Brazoria	4,942.6	0	4,942.6	0
Brazos	12,458.6	0	12,458.6	0
Brewster	44.2	0	44.2	0
Briscoe	18,214.4	0	18,214.4	0
Brooks	2,208.9	0	2,208.9	0
Brown	2,741.8	0	2,741.8	0
Burleson	15,767.1	0	15,767.1	0
Burnet	1,639.9	0	1,639.9	0
Caldwell	11,921.0	0	11,921.0	0
Calhoun	11,515.0	0	11,515.0	0
Callahan	5,072.8	0	5,072.8	0
Cameron	106,667.6	0	106,667.6	0
Camp	71.1	0	71.1	0
Carson	124.1	0	124.1	0
Cass	829.7	0	829.7	0
Castro	36,049.9	0	36,049.9	0
Cherokee	1,897.1	0	1,897.1	0
Childress	36,034.0	0	36,034.0	0
Clay	6,110.1	0	6,110.1	0
Cochran	52,639.9	0	52,639.9	0
Coke	4,111.0	0	4,111.0	0
Coleman	21,074.7	0	21,074.7	0
Collin	53,334.2	0	53,334.2	0
Collingsworth	44,277.5	0	44,277.5	0
Colorado	4,895.1	0	4,895.1	0
Comal	129.8	0	129.8	0
Comanche	4,605.4	0	4,605.4	0
Concho	16,812.0	0	16,812.0	0
Cooke	4,590.7	0	4,590.7	0
Coryell	12,319.3	0	12,319.3	0
Cottle	35,944.4	0	35,944.4	0
Crockett	40.6	0	40.6	0
Crosby	82,921.9	0	82,921.9	0
Culberson	3,389.3	0	3,389.3	0
Dallas	20,680.8	0	20,680.8	0
Dawson	145,019.3	0	145,019.3	0
Deaf Smith	5,448.7	0	5,448.7	0
Delta	24,671.4	0	24,671.4	0
Denton	14,080.8	0	14,080.8	0
De Witt	7,319.1	0	7,319.1	0
Dickens	34,569.6	0	34,569.6	0
Dimmit	1,013.0	0	1,013.0	0
Donley	19,248.0	0	19,248.0	0
Duval	5,052.0	0	5,052.0	0
Eastland	1,611.3	0	1,611.3	0
Ector	135.4	0	135.4	0
Ellis	85,598.0	0	85,598.0	0
El Paso	12,974.5	0	12,974.5	0
Erath	3,580.6	0	3,580.6	0
Falls	49,447.1	0	49,447.1	0
Fannin	45,054.8	0	45,054.8	0
Fayette	11,359.7	0	11,359.7	0
Fisher	55,860.3	0	55,860.3	0
Floyd	66,357.5	0	66,357.5	0
Foard	8,514.6	0	8,514.6	0
Fort Bend	43,151.9	0	43,151.9	0
Franklin	859.7	0	859.7	0
Freestone	3,575.3	0	3,575.3	0
Frio	3,208.1	0	3,208.1	0
Gaines	135,306.4	0	135,306.4	0
Garza	26,376.1	0	26,376.1	0
Gillespie	640.4	0	640.4	0
Glasscock	11,598.5	0	11,598.5	0
Goliad	2,295.6	0	2,295.6	0
Gonzales	6,775.1	0	6,775.1	0
Gray	2,535.7	0	2,535.7	0

[In acres]

County	Computed county allotment (1)	Allocation from State reserves for trends (2)	County allotment (sum of columns (1) and (2)) (3)	Allocation from State reserve for inequity and hardship cases (4)
Grayson	21,743.0	0	21,743.0	0
Gregg	258.1	0	258.1	0
Grimes	4,617.7	0	4,617.7	0
Guadalupe	11,441.4	0	11,441.4	0
Hale	109,981.8	0	109,981.8	0
Hall	63,259.5	0	63,259.5	0
Hamilton	6,860.5	0	6,860.5	0
Hansford	324.4	0	324.4	0
Hardeman	21,413.9	0	21,413.9	0
Harris	907.9	0	907.9	0
Harrison	1,325.8	0	1,325.8	0
Hartley	26.9	0	26.9	0
Haskell	79,028.0	0	79,028.0	0
Hays	4,676.0	0	4,676.0	0
Hemphill	1,115.8	0	1,115.8	0
Henderson	1,785.3	0	1,785.3	0
Hidalgo	124,030.1	0	124,030.1	0
Hill	77,369.5	0	77,369.5	0
Hockley	125,620.5	0	125,620.5	0
Hood	1,729.5	0	1,729.5	0
Hopkins	4,036.2	0	4,036.2	0
Houston	14,925.6	0	14,925.6	0
Howard	49,505.6	0	49,505.6	0
Hudspeth	10,993.1	0	10,993.1	0
Hunt	58,981.6	0	58,981.6	0
Irion	417.2	0	417.2	0
Jack	1,334.3	0	1,334.3	0
Jackson	11,859.0	0	11,859.0	0
Jasper	0	0	0	0
Jeff Davis	444.1	0	444.1	0
Jim Hogg	59.1	0	59.1	0
Jim Wells	14,480.2	0	14,480.2	0
Johnson	23,351.7	0	23,351.7	0
Jones	71,537.2	0	71,537.2	0
Karnes	16,898.3	0	16,898.3	0
Kaufman	31,409.0	0	31,409.0	0
Kendall	0	0	0	0
Kent	13,112.6	0	13,112.6	0
Kimble	24.4	0	24.4	0
King	6,810.9	0	6,810.9	0
Kinney	13.2	0	13.2	0
Kleberg	5,686.5	0	5,686.5	0
Knox	38,598.9	0	38,598.8	0
Lamar	32,703.2	0	32,703.2	0
Lamb	129,142.0	0	129,142.0	0
Lampasas	661.9	0	661.9	0
La Salle	1,308.9	0	1,308.9	0
Lavaca	6,595.4	0	6,595.4	0
Lee	2,223.9	0	2,223.9	0
Leon	6,652.9	0	6,652.9	0
Liberty	221.3	0	221.3	0
Limestone	30,065.1	0	30,065.1	0
Live Oak	11,042.9	0	11,042.9	0
Llano	163.2	0	163.2	0
Loving	255.9	0	255.9	0
Lubbock	149,909.5	0	149,909.5	0
Lynn	128,915.6	0	128,915.6	0
McCulloch	11,043.6	0	11,043.6	0
McLennan	55,783.2	0	55,783.2	0
McMullen	701.5	0	701.5	0
Madison	997.0	0	997.0	0
Marion	473.9	0	473.9	0
Martin	67,565.4	0	67,565.4	0
Mason	1,099.8	0	1,099.8	0
Matagorda	10,794.1	0	10,794.1	0
Maverick	2,207.4	0	2,207.4	0
Medina	1,095.1	0	1,095.1	0
Menard	462.1	0	462.1	0
Midland	18,915.3	0	18,915.3	0
Milam	34,032.2	0	34,032.2	0
Mills	1,768.7	0	1,768.7	0
Mitchell	46,380.0	0	46,380.0	0
Montague	2,647.9	0	2,647.9	0
Montgomery	7.5	0	7.5	0
Moore	92.1	0	92.1	0
Morris	0.4	0	0.4	0
Motley	23,111.7	0	23,111.7	0
Nacogdoches	775.7	0	775.7	0
Navarro	71,577.5	0	71,577.5	0
Newton	0	0	0	0
Nolan	29,349.8	0	29,349.8	0
Nueces	66,143.0	0	66,143.0	0
Ochiltree	154.8	0	154.8	0
Oldham	32.5	0	32.5	0
Palo Pinto	2,108.0	0	2,108.0	0
Panola	1,023.6	0	1,023.6	0

[In acres]

County	Computed county allotment (1)	Allocation from State reserve for trends (2)	County allotment (sum of columns (1) and (2)) (3)	Allocation from State reserve for inequity and hardship cases (4)
Parker	1,666.7	0	1,666.7	0
Parmer	30,647.8	0	30,647.8	0
Pecos	13,409.9	0	13,409.9	0
Polk	507.7	0	507.7	0
Presidio	1,829.1	0	1,829.1	0
Rains	5,263.9	0	5,263.9	0
Randall	1,436.3	0	1,436.3	0
Reagan	3,641.3	0	3,641.3	0
Red River	17,583.3	0	17,583.3	0
Reeves	30,128.2	0	30,128.2	0
Refugio	8,631.0	0	8,631.0	0
Roberts	132.1	0	132.1	0
Robertson	16,703.6	0	16,703.6	0
Rockwall	8,515.2	0	8,515.2	0
Runnels	56,041.5	0	56,041.5	0
Rusk	4,493.0	0	4,493.0	0
Sabine	263.3	0	263.3	0
San Augustine	1,053.7	0	1,053.7	0
San Jacinto	286.8	0	286.8	0
San Patricio	52,865.8	0	52,865.8	0
San Saba	3,100.8	0	3,100.8	0
Schleicher	5,949.6	0	5,949.6	0
Scurry	46,839.6	0	46,839.6	0
Shackelford	2,762.2	0	2,762.2	0
Shelby	2,586.2	0	2,586.2	0
Smith	548.5	0	548.5	0
Somervell	580.3	0	580.3	0
Starr	15,279.1	0	15,279.1	0
Stephens	709.2	0	709.2	0
Sterling	247.1	0	247.1	0
Stonewall	18,033.3	0	18,033.3	0
Swisher	35,782.7	0	35,782.7	0
Tarrant	6,412.7	0	6,412.7	0
Taylor	22,725.5	0	22,725.5	0
Terry	98,813.0	0	98,813.0	0
Throckmorton	7,710.9	0	7,710.9	0
Titus	64.4	0	64.4	0
Tom Green	37,412.2	0	37,412.2	0
Travis	22,345.5	0	22,345.5	0
Trinity	738.8	0	738.8	0
Tyler	37.2	0	37.2	0
Upshur	172.6	0	172.6	0
Upton	930.8	0	930.8	0
Uvalde	762.5	0	762.5	0
Val Verde	5.8	0	5.8	0
Van Zandt	14,515.0	0	14,515.0	0
Victoria	15,653.5	0	15,653.5	0
Walker	1,913.2	0	1,913.2	0
Waller	2,438.9	0	2,438.9	0
Ward	3,448.9	0	3,448.9	0
Washington	8,469.3	0	8,469.3	0
Webb	1,152.8	0	1,152.8	0
Wharton	48,303.5	0	48,303.5	0
Wheeler	17,860.2	0	17,860.2	0
Wichita	4,184.2	0	4,184.2	0
Wilbarger	33,671.5	0	33,671.5	0
Willacy	60,326.3	0	60,326.3	0
Williamson	71,515.0	0	71,515.0	0
Wilson	2,334.8	0	2,334.8	0
Wise	1,148.4	0	1,148.4	0
Wood	56.2	0	56.2	0
Yoakum	28,239.0	0	28,239.0	0
Young	7,715.9	0	7,715.9	0
Zapata	675.5	0	675.5	0
Zavala	5,530.1	0	5,530.1	0
VIRGINIA				
Brunswick	1,171.2	0	1,171.2	0
Charlotte	3.1	0	3.1	0
Dinwiddie	115.6	0	115.6	0
Greensville	2,824.0	0	2,824.0	0
Henrico	0	0	0	0
Isle of Wight	162.8	0	162.8	0
Lunenburg	113.7	0	113.7	0
Mecklenburg	1,122.0	0	1,122.0	0
Nansemond	889.6	0	889.6	0
Prince Edward	2.1	0	2.1	0
Prince George	22.5	0	22.5	0
Southampton	2,919.2	0	2,919.2	0
Surry	2.7	0	2.7	0
Sussex	1,022.3	0	1,022.3	0

(Secs. 301, 350, 375, 52 Stat. 38, as amended, 84 Stat. 1358, 52 Stat. 66, as amended (7 U.S.C. 1301, 1350, 1375))

Effective date. January 9, 1975.

Signed at Washington, D.C., on January 8, 1975.

GLENN A. WEIR,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.75-1083 Filed 1-9-75;9:45 am]

[Lemon Reg. 675]

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

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period January 19–25, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.975 Lemon Regulation 675.

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

(2) The need for this regulation to limit the quantity of lemons that may be marketed during the ensuing week stems from the production and marketing situation confronting the lemon industry.

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons has slowed somewhat. Average f.o.b. price was $5.10 per carton the week ended January 11, 1975, compared to $5.28 per carton the previous week. Track and rolling supplies at 124 cars were down 6 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the quantity of lemons 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 regulation 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 regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, 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 lemons 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 during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this 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 lemons; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation 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, 1975.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period January 19, 1975, through January 25, 1975, is hereby fixed at 200,000 cartons.

(2) As used in this section, "handled", and "carton(s)" have the same meaning as when used in the 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.75-1776 Filed 1-16-75;8:45 am]

[Grapefruit Reg. 96]

PART 912—GRAPEFRUIT GROWN IN THE INDIAN RIVER DISTRICT IN FLORIDA

Limitation of Handling

This regulation fixes the quantity of Florida Indian River grapefruit that may be shipped to fresh market during the weekly regulation period January 20–26, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 912. The quantity of grapefruit produced in the Indian River District in Florida so fixed was arrived at after consideration of the total available supply of Indian River grapefruit, the quantity currently available for market, the fresh market demand for Indian River grapefruit, Indian River grapefruit prices, and the relationship of season average returns to the parity price for Florida grapefruit.

§ 912.396 Grapefruit Regulation 96.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 912, as amended (7 CFR Part 912), regulating the handling of grapefruit grown in the Indian River District 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 and information submitted by the Indian River Grapefruit Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling such grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the quantity of Indian River grapefruit that may be marketed during the ensuing week stems from the production and marketing situation confronting the Indian River grapefruit industry.

(i) The committee has submitted its recommendation with respect to the total quantity of grapefruit which it deems advisable to be handled during the next succeeding week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the market demand for Indian River grapefruit is dull but is firming somewhat, with no price improvement compared with the previous week. Average f.o.b. prices per 4/5 bushel carton for the week ended January 12, 1975, averaged $2.65 for white seedless and $3.50 for pink seedless grapefruit. Shipments for the week ended January 12, 1975, and for the previous week were 500 carlots and 360 carlots, respectively. On January 12, 1975, there were approximately 8,710 carlots of Indian River grapefruit remaining for interstate shipments, while 6,290 carlots have been shipped to date.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the quantity of grapefruit 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 rulemaking procedure, and postpone the effective date of this regulation 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 regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, 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 Indian River grapefruit, 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 during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this 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 Indian River grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation 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, 1975.

(b) *Order.* (1) The quantity of grapefruit grown in the Indian River District which may be handled during the period January 20, 1975, through January 26, 1975, is hereby fixed at 187,500 standard packed boxes.

(2) As used in this section, "handled," "Indian River District," "grapefruit," and "standard packed box" 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,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.75-1712 Filed 1-16-75;8:45 am]

[Grapefruit Regulation 62]

PART 913—GRAPEFRUIT GROWN IN THE INTERIOR DISTRICT IN FLORIDA

Limitation of Handling

This regulation fixes the quantity of Florida Interior grapefruit that may be shipped to fresh market during the weekly regulation period January 20-26, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 913. The quantity of grapefruit produced in the Interior District in Florida so fixed was arrived at after consideration of the total available supply of Florida Interior grapefruit, the quantity currently available for market, the fresh market demand for Florida Interior grapefruit, Interior grapefruit prices, and the relationship of season average returns to the parity price for Florida grapefruit.

§ 913.362 Grapefruit Regulation 62.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 913, as amended (7 CFR Part 913), regulating the handling of grapefruit grown in the Interior District 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 and information submitted by the Interior Grapefruit Marketing Committee, established under said marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the quantity of Interior District grapefruit that may be marketed during the ensuing week stems from the production and marketing situation confronting the Interior District grapefruit industry. The committee has submitted its recommendations with respect to the total quantity of grapefruit which it deems advisable to be handled during the next succeeding week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the market demand for Florida Interior District Grapefruit has improved slightly from last week. Average f.o.b. prices per 4/5 bushel carton were $2.60 for white seedless grapefruit and $3.03 for pink seedless grapefruit during the week ended January 12, 1975. Shipments for the week ended January 12 and for the previous week were 300 carlots and 180 carlots, respectively. On January 12, 1975, there were approximately 5,275 carlots of Interior District grapefruit remaining for interstate shipments while 5,725 carlots had been shipped to that date. Having considered the recommendation and information submitted by the committee, and other available information the Secretary finds that the quantity of grapefruit 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 regulation 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 regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, 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 Interior grapefruit, 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 during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this 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 Interior grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation 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, 1975.

(b) *Order.* (1) The quantity of grapefruit grown in the Interior District which may be handled during the period January 20, 1975, through January 26, 1975, is hereby fixed at 162,500 standard packed boxes.

(2) As used in this section, "handled," "Interior District," "grapefruit," and "standard packed box" have the same meaning as when used in said 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,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.75-1713 Filed 1-16-75;8:45 am]

PART 981—ALMONDS GROWN IN CALIFORNIA

Termination of a Certain Provision

Notice of a proposal to amend Subpart—Administrative Rules and Regulations (7 CFR 981.441-981.482; 39 FR 23239; 39258) was published in the December 19, 1974, issue of the FEDERAL REGISTER (39 FR 43848). The amendment would terminate § 981.482 requiring handlers to submit to the Control Board a statement of assessments due.

The marketing agreement, as amended, and Order No. 981, as amended (7 CFR Part 981), regulate the handling of almonds grown in California (hereinafter referred to collectively as the "order"). The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The proposal is based on a unanimous recommendation of the Almond Control Board.

The notice afforded interested persons an opportunity to submit written data, views, or arguments with respect to the proposal; none were received.

Section 981.482 of the administrative rules and regulations requires each handler desiring credit for paid media advertising to submit a statement of assessments due with his redetermination report of December 31, March 31, and June 30. Recapitulation of his claims already approved by the Control Board must accompany this statement. With his June 30 report (due by July 15 of the following crop year), the handler must submit the balance of any assessments due.

However, since § 981.441 permits a handler to file claims for advertising credit until July 15—the same date which is the deadline for submission of the June 30 report—there is not enough time for the handler to determine his assessments due because the Control Board staff must first: (a) Consider the claims; (b) approve or disapprove them; and (c) notify the handler of the status of his claims.

Moreover, no useful purpose is served by requiring the handler to recapitulate and submit information already in the possession of the Control Board.

Therefore, after consideration of all relevant matter presented, including that in the notice, the information and recommendation submitted by the Board, and other available information, it is found that to amend the administrative rules and regulations by terminating § 981.482, requiring handlers to submit to the Control Board a statement of assessments due, will tend to effectuate the declared policy of the act.

It is therefore, ordered, That § 981.482 of Subpart—Administrative Rules and Regulations (7 CFR 981-441-981.482; 39 FR 23239; 39258) be terminated.

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

Dated January 14, 1975, to become effective March 1, 1975.

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

[FR Doc.75-1608 Filed 1-16-75;8:45 am]

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 THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

DEFINITION OF BANKING, FINANCING, OR SIMILAR BUSINESS OF CONTROLLED FOREIGN CORPORATIONS

Notice of Proposed Rule Making

Correction

In FR Doc. 75-440, appearing at page 1250 in the issue for Tuesday, January 7, 1975, in § 1.954-2(e)(2), between the 12th line beginning "nancing, or similar * * * " and the 13th line beginning "payer are * * * " insert the following: "businesses of the recipient and the".

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 68]

REQUIRED INFORMATION ON CERTIFICATES

Miscellaneous Amendments

Pursuant to the administrative procedure provisions of 5 U.S.C. 553, notice is hereby given that the U.S. Department of Agriculture is proposing and amendment of the Part 68 regulations (7 CFR Part 68, et seq.) under authority contained in sections 203 and 205 of the Agricultural Marketing Act of 1948, 60 Stat. 1087 and 1090, as amended (7 U.S.C. 1622 and 1624).

Statement of considerations. The Agricultural Marketing Act of 1946 provides for the inspection and certification as to class, quality, quantity, and condition of agricultural products shipped or received in interstate commerce under such rules and regulations as the Secretary of Agriculture may prescribe.

At present, the Part 68 regulations require that an inspection certificate shall show the results of the inspection. For graded commodities, the regulations do not indicate how specific the certificate should be with regard to the various quality factors.

The practice has been that for graded commodities inspected for domestic commerce, only the grade and the grade determining factor(s) are shown on the inspection certificates. Other quality factor information may be shown only upon the request of the applicant for inspection. For graded commodities inspected for export commerce, the grade, but not the grade determining factors, are generally shown on the inspection certificates.

As a result of the above practices, most inspection certificates do not show all of the quality information determined by the inspector for the graded commodity. Consequently, buyers and sellers are not provided with as much information as is available on the quality of the graded product.

It is proposed that § 68.2, "Terms defined," be amended to include a definition for the term "factor" and that § 68.14, "Inspection certificate, issuance," be amended to require that information on all grade determining factors, all factors analyzed or tested during an inspection, and all factors requested by the applicant for inspection shall be shown on a certificate of grade. The showing of this additional quality information on inspection certificates will make the information available to buyers and sellers for use in the handling, merchandising, and processing of graded commodities.

1. Section 68.2, "Terms defined," would be amended to include the following definition:

§ 68.2 Terms defined.

* * * * *

(ff) *Factor.* An element in the official standards that measures a specific quality of a commodity.

2. Section 68.14, "Inspection certificate, issuance," the introductory paragraph would be amended to read as follows:

§ 68.14 Inspection certificate, issuance.

Immediately after an inspection has been completed, an inspection certificate shall be issued showing the results of the inspection in accordance with paragraph (a) or (b) of this section. For graded commodities, each official certificate which shows an official grade determination shall show the grade in accordance with the official grade standards and, in addition, shall show all grade determining factors for commodities graded below the highest quality grade, all factors analyzed or tested during the inspection, and all factor information requested by the applicant for inspection.

* * * * *

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file same in duplicate with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than April 17, 1975. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during business hours (7 CFR 1.27(b)).

Done at Washington, D.C., on January 13, 1975.

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

[FR Doc.75-1607 Filed 1-16-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

[45 CFR Part 182]

COOPERATIVE EDUCATION PROGRAM

In accordance with section 503 of the Education Amendments of 1972 (Pub. L. 92-318) and pursuant to the authority contained in the Cooperative Education Program (Title IV-D of the Higher Education Act of 1965, as amended; 20 U.S.C. 1087a-1087c), the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to amend Title 45 of the Code of Federal Regulations by adding Part 182.

1. *Program purpose.*—Title IV-D of the Higher Education Act of 1965 (Cooperative Education Program) offers assistance under the Higher Education Act for programs providing students with an opportunity to earn funds through periods of full-time employment alternating with periods of full-time class study which are closely integrated in terms of their academic and career goals. Institutions of higher education having programs of cooperative education are responsible for placing students in appropriate off-campus employment situations that will reflect the academic interests of participants, will enable them to be responsive to changing career opportunities, and will enable the participating students to make responsible judgments about career choices.

2. *Summary of regulations.* Section 182.2 of the regulations defines "cooperative education" as a course of study combining full-time academic study with at least two separate periods of full-time educationally related work experience. Complementary definitions of "full-time student" and "full-time educationally related work experience" are also provided.

Subpart B of Part 182 sets out the criteria on which grants will be made to institutions for planning, establishing, expanding, or carrying out cooperative education programs in such institutions.

Subpart C of Part 182 sets out the basis on which grants will be made and contracts entered into with institutions of higher education and public and private organizations and agencies for

training, research and demonstration projects.

3. *Section 503 procedures and effect.* Section 503 of the Education Amendments of 1972 requires the Commissioner to study all rules, regulations, guidelines, or other published interpretations or orders issued by him or by the Secretary after June 30, 1965 in connection with, or affecting the administration of the Office of Education programs; to report to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives concerning such study; and to publish in the FEDERAL REGISTER such rules, regulations, guidelines, interpretations and orders, with an opportunity for public hearing on the matters so published. The proposed regulations reflect the results of this study as it pertains to the Cooperative Education Program of Title IV-D of the Higher Education Act of 1965, as amended. Upon publication of the proposed regulations in final form, after comments and hearing, all preceding rules, regulations, guidelines, interpretations and orders issued in connection with or affecting the Cooperative Education Program will be superseded, effective thirty days after such publication.

4. *Effect of Office of Education general provisions regulation.* The proposed Part 182 does not contain general fiscal and administrative matters. This material would be covered under the overall Office of Education general provisions regulations, published in the FEDERAL REGISTER at 38 FR 30654 (November 6, 1973), as amended by 39 FR 19211 (May 31, 1974).

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

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

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

A hearing will take place at the U.S. Office of Education in the auditorium of Regional Office Building Three (ROB-3), located at Seventh and D Sts. SW., Washington, D.C. at 10 a.m. on February 18, 1975.

Parties interested in attending the hearing should notify the Office of Education, 400 Maryland Avenue SW., Room 2085, Washington, D.C. 20202, Attention: Chairman, Office of Education Task Force on Section 503, and are urged to submit a written copy of their comments with such notification. Each party planning to make oral comments at the hearing is urged to limit his presentation to a maximum of fifteen minutes.

Written comments and recommendations may be sent to the above address. All relevant material received prior to the date of the hearing will be considered. Comments and suggestions submitted in writing will be available for review in the above office between the hours of 8:30 a.m. and 4 p.m., Monday through Friday of each week.

Dated: December 3, 1974.

T. H. BELL,
U.S. Commissioner of Education.

Approved: January 8, 1975.

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

(Catalog of Federal Domestic Assistance No. 13.510, Higher Education Cooperative Education Program)

PART 182—COOPERATIVE EDUCATION

Subpart A—General

Sec.
182.1 Scope and purpose.
182.2 Definitions.
182.3 Application procedures.
182.4 General provisions.

Subpart B—Cooperative Education Programs

182.11 Eligible programs.
182.12 Funding criteria for institutional programs.
182.13 Maintenance of effort.
182.14 Ineligible expenditures.
182.15 Records and reports.

Subpart C—Training, Demonstration, and Research Projects

182.21 Eligible grantees and contractors.
182.22 Eligible projects.
182.23 Funding criteria for training projects.
182.24 Trainee stipends and dependency allowances.
182.25 Funding criteria for research and demonstration projects.
182.26 Reporting requirements.

AUTHORITY: Pub. L. 89-329, as amended; 20 U.S.C. 1087a-1087c.

Subpart A—General

§ 182.1 Scope and purpose.

This part establishes regulations implementing the Cooperative Education Programs (Part IV-D of the Higher Education Act of 1965, as amended). The purpose of this program is to enrich the quality and scope of postsecondary education through educationally related work experiences which afford a student an opportunity to earn funds needed for his education while becoming better prepared for his educational or career objectives. In order to achieve this purpose, the Commissioner of Education is authorized to make grants to institutions of higher education for planning, establishing, expanding, or carrying out programs of cooperative education and to make grants or to enter into contracts for training, research, or demonstration projects for cooperative education.

(20 U.S.C. 1087a, 1087b, and 1087c)

§ 182.2 Definitions.

As used in this part

"Cooperative education" means a course of study at an institution of higher education under which full-time students enrolled in the institution undertake, as a prescribed program of study, full-time academic study for specified periods of time in sequence with at least two separate periods of full-time educationally related work experience in government, industry, business, or social or educational agencies, for a specified period of time of not less than one week for each period.

"Full-time educationally related work experience" means employment or service in which a student undertakes activities which:

(a) are related to the student's educational, professional, or career objectives;

(b) are incorporated, as a regular and essential feature of the student's education, into the academic curriculum of the institution's cooperative education program through enrollment of the student during the work experience and through efforts to promote interaction between the student's work experience and his academic study;

(c) provide for compensation to the student by the employer at the prevailing rate for other employees in comparable positions; provided, however, that an exception may be made for a student who chooses to work for a social or educational agency without pay or at a rate less than the prevailing rate for comparable full-time employees; and

(d) require the student to be present on the job for the same number of hours, or otherwise spend the same amount of time, as the employer has established as full-time employment for purposes other than programs under this part.

"Full-time student" means a student who is carrying a full-time academic work load, other than by correspondence, measured in terms of (a) the tuition and fees customarily charged for full-time study by the institution and (b) the course work or other required activities as determined by the institution in which the student is enrolled.

"Institution of higher education" or "institution" means an institution of higher education as defined in sections 491(b) and 1201(a) of the Higher Education Act of 1965, as amended. The term includes any school of nursing and any proprietary institution of higher education which has an agreement with the Commissioner containing such terms and conditions as the Commissioner requires to ensure that the availability of assistance to students at that institution under Title IV of the Act has not resulted, and will not result, in an increase in the tuition, fees, or other charges to such student.

"Combination of institutions of higher education" means a group of institutions that have entered into a cooperative arrangement for the purposes of carrying out a mutual objective in the field of

cooperative education or a public or private nonprofit agency or organization designated or created by such group of institutions for the purpose of carrying out a common objective on their behalf.

(20 U.S.C. 1087a–1087c)

§ 182.3 Application procedures.

(a) *Cooperative education programs.* An applicant desiring to receive a grant to plan, establish, expand, or carry out a cooperative education program under Subpart B shall submit an application on a form provided by the Commissioner by the closing date established annually by the Commissioner and published in the FEDERAL REGISTER.

(b) *Training, research, and demonstration projects.* Any proposal for a grant or contract for a research, demonstration, or training project under Subpart C shall be submitted by the closing date established annually by the Commissioner in the FEDERAL REGISTER and shall set out in narrative form the specific objectives to be attained, the applicant's experience and ability to attain the proposed objectives, and a proposed budget to carry out the project.

§ 182.4 General provisions.

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

(20 U.S.C. 1087b, 1087c; 45 CFR 100a, 38 FR 30654, November 6, 1973, as amended 39 FR 19211, May 31, 1974)

Subpart B—Cooperative Education Programs

§ 182.11 Eligible programs.

(a) Grants may be awarded under this subpart to institutions of higher education for the purpose of planning, establishing, expanding or carrying out a program of cooperative education as defined in § 182.2.

(b) An institution may not receive annual grants under this subpart for more than three fiscal years.

(c) Grants awarded to any institution under this subpart shall not exceed $75,000 in any fiscal year.

(20 U.S.C. 1087b)

§ 182.12 Funding criteria for institutional programs.

The Commissioner shall evaluate applications under this subpart in accord both with the criteria set out in § 100a.26(b) of this chapter and with the following:

(a) The extent to which the proposed program gives evidence of:

(1) Comprehensive and in-depth planning;

(2) Direct liaison between the institution and the student's employing agency;

(3) Supervision by the institution of the placement of students in educationally related work experience;

(4) Securing by the institution of an adequate number of employment opportunities;

(5) Provision of adequate guidance and counseling by the institution; and

(6) Efforts by the institution to promote interaction between the student's work experience and his academic study;

(b) Whether the period of educationally related work experience is of sufficient duration to make a significant contribution toward meeting the student's educational and career goals;

(c) The extent to which the proposal reflects institutional commitment to cooperative education as evidenced by:

(1) The involvement of administrators, trustees, faculty, students, prospective employers, and cooperative education specialists;

(2) The establishment of procedures for making curriculum and calendar changes needed to reflect the particular needs of students participating in the cooperative education program; and

(3) The articulation of a cooperative education philosophy appropriate to the needs and characteristics of the institution; and

(d) The extent to which the program proposal demonstrates an awareness of the particular needs with respect to cooperative education of disadvantaged and handicapped students.

(20 U.S.C. 1087b)

§ 182.13 Maintenance of effort.

An institution receiving a grant under this subpart shall, during the period of the grant, provide support, from sources other than this part, for the program or programs assisted under the grant at a level not less than it expended from sources other than Title IV–D of the Higher Education Act on such program or programs during the fiscal year preceding such grant.

(20 U.S.C. 1087b(b)(2))

§ 182.14 Ineligible expenditures.

(a) Assistance provided under this subpart shall not be used for:

(1) Compensating any student for his educationally related work experience or providing financial assistance to any student to meet the costs of his education;

(2) Compensating any person serving in a cooperative education program, in an administrative or clerical position, if such person is receiving payment for services on a full-time basis during the same period under another Federal grant or contract;

(3) Purchasing or leasing equipment, unless specifically authorized by the Commissioner;

(4) Purchasing or leasing land or purchasing, leasing, constructing, or improving any building.

(20 U.S.C. 1087b)

(b) Assistance provided under this subpart shall not be used for any program which involves sectarian training or which is intended primarily to prepare students to be ministers or teachers of theological subjects.

(20 U.S.C. 1087a, 1087b)

§ 182.15 Records and reports.

(a) An institution receiving a grant under this subpart shall make such reports and shall keep such records as the Commissioner may require and shall afford access to such records on the part of the Commissioner at any reasonable time.

(b) The institution shall submit a performance report within 60 days after the conclusion of the grant period.

(20 U.S.C. 1087b)

Subpart C—Training, Demonstration and Research Projects

§ 182.21 Eligible grantees and contractors.

The following agencies are eligible to receive awards for projects under this subpart:

(a) *Grantees.* Institutions of higher education, combinations of such institutions, and, when the Commissioner determines that such grant will make an especially significant contribution to attaining the objectives of this subpart, other public or nonprofit private agencies or organizations.

(b) *Contractors.* Institutions of higher education, combinations of such institutions, and, where the Commissioner determines that such contract will make an especially significant contribution to attaining the objectives of this subpart, other public or private agencies or organizations.

(20 U.S.C. 1087c)

§ 182.22 Eligible projects.

The Commissioner may make grants or contracts under this subpart to grantees and contractors who are eligible under § 182.21 for the following purposes:

(a) To train persons for planning, establishing, administering, or coordinating programs of cooperative education;

(b) To demonstrate or explore the feasibility or value of innovative methods of cooperative education; or

(c) To research methods of improving, developing, or promoting the use of programs of cooperative education.

(20 U.S.C. 1087c)

§ 182.23 Funding criteria for training projects.

The Commissioner shall evaluate applications for training projects under this subpart in accord both with the criteria set out under § 100a.26(b) of this chapter and with the following:

(a) The extent to which the project proposes to make trainees aware of the need to modify existing undergraduate teaching practices, and the student calendar, and curricula in order to inaugurate and administer cooperative education programs;

(b) The extent to which the training project incorporates prior experience in

or builds upon prior successful cooperative education programs or introduces successful innovations;

(c) The extent to which the proposed training project provides for clearly defined procedures that give evidence of comprehensive and indepth planning;

(d) The extent to which the proposed training project shows promise of developing trainees who may apply their expertise in more than one type of cooperative education program; and

(e) The extent to which the applicant demonstrates its commitment to a cooperative education training program by proposing to utilize resources other than those which may be made available by the Federal Government.

(20 U.S.C. 1087c)

§ 182.24 Trainee stipends and dependency allowances.

(a) *Stipends.* The Commissioner shall include in any grant or contract for a training project an amount sufficient to pay each trainee attending a full-time training institute of at least one week's duration a stipend of $75 per week.

(b) *Dependency allowances.* The Commissioner shall include in any grant or contract for a training project an amount sufficient to pay dependency allowances up to $15 per week for each dependent of a trainee in a full-time institute which is four weeks or more in duration. For purposes of this subparagraph, "dependent" means any of the following persons, if the trainee to whom the allowance is paid is providing over half of such person's support for the calendar year in which the training institute begins:

(1) A spouse;

(2) A son or daughter of the trainee or a descendent of either;

(3) A stepson or stepdaughter of the trainee;

(4) A brother, sister, stepbrother or stepsister of the trainee;

(5) A father or mother of the trainee or an ancestor of either;

(6) A stepfather or stepmother of the trainee;

(7) A son or daughter of a brother or sister of the trainee;

(8) A brother or sister of the father or mother of the trainee;

(9) A son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, or sister-in-law of the trainee;

(10) An individual (other that the trainee's spouse) who during the calendar year in which the training begins, has been living in the trainee's home and is a member of the trainee's household (but not if the relationship between the individual and the trainee is in violation of local law); or

(11) An individual who—

(i) is a descendent of a brother or sister of the father or mother of the trainee;

(ii) for the academic year of the trainee receives institutional care required by reason of a physical or mental disability; and

(iii) before receiving such institutional care was a member of the same household as the trainee.

(20 U.S.C. 1087c)

§ 182.25 Funding criteria for research and demonstration projects.

The Commissioner shall evaluate applications for research or demonstration projects under this subpart in accord both with the criteria set out in § 100a.26 (b) of this chapter and with the following:

(a) The extent to which the research project proposes to assess the degree of change necessary to modify existing undergraduate teaching practices, the student calendar or curricula to meet the needs of students participating in a cooperative education program;

(b) The extent to which the research provides for:

(1) Well delineated methodologies;

(2) Realistically designed work schedules; and

(3) A logical relationship between stated objectives and research design;

(c) The extent to which the proposed project would explore innovative approaches to the operation of cooperative education programs and evaluate them; and

(d) The extent to which the project proposes to demonstrate the feasibility of a stated hypotheses for developing, improving, and promoting the use of cooperative education nationally through:

(1) Experimental models; and

(2) Various methods of information dissemination.

(20 U.S.C. 1087c)

§ 182.26 Reporting requirements.

(a) A recipient of a grant or contract under this subpart shall submit quarterly or other progress reports as the Commissioner may require, which shall include information on;

(1) The extent to which the objectives of the projects have been accomplished;

(2) What factors, if any, have prevented the accomplishment of project objectives, and what, if any, corrective measures are being taken; and

(3) Any highly significant aspects of the project.

(b) The recipient of a grant or contract under this subpart shall also submit a final report to the Commissioner within 60 days after conclusion of the project.

(20 U.S.C. 1087c)

[FR Doc.75-1649 Filed 1-16-75;8:45 am]

ATOMIC ENERGY COMMISSION

[10 CFR Part 170]

FEES FOR FACILITIES AND MATERIALS LICENSES

Proposed Revision of License Fee Schedules; Extension of Comment Period

This notice extends the period for comments to the notice, published November 11, 1974 (39 FR 39734), proposing amendments to the Atomic Energy Commission's regulations to revise the Commission's schedule of fees for facilities and materials licenses. By notice published in the FEDERAL REGISTER on December 18, 1974 (39 FR 43733), AEC extended the comment period to January 10, 1975.

Unopposed requests for an additional extension of time have been filed. Pursuant to 10 CFR 8.808, the requests are granted, and the comment period is hereby extended to February 7, 1975.

Dated at Germantown, Maryland this 13th day of January 1975.

PAUL C. BENDER,
Secretary,
U.S. Atomic Energy Commission.

[FR Doc.75-1660 Filed 1-16-75;8:45 am]

CENTRAL INTELLIGENCE AGENCY

[32 CFR Chapter XIX]

FREEDOM OF INFORMATION

Proposed Fee Schedule

Pursuant to the requirements of the Freedom of Information Act (5 U.S.C. 552, as amended) notice is hereby given that the Central Intelligence Agency proposes to adopt the following schedule of fees to cover the direct costs of searching for and duplicating documents and records requested pursuant to section 552:

a. For record search by clerical personnel—$4.00 per hour.

b. For record search by professional personnel—$8.00 per hour.

c. For computer search—$55.00.

d. For duplication of paper documents up to 8½ x 14 inches—$.10 per copy page.

e. For duplication of non-paper media or any document that cannot be reproduced on a standard office copier—at actual direct cost.

Interested persons are invited to submit any written data, reviews or arguments concerning the proposed fee schedule, addressed to General Counsel, Central Intelligence Agency, Washington, D.C. 20505, and any such submissions will be considered in determining the fee schedule to be adopted. However, since the amendments to the Act become effective February 19, 1975, and since it will be necessary to study the submissions before determining the final fee schedule, only submissions received on or before February 6, 1975 will be considered.

JOHN F. BLAKE,
Deputy Director for Administration, Central Intelligence Agency.

JANUARY 13, 1975.

[FR Doc.75-1580 Filed 1-16-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 171]

[FRL 320-4; OPP-42001]

PESTICIDE PROGRAMS

Submission and Approval of State Plans for Certification of Commercial and Private Applicators

Correction

In FR Doc. 75-6 appearing at page 2531, column 1 in the issue for Monday, January 13, 1975, the comments date should read February 12, 1975 instead of February 5, 1975.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

[29 CFR Part 1610]

AVAILABILITY OF RECORDS

Schedule of Fees and Method of Payment

As required by the Freedom of Information Act, Pub. L. 90-23, as amended by Pub. L. 93-502, 5 U.S.C. 552 (a) (4) (A), the Equal Employment Opportunity Commission hereby gives notice of its proposed revision of § 1610.17 (a) of Part 1610 of the Commission's regulations on availability of records (29 CFR 1610.17), which contains its uniform schedule of fees for the searching, production, and copying of documents requested. The fees are applicable to all constituent units of this Commission. This schedule of fees is also promulgated in accordance with 31 U.S.C. 483a. The fees proposed are substantially the same as those previously published by the Commission at 29 CFR 1610.17.

The proposed fees are set forth below. The public may comment on the proposed fee schedule by writing to the Equal Employment Opportunity Commission, Office of General Counsel, at 2401 E St., NW., Washington, D.C. 20506. Comments will be received until February 13, 1975.

Signed this 14th day of January 1975.

JOHN H. POWELL, Jr.,
Chairman.

Section 1610.17 would be amended by revising paragraph (a) as follows:

§ 1610.17 Schedule of fees and method of payment for services rendered.

(a) Except as otherwise provided the following specific fees shall be applicable with respect to services rendered to members of the public under this subpart:

(1) Searching for records, per hour or fraction thereof	$3.60
(2) Other facilitative services and index assistance, minimum charge	3.60
(3) Copies made by Xerox or otherwise (per page) (maximum of 10 copies)	0.05
(4) Attestation of each record as a true copy	.75
(5) Certification of each record as a true copy, under the seal of the agency	1.00
(6) For each signed statement of negative result of search for record	1.00

(5 U.S.C. 552; 31 U.S.C. § 483a)

[FR Doc.75-1728 Filed 1-16-75;8:45 am]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Parts 544, 545, 561, 563]

[No. 74-1170]

FEDERAL SAVINGS AND LOAN SYSTEM

FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Proposed Amendments Relating to Collateralized Borrowings

DECEMBER 19, 1974.

The following summary of the amendments proposed by this resolution is provided for the reader's convenience and is subject to the full explanation in the preamble and the specific provisions of the proposed regulations.

I. *Principal provisions for mortgage-backed bonds (MBBs).* 1. $100,000 minimum denomination.

2. 5 year minimum average effective maturity.

3. Maximum required prepayment could not exceed 20 percent of original principal per year.

4. Any whole real estate loans could be placed in the collateral pool but substitutions, additions and supplemental payments would not be allowed; however, provision is made for re-investment of accumulated principal payments on the mortgage collateral.

5. Issuer must meet an income test.

II. *Principal related proposed amendments.* 1. New net worth requirements for all secured borrowings—meeting existing net worth requirements under § 563.13, plus 5 percent of outstanding loan principal and 10 percent of any collateral in excess of outstanding loan principal.

2. Non-conforming MBB borrowings, excluding FHL Bank advances, would be reduced from the current 10 percent to 5 percent of savings plus stock; conforming MBBs would be allowed an additional 5 percent (so that if all outside borrowings were in conforming MBBs, 15 percent allowed). The 10 percent limitation for non-mortgage secured or unsecured borrowings is unchanged.

3. Federal association optional charter amendment proposed to allow increased borrowing for conforming MBBs.

III. *Reason for the proposal.* To provide an additional method for insured institutions to raise long term funds for use in the housing markets and to provide additional liquidity for mortgage loan investments.

The Federal Home Loan Bank Board, in its capacity as the operating head of the Federal Savings and Loan Insurance Corporation, considers it advisable to propose amendments to §§ 561.2, 561.3, 563.8, and 563.13 of the rules and regulations for insurance of accounts (12 CFR 561.2, 561.3, 563.8, and 563.13) and to add new §§ 561.24a and 563.8-2 thereto, for the purpose of revising the limitations on secured borrowings from sources other than a Federal Home Loan Bank or State-chartered central reserve institution and for the further purpose of creating a new provision regulating the issuance of certain debt securities secured by mortgages. The Board also proposes amendments to Parts 544 and 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Parts 544 and 545) to make conforming changes to the regulations governing borrowing by Federal associations.

Section 563.8 currently authorizes insured institutions to borrow aggregate amounts not exceeding one-half of the amount paid in and credited on shares, share accounts, savings accounts, stock, certificates of deposit, and investment certificates, and authorizes up to one-fifth of such amount, that is to say 10 percent of the sums so paid in and credited to the institution, to be borrowed from sources other than a Federal Home Loan Bank or a State-chartered central reserve institution. The Board proposes to issue new regulations for mortgage-backed debt securities, and at the same time to amend § 563.8 so that only 5 percent out of the currently-authorized 10 percent of borrowings from sources other than a Federal Home Loan Bank or a State-chartered central reserve could be used for mortgage-backed borrowings which are not issued pursuant to proposed new § 563.8-2, but that an additional 5 percent of borrowings within the aggregate amount (which could be added to any unused portion of the 10 percent of borrowing from such sources) would be authorized for mortgage-backed borrowings issued pursuant to proposed new § 563.8-2. Unsecured borrowings and non-mortgage secured borrowings would continue to have available the currently-authorized 10 percent of borrowings from such sources.

The Board proposes to define in a new § 561.24a the term "mortgage-backed bond" to mean any borrowing (except borrowings from Federal Home Loan Banks and State central reserve institutions) secured in whole or in part by one or more real estate loans. This definition would mean, for example, that a fully secured borrowing would have to be included within the new 5 percent limitation on non-conforming mortgage-backed bonds even if real estate mortgages comprised only a minor percentage of the security.

The Board also proposes to add new net worth requirements for all secured borrowings from sources other than Federal Home Loan Banks and State-chartered central reserve institutions. The purpose of the new net worth requirements is to recognize the preferential treatment accorded secured creditors with regard to what might be a substantial portion of the institution's assets. Proposed § 563.8(b) would require that the insured institution meet the net worth requirements of § 563.13(b). The institution would have to be in compliance with the basic net worth requirement of § 563.13(b)(1). Also, the Board proposes to add a new § 563.13(b)(4) which would require an additional net worth equal to: (1) 5 percent of the aggregate unpaid principal amount of all outstanding secured borrowings with stated maturities in excess of one year, excluding (under § 563.8(b)) outstanding borrowings to be refunded out of the proceeds of new borrowings, and (2) 10 percent of the book value of all collateral in excess of the unpaid principal amount of all such secured borrowings. Paragraphs (c), (d), and (e) of proposed § 563.8 contain provisions which are unchanged from the present § 563.8.

Proposed § 563.8-2, entitled Issuance of mortgage-backed bonds, contains a number of eligibility requirements. An insured institution would be required to meet tests relating to its ratio of scheduled items to specified assets, its offset of

appraised losses under § 563.17–2, its average income coverage of costs related to mortgage-backed bonds issued or proposed to be issued under proposed § 563.8–2, and the legality of the proposed bond under applicable laws. Such eligibility requirements would be required to be met both at the time of filing and at the time of issuance, unless specifically waived by the Corporation in a given case.

Paragraph (b) of proposed § 563.8–2 sets forth restrictions on the terms of mortgage-backed bonds issued pursuant to the section: a minimum denomination of $100,000; a minimum average effective maturity of five years (to be calculated by adding up the bond principal balances to be outstanding at the end of each year or fractional year and dividing the total by the original outstanding bond principal); and a maximum contractually required repayment of principal in any one year of not more than 20 percent of the original principal amount (although the insured institution could voluntarily choose to repay a greater percentage of principal).

With regard to restrictions on collateral, paragraph (b) prescribes that whole mortgages be collected into a fixed pool at the time of the bond issuance. In lieu of substitutions, additions, or supplemental payments to the collateral pool if the market value of the pool falls below the agreed-upon over-collateralization, § 563.8–2(b)(4)(ii) would authorize the parties to agree to put back into the pool such principal amount repayments as had been made to the insured institution on mortgages at any time after they are placed in the pool. Under § 563.8–2(b)(4)(iii), collateral would be subject to sale by the bond trustee only after the Corporation has received written notification of any default on the bond and has had 30 days after notification of a proposed sale in which to exercise a right of first refusal over all or any portion of the collateral at the price offered the prospective buyer.

Section 563.8–2(b)(5) requires that the bond certificate state in a prominent place that it is not a savings account or deposit and is not insured by the Federal Savings and Loan Insurance Corporation.

Paragraph (c) of proposed § 563.8–2 would prohibit the making of false or misleading statements in connection with the offer, sale, or issuance of mortgage-backed bonds pursuant to the proposed new section.

Proposed § 563.8–2(d) pertains to notification by the insured institution to the Supervisory Agent of its district of the institution's intent to issue mortgage-backed bonds pursuant to this section. The notice would be required to contain a description of the terms of the proposed issue. If, by the close of the fifth business day after receipt of such notice, the Supervisory Agent had not objected to the proposed issuance, then the institution would have 120 calendar days in which to issue the bonds; after the expiration of the 120 days, a re-filing would be necessary. If the Supervisory Agent did take objection to the proposed issuance, the question would be submitted to the Corporation for resolution. Grounds for objection by the Corporation to the proposed issuance would include objection to the policies, condition or operations of the insured institution, or unreasonable bond terms such as excessive collateralization.

Proposed § 563.8–2(e)(1) would exempt mortgage-backed bonds issued pursuant to this section from the requirement that securities be registered by owner's name so as to be transferable only on the books of the insured institution; proposed § 563.8–2(e)(2) would exempt such bonds from any adverse effects on the accumulation, accrual, or payment of any return thereon as a result of the institution's failure to comply with the Federal insurance reserve or net worth requirements of § 563.13.

Mortgage-backed bonds would be excluded from the definitions of "insured member" and "insured account" by amendments to §§ 561.2 and 561.3, respectively.

The proposed addition of § 544.8(e) would authorize the board of directors of a Federal association that has Charter N or K (rev), to amend section 9 of its charter, entitled "Power to borrow," to allow borrowing up to an additional 5 percent of capital for mortgage-backed bonds issued pursuant to § 563.8–2. The proposed amendment to § 545.24, which provides for Federal association borrowing, issuance of obligations, and giving of security, would make specific reference to proposed § 545.8–2 as an issuance of a security authorized under section 5(b)(2) of the Home Owners' Loan Act.

Accordingly, the Board hereby proposes to amend §§ 545.24, 561.2, 561.3, 563.8, and 563.13(b)(1) and to add §§ 544.8(e), 561.24a, 563.8–2, and 563.13(b)(4), as set forth below.

Interested persons are invited to submit written data, views and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552, by February 18, 1975, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the general regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

PART 544—CHARTER AND BYLAWS

1. Section 544.8 would be amended by adding paragraph (e) as follows:

§ 544.8 Amendment of charter.

* * * * *

(e) *Amendment of charter relating to borrowing powers.* (1) The provisions of this paragraph (e)(1) shall constitute approval of the Board of the proposal by the board of directors of any Federal association that has a Charter N or a Charter K (rev.) of the amendment of section 9 of such association's charter to read as follows:

9. *Power to borrow.* The association may borrow money in an aggregate amount not exceeding one-half of its capital; the amount which may be borrowed from sources other than a Federal Home Loan Bank shall not exceed one-tenth of such capital and an additional amount not exceeding one-twentieth of such capital through issuance of mortgage-backed bonds pursuant to § 563.8–2 of the rules and regulations for insurance of accounts of the Federal Savings and Loan Insurance Corporation. Notwithstanding the foregoing limitation, the association may, with prior approval by the Federal Home Loan Bank Board, borrow from a Federal Home Loan Bank or from any Federal agency or instrumentality without limitation, upon such terms and conditions as may be required by such Bank or agency. The association may pledge and otherwise encumber any of its assets to secure its debts.

(2) The association shall follow the requirements of section 11 of its charter in adopting such amendment.

PART 545—OPERATIONS

2. Section 545.24 is revised to read as set forth below:

§ 545.24 Borrowing, issuance of obligations, and giving of security.

An association may borrow to such extent as is authorized by the terms of its charter or by the Board by advice in writing. An association may issue such notes, bonds, debentures, or other obligations, or other securities, as are not inconsistent with the terms of paragraph (2) of subsection (b) of section 5 of the Home Owners' Loan Act of 1933, as amended, (a) to the extent that such issuance is in compliance with the provisions of §§ 563.8–1 and 563.8–2 of this chapter, (b) to such extent as is otherwise authorized by the Board by advice in writing, or (c), except in the case of subordinated debt securities as that term is defined in § 561.24 of this chapter, to the same extent that it would have authority to do so if said paragraph (2) had not been enacted. To such extent as is authorized by the terms of its charter or by the Board by advice in writing, an association may give security, but an association shall not give security for any of its shares or share accounts or for any of its savings accounts representing share interests in the association.

PART 561—DEFINITIONS

3. Sections 561.2 and 561.3 would be revised as follows:

§ 561.2 Insured member.

The term "insured member" means the holder of an account or accounts in an institution insured by the Corporation. Such holder is a separate insured member in each of the capacities and to the extent provided in Part 564 of this chapter. The term does not include the holder of any subordinated debt security or any mortgage-backed bond issued by an insured institution.

§ 561.3 Insured account.

An "insured account" is a withdrawable or repurchasable share, investment certificate, deposit, or savings account held by an insured member in an institution insured by the Corporation. Accounts which by the terms of the contract of the holder with the institution or by provisions of State law cannot be withdrawn or the value thereof paid to the holder until all of the liabilities, including other classes of share liabilities, of the institution have been fully liquidated and paid upon the winding up of the institution are not insurable, and are hereinafter referred to as "nonwithdrawable accounts". Subordinated debt securities and mortgage-backed bonds issued by an insured institution are deemed not to be "accounts", and such securities are not insurable.

4. Section 561.24a would be added as follows:

§ 561.24a Mortgage-backed bond.

The term "mortgage-backed bond" means any borrowing (other than a borrowing from a Federal Home Loan Bank or a State-chartered central reserve institution) secured in whole or in part by one or more real estate loans.

PART 563—OPERATIONS

5. Section 563.8 would be revised as follows:

§ 563.8 Limitation upon borrowing.

(a) No insured institution shall borrow in excess of the amount authorized by the law under which such insured institution operates. Within the foregoing limit, an insured institution may borrow amounts not exceeding in the aggregate the following percentages of the amount paid in and credited on shares, share accounts, savings accounts, stock, certificates of deposit, and investment certificates:

(1) 50 percent of such paid-in and credited amount for all borrowings;

(2) A portion of the amount authorized in paragraph (a)(1) of this section not to exceed 10 percent of such paid-in and credited amount, for all borrowings from sources other than a Federal Home Loan Bank or a State-chartered central reserve institution: *Provided*, however, that mortgage-backed bonds which are not in conformity with § 563.8–2 shall not constitute more than 5 percent of such paid-in and credited amount; and

(3) A portion of the amount authorized in paragraph (a)(1) of this section, not to exceed 5 percent of such paid-in and credited amount, shall be available in addition to the amount authorized in paragraph (a)(2) of this section for mortgage-backed bonds which are in conformity with § 563.8–2.

(b) No insured institution may issue a secured borrowing with an original stated maturity in excess of one year under paragraphs (a)(2) and (3) of this section unless such institution meets the net worth requirements of § 563.13(b) after giving effect to the issuance of such borrowing and the repayment of any secured borrowing being refunded out of the proceeds of such issuance.

(c) Notwithstanding paragraph (a) of this section, an institution may, with prior approval of the Corporation, borrow from a Federal Home Loan Bank or from any Federal agency or instrumentality without limitation upon such terms and conditions as may be required by such Bank, agency or instrumentality.

(d) No action of an insured institution in obtaining funds through borrowing, in accordance with the provisions of this section, shall be deemed a violation hereof should its aggregate borrowings exceed the limitations because of a subsequent reduction in the amounts paid in and credited on shares, share accounts, savings accounts, stock, certificates of deposit, and investment certificates.

(e) For purposes of this section, the issuance of subordinated debt securities by an insured institution shall be considered borrowing. For purposes of this section and §§ 561.13 and 563.8–1 of this chapter, the amount of subordinated debt securities shall be calculated as the difference between the face amount of such securities and the amount of any related sinking fund or specific reserve account.

6. Section 563.8–2 would be added as follows:

§ 563.8–2 Issuance of mortgage-backed bonds.

(a) *Eligibility requirements.* Mortgage-backed bonds may be issued by an insured institution pursuant to this section only if the following eligibility requirements are met at the time that notice of such intended issuance is filed with the Supervisory Agent, as provided in paragraph (d) of this section, and at the time of such issuance, unless one or more of such requirements are waived by the Corporation upon specific request in a given case:

(1) The issuance of such bonds is authorized by applicable law and regulation and is not inconsistent with any provision of the insured institution's charter, constitution, or bylaws;

(2) The insured institution's scheduled items do not exceed 2.5 percent of its specified assets;

(3) All appraised losses have been offset by specified loss reserves to the extent required by the Corporation under § 563.17–2; and

(4) The insured institution's average income (before income taxes and extraordinary items and after payment of interest and dividends on savings accounts) for its last three fiscal years is at least two times the annual amount required for interest and amortization of the related expenses of all mortgage-backed bonds issued pursuant to this section (excluding any such bonds to be refunded out of the proceeds of any such issue).

(b) *Restrictions on the bond.* No mortgage-backed bond may be issued pursuant to this section unless it is in conformity with the following requirements:

(1) The minimum denomination shall be $100,000, except that upon partial prepayment a certificate for the amount then outstanding may be issued in substitution therefor;

(2) The average effective maturity shall not be less than 5 years (average effective maturity is calculated by adding up the bond principal balances to be outstanding at the end of each year or fractional year and dividing the total by the original outstanding bond principal);

(3) The maximum required principal repayment shall not be more than 20 percent of the original principal amount per year;

(4) The collateral pool securing the bonds shall be (i) composed of whole mortgages upon real estate: *Provided* that, subsequent to the time of bond issuance, such collateral pool may also contain other securities, (ii) fixed at the time of issuance, without provision for substitutions, additions or supplemental payments: *Provided*, however, that the insured institution and the bondholders may agree to provide for re-investment of accumulated principal repayments from such collateral pool, with the value of such re-investments to be based upon their current market value, and (iii) subject to sale by or on behalf of the bondholders only after the Corporation has received prompt written notification of any default on the bond obligation and, before such a sale of all or any portion of the collateral, has had 30 days after written notice of such proposed sale to exercise a right to purchase such collateral at the price to be paid at such sale; and

(5) Each mortgage-backed-bond certificate shall bear on its face, in a prominent place, the following legend: "This security is not a savings account or deposit and it is not insured by the Federal Savings and Loan Insurance Corporation".

(c) *False or misleading statements.* No insured institution shall, directly or indirectly, in connection with the offer, sale, or issuance of mortgage-backed bonds pursuant to this section, make any statement (1) that is false or misleading with respect to any material fact or (2) that omits to state any material fact (i) necessary in order to make the statements made, in light of the circumstances under which they were made, not false or misleading or (ii) necessary to correct any earlier statement that has subsequently become false or misleading.

(d) *Filing.* An insured institution shall file with the Supervisory Agent (as defined in § 563.8–1(e) a notice of intent to issue mortgage-backed bonds pursuant to this section which provides a brief description of such intended issuance, including: principal amount of the bonds; anticipated interest rate and price at which the bonds are to be sold; minimum denomination; stated and average effective maturity; mandatory and optional prepayment provisions; description, amount, and maintenance of collateral; trustee provisions; events of default; and remedies of default. The Supervisory Agent shall have 5 business days after receipt of such filing to object

to the issuance of such bonds. If no objection is taken by the close of such 5 day period, then the insured institution shall have 120 calendar days within which to issue the bonds; after the expiration of the 120 calendar day period, the insured institution will be required to file again under this paragraph (d). If objection is taken to the issuance of the bonds, then the Supervisory Agent shall promptly cause the question of such issuance to be submitted to the Corporation for its decision. The issuance shall not be permitted if, in the opinion of the Corporation, the policies, condition, or operation of the insured institution, or the inclusion in the bond indenture of unreasonable terms such as excessive collateralization, afford a basis for supervisory objection to the issuance.

(e) *Applicability of other provisions.* (1) Section 563.4 shall not be applicable to mortgage-backed bonds which are issued pursuant to this section.

(2) The accumulation, accrual or payment of any return on a mortgage-backed bond issued pursuant to this section shall not be affected by any provision of § 563.13.

7. Section 563.13 would be amended by revising paragraph (b)(1) and adding paragraph (b)(4).

§ 563.13 Required amounts and maintenance of Federal insurance reserve and net worth.

* * * * *

(b) *Net worth requirements.* (1) *Minimum required amounts.* After the fiscal year in which a certificate of insurance is issued, each insured institution shall build up its net worth so that, as of the close of business on the annual closing date following each anniversary of the date of insurance of accounts, such net worth shall be at least equal to the greater of (i) the applicable Federal insurance reserve account requirement, plus an amount equal to 20 percent of the institution's scheduled items, plus the additional amount required by paragraph (b)(4) of this section, or (ii) the amount determined under the Asset Composition and Net Worth Index set forth in paragraph (b)(2) of this section, as adjusted by multiplying such amount by a fraction of which the numerator is the applicable Federal insurance reserve percentage (from the table set forth in paragraph (a)(1) of this section) and the denominator is 5.00, plus the additional amount provided for in paragraph (b)(4) of this section.

* * * * *

(4) Each insured institution shall also have additional amount of net worth equal to (i) 5 percent of the unpaid principal amount of all outstanding secured borrowings (other than a borrowing from a Federal Home Loan Bank or a State-chartered central reserve institution) with an original stated maturity in excess of one year and (ii) 10 percent of the book value of all collateral in excess of the unpaid principal amount of such borrowings.

* * * * *

(Sec. 5, 48 Stat. 132, as amended; (12 U.S.C. 1464); secs. 402, 403, 407, 48 Stat. 1256, 1257, 1260, as amended; (12 U.S.C. 1725, 1726, 1730); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943–48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

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

[FR Doc.75-1610 Filed 1-16-75;8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

[45 CFR Part 1100]

FREEDOM OF INFORMATION

Proposed Schedule of Fees for Search and Duplication of Records

The National Foundation on the Arts and the Humanities is planning to issue a new § 1100.4 to 45 CFR Part 1100, Chapter XI, to comply with the requirements of the Freedom of Information Act as amended on November 21, 1974. The Act requires that agencies publish in the FEDERAL REGISTER a schedule of fees to be charged for search and duplication of their records. Fees will be charged by the Foundation only when requests for information place a strain upon the limited personnel and financial resources available to it. Routine requests for information concerning the Foundation's programs will be honored without charge.

Interested persons are invited to participate in this rulemaking by submitting such written data, views, or arguments as they may desire. Comments and recommendations should be submitted to the General Counsel, National Endowment for the Arts, 2401 E Street, NW., Washington, D.C. 20506. All communications received on or before February 17, 1975, will be considered by the Foundation before action is taken on the rule making. The proposal contained in this notice may be changed in light of comments received. All comments and recommendations submitted will be available in the General Counsel's office at the address shown above for examination by interested persons both before and after the closing date for receiving them.

In consideration of the foregoing, the following proposed schedule of fees for search and duplication of records is submitted:

Section 1100.4 is added as follows:

§ 1100.4 Schedule of fees for search and duplication of records.

§ 1100.4–1 General.

(a) While most information will be furnished promptly at no cost as a service to the general public, fees will be charged if the cost of search and duplication warrants.

(b) When a fee is to be charged, the individual requesting the information will be informed of the fee, and no work will be performed until he or she has agreed to pay it.

§ 1100.4–2 Schedule.

Fees which may be charged by the Foundation for search and duplication of records are as follows:

(a) *Duplication fees.* $2.00 for the first six (6) pages, five (5¢) cents per page thereafter for photocopying.

(b) *Search fees.* $8.00 per hour to search records for specific documents plus transportation costs of personnel arising from searches for requested information.

ROBERT WADE,
Associate General Counsel (Arts), National Foundation on the Arts and the Humanities.

[FR Doc.75-1789 Filed 1-16-75;8:45 am]

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 102]

[REV. 2]

DISCLOSURE OF INFORMATION

Notice of Proposed Rulemaking

Notice is hereby given that pursuant to section 5 of the Small Business Act (72 Stat. 385; 15 U.S.C. 634), the Small Business Administration proposes to amend Part 102 of Chapter I, Title 13 of the Code of Federal Regulations, revised as of January 1, 1974. Part 102 is the SBA Regulation which, among other things, implements the Freedom of Information Act, 5 U.S.C. 552.

Prior to final adoption of the proposed amendment, consideration will be given to any written comments or suggestions submitted in triplicate to H. Gregory Austin, General Counsel, Small Business Administration, Washington, D.C. 20416, on or before February 18, 1975. Any written material or suggestions submitted will be available for public inspection during regular business hours in the law library of the Office of General Counsel located in Room 714, 1441 L Street NW., Washington, D.C.

Information. The proposed amendment reflects certain provisions contained in the 1974 Freedom of Information Act Amendments, Pub. L. 93–502, enacted November 21, 1974, and effective February 19, 1975. Although the statutory amendments are generally self-executing and do not require notice of proposed rulemaking and regulations for complete enforcement, they do require the notice and public comment procedure for the schedule of fees to be charged for document search and duplication. Agencies are also authorized to publish in the FEDERAL REGISTER a determination that the periodic publication and distribution of the public index required by the Act is unnecessary and impracticable, and this proposed amendment so provides. In addition, inclusion of some of the requirements of the statutory amendments in the regulations established by this Part are helpful to a better understanding of the manner in which the Act is administered by the Agency. Thus this proposed amendment also adds the District of Columbia to the provision setting forth

the jurisdictions available for judicial review of agency refusals to disclose; adds a provision establishing administrative deadlines for determining requests for information and records, and appeals of agency denials of such request, as well as requiring the identification of persons responsible for such denials; and adds a provision requiring the disclosure of portions of records segregable from nondisclosable portions.

Agency regulations or internal procedures already cover other requirements of the 1974 amendments: a request need only reasonably describe agency records; there should be a waiver of fees where it is in the public interest; and a denial of a request must include the reasons and notice of appeal rights.

In light of the foregoing, SBA proposes to amend Chapter I, Part 102, Title 13 of the Code of Federal Regulations as follows:

1. By adding new paragraphs (k) and (l) to § 102.3 as follows:

§ 102.3 Information and records available to the public and exempt from disclosure.

* * * * *

(k) *Disclosure of segregable portions of records.* If a record contains both disclosable and nondisclosable information, any reasonably segregable portion of such record shall be provided to the requester after deletion of the nondisclosable portions.

(l) *Public Index of SBA materials.* The Public Index providing identifying information for the public as to matters issued, adopted, and promulgated by the Agency is available for inspection and copying. The Agency has determined that periodic publication and distribution is unnecessary and impracticable as permitted by the Freedom of Information Act.

2. By adding a new paragraph (f) to § 102.4 as follows:

§ 102.4 Public access to information and records.

* * * * *

(f) *Written requests under the Freedom of Information Act.*

(1) *Time limitations.* If a request for information and records is made in writing, it shall be considered a request under the Act and a determination whether, or the extent to which, the Agency will comply with the request shall be made within 10 working days after receipt of the request by the Agency. In unusual circumstances the Act permits an extension of up to 10 days if the Agency gives written notice to the requester setting forth the reasons for the extension and the date on which a determination is expected to be sent. As defined in the Act, "unusual circumstances" means:

(i) 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;

(ii) 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

(iii) 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.

(2) *Notice of denial of request.* A denial of a request or any part thereof under this paragraph must be in writing, and must advise the requester of a right to appeal to the Assistant Administrator for Congressional and Public Affairs, Small Business Administration, Washington, D.C. 20416, by letter or other written communication containing a description of the information requested, the name and place of employment of the SBA official or employee who denied the request, the reason, if any, given for the denial, and such other pertinent facts as the requester deems appropriate. The notice of denial must also contain the names and titles or positions of each person responsible for the denial of the request.

3. By amending paragraphs (a) and (e) of § 102.5 to read as follows:

§ 102.5 Administrative appeal of refusal to disclose.

(a) *Who may appeal.* Any person whose request for information or records has been denied may submit a written appeal to the Agency. A failure by the Agency to act on a request within the time limit imposed by § 102.4(f) of this part shall be deemed a denial for purposes of appeal.

* * * * *

(e) *Agency decision.* (1) *Who decides.* Final Agency decisions on appeals from refusals to disclose information or records shall be made by the Assistant Administrator for Congressional and Public Affairs, who shall promptly review each appeal and provide appellant and other interested parties, if any, with a written notice of the decision.

(2) *Notice of decision.* If the decision upholds the refusal to disclose, the notice shall set forth the exemptions from disclosure under the Freedom of Information Act which form the basis of the decision. The notice shall also advise that judicial review is available on complaint to the district court of the United States in the district in which the appellant resides, or has his principal place of business, or in which the Agency records are located, or in the District of Columbia.

(3) *Time limitations.* The decision on the appeal to determine whether, or the extent to which, the Agency will comply with the request for information or records shall be made within 20 days after receipt of such appeal. In unusual circumstances as defined in § 102.4(f)(1) of this part, an extension of up to 10 days, less any time used under the extension permitted by § 102.4(f)(1), is authorized, if the Agency sends written notice to the requester setting forth the reasons for the extension and the date on which the decision is expected to be sent.

4. By amending § 102.6 to read as follows:

§ 102.6 Fees.

(a) *Basis.* Fees for document search and duplication relating to records and information requested under the Freedom of Information Act are set to recover direct costs involved. Fees for compilations or complying with requests for information not currently in identifiable form or existence, are based on the Federal User Charge Statute, 31 U.S.C. 483 (a), and may include direct and indirect costs. No fee shall be charged for time spent in resolving legal or policy issues, or where the request for information or records is denied, or where the requested information or records are not found. A document search includes time spent searching within documents and files of documents to determine which parts thereof are subject to or exempt from public disclosure.

(b) *Method of payment.* Fees may be paid in cash, by personal check, or by other form of remittance suitable to SBA. Payment shall normally be due at the time the service is rendered. However, where extensive record searches or compilations are involved and the fee will, in the opinion of the Agency, probably exceed $100.00, the person requesting the service shall pay whatever is estimated by SBA to be appropriate before any search or compilation is undertaken. Fees paid in advance shall be held in suspense pending completion of the search or compilation and adjusted when final charges have been determined.

(c) *Prices.* (1) The charge for duplication will be ten (10) cents per page.

(2) The charge for search of SBA records and duplication by clerical personnel will be at the rate of $5.00 per hour.

(3) The charge for search of SBA records by professional and managerial personnel will be at the rate of $9.00 per hour.

(4) For information which has to be compiled the charge will include the cost of employees' time, cost of computer runs or other equipment use based upon the types of computer and other equipment and the time they are utilized, the cost of supplies and materials necessary to produce the requested records, and overhead expense. It is not practicable to establish fixed-prices for such services. Since there is no obligation on the part of the Agency to compile records or data, requests for compilations must be reasonable and not unduly interfere with normal SBA operations or program activities.

(5) Persons may inspect and copy documents by their own means in the SBA facilities without charge except for search or compilation charges which may be otherwise payable.

(d) *Waiver of Fees.* Fees will be waived when less than $5.00 or when it is in the public interest to do so. Such a waiver will be in the public interest,

for example, when in the determination of the Agency the request will not impose an undue burden or expense upon it *and* the request is (1) from another Government organization, Federal, State or local; (2) for the purpose of obtaining information primarily for the benefit of the general public rather than for the primary benefit of the requester, as will be the case with certain requests from news media and from organizations engaged in a nonprofit activity designed for public safety, health, welfare, or education; (3) from employees and former employees seeking information from their own personnel records; (4) from or on behalf of the defending party in connection with a proceeding against such party by the Federal Government; and (5) from a low-income person and the fee would impose a financial hardship.

Dated: January 13, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75-1579 Filed 1-16-75;8:45 am]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF STATE

Agency for International Development

ADVISORY COMMITTEE ON VOLUNTARY FOREIGN AID

Notice of Meeting

Pursuant to Executive Order 11686 and the provisions of section 10(a), Pub. L. 92-463, Federal Advisory Committee Act, notice is hereby given of the meeting of the Advisory Committee on Voluntary Foreign Aid which will be held on February 5, 1975, from 9 a.m. to 5 p.m., in Room 5941, New State Building, 21st and Virginia Avenue, NW, Washington, D.C.

The purpose of the meeting will be to consider the PL 480 Program in FY 1976, and such other matters related to the foreign assistance advisory concerns of the Committee as may be appropriate.

The session will be open to the public. Any interested person may attend, appear before, or file statements with the Committee in accordance with procedures established by the Committee, and to the extent time available for the meeting permits. Written statements may be filed before or after the meeting.

Dr. Jarold A. Kieffer will be the A.I.D. representative at the meeting. Information concerning the meeting may be obtained from Mr. Robert S. McClusky, Telephone: AC 202-632-9110. Persons desiring to attend the meeting should enter the New State Building through the 21st Street entrance.

Date: January 15, 1975.

JAROLD A. KIEFFER,
Assistant Administrator for Population and Humanitarian Assistance.

[FR Doc.75-1709 Filed 1-16-75;8:45 am]

DEPARTMENT OF THE TREASURY

Office of the Secretary

POTASSIUM CHLORIDE FROM WEST GERMANY

Tentative Determination To Revoke Dumping Finding

A finding of dumping with respect to potassium chloride, otherwise known as muriate of potash, from West Germany was published as Treasury Decision 69-264 in the FEDERAL REGISTER of December 19, 1969 (34 FR 19905).

After due investigation, I find that the sole exporter, Kali und Salz A.G., is no longer selling, or likely to sell, potassium chloride to the United States at less than fair value within the meaning of the Antidumping Act, 1921, as amended. From August 1969 to date, sales by this firm has been at not less than fair value and the firm has given assurances that future sales of potassium chloride to the United States will not be made at less than fair value.

Accordingly, notice is hereby given that the Department of the Treasury intends to revoke the finding of dumping.

In accordance with § 153.37, Customs Regulations (19 CFR 153.37), interested persons may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any requests that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 2100 K Street, NW., Washington, D.C. 20229, in time to be received by his office not later than January 27, 1975. Such requests must be accompanied by a statement outlining the issues wished to be discussed.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office on or before February 18, 1975.

This Notice of Tentative Determination to Modify or Revoke Dumping Finding is published pursuant to § 153.41(c) of the Customs Regulations (19 CFR 153.41(c)).

Dated: January 14, 1975.

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

[FR Doc.75-1628 Filed 1-16-75;8:45 am]

DEPARTMENT OF DEFENSE

Corps of Engineers

ARMY COASTAL ENGINEERING RESEARCH BOARD

Postponement of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (P.L. 92-463), notice is hereby given of the postponement of the 24th Meeting of the U.S. Army Coastal Engineering Research Board.

The meeting, originally scheduled for 28-30 January 1975 at the Alamoana Hotel, Honolulu, Hawaii, has been postponed until further notice.

Dated: January 14, 1975.

By authority of the Secretary of the Army.

B. T. BATTEY,
Major, U.S. Army, Plans Officer, TAGO.

[FR Doc.75-1629 Filed 1-16-75;8:45 am]

Office of the Secretary

EXECUTIVE COMMITTEE OF THE DEFENSE ADVISORY COMMITTEE ON WOMEN IN THE SERVICES

Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given that a meeting of the Executive Committee of the Defense Advisory Committee on Women in the Services (DACOWITS) will be held February 21, 1975 at the Pentagon, Washington, D.C. The session will be conducted from 9 a.m. to 4 p.m. and will be open to the public.

The purpose of this meeting is to structure the 1975 membership and plan the program for the semi-annual meeting of the full Committee, tentatively scheduled for April 6-10, 1975. Composed of 30 civilian women, DACOWITS provides the Department of Defense with assistance and advice on matters relating to women in the Armed Forces.

Interested persons desiring to make oral presentations, submit written statements for consideration, attend the meeting or receive additional information must contact Lt Col Martha A. Cox, DACOWITS Executive Secretary, OASD (Manpower and Reserve Affairs), Room 2B257, The Pentagon, Washington, D.C. 20301, telephone (202) Oxford 5-5153 no later than February 14, 1975.

MAURICE W. ROCHE,
Director, Correspondence and Directives, OASD (Comptroller).

JANUARY 14, 1975.

[FR Doc.75-1583 Filed 1-16-75;8:45 am]

DEFENSE SCIENCE BOARD TASK FORCE ON "EXPORT OF U.S. TECHNOLOGY: IMPLICATIONS TO U.S. DEFENSE"

Notice of Advisory Committee Meeting

The Semiconductor Subcommittee of a special advisory committee to the Defense Science Board on "Export of U.S. Technology; Implications to U.S. Defense" will meet in closed session on 4 February 1975 in the Pentagon, Washington, D.C.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Director of Defense Research and Engineering on overall research and engineering and to provide long range guidance in these areas to the Department of Defense. The special advisory committee will provide an assessment of the implications to U.S. defense of current and impending exports of U.S. technology to serve as a basis for determination of Defense policy.

In accordance with Pub. L. 92-463, section 10, Paragraph (d), it has been determined that Defense Science Board meetings concern matters listed in section 552 (b) of Title 5 of the United States Code, particularly subparagraph (1) thereof, and that the public interest requires such meetings to be closed insofar as the requirements of subsections (a)(1) and (a)(3) of section 10, Pub. L. 92-463 are concerned.

MAURICE W. ROCHE,
Director, Correspondence and Directives, OASD (Comptroller).

JANUARY 14, 1975.

[FR Doc.75-1653 Filed 1-16-75;8:45 am]

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 74-14]

PHILLIP A. FAIX, M.D.

Revocation of Registration

On September 24, 1974, a hearing was held before Administrative Law Judge Lewis F. Parker on the issues raised by an Order to Show Cause directed to Phillip A. Faix, M.D., as to why the registration under the Controlled Substances Act of 1970 (AF0411392) previously issued to him by the Drug Enforcement Administration should not be revoked.

The Order to Show Cause was predicated on the March 7, 1974 conviction of Dr. Faix in the United States District Court for the Western District of Pennsylvania on nineteen counts of an indictment which originally charged him with forty-seven counts of unlawful distribution of controlled substances listed in Schedules II, III and IV, in violation of Title 21, United States Code, section 841 (a)(1).

Title 21, United States Code, section 824(a)(2) provides that a registration to manufacture, distribute or dispense controlled substances may be suspended or revoked by the Attorney General or his delegate upon a finding that the registrant has been convicted of a felony relating to a controlled substance.

The Administrative Law Judge found as a matter of law that Dr. Faix had been convicted of such a felony. The Administrator concurs in that finding as a matter of fact and as a matter of law.

The Administrative Law Judge also found as a matter of law that, as a result of Dr. Faix's conviction, the Administrator had the authority either to revoke or to suspend Dr. Faix's registration even though an appeal from the conviction was then pending. The Administrator concurs in this finding and notes that it is consistent with the positions taken by administrative law judges in previous matters in which the issue of a pending appeal was raised. See In the Matter of Leonard S. Cohen, 38 FR 9522, April 17, 1973; In the Matter of Dr. Carl Oslin Ramzy, 36 FR 24077, December 18, 1971.

Based on these findings, the Administrative Law Judge recommends to the Administrator that Dr. Faix's registration be revoked. The Administrator accepts that recommendation.

Therefore, under the authority vested in the Attorney General by Section 304 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 824), and redelegated to the Administrator of the Drug Enforcement Administration by § 0.100, as amended, Title 28, CFR, the Administrator orders that the Certificate of Registration issued to Phillip A. Faix, M.D. (AF0411392) be, and hereby is, revoked effective January 17, 1975.

Dated: January 13, 1975.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

[FR Doc.75-1618 Filed 1-16-75;8:45 am]

IMPORTATION OF CONTROLLED SUBSTANCES

Notice of Application

Pursuant to section 1008 of the Controlled Substance Import and Export Act (21 U.S.C. 958(h)), the Attorney General shall, prior to issuing a registration under this section to a bulk manufacturer of a controlled substance in schedules I or II, and prior to issuing a regulation under section 1002(a) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Therefore in accordance with § 1311.42 of Title 21, Code of Federal Regulations, notice is hereby given that on November 25, 1974, Pharmaceuticals Division, Ciba-Geigy Corporation, 556 Morris Avenue, Summit, NJ 07901, made application to the Drug Enforcement Administration to be registered as an Importer of Methylphenidate, a basic class controlled substance listed in schedule II.

Any person registered to manufacture Methylphenidate in bulk may, on or before February 3, 1975, file written comments on or objections to the issuance of the proposed registration and may, at the same time, file written request for a hearing on the application (stating with particularity the objections or issues, if any, concerning which the person desires to be heard and a brief summary of his position on those objections or issues).

Comments and objections may be addressed to the Hearing Clerk, Office of Administrative Law Judge, Drug Enforcement Administration, Room 1130, 1405 Eye Street, NW., Washington, D.C. 20537.

Dated: January 13, 1975.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

[FR Doc.75-1615 Filed 1-16-75;8:45 am]

IMPORTATION OF CONTROLLED SUBSTANCES

Notice of Application

Pursuant to section 1008 of the Controlled Substance Import and Export Act (21 U.S.C. 958(h)), the Attorney General shall, prior to issuing a registration under this section to a bulk manufacturer of a controlled substance in schedules I or II, and prior to issuing a regulation under section 1002(a) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Therefore in accordance with § 1311.42 of Title 21, Code of Federal Regulations, notice is hereby given that on November 25, 1974, Pharmaceuticals Division, Ciba-Geigy Corporation, 556 Morris Avenue, Summit, N.J. 07901, made application to the Drug Enforcement Administration to be registered as an Importer of Phenmetrazine, a basic class controlled substance listed in schedule II.

Any person registered to manufacture Phenmetrazine in bulk may, on or before February 3, 1975 file written comments on or objections to the issuance of the proposed registration and may, at the same time, file written request for a hearing on the application (stating with particularity the objections or issues, if any, concerning which the person desires to be heard and a brief summary of his position on those objections or issues).

Comments and objections may be addressed to the Hearing Clerk, Office of Administrative Law Judge, Drug Enforcement Administration, Room 1130, 1405 I Street, NW., Washington, D.C. 20537.

Dated: January 13, 1975.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

[FR Doc.75-1617 Filed 1-16-75;8:45 am]

MANUFACTURE OF CONTROLLED SUBSTANCES

Notice of Application

Section 303(a)(1) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 823(a)(1)) states:

"The Attorney General shall register an applicant to manufacture controlled substances in schedules I or II if he determines that such registration is consistent with the public interest and with United States obligations under international treaties, conventions, or protocols in effect on the effective date of this part. In determining the public interest, the following factors shall be considered: (1) maintenance of effective controls against diversion of particular controlled substances and any controlled substance in schedule I or II compounded therefrom into other than legitimate medical, scientific, research, or industrial channels, by limiting the importation and bulk manufacture of such controlled

substances to a number of establishments which can produce an adequate and uninterrupted supply of these substances under adequately competitive conditions for legitimate medical, scientific, research, and industrial purposes;"

Section 1008 of the Controlled Substance Import and Export Act (21 U.S.C. 958(h)) provides that the Attorney General shall, prior to issuing a registration under this section to a bulk manufacturer of a controlled substance in schedule I or II, and prior to issuing a regulation under section 1002(a) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Pursuant to § 1301.43 of Title 21 of the Code of Federal Regulations, notice is hereby given that on January 24, 1974, Stepan Chemical Company, Maywood Division, 100 W. Hunter Avenue, Maywood, New Jersey 07607, made application to the Drug Enforcement Administration to be registered as a bulk manufacturer of Cocaine, a basic class controlled substance listed in schedule II.

Any person registered to manufacture Cocaine in bulk may, on or before February 3, 1975, file written comments on or objections to the issuance of the proposed registration and may, at the same time, file written request for a hearing on the application (stating with particularity the objections or issues, if any, concerning which the person desires to be heard and a brief summary of his position on those objections or issues).

Comments and objections may be addressed to the Hearing Clerk, Office of the Administrative Law Judge, Drug Enforcement Administration, Room 1130, 1405 Eye Street, NW., Washington, D.C. 20537.

Dated: January 13, 1975.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

[FR Doc.75-1616 Filed 1-16-75;8:45 am]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

ENDANGERED SPECIES PERMIT

Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant: Gladys Porter Zoo, 500 Ringgold Street, Brownsville, Texas 78520: Don D. Farst, D.V.M., Director.

DECEMBER 13, 1974.

Director
Bureau of Sport Fisheries & Wildlife
Law Enforcement Division
U.S. Department of Interior
Washington, D.C. 20240

Subject: Request for permission to transfer Six (6) Rothschild's Mynahs (*Leucopsar rothschildi*) from the National Zoo, Washington, D.C., to the Gladys Porter Zoo, Brownsville, Texas.

1. Name and address of applicant. Gladys Porter Zoo, 500 Ringgold Street, Brownsville, Texas 78520, Phone: (512) 546-7187.

2. Not Applicable.

3. Principal officer of corporation. Gladys C. Porter, President, Valley Zoological Society, 500 Ringgold Street, Brownsville, Texas, which operate the Gladys Porter Zoo, whose Director is Don D. Farst, D.V.M.

4. *Location.* The Zoological Park to where subject animals are to be transferred is centrally located in the city of Brownsville, Texas, at 500 Ringgold Street, and consists of 26.5 acres of land.

The following information is submitted in compliance with 50 CFR 17.23 as revised January 9, 1974:

(1) *Description of subject animals.* Three male and three female (3/3) Rothschild's Mynahs (*Leucopsar rothschildi*), young adults.

(2) *Contract.* See attached copy of sales agreement. These birds have all been born in captivity at the National Zoo, Washington, D.C. 20009.

(3) *Justification.* These birds will be housed in a free-flight aviary and will be used for breeding purposes as well as for public display. This project will be continuous but if we should decide to discontinue the project, the animals will be offered for movement to another facility where there would be a potential for captive propagation.

(4) *Description.* The facility where these birds will be housed is a new flight aviary constructed on the grounds of the Gladys Porter Zoo which is located at 500 Ringgold Street, Brownsville, Texas. The dimensions of the interior enclosures which are heated measure 4 feet by 4 feet by 7 feet. The exterior flight area measures 20 feet by 8 feet by 9 feet. The outside area has a stream of fresh flowing water and the birds will have access to either the outside flight area or shelters in the heated structure during inclement weather.

(5) *Disposition of subject birds at time of application.* The birds are presently being held at the National Zoological Park in Washington, D.C., and were born in captivity at that location.

(6) Not applicable.

(7) (i) See Item (4) above.

(ii) *Resume of technical expertise.* Don D. Farst, D.V.M., Director of the Gladys Porter Zoo, was formerly the Associate Director and Resident Veterinarian. Dr. Farst graduated from Ohio State University, Columbus, Ohio, with a degree of Doctor of Veterinary Medicine. He was an animal keeper at the Columbus Zoological Gardens, Columbus, Ohio, for two years before receiving his degree and going into a private veterinary practice for four years. He received a faculty appointment at Ohio State University, College of Veterinary Medicine, and was Staff Veterinarian and Mammals Curator for 1½ years at the Columbus, Ohio Zoo.

Dr. James E. Oosterhuis is resident veterinarian of the Gladys Porter Zoo. He is a 1972 graduate of the University of Minnesota College of Veterinary Medicine in St. Paul, Minnesota. He spent one year in a small animal practice before joining the veterinary staff of the San Diego Zoo where he spent one year prior to coming to the Gladys Porter Zoo.

David P. Thompson, General Curator, Gladys Porter Zoo, attended Southern Illinois University where he majored in Zoology and minored in Botany. He spent four years as keeper at the St. Louis Zoo in St. Louis, Missouri; was Curator of the Serpentarium at the Army Medical Research Laboratory, Fort Knox, Kentucky, and three years were spent as Assistant Curator of Mammals at the St. Louis Zoo before coming to the Gladys Porter Zoo in June, 1971. In addition to Mr. Thompson's regular curatorial duties, he has been the Curator of Birds at the Gladys Porter Zoo and has been responsible for a collection of birds numbering 500 and representing 152 species. His expertise as an aviculturist has been most valuable in conducting the propagation and research programs of the Bird Department of the Gladys Porter Zoo.

(iii) *Breeding and studbook participation.* If a studbook is established for the Rothschild's Mynah, the Glady Porter Zoo agrees to cooperate and to contribute pertinent data.

(iv) *Description of Transfer Crate.* The subject birds will be shipped by air and will not be in transit longer than eight hours. They will be shipped in a crate at least 16 by 24 by 30 inches and will have access to fresh fruits which will supply both food and moisture requirements during the entire journey.

CERTIFICATION

I hereby certify that I have read and am familiar with the regulations contained in Title 50, Part 13, of the Code of Federal Regulations and the other applicable parts in Subchapter B of Chapter I of Title 50, and I further certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement hereon may subject me to the criminal penalties of 18 U.S.C. 1001.

Dated this 13th day of December, 1974 at Brownsville, Texas.

DON D. FARST,
Director.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street, NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before February 18, 1975, will be considered.

Dated: January 14, 1975.

LOREN K. PARCHER,
Acting Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.75-1680 Filed 1-16-75;8:45 am]

ENDANGERED SPECIES PERMIT

Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant: Loxahatchee National Wildlife Refuge, Route 1, Box 278, Delray Beach, Florida 33444: Thomas W. Martin, Refuge Manager, South Florida National Wildlife Refuge.

Attached is an application for a permit under the Endangered Species Act submitted by the Refuge Manager, South Florida National Wildlife Refuges. The permit is requested as part of the on-going Everglade kite management study.

KENNETH E. BLACK,
Regional Director,
Atlanta, Ga.

APPLICATION FOR SCIENTIFIC RESEARCH PERMIT (ENDANGERED SPECIES)

Application to the Director, U.S. Fish and Wildlife Service, for a scientific research permit under Title 50, Chapter 1, Subchapter B, Part 13 of the Code of Federal Regulations, effective January 4, 1974.

1. *Applicant.* Loxahatchee National Wildlife Refuge, Route 1, Box 278, Delray Beach, Florida 33444. Phone: 305–732–3684.

2. Applicant is a field station of the U.S. Fish and Wildlife Service.

3. *Principal Supervisor.* Thomas W. Martin, Refuge Manager, South Florida National Wildlife Refuge, Route 1, Box 278, Delray Beach, Florida 33444.

4. *Location of Activity.* Loxahatchee National Wildlife Refuge.

5. This permit is requested under Part 17, Section 23 of Subchapter B.

(a) *Species.* American Alligator (*Alligator mississipiensis*).

(b) Copy of contract, etc.—not relevant to this permit request.

(c) *Justification.* The Loxahatchee National Wildlife Refuge is conducting research to determine methods of managing habitat for the everglade kite (*Rostrhamus sociabilis plumbeus*). The study started in April, 1971, and has produced successful management techniques for this species. Through research and literature review it has been learned that aquatic predation of *Pomacea paludosa* is critical in effect on intensively managed lands. We must determine the effect of this predation on apple snail (*Pomacea paludosa*) populations. This predation must be quantified in order to proceed with the development of the management program.

One hundred small (less than 4 feet) alligators will be sacrificed to examine the contents of the alimentary tracts for apple snails. The sampling will cover a period of five months. Alimentary tracts will be preserved for detailed study. Remaining body parts will be destroyed by burial, unless other uses can be made by appropriate agencies.

Through protection and successful management techniques on the refuge, the alligator has recovered from once low numbers to a population of approximately 13,000. Reproductive capacity is very good. The everglade kite on the other hand has fared poorly. Continuing loss of suitable habitat and the accompanying loss of apple snail populations has led to the steady decline and current precarious position of the everglade kite. Less than 100 individuals of this species now survive. A major portion of this number utilize the refuge. The urgent need for research in kite management techniques provides justification to sacrifice the required number of small alligators from a healthy population with good reproductive potential.

(d) The address where the wildlife will be used and maintained are provided above under Section 1—*Applicant.*

(e) The wildlife to be used under this permit will be in a wild state.

(f) Not applicable since the subject animals are not to be imported.

(g) Not applicable since the subject animals are not to be imported.

6. Desired effective date and duration: May 1, 1975, through September 30, 1975.

7. *Certification.* I hereby certify that I have read and am familiar with the regulations contained in Title 50, Part 13, of the Code of Federal Regulations and the other applicable parts in Subchapter B of Chapter I of Title 50, and I further certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement hereon may subject me to the criminal penalties of 18 U.S.C. 1001.

8. Signature of applicant:

THOMAS W. MARTIN,
Refuge Manager, South Florida National Wildlife Refuge.

WILDLIFE MANAGEMENT STUDY OUTLINE

Division of Wildlife Refuges, Region 4; Project: Loxahatchee #4; Sub-project: C; Date: 20 September 1974.

Title. Management for the Everglade Kite (*Rostrhamus sociabilis plumbeus*).

Objective. Determine the importance of apple snails (*Pomacea paludosa*) in the diets of turtles, alligators, and fish.

Justification. Our efforts to increase by management area snail populations (in order to increase the food supply for the kites) by transporting in snails from outside locations have given us very strong evidence of extreme population reduction by aquatic predators. Results of a transplant attempt made in June 1974 are reported in Progress Report No. 2 of the Project. Within one month all of the 2883 transplanted snails had disappeared (as evidenced by lack of egg laying in the field compared to continued egg laying in the caged snails).

Apple snail predators are reported several times in the literature. Snyder and Snyder (1971) list aquatic insects, crayfish, centrachid fish, frogs and salamanders, turtles, alligators, limpkins, boattailed grackles, and everglade kites as among the known predators of *Pomacea*. Fogarty and Albury (1968) reported that *Pomacea* made up 65.8 percent (by volume) of the stomach contents of young (1'–4') alligators. *Pomacea* has particularly well-developed alarm response to turtle odors (Snyder and Snyder 1971). The major predators of *Pomacea* in this area appear to be alligators, turtles, and redear sunfish.

Procedure. We need to sample the contents of the alimentary tracts of about 100 alligators, turtles, and fish at the rate of about 20 of each per month for May through September. Personal communication with Mr. Leroy Korschgen, Food Habits Specialist, Missouri Conservation Commission, indicated that 100 alimentary tracts are needed to insure a statistically valid sample.

We need approval from the Regional Office and the Central Office to sacrifice 100 small (less than 4') alligators for this study. This will require publication in the FEDERAL REGISTER in order for use to use this endangered species.

A total of 100 turtles of various species will be used. Each turtle will be identified to species. There are seven common species on the refuge.

Sunfish are the main fish predators of the snails, especially the red-ear *Lepomis microlophus.*

We will identify only *Pomacea* in the stomach contents but will preserve the material for further analysis (by other workers). Rate of occurrence and percent by volume of *Pomacea* in the total stomach contents will be recorded. Statistical analysis of the data will be made.

LITERATURE CITED

Fogarty, M. J. and J. D. Albury, 1968. Late summer foods of young alligators in Florida. Proc. 21st Annu. Conf. Southeastern Assoc. Game Fish Commissioners 21:220–223.

Snyder, N. F. R. and H. A. Snyder. 1971. Defenses of the Florida apple snail (*Pomacea paludosa*). Behaviour 40(3–4):175–215.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street, NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before January 18, 1975, will be considered.

Dated: January 14, 1975.

LOREN K. PARCHER,
Acting Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.75–1677 Filed 1–16–75;8:45 am]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

[Amdt. 6]

SALES OF CERTAIN COMMODITIES

Monthly Sales List (Fiscal Year Ending June 30, 1975)

The CCC Monthly Sales List for the fiscal year ending June 30, 1975, published in 39 FR 24684 is amended as follows:

1. Section 29 entitled "Butter-Unrestricted Use Sales" published in 39 FR 32042 is revised to read as follows:

Market price but not less than 10 cents per pound over CCC's purchase price at each location. Sales are made under Announcement MP–14. Sales are in carlots only instore at storage location of products.

2. Section 27 entitled "Nonfat dry milk-Unrestricted Use Sales" published in 39 FR 29208 is revised to read as follows:

Market price but not less than the following announced prices for spray process nonfat dry milk (NDM) in 50 pound bags:

(1) 70.0 cents per pound for NDM in bags of type specified in ASCS Announcement CMO–1.

(2) 69.75 cents per pound for NDM in commercial type bags.

Sales are made under Announcement MP–14. Sales are in carlots only in-store at storage location of products.

Effective Date: January 4, 1975.

Signed at Washington, D.C. on January 10, 1975.

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

[FR Doc.75–1658 Filed 1–16–75;8:45 am]

Food and Nutrition Service

SCHOOL BREAKFAST PROGRAM

National Average Payments for the Period January 1–June 30, 1975

Correction

In FR Doc. 75–352 appearing on page 1285 in the issue for Tuesday, January 7, 1975, the date above the signature now reading "December 31, 1975", should be changed to read "December 31, 1974".

Office of the Secretary

ADVISORY COMMITTEE OF THE U.S. MEAT ANIMAL RESEARCH CENTER

Renewal

Notice is hereby given that the Secretary of Agriculture has reestablished the U.S. Meat Animal Research Center Advisory Committee. The Committee provides advice and counsel concerning matters vital to the interests of the Department of Agriculture and the beef cattle, sheep and swine industries. The Committee reviews the character of research in progress and brings to the attention of the department researchable problems confronting the beef cattle, sheep and swine industries, which is clearly in the public interest. The Committee provides counsel on the identification of high priority problems for which the resources of the U.S. Meat Animal Research Center are uniquely adapted for gaining solutions.

The Committee meets annually at the U.S. Meat Animal Research Center, Clay Center, Nebraska. The Committee's findings are reported in writing to the Secretary of Agriculture.

This notice is given in compliance with Public Law 92-463.

Done at Washington, D.C., this 14th day of January 1975.

JOSEPH R. WRIGHT, Jr.,
Assistant Secretary for Administration.

[FR Doc.75-1659 Filed 1-16-75;8:45 am]

FOREST SERVICE ADVISORY COMMITTEES

Notice of Intent To Reestablish

Notice is hereby given that the Department of Agriculture proposes to reestablish the following three Forest Service advisory committees for a period of 2 years:

Pacific Crest National Scenic Trail Advisory Council
Oregon Dunes National Recreation Area Advisory Council
Cradle of Forestry in America Advisory Committee

The Pacific Crest National Scenic Trail Advisory Council was originally established under the National Trails System Act (Pub. L. 90-543). The Oregon Dunes National Recreation Area Advisory Council was originally established under the Act to Establish the Oregon Dunes National Recreation Area (Pub. L. 92-260). Since both councils terminated January 5, 1975, pursuant to section 14 (a) (1) (B) of the Federal Advisory Committee Act (Pub. L. 93-463), the Secretary of Agriculture has determined that reestablishment of the councils under his own authority is necessary and in the public interest in connection with duties imposed on the Department by law. The councils will have the same duties and responsibilities they had previously.

The Cradle of Forestry in America Advisory Committee, a regional committee originally established under Department authority, expired November 30, 1974. The Assistant Secretary for Conservation, Research and Education determined that reestablishment of this committee is necessary and in the public interest in connection with duties imposed on the Department by law.

The purpose of these committees is as follows:

Pacific Crest National Scenic Trail Advisory Council. To advise the Secretary with respect to matters relating to the trail; including the selection of rights-of-way, standards or erection and maintenance of markers along the trail, and administration of the trail.

Oregon Dunes National Recreation Area Advisory Council. To advise the Secretary with respect to matters relating to management and development of the recreation area. The need for public counsel is at an especially critical stage since the management plan for the area will be completed in 1975. An additional consideration is that the Secretary must report to the President in 1975 on the suitability for wilderness within the National Recreation Area.

Cradle of Forestry in America Advisory Committee. To obtain counsel on policies and programs, and their application in developing and managing the "Cradle of Forestry in America", a 6,800 acre site located on the Pisgah National Forest in North Carolina where significant conservation history took place.

Comments of interested persons concerning reestablishment of these committees may be submitted to the Forest Service, Administrative Management Staff, Room 4202-S, U.S. Department of Agriculture, Washington, D.C. 20250, on or before January 31, 1975.

All written submissions made pursuant to this notice will be available for public inspection in the Administrative Management Staff office during regular business hours (7 CFR 1.27(b)).

JOSEPH R. WRIGHT, Jr.,
Assistant Secretary for Administration.

JANUARY 15, 1975.

[FR Doc.75-1791 Filed 1-16-75;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

CEDARS-SINAI MEDICAL CENTER

Decision on Application for Duty-Free Entry of Scientific Article

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

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

Docket Number: 74-00540-33-46040. Applicant: Cedars-Sinai Medical Center, 4833 Fountain Avenue, Los Angeles, California 90029. Article: Electron Microscope, Model JEM 100. Manufacturer: Jeol Ltd., Japan. Intended use of article: The article is intended to be used to survey electron microscopy of the thymus of amphibians, reptiles, birds, and mammals, including normal and diseased tissue. The origin, structure, and fate of annulated lamellae within the mucosa of the epididymis will also be studied. Several problems will be examined related to heart disease in which both experimental and human tissues will be studied. Both low and high magnification studies of myoid cells of the retina will be made. In addition there are projected requirements for analytical electron microscopy and transmission/scanning electron microscopy.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the article was ordered (February 5, 1974). Reasons: The foreign article has a specified resolving capability of 3 Angstroms (Å). The most closely comparable domestic instrument is the Model EMU-4C supplied by the Adam David Company. The Model EMU-4C has a specified resolving capability of 5Å. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated September 10, 1974 that the best resolution available is pertinent to the purposes for which the foreign article is intended to be used.

HEW further advises that domestic instruments do not provide resolution equivalent to that of the foreign article. We, therefore, find that the EMU-4C is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the article was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.75-1632 Filed 1-16-75;8:45 am]

CHEMEKETA COMMUNITY COLLEGE

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966

(Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

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

Docket Number: 75–00104–65–57300. Applicant: Chemeketa Community College, 4389 Satter Drive, P.O. Box 1007, Salem, Oregon 97398. Article: Standard PFI Mill. Manufacturer: Norwegian Pulp & Paper Research Institute, Norway. Intended use of article: The article is intended to be used in studying pulp characteristics of different species in the Pacific Northwest to determine the effects of fiber treatments in the adjustable fibrillation-cutting equipment. Experiments will be conducted to investigate paper and paperboard formation characteristics and physical properties. The article will also be used in the courses, Pulp and Paper Technology, 4.281; Industrial Quality Control, 6.287; and Plywood, Composite and Laminated Wood Products, 6.285 to introduce and familiarize students with most recent fiber treatment techniques that they will be exposed to in industry.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus or equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is suitable for research and produces a range of pulp grinds or consistencies. We are advised by the National Bureau of Standards (NBS) in its memorandum dated December 18, 1974 that the characteristics of the article described above are pertinent to the applicant's intended purposes which include studies of the effects of fiber treatment on properties of paper and paper board. NBS further advises that it knows of no domestically manufactured instrument or apparatus of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.75–1633 Filed 1–16–75;8:45 am]

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

Decision on Application for Duty-Free Entry of Scientific Article

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

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

Docket Number: 75–00106–99–03400. Applicant: Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, Mass. 02139. Article: MkII Binaural Sensory Aids for the Blind. Manufacturer: Wormald-Vigilant Ltd., New Zealand. Intended use of article: The devices comprising the article are intended to be used for evaluation to assess their relevance to rehabilitation of the blind. Before evaluation in the field the article will be used in post-graduate courses on electronic devices for the Blind at Boston College and Western Michigan University.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article utilizes ultrasound to sense a wide area of the environment. It is headworn in the form of a pair of glasses and displays the spatial relationship of objects to blind users through the sense of hearing. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated December 16, 1974 that the characteristics of the article described above are pertinent to the applicant's research studies. HEW further advises, that it knows of no domestically manufactured instrument or apparatus of equivalent scientific value to the article for its intended uses.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.75–1634 Filed 1–16–75;8:45 am]

MINNESOTA UNIVERSITY

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 66 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

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

Docket Number: 75–00105–33–46040. Applicant: University of Minnesota, Department of Pediatrics, Minneapolis, Minnesota 55455. Article: Flection Microscope, Model EM 301 & Accessories. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article: The article is intended to be used to study the structural physiology and pathology of normal and abnormal blood cells. Platelets, neutrophils, lymphocytes, erythrocytes and bone marrow cells are the principle materials to be studied with the article. Investigations will be carried out to develop new knowledge which will improve the understanding of the hemostatic function of normal platelets, clarify defects in platelets which cause inherited or acquired bleeding disorders, define the role of platelets in host defense against infection and in the complications of infection, and delineate the contribution of platelets to occlusive vascular disease. The article will also be used by fellows and post-graduates who will train to do studies related to the above investigations.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the foreign article was ordered (April 30, 1974). Reasons: The foreign article has a specified resolving capability of 3 Angstroms point to point. The most closely comparable domestic instrument available at the time the article was ordered was the Model EMU–4C electron microscope supplied by the Adam David Company. The EMU–4C had a specified resolving capability of 5 Angstroms. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated December 16, 1974 that the additional resolving capability of the foreign article is pertinent to the applicant's research studies. We, therefore, find that the EMU–4C was not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used at the time the article was ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the article was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Education and Scientific Materials)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.75–1635 Filed 1–16–75;8:45 am]

ST. JUDE CHILDREN'S HOSPITAL ET AL.

Decision on Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the Federal Register.

Amended regulations issued under cited Act, as published in the February 24, 1972 issue of the Federal Register, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket Number: 75-00275-33-46040. Applicant: St. Jude Children's Research Hospital, 332 N. Lauderdale, PO. Box 318, Memphis, Tenn. 38101. Article: Electron Microscope, Model EM 301. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used in the following research programs.

(1) Studies to delineate key ultrastructural changes in *Pneumocystis carinii* during its growth from trophozoite to mature cyst.

(2) Elucidation of plasma membrane structure at the molecular level.

(3) Continuing ultrastructural studies on viruses and their interaction with host cells.

(4) Identification and characterization of cell responsive to erythropoietin, the hormone that regulates production of red blood cells.

(5) Identification and characterization of the early events in antibody formation.

The article will also be used to train postdoctoral scholars in the methods of electron microscopy. Application received by Commissioner of Customs: December 17, 1974.

Docket Number: 75-00276-01-76500. Applicant: University of Hawaii, Chemistry Department, 2545 The Mall, Honolulu, Hawaii 96822. Article: 5 Meter Variable Grazing Incidence Angle, Grating X-Ray Spectrograph. Manufacturer: Grating Measurements Ltd., United Kingdom. Intended use of article: The article is intended to be used for studies of large sized molecular crystals, gases, and very small solid specimens. Experiments to be conducted deal with the detailed and reproducible evaluation of the 'activity' of the valence molecular orbitals as seen by X-ray photon emission transitions in the soft X-ray region. Application received by Commissioner of Customs: December 17, 1974.

Docket Number: 75-00277-33-46500. Applicant: The Salk Institute for Biological Studies, Post Office Box 1809, San Diego, California 92112. Article: Ultramicrotome, Model Om U3. Manufacturer: C. Reichert Optische Werke, Austria. Intended use of article: The article is intended to be used to prepare thin sections of mammalian tumor cells for observation of ultrastructure through electron microscopic examination. The article will also be used in the training of pre- and postdoctorate fellows for cancer research. Application received by Commissioner of Customs: December 17, 1974.

Docket Number: 75-00278-33-90000. Applicant: Sutter Community Hospitals, 2820 L Street, Sacramento CA 95816. Article: EMI Scanning System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The effectiveness of the article will be compared with current methods for evaluation of neurological disorders. The article is also intended to be used in a teaching program to assist residents in neurology and neurosurgery in better understanding of the gross pathology, growth patterns and areas of involvement of central nervous system neoplasm, brain contusions and hemorrhage and degenerative conditions such as hydrocephalus and atrophy. Application received by Commissioner of Customs: December 17, 1974.

Docket Number: 75-00279-33-46500. Applicant: Albert Einstein College of Medicine of Yeshiva University, 1300 Morris Park Avenue, Bronx, N.Y. 10461. Article: Ultramicrotome, Model Om U3. Manufacturer: C. Reichert Optische Werke, Austria. Intended use of article: The article is intended to be used for producing both thick and thin sections capable of being studied by both histofluorescent and electron microsities. Application received by Commissioner of Customs: December 17, 1974.

Docket Number: 75-00280-75-07795. Applicant: University of Maryland, Traffic Manager's Office, c/o Central Receiving, College Park, MD 20742. Article: Imacon Camera System. Manufacturer: John Hadland Ltd., United Kingdom. Intended use of article: The article is intended to be used in an experiment involving the study of the interaction of tense beams of relativistic electron with a cusped magnetic field configuration. Application received by Commissioner of Customs: December 17, 1974.

Docket Number: 75-00281—33-46040. Applicant: Howard University, Howard University Hospital, 2041 Georgia Avenue, NW., Washington, D.C. 20060. Article: Electron Microscope, Model Elmiskop 101. Manufacturer: Siemens, West Germany. Intended use of article: The article is intended to be used for the electron microscopic evaluation of surgical biopsies. The article will also be used in a graduate course in Electron Microscopy (905-210) and in ongoing resident training both involving primarily the methods of electron microscopy and its use in ultrastructural pathology. Application received by Commissioner of Customs: December 18, 1974.

Docket Number: 75-00282-33-46010. Applicant: Texas Woman's University, Box 23971, TWU Station, Denton, Texas 76204. Article: Electron Microscope, Model Elmiskop 101. Manufacturer: Siemens AG, West Germany. Intended use of article: The article is intended to be used for quantitative ultrastructure determinations of the effects of x-irradiation and heavy metal co-insults on glial cells, neurons, and vasculature associated with the structural integrity of the blood-brain barrier in selected brain areas. Subtle changes in the structure of liver kidney, and gonad will also be investigated. Experiments to be conducted will include: (a) study of effects of methyl mercury and/or ionizing radiation on adult mammals, primarily rats and squirrel monkeys and (b) evaluation of the effects of methyl mercury on reproductive capability of hamsters and rats and on the offspring produced. In another study the article will be used to localize radiolabelled protein in myelin, using autoradiographic techniques. In another study, cells grown in culture will be examined to investigate fine structural changes in the cortex during aging, to determine whether or not the microfilament system is altered. The sensitivity of microfilament architecture and its association with the cell surface during aging will also be examined by using cytocholasin B (CB), concanalin A (con A) and ferritin. The article will also be used to perform various studies on viruses. In addition, the article is to be used in a graduate level course in electron microscopy in which students will learn the basic principles of electron microscopy, its uses, how to prepare materials for microscopy and will use the article. Application received by Commissioner of Customs: December 18, 1974.

Docket Number: 75-00283-65-46040. Applicant: State University of New York at Buffalo, 3435 Main Street, Buffalo, New York 14214. Article: Electron Microscope, Model JEM 100 with accessories. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used in a study of engineering surfaces, study of subsurface damage due to surface generation and in the development of free machining alloys. Experimental studies on fine grained clays (naturally occurring samples, laboratory prepared samples and deformed clay samples) are to be examined as to particle size, crystallinity, crystal structure, exchangeable ions in clay, etc. The article will also be used to train graduate and undergraduate students in engineering and physical sciences. The relevant courses are: ME 496: X-ray diffraction and electron microscopy, ME 383: Properties of engineering materials, EAS 597: Electron Microscopy of Metals. Application received by Commissioner of Customs: December 18, 1974.

Docket Number: 75-00284-65-46040. Applicant: Cornell University, Ithaca, New York 14853. Article: Electron Microscope, Model Elmiskop 102. Manufacturer: Siemens AG, West Germany. Intended use of article: The foreign article is intended to be used in studies on fine structures of grain boundaries, early stages of phase transformations in Ti and Zr alloys, early stages of phase transformation in ceramics, the resolution of partial dislocations in Mo using the weak beam technique, and crystal structures of borides and germanates. Application received by Commissioner of Customs: December 18, 1974.

Docket Number: 75-00285-33-46040. Applicant: Merck Institute for Therapeutic Research, Sumneytown Pike, West Point, Pa. 19486. Article: Electron Microscope, Model EM 201S and Accessories. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for the study of viruses, bacteria, human and animal cells and tissues in both basic research and as a service tool in support of ongoing projects in Virology and Cancer Research. Application received by Commissioner of Customs: December 18, 1974.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.75-1637 Filed 1-16-75;8:45 am]

WASHINGTON UNIVERSITY

Decision on Application for Duty-Free Entry of Scientific Article

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

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

Docket Number: 74-00404-33-46040. Applicant: University of Washington, Department of Biological Structure, Seattle, Washington 98195. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used in a broadly directed research program which is intended to acquire a better understanding of the fine structure of tissues in terms of their constituent cell organelles and, whenever possible, to relate their structure to physiological or mechanical function. These research programs include the following:

(1) Relation of structure to function in capillaries and blood vessels by developing and applying a new stain, ruthenium red, to identify extracellular acid mucopolysaccharides.

(2) Investigation of the plasma membrane complex of amoebae.

(3) Examination of cell membranes and cytoplasm components prepared in ways intended to best preserve their normal appearance.

(4) Studies of the pathways of protein uptake in the suckling rat intestine.

(5) Determination of the origin, composition and fate of certain cytoplasmic components unique to germ cells and to analyze their role as well as the role of other factors in the process of germ cell formation and maturation.

(6) Assessment of the response of pituitary somatotrophs cells in the rat pars distalis when incubated with growth hormone releasing and inhibiting factors.

In addition, investigations are underway to localize the enzyme acid phosphatase in somatotrophs and to correlate its presence with the secretory process.

Comments: No comments have been received with respect to this application. Decision: Application Denied. An instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: This application is a resubmission of Docket Number 73-00389-33-46040 and 74-00099-33-46040 which were denied without prejudice to resubmission on May 23, 1973 and January 3, 1974 respectively for informational deficiencies.

In reply to Question 8 of this submission, the applicant alleged the foreign article provided the following pertinent features:

1. Accelerating voltages of 40, 60, 80 or 100 KV.

2. Magnification range of 1500-200,000X in 14 steps and 200X scanning magnification with continuous operation.

3. Objective lens focal length of 1.6 MM (resolving power 2.3Å).

4. Virtual Electron Source size of 20 microns (micro gun) which allows the specimen to be viewed at a low magnification without specimen damage and allows the specimen to be viewed at high magnifications with good illumination.

5. Illuminating system.—Mini-condenser lens allows 6μM electron spot size on specimen.

6. Focusing.—Magnetic beam wobbler or split image, and fine grain focusing screen.

The Department of Health, Education, and Welfare (HEW) advises in its memoranda dated June 28, 1974 and November 22, 1974, that, because the work described in this application places emphasis on instrument performance in research, the Model EMU-4C, formerly manufactured by Forgflo Corporation and currently supplied by Adam David Company, is the most closely comparable domestic instrument. With respect to the applicant's allegations in reply to Question 8, in the order cited above, HEW advises the following:

1. The EMU-4C provides equivalent accelerating voltage.

2. The EMU-4C provides equivalent magnification range.

3. The focal length of the objective lens is not a pertinent specification, within the meaning of subsection 701.2(n) of the regulations, in the presence of equal guaranteed resolution.

4. The virtual size of the electron source is not scientifically pertinent in view of equivalent resolution and illumination provided by the double condenser lens and high intensity grid cap of the EMU-4C.

At equal illumination, the rate of specimen damage is also equal. A larger beam could act on a slightly larger area, but a difference in area illuminated is not clearly significant or pertinent.

5. The EMU-4C provides a high intensity grid cap for adequate illumination. [See No. 4, directly above.]

6. The EMU-4C provides a focusing aid.

HEW recommends that the application establishes no pertinent specification upon which duty-free entry could be based. Accordingly, we find that the Model EMU-4C is of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.75-1636 Filed 1-16-75;8:45 am]

Maritime Administration

[Docket No. S-436]

MARGATE SHIPPING CO.

Notice of Application

Notice is hereby given that Margate Shipping Company (Margate) has filed an application dated December 12, 1974, to amend its Operating-Differential Subsidy Agreement, Contract No. MA/MSB-134 (the Agreement), to provide that the vessels shall operate in the worldwide carriage of commercial liquid and dry bulk cargo in the foreign oceanborne commerce of the United States and in the carriage of such cargoes between foreign ports and shall carry exclusively commercial liquid and dry bulk cargo not subject to the cargo preference statutes of the United States, including, but not limited to, 10 U.S.C. 2631, 46 U.S.C. 1241, and 15 U.S.C. 616a.

The vessels of Margate are now permitted, under the Agreement, to operate in the worldwide carriage of commercial liquid cargo only not subject to the cargo preference statutes of the United States, including, but not limited to, those cited above.

Agreement covers the operation of three tankers of approximately 38,300 deadweight tons each. Two of the tankers are presently in operation, and the third is scheduled for delivery in March 1975.

Any party having an interest in this application and who would contest a finding by the Maritime Subsidy Board that the service now provided by vessels of United States registry for the worldwide carriage of liquid and dry bulk cargoes as proposed by the applicant

moving in the foreign commerce of the United States or in any particular trade in the foreign commerce of the United States is inadequate, must, on or before January 31, 1975, notify the Secretary in writing of his interest and of his position and file a petition for leave to intervene in accordance with the Board's rules of practice and procedure (46 CFR Part 201). Each such statement of interest and petition to intervene shall state whether a hearing is requested under section 605(c) of the Merchant Marine Act, 1936, as amended, and with as much specificity as possible the facts that the intervenor would undertake to prove at such hearing.

In the event that a section 605(c) hearing is ordered to be held, the purpose of such hearing will be to receive evidence relevant to whether the service already provided by vessels of U.S. registry for the worldwide movement of liquid and dry bulk cargoes in the foreign oceanborne commerce of the United States is inadequate and whether in the accomplishment of the purposes and policy of the Act additional vessels should be operated in such service.

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

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

By Order of the Maritime Subsidy Board.

Dated: January 14, 1975.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.75-1664 Filed 1-16-75;8:45 am]

National Bureau of Standards

ADVISORY COMMITTEE FOR INTERNATIONAL LEGAL METROLOGY

Notice of Meeting

Pursuant to the Federal Advisory Comittee Act, 5 U.S.C. App. 1 (Supp. III., 1973) notice is hereby given that a meeting of the Executive Committee of the Advisory Committee for International Legal Metrology will be held in Conference Room B-111, Building 101, at the National Bureau of Standards, Gaithersburg, Md., from 10 a.m. to 5 p.m. on February 20, 1975.

The purpose of the Advisory Committee is to advise the Secretary of Commerce through the Director, National Bureau of Standards, on technical and policy matters relating to the Department's general responsibility for the development of U.S. positions on technical issues arising in the International Organization of Legal Metrology (OIML).

The Executive Committee is composed of nine Committee members representing government, professional metrology societies, national standards bodies, and industry and trade associations.

The agenda for the meeting will include a discussion of recommended revisions to nineteen OIML International Recommendations. The Executive Committee will also discuss routine administrative matters.

The meeting will be open to the public; applications for admission will be accepted and granted on a first come-first served basis up to the capacity of the conference room. These applications should be sent to Mr. David Edgerly, Secretary, Advisory Committee for International Legal Metrology, Building 101, Room A-409, National Bureau of Standards, Washington, D.C. 20234 (phone 301-921-3662).

RICHARD W. ROBERTS,
Director.

JANUARY 14, 1975.

[FR Doc.75-1643 Filed 1-16-75;8:45 am]

National Oceanic and Atmospheric Administration

INSPECTION PROGRAM INVOLVING PRODUCERS, PROCESSORS, AND SHIPPERS OF FISH AND FISHERY PRODUCTS

Agreement With the National Marine Fisheries Service

For a document dealing with a Memorandum of Understanding between the National Oceanic and Atmospheric Administration and the Food and Drug Administration pertaining to the above captioned matter, see FR Doc. 75-1591, *infra*.

Office of the Secretary

CTAB PANEL ON SULFUR OXIDE CONTROL TECHNOLOGY

Notice of Meetings

The Panel on Sulfur Oxide Control Technology is a new advisory committee being established under the U.S. Department of Commerce Technical Advisory Board (CTAB). It will provide the Secretary with an assessment of how the utility industry in the Northeastern United States can best utilize sulfur-bearing Appalachian coal in meeting energy needs while complying with the Clean Air Act of 1970. The Panel will meet for the first time on February 18, contingent on its charter being approved and properly filed before that date. This notice provides the schedule and agenda for this first meeting and two subsequent meetings planned for February 19 and 20, 1975.

Date	Time	Purpose	Meeting place
Feb. 18, 1975	8:30 a.m. to 5 p.m.	Reports from consultants on scrubbers, supplementary controls, and cleaning of coal.	Room 6802, Main Commerce Bldg., Washington, D.C.
Feb. 19, 1975	do	do	Room 4830, Main Commerce Bldg., Washington, D.C.
Feb. 20, 1975	10 a.m. to 5 p.m.	Assignments to Panel members and consultants.	Do.

A limited number of seats will be available to the press and to the public. Written statements or inquiries may be filed with the Chairman before or after any of these meetings.

Persons desiring further information on the Panel or on individual meetings should contact Dr. Bruce B. Robinson, Room 3877, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, D.C. 20230.

Dated: January 15, 1975.

BETSY ANCKER-JOHNSON,
Assistant Secretary for Science and Technology, U.S. Department of Commerce.

[FR Doc.75-1717 Filed 1-16-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

INSPECTION PROGRAM INVOLVING PRODUCERS, PROCESSORS, AND SHIPPERS OF FISH AND FISHERY PRODUCTS

Agreement With the National Marine Fisheries Service

The National Marine Fisheries Service and the Food and Drug Administration have drawn up an agreement concerning certain related objectives in carrying out their respective responsibilities under the Agricultural Marketing Act, the Fish and Wildlife Act, and the Federal Food, Drug, and Cosmetic Act. The agreement, which sets forth the working arrangements being followed or adopted in the interest of the public so that each agency will discharge as effectively as possible its inspection and standardization activities for fish and fishery products, reads as follows:

MEMORANDUM OF UNDERSTANDING BETWEEN DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, FOOD AND DRUG ADMINISTRATION, AND DEPARTMENT OF COMMERCE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, NATIONAL MARINE FISHERIES SERVICE

RELATIVE TO INSPECTION PROGRAMS FOR FISHERY PRODUCTS

The Food and Drug Administration (FDA) of the Department of Health, Education, and Welfare is charged with the enforcement of the Federal Food, Drug, and Cosmetic Act. In fulfilling its responsibilities under the act, FDA directs its activities toward the protection of the public health of the Nation by ensuring that foods are safe and wholesome and that products are honestly and informatively labeled. This is accomplished by inspecting the processing and distribution of foods and examining samples thereof to assure compliance with the Act. FDA also promulgates under the act mandatory standards of identity, quality, and fill of container for food products after appropriate notices and public procedures.

The National Marine Fisheries Service (NMFS) of the National Oceanic and Atmospheric Administration, Department of Commerce, under authorities established by the Agriculture Marketing Act and the Fish and Wildlife Act, is responsible for (1) the development and advancement of commercial grade standards for fishery products and better health and sanitation standards in the industry and (2) furnishing inspection, analytical, and grading services and issuing certificates to producers, processors, shippers, receivers, or interested parties. Its major purpose is to encourage and assist the industry in improving the quality and safety of its products, and to provide objective information by means of inspection and official certification concerning the class, quality, quantity, identity, or condition of products which will be of maximum assistance to interested parties engaged in the production, processing, and marketing of fish and fishery products.

The two agencies have certain common or related objectives in carrying out their respective regulatory and service activities. This Memorandum of Understanding sets forth the working arrangements which are being followed or adopted to enable each agency to discharge, as effectively as possible, its responsibilities related to the inspection and standardization activities for fishery products. The Memorandum of Understanding recognizes that plants under NMFS voluntary inspection service contracts are subjected to inspection to ensure their compliance with good manufacturing practices and other applicable provisions of pertinent laws.

SERVICES TO BE FURNISHED

A. The National Marine Fisheries Service will:

1. Supply FDA headquarters with a complete list of all processing and packing establishments which are operating under NMFS inplant inspection on a contract basis. This list will set forth the type of service provided and the food products involved. NMFS will immediately advise the appropriate FDA field office of those plants subject to withdrawal or suspension of service, termination of contract, or denial of inspection services because of sanitation or other current good manufacturing practice deficiencies.

2. Assign a grade or Government legend only to products which meet all requirements for such a grade or legend. Whenever the product has not been inspected for all factors required to ensure compliance with a grade and/or legend, the certificate shall state the specified factors to which the inspection or grading was limited.

3. Apply to plants and products under voluntary inspection appropriate FDA requirements pertaining to good manufacturing practices, labeling, food additives, tolerances, standards of identity, minimum quality, and fill of container as are established by FDA regulations, and which are applied by FDA in its enforcement of the Federal Food, Drug, and Cosmetic Act.

4. Furnish the appropriate FDA field office, on request, with any pertinent information concerning specific lots of products inspected or graded by NMFS that have been proceeded against or are being considered for action by FDA.

5. Decline to inspect, grade, certify, or permit the use of official grade marks or other approved identification, except Retained Tags, on a food product which is considered adulterated or misbranded under the Federal Food, Drug, and Cosmetic Act, of such type and/or in such amounts so as to result in the food product being subject to regulatory action by FDA. NMFS will make such examinations and tests as are reasonably feasible for those materials and substances that would be likely to contaminate the product.

6. Report to the appropriate FDA field office information concerning any product that has been placed under official retention by NMFS because it is suspected, or known to be adulterated, or misbranded under the Federal Food, Drug, and Cosmetic Act, of such type and/or in such amounts so as to result in the food product being subject to regulatory action by FDA, unless such product is so reconditioned as to comply with FDA requirements or is segregated and disposed of for non-food use or otherwise lawfully shipped or sold.

7. Decline to inspect or grade samples of products which are the subject of seizure, prosecution, injunction, or import detention action. This does not preclude reinspection of samples legally collected for that purpose by NMFS, if the FDA seizures or other actions involve products which have previously been inspected or graded by NMFS.

8. Participate in a cooperative effort in investigations of food poisoning, product recalls, and problems concerning food contamination caused by disasters or other phenomena involving foods where both agencies have mutual obligations.

9. Inform FDA headquarters whenever it has information that an employee or U.S. Department of Commerce licensed inspector is to be, or has been, called as a witness at judicial proceedings involving FDA action, and advise FDA of the nature of his proposed testimony.

10. Investigate any report from FDA to the effect that a processor operating under contract with NMFS has not corrected objectionable conditions found to exist and take action in accordance with the Agriculture Marketing Act and the Fish and Wildlife Act.

B. The Food and Drug Administration will:

1. Recognize that the NMFS service provided in connection with the voluntary contract inspection of fishery processing establishments contributes to protection of consumers and aids FDA in enforcement of pertinent statutes. The NMFS inspection service will not diminish FDA's authority to inspect but should minimize FDA inspections in establishments under NMFS contract inspection. In this regard, NMFS inspectors shall routinely notify contract establishments of pertinent FDA requirements, advise them on how to comply and verify compliance. NMFS inspectors may not act as FDA inspectors but their inspections and consultations with FDA should reduce the necessity for FDA inspections.

2. Request from the appropriate NMFS field office any pertinent information concerning the grade or quality determinations relative to specific lot of products that have been proceeded against or are being considered for action by FDA and are known or believed to have been inspected by NMFS. FDA will take into consideration the NMFS inspection certificates and other available data in its review of the case.

3. Provide timely notification to appropriate NMFS field personnel of all official seizure actions taken by FDA of fishery products processed or packed in NMFS inspection plants. This would include the name of product(s), processing or packing plant(s) involved, and basis for seizure action.

4. Whenever possible mark the claimant's samples of seized products in the following manner: "Lot sampled by the Food and Drug Administration," sample number, lot number, and name and location of the FDA employee taking sample.

5. On request, review labels, legends, stamps, and other official marks for products packed under the various inspection services of NMFS, and give an advisory opinion as to whether they do or do not conflict with the misbranding provisions of the Federal Food, Drug, and Cosmetic Act.

6. Inform and continue to keep the NMFS informed of the criteria used by FDA to establish action levels for food products and processing establishments considered to be in violation of the Federal Food, Drug, and Cosmetic Act, in order to provide maximum assurance that NMFS does not classify a food establishment, label, processing practice, or other situations as acceptable which FDA would consider actionable under the Federal Food, Drug, and Cosmetic Act.

7. Provide NMFS with current applicable administrative guidelines, tolerances, etc., that are routinely applied to fish and fishery products by FDA.

8. Invite the NMFS inspector assigned to a processing plant which is operating under NMFS contract inspection to participate with the FDA inspector during his inspection of such plant. The FDA and NMFS inspectors shall discuss any conditions noted which may result in violations of law.

C. It is mutually agreed that:

1. Where either agency believes that a particular violation is occurring in several fish processing plants in the industry, it may request a meeting with the other agency to consider steps to investigate the situation immediately and, where necessary, to take mutually agreeable remedial action, recognizing that in the event that remedial action cannot be mutually agreed on promptly, FDA must proceed in accordance with its responsibilities, obligations, and programs under the Federal Food, Drug, and Cosmetic Act.

2. Both agencies will participate in periodic joint meetings, and with industry as appropriate, to promote better communcation and understanding of regulations, policy, and statutory responsibilities, to improve sanitation and food-handling practices in processing establishments, and to serve as a clearinghouse for questions and problems as may arise.

3. Each agency will keep its customary records and make those related to the operation of this Memorandum of Understanding available to the other agency as mutually agreed upon.

4. Both agencies will exchange data and cooperate in the development of sampling plans, methodology, and guidelines for determining unavoidable natural and environmental defects common to fish and fishery products.

5. When either agency is unable to carry out any or all of its responsibilities under this Memorandum of Understanding, immediate notification should be provided to the other agency.

6. Formal training courses sponsored by either agency will be available whenever possible for the other's personnel.

7. Both agencies will maintain close working relations with each other, both in headquarters as well as in the field. Appropriate NMFS and FDA personnel will meet periodically for purposes of program planning, coordination, evaluation, and review concerning inspectional matters of mutual interest.

8. Proposed regulations by either agency establishing any type of standard for fishery products will be referred to the other agency for review and comments prior to issuance, except amendments to voluntary grade standards which do not modify any of the minimum quality factors contained in standards previously referred to FDA for its review and recommendations.

9. Each agency will designate to the other a central contract point to which communications dealing with this agreement or matters affected thereby may be first referred for attention.

10. Nothing in this Memorandum of Understanding modifies other existing agreements or memoranda of understanding, nor does it preclude entering into separate agreements setting forth procedures for special programs which can be handled more efficiently and expeditiously by such other arrangements.

11. The provisions of this Memorandum of Understanding may be modified at any time by mutual agreement.

For the National Oceanic and Atmospheric Administration:

Dated: September 25, 1974.

Approved:

ROBERT M. WHITE,
Administrator, National Oceanic and Atmospheric Administration.

For the Food and Drug Administration:

Dated: October 10, 1974.

Approved:

ALEXANDER M. SCHMIDT, M.D.,
Commissioner of Food and Drugs.

Effective date. This agreement becomes effective January 17, 1975.

Dated: October 10, 1974.

ALEXANDER M. SCHMIDT,
Commissioner of Food and Drugs.

[FR Doc.75-1591 Filed 1-16-75;8:45 am]

Office of Education

COOPERATIVE EDUCATION PROGRAM

Notice of Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in Part D of Title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a through 1087c), applications for grants and proposals for contracts are being accepted from institutions of higher education and other eligible applicants under the Cooperative Education Program.

Applications must be received by the U.S. Office of Education Application Control Center on or before February 28, 1975.

A. *Applications sent by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue, SW., Washington, D.C. 20202, Attention: 13:510. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than the fifth calendar day prior to the closing date (or if such fifth calendar day is a Saturday, Sunday, or Federal holiday, not later than the next following business day), as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education and Welfare, or the U.S. Office of Education.)

B. *Hand delivered applications.* An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, SW., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

C. *Program information and forms.* Information and application forms may be obtained from the Division of Training and Facilities, Bureau of Postsecondary Education, Office of Education, Rm. 4953, 7th & D Sts., SW., Washington, D.C. 20202.

D. *Applicable regulations.* The regulations applicable to this program include the Office of Education general provisions regulations (45 CFR Part 100a) and regulations governing Cooperative Education Programs (45 CFR Part 182) which are published as a notice of proposed rule making in this issue of the FEDERAL REGISTER. Funding Criteria governing Cooperative Education Programs appear in the Office of Education general provisions regulations at 45 CFR 100a.26 and in the program regulations.

(20 U.S.C. 1087a-1087c)

(Catalog of Federal Domestic Assistance Number 13:510; Cooperative Education Program)

Dated: January 3, 1975.

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

[FR Doc.75-1650 Filed 1-16-75;8:45 am]

EXEMPLARY PROJECTS IN VOCATIONAL EDUCATION

Amendment of Closing Date for Receipt of Applications for the FY 1975

Notice is hereby given that the notice of closing date published in the FEDERAL REGISTER on January 2, 1975, 40 FR 20 is amended to reflect the fact that the U.S. Commissioner of Education has added the State of Vermont as a State from which applications are being accepted for exemplary projects in vocational education pursuant to the authority contained in section 142(c) of Part D of the Vocational Education Act of 1963, as amended, 20 U.S.C. 1302(c).

Applications must be received by the DHEW Regional Office of the U.S. Office of Education on or before March 7, 1975.

A. *Applications sent by mail.* Applicants from Vermont should address their applications to Director of Occupational and Adult Education, U.S. of Education, DHEW Regional Office, J. F. Kennedy Federal Building, Boston, Massachusetts 02203. All applications should be marked: Attention 13.502. An application sent by mail will be considered to be received on time by the DHEW 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 mail room of the appropriate DHEW Regional Office. (In establishing the date of receipt, the Commissioner of Education will rely on the time-date stamp of the mail room or other documentary evidence of receipt maintained by the DHEW Regional Office.)

B. *Hand delivered applications.* An application to be hand delivered must be delivered to the appropriate DHEW Regional Office at the address indicated in paragraph (A) above. Hand delivered applications will not be accepted by the DHEW Regional Office after 4 p.m. local time on the closing date.

C. *Program information and forms.* Applications must be prepared and submitted in accordance with instructions and forms which may be obtained from the appropriate DHEW Regional Office at the address indicated in paragraph (A) above.

(20 U.S.C. 1302(c))

Simultaneously with the submission of an application to the DHEW Regional Office, the applicant must submit a copy of the application to the Vermont State board for vocational education. The State board for vocational education will review each application and may, within a period of sixty days, disapprove any application. All applications not disapproved by the State board will be eligible for review.

Direct grants or contracts are awarded in each State up to the limit of funding available for the U.S. Commissioner of Education to use in that State as allotted under section 142(c) of Part D of the Act. The approximate allocation anticipated for a new grant in fiscal year 1975 in Vermont is $106,102.

(Catalog of Federal Domestic Assistance Program Number 13.502; Exemplary Projects in Vocational Education)

Dated: January 11, 1975.

T. H. BELL,
Commissioner of Education.

[FR Doc.75-1573 Filed 1-16-75;8:45 am]

INDIAN ELEMENTARY AND SECONDARY SCHOOL ASSISTANCE

Notice of Closing Date for Receipt of Applications

The Commissioner of Education hereby gives notice that, pursuant to the Indian Elementary and Secondary School

Assistance Act, Title III of Pub. L. 81–874, as added by Title IV, Part A of Pub. L. 92–318 (20 U.S.C. 241aa–241ff) and Title VI, Part C of Pub. L. 93–380, applications for assistance are being accepted from local educational agencies with the required number of enrolled Indian students, for grants pursuant to section 305 of the Act (20 U.S.C. 241dd). Section 305 enables the Commissioner to provide financial assistance to eligible local educational agencies for programs that meet the purpose of the Act, based upon the Indian student enrollment as certified by the State educational agency.

Assistance under section 305 of the Act may be used for the purpose of developing and carrying out elementary and secondary school programs specially designed to meet the special educational needs of Indian students, with the involvement of the Indian community and parents of the Indian children to be served.

Awards under section 305 of the Act will be subject to the requirements of the Act and to regulations set forth in 45 CFR Part 186. Criteria for selection and approval of assistance grants are contained in the rules and regulations published in the FEDERAL REGISTER on July 6, 1973, at 38 FR 18017. The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Part 100a).

Applications may be obtained from: Program Manager, Part A, Office of Indian Education, Room 3662, Regional Office Building Three, 7th and D Streets, SW., Washington, D.C. 20202.

Applications must be received by the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, SW., Washington, D.C. 20202 (mailing address: U.S. Office of Education, Application Control Center, 400 Maryland Avenue, SW., Washington, D.C. 20202, Attention: 13.534), on or before February 28, 1975.

An application sent by mail will be considered to be received on time by the Application Control Center if:

1. The application was sent by registered or certified mail not later than the fifth calendar day prior to the closing date (or if such fifth calendar day is a Saturday, Sunday, or Federal holiday, not later than the next following business day), as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

2. The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail room in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the U.S. Department of Health, Education, and Welfare or the U.S. Office of Education).

An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, 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.

(20 U.S.C. 241aa–241ff)

(Catalog of Federal Domestic Assistance Number 13.534; Indian Education—Grants to LEA's (Part A))

Dated: January 11, 1975.

T. H. BELL,
Commissioner of Education.

[FR Doc.75–1574 Filed 1–16–75;8:45 am]

Office of the Secretary

PRESIDENT'S COMMITTEE ON MENTAL RETARDATION

Meeting

The President's Committee on Mental Retardation was established to provide advice and assistance in the area of mental retardation to the President including evaluation of the adequacy of the national effort to combat mental retardation; coordination of activities of Federal agencies; provision of adequate liaison between Federal activities and related activities of State and local governments, foundations and private organizations; develop information designed for dissemination to the general public. The Committee will meet on Thursday, February 27, 9 a.m. to 5 p.m. and on February 28, 9 a.m. to 3 p.m., at the L'Enfant Plaza Hotel, Renoir I Room, 480 L'Enfant Plaza East, SW., Washington, D.C. 20024. This meeting will be the quarterly meeting of the Committee. They will discuss health, education, services, and legal rights as they relate to the mentally retarded. These meetings are open to the public.

Dated: January 13, 1975.

FRED J. KRAUSE,
Executive Director, President's Committee on Mental Retardation.

[FR Doc.75–1644 Filed 1–16–75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[FRA Waiver Petition Docket No. PB–74–2]

BURLINGTON NORTHERN CO.

Waiver of Intermediate Inspection and Brake Test

Notice is hereby given that the Burlington Northern (BN) has petitioned the Federal Railroad Administration (FRA) for permanent exemption from the requirements of FRA regulations that freight trains be inspected at intermediate points not more than 500 miles apart. The regulation 49 CFR 232.12(b) requires that each train be inspected and its brakes tested at that intermediate point.

BN presently operates freight trains between Harve, Montana, and Spokane, Washington, a distance of approximately 502 miles. These trains are now given an intermediate inspection at either Whitefish, Montana, or Hauser, Idaho. In view of the minimum increase in distance involved, BN seeks a permanent exemption in order to operate without performing an intermediate inspection enroute.

Interested persons are invited to participate in these proceedings by submitting written data, views, or comments. FRA does not anticipate scheduling an opportunity for oral comment on this petition since the facts do not appear to warrant it. An opportunity to present oral comments will be provided however, if requested by any interested person prior to January 31, 1975. All communications concerning these petitions should identify the appropriate Docket Number (FRA Waiver Petition Docket Number PB–74–2) and should be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590. Communications received before February 28, 1975, will be considered by the Federal Railroad Administration before final action is taken. Comments received after that date will be considered so far as practicable. All comments received will be available, both before and after the closing date for communications, for examination by interested persons during regular business hours in Room 5101, Nassif Building, 400 Seventh Street, SW, Washington, D.C. 20590.

This notice is issued under the authority of the Power or Train Brakes Safety Appliance Act of 1958, 72 Stat. 86, 45 U.S.C. 9; section 1.49(c) of the regulations of the Office of the Secretary of Transportation, 49 CFR 1.49(c).

Issued in Washington, D.C. on January 13, 1975.

DONALD W. BENNETT,
Chief Counsel.

[FR Doc.75–1611 Filed 1–16–75;8:45 am]

ATOMIC ENERGY COMMISSION

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

Meeting

JANUARY 14, 1975.

In accordance with the purposes of section 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b.), the Advisory Committee on Reactor Safeguards' Subcommittee on ECCS will hold a meeting on February 1, 1975 in Room 1046, 1717 H Street, NW., Washington, D.C. The purpose of this meeting will be to discuss analytical models formulated to meet current ECCS criteria for fuel fabricated by Exxon Nuclear Company, Inc.

The following constitutes that portion of the Subcommittee's agenda for the

above meeting which will be open to the public:

SATURDAY, FEBRUARY 1, 1975, 9:00 A.M.–4:00 P.M.

Discussion with the AEC Regulatory Staff on models formulated to meet ECCS criteria.

In connection with the above agenda item, the Subcommittee will hold executive sessions before and after the meeting to discuss its preliminary views and to exchange opinions and formulate recommendations to the ACRS. In addition, following the public portion of the meeting, the Subcommittee may hold a closed session with the Regulatory Staff to discuss privileged information relating to the ECCS models.

I have determined, in accordance with subsection 10(d) of Public Law 92–463, that the executive session at the beginning and end of the meeting will consist of an exchange of opinions and formulation of recommendations, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b) and that a closed session may be held to discuss certain documents which are privileged and fall within exemption (4) of 5 U.S.C. 552 (b). It is essential to close such portions of the meeting to protect such privileged information and the free interchange of internal views and to avoid undue interference with Committee operation.

Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman of the Subcommittee is empowered to conduct the meeting in a manner that, in his judgment, will facilitate the orderly conduct of business.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda item may do so by mailing 25 copies thereof, postmarked no later than January 24, 1975, to the Executive Secretary, Advisory Committee on Reactor Safeguards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Such comments shall be based upon documents on file and available for public inspection at the Atomic Energy Commission's Public Document Room, 1717 H Street, NW, Washington, D.C. 20545.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement and shall set forth reasons justifying the need for such oral statement and its usefulness to the Subcommittee. To the extent that the time available for the meeting permits, the Subcommittee will receive oral statements during a period of no more than 30 minutes at an appropriate time, chosen by the Chairman of the Subcommittee, between the hours of 1:00 p.m. and 3:00 p.m. on the day of the meeting.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Subcommittee who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to whether the meeting has been cancelled or rescheduled and in regard to the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call on January 31, 1975 to the Advisory Committee on Reactor Safeguards (telephone 202–634–1371) between 8:30 a.m. and 5:15 p.m., Eastern Time.

(e) Questions may be propounded only by members of the Subcommittee and its consultants.

(f) Seating for the public will be available on a first-come, first-served basis.

(g) The use of still, motion picture, and television cameras, the physical installation and presence of which will not interfere with the conduct of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in session.

(h) Persons desiring to attend portions of the meeting where proprietary information is to be discussed may do so by providing to the Executive Secretary, Advisory Committee on Reactor Safeguards, 1717 H Street NW., Washington, D.C. 20545, 7 days prior to the meeting, a copy of an executed agreement with the owner of the proprietary information to safeguard this material.

(i) A copy of the transcript of the open portions of the meeting will be available for inspection during the following workday at the Atomic Energy Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545. Copies of the transcript may be reproduced in the Public Document Room or may be obtained from Ace Federal Reporters, Inc., 415 Second Street NE., Washington, D.C. 20002 (telephone 202–547–6222) upon payment of appropriate charges.

(j) On request, copies of the minutes of the meeting will be made available for inspection at the Atomic Energy Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545 after May 3, 1975. Copies may be obtained upon payment of appropriate charges.

ROBERT A. KOHLER,
Acting Advisory Committee Management Officer.

[FR Doc.75–1685 Filed 1–16–75;8:45 am]

[Docket No. 50–6]

BATTELLE MEMORIAL INSTITUTE

Proposed Issuance of Amendment to Facility Operating License

The Atomic Energy Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. R–4 issued to the Battelle Memorial Institute (the licensee) for operation of the Battelle Research Reactor (the facility) located in West Jefferson, Ohio.

The amendment would authorize Battelle to possess, but not operate, the research reactor and would revise the Technical Specifications to provide for the possession only status of the facility in accordance with the licensee's application for amendment dated September 13, 1974.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

On or before February 18, 1975, any person whose interest may be affected by the proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendment to the subject facility operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER Notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Docketing and Service Section, by February 18, 1975. A copy of the petition and/or request for a hearing should be sent to the Chief Hearing Counsel, Office of the General Counsel, Regulation, U.S. Atomic Energy Commission, Washington, D.C. 20545.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board designated by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the application for amendment dated September 13, 1974, which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. As they become available, the Commission's related Safety Evaluation, license amendment and attachment may be inspected at the above location. A copy of the license amendment and attachment and the Safety Evaluation, when available, 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.75–1382 Filed 1–16–75;8:45 am]

[Docket No. 50-309]

MAINE YANKEE ATOMIC POWER CO.

Proposed Issuance of Amendment to Facility Operating License

The Atomic Energy Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-36 issued to the Maine Yankee Atomic Power Company (the licensee) for operation of the Maine Yankee Atomic Power Station (the facility) located in Lincoln County, Maine.

The amendment would change the Technical Specifications to make the thermal margin trip settings for the reactor protective system less restrictive, thereby permitting the facility to operate at 100 percent of rated power level, in accordance with the licensee's application for amendment dated December 13, 1974.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations.

On or before February 18, 1975, any person whose interest may be affected by the proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendment to the subject facility operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Docketing and Service Section, by February 17, 1975. A copy of the petition and/or request for a hearing should be sent to the Chief Hearing Counsel, Office of the General Counsel, Regulation, U.S. Atomic Energy Commission, Washington, D.C. 20545 and to John A. Ritsher, Esquire Ropes and Gray 225 Franklin Street, Boston, Massachusetts 02110, the attorney for the applicant.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board designated by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the application for amendment dated December 13, 1974, which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. and at the Wiscasset Public Library Association, High Street, Wiscasset, Maine 04578. As they become available, the Commission's related Safety Evaluation, license amendment and attachments may be inspected at the above locations. A copy of the license amendment and attachments and the Safety Evaluation, when available, 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 January 10, 1975.

For the Atomic Energy Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors Branch #1, Directorate of Licensing.

[FR Doc.75-1383 Filed 1-16-75;8:45 am]

[Docket No. P-507-A]

NEW YORK STATE ELECTRIC & GAS CORP.

Notice of Receipt of Partial Application for Construction Permit and Facility License: Time for Submission of Views on Antitrust Matters

New York State Electric and Gas Corporation (the applicant), pursuant to section 103 of the Atomic Energy Act of 1954, as amended, has filed one part of an application, dated November 27, 1974, in connection with its plans to construct and operate 2 boiling water reactors in the Town of Somerset, Niagara County, New York. 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 September 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-507-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 February 25, 1975.

Dated at Bethesda, Md., this 18th day of December 1974.

For the Atomic Energy Commission.

WALTER R. BUTLER,
Chief, Light Water Reactors Projects Branch 1-2, Directorate of Licensing.

[FR Doc.74-29897 Filed 12-26-74;8:45 am]

[Docket No. P-351-A]

PUBLIC SERVICE COMPANY OF OKLAHOMA

Receipt of Partial Application for Construction Permits and Facility Licenses: Time for Submission of Views on Antitrust Matters

Public Service Company of Oklahoma (the applicant), pursuant to section 103 of the Atomic Energy Act of 1954, as amended, has filed one part of an application, dated November 20, 1974, in connection with its plans to construct and operate two boiling water reactors in Rogers County, Oklahoma, near the town of Inola. 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 August 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 and at the Local Public Document Room, Tulsa City—County Library, Tulsa, Oklahoma 74102. Docket No. P-351-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 18, 1975.

Dated at Bethesda, Maryland, this 9th day of January, 1975.

For the Atomic Energy Commission.

WALTER R. BUTLER,
Chief, Light Water Reactors Branch 1-2, Directorate of Licensing.

[FR Doc.75-1355 Filed 1-16-75;8:45 am]

REGULATORY GUIDES

Notice of Issuance and Availability

The Atomic Energy Commission has issued three new 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 5.42, "Design Considerations for Minimizing Residual Holdup of Special Nuclear Material in Equipment for Dry Process Operations," describes design features acceptable to the Regulatory staff for minimizing the residual holdup of special nuclear material after draindown or cleanout of equipment used in dry process operations. The design features noted should facilitate physical inventory measurements and reduce material balance uncertainties.

Regulatory Guide 5.43, "Plant Security Force Duties," provides criteria acceptable to the Regulatory staff relative to the organization of the plant security force and duties of guards, watchmen, and other individuals responsible for security.

Regulatory Guide 5.44, "Perimeter Intrusion Alarm Systems," describes five types of perimeter intrusion alarm systems and sets forth criteria for their performance and use as a means acceptable to the Regulatory staff of meeting the Commission's regulations.

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 Guides 5.42, 5.43, and 5.44 will, however, be particularly useful in evaluating the need for early revisions if received by March 18, 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 5 Regulatory Guides currently being developed include the following:

Mass Calibration Techniques for Nuclear Material Control.
Calibration and Error Estimation Methods for Nondestructive Assay.
Management Review of Materials and Plant Protection Programs and Activities.
Protection of Nuclear Power Plants Against Industrial Sabotage.
Measurement Control Program for Special Nuclear Material Control and Accounting.
Monitoring Transfers of Special Nuclear Material.
Considerations for Determining the Systematic Error of Special Nuclear Material Accounting Measurement.
Interior Intrusion Alarm Systems.
Control and Accountability of Plutonium in Waste Material.
Preparation of Uranyl Nitrate Solution as a Working Standard.
Preparation of Working Calibration and Test Materials for Analytical Laboratory Measurement Assurance Programs—Part I: Plutonium Nitrate Solutions.
Shipping and Receiving Control of Special Nuclear Materials.
Internal Transfer of Special Nuclear Material.
Acceptable Methods for the Short-Term Storage of SNM in Transit.
Design Considerations for Liquid Measurement Systems.
Materials of Construction: Gates, Grills, and other Security Barrier Appurtenances.
Standards for Physical Barrier Construction.
Nondestructive Assay of U-235 Content of Unpoisoned Low Enriched Uranium Fuel Rods.
Methods for the Accountability of Uranium Dioxide.
Internal Security Audit Procedures.
Standard Format and Content for the Physical Protection Section of a License Application for Fuel Reprocessing Plants and Certain SNM Operations.
Nondestructive Assay of Plutonium-Bearing Fuel Rods.
Training and Qualifying Personnel for Performing Measurement Associated with the Control and Accounting of Special Nuclear Material.
Auditing of Measurement Control Program.
Reconciliation of Statistically Significant Shipper-Receiver Differences.
Prior Measurement Verification.
Verication of Prior Measurements by NDA.
Nondestructive Assay of High Enrichment Uranium Scrap by Active Neutron Interrogation.
Control and Accounting for Highly Enriched Uranium in Waste.
Considerations for Determining the Random Error of Special Nuclear Material Accounting Measurement.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland this 9th day of January 1975.

For the Atomic Energy Commission.

ROBERT B. MINOGUE,
Acting Director of Regulatory Standards.

[FR Doc.75-1663 Filed 1-16-75;8:45 am]

[Docket No. 50-206]

SOUTHERN CALIFORNIA EDISON CO. (SAN DIEGO, UNIT 1)

Notice of Issuance of Amendment to Provisional Operating License

Notice is hereby given that the U.S. Atomic Energy Commission (the Commission) has issued Amendment No. 8 to Provisional Operating License No. DPR-13 issued to Southern California Edison Company which revised Technical Specifications of operation of the San Onofre Nuclear Generating Station, Unit 1, located in San Diego, California. The amendment is effective as of its date of issuance.

This amendment increases the surveillence interval for power distribution measurements and for the correlation checks of the axial offset monitoring system for the remaining period of operation with the Cycle 4 core.

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 November 20, 1974, (2) Amendment No. 8 to License No. DPR-13, 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 San Clemente Public Library, 233 Granada Street, San Clemente, California.

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 January 10, 1975.

For the Atomic Energy Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors Branch #1, Directorate of Licensing.

[FR Doc.75-1587 Filed 1-16-75;8:45 am]

SPENT FUELS CHEMICAL PROCESSING AND CONVERSION

Notice

This notice amends a similarly entitled notice published in the FEDERAL REGISTER

on January 3, 1968, 33 FR 30, and as amended in 35 FR 8715, June 8, 1970, and 35 FR 18302 of December 1, 1970, which sets forth terms of the Atomic Energy Commission's undertaking with respect to the receipt of irradiated reactor fuels and blanket materials and to the making of settlement therefore (referred to herein as the notice). This amendment extends the settlement period for HTGR type fuels and announces revisions in the settlement policy for HTGR type fuels.

1. Delete the date "December 31, 1977" in subparagraph 3.b. of the notice and substitute in lieu thereof the following:

December 31, 1983, subject to availability of appropriate authorization and appropriations for the necessary facilities.

2. Add the following at the end of paragraph 5b of the notice:

The AEC is currently reviewing the charges for chemical processing of HTGR type fuels as specified in WASH-1152, AEC Conceptual HTGR Fuel-Processing Plant. Revisions to the chemical processing charges, as a result of this review, will be published as necessary.

3. Delete paragraph 8 of the notice and substitute in lieu thereof the following:

8.a. Persons who have contracted with the AEC for these processing services will be credited with the value of U.S. Government-owned uranium and plutonium contained in the reactor materials in accordance with the appropriate AEC price schedules for such materials, less the processing and other charges as determined in the above manner. The AEC will compensate the person for recoverable privately-owned uranium and plutonium contained in the reactor materials in accordance with the AEC policy in effect at the time of delivery of the reactor materials by the person to the AEC. The compensation by the AEC will consist of cash where appropriate, otherwise it will consist of the provision of materials of equivalent value. The AEC will thereby acquire title to such uranium and plutonium. The AEC will also acquire title, without additional cost, to all waste materials contained in the reactor materials, including thorium, which were not previously the property of the United States.

8.b. For purposes of compensation with materials of equivalent value, the value for privately-owned uranium enriched in U-233 produced in a High Temperature Gas-Cooled Reactor (HTGR) shall be equivalent to the guaranteed purchase price for such material determined in accordance with paragraph 3 of the notice entitled "Plutonium and Uranium Enriched in U-233, Guaranteed Purchase Prices" published in the Federal Register on March 25, 1965, 30 FR 3886 and as amended in 32 FR 18119, December 19, 1967, 34 FR 8174, May 24, 1969, and in 35 FR 4663, March 17, 1970, and as said notice may be amended from time to time.

8.c. Whenever compensation for HTGR fuels is made with material of equivalent value, there will be a reverse settlement made no later than five years after delivery of the fuel batch or, if commercial facilities are available to permit recycle of such material for use in an HTGR, at an earlier date mutually agreeable between the AEC and the original owners of the fuel. Reverse settlement will require payment in cash by the original owner to the AEC for the then current value of the material in the batch compensated for by the AEC, and the return by the AEC to the original owner either the material recovered from the processed fuel or the unprocessed fuel, f.o.b. site where such material is being stored. The original owner will thereby acquire title to such materials. The AEC will credit the original owner with an amount equivalent to the AEC processing charges at the time of the initial settlement for any unprocessed fuel at the time the reverse settlement is made for a fuel batch.

Effective date. This notice shall become effective on January 1, 1975.

Dated at Germantown, Maryland this 13th day of January 1975.

For the Atomic Energy Commission.

PAUL C. BENDER,
Secretary of the Commission.

[FR Doc.75-1661 Filed 1-16-75;8:45 am]

[Docket Nos. 50-346A, 50-440A, 50-441A]

THE TOLEDO EDISON CO. ET AL.

Rescheduling of Prehearing Conference

In the matter of the Toledo Edison Co. and the Cleveland Electric Illuminating Co. (Davis-Besse Nuclear Power Station, Unit 1) and the Cleveland Electric Illuminating Co., et al. (Perry Nuclear Power Plant, Units 1 and 2).

Take notice, by agreement of the parties approved by the Board, a prehearing conference scheduled for January 17, 1975 at the Postal Rate Commission, 2000 L Street, NW Washington, D.C. is hereby postponed and rescheduled to January 31, 1975.

Accordingly, the prehearing conference will commence at 9:30 a.m. on January 31, 1975 at the U.S. District Court, Courtroom #24, 3rd and Constitution Avenue, NW Washington, D.C. 20001.

It is ordered.

Dated at Bethesda, Maryland, this 13th day of January 1975.

ATOMIC SAFETY AND LICENSING BOARD,
JOHN B. FARMAKIDES,
Chairman.

[FR Doc.75-1588 Filed 1-16-75;8:45 am]

CIVIL AERONAUTICS BOARD

[(Order 75-1-51;) Docket 25280 Agreement C.A.B. 24475 R-2]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Agreement Relating to Cargo Traffic Procedures

Order

JANUARY 14, 1975.

Agreement adopted by the Joint Traffic Conferences of the International Air Transport Association relating to cargo traffic procedures.

By Order 74-11-15 of November 1, 1974 the Board approved, inter alia, Resolution 511a establishing and making binding on member carriers official standards for the transport of live animals in conformity with the IATA Live Animals Regulations. However, the Board noted that Attachment A (the Live Animal Manual itself) referred to in that Resolution had not been concurrently filed with the Board. Consequently, the Board's approval of Resolution 511a did not extend to Attachment A thereto, and action was deferred pending the filing of the manual with the Board.

A draft copy of the Fourth Edition of the IATA Live Animal Regulations for intended effectiveness January 1, 1975 has now been submitted to the Board for approval. The purpose of this order is to establish dates for the receipt of comments and/or objections from any interested parties or persons relating to the provisions contained in said manual.

Accordingly, it is ordered that:

1. All interested parties or persons shall file within thirty days from the date of this order comments in support of or objections to the provisions contained in the subject manual; and

2. Any answers or replies to the comments and/or objections shall be filed within 30 days from the date of this order.

This order shall be published in the FEDERAL REGISTER.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-1655 Filed 1-16-75;8:45 am]

[DOCKET 27216]

PACIFIC WESTERN AIRLINES, LTD. VANCOUVER-SEATTLE ROUTE

Postponement of Prehearing Conference and Hearing

Notice is hereby given that the prehearing conference and hearing in the above-entitled proceeding has been postponed, at the request of Pacific Western Airlines, Ltd., from January 27, 1975, (40 F.R. 2464, January 13, 1975), to February 13, 1975, at 10 a.m. (local time) in Room 503, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C.

Dated at Washington, D.C., January 14, 1975.

[SEAL] WILLIAM A. KANE, Jr.,
Administrative Law Judge.

[FR Doc.75-1654 Filed 1-16-75;8:45 am]

CIVIL SERVICE COMMISSION

FEDERAL EMPLOYEES PAY COUNCIL

Notice of Meetings

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given

that the Federal Employees Pay Council will meet at 2:00 p.m. on Wednesday, January 29, 1975, and on Wednesday, February 5, 1975. These meetings will be held in room 5323 of the Civil Service Commission building, 1900 E. Street, NW, and will consist of continued discussions on the fiscal year 1976 comparability adjustment for the statutory pay systems of the Federal Government.

The Chairman of the Civil Service Commission is responsible for the making of determinations under section 10 (d) of the Federal Advisory Committee Act as to whether or not meetings of the Federal Employees Pay Council shall be open to the public. He has determined that these meetings will consist of exchanges of opinions and information which, if written, would fall within exemptions (2) or (5) of 5 U.S.C. 552(b). Therefore these meetings will not be open to the public.

For the President's Agent:

RICHARD H. HALL,
Advisory Committee Management Officer for the President's Agent.

[FR Doc.75-1613 Filed 1-16-75;8:45 am]

COMMISSION ON CIVIL RIGHTS

DISTRICT OF COLUMBIA ADVISORY COMMITTEE

Agenda of Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the District of Columbia Advisory Committee will convene at 12:00 noon on February 11, 1975, in the Fifth Floor Conference Room, U.S. Commission on Civil Rights, 1121 Vermont Avenue, NW, Washington, D.C. 20425.

Persons wishing to attend this meeting should contact the Committee Chairman, or Mid-Atlantic Regional Office of the Commission, Room 510, 2120 L Street NW, Washington, D.C. 20037.

The purpose of this meeting is to discuss D.C. Housing proposal. Plan next phase in fact finding on housing crisis in Washington. Review SAC participation.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., January 14, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.75-1620 Filed 1-16-75;8:45 am]

NEW YORK STATE ADVISORY COMMITTEE

Agenda of Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the New York State Advisory Committee (SAC) to this Commission will convene at 4:30 p.m., on January 29, 1975, at the Federal Building, 26 Federal Plaza, New York, New York 10007.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Northeastern Regional Office of the Commission, Room 1639, 26 Federal Plaza, New York, New York 10007.

The purpose of this meeting is to discuss release of the Committee's report on the State University System.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 14, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.75-1621 Filed 1-16-75;8:45 am]

TEXAS STATE ADVISORY COMMITTEE

Agenda of Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Texas State Advisory Committee (SAC) to this Commission will convene at 9:30 a.m. on February 1, 1975 and 9:30 a.m. on February 2, 1975, Villa Capri Motor Hotels, Room 2001, 2400 N. Interregional Highway, Austin, Texas 78767.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Southwestern Regional Office of the Commission, Room 231, New Moore Building, 106 Broadway, San Antonio, Texas 78205.

The purpose of this meeting is to plan MAES follow-up strategies and to make assignments to SAC and staff members. This will be a meeting of the Texas SAC MAES Follow-up Subcommittee consisting of the following SAC members: Dr. Earl Lewis, Mr. Milton Tobian, Mrs. Olga LePere, Mrs. Paula Young Smith, Mr. Joe Bernal, and Dr. Nancy Bowen.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., January 14, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.75-1623 Filed 1-16-75;8:45 am]

TEXAS STATE ADVISORY COMMITTEE

Agenda of Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Texas State Advisory Committee (SAC) to this Commission will convene at 9:30 am on February 8, 1975 and 9:30 a.m. on February 9, 1975, Villa Capri Motor Hotel, Room 2001, 2400 N. Interregional Highway, Austin, Texas 78767.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Southwestern Regional Office of the Commission, Room 231, New Moore Building, 106 Broadway, San Antonio, Texas 78205.

The purpose of these meetings are to plan MAES follow-up strategies and to make assignments to SAC and staff members. This will also be a meeting of the Texas SAC MAES Follow-up Subcomittee consisting of the following SAC members: Dr. Earl Lewis, Mr. Milton Tobian, Mrs. Olga LePere, Mrs. Paula Young Smith, Mr. Joe Bernal, and Dr. Nancy Bowen.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., January 14, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.75-1622 Filed 1-16-75;8:45 am]

UTAH STATE ADVISORY COMMITTEE

Agenda of Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Utah State Advisory Committee (SAC) to this Commission will convene at 7:00 p.m. on February 13, 1975, at the Northwest Multipurpose Center located at 1300 W. 3rd. Room 15, Salt Lake City, Utah 84101.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Mountain State Regional Office of the Commission, Room 216, 1726 Champa Street, Denver, Colorado 80202.

The purpose of this meeting is a planning session for follow-up activities to Utah SAC Report.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., January 14, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.75-1624 Filed 1-16-75;8:45 am]

COLORADO STATE ADVISORY COMMITTEE

Agenda of Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Colorado State Advisory Committee (SAC) to this Commission will convene at 9:00 a.m. on February 1, 1975, at the Albany Hotel, 17th and Stout Street, Conference Room No. 2, Denver, Colorado.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Mountain States Regional Office of the Commission, Room 216, 1726 Champa Street, Denver, Colorado 80202.

The purpose of this meeting is a general planning, and reviews of current projects.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., January 14, 1975.

ISAIAH T. CRESWELL, JR.,
Advisory Committee, Management Officer.

[FR Doc.75-1619 Filed 1-16-75;8:45 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THAILAND

Entry or Withdrawal From Warehouse for Consumption

JANUARY 14, 1975.

On March 29, 1974, there was published in the FEDERAL REGISTER (39 FR 11622) a letter dated March 25, 1974 from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs, establishing levels of restraint applicable to certain specified categories of cotton textiles and cotton textile products produced or manufactured in Thailand and exported to the United States during the twelve-month period beginning April 1, 1974. As set forth in that letter, the levels of restraint are subject to adjustment pursuant to paragraph 5 of the Bilateral Cotton Textile Agreement of March 16, 1972, between the Governments of the United States and Thailand, which provides that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than 5 percent.

Accordingly, there is published below a letter of January 14, 1975 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs amending the level of restraint applicable to cotton textile products in Category 50, produced or manufactured in Thailand and exported to the United States during the twelve-month period which began on April 1, 1974.

ALAN POLANSKY,
Acting Chairman, Committee for the Implementation of Textile Agreements, and Acting Deputy Assistant Secretary for Resources and Trade Assistance.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS
Department of the Treasury
Washington, D.C. 20229

JANUARY 14, 1975.

DEAR MR. COMMISSIONER: On March 25, 1974, the Chairman, Committee for the Implementation of Textile Agreements, directed you to prohibit entry during the twelve-month period beginning April 1, 1974 of cotton textiles and cotton textile products in certain specified categories produced or manufactured in Thailand in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.[1]

Pursuant to paragraph 5 of the Bilateral Cotton Textile Agreement of March 16, 1972 between the Governments of the United States and Thailand, and in accordance with the provisions of Executive Order 11651 of March 3, 1972, you are directed, effective on January 17, 1975, to increase the level of restraint established for cotton textile products in Category 50 to 28,941 dozen[2] for the twelve-month period which began on April 1, 1974.

The actions taken with respect to the Government of Thailand and with respect to imports of cotton textiles and cotton textile products from Thailand have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

ALAN POLANSKY,
Acting Chairman, Committee for the Implementation of Textile Agreements, and Acting Deputy Assistant Secretary for Resources and Trade Assistance.

[FR Doc.75-1631 Filed 1-16-75;8:45 am]

[1] The term "adjustment" refers to those provisions of the Bilateral Cotton Textile Agreement of March 16, 1972 between the Governments of the United States and Thailand which provide, in part, that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements.

[2] This level has not been adjusted to reflect any entries made on or after April 1, 1974.

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

PROCUREMENT LIST 1975

Notice of Proposed Additions

Notice is hereby given pursuant to section 2(a)(2) of Pub. L. 92-28; 85 Stat. 79, of the proposed addition of the following commodities and service to Procurement List 1975, November 12, 1974 (39 FR 39964).

CLASS 5510

Stakes (Region 9 Only): 5510-00-171-7701, 5510-00-171-7700, 5510-00-171-7734, 5510-00-171-7733, 5510-00-171-7732.

INDUSTRIAL CLASS 7699

Typewriter Repair and Maintenance, Veterans Administration Hospital, U.S. Courthouse and Federal Office Building, Syracuse, New York.

Comments and views regarding these proposed additions may be filed with the Committee on or before February 18, 1975. Communications should be addressed to the Executive Director, Committee for Purchase from the Blind and Other Severely Handicapped, 2009 Fourteenth Street North, Suite 610, Arlington, Virginia 22201.

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.75-1638 Filed 1-16-75;8:45 am]

PROCUREMENT LIST 1975

Addition to Procurement List

Notice of proposed addition to Procurement List 1975, November 12, 1974 (39 FR 39964) was published in the FEDERAL REGISTER on January 17, 1974 (39 FR 2136).

Pursuant to the above notice the following commodities are added to the Procurement List.

CLASS 6840

Disinfectant, detergent (IB):

		Price
6840-00-687-7904	quart	$1.54
6840-00-584-3129	gallon	4.79
6840-00-551-8346	drum	199.52

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.75-1639 Filed 1-16-75;8:45 am]

PROCUREMENT LIST 1975

Addition to Procurement List

Notice of proposed additions to Procurement List 1975, November 12, 1974 (39 FR 39964) were published in the FEDERAL REGISTER on March 5, 1974 (39 FR 8376), and December 10, 1974 (39 FR 43102).

Pursuant to the above notices the following commodities are added to the Procurement List.

CLASS 5510

	Bundle
Stakes, location (RF):	
5510-00-171-7701	$3.20
5510-00-171-7700	3.35
5510-00-171-7734	3.65
Stakes, hub (RF):	
5510-00-171-7733	3.05
5510-00-171-7732	3.36

NOTE: RF will furnish requirements for GSA regions 4, 6 and 8 only.

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.75-1640 Filed 1-16-75;8:45 am]

PROCUREMENT LIST 1975

Addition to Procurement List

Notice of proposed addition to Procurement List 1975, November 12, 1974 (39 FR 39964) was published in the FEDERAL REGISTER on September 26, 1974 (39 FR 34600).

Pursuant to the above notice the following Military Resale Commodity is added to the Procurement List.

Description and Item No.	*Price*
Mophead, Wet, with handle 927	EA. $1.40

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.75-1641 Filed 1-16-75;8:45 am]

COUNCIL ON ENVIRONMENTAL QUALITY

IMPACT STATEMENTS

List Publication

Environmental impact statements received by the Council on Environmental Quality from January 6 through January 10, 1975. The date of receipt for each statement is noted in the statement summary. Under Council Guidelines the *minimum* period for public review and comment on draft environmental impact statements is forty-five (45) days from this FEDERAL REGISTER notice of availability. (March 3, 1975). The thirty (30) day period for each final statement begins on the day the statement is made available to the Council and to commenting parties.

Copies of individual statements are available for review from the originating agency. Back copies will also be available at cost, from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036.

DEPARTMENT OF AGRICULTURE

Contact: David Ward, Acting Coordinator, Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 331-E, Administration Building, Washington, D.C. 20250, (202) 447-3965.

FOREST SERVICE

Draft

Longleaf Islands, Ocala, N.F., Marion and Putnam Counties, Florida, January 9: Proposed is the implementation of a 10-year management plan for the 19,300 acre Longleaf Islands Unit of the Ocala National Forest. The management directive is to maintain the islands in a pleasant and natural condition, and to develop open, park-like space for dispersed recreation. Habitat will be developed to support a "huntable" population of quail. Impact on soils will be primarily from timber management activities, and trail and campground construction. (ELR Order No. 50046.)

Spruce Budworm Suppression, Draft Addendum, several counties, Maine, January 10: The statement is a draft addendum to a final statement submitted to CEQ April 10, 1974. Proposed is the aerial spraying of a maximum of 3,500,000 acres of state and private woodlands with mexicarbate, fenitrothion and carbaryl to protect forests from damage by the spruce budworm, Choristoneura fumiferana (Clem.). The spraying may also be toxic to many other non-target insects, but effects are expected to be minimal (63 pages). (ELR Order No. 50049.)

Dumont, Quartz, and Last Creek Roadless Areas, Umpqua, N.F., Douglas County, Oregon, January 6: The proposal is for management direction of three Roadless Areas within the Umpqua National Forest. The plan includes road construction, timber harvest, mineral extraction, fish and wildlife habitat manipulation and outdoor recreation developments (42 pages). (ELR Order No. 50025.)

Medicine Bow N.F., Timber Management Plan, several counties, Wyoming, January 6: The statement refers to the revision of the 1961 Timber Management Plan for the Medicine Bow National Forest. The plan applies to 350,000 acres and recommends harvesting timber from 66,000 to 89,000 acres during the ten-year period from 1975-1985. The annual yield from this harvest will be approximately 97,000 to 120,000 cunits of wood products including 44 to 54 million board feet of sawtimber. About 2,840 acres annually will be harvested by the clearcut silvicultural method, 2,870 by the shelterwood silvicultural method, and 1,520 acres will be treated by intermediate thinnings. The major impacts will be those resulting from road construction. (ELR Order No. 50023.)

RURAL ELECTRIFICATION ADMINISTRATION

Final

Turbine Generating Station, Wray, Yuma County, Colorado, January 10: The Tri-State Generation and Transmission Assn., Inc., proposes to request financing for an insured loan to provide for approximately 200 MW of combustion turbine capacity to be installed at an existing substation near Wray, Colorado. The units will be capable of firing natural gas or stillate fuel oil. These units are needed to provide power to the increase in irrigation pumping and support Transmission. Because of the new facility some nitrogen oxides, sulfur dioxide and particulate matter will be released into the atmosphere. Comments made by: USDA, DOI, EPA, FPC, State agencies. (ELR Order No. 50053.)

DEPARTMENT OF DEFENSE

ARMY

Contact: Mr. George A. Cunney, Jr., Acting Chief, Environmental Office, Directorate of Installations, Office of the Deputy Chief of Staff for Logistics, Washington, D.C. 20310, (202) OX 4-4269.

Draft

Alamanu Military Reservation, Family Housing Project, Oahu County, Hawaii, January 6: The proposed action consists of construction of 600 family units for Army personnel and 400 units for Navy personnel at Aliaminu Military Reservation under the FY74 Family Housing Program. An additional 1,700 units are to be constructed in later programs, making the ultimate housing development a community of 2,700 units. Adverse effects include increased traffic congestion on adjacent road systems and the costs to the public for the construction of support facilities such as schools and busing. (ELR Order No. 50026.)

ARMY CORPS

Contact: Mr. Francis X. Kelly, Director, Office of Public Affairs, Attn: DAEN-PAP, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue SW., Washington, D.C. 20314, (202) 693-7168.

Draft

Lutsen and Beaver Bay Harbors of Refuge, Lake Superior, Cook and Lake Counties, Minnesota, January 6: The statement proposes the construction of two harbors-of-refuge at Lutsen and Beaver Bay, Minnesota. The project is part of a continuous system of harbors for small craft along the north shore of Lake Superior at 30 to 40 mile intervals. Structure necessary at the Lutsen site would cover one acre of lake bottom, and one acre would be dredged. At the Beaver Bay site, structures would cover 0.05 acre of land and two acres would be dredged. In addition, an indeterminate amount of lake bottom and land area would be utilized for project-induced secondary developments (St. Paul District). (ELR Order No. 50022.)

Saw Mill River Basin Flood Control Project, New York, January 8: Proposed is the modification of the Saw Mill River Channel at Chappaqua, New York for purposes of flood control. Wingwalls and culverts will be added to a New York City Water Supply access bridge and to 2 railroad bridges crossing the Saw Mill River and one crossing the Tertia Brook. A new 20 ft. span bridge will be built for a new access road. Adverse effects include the removal of vegetation, some loss of fish and wildlife habitat, and the aesthetic effect of the modified appearance of the stream. Filling and paving areas adjacent to Tertia Brook and continued development elsewhere in the flood plain may increase runoff (New York District) (20 pages). (ELR Order No. 50035.)

Tillamook Harbor Dredging, Tillamook County, Oregon, January 6: The statement refers to proposed maintenance operations at Tillamook Bay. Included would be maintenance of existing jetties and channels, and the issuance of Section 10 permits for dredging, filling, and construction. The operations will result in the loss of approximately 25 acres of sandy bottom habitat (Portland District). (ELR Order No. 50029.)

Final

Humboldt Harbor Project, Alaska, January 9: Proposed is the construction of a transportation road, two armored rubble breakwaters, a rubblemound diversion dike, an entrance channel, a diversion channel, and a mooring basin. Spoil will be deposited in the ocean. There will be adverse impact to 68 acres of marine habitat, and other effects of construction (Anchorage District). (94 pages). Comments made by: DOD, DOT, DOI, EPA, State agencies (ELR Order No. 50038.)

Savannah Harbor, Widening and Deepening, Chatham County, January 9: The project provides for additional improvements to Savannah Harbor, by widening and deepening the existing channel from deep water to the Savannah Sugar Refinery, providing wideners at the bends, and providing turning basins within the harbor. Twenty-four million cubic yards of spoil will be dredged. There will be adverse impact to marine biota (Savannah District). Comments made by: DOC, HUD, DOI, EPA, State agencies, and one local agency. (ELR Order No. 50039.)

Lake Pontchartrain, Hurricane Protection, St. Charles Parish, Louisiana, January 9: The statement refers to the construction of barriers and levees along the east side of the Lake, the St. Charles Parish lakefront, and the Citrus and New Orleans East lakeshores; the improvement of existing works; and necessary modifications to roads, pipelines, etc. The purpose of the action is that of protection against flooding caused by hurricanes. Approximately 5,265 acres of swamp and marsh wetlands will be committed to the project; significant wildlife losses will result. The project plan will also hasten urbanization and industrialization, along with the future loss of additional wetlands. Comments made by: DOI, DOC, DOT, HEW, EPA, AHP, State and local agencies, and concerned citizens. (ELR Order No. 50037.)

Hayward Creek Local Flood Protection, Massachusetts, January 9: The statement refers to a proposed local flood protection project on Hayward Creek, Braintree and Quincy. The project would include the construction of a 12 foot high dam for temporary floodwater storage; some channel works; and the installation of larger concrete pipe conduits. As a result of the project, approximately 30 acres of wetlands and water surface will become permanent open space with high wildlife values in a densely crowded urban area (Waltham District). Comments

made by: HEW, DOI, EPA, DOC, State agencies. (ELR Order No. 50047.)

Port Arthur Hurricane Flood Protection, Jefferson County, January 8: Proposed is the completion of a hurricane flood protection system which is intended to protect Port Arthur from storm tides caused by tropical cyclones. Project measures include levees, sheet pile floodwall, closure gates, highway ramps, drainage structures, and pumping stations. Approximately 130 acres of land will be committed to project works; an additional 200 to 300 acres of rice land will be subjected to occasional flooding (Galveston District). Comments made by: USDA, DOC, DOI, DOT, EPA, HEW. (ELR Order No. 50036.)

Baltimore Harbor and Channels, Virginia and Maryland, January 10: The proposed project is the maintenance dredging of the main Baltimore Harbor Channel as well as associated branch channels. Project length is 36.6 miles. Dredged spoils are to be deposited at Kent Island, Wolf Trap and Dam Neck. The dredging will remove or destroy benthic (bottom turbidity will increase) (126 pages). Comments made by: DOC, EPA, USN, HUD, USDA, DOI, State and local agencies. (ELR Order No. 50052.)

GENERAL SERVICES ADMINISTRATION

Contact: Mr. Andrew E. Kauders, Exec. Director of Environmental Affairs, General Services Administration, 18th and F Streets NW., Washington, D.C. 20405, (202) 343-4161.

Draft

Removal of Hill 733, Marine Corps Air Station, El Toro, Orange County, California, January 8: Proposed is the disposal of 2.5 million cu. yds. of fill earth from Hill 733 of U.S. Marine Corps Air Station, El Toro (Santa Ana), California. At present the upper portion of Hill 733 penetrates the approach and ascent flight patterns from the east-west runways at the Air Station. The operation may take from 8.5 to 17 years depending upon the rate of removal. Slight temporary increases of air and noise pollution near the site will result (50 pages). (ELR Order No. 50034.)

DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun, Acting Director, Office of Environmental Quality, Room 7206, 451 7th Street SW., Washington, D.C. 20410, (202) 755-6295.

Draft

Tampa Neighborhood Development Program, Hillsborough County, Florida, January 6: The statement refers to an urban renewal project for 1,775 gross acres of residential land in Tampa. The project will displace an unspecified number of families and businesses and demolish an unspecified number of houses; 733 residential structures will be rehabilitated. (ELR Order No. 50027.)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 7260, Department of the Interior, Washington, D.C. 20240, (202) 343-3891.

BUREAU OF SPORT FISHERIES AND WILDLIFE

Final

Proposed Koyukuk National Wildlife Refuge, Alaska, January 10: Proposed is the legislative designation of 4.5 million acres of public lands as the Koyukuk National Wildlife Refuge. Authority would be granted to acquire lands and interests within the refuge boundary if the holder should elect to divest itself of the interests. The Refuge would be studied for possible inclusion in the National Wilderness Preservation System (578 pages). Comments made by: USDA, DOD, DOC, EPA, DOT, DOI, State and local agencies. (ELR Order No. 50048.)

NATIONAL PARK SERVICE

Final

Proposed Cape Krunsinstern National Monument, Alaska, January 10: The statement refers to the proposed legislative designation of 350,000 acres of lands and waters in northwestern Alaska as the Cape Krusentern National Monument, in order to protect nationally significant historic and archeologic values and their natural environment. The Monument would be administered by the NPS. The lands of the Monument would be withdrawn from all forms of appropriation or entry under public land laws, and would be closed to sport hunting. The Monument would be studied for possible inclusion in the National Wilderness Preservation System (461 pages). Comments made by: DOI, DOT, COE, USDA, EPA, GSA, State and local agencies. (ELR Order No. 50050).

Proposed Wilderness, Big Bend National Park, Texas, January 9: The statement refers to the proposed legislative designation of 533,900 acres of the Big Bend National Park as wilderness within the National Wilderness Preservation System. Another 25,700 acres is to be designated for potential wilderness addition. Land use will be limited under the wilderness designation (178 pages). Comments made by: DOI, EPA, COE, STAT, USDA, State agencies, and concerned citizens. (ELR Order No. 50045.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Affairs, 400 7th Street SW., Washington, D.C. 20590, (202) 426-4357.

FEDERAL AVIATION ADMINISTRATION

Final

Marshall Municipal Airport, Lyon County, Minnesota, January 6: The statement refers to the proposed expansion of the Marshall Municipal Airport in the city of Marshall. The project includes: the extension of an existing NW-SE Runway; construction of a new NE/SW runway; strengthening of existing aprons and taxiways; installation of a lighting system and visual slope indicator systems; and extension of the storm water drainage system. Adverse impacts are loss of approximately 217 acres of agricultural land, and increases in the levels of noise and air pollution. Comments made by: USDA, AHP, COE, DOI, DOT, EPA, State and local agencies. (ELR Order No. 50024.)

FEDERAL HIGHWAY ADMINISTRATION

Draft

S.R. 101, Santa Clara County, California, January 10: Proposed is the improvement of S.R. 101 in Santa Clara County, California. The roadway will be an initial 6-lane facility running 11.8 miles from Cochran Road in Morgan Hill to Ford Road in San Jose. Seven interchanges are planned. The project will displace seven families and will require 819 acres of land. Construction noise and air pollution and disruption will result. (ELR Order No. 50051.)

I-83 from Fleet St. to Boston St. Baltimore, Baltimore County, Maryland, January 6: Proposed is the construction of a 6-lane segment of I-83 from Fleet Street at President Street to Boston Street in the vicinity of O'Donnell Street in Baltimore. The structure will displace an unspecified number of families and businesses (depending upon which of the nine alternative routes is chosen). A 4(f) determination is included in relation to the Fells Point Historic District (2 volumes). (ELR Order No. 50028.)

I-495 and Relocated S.R. 140, Massachusetts, January 6: The proposed improvement is an extension of Massachusetts S.R. 25 westward from an interchange with S.R. 24 in Bridgewater to Route I-95 in the Foxborough/Mansfield area. The 6-lane highway, designated I-495, runs for 14.3 miles and includes 6 interchanges. Also proposed is the relocation of Route 140 from its interchange with Route I-95 in Foxborough to an interchange with proposed Route 25, south of Mansfield's town center. Alternative A (first of 2) would displace 58 residences and 2 businesses and would commit 4.0% of the total Great Woods area to highway use. (ELR Order No. 50033.)

Final

S.R. 157, Foothills Parkway (Boulder Bypass), Boulder County, Colorado, January 9: The statement considers seven alternate locations for the design and construction of State Highway 157 from State Highway 119 north of the City of Boulder to either State Highway 93 or U.S. 366 south of the city. Construction of any of the proposed alignments will affect local and regional traffic movement, noise and air quality, and land use in the Boulder Valley. Comments made by: DOI, DOT, USDA, HUD, COE, DOC, State and local agencies, and concerned citizens. (ELR Order No. 50040.)

S.R. 95, from S.R. 164 to S.R. 4 West, Escambia County, Florida, January 9: Proposed is the construction of 8.2 miles of four-lane, divided roadway on S.R. 95. Several creeks in the area will require bridges. Eight residences and six businesses will be displaced (40 pages). Comments made by: HEW, USDA, EPA, DOI, State agencies and one local agency. (ELR Order No. 50042.)

U.S. 592, Marion and Mahaska Counties, Iowa, January 6: The project involves the construction of a segment of Freeway, 592. Four lanes will be built for the first eight miles and the remainder will consist of two lanes. The project will begin two miles west of Knoxville in Marion County and will proceed from approximately 20.9 miles terminating 3.6 miles into Mahaska County. Several bridges will be constructed over rivers and existing roads. Adverse impacts include: increases in air and noise pollution; possible dislocation of 10 families, increase in water pollution, loss of wildlife, the diverting of 880 acres of land to transportation use, and a channel change in English Creek. Comments made by: USDA, DOI, EPA, COE, State and local agencies, and concerned citizens. (ELR Order No. 50032.)

U.S. 2, Hungry Horse to West Glacier, Flathead County, Montana, January 6: Proposed is the improvement of a 10.9 mile segment of U.S. 2 from Hungry Horse to West Glacier in Flathead Co. The project will be designed as a 4-lane paved highway without access control and will be largely along existing U.S. 2. A 4(f) determination is necessary concerning Hungry Horse Park. Comments made by: USDA, COE, DOI, EPA, USCG, HUD, State and local agencies. (ELR Order No. 50031.)

U.S. 19, Swain County, North Carolina, January 9: The statement refers to the proposed reconstruction of U.S. 19, with minor relocations, to a four-lane divided highway. Project length is 6.21 miles. Approximately 250 acres of land will be committed to right-of-way. Eight families and two businesses will be displaced. There will be temporary erosion and siltation during construction. Comments made by: USDA, COE, EPA, GSA, HUD, DOI, TVA, AHP, State agencies. (ELR Order No. 50044.)

S.R. 37, Carter and Sullivan Counties, Tennessee, January 9: The proposed project is

the improvement of SR 37. The project length ranges from 8.7 to 9.5 miles. Between 26 and 51 families and 3 to 6 businesses will be displaced. Between 115 and 146 acres will be lost for right-of-way. Adverse impacts stemming from the project are the loss of wildlife and fish habitat, siltation and channelization of streams due to construction, increased noise pollution, and possible damage to the Indian Creek Watershed. Comments made by: HUD, DOI, USDA, DOT, TVA, HEW, EPA, State and local agencies. (ELR Order No. 50043.)

Corridor "L", US 19 Relocation, Nicholas County, West Virginia, January 6: The proposed project is the construction of 2.1 miles of Appalachian Corridor "L." Two businesses and three families will be displaced. A 4(f) review will be filed to obtain 8 acres from the Nicholas Memorial County Park. Increases in noise, air and water pollution will occur. Comments made by: DOI, EPA, AHP, COE, HEW, State and local agencies. (ELR Order No. 50030.)

GARY L. WIDMAN,
General Counsel.

[FR Doc.75-1614 Filed 1-16-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[OPP-32000/170; FRL 321-6]

RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street, SW, Washington DC 20460.

On or before March 18, 1975, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street, SW, Washington DC 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after March 18, 1975.

APPLICATIONS RECEIVED

EPA File Symbol 10145-A. Blumberg Co., Inc., 22 Caller St. (PO Box 566), Peabody MA 01960. VITA-SAN DHC X100 PRESERVATIVE FOR BRINE CURED HIDES. Active Ingredients: 2,4,5-Trichlorophenate 20%; 4 Chloro 2 cyclopentyl-phenol 6%; Disodium 4-Dodecylated Oxydibenzene-Sulfonate 6%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10145-E. Blumberg Co., Inc. VITA-SAN #75 CONCENTRATE WATER-SOLUBLE ANTIMICROBIAL FOR LEATHER. Active Ingredients: 2,4,5-Trichlorophenate 10%; Pentachlorophenate 10%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10145-G. Blumberg Co., Inc. VITA-SAN #10 ANTIMICROBIAL FOR LEATHER. Active Ingredients: 2,4,5-Trichlorophenol 10%; Ortho-Phenyl Phenol 10%; Sulphur Chlorinated Oil 53%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10145-L. Blumberg Co., Inc. VITA-SAN #32 ANTIMICROBIAL FOR LEATHER. Active Ingredients: Ortho-Phenyl-Phenol 4%; Sulphur Chlorinated Oil 20%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10145-U. Blumberg Co., Inc. VITA-SAN #33 ANTIMICROBIAL FOR LEATHER. Active Ingredients: Ortho-Phenyl-Phenol 4%; Sulphur-Chlorinated Oil 20%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 8764-15. FMC, Citrus Machinery Div., PO Box 552, Riverside CA 92502. STA-FRESH 300 FUNGICIDAL FRUIT COATING. Active Ingredients: 2,6-Dichloro-4-nitroaniline 3.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 30943-EN. Lea Chemicals, PO Box 868, Marianna FL 32446. LEA TOP NOTCH INSECTICIDE. Active Ingredients: (5-Benzyl-3-furyl)methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 0.200%; Related compounds 0.027%; Pyrethrins 0.150%; Piperonyl butoxide technical 0.600%; Aromatic petroleum hydrocarbons 0.265%; Petroleum distillate 98.750%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11350-O. Standard Paint & Varnish Co., PO Box 826, New Orleans LA 70058. 5807 VIN-CLAD SUPER VINYL ANTI-FOULING RED. Active Ingredients: Cuprous Oxide 39.7%; Tributyl Tin Fluoride 1.4%. Method of Support: Application proceeds under 2(c) of interim policy.

Dated: January 8, 1975.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.75-1548 Filed 1-16-75;8:45 am]

[FRL 301-2]

PROPOSED POLLUTION ABATEMENT PROJECTS FOR FEDERAL FACILITIES

Procedures for Reporting

Section 3(a)(3) of Executive Order 11752, dated December 17, 1973, requires that the heads of Federal agencies present to the Director of the Office of Management and Budget, annually, plans for pollution abatement and waste management at facilities under their jurisdiction. The plans are to identify those projects necessary to bring Federal facilities into compliance with applicable environmental standards on air and water quality, noise control, solid waste management, and uses of radioactive materials and pesticides. When submitted to the Director, the plans will represent an agency commitment to comply with applicable standards considering the Federal budgetary process and assuming that the requested funds will be appropriated by the Congress and allocated to the agency as planned.

OMB Circular No. A-106, issued December 31, 1974, sets forth the general procedures to be followed in the preparation and submission of the plans. The Circular stipulates that the agency plans are to be submitted to the Administrator of the Environmental Protection Agency in accordance with such detailed procedures as he may prescribe. Such procedures are to provide for submission of pertinent details of each individual pollution abatement and waste management project and a summary status report of the overall plan. The procedures are set forth herein.

Effective date. The procedures set forth hereunder are effective January 17, 1975.

Dated: January 9, 1975.

RUSSELL E. TRAIN,
Administrator.

PROCEDURES FOR REPORTING PROPOSED POLLUTION ABATEMENT PROJECTS FOR FEDERAL FACILITIES

1. *Exhibit 1—Proposed Project Report*

a. On August 1, 1974, the Federal agencies were to report all active pollution control projects including those reported under the rescinded Circulars No. A-78 and A-81. Exhibit 1's were submitted for projects proposed for inclusion in the fiscal year 1976 budget and all active projects for which funds have been appropriated. Projects proposed for funding in fiscal year 1976 were reported in the format required herein (Exhibit 1). Funded projects were reported in the format prescribed by the rescinded Circulars No. A-78 and A-81. Completed projects were not to be reported.

b. After the initial report, submission of Exhibit 1 is required only for new projects or to report significant changes in the information provided in a previous Exhibit 1. These new or revised Exhibit 1's will be submitted semiannually on December 31 and June 30 of each year using the new format. Each revision of Exhibit 1 will show the latest information as of 60 days prior to the semiannual reporting date.

c. For each submission, four copies are to be sent to the Administrator, Environmental

Protection Agency, attention: Office of Federal Activities, 401 M St. SW., Washington, D.C. 20460.

d. Each project will be identified as to the category of pollution control project involved (i.e., air, water, solid waste, noise, radiation, pesticides). All reported projects within each category will be assigned consecutive numbers, beginning with "1." Project numbers are for permanent identification and may not be reassigned to new projects. Projects numbered under the rescinded OMB Circulars No. A-78 and A-81 are to be continued under their original assigned numbers.

e. Projects at the same facility required for distinct and separate purposes, are to be considered as separate projects. Such separate projects will be reported individually using appropriate project numbers.

f. Item 10 of Exhibit 1 will include information not shown elsewhere on the Exhibit which is necessary for the evaluation of the project. For example, where the agency knows of changing circumstances which will affect the practicability of under taking a project at a particular facility (e.g., facility renovation or a change in mission of the facility which would alter control needs), these are to be indicated. If a project is discontinued, state in this item the reasons and circumstances, if any, which might lead to a reactivation of the project.

For leased facilities subject to the provisions of this circular, describe under this item the lease arrangements that would affect the possibility and practicability of utilizing control measures for such facilities. Projects involving such circumstances will be included on Exhibit 2 with a reference to the explanation given on Exhibit 1.

If a project proposed in one environmental category is likely to generate pollution of other kinds, item 10 is to include a description of such additional impacts.

Any environmentally-related litigation which may involve the project is to be described under item 10.

g. Every item is to be completed for each project. In addition, specific information is required for the following areas:

AIR: *Item 2.* Identify the pollutant(s) by name for which the project will be required (for example: particulate matter, sulfur oxides, hydrocarbons, carbon monoxide, nitrogen oxides, etc.).

Item 3. State the actual amount of pollutants emitted by each point of emission being controlled within the facility. These amounts of pollution should be expressed in the terms of the applicable emission standard (e.g., lb/hr, ppm, etc.) in item 8 at maximum process operating rate.

Item 4. Identify the specific emission point(s) which the project will control. This identification should be specific (e.g., "incinerator in building xyz" rather than just "incinerator").

Item 5. Specify the existing pollution control measures at the individual emission points. If no control measures are being utilized, state this.

Item 6. Indicate the percentage of the pollutant which the control device removes.

Item 7. Indicate the type control device or process modification to be utilized to control emissions.

Item 8. Indicate the applicable Federal, State, or local air pollution emission control standard which the facility is required to meet, referencing the specific code, chapter, and part. Also include the effective date of the standard.

Item 9. Indicate the project schedules proposed by the agency and as required by the standards listed in item 8. If the agency schedule for achieving compliance differs from statutory, regulatory, or other milestones and deadlines, indicate the dates the facility will meet them and explain why the required dates will not be met.

WATER: *Item 2.* Describe specific pollution and nature of problem, e.g., unintercepted washrack wastes containing oil and grease; overloaded sewage treatment plant bypasses raw or partly treated sewage to river; combined sewage overflow carriers untreated sewage to lake, etc. Use this item and items 3, 6, and 7 as appropriate to describe infiltration inflow problems and measures required by "Spill Control and Counter-measure Plans" formulated pursuant to 40 CFR 112, "Oil Pollution Prevention."

Item 3. Show amount of waste generated and treated. Indicate gallons per day (gpd), thousand gallons per day (tgd), and million gallons per day (mgd).

Item 4. Identify the specific discharge point(s). Show whether discharge is to water (name of receiving water and location thereon), sewer system (name), land application, subsurface (e.g., septic system, drainfield, etc., or underground strata through well injection).

Item 5. If problem as described in items 2 and 4 does not relate to an existing or proposed treatment plant, identify in this item the plant, if any, which ultimately receives, or will receive, and treats the wastewater.

Item 6 and 7. In appropriate item, show existing and proposed parts per million and/or pounds in influent and effluent and percent removal for all principal polluting constituents. As a minimum biological oxygen demand (BOD) chemical oxygen demand (COD) and total organic carbon (TOC) where applicable) and suspended solids data should be shown wherever possible.

Item 8. This item should show exact portions (citations where possible) of statutes and regulations which impose the specific requirement to which the project responds. In addition, enter the exact requirement (criteria, etc.). Enter compliance schedules in item 9. Summarize unquantified or general requirements if necessary. For discharge(s) subject to NPDES requirements (PL 92-500, § 402; 40 CFR Part 125), state:

(1) Whether a permit application has been submitted;

(2) The application and/or permit number, and the effective and expiration dates of any permit(s) issued; and

(3) In summary, the conditions of each permit, other than schedules to be entered in item 9.

Item 9. Indicate the project schedules proposed by the agency and as required by the standards listed in item 8. Where issued, NPDES permit schedules should be entered in the Regulation Schedule column. If the agency schedule for achieving compliance differs from statutory, regulatory, or permit milestones and deadlines, indicate the dates the facility will meet them and explain why the required dates will not be met.

Item 10. Under lease construction arrangements, state who is responsible for obtaining NPDES permits or for meeting schedules and requirements.

SOLID WASTE: *Item 2.* Indicate type of operation which is not in compliance, i.e., incinerator, landfill, etc.

Item 3. If specific amounts of pollution are known, give details; otherwise indicate "not applicable."

Item 4. Give details of the problem, i.e., whatever it is that is not in compliance.

Item 5. Indicate quantities, types, and sources of solid waste handled; frequency of operation; year of original construction/operation and design life.

Item 6. Discuss effectiveness of existing solid waste management system or practices, if applicable.

Item 7. Give technical description of proposed project which will bring operation into compliance.

Item 8. Specify the EPA solid waste management guideline applicable and the specific requirement that makes the project necessary .

NOISE: *Item 2.* Specify the character of the noise. Types are as follows (1) broad band-continuous noise (example: air conditioner), (2) narrow band-continuous noise (example: circular saw), (3) pure tones (example: turbine noise), (4) impulsive (impact) noise (example: gun shot), (5) repeated impulsive (impact) noise (example: typewriter), and (6) intermittent (example: vehicle passby).

Item 3. Specify (1) measured sound level, (2) measurement methodology utilized, (3) elevation of the source and distance from the source to the impacts area (if applicable), and (4) the facilities or areas affected under the present violations.

Item 8. Specify exact portions of statutes and regulations to which the project responds and the acceptable sound level permitted thereunder.

Item 9. Indicate the project schedules proposed by the agency and as required by the standards listed in item 8. If the agency schedule for achieving compliance differs from statutory, regulatory, or other milestones and deadlines, indicate the dates the facility will meet them and explain why the required dates will not be met.

PESTICIDES: All projects being reported should involve the control and abatement of pesticide pollution and not be a description of proposed and/or current programs involving the use of pesticides. Those programs are now reviewed by the Federal Working Group on Pest Management, Council on Environmental Quality.

Item 2. Identify the pesticide that is the source of pollution and indicate the reason for disposition.

Item 7. Describe the method of disposal.

2. *Exhibit 2—Status Report*

a. Exhibit 2 will indicate the estimated or actual "costs" for all active projects in the agency plan and the current status of the projects. Design costs need not be included for individual projects if they are not normally reflected in appropriations for individual projects. A separate Exhibit 2 is to be completed for each category of projects (i.e., air, water, solid waste, noise, radiation, pesticides, etc.).

b. An updated Exhibit 2 is to be submitted with the Exhibit 1's on August 1, 1974, and on each December 31 and June 30 thereafter.

c. The Exhibit 2 will contain all active projects plus those completed or discontinued after submission of the previous report. Once a project is reported completed or discontinued it should be dropped from the report. The June 30 report should contain all projects which the agency will submit in their next fiscal year budget request to the Director. In addition, it should reflect all congressional appropriation actions taken by the time of submission.

d. To facilitate the semiannual submission of Exhibit 2, the Environmental Protection Agency's data system will be utilized as follows:

(1) Each reporting agency will receive ten, updated, computer printed copies of their Exhibit 2's for each pollutant media 30 days after receipt of the agency's semiannual report at EPA.

(2) When submitting their next semiannual report, each agency will make corrections to one copy of the printout described in subparagraph (1). An asterisk is

to be placed in the left hand margin to indicate those projects which have been completed, discontinued, or changed. New projects are to be added to the bottom of the appropriate pollution media printout. If no corrections are made to the printout for the reporting date, enter "no changes" at the top of the appropriate printout. One corrected copy of each printout is to be submitted with the agency's semiannual report.

(3) For initial submission of projects concerning pollution media not already contained in a printout, an Exhibit 2 as described in Section 2 of Attachment A should be submitted.

(4) Corrected printouts will then be returned to each reporting agency in accordance with subparagraph (1) above for use in the next report submittal.

e. Each revision of Exhibit 2 will show the latest information as of 60 days prior to the semiannual reporting date.

f. Exhibit 2 will indicate the amount included or proposed to be included in the President's budget for each project or the amount actually appropriated or funded when relevant. With regard to any fiscal year for which the President's budget has already been submitted, only projects which have actually been included in that budget or funded may be listed under that fiscal year. Agency totals should be shown at the bottom of the Exhibit.

g. Under lease construction arrangements, identify the agency and account responsible for funding, and the agency and account responsible for operation.

h. Special care should be taken in filling out the "Status" column on Exhibit 2 so as to give all relevant information indicated below. It is requested that the agency use the following format:

Indicate "PP ____" if the project is in the preliminary planning stage. The blank provided should contain the estimated completion date for construction.

Indicate "DES ____" if the project is under design or has been designed, but is not under construction. The blank provided should contain the estimated completion date for construction.

Indicate "CONSTP ____" if the project is under construction. The blank provided should contain the estimated completion date.

Indicate "COMPL ____" if the project has been completed. The blank provided should contain the actual completion date.

Indicate "DISC" if the project has been discontinued or dropped. Reasons should be given.

Indicate "DEFER ____" if the project has been deferred or significantly delayed. The blank provided should contain the estimated date of completion of construction. Reasons and what corrective actions, if any, the agency plans to take should be given.

Indicate "OTHER" if other than the above circumstances apply. An explanation should be given.

1. Exhibit 2 should be a consolidated summary of all active projects for all of the regions and divisions of the reporting agency.

EXAMPLE

EXHIBIT 1

Circular No. A-106

ENVIRONMENTAL POLLUTION CONTROL

PROPOSED PROJECT REPORT

Agency:
Media:

Project No.:
Date Prepared:
Date Revised:
GSA Inventory Control No.:

1. *Facility.*
Name:
Address: (city, county, state).
Agency Contact: (name, title, telephone).

2. *Specific Type of Pollution:*

3. *Amount of Pollution:*

4. *Pollution Source, and Discharge, Emission, or Deposit Point:*

5. *Existing Treatment and Other Control Measures:*

6. *Effectiveness of Existing Treatment and Control:*

7. *Remedial Measures Proposed and Estimated Effect in Correcting Problem:*

8. *Applicable Standards:* (Cite the specific State, interstate, local, or Federal regulation and specific requirement for which the project is needed.)

9. *Project Schedule:*

	Agency schedule (month and year)	Regulation schedule (month and year)
Design (completion)		
Construction (start)		
Construction (completion)		
Operation (start)		
Final compliance		

10. *Other Relevant Information:*

EXHIBIT 2.—*Media: Pollution status report*

OMB Circular A-106

Appropriation account if applicable

Agency:
Agency contact:
Telephone:

Page ____ of ____
Reporting date

Project No.	Project name and location (GSA inventory control No.)	Project costs ($1,000's)—Amount in President's budget or agency plan or amount appropriated or funded						Present cost estimate	Status
		Fiscal year−2	Fiscal year−1	Current fiscal year	Fiscal year+1	Fiscal year+2	Fiscal year+3		

EXAMPLE

EXHIBIT 1

Circular No. A-106

ENVIRONMENTAL POLLUTION CONTROL

PROPOSED PROJECT REPORT

Agency: Department of the Army.
Media: Air.

Date Prepared: 5/26/73
Date Revised: 2/11/74
GSA Inventory Control No.:

1. *Facility:*
Name: ABC Army Ammunition Plant.
Address: Kingstown, George County, S.C.
Agency Contact: MJR B. A. Smith Facility Engineer (615) 765-4321.

2. *Specific Type of Pollution:* NO_x

3. *Amount of Pollution:* 4,500 #/hr when process is operated at maximum rate.

4. *Pollution Source, and Discharge, Emission, or Deposit Point:* Nitric Acid Plant No. 13, Bldg. A.

5. *Existing Treatment and Other Control Measures:* No control measures.

6. *Effectiveness of Existing Treatment and Control:* 0% Removal efficiency.

7. *Remedial Measures Proposed and Estimated effect in Correcting Problem:* Construct packed column control device 94% efficient to achieve full compliance.

8. *Applicable Standards:*
(1) State: State Air Code, Chapter V, S113.a(ii).
(2) Region:
(3) Actual standard or exact citation: Maximum of 450 #/hr allowed as per the XYZ test method; effective date of emission standard is 1/31/72.

9. *Project Schedule:*

	Agency schedule (month and year)	Regulation schedule (month and year)
Design (completion)	April 1974	April 1974.
Construction (start)	Aug. 1974	Sept. 1974.
Construction (completion)	Oct. 1974	Nov. 1974.
Operation (start)	April 1975	May 1975.
Final compliance	May 1975	June 1975.

10. *Other Relevant Information:* Citizens complaints received on 12/15/73.
Suits initiated on 12/30/73 by Onaconda Environmental Study Group.

EXAMPLE

EXHIBIT 1

Circular No. A-106

ENVIRONMENTAL POLLUTION CONTROL

PROPOSED PROJECT REPORT

Agency: Department of the Army.
Media: Water.

Project No.: A-999b.
Date Prepared: 2-29-72
Date Revised: 12-26-73
CSA Inventory Control No.: 45678

1. *Facility:*
Name: Camp Faraway.
Address: Mulch City, Enny County, S.D.
Agency Contact: Col. John Smith, Facilities Engineer (615) 755-0022.

2. *Specific Type of Pollution:* Domestic sewage, partly treated. Existing treatment plant overloaded. Excess flow bypassed to river. Influent includes small amounts (.01 mgd) of filter backwash from water treatment plant containing precipitates of alum, iron, and manganese.

3. *Amount of Pollution:* Total flow: 6.2 mgd. Treated: 4.0 mgd.

4. *Pollution Source, and Discharge, Emission, or Deposit Point:* Secondary treatment plant discharges to Obstacle River, 3 miles below Mulch City water supply intake.

5. *Existing Treatment and Other Control Measures:* Secondary—high rate trickling filter plant, final sedimentation, and chlorination. Design Capacity=4.0 mgd.

6. *Effectiveness of Existing Treatment and Control:*

Principal constituent	Influent (parts per million)	Treated effluent (parts per million)	Percent removal
BOD 5	235	36	83
Suspended solids	392	60	85
Total phosphorus as P	8.98	4.67	48
Total nitrogen as N	24.96	21.14	15

7. *Remedial Measures Proposed and Estimated Effect in Correcting Problem:* Replace existing treatment plant with AWT plant: chemical/activated sludge/multi-media filtration to achieve 95% removals or better. Design capacity=7.5 mgd.

8. *Applicable Standards:*

State Standards: SD Code: Water Poll—Chapter 61, 1960 Supp. SD Code: Public Health—Chapter 27, 1960 Supp. Water Quality Standards for Surface Waters; Reg E-1.10A (Rev.)

Federal Regulations: 40 CFR 125, 133; PL 92-500, SS 301, 313; PL 92-500, S 402-NPDES; NPDES Permit Number—SD0012345; Permit Period—1974-1979.

9. *Project Schedule:*

	Agency schedule (month and year)	Regulation schedule (month and year)
Design (completion)	April 1975	Not available.
Construction (start)	June 1975	May 1975.
Construction (completion)	February 1977.	January 1977.
Operation (start)	April 1977	Not available.
Final compliance	June 1977	July 1977.

Regulation schedule as required by NPDES permit. State water quality standard requires adequate secondary treatment by 1/74.

Unable to meet State requirement because of design problems and funding cycle. State has permitted delay on condition NPDES permit deadline is met.

10. *Other Relevant Information:* Installation may become surplus in FY 1975 or FY 1976 leading to project discontinuance.

EXAMPLE

EXHIBIT 1

Circular No. A-106

ENVIRONMENTAL POLLUTION CONTROL

PROPOSED PROJECT REPORT

Agency: Department of the Army.
Media: Solid Waste.
Project No.: A-001
Date Prepared: 2/11/74
Date Revised:
GSA Inventory Control No.:

1. *Facility:*

Name: Camp Faraway.

Address: Mulch City, Enny County, S.D.

Agency Contact: Col. John Smith, Facilities Engineer (615) 755-0022.

2. *Specific Types of Pollution:* Camp landfill.

3. *Amount of Pollution:* Leachate of high BOD concentration.

4. *Pollution Source, and Discharge, Emission, or Deposit Point:* Current landfill contains high piles of uncovered wastes dumped daily. Due to frequent rains, wastes build up high moisture content and leachate, which emanates from side of fill. Also, area is noted to be a common breeding ground for flies and mosquitos, and is generally unsightly.

5. *Existing Treatment and Other Control Measures:* a. Landfill receives 10 tons/day of solid waste altogether, 5 from the Camp and 5 from the nearby Lindberg Air Base. It consists mainly of normal municipal-type wastes delivered on Monday, Wednesday and Friday of each week. Once a week a large load of oily rags is dumped in one corner of the landfill site.

b. Landfill was first opened in Summer of 1970 and is designed to operate until 1990.

c. Some control of run-off waters is exercised by a trench on the downhill side of landfill draining into a settling pond.

6. *Effectiveness of Existing Treatment and Control:* Trench prevents run-off waters from entering local bay waters, but does not solve vector, or aesthetic problems, nor does it minimize the amount of leachate forming.

7. *Remedial Measures Proposed and Estimated Effect in Correcting Problem:* Purchase of bulldozer to compact and cover wastes, minimize formation of leachate, control vectors, and improve general appearance.

8. *Applicable Standards:* EPA Guidelines for Land Disposal of Solid Wastes, published in FEDERAL REGISTER July 1, 1974, requirements under sections 241.204, 241.207, 241.208, 241.209, and 241.210.

9. *Project Schedule:*

	Agency schedule (month and year)	Regulation schedule (month and year)
Design (completion)	Not available.	Not available.
Construction (start)	do	Do.
Construction (completion)	do	Do.
Begin procurement action	July 1974	Do.
Operation (start)	January 1975.	Do.
Final compliance	do	Do.

10. *Other Relevant Information:* Station planning to build an incinerator in 1980 to extend life of landfill.

EXAMPLE

EXHIBIT 1

Circular No. A-106

ENVIRONMENTAL POLLUTION CONTROL

PROPOSED PROJECT REPORT

Agency: Department of the Army.
Media: Noise.
Project No.: A-001
Date Prepared: 6/1/74
Date Revised:
GSA Inventory Control No.: 45678

1. *Facility:*

Name: Camp Faraway.

Address: Mulch City, Enny County, S.D.

Agency Contact: Col. John Smith, Facilities Engineer (615) 755-0022.

2. *Specific Type of Pollution:* Noise is broadband with discernible tones.

3. *Amount of Pollution:* The source measures 75 dBA at the property line per American National Standard S1.4-1971. Source is 20 feet from boundary line at a height of 15 feet.

Facilities of areas affected: civilian school and housing (off the installation).

4. *Pollution Source, and Discharge, Emission, or Deposit Point:* One air conditioning unit for Office Building No. 10.

5. *Existing Treatment and Other Control Measures:* None.

6. *Effectiveness of Existing Treatment and Control:* None.

7. *Remedial Measures Proposed and Estimated Effect in Correcting Problem:* Installation of commercially available mufflers. It is expected that this action will lower the sound level below the background noise.

8. *Applicable Standards:* Mulch Noise Ordinance, Section 4-12, Chapter 17 of the Municipal Code of Mulch, requires that the noise level at the boundary line in business and commercial districts not exceed 62 dBA.

9. *Project Schedule:*

	Agency schedule (month and year)	Regulation schedule (month and year)
Design (completion)	September 1974.	Not available.
Construction (start)	November 1974.	Do.
Construction (completion)	February 1975.	Do.
Operation (start)	March 1975	Do.
Final compliance	April 1975	Do.

The standards require immediate compliance. Agency schedule provides for earliest possible installation of control measures.

10. *Other Relevant Information:* (1) Legal action has not been initiated.

(2) Community complaints have included 26 telephone calls, 15 letters, and 3 personal visits. Nature of complaints centered upon annoyance.

EXAMPLE

EXHIBIT 1

Circular No. A-106

ENVIRONMENTAL POLLUTION CONTROL

PROPOSED PROJECT REPORT

Agency: Department of the Army.
Media: Pesticides.
Project No.: A-002
Date Prepared: Feb. 15, 1974
Date Revised:
GSA Inventory Control No.:

1. *Facility:*

Name: Camp Faraway.

Address: Mulch City, Enny County, S.D.

Agency Contact: Col. John Smith, Facilities Engineer (615) 755-0022.

2. *Specific Type of Pollution:* The following pesticides registered for the control of predators: sodium fluoroacetate (1080), strychnine, sodium cyanide, and thallium sulfate.

3. *Amount of Pollution:* Sodium fluoroacetate, 500 lbs; strychnine, 176 lbs; sodium cyanide, 475 lbs; and thallium sulfate, 125 lbs.

4. *Pollution Source, and Discharge, Emission, or Deposit Point:* N/A.

5. *Existing Treatment and Other Control Measures:* Storage under minimum security.

6. *Effectiveness of Existing Treatment and Control:* Limited protection from loss by stealth and from physical deterioration.

7. *Remedial Measures Proposed and Estimated Effect in Correcting Problem:* Shipment of all pesticides for storage in newly-remodeled, high-security building. This building will allow concentrations of entire inventory of these pesticides in one place. Physical condition of containers can be checked easily and routinely.

8. *Applicable Standards:* Executive Order #11643—Environmental Safeguards on Activities for Animal Damage Control on Federal Lands. February 8, 1972. Additionally, the FPA, under statutory authority of Section 4, Federal Insecticide, Fungicide, and Rodenticide Act, halted all interstate shipments of these pesticides.

9. *Project Schedule:*

	Agency schedule (month and year)	Regulation schedule (month and year)
Design (completion)	October 1973	Not available.
Construction (start)	January 1974	Do.
Construction (completion)	March 1974	Do.
Operation (start)	April 1974	Do.

10. *Other Relevant Information:* Pesticides to be stored until proper disposal methods are developed.

EXAMPLE

EXHIBIT 1

Circular No. A-106

ENVIRONMENTAL POLLUTION CONTROL

PROPOSED PROJECT REPORT

Agency: Department of the Army.
Media: Radiation.

Project No.: A-001
Date Prepared: 6/14/74
Date Revised: 6/15/74
GSA Inventory Control No.:

1. *Facility:*
Name: Camp Faraway, Fuel Reprocessing Plant.
Address: Mulch City, Enny County, S.D.
Agency Contact: Col. John Smith, Facilities Engineer, (615) 755-0022.

2. *Specific Type of Pollution:* Radioactive noble gases, primarily krypton-85 and small amounts of xenon-133, released to the atmosphere.

3. *Amount of Pollution:* Approximately 4 x 10^8 curies per year of krypton-85 are released to the environment, with the plant operating at a load factor of 80%. The maximum annual average concentration of krypton-85 in the prevailing downwind direction was calculated to be 1.5 x 10^{-6} μc/cc, or 5 times the allowable concentration for uncontrolled areas specified in AECM 0524.

4. *Pollution Source, and Discharge, Emission, or Deposit Point:* The gaseous effluents, containing krypton-85, are produced during the reprocessing of irradiated fuel elements and released, after treatment, from a one hundred meter stack located one mile inside the site boundary.

5. *Existing Treatment and Other Control Measures:* The process off-gas, containing krypton-85 and other gaseous and particulate radioactivity, passes through a waste treatment system consisting of a scrubber to remove or reduce the radioiodine and radioactive particulates, a de-mister to remove water vapor, silver zeolite for final radioiodine removal, and HEPA filters for final cleanup of particulates prior to release through the one hundred meter stack.

6. *Effectiveness of Existing Treatment and Control:* The gaseous effluent waste treatment systems presently in use are not effective in reducing the concentration of radioactive noble gases in the effluent.

7. *Remedial Measures Proposed and Estimated Effect in Correcting Problem:* It is proposed that a catalytic reductor and a cryogenic distillation system be designed and installed for use in removing krypton-85 from the gaseous effluents so as to bring the plant into compliance with AECM 0524 Radiation Protection Standards. The proposed waste treatment system essentially dissolves the krypton-85 in liquid nitrogen which is then distilled to remove the nitrogen. The remaining krypton-85 is then bottled for subsequent storage and/or disposal. This waste treatment system is designed to remove in excess of 95% of the annual krypton-85 releases in the gaseous effluent. Implementation of these remedial measures will reduce offsite concentrations to less than 25% of the maximum permissible concentration specified in AECM 0524 for krypton-85 in uncontrolled areas.

8. *Applicable Standards:* AEC Manual Chapter 0524 specifies a maximum permissible concentration for krypton-85 in uncontrolled areas. It permits these concentrations to be averaged over a period not exceeding one year.

9. *Project Schedule:* This modified off-gas waste treatment system can be designed and constructed in accordance with the following schedule:

	Agency schedule (month and year)	Regulation schedule (month and year)
Design (completion)	November 1974.	Not available.
Construction (start)	February 1975.	Do.
Construction (completion)	July 1975.	Do.
Operation (start)	August 1975.	Do.
Final compliance	September 1975.	Do.

Standards are currently applicable.
10. *Other Relevant Information:* None.

[FR Doc.75-1360 Filed 1-16-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION

ENVIRONMENTAL ADVISORY COMMITTEE

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is hereby given that the Environmental Advisory Committee will meet Tuesday, February 4, 1975, at 9 a.m., Room 3400, 12th & Pennsylvania Avenue, NW., Washington, D.C.

The Committee was established to provide advice and information to the Federal Energy Administration concerning environmental aspects of Federal Energy Administration policies and programs.

The agenda for the meeting is as follows:

1. Discussion of How Committee Will Conduct Its Work, e.g., Organization of Task Forces; Frequency of Meetings; and Identification of Priority Items for the Committee's Attention.
2. Automobile Efficiency Standards.
3. Economic Incentives for Energy Conservation.

The meeting is open to the public; however, space and facilities are limited.

The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Committee will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should inform Lois Weeks, Advisory Committee Management Office (202) 961-7022 at least 5 days before the meeting and reasonable provision will be made for their appearance on the agenda.

Further information concerning this meeting may be obtained from the Advisory Committee Management Office.

Minutes of the meeting will be made available for public inspection at the Federal Energy Administration, Washington, D.C.

Issued at Washington, D.C. on January 14, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel.

[FR Doc.75-1646 Filed 1-14-75;3:01 pm]

OIL AND GAS RESERVES SURVEY

Notice of Availability of Reporting Forms

Notice is hereby given that the Federal Energy Administration in December 1974 mailed form FEA P-301-S-0 to operators of oil and gas wells in the United States. This form requests oil and gas production, reserves, and related data on a field and state basis and must be filed by all operators of oil and/or gas wells in the United States as of October 31, 1974.

If you were the operator of oil and/or gas wells in the United States as of October 31, 1974, and have not received form FEA P-301-S-0, please contact the Federal Energy Administration, Code 2899, Washington, D.C. 20461 or telephone (202) 961-8033 to obtain copies.

Dated: January 13, 1975.

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

[FR Doc.75-1612 Filed 1-14-75;11:59 am]

RETAIL DEALERS ADVISORY COMMITTEE

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is hereby given that the Retail Dealers Advisory Committee will meet Monday, February 10, 1975, at 9 a.m., at the Brown Palace Hotel, Central City Room, 321 17th Street, Denver, Colorado.

The Committee was established to provide the Federal Energy Administration with technical and timely information on a wide range of business activities associated with the retailing of gasoline and diesel fuel.

The agenda for the meeting is as follows:

A. *Old business.* 1. Review of conservation measures.
2. Discussion of unleaded gasoline pricing and octane posting.
3. Review of crude equalization program.
B. *New business.* 1. Discussion of compliance problems.
2. Review of new FEA forms.
3. Review of two-tier pricing.
4. Discussion of market shares.
5. Review of current allocation levels.
6. Remarks from the floor (10 minute rule).

The meeting is open to the public; however, space and facilities are limited.

The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Committee will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should inform Lois Weeks, Advisory Committee Management Office, (202) 961-7022 at least 5 days before the meeting and reasonable provision will be made for their appearance on the agenda.

Further information concerning this meeting may be obtained from the Advisory Committee Management Office.

Minutes of the meeting will be made available for public inspection at the Federal Energy Administration, Washington, D.C.

Issued at Washington, D.C. on January 14, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel.

[FR Doc.75-1647 Filed 1-14-75;3:01 pm]

FEDERAL POWER COMMISSION

[Docket No. CP74-239]

ALASKAN ARCTIC GAS PIPELINE CO.

Notice of Supplement to Application

JANUARY 13, 1975.

Take notice that on December 30, 1974, Alaskan Arctic Gas Pipeline Co. (Applicant), Suite 230, 1730 Pennsylvania Avenue, NW., Washington, D.C. 20006, filed in Docket No. CP74-239 the second supplement to its application filed in said docket pursuant to section 7(c) of the Natural Gas Act by submitting Exhibit K (Cost of Facilities), Exhibit L (Financing), Exhibit N (Revenue, Expenses and Income), Exhibit O (Depreciation and Depletion), and Exhibit P(ii) (Tariff) in compliance with §§ 157.14(a)(13), (14), (16), (17), and (18)(ii), respectively, of the Commission's Regulations under the Natural Gas Act (18 CFR 157.14(a)(13), (14), (16), (17), and (18)(ii)), all as more fully set forth in the supplement which is on file with the Commission and open to public inspection.

By its application in the subject docket filed March 21, 1974,[1] Applicant seeks a certificate of public convenience and necessity authorizing the construction and operation of facilities to transport as a contract carrier natural gas in interstate commerce from the Prudhoe Bay area on the North Slope of Alaska, eastward for approximately 195 miles to a point of interconnection at the Canadian border with the proposed facilities of the Canadian Arctic Gas Pipeline Limited for the account of various contract shippers. Applicant did not accompany said application with certain required exhibits, including the instant submittals.

In said application Applicant estimated that operations would commence in 1979. Applicant now predicts a delay of one year in that commencement date. Accordingly, Applicant states that the instant submittals presume a time schedule wherein preconstruction activity begins in 1977, the laying of pipe begins in November 1979, and the line goes into operation in mid-1980. Applicant proposes that the pipeline carry approximately 2 million Mcf of gas per day until late 1982 when throughput will be increased to 2.25 million Mcf of gas per day.

[1] The application was noticed in the FEDERAL REGISTER on April 15, 1974 (39 FR 13590).

The estimated cost of facilities as shown in Exhibit K, based upon 1974 prices, is approximately $592.0 million, inclusive of $456.0 million for pipeline construction and $96.1 million for interest on funds used during construction. It is said that these costs include an allowance for contingencies of 1 percent of material costs and 5 percent of installation costs.

To ensure the availability of sufficient financial resources to complete the pipeline, Applicant proposes to raise approximately $700 million, in the approximate proportion of 25 percent equity and 75 percent debt. Applicant states that fixed interest rate debt will be utilized to the maximum extent possible and that debt expense will be deferred and amortized beginning in 1980 as part of interest costs on a straight line basis over the average life of the outstanding debt. Applicant projects that it can obtain adequate funds from:

(a) initial private placement lenders of long-term fixed rate funds in amounts up to approximately $275 million which could be committed prior to the start of construction.

(b) public issues or subsequent private placements of long-term bonds during the period of construction in amounts up to about $225 million, and

(c) term loans from a syndicate of banks in amounts up to about $250 million.

However, Applicant cautions that its financing projections assume normal market conditions and project viability. Project viability, in turn, presumes transportation charges which are competitive yet adequate to cover financing costs. The willingness of shippers to contract for Applicant's services will evidence the former, while Commission approval of a full cost-of-service tariff[2] is necessary for the latter.

Because Applicant proposes to finance its construction on a project basis revenues generated by the project must support the project's securities. Applicant expects to generate revenues of $137.2 million in 1981, it first full year of operations, declining to $109.7 million in 1986. According to Exhibit N, such revenues are based upon Applicant's projection that it will transport up to 821.8 million Mcf of gas per year during the seven years of operations ending December 31, 1986.[3]

In Exhibit O, Applicant states that it will depreciate its transmission plant using the straight line method and charging the monthly beginning balances of "utility plant in service" at an annual rate of 4 percent. Applicant indicates that it intends to recover fully the costs of the plant in 25 years unless the frequency of replacement of facilities dictates otherwise.

In Exhibit P(ii) Applicant has set forth rates for Applicant's proposed single class of transportation service. According to Applicant's cost-of-service computations its average cost of gas transportation will decline from 19.5 cents per Mcf in 1980 to 13.3 cents per Mcf in 1986.[4]

Any person desiring to be heard or to make any protest with reference to said supplement should on or before January 31, 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. Any person who has heretofore filed a protest or petition to intervene need not file again.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1592 Filed 1-16-75;8:45 am]

[2] On November 15, 1974, Applicant filed with its first supplement to the application a pro forma transportation tariff (Exhibit P(i)).

[3] Applicant states that the financial statements of Exhibits N and P(ii) are based upon a 15 percent rate of return on common equity. Applicant further states that it does not now advocate such rate but will propose a specific rate of return on common equity at some later date.

[Docket No. E-8949 and E-8445]

CAMBRIDGE ELECTRIC LIGHT CO.

Notice of Further Extension of Procedural Dates

JANUARY 10, 1975.

On January 3, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued August 30, 1974, as most recently modified by notice issued December 3, 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, January 20, 1975.
Service of Intervenor's Testimony, February 10, 1975.
Service of Company, Rebuttal, March 4, 1975.
Hearing, March 25, 1975 (10:00 a.m. EDT).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1594 Filed 1-16-75;8:45 am]

[Docket Nos. CP75-179, CP75-180, CP75-181]

COLUMBIA GAS TRANSMISSION CORP.

Notice of Applications

JANUARY 10, 1975.

Take notice that on December 18, 1974, Columbia Gas Transmission Corp. (Applicant), 1700 MacCorkle Avenue, Charleston, West Virginia 25314, filed in Docket Nos. CP75-179, CP75-180, and

CP75–181 applications pursuant to section 7 of the Natural Gas Act, as implemented by paragraphs (b), (g) and (c) of § 157.7 of the regulations thereunder (18 CFR 157.7 (b), (c) and (g)), respectively, for a certificate of public convenience and necessity authorizing the construction, during the twelve-month period beginning March 1, 1975, and operation of gas purchase facilities, for authorization for the construction, relocation, removal, or abandonment, during the twelve-month period beginning March 1, 1975, and operation of field compression and related metering and appurtenant facilities and for a certificate of public convenience and necessity authorizing the construction, also during the twelve-month period beginning March 1, 1975, and operation of facilities for rearrangements of minor gas-sales or transportation facilities, respectively, all as more fully set forth in the applications, which are on file with the Commission and open to public inspection. Applicant states that all actions proposed will take place in either Kentucky, Maryland, New York, Ohio, Pennsylvania, Virginia, and West Virginia.

The purposes of these budget-type applications are (1) to augment Applicant's ability to act with reasonable dispatch in the construction and abandonment of facilities which will not result in changing Applicant's system saleable capacity or service from that authorized prior to the filing of the applications, (2) to augment Applicant's ability to act with reasonable dispatch in contracting for and connecting to its pipeline system supplies of natural gas in various producing areas generally co-extensive with said system, and (3) to enable Applicant to act with reasonable dispatch in making miscellaneous minor rearrangements on its system without the delay incident to the filing and processing of numerous individual certificate applications.

Applicant states that the total cost for construction of the gas purchase facilities will not exceed $4,000,000, with no single project to exceed $1,000,000, that the total cost of the miscellaneous rearrangements of gas-sales and transportation facilities will not exceed $600,000, and that the abandonment, removal and relocation, and construction of field compression facilities will not exceed $3,000,000, with no single project to exceed $500,000. Applicant requests a waiver in accordance with § 157.7(c)(2)(ii) of the regulations under the Natural Gas Act to the extent necessary to permit the construction of rearranged gas-sales and transportation facilities in excess of the $300,000 limit prescribed by § 157.7(c)(2)(i). Applicant alleges that the size and complexity of its transmission system justifies the need for budget-type authorization up to expenditures of $600,000 for said facilities. Applicant states that all funds will be generated from internal sources.

Any person desiring to be heard or to make any protest with reference to said applications 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.

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 these applications if no petitions to intervene are filed within the time required herein, if the Commission on its own review of the matter finds that grants of the certificates and permission and approval for the proposed abandonments are required by the public convenience and necessity. If petitions for leave to intervene are timely filed, or if the Commission on its own motion believes that formal hearings are required, further notice of such hearings 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 hearings.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75–1595 Filed 1–16–75;8:45 am]

[Docket No. RP74–82]

COLUMBIA GAS TRANSMISSION CORP.

Notice of Petition for Leave To Amend Rate Filing

JANUARY 10, 1975.

Take notice that on January 6, 1975, Columbia Gas Transmission Corp. (Columbia) tendered for filing proposed changes in its filing in FPC Docket No. RP74–82. The filing consists of proposed changes to Columbia's FPC Gas Tariff, Original Volume No. 1: Eighteenth Revised Sheet No. 16.

Columbia states that the filing should be viewed as an amendment to the rate increase already filed in this docket. It asks for waiver of Commission regulation § 154.63 to allow previously filed testimony and exhibits to support the instant changes. The changes would increase annual revenues by $14,435,491. Columbia states that the increase is necessary to offset a decline in amount of gas for sale. Columbia states that the reasons for this filing are (1) reductions in volumes of gas for sale unanticipated at the time of the original filing; (2) the great need of Columbia to maintain revenues so that it may continue its supply acquisition program; (3) the general gas shortage which makes innovative, substantive and procedural flexibility by the Commission imperative.

The proposed effective date is February 6, 1975. Columbia requests a one-day suspension.

Copies of the filing were served upon interested state commissions and each person designated on the Official Service List compiled by the Secretary of the Federal Power Commission in this proceeding.

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 27, 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.75–1596 Filed 1–16–75;8:45 am]

[Docket No. RP74–32]

CONSOLIDATED GAS SUPPLY CORP.

Notice of Proposed Tariff Changes

JANUARY 10, 1975.

Take notice that on January 2, 1975, Consolidated Gas Supply Corporation (Consolidated) tendered for filing the following substitute tariff sheets to its FPC Gas Tariff, First Revised Volume No. 1:

Substitute Second Revised Sheet No. 7–A
Substitute Twenty-Seventh Revised Sheet No. 8
Substitute Original Sheet No. 8–A
Substitute Original Sheet No. 51–D
Substitute Original Sheet No. 51–E
Substitute Original Sheet No. 51–F
Substitute Original Sheet No. 62–A
Substitute Original Sheet No. 62–B

Consolidated states that the proposed tariff sheets will implement the recovery of the fixed costs embedded in Consolidated's effective rates and charges which it would otherwise fail to recover because of the decrease in the volume of sales on which its rates are predicated as a result of gas shortage curtailment.

The effective date of the proposed tariff sheets is February 1, 1975. Consolidated states that its gas supply situation has reached the point where it must institute its first gas supply shortage curtailment on February 1, 1975. Consolidated requests waiver of § 154.22 of the Commission's regulations in order that these tariff sheets may become effective as of the date requested, and waiver of any other of the Commission's rules and regulations to the extent such waiver is deemed necessary.

Copies of the proposed tariff sheets and supporting data have been furnished Consolidated's jurisdictional customers, interested state commissions and parties to this proceeding.

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. 20425, 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 27, 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.75-1597 Filed 1-16-75;8:45 am]

[Docket No. E-8947]

DELMARVA POWER AND LIGHT CO.

Notice of Extension of Procedural Dates

JANUARY 10, 1975.

On January 9, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued October 24, 1974 in the above-designated matter.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff's Testimony, February 10, 1975.
Service of Intervenor's Testimony, February 24, 1975.
Service of Company Rebuttal, March 10, 1975.
Hearing, March 25, 1975 (10:00 a.m. EDT).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1598 Filed 1-16-75;8:45 am]

[Docket Nos. CP70-196 et al., CP74-227, CP73-135, CP74-212]

DISTRIGAS CORP. AND DISTRIGAS OF MASSACHUSETTS CORP.

Notice of Clarification

JANUARY 2, 1975.

The Presiding Administrative Law Judge in the above-designated matter has filed a certification requesting clarification dated December 20, 1974. The actual service date was December 26, 1974.

Notice is hereby given that the time for filing response to the above clarification request extends to and including January 10, 1975.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1599 Filed 1-16-75;8:45 am]

[Docket Nos. CP75-199 and CP75-200]

MICHIGAN CONSOLIDATED GAS CO.

Notice of Application

JANUARY 13, 1975.

Take notice that on January 2, 1975, Michigan Consolidated Gas Co. (Applicant), One Woodward Avenue, Detroit, Michigan 48226, filed in Docket Nos. CP75-199 and CP75-200 applications pursuant to section 7(c) of the Natural Gas Act for certificates of public convenience and necessity to implement temporary natural gas storage service for the benefit of Northern Indiana Public Service Company (NIPSCO), Northern Natural Gas Company (Northern), Natural Gas Pipeline Company of America (Natural), and Peoples Gas Light & Coke Company (Peoples) through transportation provided by Michigan Wisconsin Pipe Line Company (Mich Wisc), all as more fully set forth in the applications, which are on file with the Commission and open to public inspection.

In the application in Docket No. CP75-199, Applicant proposes to continue for an additional year a storage service provided by Applicant for NIPSCO, Northern, Natural and Peoples. By Commission order issued September 6, 1974, in Michigan Wisconsin Pipe Line Company, et al., Docket No. CP74-157, et al., Applicant was authorized to extend said storage service until March 1, 1975, for NIPSCO, Northern and Natural and to provide the storage service for Peoples until January 31, 1975. In general the arrangement between the parties provides for Mich Wisc to receive gas from NIPSCO, Northern, Natural and Peoples during the off-peak season, deliver the gas for their account to Applicant's storage fields and redeliver said gas during the winter heating season. The maximum volumes authorized to be stored for each company by Applicant are as follows:

	Million Mcf
Peoples	6.0
Nipsco	5.0
Northern	2.8
Natural	5.8

Applicant states in its application in Docket No. CP75-199 that both it and Mich Wisc have entered into contracts extending the subject storage agreements for a period of one year. Accordingly, Applicant requests authorization for continuation for one year of the respective storage services authorized in the September 6, 1974, order. In all other respects, according to Applicant, the agreements are to remain unchanged.

In the application in Docket No. CP75-200 Applicant proposes to render natural gas storage service for Mich Wisc. Applicant avers that this is intended as a temporary arrangement to assist Mich Wisc in providing gas storage service to Northern, Natural and Peoples during the period from March 1975 through February 1977. The agreement between Applicant and Mich Wisc provides that during the summer period Mich Wisc will deliver to Applicant for storage up to 9,000,000 Mcf in 1975 and up to 5,000,000 Mcf in 1976, plus 2 percent of the deliveries for compressor fuel. During the respective winter periods Applicant proposes to redeliver equivalent volumes less compressor fuel to Mich Wisc at the Woolfolk Compressor Station, an existing delivery point of Mich Wisc to Applicant. The rate to be paid by Mich Wisc for the service is $3.54 per month per Mcf of Maximum Daily Quantity. The application states that Mich Wisc has filed a related application in Docket No. CP75-182 for long term authorization to store and transport gas for Northern, Natural and Peoples as follows:

	million Mcf
Northern	4.2
Natural	3.8
Peoples	1.0

Applicant states that Mich Wisc will use its own facilities for storage after February 1977.

In each application Applicant requests certificate authorization applicable only to the storage service described, to be effective only for the limited time period during which service will be performed. Applicant further requests that, except as specifically certificated in Docket Nos. CP72-146, CP72-278 and CP74-319, its operations remain exempt from the provisions of the Natural Gas Act pursuant to section 1(c) thereof.

Any person desiring to be heard or to make any protest with reference to said applications should on or before February 3, 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.

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, hearings will be held without further notice before the Commission on these applications if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that grants of the certificates are 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 formal hearings are required, further notice of such hearings 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 hearings.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1600 Filed 1-16-75;8:45 am]

[Docket Nos. RP73-102, RP73-102, and RP73-14 (PGA 75-1)]

MICHIGAN-WISCONSIN PIPE LINE CO.

Consolidation and Postponement of Hearing Dates

JANUARY 10, 1975.

On November 25, 1974, and January 8, 1975, Staff Counsel filed motions for an extension of time and consolidation of the above-designated proceedings. The procedural dates were fixed respectively by orders issued August 12, 1974 and October 31, 1974, as most recently modified by notices issued January 2, 1975. The motion states that no party to the proceedings objects to the suggested changes.

Notice is hereby given that the above proceedings shall be consolidated for the purpose of hearing and decision. Such hearing shall be scheduled for January 28, 1975, at 10 a.m. [EST] in a hearing room of the Federal Power Commission.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1601 Filed 1-16-75;8:45 am]

[Docket No. RP73-102]

MICHIGAN-WISCONSIN PIPE LINE CO.

Notice of Postponement of Hearing

JANUARY 2, 1975.

On December 31, 1974, Michigan-Wisconsin Pipe Line Company filed a motion to extend the hearing date fixed by order issued August 12, 1974, as most recently modified by notice issued October 3, 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 January 14, 1975, at 10 a.m. (EST).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1602 Filed 1-16-75;8:45 am]

[Docket No. RP73-102, RP73-14 (PGA 75-1)]

MICHIGAN-WISCONSIN PIPE LINE CO.

Notice of Postponement of Hearing

JANUARY 2, 1975.

On December 31, 1974, Michigan-Wisconsin Pipe Line Company filed a motion to extend the hearing date fixed by order issued October 31, 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 January 21, 1975 at 10 a.m. (EST).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1603 Filed 1-16-75;8:45 am]

[Docket No. E-7942 and E-9181]

NANTAHALA POWER AND LIGHT CO.

Notice of Extension of Time

JANUARY 2, 1975.

On December 20, 1974, North Carolina Electric Membership Corporation filed a motion to extend time for filing evidence fixed by notice issued December 13, 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 time for filing evidence by staff and intervenors is extended to January 17, 1975.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-1604 Filed 1-16-75;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on January 13, 1975. (44 USC 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The Symbol (x) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice thru this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529), or from the reviewer listed.

NEW FORMS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social and Rehabilitation Service: Review of State Services to Runaways, single-time, State welfare agencies, Sunderhauf, M.B., 395-4911.

Health Resources Administration: Evaluation of Regional Medical Program Activities Affecting the Health of Children, HRAOPEL-0108, single-time, regional health programs, Human Resources Division, 395-3532.

DEPARTMENT OF LABOR

Occupational Safety and Health Administration: Knowledge Baseline Survey, OSHA 67, single-time, employers, employees, Eliett, C.A., 395-6172.

DEPARTMENT OF TRANSPORTATION

Departmental and other: Rider Incentive Study, single-time, individuals in Balto. and Nashville, Strasser, A., 395-3880.

REVISIONS

FEDERAL RESERVE SYSTEM

Over-the-Counter Margin Stock Report, FR 48, Semi-annually, over-the-counter corportations, Lowry, R.L., 395-3772.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Housing Production and Mortgage Credit: Monthly Report of Excess Income—Section 236, FHA 3104, monthly, Owners of Sec. 236 multifamily projects, Community and Veterans Affairs Division, 395-3532.

DEPARTMENT OF THE INTERIOR

Departmental and other: YCC Application, Part V, on occasion, Youth applying for YCC program, Sunderhauf, M.B., 395-4911.

EXTENSIONS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources Administration: Forms and Reports for Health Professions Student Assistance Programs, NIH-1614, annually, nursing and health profession schools, Caywood, D.P., 395-3443.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75-1710 Filed 1-16-75;8:45 am]

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on January 14, 1975 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (x) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice thru this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503, (202-395-4529), or from the reviewer listed.

NEW FORMS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institute of Education: Career Intern Program Evaluation: Employer Questionnaire, Phase II—Hands On; Employer Questionnaire: Graduate Interns, NTE98A, NIE 98B, single-time, business firms, Human Resources Division, 395–3880.

National Institutes of Health: Hypertension Detection and Follow-Up Program Special Groups Survey Sample, CSNIHHL–19, on occasion, HDFP screenees not eligible for study, Hall, George, 395–4697.

Alcohol, Drug Abuse, and Mental Health Administration Methods for Evaluating Patterns of CMHC Services Coordination, ADAMMH0102, single-time, CMHCS and other local human service agencies, Human Resources Division, 395–3532.

National Institute of Education: A Survey of Parental Involvement in Schools and Their Satisfaction With Experimental School Project Practices, NIE 99, single-time, households in Franklin Pierce School District, Human Resources Division, 395–3532.

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration: Annual Summary Report of Railroad Injury and Illness, 6180–45, annually, railroad transportation companies, Ellett, C. A., 395–6172.

REVISIONS

NATIONAL SCIENCE FOUNDATION

Administration of Institutional Grants for Science, NSF 158, annually, program grantees, Lowry, R. L., 395–3772.

DEPARTMENT OF AGRICULTURE

Statistical Reporting Service; Dry Bean, Pea, and Lentil Survey, Other (see SF–88), dry bean, pea, and lentil growers, Lowry, R. L., 395–3772.

Agricultural Stabilization and conservation Service Application for Disaster Credit—Farms, ASCS–574, on occasion, farms, Lowry, R. L., 395–3772.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Community planning and development, community development funding survey, single-time, community development staff, community and veterans affairs division, 395–3532.

EXTENSIONS

ENVIRONMENTAL PROTECTION AGENCY

Survey of solid waste removal systems for residents of Operation Breakthrough sites, single-time, households of Operation Breakthrough sites, Evinger, S. K., 395–3648.

DEPARTMENT OF STATE (EXCL. AID AND ACTION)

Application for Renewal, Amendment, Extension of Passport, FS–299, on occasion, passport applicants, Evinger, S. K., 395–3648.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service: Request and Notice of Shipment of Sealed Meats (From One Federally Inspected Establishment to Another), CP–408, on occasion, food inspectors, Evinger, S. K., 395–3648.

DEPARTMENT OF THE INTERIOR

Bureau of Mines: Platinum and Allied Metals (Consumption), 6–1110–OA, other (see SF–83), consumers of platinum and allied metals, Evinger, S. K., 395–3648.

PHILIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75–1773 Filed 1–16–75;8:45 am]

PANAMA CANAL COMPANY

AVAILABILITY OF FINAL ENVIRONMENTAL STATEMENT

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Panama Canal Company has prepared a final environmental impact statement for the proposed granting of a license to the Instituto de Recursos Hidraulicos y Electrificacion, an autonomous agency of the Government of the Republic of Panama, to construct, maintain and operate two 230 kv transmission lines along a corridor 100 meters wide across the Canal Zone.

This final environmental impact statement was transmitted to CEQ on December 16, 1974.

Copies are available for inspection during regular working hours at the following locations, and a limited number of single copies are available on request to the Canal Zone address:

Secretary, Environmental Quality Committee
Room 233, Administration Building
Panama Canal Company
Balboa Heights, Canal Zone
or
Secretary, Panama Canal Company
Room 312
425 Thirteenth Street, NW.
Washington, D.C. 20004

Copies of the environmental statement have been sent to various Federal and local agencies as outlined in the CEQ guidelines.

Dated: January 6, 1975.

THOMAS M. CONSTANT,
Secretary,
Panama Canal Company.

[FR Doc.75–1581 Filed 1–16–75;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500–1]

BIO-MEDICAL SCIENCES, INC.

Suspension of Trading

JANUARY 8, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Bio-Medical Sciences, 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 9, 1975 through January 18, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75–1566 Filed 1–16–75;8:45 am]

CENTRAL AND SOUTH WEST CORP. ET AL.

Proposed (1) Amendment of Subsidiaries' Charters to Increase Authorized Common Stock, (2) Amendment of One Subsidiary's Charter to Increase Par Value of Common Stock, and (3) Issue and Sale of Common Stock by Subsidiaries to Holding Company

JANUARY 8, 1975.

In the matter of Central and South West Corporation, P.O. Box 1631, Wilmington, Delaware 19899, Central Power and Light Company, P.O. Box 2121, Corpus Christi, Texas 78403, Public Service Company of Oklahoma, P.O. Box 201, Tulsa, Oklahoma 74102, Southwestern Electric Power Company, P.O. Box 1106, Shreveport, Louisiana 71156, (70–5602).

Notice is hereby given that Central and South West Corporation ("C&SW"), a registered holding company, and three of its electric utility subsidiary companies Central Power and Light Company ("CPL"), Public Service Company of Oklahoma ("PSO") and Southwestern Electric Power Company ("SWEPCO") have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Sections 6, 7, 9, 10 and 12(f) of the Act and Rule 43 promulgated thereunder as applicable to the following proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

CPL proposes to amend its Articles of Incorporation to increase its authorized common stock, par value $25 per share, from 6,000,000 shares to 12,000,000 shares. The affirmative vote of the holders of two-thirds of the outstanding shares of common stock or written consent of such holders is required. C&SW, holder of all CPL common stock, proposes to give its written consent to the amendment. There are presently 5,755,535 shares of CPL common stock issued and outstanding.

PSO proposes to amend its Articles of Incorporation to (1) increase the par value of its common stock from $12 to $15 per share, and in connection therewith to effect the transfer on its books of account the amount of $29,445,000 in retained earnings (earned surplus) to common stock stated capital, and (2) increase its authorized common stock from 10,000,000 shares to 11,000,000 shares. It is stated that the proposed change in par value is to achieve a better balance in PSO's capital accounts.

The adoption of the amendments to the PSO Articles of Incorporation requires the favorable vote of the holders of a majority of its outstanding preferred and common shares. C&SW, holder of all PSO common stock, proposes to call a special meeting of its preferred and common shareholders to consider and vote upon the adoption of the proposed amendments. It is stated that the PSO common stock represents in excess of 68 percent of the votes entitled to be cast, and that therefore shareholder approval of the proposed amendments is assured.

SWEPCO proposes to amend its Certificate of Incorporation to increase its authorized common stock from 7,000,000 shares to 7,600,000 shares (par value $18 per share). There are presently 6,981,085 shares of SWEPCO common stock issued and outstanding. Adoption of the proposed amendment requires the favorable vote or written consent of the holders of a majority of the outstanding shares of common stock. C&SW, holder of all the SWEPCO common stock, proposes to give its written consent to the proposed amendment.

CPL, PSO and SWEPCO, respectively, propose to issue and sell to C&SW, for cash or in consideration of the discharge and satisfaction of short-term borrowings, at their par value, the numbers of shares of their authorized but unissued common stock set forth below, and C&SW proposes to acquire such shares for such consideration:

Subsidiary	Number of shares	Par value per share	Consideration
CPL	1,000,000	$25	$25,000,000
PSO	667,000	15	10,005,000
SWEPCO	555,555	18	9,999,990

Proceeds of the short-term borrowings to be discharged by C&SW and any cash received from C&SW upon sale of the subsidiaries' common stock to C&SW have been or will be used to finance, in part, 1974 and 1975 construction programs. The estimated construction programs for the three subsidiaries for 1975 are as follows: CPL: $75,035,000; PSO: $54,509,000; SWEPCO: $74,734,000.

Fees and expenses to be incurred in connection with the proposed transactions are estimated at $4,500, to be apportioned among the three subsidiaries. It is stated that the Corporation Commission of the State of Oklahoma has jurisdiction with respect to the issuance and sale by PSO of its common stock, and that no other state commission and no federal commission, other than this Commisison, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than February 3, 1975, request in writing that a hearing be held in respect of such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the application-declaration which he desires to controvert; or he may request that he be notified should the Commission order a hearing in respect thereof. 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-declarants at the above-stated addresses, and proof of service (by affidavit, or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

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

[FR Doc.75-1569 Filed 1-16-75;8:45 am]

[Rel. No. 8636]

CG MONEY MARKET FUND, INC., ET AL.

Filing of Application for an Order of Exemption

JANUARY 9, 1975.

In the matter of CG Money Market Fund, Inc., Connecticut General Life Insurance Company, CG Equity Sales Company, Hartford, Connecticut 06152, (812-3728).

Notice is hereby given that CG Money Market Fund, Inc. ("Fund"), an open-end, diversified, management investment company registered under the Investment Company Act of 1940 (the "Act"), Connecticut General Life Insurance Company ("CG Life"), the organizer of the Fund, and CG Equity Sales Company ("Equity Sales"), the principal underwriter of the Fund and a wholly-owned subsidiary of Connecticut General Insurance Corporation, the parent corporation of CG Life (collectively referred to as "Applicants"), filed an application on November 22, 1974, and an amendment thereto on December 26, 1974, pursuant to section 6(c) of the Act, for an order of the Commission exempting Applicants from Section 22(d) of the Act to the extent specified therein. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company or principal underwriter shall sell any redeemable security to any person except at a current public offering price described in the prospectus. Applicants propose to offer shares of the Fund to the public at a price based upon net asset value plus a sales charge that varies with the quantity of securities purchased. The maximum sales charge, expressed as a percentage of the public offering price will be 7.50 percent.

Applicants request an exemption from Section 22(d) of the Act to permit reduced sales charges on an application of the proceeds of insurance contracts issued by CG Life ("insurance proceeds") to the purchase of shares of the Fund. Insurance proceeds are defined as the death benefit under life policies, the maturity value of endowment contracts, the cash value of fixed-dollar life insurance and annuity contracts, and lump sum cash options available to beneficiaries.

The reduced sales charges which would be applicable will be fully disclosed in the prospectus of the Fund and are as follows:

Total investment in the fund at public offering price	*Sales charge as percentage of offering price*
Less than $10,000	5.25
$10,000 but less than $25,000	4.20
$25,000 but less than $50,000	3.50
$50,000 but less than $100,000	2.80
$100,000 but less than $250,000	2.10
$250,000 but less than $500,000	1.40
$500,000 but less than $1,000,000	1.05
$1,000,000 or more	.70

Applicants state that the insurance contracts constituting the source of the insurance proceeds applied to the purchase of shares of the Fund will already have been subjected to sales charges paid to the organizer of the Fund which is also a subsidiary of the company which owns the Fund's underwriter, and that the requested exemption is necessary to avoid an unnecessary accumulation of sales charges. Shares of the Fund will be sold to the public by Equity Sales primarily through its own registered representatives who are, ordinarily, also insurance agents or brokers of CG Life.

Applicants also propose to offer to shareholders of CG Fund, Inc. and CG Income Fund, Inc., affiliates of the Fund by virtue both of a common investment adviser, CG Investment Management Company, a wholly-owned subsidiary of Connecticut General Insurance Corporation, and a common principal underwriter, Equity Sales, the privilege of exchanging their shares for shares of the Fund and vice versa without imposition of a sales charge. An exemption of the type requested herein has previously been granted to CG Fund, Inc. and CG Income Fund, Inc.

The requested exemption will, therefore, eliminate what would otherwise be an anomalous situation in which insurance proceeds could be invested in shares of Fund with reduced sales charges merely by first using such proceeds to purchase shares of either CG Fund or CG Income Fund and then by exchanging shares of such funds for shares of the Fund. Applicants assert that the requested exemption does not involve unfair discrimination and presents no

threat to the orderly distribution of redeemable investment company securities.

Section 6(c) of the Act provides, in part, that the Commission, by order upon application, may conditionally or unconditionally exempt any class or classes of persons, securities, or transactions, from any provision or provisions of the Act, if and to the extent such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicants represent that the exemption requested from the provisions of Section 22(d) of the Act is necessary and appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than February 3, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the Applicants at the address stated above. Proof of such service (by affidavit or, in the case of attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following February 3, 1975, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive 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 Investment Management Regulation, pursuant to delegated authority.

[SEAL] SHIRLEY E. HOLLIS,
Assistant Secretary.

[FR Doc.75–1568 Filed 1–16–75;8:45 am]

[File No. 500–1]

CONTINENTAL VENDING MACHINE CORP.

Suspension of Trading

JANUARY 9, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Continental Vending Machine Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, 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 10, 1975 through January 19, 1975.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS,
Assistant Secretary.

[FR Doc.75–1567 Filed 1–16–75;8:45 am]

[Rel. No. 8635]

FIFTH EMPIRE FUND, INC., ET AL.

Filing of Application for Order Declaring That Company Has Ceased To Be Investment Company

JANUARY 8, 1975.

In the matter of Fifth Empire Fund, Inc., Sixth Empire Fund, Inc., Federated Regional Research Investments, Inc., Federated Investors Building, 421 Seventh Avenue, Pittsburgh, Pennsylvania 15219. (811–1401), (811–1446), (811–2309).

Notice is hereby given that Fifth Empire Fund, Inc., Sixth Empire Fund, Inc., and Federated Regional Research Investments, Inc. (collectively referred to as "Applicants"), each of which is an open-end, diversified, management investment company registered under the Investment Company Act of 1940 ("Act"), filed a joint application on November 29, 1974, for an order of the Commission declaring that Applicants have ceased to be investment companies as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

On November 26, 1974, the shareholders of each of the Applicants approved an Agreement of Merger, and Articles of Merger merging the Applicants into Fourth Empire Fund, Inc., an open-end investment company registered under the Act. On November 27, 1974, the merger became effective upon the filing of the Agreement of Merger and the Articles of Merger with the State Department of Assessments and Taxation in the State of Maryland and pursuant to the Plan and Agreement of Merger, the Applicants' corporate statuses ceased as of November 27, 1974.

Section 8(f) of the Act provides, in pertinent part, that when the Commission upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order and, upon the effectiveness of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than February 3, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on this matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address set forth above. Proof of such service (by affidavit or, in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive 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 Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75–1570 Filed 1–16–75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 666]

ASSIGNMENT OF HEARINGS

Correction

In FR Doc. 75–431 appearing at page 1328 in the issue of Tuesday, January 7, 1975, make the following correction:

In the second case listed which bears the number MC 139841, the date assigned should read "February 3, 1975" instead of "February 10, 1975".

[Notice 675]

ASSIGNMENT OF HEARINGS

JANUARY 14, 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.

NOR-36051, Lake Superior & Ishpeming Railroad Company V. Chicago and Northwestern Transportation Company, now assigned January 14, 1975, at Chicago, Ill., is postponed indefinitely.

MC 119422 Sub 53, EE-Jay Motor Transports, Inc., Extension—Eight States, now assigned January 16, 1975, at Washington, D.C., is postponed indefinitely.

MC 107064 Sub 106, Steere Tank Lines, Inc., now assigned January 28, 1975, at Dallas, Tex., is cancelled and the application is dismissed.

MC 59367 Sub 89, Decker Truck Line, Inc., now assigned February 19, 1975, at Milwaukee, Wis., will be held in Room 301 C, City Hall, 200 E. Wells St.

MC-F-12257, International Carriers, Inc.—Purchase—Motor Dispatch, Inc., now assigned February 24, 1975, at Chicago, Ill., will be held on the 3rd Floor, 230 S. Dearborn St.

MC-C-8450, Peninsular Meat Co., Inc., C. W. Mitchell, C. W. Mitchell, Inc., and Benefield Brothers, Inc.—Investigation of Operations and Practices, now assigned February 4, 1975, at Jacksonville, Fla., is cancelled.

MC 136183 Sub 2, Joe Costa, DBA Trinidad Freight Service, now assigned January 27, 1975, at Albuquerque, N. Mex., will be held in the New Mexico Motor Carriers Association, Hearing Room, 1500 University Avenue, N.E.

MC-C-8372, North American Van Lines, Inc.—Investigation and Revocation of Certificates, now assigned February 4, 1975, at Chicago, Ill., will be held in Room 1614, Court of Claims, Everett McKinley Dirksen Building, 219 S. Dearborn St.

MC 2900 Sub 263, Ryder Truck Lines, Inc., now assigned February 6, 1975, at Chicago, Ill., will be held in Room 1614, Court of Claims, Everett McKinley Dirksen Building, 219 S. Dearborn St.

MC 136786 Sub 60, Robco Transportation, Inc., now assigned February 7, 1975, at Chicago, Ill., will be held in Room 1614, Court of Claims, Everett McKinley Dirksen Building, 219 S. Dearborn St.

MC 115300 Sub 2, Charles Simmons, Sr., DBA Hilton Head Truck Lines, now assigned January 20, 1975, at Columbia, S.C., is postponed indefinitely.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-1665 Filed 1-16-75;8:45 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 14, 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 on or before February 3, 1975.

FSA No. 42927—*Anhydrous Ammonia from Seagraves, Texas.* Filed by Southwestern Freight Bureau, Agent (No. B-509), for interested rail carriers. Rates on anhydrous ammonia, in tank-car loads, as described in the application, from Seagraves, Texas, to points in southwestern and western trunk-line territories.

Grounds for relief—Market competition, modified shortline distance formula and grouping.

Tariff—Supplement 159 to Southwestern Freight Bureau, Agent, tariff 273-F, I.C.C. No. 4941. Rates are published to become effective on February 12, 1975.

FSA No. 42928—*Joint Water-Rail Container Rates — Yamashita-Shinnihon Line.* Filed by Yamashita-Shinnihon Line, (No. 7), for itself and interested rail carriers. Rates on general commodities, between ports in Hong Kong, Japan, Korea and Taiwan, and rail stations on the U.S. Atlantic and Gulf Seaboard.

Grounds for relief—Water competition.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-1666 Filed 1-16-75;8:45 am]

[Notice No. 5 TA]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 13, 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 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 specified 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 107002 (Sub-No. 459TA) (Amendment), filed October 8, 1974, published in the FEDERAL REGISTER issue of October 29, 1974, and republished as amended this issue. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, U.S. Highway 80 W, Jackson, Miss. 39205. Applicant's representative: John J. Borth (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid animal feed*, in bulk, in tank vehicles, from Memphis, Tenn., to points in Arkansas, Kentucky, Mississippi, Missouri, and Tennessee, for 180 days. Supporting shipper: Ralston Purina Company, 1725 Airways Blvd., Memphis, Tenn. 38114. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 212, 145 East Amite Building, Jackson, Miss. 39201.

NOTE.—The purpose of this republication is to add The Procter & Gamble Distributing Company, P.O. Box 599, Cincinnati, Ohio 45201, as another supporting shipper.

No. MC 107002 (Sub-No. 466TA), filed January 7, 1975. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, U.S. Highway 80 West, Jackson, Miss. 39205. Applicant's representative: John N. Borth (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steam cylinder oil*, in bulk, in tank vehicles, from Memphis, Tenn., to Bethlehem, Penn., for 180 days. Supporting shipper: Sharvania Oil & Grease Corporation, 1185 Tully Street, Memphis, Tenn. 38107. Send protests to: Alan C. Tarrant, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 212, 145 East Amite Bldg., Jackson, Miss. 39201.

No. MC 111729 (Sub-No. 493TA), filed January 8, 1975. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cut flowers and decorative greens*, when moving at the same time and in the same vehicle with commodities, the transportation of which is subject to economic regulation, (a) Between Everson, N.J., on the one hand, and, on the other, points in New Jersey and New York, on traffic having an immediately prior or subsequent movement by air or motor vehicle, (b) Between Emerson, N.J., and Newark, N.J., on traffic having an immediately prior or subsequent movement by air for 180 days. Supporting shipper: Associated Florida Gladiola Growers, Inc., 1920 Park Meadow Drive, Fort Myers, Fla. 33901. Send protests to: Anthony D. Giaimo, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 114211 (Sub-No. 240TA), filed January 7, 1974. Applicant: WARREN TRANSPORT, INC., 324 Manhard Street, P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Charles W. Singer, 2440 East Commercial Blvd., Fort Lauderdale, Fla. 33308. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in or used by agricultural machinery, industrial equipment, and lawn and leisure products dealers (except

commodities in bulk), from the facilities of Deere & Company at Bloomington, Minn., and International Harvester Company at St. Paul, Minn., to points in Iowa, Montana, North Dakota, South Dakota, Upper Peninsula of Michigan, Wisconsin, Wyoming, and Minnesota. Supporting shippers: Deere & Company, 2001 West 94th Street, Bloomington, Minn. 55431. International Harvester Company, 401 North Michigan, Chicago, Ill. 60611. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 117068 (Sub-No. 38TA), filed January 8, 1975. Applicant: MIDWEST SPECIALIZED TRANSPORTATION, INC., P.O. Box 6418, North Highway 62, Rochester, Minn. 55901. Applicant's representative: Richard C. McGinnis, 711 Washington Bldg., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Storage systems and contractors' materials and supplies* (except commodities in bulk), on winch or self-unloading equipment, from St. Paul, Minn., to California, Illinois, Iowa, Michigan, Missouri, Nebraska, Ohio, Texas, and Wisconsin, for 180 days. Supporting shipper: Brown-Minneapolis Tank & Fabricating Company, P.O. Box 3670, St. Paul, Minn. 55101. Send protests to: A. N. Spath, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 414, Federal Bldg. & U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 123663 (Sub-No. 1TA), filed January 8, 1975. Applicant: JOHN H. CERQUOZZI, 2736 Dove Street, Williamsport, Pa. 17701. Applicant's representative: Donald H. Lotz, c/o J. B. Associates, 13 Morningside Place, Wanaque, N.J. 07465. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, and materials, supplies, and equipment*, used or useful in the manufacture of iron and steel articles, between Williamsport, Pa., on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, New Jersey, New York, and Pennsylvania, for 180 days. Supporting shippers: Williamsport Die and Machine Company, 190 Park Street, Williamsport, Pa. 17701. Danneker & Lear, Inc., 163 Catawissa Avenue, Williamsport, Pa. 17701. Centura Development Co., Inc., 1311 Washington Boulevard, Williamsport Pa. 17701. Anchor/Darling Valve Company, 701 First Street, Williamsport, Pa. 17701. Send protests to: Paul J. Kenworthy, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 314 U.S. Post Office Bldg., Scranton, Pa. 18503.

No. MC 124306 (Sub-No. 16TA), filed January 8, 1975. Applicant: KENAN TRANSPORT COMPANY, INC., P.O. Box 2934, Durham, N.C. 27705. Applicant's representative: Lee P. Shaffer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum Distillates*, in bulk, in tank trucks, from Severn, N.C., to Charleston, S.C., for 180 days. Supporting shipper: The Mebtex Company, P.O. Box 5146, Vienna, W. Va. 26105. Send protests to: Archie W. Andrews, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 26896, Raleigh, N.C. 27611.

No. MC 127505 (Sub-No. 72TA), filed January 6, 1974. Applicant: RALPH H. BOELK, doing business as BOELK TRUCK LINES, Route 2, Mendota, Ill. 61342. Applicant's representative: Walter Kobos, 1016 Kehoe Drive, St. Charles, Ill. 60174. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt pavement surface sealer*, in containers, from Compton, Ill., to Faribault, Hastings, Minneapolis, Northfield, Red Wing, Rochester, and Winona, Minn., and Appleton, Beloit, Chippewa Falls, Eau Claire, Fond du Lac, Green Bay, Neenah, Menasha, Oshkosh, Kenosha, Racine, Milwaukee, Madison, Watertown, Sheboygan, Manitowoc, LaCrosse, and Janesville, Wis., and their respective commercial zones, for 180 days. Supporting shipper: Harold L. Crabtree, Production Manager, Cosmicoat, Inc., 3400 Cleveland Road, P.O. Box 73, Wooster, Ohio 44691. Send protests to: William J. Gray, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 133408 (Sub-No. 3TA), filed December 31, 1974. Applicant: JAMES D. KINNEY and B. R. LINDSEY, doing business as PIONEER TRANSIT LINES, 234 West Yellowstone, Casper, Wyo. 82601. Applicant's representative: James D. Kinney (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and express and newspapers in the same vehicle with passengers, between Medicine Bow, Wyo., and Laramie, Wyo., via U.S. 30, serving all intermediate points.

NOTE.—Applicant intends to tack at Medicine Bow, Wyo., with Pioneer Transit Lines Docket No. 133048 Sub 2, and interline at Laramie, Wyo., with Colorado Motorway, Inc., MC 98903; Greyhound Lines, Inc., MC 1515; and American Bus Lines, Inc., MC 28426, for 180 days. Supporting shippers: There are approximately 23 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copiers thereof which may be examined at the field office named below. Send protests to: Paul A. Naughton, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 100 East B Street, Casper, Wyo. 82601.

No. MC 134531 (Sub-No. 4TA), filed January 7, 1975. Applicant: AGGREGATE HAULERS, INC., P.O. Box 386, Cayce, S.C. 29033. Applicant's representative: Edward J. Morrison, P.O. Box 67, Lexington, S.C. 29072. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural limestone*, from Blount, Jefferson, and Knox Counties, Tenn., to points in Bulloch and Candler Counties, Georgia, and Aiken, Calhoun, Edgefield, Fairfield, Greenwood, Lexington, Newberry, Orangeburg, Richland, and Saluda Counties, S.C., for 180 days. Supporting shippers: Wright-Lanier, Inc., P.O. Box 2, Metter, Ga. Hall & Miller Fertilizer, Inc., P.O. Box 872, Statesboro, Ga. Tillman & Deal Farm Supply, Northside Dr., Statesboro, Ga. Swansea Farmers Gin Co., Inc., P.O. Box 186, Swansea, S.C. FCX, Inc., Saluda, S.C. Send protests to: E. E. Strotheid, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 302, 1400 Building, 1400 Pickens, Columbia, S.C. 29201.

No. MC 138844 (Sub-No. 3TA), filed January 7, 1975. Applicant: GAS INCORPORATED, 87 Industrial Avenue East, Lowell, Mass. 01853. Applicant's representative: John T. Hildemann, 11 Commerce Street, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquified natural gas (LNG)*, in bulk, in cryogenic vehicles, between points in East, and North of the States of Wisconsin, Illinois, Kentucky, Tennessee, Alabama, Georgia, and South Carolina, for 180 days. Supporting shippers: There are approximately *20* statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copiers thereof which may be examined at the field office named below. Send protests to: Darrell W. Hammons, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 150 Causeway Street, Room 501, Boston, Mass. 02114.

No. MC 139881 (Sub-No. 2TA) (Correction), filed December 18, 1974, published in the FEDERAL REGISTER issue of January 8, 1975, and republished as corrected this issue. Applicant: ROETTELE TRUCKING, 14503 Eastbrook, Bellflower, Calif. 90706. Applicant's representative: Lon Roettele (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Steel pipe and pipe fittings and iron and steel plates or sheets* and (2) *Structural steel shapes or forms*, (1) from Los Angeles and Los Angeles Harbor Commercial Zones, to points in Washington, Utah, Oregon, and Nevada and (2) between Bellflower, Calif., and Houston or Lubbock, Tex.; Boise, Pocatello, or Twin Falls, Idaho; Ogden, Provo, or Salt Lake City, Utah; Denver, Colo.; Portland, Oreg.; and Seattle, Wash., for 180 days. Supporting shippers: Lakewood Pipe

Service Co., Inc., 9060 Rosecrans Avenue, Bellflower, Calif. 90106, and Aggressive Erectors & Bridgemen, Inc., 403 Meadowbrook Lane, Inglewood, Calif. 90302. Send protests to: Philip Yallowitz, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 300 North Los Angeles Street, Room 7708, Los Angeles, Calif. 90012. The purpose of this republication is to change the name of applicant, the rest of the application will remain the same.

No. MC 140179 (Sub-No. 2TA), filed January 8, 1975. Applicant: NRG HAULING, INC., Sacramento, Ky. 42372. Applicant's representative: Fred F. Bradley, Suite 202, Court Square Office Bldg., 213 St. Clair Street, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in dump vehicles, from points in Ballard, Butler, Breckinridge, Caldwell, Calloway, Carlisle, Christian, Crittenden, Daviess, Edmonson, Fulton, Graves, Grayson, Hancock, Henderson, Hickman, Hopkins, Livingston, Logan, Lyon, Marshall, McCracken, McLean, Mead, Muhlenberg, Ohio, Trigg, Union, and Webster Counties, Ky., to Joliet, Ill., for 180 days. Supporting shipper: Jerry Driskill, Proprietorship, Hartford, Ky., 42347. Send protests to: R. W. Schneiter, District Supervisor, Bureau of Operations Interstate Commerce Commission, 426 Post Office Bldg., Louisville, Ky. 40202.

No. MC 140442 (Sub-No. 1TA), filed January 6, 1975. Applicant: RICHARD HASELRIG, doing business as HASELRIG TRUCKING, CO., Route One, Graham Road, Rock Spring, Ga. 30739. Applicant representative: (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural lime*, in bulk, from Blount, Jefferson, and Knox Counties, Tenn., to points in Georgia (except points in Jefferson County, Ga., on and south of Georgia Highway 24), for 180 days. Supporting shipper: Farmers Mutual Exchange, P.O. Box 495, LaFayette, Ga. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1252 Peachtree Street NW., Room 546, Atlanta, Ga. 30309.

No. MC 140528 TA, filed January 7, 1975. Applicant: DONALD E. WOOD, doing business as SEKAN AIR FREIGHT, 1000 East Main Street, Independence, Kans. 67301. Applicant's representative: G. Richard Shaw, P.O. Box 391, Coffeyville, Kans. 67337. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* subject to prior or subsequent movement by air, between points in Montgomery, Wilson, Neosho, and Labette Counties in Kansas, on the one hand, and Tulsa International Airport in Tulsa, Okla., on the other, for 180 days. Supporting shippers: Funk Manufacturing Co., Division of Gardner-Denver Co., Box 577, Coffeyville, Kans. 67337. Pressure Coast Products, Inc., 300 East Fourth Street, Coffeyville, Kans. 67337. Vallis Wingroff, Box 59, Cherryvale, Kans. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 501 Petroleum Building, Wichita, Kans. 67202.

No. MC 140529 (Sub-No. 1TA), filed January 7, 1975. Applicant: RAY E. MUHLBACH, doing business as REMCO TRUCKING, Ravenna, Nebr. 68869. Applicant's representative: Michael J. Ogborn, Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cheese*, from the plantsites and facilities utilized by Ravenna Cheese Company, Inc., located at or near Ravenna, Nebr., to Clinton, Carthage, and Springfield, Mo., Salt Lake City and Wellsville, Utah; and New Ulm, Minn., restricted to a service to be performed under a continuing contract or contracts with Ravenna Cheese Company, Inc., for 180 days. Supporting shipper: LeRoy Wadzinski, President, Ravenna Cheese Company, Inc., Ravenna, Nebr. 68869. Send protests to: Max H. Johnston, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 320 Federal Bldg. & Court House, Lincoln, Nebr. 68501.

No. MC 140530TA, filed January 7, 1975. Applicant: FREEWAY TRANSPORT, INC., 635 S.E. 11th Avenue, Portland, Oregon 97214. Applicant's representative: Earle V. White, 2400 S.W. 4th Avenue, Portland, Oregon 97201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Washington and Oregon, and Lewiston, Idaho, to points in Arizona, California, and Nevada, for 180 days. Supporting shipper: North Pacific Canners & Packers, Inc., 5200 S.E. McLaughlin Blvd., Portland, Oregon 97202. Send protests to: W. J. Huetig, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Oregon 97204.

No. MC 140531TA, filed January 8, 1975. Applicant: MID-CONTINENT SYSTEMS, INC., P.O. Box 875, 111 North Fifth St., O'Neill, Nebr. 68763. Applicant's representative: Marshall Becker, Suite 530 Univac Bldg., 7100 W. Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carpet, carpeting or rugs; carpet tile; carpet and carpet tile samples; adhesives and carpet cement; displays, advertising*, store or window, from the plantsite of Armstrong Cork Company at or near Marietta, Penn., to the facilities of Truesdell Distributing Corporation at or near Omaha, Nebr., for 180 days. Supporting shipper: Truesdell Distributing Corp., R. L. Hansen, Operations Mgr., 6009 Center Street, Omaha, Nebr. Send protests to: Carroll Russell, Suite 620, Union Pacific Plaza, 110 North 14th Street, Omaha, Nebr. 68102.

By the Commission.

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

[FR Doc.75-1667 Filed 1-16-75;8:45 am]

federal register

FRIDAY, JANUARY 17, 1975

WASHINGTON, D.C.

Volume 40 ■ Number 12

PART II

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

■

NATIONAL RESEARCH SERVICE AWARDS

Proposed Rules

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

[42 CFR Part 66]

NATIONAL RESEARCH SERVICE AWARDS

Notice of Proposed Rulemaking

Section 472(a)(1)(A) of the Public Health Service Act, as added by the National Research Service Award Act of 1974 (Title I, Pub. L. 93-348), directed the Secretary of Health, Education, and Welfare to provide National Research Service Awards for (1) biomedical and behavioral research at the National Institutes of Health and the Alcohol, Drug Abuse, and Mental Health Administration in matters relating to the cause, diagnosis, prevention, and treatment of the disease (or diseases) or other health problems to which the activities of NIH and ADAMHA are directed, (2) training at NIH and ADAMHA of individuals to undertake such research, (3) biomedical and behavioral research at non-Federal public and nonprofit private institutions, and (4) predoctoral and postdoctoral training at such institutions of individuals to undertake such research.

In addition, section 472(a)(1)(B) of the Public Health Service Act, as so added, directed the Secretary to make grants to non-Federal public and nonprofit private institutions to enable such institutions to make to individuals selected by them National Research Service Awards for research (and training to undertake such research) in matters described in item (1) of the preceding paragraph.

Notice is hereby given that the Assistant Secretary for Health, with the approval of the Secretary of Health, Education, and Welfare, proposes to adopt the regulations set forth below for the purpose of implementing the foregoing legislation.

Written comments concerning the proposed regulations are invited from interested persons. Inquiries may be addressed, and data, views, and arguments relating to the regulations may be presented in writing in triplicate to the Training Officer, Office of the Director, National Institutes of Health, Building 1, Room 117, 9000 Rockville Pike, Bethesda, Maryland 20014. All comments received will be available for public inspection at said Office on weekdays (Federal holidays excepted) between the hours of 8:30 a.m. and 5:00 p.m. All relevant material received on or before February 18, 1975 will be considered.

Notice is also given that it is proposed to make any amendments that are adopted effective upon publication in the FEDERAL REGISTER.

Dated: December 13, 1974.

CHARLES C. EDWARDS,
Assistant Secretary for Health.

Approved: January 8, 1975.

CASPAR W. WEINBERGER,
Secretary.

It is therefore proposed to amend Title 42 of the Code of Federal Regulations by adding the following new Part 66:

PART 66—NATIONAL RESEARCH SERVICE AWARDS

Subpart A—Direct Awards

Sec.
66.101 Applicability.
66.102 Definitions.
66.103 Eligibility.
66.104 Application.
66.105 Requirements.
66.106 Awards.
66.107 Payments to awardees.
66.108 Payments to institutions.
66.109 Termination.
66.110 Service, payback, and recovery requirements.
66.111 Suspension, waiver, and cancellation.
66.112 Nondiscrimination.
66.113 Human subjects; animal welfare.
66.114 Publications.
66.115 Copyright.
66.116 Inventions and discoveries.
66.117 Additional conditions.

Subpart B—Institutional Grants

Sec.
66.201 Applicability.
66.202 Definitions.
66.203 Eligibility.
66.204 Application.
66.205 Requirements.
66.206 Grant awards.
66.207 Payment.
66.208 Expenditure of grant funds.
66.209 Nondiscrimination.
66.210 Human subjects; animal welfare.
66.211 Applicability of 45 CFR Part 74.
66.212 Progress and fiscal records and reports.
66.213 Grantee accountability.
66.214 Publications and copyright.
66.215 Additional conditions.

AUTHORITY: Sec. 215, 58 Stat. 690, as amended (42 U.S.C. 216); sec. 472, 88 Stat. 342 (42 U.S.C. 289*l*-1).

Subpart A—Direct Awards

§ 66.101 Applicability.

The regulations in this subpart are applicable to National Research Service Awards by the Secretary, under section 472(a)(1)(A) of the Public Health Service Act, as amended (42 U.S.C. 289v-1(a)(1)(A)), to individuals for: (a) Biomedical and behavioral research at the National Institutes of Health and the Alcohol, Drug Abuse, and Mental Health Administration in matters relating to the cause, diagnosis, prevention, and treatment of the disease (or diseases) or other health problems to which the activities of NIH and ADAMHA are directed, (b) training at NIH and ADAMHA of individuals to undertake such research, (c) biomedical and behavioral research at non-Federal public and nonprofit private institutions, and (d) predoctoral and postdoctoral training at such institutions of individuals to undertake such research.

§ 66.102 Definitions.

As used in this subpart:

(a) "Act" means the Public Health Service Act, as amended.

(b) "Secretary" means the Secretary of Health, Education, and Welfare and any other officer or employee of the Department of Health, Education, and Welfare to whom the authority involved has been delegated.

(c) "NIH" means the National Institutes of Health.

(d) "ADAMHA" means the Alcohol, Drug Abuse, and Mental Health Administration.

(e) "Nonprofit" as applied to any institution means an institution which is a corporation or association no part of the net earnings of which inures or may lawfully inure to the benefit of any private shareholder or individual.

(f) "Award" means a National Research Service Award under section 472 of the Act (42 U.S.C. 289*l*-1).

(g) "Residency" means post-graduate training, for doctors of medicine, osteopathy, and dentistry, nurses, and other individuals providing health care directly to patients, where the majority of the time is spent in non-research clinical training.

(h) "National Health Service Corps" means the Corps referred to in section 329 of the Act (42 U.S.C. 254b).

(i) "Noncitizen national of the United States" means a person who, though not a citizen of the United States, owes permanent allegiance to the United States (8 U.S.C. 1101(a)(22)).

(j) "Predoctoral training" means training at the post-baccalaureate level in a program leading to the award of a doctor of philosophy or science.

(k) "Postdoctoral training" means training of individuals holding a doctor of philosophy, science, medicine, dentistry, osteopathy, veterinary medicine, engineering, nursing sciences, public health, or equivalent degree.

§ 66.103 Eligibility.

To be eligible for a National Research Service Award under this subpart an individual must:

(a) Be a citizen or noncitizen national of the United States or have been lawfully admitted to the United States for permanent residence at the time of application; and

(b) Propose to engage in full-time biomedical or behavioral research, or training to undertake such research, at NIH, ADAMHA, or a non-Federal public or nonprofit private institution.

§ 66.104 Application.

(a) Application for an Award under this subpart shall be made on a form approved for that purpose by the Secretary. The completed form, executed by the individual applicant, shall be submitted to NIH or ADAMHA on or before such dates as the Secretary may prescribe.

(b) In addition to any other pertinent information that the Secretary may require, each application shall set forth in detail:

(1) The applicant's educational background and other qualifications and experience;

(2) The subject area of the proposed research or training;

(3) The proposed period of Award;

(4) If the proposed period of Award is in excess of three years, the justifications for such request; and

(5) The availability of the institution where the research or training would be conducted of resources and facilities necessary to carry out such research or training.

§ 66.105 Requirements.

No Award shall be made to an individual under this subpart unless:

(a) The individual has submitted to the Secretary a written assurance (in such form as the Secretary may prescribe) that he or she will satisfy the requirements of paragraphs 66.110(a) and 66.110(b) of this subpart;

(b) If the proposed research or training would take place at a non-Federal institution, such institution has submitted a written assurance (in such form as the Secretary may prescribe), executed by a representative of the institution authorized to act for the institution and to assume on behalf of the institution the obligations imposed by the terms and conditions of the Award including the regulations of this subpart, indicating that the applicant has been accepted to the institution for the purpose of engaging in the research or training for which an Award is being sought, that the Award is not to be used to support a residency, and that, in the event an Award is made, the institution will make available to the applicant any resources and facilities described in the application as necessary to carry out such research or training;

(c) Effective July 1, 1975, the proposed research or training is in a subject area for which there is a need for personnel, as determined under section 473 of the Act (42 U.S.C. 289*l*–2); and

(d) The individual has submitted a written assurance (in such form as the Secretary may prescribe) that the Award is not to be used to support a residency.

§ 66.106 Awards.

(a) Within the limits of funds available, the Secretary shall make Awards to those applicants:

(1) Whose applications have been reviewed and recommended for approval by appropriate advisory councils within NIH and ADAMHA;

(2) Who have satisfied the requirements of § 66.105 of this subpart; and

(3) Whose proposed research or training would, in the judgment of the Secretary, best promote the purposes of section 472(a)(1)(A) of the Act, taking into consideration among other pertinent factors:

(i) The scientific, technical, or educational merit of the particular proposal;

(ii) The availability of resources and facilities to carry it out;

(iii) The qualifications and experience of the applicant; and

(iv) The degree of the need for personnel in the subject area of the proposed research or training.

(b) All Awards shall be in writing and shall specify the proposed period of the Award (which may not exceed three years in the aggregate for any individual unless the Secretary for good cause shown waives the application of this limitation to such individual), the stipends and allowances provided and the levels thereof during the initial year of said period (see § 66.107), the estimated levels for future years, and (if the Award is made for research or training at a non-Federal institution) the amount of the payments to the institution for the cost of services provided the awardee by such institution during the initial year of said period (see § 66.108).

(c) In determining what constitutes "good cause" for purposes of paragraph (b) of this section, the Secretary shall take into account such factors as whether the applicant proposes to complete both predoctoral and postdoctoral training programs under the Award.

§ 66.107 Payments to awardees.

(a) Individuals receiving Awards shall be entitled to such stipends and allowances as the Secretary may designate, taking into account such factors as the needs of the program, the cost of living, and the availability of funds.

(b) Payments of stipends and allowances shall, at the discretion of the Secretary, be made to the awardee or the sponsoring institution for payment to the awardee.

§ 66.108 Payments to institutions.

(a) Where an Award is made to an individual under this subpart for research or training at a non-Federal public or nonprofit private institution, the institution shall be entitled to an allowance to help defray the cost of support services (including the cost of faculty salaries, supplies, equipment, general research support, and related items) provided such individual by the institution. The amount of any such payments to any institution shall be determined by the Secretary based upon the reasonable costs to the institution of establishing and maintaining the quality of its biomedical and behavioral research and training programs.

(b) Payments to the institution under this section may be made either in advance or by way of reimbursement, as prescribed by the Secretary.

§ 66.109 Termination.

(a) The Secretary may terminate an Award prior to its normal expiration date:

(1) At the written request of the awardee; or

(2) If the Secretary finds that the awardee has materially failed to comply with the terms and conditions of the Award or to carry out the purpose for which it was made.

(b) In the event an Award is terminated the Secretary shall notify the awardee in writing of this determination, the reasons therefor, the effective date, and any procedural rights available.

§ 66.110 Service, payback, and recovery requirements.

(a) Each individual who receives an Award shall upon completion thereof:

(1) Engage in biomedical or behavioral research or teaching for a period equal to the period of support, or

(2) If the Secretary determines that there are no suitable research or teaching positions available to such individual, and if such individual is a physician, dentist, nurse, or other individual trained to provide health care directly to individual patients, and if the Secretary so authorizes such individual, in lieu of engaging in research or training:

(i) Serve as a member of the National Health Service Corps for a period equal to the period of support;

(ii) Serve in his specialty in private practice in a geographic area designated by the Secretary as requiring that specialty for 20 months for each twelve months of support; or

(iii) Provide services in his specialty for a health maintenance organization to which payments may be made under section 1876 of Title XVIII of the Social Security Act and which serves an underserved population (as defined in section 1302(7) of the Act) for 20 months for each 12 months of support; or

(3) If the Secretary determines that there are no suitable research or teaching positions available to an individual, and if such individual is not trained to provide health care directly to individual patients, and if the Secretary so authorizes such individual, in lieu of engaging in research or teaching, engage in a health-related activity for 20 months for each 12 months of support.

(b) Except as provided in section 111 of this subpart, an individual to whom the requirement for service in paragraph (a) of this section is applicable must begin to undertake such service on a continuous basis within two years after the termination of his or her Award.

(c) If an individual fails to undertake or perform such service in accordance with the requirements of paragraph (b) of this section, the United States shall be entitled to recover from such individual an amount determined in accordance with the formula:

$$A = \theta\, t - \frac{(\frac{1}{2})s}{t}$$

in which "A: is the amount the United States is entitled to recover; "θ" is the sum of the total amount of stipends paid under one or more Awards to such individual and the interest on such amount which would be payable if at the time it was paid it was a loan bearing interest at a rate fixed by the Secretary of the Treasury after taking into consideration private consumer rates of interest prevailing at the time the Award was made; "t" is total number of months in such individual's service obligation; and "s" is the number of months of such obligation served by him in accordance with paragraph (a) of this section.

(d) Except as provided in § 66.111 of this subpart, any amount which the United States is entitled to recover under paragraph (c) shall, within the three-year period beginning on the date the United States becomes entitled to recover such amount, be paid to the United States. Until any amount due the United States under paragraph (c) of this section on account of any Award is paid,

there shall accrue to the United States interest on such amount at the same rate as that fixed by the Secretary of the Treasury under paragraph (c) of this section to determine the amount due the United States.

§ 66.111 Suspension, waiver, and cancellation.

(a) The Secretary may extend the period for undertaking service prescribed in § 66.110(b) of this subpart, permit breaks in service under said paragraph, or extend the period for repayment under § 66.110(d) if the Secretary determines that:

(1) Such an extension or break in service is necessary so the individual may complete his or her research training;

(2) Completion during said period would be impossible because the individual is temporarily disabled; or

(3) Completion during said period would involve an extreme hardship to such individual and failure to extend such period would be against equity and good conscience.

(b) The Secretary may waive the obligation of such individual to repay pursuant to § 66.110(c) if the Secretary determines that:

(1) Fulfillment would be impossible because the individual is permanently and totally disabled; or

(2) Fulfillment would involve an extreme hardship to such individual and enforcement of such obligation would be against equity and good conscience.

(c) In making determinations under §§ 66.111(a)(3) and (b)(2), the Secretary will take into consideration such factors as:

(1) The individual's present financial resources and obligations;

(2) The individual's estimated future financial resources and obligations;

(3) The reasons for the individual's failure to complete such requirements within the prescribed period, such as problems of a personal nature; and

(4) The extent to which the individual has been engaged in activities encompassed by § 66.110(a).

(d) Any obligation of any individual under this subpart will be cancelled upon the death of such individual.

§ 66.112 Nondiscrimination.

Attention is called to the fact that funds paid to an institution under § 66.108 of this subpart are considered Federal financial assistance to such institution. The institution is thus subject to:

(a) The prohibition against discrimination on the basis of race, color, or national origin imposed by Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. 2000d et seq.) and the implementing regulation of the Department of Health, Education, and Welfare (45 CFR Part 80); and

(b) The prohibition against discrimination on the basis of sex imposed by Title IX of the Education Amendments of 1972 and in particular section 901 of such Act.

§ 66.113 Human subjects; animal welfare.

Where the application is for research or training at a non-Federal public or non-profit private institution, no Award may be made under this subpart unless said institution has complied with:

(a) 45 CFR Part 46 and any other applicable requirements pertaining to the protection of human subjects.

(b) Chapter 1–43 of the Department of Health, Education, and Welfare Grants Administration Manual [1] and any other applicable requirements concerning animal welfare.

§ 66.114 Publications.

Publication, distribution, and disposition of all manuscripts and other materials resulting from an Award shall be subject to the conditions that all such materials shall bear appropriate acknowledgment of Department of Health, Education, and Welfare support and that the awardee shall furnish such copies of these manuscripts or other materials as the Secretary may reasonably request.

§ 66.115 Copyright.

Where the work accomplished under an Award results in a book or other copyrightable material, the author is free to copyright the work, but the United States reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use, all copyrightable or copyrighted material resulting from the Award.

§ 66.116 Inventions and discoveries.

(a) Any Award is subject to the regulations of the Department of Health, Education, and Welfare set forth in 45 CFR Parts 6 and 8, as amended. Such regulations shall apply to any activity for which Award funds are in fact used, whether within the scope of the Award as approved or otherwise. Each such invention or discovery shall be promptly and fully reported to the Assistant Secretary for Health, Department of Health, Education, and Welfare.

(b) Determination as to ownership and disposition of rights to such invention or discovery, including whether a patent application shall be filed, and, if so, the manner of obtaining, administering, and disposing of rights under any patent application or patent which may issue shall be made either:

(1) By the Assistant Secretary for Health, whose decision shall be final, or

(2) Where an Award is made to an individual for research or training at a non-Federal public or nonprofit private institution having a separate formal institutional patent agreement with the Department of Health, Education, and Welfare, by the institution in accordance with that agreement.

§ 66.117 Additional conditions.

The Secretary may with respect to any Award or class of Awards impose additional conditions prior to or at the time of any Award when in his judgment such conditions are necessary to assure the carrying out of the purposes of the Award, the interests of the public health, or the conservation of funds awarded.

Subpart B—Institutional Growth

§ 66.201 Applicability.

The regulations in this subpart are applicable to grants under section 472(a)(1)(B) of the Public Health Service Act, as amended (42 U.S.C. 289*l*–1(a)(1)(B)), to non-Federal public institutions and to nonprofit private institutions to enable such institutions to make to individuals selected by them National Research Service Awards for research and predoctoral and postdoctoral training to undertake such research in matters relating to the cause, diagnosis, prevention, and treatment of the disease (or diseases) or other health problems to which the activities of the National Institutes of Health and the Alcohol, Drug Abuse, and Mental Health Administration are directed.

§ 66.202 Definitions.

The definitions in § 66.102 of subpart A of this part shall apply as well to this subpart.

§ 66.203 Eligibility.

To be eligible for a grant under this subpart, an applicant must be:

(a) A non-Federal public or nonprofit private institution; and

(b) Located in a State, the District of Columbia, Puerto Rico, the Virgin Islands, the Canal Zone, Guam, American Samoa, or the Trust Territory of the Pacific Islands.

§ 66.204 Application.

(a) Each institution desiring a grant under this subpart shall submit an application on a form approved for that purpose by the Secretary, on or before such dates as the Secretary may prescribe. Such application shall be executed by an individual authorized to act for the applicant and to assume on behalf of the applicant the obligations imposed by the terms and conditions of the grant, including the regulations of this subpart.

(b) In addition to any other pertinent information that the Secretary may require, each application shall set forth in detail:

(1) The subject area or areas in which the proposed research or training will be conducted;

(2) The resources and facilities available to the applicant for use by recipients of Awards in carrying out such research or training;

(3) The names, qualifications, and experience of the program director and

[1] The Department of Health, Education, and Welfare Grants Administration Manual is available for public inspection and copying at the Department's and Regional Offices' information centers listed in 45 CFR § 5.31 and may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

principal staff members who will be responsible for the proposed program;

(4) The criteria to be employed in selecting individuals to be recipients of Awards;

(5) The estimated number of recipients of Awards under the grant;

(6) The proposed period of support and a detailed budget and justification for the amount of grant funds requested; and

(7) Proposed methods for monitoring and evaluating the performance of individual recipients of Awards, as well as the overall program.

§ 66.205 Requirements.

(a) No Award shall be made to an individual under a grant pursuant to this subpart unless:

(1) The individual has submitted to the Secretary a written assurance (in such form as the Secretary may prescribe) that he or she will satisfy the requirements of §§ 66.110 (a) and (b) of subpart A of this part;

(2) Effective July 1, 1975, such Award is for research or training in a subject area for which there is a need for personnel, as determined under section 473 of the Act (42 U.S.C. 289*l*–2);

(3) The individual is a citizen or noncitizen national of the United States or has been lawfully admitted to the United States for permanent residence at the time of application;

(4) The Award includes a provision for termination in the event the recipient is found by the institution to have materially failed to comply with the terms and conditions of the Award or to carry out the purpose for which it was made; and

(5) The Award is not to be used to support a residency.

(b) No Award shall be made to an individual under such grant which exceeds three years in the aggregate unless the Secretary for good cause shown as provided in § 66.106(c) of subpart A of this part, waives the application of this limitation to such individual.

(c) The provisions of §§ 66.110 and 66.111 of subpart A of this part constitute terms and conditions of any Award made under a grant pursuant to this subpart.

§ 66.206 Grant awards.

(a) Within the limits of funds available, the Secretary shall award grants to those applicants:

(1) Whose applications have been reviewed and recommended for approval by appropriate advisory councils within NIH and ADAMHA;

(2) Who have satisfied the requirements of § 66.205 of this subpart; and

(3) Whose proposed programs would, in the judgment of the Secretary, best promote the purposes of section 472(a)(1)(B) of the Act, taking into consideration among other pertinent factors:

(i) The scientific, technical, or educational merit of the proposed program;

(ii) The adequacy of the resources and facilities available to the applicant;

(iii) The qualifications and experience of the program director and principal staff members;

(iv) The degree of the need for personnel in the subject area of the proposed research or training;

(v) The administrative and managerial capability of the applicant;

(vi) The reasonableness of the proposed budget in relation to the proposed program; and

(vii) The adequacy of the methods for monitoring and evaluating the performance of individual recipients and the overall program.

(b) All grant awards shall be in writing and shall specify the proposed period of support, the approved budget for the initial budget period, the total recommended amount of funds for the entire period of support, the amount awarded for the initial budget period, and the estimated amounts for future years.

(c) Neither the approval of any application nor any grant award shall commit or obligate the United States in any way to make any additional, supplemental, continuation, or other grant award with respect to any approved application or portion thereof.

(d) The amount of any grant award shall be determined by the Secretary on the basis of his estimate of the sum necessary during the budget period: (1) To provide stipends and allowances to individual recipients of Awards and payments to the institution, as determined in accordance with §§ 66.107(a) and 66.108(a) of subpart A of this part, and (2) otherwise to carry out the grant award.

§ 66.207 Payment.

The Secretary shall from time to time make payments to a grantee of all or a portion of any grant award, either in advance or by way of reimbursement, for expenses incurred or to be incurred in accordance with its approved application.

§ 66.208 Expenditure of grant funds.

(a) Any funds granted pursuant to this subpart shall be expended solely for the purposes for which the funds were granted in accordance with the approved application and budget, the regulations of this subpart, the terms and conditions of the award, and the applicable cost principles prescribed by subpart Q of 45 CFR Part 74.

(b) Any unobligated grant funds remaining in the grant account at the close of a budget period may, with prior approval by the Secretary, be carried forward and remain available for obligation during the remainder of the period of support, subject to such limitations as the Secretary may prescribe. The amount of any subsequent award will take into consideration unobligated grant funds remaining in the grant account. At the end of the final period of support any unobligated grant funds remaining in the grant account must be refunded to the United States.

§ 66.209 Nondiscrimination.

(a) Attention is called to the requirements of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. 2000d et seq.) which provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. A regulation implementing such Title VI, which is applicable to grants made under this subpart, has been issued by the Secretary of Health, Education, and Welfare with the approval of the President (45 CFR Part 80).

(b) Attention is also called to the requirements of Title IX of the Education Amendments of 1972 and in particular to section 901 of such Act which provides that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

(c) Grant funds used for alterations and renovations shall be subject to the condition that the grantee shall comply with the requirements of Executive Order 11246, 30 FR 12319 (September 24, 1965), as amended, and with the applicable rules, regulations, and procedures prescribed pursuant thereto.

§ 66.210 Human subjects; animal welfare.

No grant award may be made under this subpart unless the applicant has complied with:

(a) 45 CFR Part 46 and any other applicable requirements pertaining to the protection of human subjects.

(b) Chapter 1–43 of the Department of Health, Education, and Welfare Grants Administration Manual [1] and any other applicable requirements concerning animal welfare.

§ 66.211 Applicability of 45 CFR Part 74.

The provisions of 45 CFR Part 74, establishing uniform administrative requirements and cost principles, shall apply to all grants under this subpart to State and local governments as those terms are defined in Subpart A of that Part 74. The relevant provisions of the following subparts of Part 74 shall also apply to grants to all other grantee organizations under this subpart:

45 CFR PART 74

Subpart	
A	General.
B	Cash Depositories.
C	Bonding and Insurance.
D	Retention and Custodial Requirements for Records.
F	Grant-Related Income.
G	Matching and Cost Sharing.
K	Grant Payment Requirements.
M	Grant Closeout Suspension, and Termination.
O	Property.
Q	Cost Principles.

[1] The Department of Health, Education, and Welfare Grants Administration Manual is available for public inspection and copying at the Department's and Regional Offices' information centers listed in 45 CFR § 5.31 and may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

§ 66.212 Progress and fiscal records and reports.

Each grant award shall require that the grantee maintain such progress and fiscal records and file with the Secretary, such progress and fiscal reports relating to the conduct and results of the approved grant and the use of grant funds as the Secretary may find necessary to carry out the purposes of this subpart.

§ 66.213 Grantee accountability.

(a) All payments made by the Secretary shall be recorded by the grantee in accounting records separate from the records of all other grant funds, including funds derived from other grant awards. With respect to each approved program the grantee shall account for the sum total of all amounts paid by presenting or otherwise making available to the Secretary, satisfactory evidence of expenditures for direct and indirect costs meeting the requirements of this subpart.

(b) Accounting for royalties. Royalties received by grantees from copyrights on publications or other works developed under the grant, or from patents or inventions conceived or first actually reduced to practice in the course of or under such grant, shall be accounted for as follows:

(1) State and local governments. Where the grantee is a State or local government as those terms are defined in subpart A of 45 CFR Part 74, royalties shall be accounted for as provided in 45 CFR 74.44.

(2) Grantees other than State and local governments. Where the grantee is not a State or local government as those terms are defined in subpart A of 45 CFR Part 74, royalties shall be accounted for as follows:

(i) Patent royalties, whether received during or after the grant period, shall be governed by agreements between the Assistant Secretary for Health, Department of Health, Education, and Welfare, and the grantee, pursuant to the Department's patent regulations (45 CFR Parts 6 and 8).

(ii) Copyright royalties, whether received during or after the grant period, shall first be used to reduce the Federal share of the grant to cover the costs of publishing or producing the materials, and any royalties in excess of the costs of publishing or producing the materials shall be distributed in accordance with Chapter 1-420 of the Department of Health, Education, and Welfare Grants Administration Manual.

§ 66.214 Publications and copyright.

(a) State and local governments. Where the grantee is a State or local government as those terms are defined in subpart A of 45 CFR Part 74, the Department of Health, Education, and Welfare copyright requirement set forth in 45 CFR 74.140 shall apply with respect to any book or other copyrightable materials developed or resulting from an activity supported by a grant under this subpart.

(b) Grantees other than State and local governments. Where the grantee is not a State or local government as those terms are defined in subpart A of 45 CFR Part 74, except as may otherwise be provided under the terms and conditions of the grant award, the grantee may copyright without prior approval any publications, films, or similar materials developed or resulting from an activity supported by a grant under this subpart, subject to a royalty-free nonexclusive, and irrevocable license or right in the United States to reproduce, translate, publish, use, disseminate and dispose of such materials, and to authorize others to do so.

§ 66.215 Additional conditions.

The Secretary, may with respect to any grant award impose additional conditions prior to or at the time of any award when in his judgment such conditions are necessary to assure or protect advancement of the approved program, the interests of the public health, or the conservation of grant funds.

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PART III

DEPARTMENT OF LABOR

Employment Standards Administration

■

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

General Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates, (37 FR 21138) and of Secretary of Labor's Orders 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR, Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

Modifications and supersedeas decisions to general wage determination decisions. Modifications and Supersedeas Decisions to General Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No: 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 13–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing General Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and Federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR, Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rule-making procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Wage Determination Decision.

MODIFICATIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being modified and their dates of publication in the FEDERAL REGISTER are listed with each State.

Arizona:	
AR–1008	Aug. 9, 1974
Arkansas:	
AR–33	Aug. 30, 1974
Florida:	
AR–4056	Nov. 8, 1974
Georgia:	
AQ–4089	Mar. 15, 1974
AQ–4086	Mar. 8, 1974
AR–4037	Sept. 20, 1974
Illinois:	
AR–3057; AR–3058	Aug. 2, 1974
Kentucky:	
AR–4053; AR–4054; AR–4055.	Nov. 8, 1974
Mississippi:	
AR–4024	Aug. 30, 1974
AR–4041	Sept. 7, 1974
AR–4066	Dec. 20, 1974
North Carolina:	
AQ–4079	Feb. 22, 1974
AR–4044	Oct. 11, 1974
AR–4063	Dec. 6, 1974
Ohio:	
AR–3176	Dec. 13, 1974
South Carolina:	
AR–4008	July 19, 1974
AR–4025	Oct. 18, 1974
Tennessee:	
AQ–4094	Mar. 22, 1974
AQ–4114	May 10, 1974
AR–4021; AR–4022	Aug. 30, 1974
AR–4061; AR–4062	Dec. 6, 1974

SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State. Supersedeas Decision numbers are in parentheses following the numbers of the decision being superseded.

Arkansas:	
AP–356(AR75–4018)	Nov. 3, 1972
AQ–110(AR75–4019)	May 24, 1974
Georgia:	
AP–155(GA75–1008)	Feb. 9, 1974
AQ–4106(GA75–1005)	May 3, 1974
AR–2100(GA75–3008)	Dec. 27, 1974
Maryland:	
AR–3129(MD75–3008)	Do.
Massachusetts:	
AR–3129(MA75–2002); AR–3130(MA75–2003); AR–3131(MA75–2004); AR–3132(MA75–2005); AR–3133(MA75–2006); AR–3134(MA75–2007); AR–3135(MA75–2008); AR–3136(MA75–2009); AR–3137(MA75–2010); AR–3138(MA75–2011); AR–3139(MA75–2012); AR–3140(MA75–2013).	Aug. 30, 1974
Mississippi:	
AM–8264(MS75–1007)	June 30, 1972
New Mexico:	
AP–340(NM75–4014)	Sept. 22, 1974
North Carolina:	
AP–156(NC75–1002)	Feb. 16, 1973
AR–2100(NC75–3008)	Dec. 27, 1974
Oklahoma:	
AP–320(OK75–4015)	Sept. 1, 1972
AP–341(OK75–4016)	Sept. 22, 1972
AP–741(OK75–4017)	July 6, 1973
South Carolina:	
AQ–4065(SC75–1003)	Feb. 1, 1974
AR–2100(SC75–3008)	Dec. 27, 1974
AR–4059(SC75–1004)	Nov. 29, 1974
Tennessee:	
AR–4036(TN75–1006)	Sept. 13, 1974
Texas:	
AP–301(TX75–4011)	July 28, 1972
AP–347(TX75–4006)	Sept. 29, 1972
AP–352(TX75–4003)	Oct. 13, 1972
AR–16(TX75–4004)	Aug. 16, 1974
AR–39(TX75–4008); AR–40 (TX75–4007); AR–43 (TX75–4009); AR–44 (TX75–4005).	Sept. 20, 1974
AR–48(TX75–4012); AR–51 (TX75–4013).	Sept. 27, 1974
AR–70(TX75–4010)	Nov. 1, 1974
Virginia:	
AR–2100(VA75–3008)	Dec. 27, 1974
Washington, D.C.:	
AR–2100(DC75–3008)	Do.

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

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
DECISION #AR-1008 - Mod. #4					
(39 FR 28773 - August 9, 1974)					
Statewide, Arizona					
Change:					
Bricklayers (Tucson Area):					
Bricklayers; Stonemasons					
Zone A	$ 9.395	.60	.60		.06
Zone B	9.77	.60	.60		.06
Zone C	10.145	.60	.60		.06
Zone D	10.895	.60	.60		.06
Manhole Builders:					
Zone A	9.64	.60	.60		.06
Zone B	10.01	.60	.60		.06
Zone C	10.395	.60	.60		.06
Zone D	11.14	.60	.60		.06
Painters (Tucson Area):					
Zone A					
Brush	7.15	.47	.25		.02
Spray	7.65	.47	.25		.02
Steel & bridge, brush	8.15	.47	.25		.02
Steel & bridge, spray	8.65	.47	.25		.02
Zone B					
Brush	7.90	.47	.25		.02
Spray	8.40	.47	.25		.02
Steel & bridge, brush	8.90	.47	.25		.02
Steel & bridge, spray	9.40	.47	.25		.02
Zone C					
Brush	8.65	.47	.25		.02
Spray	9.15	.47	.25		.02
Steel & bridge, brush	9.65	.47	.25		.02
Steel & bridge, spray	10.15	.47	.25		.02
Zone D					
Brush	9.15	.47	.25		.02
Spray	9.65	.47	.25		.02
Steel & bridge, brush	10.15	.47	.25		.02
Steel & bridge, spray	10.65	.47	.25		.02

DECISION NO. AR-1008 (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
Roofers (Tucson Area)					
Zone A	7.27	.65	.20		.03
Zone B	9.02	.65	.20		.03
Sheet Metal Workers:					
Zone Bases - From the Administration Bldg. or City Hall in Douglas and Tucson:					
Zone A	8.46	.63	1.30		.01
Zone B	8.96	.63	1.30		.01
Zone C	9.96	.63	1.30		.01
Zone D	10.96	.63	1.30		.01
DECISION NO. AR-33 - Mod.#3					
(39 FR 31754 - August 30, 1974)					
Pulaski County, Arkansas					
CHANGE:					
ASBESTOS WORKERS	$8.45	.25	.30		.02
BOILERMAKERS	8.00	.50	.76		.03
CARPENTERS:					
Carpenters	6.80	.35	.25		.04
Millwrights & Piledrivermen	7.05	.35	.25		.04
LABORERS:					
Construction laborer, carpenter helper, concrete laborer	4.90	.15	.20		.04
Pipelayers, concrete and clay, and mechanical tool, cement mixers, wet or dry, finishers, plasterers and mason tenders, mortar mixers, asphalt rakers and shovelers, creosote wood handlers and chuck tenders	5.15	.15	.20		.04
Powdermen and blasterers	5.80	.15	.20		.04

DECISION NO. AR-4056 - Mod. #1 (39 FR 39703 - November 8, 1974) Counties: Boone, Campbell, Kenton and Pendleton, Florida	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Painters:					
Brush and roller	$8.55	.60	7%+.15		½ of 1%
Groundman	7.50		7%+.30		
Omit:					
Schedule issued for Truck Drivers, Heavy and Highway Construction					
Add:					
Schedule for Truck Drivers, Heavy and Highway Construction					
To Groundman (4th year apprentice)					

AR-4056 Mod. #1 Cont'd.

Kentucky 3-TD-E

HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
TRUCK DRIVERS:					
GROUP I	$6.04	a	b		
GROUP II	6.15	a	b		
GROUP III	6.33	a	b		
GROUP IV	6.36	a	b		
GROUP V	6.43	a	b		

GROUP I - Truck helper and warehousemen

GROUP II Driver, 3 tons and under; greaser, tire changer and mechanic helper

GROUP III Truck mechanic, driver over 3 tons, driver of distributors; driver, pump truck tandem axle, semi-trailer or pole trailer when used to pull building material or equipment, truck mechanic

GROUP IV Driver on mixer trucks (all types)

GROUP V Driver, euclid and other heavy earth-moving equipment and low boy; driver, fork lift truck when used to transport building materials driver on pavement breakers; driver, winch truck and A-Frame truck when used in transporting materials

FOOTNOTES:

a. $13.50 per week for each employee who has been employed a minimum of twenty (20) workdays within any ninety (90) consecutive day perior for that employer.

b. $14.00 per week for each employee who has been employed a minimum of twenty (20) workdays within any ninety (90) consecutive day period for that employer.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION # AQ-4089 - Mod. #1 (39 FR 10067 - March 15, 1974) Baker, Calhoun, Clay, Decatur, Dougherty, Early, Grady, Lee, Miller, Mitchell, Quitman, Randolph, Seminole, & Terrell Georgia.					
Change:					
Laborers:					
laborers (unskilled)	2.10				
Pipelayers	2.10				
Truck Drivers	2.10				
Power Equipment Operators					
Asphalt spreader	2.10				
Concrete spreader	2.10				
DECISION # AQ-4086 - Mod. #1 (39 FR 9334 - March 8, 1974 Chattahoochee, Harris, Macon, Marion, Meriwether, Muscogee Schley, Stewart, Sumter, Talbot, Taylor, Troop & Webster Counties, Georgia					
Change:					
Laborers:					
Laborers	2.10				
Mason tenders	2.10				
Truck Drivers	2.10				

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION # AR-4037 - Mod. #1 (39 FR 33919 - September 20,1974) Charlton, Pierce and Ware County Georgia.					
Change:					
Laborers					
Laborers	2.10				
Truck Drivers	2.10				

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AR-3057 - Mod. #1 (39 FR 28022 - August 2, 1974) Peoria, Tazewell, Fulton, Hancock, Henderson, Knox, McDonough, Mercer, Stark & Warren Counties, Illinois					
CHANGE:					
Cement Masons					
Fulton, Peoria & Tazewell Cos	$8.65	.40	.40		.05
Hancock and McDonough Cos.	9.20				
Henderson and Mercer Cos.	8.27	.40	.35		
Stark County	7.75				
Ironworkers					
Fulton County, Vicinity of Astoria, Marbleton & Summum	8.90	.45	.60		.02
Peoria, Stark & Tazewell Cos., & the Remainder of Fulton & Knox Cos.	9.025	.40	.475		
Hancock, Henderson, McDonough, Mercer & Warren Cos.	7.65	.30	.30		
Laborers					
Hancock, Henderson, Knox, McDonough, Stark & Warren Cos.	7.15	.30	.20		.035
Mercer County	7.12	.30	.50		.035
Linemen					
Remainder of Mercer County	8.50	.35	1%		½ of 1%
Carpenters & Piledrivermen					
McDonough Co., & the Eastern 1/3 of Hancock County					
Carpenters	8.275		.25		.02
Piledrivermen	8.525		.25		.02
Mercer County-Carpenters	8.485	.35	.50		
OMIT:					
Laborers - Fulton County	6.65	.30	.25		.035
ADD:					
Laborers Schedule-Fulton Co. & the Remainder of Tazewell Co.					

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AR-3058 - Mod. #2 (39 FR 28027 - August 2, 1974) Champaign, Clark, Coles, Cumberland, DeWitt, Douglas, Edgar, Macon, Moultrie, Piatt, Shelby & Vermilion Counties, Illinois					
CHANGE:					
Carpenters & Piledrivermen					
DeWitt County	$8.47	.35	.40		.02
Cement Masons					
Champaign Co., Douglas, Clark, Coles, Cumberland, Edgar, Vermilion Cos., Monticello & north thereof in Piatt Co., & the Remainder of Shelby & Moultrie Cos.	8.425	.30			.025
All of Macon Co., Clinton & South thereof in DeWitt Co., South of Monticello in Piatt Co., N.E. corner of Moultrie Co., including Lovington & Bethany in Shelby Co.	8.125	.325	.275		
DeWitt County (N. of Clinton)	8.48	.40			
Ironworkers					
Champaign, Coles, Cumberland, Douglas, Edgar, Moultrie, Piatt & Vermilion Cos., & the E. ½ of Shelby Co., & E. ½ of DeWitt Co., & E. of Decatur in Macon Co.	8.70	.40	.60		.08
Clark County	9.35	.55	1.30		
Painters					
Champaign, Coles & Douglas Cos					
Brush	8.47	.40	.20		.03
Bridges	9.47	.40	.20		.03
Vermilion County					
Brush	7.85				
Spray	8.35				
Power Equipment Operators					
Remainder of District #5					
Class I	9.25	.40	.50		.10
Class II	8.50	.40	.50		.10
Class III	6.50	.40	.50		.10

DECISION NO. AR-4053 - Mod. #1 (39 FR 39694 - November 8, 1974) Counties: Allen, Ballard, Butler, Caldwell, Calloway, Carlisle, Christian, Crittenden, Daviess, Edmonson, Fulton, Graves, Hancock, Henderson, Hickman, Hopkins, Livingston, Logan, Lyon, McCracken, McLean, Marshall, Muhlenberg, Ohio, Simpson, Todd, Trigg, Union, Warren and Webster, Kentucky	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Add:					
Under Power Equipment Operators *					
Highway Construction:					
Class A:					
Winch truck, push dozer and highlift	$7.60	.25	.25		
Under Truck Drivers, Heavy and Highway Construction:					
Group I					
Warehousemen	6.19		a		
Omit:					
Under Truck Drivers, Heavy and Highway Construction:					
Group I					
Truck driver	6.19		a		

DECISION NO. AR-4054 - Mod. #2 (39 FR-39697 - November 8, 1974) Counties: Adair, Barren, Bell, Breathitt, Casey, Clay, Clinton, Cumberland, Estill, Floyd, Garrard, Green, Harlan, Hart, Jackson, Knott, Knox, Laurel, Lee, Leslie, Letcher, Lincoln, McCreary, Magoffin, Martin, Menifee, Metcalfe, Monroe, Owsley, Perry, Pike, Powell, Pulaski, Rockcastle, Russell, Taylor, Wayne, Whitley and Wolfe, Kentucky	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Omit:					
Under Laborers, Highway Construction:					
Group VI					
Side rail setters	$6.10	.25	.30	.20	
Under Power Equipment Operators, Highway Construction:					
Group B					
Greaser on grease facilities servicing heavy equipment	6.10	.25	.30	.20	
Under Truck Drivers, Heavy and Highway Construction:					
Group IX					
Tire helper	5.10	.25	.30	.20	
ADD:					
Under Laborers, Highway Construction:					
Group IV					
Pavement breakers	5.15	.25	.30	.20	
Group V					
Side rail setters	5.20	.25	.30	.20	
Under Power Equipment Operators, Highway Construction:					
Group D					
Greaser on grease facilities servicing heavy equipment	6.20	.25	.30	.20	
Under Truck Drivers, Heavy and Highway Construction:					
Group IX					
Truck helper and warehousemen	5.10	.25	.30	.20	

DECISION NO. AR-4055 - Mod. #1 (39 FR 39700 - November 8, 1974) Counties: Anderson, Bath, Bourbon, Boyd, Boyle, Bracken, Breckinridge, Bullitt, Carroll, Carter, Clark, Elliot, Fayette, Fleming, Franklin, Gallatin, Grayson, Grant, Greenup, Hardin, Harrison, Henry, Jefferson, Jessamine, Johnson, Larue, Lawrence, Lewis, Madison, Marion, Mason, Meade, Mercer, Montgomery, Morgan, Nelson, Nicholas, Oldham, Owen, Robertson, Rowan, Scott, Shelby, Spencer, Trimble, Washington and Woodford, Kentucky	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Ironworkers:					
Structural, ornamental and reinforcing	$9.50	.55	.65		.05
Omit:					
Under Truck Drivers, Heavy and Highway Construction:					
Group I					
Truck driver	6.04	a	b		
Add:					
Under Truck Drivers, Heavy and Highway Construction:					
Group I					
Warehousemen	6.04	a	b		

DECISION # AR-4024 - Mod. #1 (39 FR-31771 August 30, 1974) Washington, Sunflower, Warren & Coahoma Counties, Mississippi.	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Laborers					
Laborers	2.10				

DECISION # AR-4041 - Mod. # 3 (39 FR 34996 - September 7,1974) Harrison, Hancock, Jackson, & Pearl River Counties, Mississippi.	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Highway, Sewer and Water Construction					
laborer,unskilled	2.10				

DECISION # AR-4066 - Mod. #1 (39 FR 44167 - December 20, 1974) Statewide except Hancock, Harrison, Jackson & Pearl River, Mississippi.	ZONE I Basic Hourly Rates	ZONE II Basic Hourly Rates	ZONE III Basic Hourly Rates	ZONE IV Basic Hourly Rates	ZONE V Basic Hourly Rates	ZONE V Basic Hourly Rates
Change:						
Laborers, unskilled	2.10	2.10	2.10	2.10	2.10	2.10
Joint filler		2.10				

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
DECISION # AQ-4079 - Mod. # 1 (39 FR 7010 - February 22, 1974) Bertie, Chowan, Edgecombe, Franklin, Halifax, Hertford, Martin, Northampton, Pitt, Vance, Warren, and Wilson Counties, North Carolina.					
Change:					
Laborers:					
Laborers	2.10				
DECISION # AR-4044 - Mod. #1 (39 FR 36522 - October 11, 1974) Chatham, Cumberland, Harnett, Hoke, Lee, Moore, & Sampson Counties, North Carolina.					
Change:					
Laborers:					
Laborers	2.10				
DECISION # AR-4063 - Mod. #1 (39 FR 42803 - December 6, 1974) Wilkes County, North Carolina					
Add:					
Carpet layers	3.35				
Tile Setters	3.35				

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
DECISION #AR-3176 - Mod. #1 (39 FR 43451 - December 13, 1974) Pike, Ross and Scioto Counties, Ohio					
Add:					
Truck Drivers					
Jeeps; Autos; Pickup trucks; Flat Beds - all single axle vehicles under 2 tons; Fuel trucks; Dumps upto 2 tons; Bus	$ 6.43	9.50a			
Dumps over 2 tons; Tandems:					
Forklift (including Mason tending work)	7.28	9.50a			
Footnote: a. Per week per employee					
DECISION # AR-4008 - Mod. #3 (39 FR 26555 - July 19, 1974) Aiken, Barnwell, & Edgefield, Counties, South Carolina.					
Change:					
Laborers	2.10				
Truck Drivers:					
Single axle	2.10				
Power Equipment Operators:					
Air compressor, asphalt sweeper	2.10				
Farm tractor	2.10				
Rubber tire roller	2.10				
DECISION # AR-4025 - Mod. #2 (39 FR 37327 - October 18,1974) Berkeley and Charleston Counties, South Carolina					
Change:					
Bricklayers	5.85	.15			
Laborers:					
Mason tenders	2.50				

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-4094 - Mod. #2 (39 FR 10997 - March 22, 1974) Madison County, Tennessee					
Change:					
Asbestos workers	$9.10	.35	.50		.05
Bricklayers	6.75	.30			
Electricians	7.85	.25	1%		½%
Tile setters	5.65	.30			
Add:					
Linemen	7.85	.25	1%		½%
Cable splicers	8.10	.25	1%		½%
DECISION #AQ-4114 - Mod. #4 (39 FR 16980 - May 10, 1974) Rutherford County, Tennessee					
Change:					
Elevator constructors	6.92	.445	.29	3%a+b	.02
Elevator constructors' helpers	70%JR	.445	.29	3%a+b	.02
DECISION #AR-4021 - Mod. #3 (39 FR 31868 - August 30, 1974) Davidson County, Tennessee					
Change:					
Elevator constructors	6.92	.445	.29	3%a+b	.02
Elevator constructors' helpers	70%JR	.445	.29	3%a+b	.02
DECISION #AR-4022 - Mod. #3 (39 FR 31869 - August 30, 1974) Knox County, Tennessee					
Change:					
Elevator constructors	7.45	.445	.29	3%a+b	.02
Elevator constructors' helpers	70%JR	.445	.29	3%a+b	.02

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AR-4061 - Mod. #1 (39 FR 42826 - December 6, 1974) Anderson and Roane Counties, Tennessee					
Change:					
Elevator constructors	$7.45	.445	.29	3%a+b	.02
Elevator constructors' helpers	70%JR	.445	.29	3%a+b	.02
DECISION #AR-4062 - Mod. #1 (39 FR 42828 - December 6, 1974) Hamilton County, Tennessee					
Change:					
Elevator constructors	7.53	.445	.29	3%a+b	.02
Elevator constructors' helpers	70%JR	.445	.29	3%a+b	.02

SUPERSEDEAS DECISION

STATE: Arkansas
COUNTY: Pulaski
DECISION NO: AR75-4018
DATE: Date of Publication
Supersedes Decision No. AP-356 dated November 3, 1972 in 37 FR 23489
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$6.25	.15			
AIR CONDITIONING MECHANICS	5.00				
BRICKLAYERS	5.545				
CARPENTERS	4.59				
CEMENT MASONS	4.525				
ELECTRICIANS	5.09				
GLAZIERS	5.41				
IRONWORKERS, REINFORCING	3.50				
LABORERS:					
Laborers	2.91				
Mason tenders	3.01				
PAINTERS, BRUSH	4.00				
PLUMBERS & PIPEFITTERS	5.69				
ROOFERS	4.00				
SHEET METAL WORKERS	4.355				
SOFT FLOOR LAYERS	4.00				
STONEMASONS	3.90				
TILE SETTERS	4.61				
TILE SETTERS HELPERS	2.84				
TRUCK DRIVERS	3.00				
POWER EQUIPMENT OPERATORS:					
Asphalt finisher	4.85				
Asphalt raker	3.265				
Backhoe	4.00				
Blade grader	4.00				
Bulldozer	4.50				
Forklift	4.40				
Front end loader	4.50				
Motor patrol	3.50				
Pump	4.10				
Roller	3.935				
Scraper	3.50				
Tractor	4.00				

STATE: Arkansas COUNTY: Union
DECISION NO.: AR75-4019 DATE: Date of Publication
Supersedes Decision No. WQ-110, dated May 24, 1974 in 39 FR 18410
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$8.45	.25	.30		.02
BOILERMAKERS	8.00	.50	.76		.03
BRICKLAYERS	7.10				
CARPENTERS:					
Carpenters	7.00	.25			.04
Millwrights & piledrivermen	7.15	.25			.04
CEMENT MASONS	6.91	.15			.03
ELECTRICIANS:					
Electrical contracts $20,000 or less:					
Electricians	7.40		1%		½%
Cable splicers	7.70		1%		½%
Electrical contracts over $20,000					
Electricians	8.12		1%		½%
Cable splicers	8.42		1%		½%
IRONWORKERS	7.65				.02
LABORERS:					
Construction laborer, carpenter helper, concrete laborer	4.90	.15	.20		.04
Pipelayers, concrete and clay, and mechanical tool, cement mixers wet or dry, finishers, plasterers and mason tenders, mortar mixers, asphalt rakers and shovelers, creosote wood handlers and chuck tenders	5.09	.15	.20		.04
Powdermen and blasterers	5.50	.15	.20		.04
LINE CONSTRUCTION:					
Electrical contracts $20,000 or less:					
Lineman	7.40		1%		½%
Operator	7.15		1%		½%
Truck driver (pick-up & jeep)	6.30		1%		½%
Groundman	6.30		1%		½%
Electrical contracts over $20,000					
Lineman	8.12		1%		½%
Operator	7.87		1%		½%
Truck driver (pick-up & jeep)	6.87		1%		½%
Groundman	6.87		1%		½%
PLASTERERS	7.40				.02
PLUMBERS - PIPEFITTERS	8.42		.55		.05
POWER EQUIPMENT OPERATORS:					
Group I	7.64	.25	.25		
Group II	6.89	.25	.25		
Group III	6.56	.25	.25		
Group IV	5.52	.25	.25		
Group V	5.16	.25	.25		

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

Group I - Cranes, draglines, and shovels equipped with 100 foot boom including jib or over, or a lifting capacity of 100 tons or over, and/or attachments five (5) cubic yards or over, as rated by the manufacturer, and operators of all tower, climbing cranes, and derricks required to work 25 feet or over from the ground

Group II - Cranes, draglines, and shovels equipped with less than 100 foot of boom including jib, or a lifting capacity less than 100 tons, and/or attachments less than 5 cubic yards, as rated by the manufacturer, all backhoes capable of a 360 degree swing, all derricks, floating, tractor or truck types, all piledrivers, land or floating, all overhead and traveling cranes, all cableways, cherry pickers or tractors with swinging boom attachments, whirley, paving mixers with boom gradealls, scrapers or pulls in tandem, all above equipment irrespective of motive power, leaverman (engineer), hydraulic and bucket dredges, irrespective of size, mechanics and/or welders, blacksmith

Group III - All bulldozers, all front end loaders, all sidebooms, all push scrapers, all motor graders, all hydraulic backhoes not capable of 360 degree swing, all trenching machines, wheel, bucket, chain, or conveyor types regardless of size of motive power, all backfillers, all central mixing plants, mixers 10S and larger and concrete spreaders, all boiler firemen high or low pressure, all asphalt spreaders, rollers and finishing machines, hydro truck crane, multiple drum hoist, irrespective of motive power, all rotary, cable, tool, core drill or churn drill, water well and foundation drilling machines, regardless of size, regardless of motive power, first assistant engineer (dredge) boat and dredge tender operator

Group IV - Oilerdriver motor crane, single drum hoists, winches and air tuggers, irrespective of motive power, winch or A frame trucks, forklifts, skytracks, dirt rollers of all types and pull tractors, regardless of size, elevator operators inside and outside when used for carrying workmen from floor to floor and handling building material, Lad-A-Vator, conveyor, batch plant, concrete mixers below 10S, pumpcrete, spray machine and pressure grout machine, air compressors, regardless of size. All Light Equipment, in multiple units four or more, all dewatering pumps when used in connection with well point systems, second assistant engineer (dredge)

Group V - All welding machines, light plants, pumps, space heaters, in units less than 4, irrespective of size, irrespective of motive power, equipment greaser, oiler, mechanic helper, asphalt distributor, chip spreader, form grader, end dump Euclid and like equipment, third assistant engineer (dredge), safety boat operator, oiler on dredge

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ROOFERS	$6.05		.05		
SHEET METAL WORKERS	7.07	.40	.25		.05
SPRINKLER FITTERS	8.35	.50	.70		.08
TRUCK DRIVERS	3.00				
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.					

SUPERSEDEAS DECISION

STATE: Georgia COUNTY: Richmond
DECISION NUMBER: GA75-1005 DATE: Date of Publication
SUPERSEDES DECISION: AQ-4106 dated May 3, 1974 in 39 FR 15601.
DESCRIPTION OF WORK: Building construction

121-GA-1-L

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Bricklayers	6.70				
Carpenters:					
Carpenters	6.82				.01
Millwrights	7.12				.01
Cement Masons	5.90				
Electricians	7.16	.30	.07		¼ of 1%
Elevator Constructors	7.06	.395	.26	2%+a+b	.005
Elevator Constructors Helpers	4.94	.395	.26	2%+a+b	.005
Elevator Constructors' Helpers (prob.)	3.53				
Glaziers	5.15				
Ironworkers:					
Structural, Ornamental & Reinforcing	7.75	.45	.50		.03
Laborers:					
Unskilled	3.25	.15			
Air tool Operators (jackhammer, vibrator)	3.40	.15			
Mason Tenders	3.40	.15			
Mortar Mixers	3.40	.15			
Pipelayers (concrete, clay)	3.40	.15			
Plasterers' Tenders	3.40	.15			
Lathers	3.00				
Painters:					
Brush & Roller	5.85	.20			
Steel & Spray	6.55	.20			
Piledrivermen	7.12				.01
Plasterers	6.70				
Plumbers & Steamfitters	7.87	.21	.30		
Sheet Metal Workers	6.00		.20		.01
Soft Floor Layers	6.05				.01
Sprinklers Fitters	8.75	.50	.70		.08
Stonemasons	6.70				
Terrazo Workers	6.70				
Tile Setters	6.70				
Truck Drivers	3.40				

Welder - Rate for craft.

PAID HOLIDAYS:
A. New Year's Day: B. Memorial Day
C. Independence Day: D. Labor Day
E. Thanksgiving Day: F. Christmas Day.

FOOTNOTES:

a. Holidays: A through F.

b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.

GA-2-FEO-1-X

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS:					
GROUP I:					
Cranes, Derricks, Draglines, Sidebooms, Cherry Pickers, Mechanics, Piledrivers, Crawlers, Backhoe, (3/4 cy. & up), Concrete Pumps, Clam Shell, Drill Operators, Concrete Mixers Plant Locomotive, Two Drum Hoist, Shovels, Generators, (250 kw & up), and Hydraulic Cranes over 10 tons.	7.98	.45	.40		.02
GROUP II:					
Bulldozers, Hydraulic Boom Truck 10 tons and under, Scrapers, Endloaders, Fork Tractors, One Drum Hoist, Air Compressors 600 CFM & over, Motor Graders, Tuggers, Rollers, Plain Tractors, Fireman, Rubber Tired Backhoe less than 3/4 cy., Push Dozer, Trenching Machine:	7.13	.45	.40		.02
GROUP III:					
Oiler, Pump Operator (over 4" Dia.) Small Backhoe, Air Compressors under 600 CFM:	6.62	.45	.40		.02
GROUP IV:					
Mechanics Helpers, Serving Welding Machines, Pumps up to 4" in Dia.	4.89	.45	.40		.02

SUPERSEDEAS DECISION

STATE: Georgia COUNTY: Ware
DECISION NO.: GA75-1008 DATE: Date of Publication
Supersedes Decision No.: AP-155 in 38FR 4073 dated February 9, 1973.
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

148-GA-1-9

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Bricklayers	4.75				
Carpenters	4.00				
Cement masons	4.00				
Electricians	5.55				
Ironworkers:					
Structural and ornamental	5.00				
Reinforcing	5.00				
Laborers:					
Laborers	2.10				
Mason tenders	2.25				
Mortar mixers	2.10				
Pipelayers (conc. and clay)	2.10				
Plasterers tenders	2.25				
Painters brush	3.00				
Plasterers	3.00				
Plumbers	5.00				
Roofers	3.00				
Sheet metal workers	3.41				
Steamfitters	4.13				
Tile setters	4.00				
Truck drivers	2.10				
Welders - Rate for Craft.					
Power Equipment operators:					
Bulldozers	4.00				
Crane, derricks, draglines	4.00				
Motor grader	3.00				
Scraper	2.75				

STATE: Maryland, Georgia, North Carolina, South Carolina, Virginia and Washington, D. C.

DECISION NO. : MD75-3008

DATE: Date of Publication

Supersedes Decision No. AR-2100, dated December 27, 1974 in 39 FR 44916.

DESCRIPTION OF WORK: All dredging on the Atlantic Coast from the southern border of Maryland to the northern border of Florida, including the Chesapeake Bay but excluding the Chesapeake and Delaware Canal, Baltimore City and Baltimore County, Maryland.

1 of 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
HYDRAULIC DREDGES 20" AND OVER					
Leverman and engineer	$ 6.42	.25	.25	a	
Mate	5.63	.25	.25	a	
Welder	5.86	.25	.25	a	
Derrick operator	6.13	.25	.25	a	
Spill barge operator	5.97	.25	.25	a	
Spider barge operator	5.97	.25	.25	a	
Tug master	5.57	.25	.25	a	
Carpenter	6.09	.25	.25	a	
Tug mate	5.25	.25	.25	a	
Electricians	6.26	.25	.25	a	
Machinist	6.02	.25	.25	a	
Steward	4.67	.25	.25	a	
Oiler and fireman	4.48	.25	.25	a	
Deckhand, tug deckhand	4.09	.25	.25	a	
Shoreman	3.98	.25	.25	a	
Second cook	4.09	.25	.25	a	
Messman	3.98	.25	.25	a	
HYDRAULIC DREDGES UNDER 20"					
Leverman	5.82	.25	.25	a	
First engineer	5.45	.25	.25	a	
Second engineer	5.30	.25	.25	a	
Third engineer	5.14	.25	.25	a	
Welder	5.75	.25	.25	a	
Mate	4.79	.25	.25	a	
Oiler and firemen	4.41	.25	.25	a	
Deckhand	4.09	.25	.25	a	
Launchman	4.48	.25	.25	a	
Shoreman	3.98	.25	.25	a	
Spill and spider barge operators	4.95	.25	.25	a	
CLAMSHELL DREDGES					
Operator	6.26	.25	.25	a	
Craneman	6.09	.25	.25	a	
First engineer	5.25	.25	.25	a	
Second engineer	5.11	.25	.25	a	
Third engineer	4.79	.25	.25	a	
Welder	5.57	.25	.25	a	

2 of 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Mate	$ 5.17	.25	.25	a	
Fireman	4.47	.25	.25	a	
Deckhand	4.09	.25	.25	a	
Launchman	4.48	.25	.25	a	
Scowman	4.18	.25	.25	a	
DIPPER DREDGES					
Operator	6.54	.25	.25	a	
Craneman	6.16	.25	.25	a	
Engineer	6.34	.25	.25	a	
Welder	5.86	.25	.25	a	
Mate	5.63	.25	.25	a	
Fireman-Oiler	4.48	.25	.25	a	
Deckhand	4.09	.25	.25	a	
Tug Master	5.57	.25	.25	a	
Tug mate	5.25	.25	.25	a	
Scowman	4.18	.25	.25	a	
TUGS (TENDING DIPPER & CLAMSHELL DREDGES)					
Tug master	5.71	.25	.25	a	
Tug mate	5.32	.25	.25	a	
Engineer	5.71	.25	.25	a	
Assistant engineer	5.17	.25	.25	a	
Deckhand	4.01	.25	.25	a	
Cook	4.18	.25	.25	a	
DIPPER & CLAMSHELL DREDGES AND HYDRAULIC DREDGES 20" & UNDER					
Cook	4.41	.25	.25	a	
Mess cook	4.05	.25	.25	a	
Messman & janitor	3.95	.25	.25	a	

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE: A through F, plus 5% of straight time pay.

SUPERSEDEAS DECISION

STATE: Massachusetts
COUNTY: Barnstable
DECISION NO.: MA75-2002
DATE: Date of Publication
Supersedes Decision No. AR-3129, dated August 30, 1974 in 39 FR 31798.
DESCRIPTION OF WORK: Building construction (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction, and marine construction.

1-MASS-1-2-3-a (1-2)

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ASBESTOS WORKERS:						
Barnstable, Bourne, Falmouth, Mashpee, & Sandwich	$9.32	.71	.83			
Remainder of County	9.66	.65	.20		.01	
BOILERMAKERS	9.08	.60	10%		.01	
BRICKLAYERS; Cement masons; Cement finishers; Plasterers; Stonemasons	9.05	.80	.80		.05	
CARPENTERS; Soft floor layers	8.75	.50	.50		.02	
ELECTRICIANS:						
Electrical contracts over $12,000.00	9.00	.30	1%+.25		a	
Electrical contracts under $12,000.00	7.55	.30	1%+.25		a	
ELEVATOR CONSTRUCTORS	10.04	.445	.29	3%+b+c	.02	
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3%+b+c	.02	
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
GLAZIERS	8.48	.47	.40		.01	
IRONWORKERS	7.95	.50	1.40		.03	
LABORERS (BUILDING):						
Laborers; Carpenter tenders; Cement finisher tenders; wrecking laborers	7.00	.50	.45		.05	
Jackhammer op.; Pavement breakers; Wagon drills; Asphalt rakers; Carbide core drilling machine; Chain saw op.; Pipelayer; Barco type jumping tampers; Laser beam; Concrete pump; Mason tenders; Mortar mixers; Ride-on motorized buggy	7.25	.50	.45		.05	
Air track; Block pavers; Rammers; Curb setters	7.50	.50	.45		.05	
Blasters; Powdermen	7.75	.50	.45		.05	
Open air caisson; Cylindrical work & boring crew:						
Laborer; Top man	7.00	.50	.45		.05	
Helper	7.12	.50	.45		.05	
Bottom man	7.75	.50	.45		.05	
Driller	7.87	.50	.45		.05	
LATHERS	9.25	.45	.55			
LEADBURNERS	8.75	.30		d	.01	
LINE CONSTRUCTION:						
Linemen	10.26	.30	1%	e	3/8 of 1%	
Truck driver - groundman	7.60	.30	1%	e	3/8of 1%	
Groundmen	6.39	.30	1%	e	3/8of 1%	
Equipment operators	9.62	.30	1%	e	3/8of 1%	
MARBLE SETTERS; Terrazzo workers	8.25	.60	.50			
MARBLE SETTERS' HELPERS	7.94	.40	.25			
MILLWRIGHTS	8.75	.60	.50		.07	

1-MASS-1-2-3-a (2-2)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
PAINTERS:						
Brush	$7.25	.30	.20			
Structural steel - 1' to 50'& Spray	7.90	.30	.20			
PILEDRIVERMEN	9.50	.50	.50			
PLUMBERS:						
Bourne, & Sandwich	8.95	.35	.50		.05	
Remainder of County	8.80	.51	.66		.15	
ROOFERS:						
Roofers, kettlemen & Waterproofers	8.40	.50	.05			
Roofers' helpers, Class A	7.70	.50	.05			
SHEET METAL WORKERS	8.60	.45	.45			
SPRINKLER FITTERS	9.63	.50	.70		.08	
STEAMFITTERS	8.15	.51	.66		.15	
TERRAZZO WORKERS' HELPERS	7.65	.30	.25		.05	
TILE SETTERS	8.25	.60	.50			
TILE SETTERS' HELPERS	7.94	.40	.25			

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; & F-Christmas Day.

FOOTNOTES:
a. Employer contributes $1.00 per journeyman Electrician per week.

b. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years' service as Vacation pay credit.

c. 6 paid holidays: A through F.

d. 9 paid holidays: A through F, Washington's Birthday, Good Friday and Christmas Eve, provided the employee has worked 40 days during the 120 calendar days prior to the holiday & the regular scheduled work days immediately preceding and following the holiday.

e. 7 paid holidays: A through F, & Bunker Hill Day, provided the employee has been employed 10 working days prior to the holiday.

MASS-1-PEO-1-E

BUILDING CONSTRUCTION Power Equipment Operators:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
CLASS I	$ 9.81	.60	.60	a	.02
CLASS II	9.69	.60	.60	a	.02
CLASS III	8.22	.60	.60	a	.02
CLASS IV	8.96	.60	.60	a	.02
CLASS V	7.30	.60	.60	a	.02
CLASS VI	7.73	.60	.60	a	.02

CLASSIFICATIONS

CLASS I Cranes, shovels, truck cranes, cherry pickers, draglines, trench hoes, backhoes, three frum machines, derricks, pile drivers, elevator towers, hoists, gradalls, shovel dozers, front end loaders, fork lifts, augers, boring machines, rotary drills, post hole hammers, post hole diggers, pumpcrete machines, asphalt plant (on side), concrete batching and/or mixing plant (on site), crusher plant (on site), paving concrete mixers, timber jacks

CLASS II Boom over 150' including jib - additional $.35 per hour; Boom over 185' including jib - additional $.70 per hour; Boom over 210' including jib - additional $1.00 per hour; Boom over 250' including jib - additional $1.50 per hour Boom over 295' including jib - additional $2.00 per hour; Sonic or vibratory hammers, graders, scrapers, tandem scrapers, concrete pumps, bulldozers, tractors, york rakes, mulching machines, portable steam boilers, portable steam generators, rollers, spreaders, tampers (self propelled or tractor drawn), asphalt pavers, mechanics maintenance, paving screed machines, staticnary steam boilers, paving concrete finishing machines, cal trucks, ballast regulators, switch tampers, rail anchor machinery, tire trucks (when operated by the employer on the job site)

CLASS III Pumps (1-3 grouped), compressors, welding machines (1-3 grouped), generators, concrete vibrators, lighting plants, heaters (power driven 1-5), well-point systems (operating and installing), syphones-pulsometers, concrete mixers, valves controlling permanent plant air or steam, conveyors, Jackson type tampers, single disphragn pump, lighting plants

CLASS IV Assistant engineers (firemen)

CLASS V Oilers and apprentices (other than truck cranes and gradalls)

CLASS VI Oilers and apprentices on truck cranes and gradalls

PAID HOLIDAYS: A- New Year's Day; B-Memorail Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE: a. Holidays: A through F, Washington's Birthday, Columbus Day, Veterans Day, and Patriots Day.

MASS-1-PEO-2-3 F

HEAVY & HIGHWAY CONSTRUCTION: POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
Group 1	$9.81	.60	.60	a	.02
Hourly premium for boom lenghts including Jib					
Over 150 feet + $ .35					
Over 185 feet + .70					
Over 210 feet + 1.00					
Over 250 feet + 1.50					
Over 295 feet + 2.00					
Group 2	9.69	.60	.60	a	.02
Group 3	8.22	.60	.60	a	.02
Group 4	8.96	.60	.60	a	.02
Group 5	7.30	.60	.60	a	.02
Group 6	7.73	.60	.60	a	.02

FOOTNOTE: a. 10 Paid Holidays - New Years' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, Washington's Birthday, Columbus Day, Veterans Day, & Patriots Day.

CLASSIFICATIONS:

GROUP 1
Power Shovels, Cranes, Truck Cranes, Derricks, Pile Drivers, Trenching Machines, Mechanical Hoist Pavement Breakers, Cement Concrete Pavers, Draglines, Hoisting Engines, Three Drum Machines, Pumpcrete Machines, Wke Loaders, Shovel Dozers, Front End Loaders, Mucking Machines, Shaft Hoists, Steam Engines, Backhoe, Gradalls, Cable Ways, Fork Lifts, Cherry Pickers, Boring Machines, Rotary Drills, Post Hole Hammers, Port Hole Diggers, Asphalt Plant on Job Sute, Concrete Batching and/or Mixing Plant on Job Site, Crusher Plant on Job Site, Paving Concrete Mixers, Timber Jacks

GROUP 2
Sonic or Vibratory Hammers, Graders, Scrapers, Tandem Scrapers, Bulldozers, Tractors, Mechanic Maintenance, York Rakes, Mulching Machines Paving Screed Machines, Staticnary Steam Boilers, Paving Concrete Pimishing Machines, Grout Pumps, Portable Steam Boilers, Portable Steam Generators, Rollers, Spreaders, Asphalt Pavers, Locomotives or Machines Used in Place Thereof, Tampers, Self Propelled or Tractor Drawn, Cal Tracks, Ballast Regulators, Rail Anchor Machines, Switch Tampers

GROUP 3
Pump (1-3 groupd), Compressors, Welding Machine (1-3 grouped), Generators, Lighting Plants, Heaters (Power Driven) (1-5), Syphons-Pulsometers, Concrete Mixers, Valves Controlling Permanent Plant Air Steam, Conveyors, Wellpoint Systems (Operating and Installing)

GROUP 4
Assistant Engineers (Firemen)

GROUP 5
Oilers (other than truck cranes & gradalls)

GROUP 6
Oilers (on truck cranes & gradalls)

MASS-1 - 2-3 L

HEAVY & HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS:					
Class I	$7.00	.50	.45		.05
Class II	7.25	.50	.45		.05
Class III	7.50	.50	.45		.05
Class IV	7.75	.50	.45		.05

CLASSIFICATIONS:

CLASS I
Carpenter tenders, cement finisher tenders, laborers, wrecking laborers

CLASS II
Asphalt rakers, fence and guard rail erectors, laser beam op., mason tender, pipelayer, pneumatic drill op., pneumatic tool op., wagon drill op

CLASS III
Air track op., block pavers, rammers, curb setters

CLASS IV
Blasters, powdermen

MASS - 1 - TD - 1-2-3 D

TRUCK DRIVERS: BUILDING AND HEAVY AND HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Station wagons, panel trucks and pick-up trucks	$6.80	.485	.575	a+b		
Two axle equipment; helpers on low bed when assigned at the discretion of the employer, warehousemen, forklift opers.	6.95	.485	.575	a+b		
Three axle equipment and tiremen	7.00	.485	.575	a+b		
Four and five axle equipment	7.10	.485	.575	a+b		
Specialized earth moving equipment under 35 tons other than conventional type trucks, low bed, vachaul, mechanics, paving restoration equipment, Mechanics	7.20	.485	.575	a+b		
Specialized earth moving equipment over 35 tons	7.45	.485	.575	a+b		
Trailers for earth moving equipment, (double hookup)	7.70	.485	.575	a+b		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. One half day's pay each month in which an employee has worked 15 days provided he has been employed for 4 months.
b. Holidays: A through F, Washington's Birthday, Columbus Day, Veteran's Day, and Patriots' Day, provided an employee works two days of the calendar week in which the holiday falls.

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MARINE CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$ 9.81	.60	.60	a	.02
GROUP II	10.81	.60	.60	a	.02
GROUP III	9.76	.60	.60	a	.02
GROUP IV	9.69	.60	.60	a	.02
GROUP V	8.22	.60	.60	a	.02
GROUP VI	8.96	.60	.60	a	.02
GROUP VII	7.30	.60	.60	a	.02
GROUP VIII	7.73	.60	.60	a	.02
GROUP IX	8.125	.60	.60	a	.02

CLASSIFICATIONS

GROUP I Shovels, cranes, truck cranes, cherry pickers, derricks, pile drivers, two or more drum machines, lighters, derricks boats, trenching machines, mechanical hoist pavement breakers, cement concrete pavers, draglines, hoisting engines, pumpcrete machines, elevating graders, shovel dozers, front end loaders, backhoes, gradalls, cable ways, boring machines, rotary drills, post hole hammers, post hole diggers, fork lifts, timber jacks, asphalt plant (on site), concrete batching &/or mixing plant (on site), crusher plant, (on site), paving concrete mixers; Booms over 150' including jib - additional $.35 per hour; Booms over 185' including jib - additional $.70 per hour; Booms over 210' including jib - additional $1.00 per hour; Booms over 250' including jib - additional $1.50 per hour; Booms over 295' including jib - additional $2.00 per hour

GROUP II Master Mechanic

GROUP III Swinger Engines

GROUP IV Portable steam boilers, portable steam generators, sonic or vibratory hammers, graders, scrapers, tandem scrapers, concrete pumps, bulldozers, tractors york rakes, mulching machines, rollers, spreaders, tampers self-propelled or tractor drawn, asphalt pavers, concrete mixers with side loaders, mechanics - maintenance, cal tracks,ballast regulator, switch tampers, rail anchor machines, tire trucks

GROUP V Pumps, compressors, welding machines, heaters (power driven), valves controlling permanent plan air or steam, wellpoint systems, augers - powered by independent engines & attached to pile drivers, hydraulic saws, generators, lighting plants, syphons-pulsometers, concrete mixers, conveyors

GROUP VI Assistant engineers (firemen)

GROUP VII Oilers and apprentices (other than truck cranes and gradalls)

GROUP VIII Oilers and apprentices on truck cranes and gradalls

GROUP IX Oilers on scows

PAID HOLIDAYS: A-New Years Day; B-Memorial Day; C-Independence Day; D-Labor Day E- Thnaksgiving Day; F-Christmas Day

FOOTNOTE:
a. 10 paid holidays: A through F; Washington's Birthday; Patroits' Day; Columbus Day; & Veterans' Day.

SUPERSEDEAS DECISION

STATE: Massachusetts
COUNTY: Berkshire
DECISION NO.: MA75-2003
DATE: Date of publication
Supersedes Decision No. AR-3130, dated August 30, 1974 in 39 FR 31802.
DESCRIPTION OF WORK: Building construction (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

BUILDING, HEAVY, & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$9.50	.44	.45		.01
Boilermakers	9.08	.60	10%		.01
Bricklayers, cement masons, marble masons, plasterers, stone masons, terrazzo workers and tile setters:					
Twps. of Adams, N.Adams, Cheshire, Florida, Savoy, Clarksburg and Williamstown	9.60				
Twps. of Becket, Otis and Sandisfield	9.55	.55	.55		.03
Remainder of County	8.74	.40	.30		
Carpenters:					
N.Adams, Clarksburg, Savoy, Florida, Adams, and Williamstown:					
Carpenters & soft floor layers	7.485	.40	.30		.04
Remainder of County:					
Carpenters and soft floor layers	8.59	.50	.50		.04
Electricians	8.74	.45	1%+.49		.02
Elevator Constructors	8.55	.39	.26	2½%+A+B	.02
Elevator Constructors' helpers	70%JR	.39	.26	2½%+a+b	.02
Elevator Constructors' helpers (prob.)	50%JR				
Glaziers	4.78	.15	.20		
Ironworkers, structural, ornamental, and reinforcing	8.84	.55	.85		.04
Laborers (Building):					
Laborers, carpenter tenders, cement finisher tenders, & wrecking laborers	7.00	.50	.45		.05
Jackhammer ops, pavement breakers, wagon drills, asphalt rakers, carbide core drilling machine, chain saw ops, pipelayers, barco type jumping tampers, laser beam ops, concrete pump ops, mason tenders, mortar mixers, ride-on motorized buggy	7.25	.50	.45		.05
Air track; block pavers; rammers, curb setters	7.50	.50	.45		.05
Blasters, powdermen	7.75	.50	.45		.05
Lathers	8.45	.45	.45		.01
Lead burners	8.75	.30		c	.01
Line construction:					
Linemen	10.16	.40	1%	f	3/8of1%
Equipment operator	9.48	.40	1%	f	3/8of1%
Driver groundmen	7.32	.40	1%	f	3/8of1%
Marble setters' & tile setters' helpers	8.00				
Millwrights:					
Cheshire, Savoy, New Ashford, Adams, Florida, N.Adams, Clarksburg, Williamstown	8.35	.60	.50		.07
Remainder of County	8.55	.60	.50		.07

BUILDING, HEAVY, & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.
Painters:					
Brush and roller	$8.32	.50	.35		.03
Spray	11.093	.66	.4667		.04
Swing stage under 40' and steel	8.507	.50	.35		.03
Swing stage over 40' and steel	8.87	.50	.35		.03
Piledrivermen	9.50	.50	.50		
Plumbers and steamfitters:					
Adams, Clarksburg, Florida, N.Adams, Savoy, Williamstown, & northern half of Cheshire, New Ashford	8.15	.65	.50	d+e	.05
Becket, Otis, Sandisfield (Plumbers only)	9.29	.45	.75	g	.01
Becket, Otis, Sandisfield, & New Boston (Steamfitters)	9.38	.57	.70	.08	.02
Remainder of County	9.24	5%	.50		.05
Roofers:					
Composition, damp and waterproof	8.695	.59	.61		
Slate, tile, and precast concrete	9.35	.59	.61		
Sheet metal workers	8.41	.75	.82		.02
Sprinkler fitters	9.46	.50	.70		.08
Welders- receive rate prescribed for craft performing operation to which welding is incidental.					

PAID HOLIDAYS
A-New Year's Day; B- Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% of basic hourly rate for 6 months to 5 years of service as vacation pay credit.
b. Holidays: A through F.
c. Holidays: A through F, Washington's Birthday, Good Friday and Christmas Eve providing employee has worked 45 full days during the 120 calendar days prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.
d. Holidays: A through F, plus Good Friday, Veterans' Day, Washington's Birthday, and Columbus Day.
e. Employer contribution of $1.00 per hour to a savings fund.
f. Paid Holidays: A through F, Washington's Birthday, and Patriots Day providing employee has worked for a period of five (5) working days prior to the holiday and the regular scheduled work days immediately preceding and following the holiday. There is also one floating holiday per year.
g. July 4th provided worker is employed 7 days prior to holiday.

MASS-2-PEO-1-T 1 of 2

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Shovels, Cranes, Hydraulic Cranes 10 ton capacity or over, Draglines, Derricks, Elevators with Chicago Boom, Backhoes, Gradalls, Elevating Graders, Pile Driving Rigs, Concrete Road Pavers, three drum Hoisting and Trenching Machines, Belt-type Loaders, Front End Loaders-5½ yards or over, Dual Drum Paver, Automatic Grader (i. e. C.M.I.) Combination Back Hoe-Loader-3/4 yard hoe or over.	$8.80	.45	.70	a	.05	
Rotary Drill (with mounted compressor), Compressor house (3 to 6 compressors), Rock and Earth Boring Machines (excluding McCarthy and similar drills), Graders, Front End Loaders-4 yards to 5½ yards, two Drum Hoists, High Fork Lifts with capacity of 15 feet and over, Scrapers-21 yards and over (struck load), Sonic Hammer Console.	8.60	.45	.70	a	.05	
Combination Backhoe-Loader-up to 3/4 yard hoe, Bulldozers, Push Cats, Scrapers-up to 21 yards (struck Load)-self propelled or tractor drawn, Fireman, Front End Loaders-up to 4 yards, Asphalt Paver, Asphalt Roller-10 ton or over, Well Drillers, Mechanics, Welders, Pumpcrete Machines, Concrete Pumps, and similar type pumps, Engineer or Fireman on High Pressure Boiler (on job), Self-Loading Batch Plant, Well Point, Electric Pumps used in Well Point System, Pumps-12 inches and over (total discharge), Compressor (one or two) 900 cu. ft. and over, Powered Grease Truck, Automatic Elevators, (manually or remote controls), Grout Pumps, Boom Truck, Hydraulic Cranes-under 10 ton.	8.40	.45	.70	a	.05	
Asphalt Roller-under 10 ton.	8.10	.45	.70	a	.05	

MASS-2-PEO-1-T 2 of 2

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS (cont'd.)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Single Drum Hoist, Self-Propelled Roller, Self-Propelled Compactors, Power Pavement Breakers, Concrete Pavement Finishing Machines, Two Bag Mixers with Skip, McCarthy and similar drills, Batch Plants (not self-loading) Bulk Cement Plants, Self-Propelled Material Spreaders, A Frame Trucks, Fork Lifts-up to 15 feet.	$7.49	.45	.70	a	.05	
Compressors (one or two) 315 cu. ft. to 900 cu. ft., Pumps-4 inches to 12 inches (total discharge), Tractor (without blade or bucket) Drawing Rollers, Rubber Tire Roller, Compactors or other machines used for pulverizing, Grading or Seeding.	7.08	.45	.70	a	.05	
Compressors (up to 315 cu. ft.), Small Mixers, Pumps (up to 4 inches), Power Heaters, Welding Machines, Conveyors, Oiler, Helpers on Grease Truck and Grease Trucks with hand greasing equipment.	6.42	.45	.70	a	.05	

PAID HOLIDAYS:
A-New Year's Day, B-Memorial Day, C-Independence Day, D-Labor Day, E-Thanksgiving Day, F-Christmas Day.

Footnotes:
a. Holidays: A through F, Veterans' Day and Columbus Day.

HEAVY & HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Shovels, Crawler and Truck Cranes, Derricks, Backhoes, Trenching Machines, Elevating Graders, Belt-type Loaders, Gradalls, Pile Drivers, Concrete Pavers, on site Processing Plant (Engineer in charge), Dragline, Clam Shell, Cableways, Shaft Hoists, Mucking Machines, Front End Loader-5½ yards and over, Tower Cranes, Self-propelled Hydraulic Cranes-10 tons and over, Dual Pavers, Automatic Grader-Excavator (C.M.I. or equal), Scrapers towing pan or wagon, Tandem Dozers or Push Cats (2 units in tandem), Welder using semi automatic Welding Machine, Shotcrete Machine, Tunnel Boring Machine.	$ 8.80	.45	.70	a	.05	
Rotary Drill (with mounted Compressor), Compressor House (3 to 6 Compressors), Rock and Earth Boring Machines (excluding McCarthy and similar drills), Grader, Front End Loaders-4 yards to 5½ yards, Scraper-21 yards and over (struck load), Forklifts-7 ft. lift and over or 3 ton capacity and over, Sonic Hammer Console.	8.60	.45	.70	a	.05	
Bulldozer, Push Cats, Scrapers-up to 21 yards (struck load) self-propelled or Tractor Drawn, Self-powered Asphalt Paver, Front End Loaders-up to 4 yards, Mechanics, Welders, Well Driller, Pumpcrete Machine, Engineer or Fireman on High Pressure Boiler (on job), Self-loading Batch Plant (on job), Well Point Operators, Electric Pumps used in Well Point system, Fireman, Pumps-16 inches or over total discharge, Compressors (1 or 2) 900 cu. ft. and over, Powered Grease Truck, Asphalt Roller-10 ton and over. Tunnel Locomotives and Dinkys, Grout Pumps, Hydraulic Jacks (jacking pipe, slip forms, etc.), Boom Truck, Self-Propelled Hydraulic Cranes-up to 10 ton.	8.40	.45	.70	a	.05	
Asphalt Roller-up to 10 ton.	8.10	.45	.70	a	.05	

HEAVY & HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Hoists, Conveyors, Self-powered Rollers and Compactors, Power Pavement Breaker, Self-propelled Material Spreader, Self-powered Concrete Finishing Machine, Two Bag Mixer with skip, McCarthy and similar Drills, Batch Plant (not self-loading), Bulk Cement Plant.	$ 7.49	.45	.70	a	.05	
Compressor (315 cu. ft. to 900 cu. ft., 1 or 2), Pumps 4" to 16" total discharge, Tractor without blade drawing sheeps-foot roller, Rubber tired roller or other type of compactors including machines for pulverizing and aerating soil.	7.08	.45	.70	a	.05	
Compressor (up to 315 cu. Ft.), Small Mixers with skip, Oiler, Pumps up to 4", Grease Truck, Helper on powered Grease Truck, Power Heaters, Welding Machines						
A-Frame Trucks, Forklifts-up to 7 ft. lift and up to 3 ton capacity, Hydro Broom, Parts Man (in repair shop), Power Safety Boat.	6.42	.45	.70	a	.05	

Footnotes:

a. Paid Holidays: New Year's Day; Washington's Birthday; Memorial Day; Independence Day; Labor Day; Columbus Day; Veterans' Day; Thanksgiving and Christmas Day.

TRUCK DRIVERS: BUILDING AND HEAVY AND HIGHWAY CONSTRUCTION

MASS - 1 - 1D - 1-2-3 D

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Friction wagons, panel trucks and pick-up trucks	$6.80	.485	.575	a+b		
Two axle equipment; helpers on low bed when assigned at the discretion of the employer, warehousemen, forklift opers.	6.95	.485	.575	a+b		
Three axle equipment and tiremen	7.00	.485	.575	a+b		
Four and five axle equipment	7.10	.485	.575	a+b		
Specialized earth moving equipment under 35 tons other than conventional type trucks, low bed, vacuum, mechanics, paving restoration equipment, Mechanics	7.20	.485	.575	a+b		
Specialized earth moving equipment over 35 tons	7.45	.485	.575	a+b		
Trailers for earth moving equipment, (double hookup)	7.70	.485	.575	a+b		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. One half day's pay each month in which an employee has worked 15 days provided he has been employed for 4 months.
b. Holidays: A through F, Washington's Birthday, Columbus Day, Veteran's Day, and Patriots' Day, provided an employee works two days of the calendar week in which the holiday falls.

MASS-1 - 2-3 L

HEAVY & HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS:					
Class I	$7.00	.50	.45		.05
Class II	7.25	.50	.45		.05
Class III	7.50	.50	.45		.05
Class IV	7.75	.50	.45		.05

CLASSIFICATIONS:

CLASS I
Carpenter tenders, cement finisher tenders, laborers, wrecking laborers

CLASS II
Asphalt rakers, fence and guard rail erectors, laser beam op., mason tender, pipelayer, pneumatic drill op., pneumatic tool op., wagon drill op

CLASS III
Air track op., block pavers, rammers, curb setters

CLASS IV
Blasters, powdermen

SUPERSEDEAS DECISION

STATE: Massachusetts
COUNTY: Bristol
DECISION NO.: MA75-2004
DATE: Date of Publication
Supersedes Decision No. AR-3131 dated August 30, 1974 in 39 FR 31806.

DESCRIPTION OF WORK: Building Construction (Including Residential), heavy and Highway Construction and Marine Construction.

3-MASS-1-2-3-Z (1-3)

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.
Asbestos workers:					
Easton	$9.66	.65	.80		.01
Remainder of County	9.32	.71	.83		
Boilermakers	9.08	.60	10%		.01
Bricklayers: Cement masons: Plasterers; & Stonemasons:					
Easton, N. Easton, & S. Easton	8.85	.75	1.05		.05
Acushnet, Dartmouth, Fairhaven, Fall River, Freetown, New Bedford, N. Dartmouth, Somerset, Swansea, S. Dartmouth, & Westport	9.05	.80	.80		.05
Remainder of County	9.30	.75	.60		.05
Carpenters; Soft floor layers:					
Easton, N. Easton, & S. Easton	8.40	.50	.50		.02
Attleboro, N. Attleboro, & S. Attleboro	9.45	.60	.50		.07
Remainder of County	8.75	.50	.50		.02
Electricians:					
Attleboro, N. Attleboro, & Seekonk	8.80	.38	1%+.50		.02
Residential	5.75	.38	1%		.02
Acushnet, Dartmouth, Fairhaven, New Bedford, N. Dartmouth, & S. Dartmouth	9.00	.30	1%+.25		a
Residential	5.00	.25	1%+.25		a
Easton:					
Electrical contracts less than $20,000.00	8.30	4%	5%		.5%
Electrical contracts $20,000.00 or more	10.05	4%	5%		.5%
Residential	5.75	.35	5%		.5%
Fall River, Freetown, Somerset, Swansea, & Westport	8.90	4%	1%+.25	4%	.%
Residential	5.25	.32	1%+.25	.21	3%
Remainder of County	9.50	.50	1%		.1%
Residential	6.50	.50	1%		.1%
Elevator constructors	10.04	.445	.29	3%+b+c	.02
Elevator constructors' helpers	70%JR	.445	.29	3%+b+c	.02
Elevator constructors' helpers (Prob.)	50%JR				
Glaziers: Easton	9.20	.45	.66		.03
Remainder of County	8.48	.47	.40		.01
Ironworkers: Easton, Mansfield, N.Easton	9.04	.55	1.40		.06
Remainder of County	7.95	.50	1.40		.03
Laborers (Building): Laborers; Carpenter tenders; Cement finisher tenders; Wrecking laborers	7.00	.50	.45		.05
Jackhammer op.; Pavement breakers; Wagon drills; Asphalt rakers; Carbide					

3-MASS-1-2-3-Z (2-3)

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.
Laborers (Building) Cont'd: core drilling machine; Chain saw op.; Pipelayer; Barco type jumping tampers; Laser beam; Concrete pump; Mason tenders; Mortar mixers; Ride-on motorized buggy	7.25	.50	.45		.05
Air track; Block pavers; Rammers; Curb setters	7.50	.50	.45		.05
Blasters; Powdermen	7.75	.50	.45		.05
Open air caisson; Cylindrical work & boring crew:					
Laborer; Top man	7.00	.50	.45		.05
Helper	8.12	.50	.45		.05
Bottom men	7.75	.50	.45		.05
Driller	7.87	.50	.45		.05
Lathers	9.25	.45	.55		
Leadburners	8.75	.30		d	.01
Line Construction:					
Lineman	10.26	.30	1%	e	3/8of1%
Equipment operators	9.62	.30	1%	e	3/8of1%
Driver groundman	7.60	.30	1%	e	3/8of1%
Marble setters; Terrazzo workers	8.25	.60	.50		
Marble setters' helpers	7.94	.40	.45		
Millwrights	8.75	.60	.50		.07
Painters:					
Acushnet, Dartmouth, Fairhaven, New Bedford, N. Dartmouth, & S. Dartmouth:					
Brush; Roller	7.90	.30	.20		
Steel (1' to 50') & Spray	8.90	.30	.20		
Remainder of County:					
Brush; Taper	7.78	.62	.45		.04
Steel	10.88	.62	.45		.04
Spray; Sandblasting	8.78	.62	.45		.04
Piledrivermen (Fall River, Freetown, Seekonk, Somerset, Swansea & Westport)	8.65	.50	.30		
Piledrivermen (Acushnet, Dartmouth, Fairhaven, New Bedford, & S. Dartmouth)	8.10	.45	.50		.02
Piledrivermen (Remainder of County)	9.50	.50	.50		
Plasterers' tenders	7.25	.50	.45		.10
Plumbers ; Steamfitters:					
Easton	8.95	.35	.50		.05
Acushnet, Dartmouth, Fairhaven, Fall River, Freetown, New Bedford, N. Dartmouth, Seekonk, Somerset, S. Dartmouth, Swansea, & Westport	8.80	.51	.66		.15

3-MASS-1-2-3-8 (3 of 3)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Plumbers; Steamfitters: Cont'd					
Remainder of County	8.62	.60	.73		
Roofers:					
Attleboro, Taunton, Mansfield, Easton, Norton, Raynham, & N. Attleboro	9.20	.55	.80		.05
Remainder of County: Roofers & Kettlemen	8.40	.50	.05		
Helpers, Class "A"	7.70	.50	.05		
Sheet metal workers:					
Acushnet, Assonet, Dartmouth, Dighton, Fairhaven, Fall River, Freetown, New Bedford, N. Dartmouth, Rehoboth, Seekonk, Somerset, Swansea, & Westport	8.60	.45	.45		
Remainder of County	9.63	.71	.75		.06
Sprinkler fitters	9.63	.50	.70		.08
Terrazzo Workers' Helpers	7.65	.30	.25		.05
Tile Setters	8.25	.60	.50		
Tile Setters' Helpers	7.94	.40	.25		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Employer contibution of 1.00 per journeyman Electrician per week.
b. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as vacation pay credit.
c. 6 paid holidays: A through F.
d. 9 paid holidays: A through F, Washington's Birthday, Good Friday, & Christmas Eve, providding employee has worked at least 45 full days during the 120 calendar days prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.
e. 7 paid holidays: A through F, & Bunker Hill Day, provided the employee is employed 10 days prior to the listed holidays.

TRUCK DRIVERS: BUILDING AND HEAVY AND HIGHWAY CONSTRUCTION

MASS - 1 - TD - 1-2-3 D

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Station wagons, panel trucks and pick-up trucks	$6.80	.485	.575	a+b		
Two axle equipment; helpers on low bed when assigned at the discretion of the employer, warehousemen, forklift opers.	6.95	.485	.575	a+b		
Three axle equipment and tiremen	7.00	.485	.575	a+b		
Four and five axle equipment	7.10	.485	.575	a+b		
Specialized earth moving equipment under 35 tons other than conventional type trucks, low bed, vachaul, mechanics, paving restoration equipment, Mechanics	7.20	.485	.575	a+b		
Specialized earth moving equipment over 35 tons	7.45	.485	.575	a+b		
Trailers for earth moving equipment, (double hookup)	7.70	.485	.575	a+b		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. One half day's pay each month in which an employee has worked 15 days provided he has been employed for 4 months.
b. Holidays: A through F, Washington's Birthday, Columbus Day, Veteran's Day, and Patriots' Day, provided an employee works two days of the calendar week in which the holiday falls.

HEAVY & HIGHWAY CONSTRUCTION

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
Class I	$7.00	.50	.45		.05
Class II	7.25	.50	.45		.05
Class III	7.50	.50	.45		.05
Class IV	7.75	.50	.45		.05

CLASSIFICATIONS:

CLASS I
Carpenter tenders, cement finisher tenders, laborers, wrecking laborers

CLASS II
Asphalt rakers, fence and guard rail erectors, laser beam op., mason tender, pipelayer, pneumatic drill op., pneumatic tool op., wagon drill op

CLASS III
Air track op., block pavers, rammers, curb setters

CLASS IV
Blasters, powdermen

MASS-1-PEO-1-S

BUILDING CONSTRUCTION Power Equipment Operators:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
CLASS I	$ 9.81	.60	.60	a	.02
CLASS II	9.69	.60	.60	a	.02
CLASS III	8.22	.60	.60	a	.02
CLASS IV	8.96	.60	.60	a	.02
CLASS V	7.30	.60	.60	a	.02
CLASS VI	7.73	.60	.60	a	.02

CLASSIFICATIONS

CLASS I Cranes, shovels, truck cranes, cherry pickers, draglines, trench hoes, backhoes, three frum machines, derricks, pile drivers, elevator towers, hoists, gradalls, shovel dozers, front end loaders, fork lifts, augers, boring machines, rotary drills, post hole hammers, post hole diggers, pumpcrete machines, asphalt plant (on side), concrete batching and/or mixing plant (on site), crusher plant (on site), paving concrete mixers, timber jacks

CLASS II Boom over 150' including jib - additional $.35 per hour; Boom over 185' including jib - additional $.70 per hour; Boom over 210' including jib - additional $1.00 per hour; Boom over 250' including jib - additional $1.50 per hour Boom over 295' including jib - additional $2.00 per hour; Sonic or vibratory hammers, graders, scrapers, tandem scrapers, concrete pumps, bulldozers, tractors, york rakes, mulching machines, portable steam boilers, portable steam generators, rollers, spreaders, tampers (self propelled or tractor drawn), asphalt pavers, mechanics maintenance, paving screed machines, stationary steam boilers, paving concrete finishing machines, cal trucks, ballast regulators, switch tampers, rail anchor machinery, tire trucks (when operated by the employer on the job site)

CLASS III Pumps (1-3 grouped), compressors, welding machines (1-3 grouped), generators, concrete vibrators, lighting plants, heaters (power driven 1-5), well-point systems (operating and installing), syphones-pulsometers, concrete mixers, valves controlling permanent plant air or steam, conveyors, Jackson type tampers, single disphragm pump, lighting plants

CLASS IV Assistant engineers (firemen)

CLASS V Oilers and apprentices (other than truck cranes and gradalls)

CLASS VI Oilers and apprentices on truck cranes and gradalls

PAID HOLIDAYS: A- New Year's Day; B-Memorail Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE: a. Holidays: A through F, Washington's Birthday, Columbus Day, Veterans Day, and Patriots Day.

MASS-1-PEO-2-3 F

HEAVY & HIGHWAY CONSTRUCTION: POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
Group 1	$9.81	.60	.60	a	.02
Hourly premium for boom lenghts including Jib					
Over 150 feet + $ .35					
Over 185 feet + .70					
Over 210 feet + 1.00					
Over 250 feet + 1.50					
Over 295 feet + 2.00					
Group 2	9.69	.60	.60	a	.02
Group 3	8.22	.60	.60	a	.02
Group 4	8.96	.60	.60	a	.02
Group 5	7.30	.60	.60	a	.02
Group 6	7.73	.60	.60	a	.02

FOOTNOTE: a. 10 Paid Holidays - New Years' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, Washington's Birthday, Columbus Day, Veterans Day, & Patriots Day.

CLASSIFICATIONS:

GROUP 1
Power Shovels, Cranes, Truck Cranes, Derricks, Pile Drivers, Trenching Machines, Mechanical Hoist Pavement Breakers, Cement Concrete Pavers, Draglines, Hoisting Engines, Three Drum Machines, Pumporete Machines, Uke Loaders, Shovel Dozers, Front End Loaders, Mucking Machines, Shaft Hoists, Steam Engines, Backhoe, Gradalls, Cable Ways, Fork Lifts, Cherry Pickers, Boring Machines, Rotary Drills, Post Hole Hammers, Port Hole Diggers, Asphalt Plant on Job Sute, Concrete Batching and/or Mixing Plant on Job Site, Crusher Plant on Job Site, Paving Concrete Mixers, Timber Jacks

GROUP 2
Sonic or Vibratory Hammers, Graders, Scrapers, Tandem Scrapers, Bulldozers, Tractors, Mechanic Maintenance, York Rakes, Mulching Machines Paving Screed Machines, Stationary Steam Boilers, Paving Concrete Finishing Machines, Grout Pumps, Portable Steam Boilers, Portable Steam Generators, Rollers, Spreaders, Asphalt Pavers, Locomotives or Machines Used in Place Thereof, Tampers, Self Propelled or Tractor Drawn, Cal Tracks, Ballast Regulators, Rail Anchor Machines, Switch Tampers

GROUP 3
Pump (1-3 grouped), Compressors, Welding Machine (1-3 grouped), Generators, Lighting Plants, Heaters (Power Driven) (1-5), Syphons-Pulsometers, Concrete Mixers, Valves Controlling Permanent Plant Air Steam, Conveyors, Wellpoint Systems (Operating and Installing)

GROUP 4
Assistant Engineers (Firemen)

GROUP 5
Oilers (other than truck cranes & gradalls)

GROUP 6
Oilers (on truck cranes & gradalls)

MARINE CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
GROUP I	$ 9.81	.60	.60	a	.02
GROUP II	10.81	.60	.60	a	.02
GROUP III	9.76	.60	.60	a	.02
GROUP IV	9.69	.60	.60	a	.02
GROUP V	8.22	.60	.60	a	.02
GROUP VI	8.96	.60	.60	a	.02
GROUP VII	7.30	.60	.60	a	.02
GROUP VIII	7.73	.60	.60	a	.02
GROUP IX	8.125	.60	.60	a	.02

CLASSIFICATIONS

GROUP I Shovels, cranes, truck cranes, cherry pickers, derricks, pile drivers, two or more drum machines, lighters, derricks boats, trenching machines, mechanical hoist pavement breakers, cement concrete pavers, draglines, hoisting engines, pumpcrete machines, elevating graders, shovel dozers, front end loaders, backhoes, gradalls, cable ways, boring machines, rotary drills, post hole hammers, post hole diggers, fork lifts, timber jacks, asphalt plant (on site), concrete batching &/or mixing plant (on site), crusher plant, (on site), paving concrete mixers; Booms over 150' including jib - additional $.35 per hour; Booms over 185' including jib - additional $.70 per hour; Booms over 210' including jib - additional $1.00 per hour; Booms over 250' including jib - additional $1.50 per hour; Booms over 295' including jib - additional $2.00 per hour

GROUP II Master Mechanic

GROUP III Swinger Engines

GROUP IV Portable steam boilers, portable steam generators, sonic or vibratory hammers, graders, scrapers, tandem scrapers, concrete pumps, bulldozers, tractors york rakes, mulching machines, rollers, spreaders, tampers self-propelled or tractor drawn, asphalt pavers, concrete mixers with side loaders, mechanics - maintenance, cal tracks, ballast regulator, switch tampers, rail anchor machines, tire trucks

GROUP V Pumps, compressors, welding machines, heaters (power driven), valves controlling permanent plan air or steam, wellpoint systems, augers - powered by independent engines & attached to pile drivers, hydraulic saws, generators, lighting plants, syphons-pulsometers, concrete mixers, conveyors

GROUP VI Assistant engineers (firemen)

GROUP VII Oilers and apprentices (other than truck cranes and gradalls)

GROUP VIII Oilers and apprentices on truck cranes and gradalls

GROUP IX Oilers on scows

PAID HOLIDAYS: A-New Years Day; B-Memorial Day; C-Independence Day; D-Labor Day E- Thnaksgiving Day; F-Christmas Day

FOOTNOTE:
a. 10 paid holidays: A through F; Washington's Birthday; Patroits' Day; Columbus Day; & Veterans' Day.

STATE: Massachusetts COUNTY: Essex
DECISION NO. : MA75-2005 DATE: Date of Publication
Supersedes Decision No. AR-3132, dated August 30, 1974 in 39 FR 31810.
DESCRIPTION OF WORK: Building construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy & highway construction and marine.

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$8.955	.55	.50		.01
Boilermakers	9.08	.60	10%		.01
Bricklayers; Stonemasons:					
Andover, Boxford, Danvers, Lawrence, Lynn, Lynnfield, Marblehead, Methuen, Middleton, Nahant, N. Andover, Peabody, Salem, Saugus, Swampscott, & Topsfield	9.30	.50	.85		.05
Remainder of County	9.45	.60	.60		.05
Carpenters; Soft floor layers:					
Gloucester & Rockport:					
Carpenter contracts up to $100,000	6.25	.30	.20		
Contracts $100,000 to $800,000	7.28	.30	.20		
Contracts over $800,000	8.00	.30	.20		
Amesbury, Boxford, Georgetown, Groveland, Haverhill, Newbury, Newburyport, Rowley, Salisbury, W.Newbury, Lynn, Lynnfield, Nahant, Saugus, and Swampscott	9.45	.60	.50		.07
Andover, Lawrence, Methuen, N. Andover, and West Andover:					
On contracts over $1,500,000	9.03	.60	.50		.02
Contracts from $1,000,000 to $1,500,000	8.58	.60	.50		.02
From $500,000-$1,000,000	8.13	.60	.50		.02
From $200,000-$500,000	7.22	.60	.50		.02
Up to $200,000	6.77	.60	.50		.02
Remainder of County	9.05	.35	.50		
Cement masons; plasterers:					
Amesbury, Boxford, Georgetown, Groveland, Haverhill, Lawrence, Merrimac, Methuen, N.Andover, Salisbury, & West Salisbury	8.05	.385	.30		
Danvers, Lynn, Lynnfield, Marblehead, Middleton, Nahant, Peabody, Salem, Saugus, Swampscott, and Topsfield	9.30	.50	.85		.05
Remainder of County	9.45	.60	.60		.05
Electricians:					
Andover, Lawrence, Methuen, and North Andover	9.32	.45	1%+.20		.02
Lynn, Lynnfield, Nahant, Saugus, and Swampscott	10.10	.50	1%+.95		.05
Electricians (Continued):					
Amesbury, Boxford, Georgetown, Groveland, Haverhill, Merrimac, Newbury, Newburyport, Rowley, Salisbury, & West Newbury	$9.28	.30	1%+.20		.02
Remainder of County	8.85	.37	1%+.20		.02
Elevator Constructors	10.04	.445	.29	3%+a+b	.02
Elevator constructors' helpers	70%JR	.445	.29	3%+a+b	.02
Elevator constructors' helpers(prob)	50%JR				
Glaziers	9.20	.45	.55		.03
Ironworkers	9.04	.55	1.40		.06
Laborers (Building):					
Laborers; carpenter tenders; cement finisher tenders; wrecking laborers	7.00	.50	.45		.05
Jackhammer ops; pavement breakers; wagon drills, asphalt rakers; carbid core drilling machine; chain saw ops; pipelayer; barco type jumping tampers; laser beam ops; concrete pump ops; mason tenders; mortar mixers; ride-on motorized buggy ops	7.25	.50	.45		.05
Air track; block pavers; rammers; curb setters	7.50	.50	.45		.05
Blaster; powdermen	7.75	.50	.45		.05
Open air caisson; cylindrical work and boring crew:					
Laborer; Top man	7.00	.50	.45		.05
Helper	7.12	.50	.45		.05
Bottom man	7.75	.50	.45		.05
Driller	9.25	.45	.55		.05
Lathers	9.25	.45	.55		.05
Leadburners	8.75	.30		d	.01
Line Construction:					
Linemen	10.26	.30	1%	d	3/8of1%
Equipment operators	9.62	.30	1%	d	3/8of1%
Driver groundman	7.60	.30	1%	d	3/8of1%
Groundman	6.39	.30	1%	d	3/8of1%
Marble setter; terrazzo workers	8.45	.60	.50		
Marble setters' helpers	7.94	.40	.25		
Millwrights	9.38	.60	.50		.07

5-MASS-1-2-3-d (3 of 4)

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Apprn. Tr.
Painters:					
Essex, Gloucester, Manchester, & Rockport					
Brush	$6.20	.30			
Spray	6.65	.30			
Roller	6.50	.30			
Amesbury, Andover, Beverly, Boxford, Danvers, Georgetown, Groveland, Hamilton, Haverhill, Ipswich, Lawrence, Lynn, Lynnfield, Marblehead, Merrimac, Methuen, Middleton, Newbury, Newburyport, N. Andover, Peabody, Rowley, Salem, Salisbury, Saugus, Swampscott, Topsfield, Wenham, West Newbury,					
New Construction:					
Brush; Tapers	8.76	.62	.85		.04
Sandblasters; Spray	9.76	.62	.85		.04
Steel	10.88	.62	.85		.04
Repaint	8.01	.62	.85		.04
Piledrivermen	9.50	.50	.50		
Plasterers' Tenders:					
Lynn, Lynnfield, Nahant, Saugus and Swampscott	7.25	.50	.45		.10
Plumbers; Steamfitters:					
Andover, Georgetown, Groveland, Lawrence, Methuen and North Andover	8.99	.38	.35		.05
Lynn, Lynnfield, Nahant, Saugus and Swampscott					
Plumbers	10.25	.70	.60		.03
Steamfitters	9.76	.51	.65		.05
Remainder of County	9.20	.55	.47		.05
Roofers: Haverhill and Lawrence	6.70			e	
Remainder of County	9.20	.55	.80		.05
Sheet Metal Workers	9.63	.71	.75		.06
Sprinkler fitters	9.63	.50	.70		.08
Terrazzo Workers' Helpers	7.65	.30	.25		.05
Tile Setters	8.75	.60	.50		
Residential	6.62				
Tile Setters' Helpers	7.94	.40	.25		
Residential	5.05				

5-MASS-1-2-3-d (4 of 4)

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:

a. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as vacation pay credit.

b. 6 Paid Holidays: A through F

c. 9 Paid Holidays: A through F, Washington's Birthday, Good Friday, & Christmas Eve provided the employee has worked 45 full days during the 120 calendar days prior to the holiday & the regular scheudled work days immediately preceding and following the holiday.

d. 7 Paid Holidays: A through F, & Bunker Hill Day provided the employee has been employed 10 working days prior to any 1 of the listed holidays.

e. 9 Paid Holidays: A through F, Washington's Birthday, Columbus Day and Veterans' Day.

MASS-1 - 2-3 L

HEAVY & HIGHWAY CONSTRUCTION

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Class I	$7.00	.50	.45		.05
Class II	7.25	.50	.45		.05
Class III	7.50	.50	.45		.05
Class IV	7.75	.50	.45		.05

CLASSIFICATIONS:

CLASS I
Carpenter tenders, cement finisher tenders, laborers, wrecking laborers

CLASS II
Asphalt rakers, fence and guard rail erectors, laser beam op., mason tender, pipelayer, pneumatic drill op., pneumatic tool op., wagon drill op

CLASS III
Air track op., block pavers, rammers, curb setters

CLASS IV
Blasters, powdermen

MASS-1-PED-1-E

BUILDING CONSTRUCTION

Power Equipment Operators:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS I	$ 9.81	.60	.60	a	.02
CLASS II	9.69	.60	.60	a	.02
CLASS III	8.22	.60	.60	a	.02
CLASS IV	8.96	.60	.60	a	.02
CLASS V	7.30	.60	.60	a	.02
CLASS VI	7.73	.60	.60	a	.02

CLASSIFICATIONS

CLASS I Cranes, shovels, truck cranes, cherry pickers, draglines, trench hoes, backhoes, three drum machines, derricks, pile drivers, elevator towers, hoists, gradalls, shovel dozers, front end loaders, fork lifts, augers, boring machines, rotary drills, post hole hammers, post hole diggers, pumpcrete machines, asphalt plant (on side), concrete batching and/or mixing plant (on site), crusher plant (on site), paving concrete mixers, timber jacks
CLASS II Boom over 150' including jib - additional $.35 per hour; Boom over 185' including jib - additional $.70 per hour; Boom over 210' including jib - additional $1.00 per hour; Boom over 250' including jib - additional $1.50 per hour Boom over 295' including jib - additional $2.00 per hour; Sonic or vibratory hammers, graders, scrapers, tandem scrapers, concrete pumps, bulldozers, tractors, york rakes, mulching machines, portable steam boilers, portable steam generators, rollers, spreaders, tampers (self propelled or tractor drawn), asphalt pavers, mechanics maintenance, paving screed machines, stationary steam boilers, paving concrete finishing machines, oal trucks, ballast regulators, switch tampers, rail anchor machinery, tire trucks (when operated by the employer on the job site)
CLASS III Pumps (1-3 grouped), compressors, welding machines (1-3 grouped), generators, concrete vibrators, lighting plants, heaters (power driven 1-5), well-point systems (operating and installing), syphones-pulsometers, concrete mixers, valves controlling permanent plant air or steam, conveyors, Jackson type tampers, single disphragm pump, lighting plants
CLASS IV Assistant engineers (firemen)
CLASS V Oilers and apprentices (other than truck cranes and gradalls)
CLASS VI Oilers and apprentices on truck cranes and gradalls

PAID HOLIDAYS: A- New Year's Day; B-Memorail Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE: a. Holidays: A through F, Washington's Birthday, Columbus Day, Veterans Day, and Patriots Day.

MASS-1-PEO-2-3 F

POWER EQUIPMENT OPERATORS : Heavy & Highway	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
Group 1	$9.81	.60	.60	a	.02
Hourly premium for boom lenghts including Jib					
Over 150 feet + $ .35					
Over 185 feet + .70					
Over 210 feet + 1.00					
Over 250 feet + 1.50					
Over 295 feet + 2.00					
Group 2	9.69	.60	.60	a	.02
Group 3	8.22	.60	.60	a	.02
Group 4	8.96	.60	.60	a	.02
Group 5	7.30	.60	.60	a	.02
Group 6	7.73	.60	.60	a	.02

FOOTNOTE: a. 10 Paid Holidays - New Years' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, Washington's Birthday, Columbus Day, Veterans Day, & Patriots Day.

CLASSIFICATIONS:

GROUP 1
Power Shovels, Cranes, Truck Cranes, Derricks, Pile Drivers, Trenching Machines, Mechanical Hoist Pavement Breakers, Cement Concrete Pavers, Draglines, Hoisting Engines, Three Drum Machines, Pumprete Machines, Uke Loaders, Shovel Dozers, Front End Loaders, Mucking Machines, Shaft Hoists, Steam Engines, Backhoe, Gradalls, Cable Ways, Fork Lifts, Cherry Pickers, Boring Machines, Rotary Drills, Post Hole Hammers, Port Hole Diggers, Asphalt Plant on Job Sute, Concrete Batching and/or Mixing Plant on Job Site, Crusher Plant on Job Site, Paving Concrete Mixers, Timber Jacks

GROUP 2
Sonic or Vibratory Hammers, Graders, Scrapers, Tandem Scrapers, Bulldozers, Tractors, Mechanic Maintenance, York Rakes, Mulching Machines Paving Screed Machines, Stationary Steam Boilers, Paving Concrete Finishing Machines, Grout Pumps, Portable Steam Boilers, Portable Steam Generators, Rollers, Spreaders, Asphalt Pavers, Locomotives or Machines Used in Place Thereof, Tampers, Self Propelled or Tractor Drawn, Cal Tracks, Ballast Regulators, Rail Anchor Machines, Switch Tampers

GROUP 3
Pump (1-3 groupd), Compressors, Welding Machine (1-3 grouped), Generators, Lighting Plants, Heaters (Power Driven) (1-5), Syphons-Pulsometers, Concrete Mixers, Valves Controlling Permanent Plant Air Steam, Conveyors, Wellpoint Systems (Operating and Installing)

GROUP 4
Assistant Engineers (Firemen)

GROUP 5
Oilers (other than truck cranes & gradalls)

GROUP 6
Oilers (on truck cranes & gradalls)

MASS - 1 - TD - 1-2-3 D

TRUCK DRIVERS: BUILDING AND HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Others
Station wagons, panel trucks and pick-up trucks	$6.80	.485	.575	a+b		
Two axle equipment; helpers on low bed when assigned at the discretion of the employer, warehousemen, forklift opers.	6.95	.485	.575	a+b		
Three axle equipment and tiremen	7.00	.485	.575	a+b		
Four and five axle equipment	7.10	.485	.575	a+b		
Specialized earth moving equipment under 35 tons other than conventional type trucks, low bed, vachaul, mechanics, paving restoration equipment, Mechanics	7.20	.485	.575	a+b		
Specialized earth moving equipment over 35 tons	7.45	.485	.575	a+b		
Trailers for earth moving equipment, (double hookup)	7.70	.485	.575	a+b		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. One half day's pay each month in which an employee has worked 15 days provided he has been employed for 4 months.
b. Holidays: A through F, Washington's Birthday, Columbus Day, Veteran's Day, and Patriots' Day, provided an employee works two days of the calendar week in which the holiday falls.

MARINE CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$ 9.81	.60	.60	a	.02
GROUP II	10.81	.60	.60	a	.02
GROUP III	9.76	.60	.60	a	.02
GROUP IV	9.69	.60	.60	a	.02
GROUP V	8.22	.60	.60	a	.02
GROUP VI	8.96	.60	.60	a	.02
GROUP VII	7.30	.60	.60	a	.02
GROUP VIII	7.73	.60	.60	a	.02
GROUP IX	8.125	.60	.60	a	.02

CLASSIFICATIONS

GROUP I Shovels, cranes, truck cranes, cherry pickers, derricks, pile drivers, two or more drum machines, lighters, derricks boats, trenching machines, mechanical hoist pavement breakers, cement concrete pavers, draglines, hoisting engines, pumpcrete machines, elevating graders, shovel dozers, front end loaders, backhoes, gradalls, cable ways, boring machines, rotary drills, post hole hammers, post hole diggers, fork lifts, timber jacks, asphalt plant (on site), concrete batching &/or mixing plant (on site), crusher plant, (on site), paving concrete mixers; Booms over 150' including jib - additional $.35 per hour; Booms over 185' including jib - additional $.70 per hour; Booms over 210' including jib - additional $1.00 per hour; Booms over 250' including jib - additional $1.50 per hour; Booms over 295' including jib - additional $2.00 per hour

GROUP II Master Mechanic

GROUP III Swinger Engines

GROUP IV Portable steam boilers, portable steam generators, sonic or vibratory hammers, graders, scrapers, tandem scrapers, concrete pumps, bulldozers, tractors york rakes, mulching machines, rollers, spreaders, tampers self-propelled or tractor drawn, asphalt pavers, concrete mixers with side loaders, mechanics - maintenance, cal tracks,ballast regulator, switch tampers, rail anchor machines, tire trucks

GROUP V Pumps, compressors, welding machines, heaters (power driven), valves controlling permanent plan air or steam, wellpoint systems, augers - powered by independent engines & attached to pile drivers, hydraulic saws, generators, lighting plants, syphons-pulsometers, concrete mixers, conveyors

GROUP VI Assistant engineers (firemen)

GROUP VII Oilers and apprentices (other than truck cranes and gradalls)

GROUP VIII Oilers and apprentices on truck cranes and gradalls

GROUP IX Oilers on scows

PAID HOLIDAYS: A-New Years Day; B-Memorial Day; C-Independence Day; D-Labor Day E- Thnaksgiving Day; F-Christmas Day

FOOTNOTE:
a. 10 paid holidays: A through F; Washington's Birthday; Patroits' Day; Columbus Day; & Veterans' Day.

SUPERSEDEAS DECISION

STATE: Massachusetts COUNTY: Franklin
DECISION NO.: MA75-2006 DATE: Date of Publication
Supersedes Decision No. AR-3133, dated August 30, 1974 in 39 FR 31815.
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

BUILDING, HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
Asbestos workers	9.50	.44	.45		.01
Boilermakers	9.08	.60	10%		.01
Bricklayers; cement masons; plasterers stone masons; marble, tile & terrazzo workers; caulker; cleaner; pointer	9.55	.55	.55		.03
Carpenters and soft floor layers:					
Erving, Warwick, Orange, & N. Orange	9.45	.60	.50		.07
Remainder of County	9.15	.35	.50		.02
Electricians:					
Hawley, Monroe, Rowe	8.74	.45	1%+.49		.02
Remainder of County	9.46	.35	1%+.20		.01
Elevator Constructors	8.55	.39	.26	2%+a	.02
Elevator Constructors' helpers	70%JR	.39	.26	2%+a	.02
Elevator constructors' helpers (prob.)	50%JR				
Galsiers	8.05	.37	.45		.005
Ironworkers, structural, ornamental and reinforcing	7.80	.45	.80		.07
Laborers, Building:					
Laborers, carpenter and cement finisher tenders, wrecking laborers	7.00	.50	.45		.05
Asphalt rakers, carbide, core drillers, chain saw op, pipelayers jackhammer & paving breaker ops, barco-type jumping tampers, laser beam ops, concrete pump ops, mason tenders, mortar mixers, & ride-on motorized buggy ops	7.25	.50	.45		.05
Air track ops. block pavers, rammers, & curb setters	7.50	.50	.45		.05
Powdermen and blasters	7.75	.50	.45		.05
Open air caisson, underpinning work and test boring crew:					
Bottom man	7.75	.50	.45		.05
Top man	7.00	.50	.45		.05
Driller	7.87	.50	.45		.05
Helper	7.12	.50	.45		.05

DECISION NO. MA75-2006

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
Lathers	$ 8.45	.45	.25		.01
Line Construction:					
Linemen	10.16	.40	1%	b	3/8of1%
Equipment Operators	9.48	.40	1%	b	3/8of1%
Driver groundmen	7.32	.40	1%	b	3/8of1%
Marble setters' helpers	8.00				
Millwrights	9.20	.60	.50		.07
Painters:					
Brush & roller	8.32	.50	.35		.03
Spray	11.093	.6667	.4667		.04
Swing state under 40' and steel	8.507	.50	.35		.03
Swing state over 40' and steel	8.82	.50	.35		.03
Piledrivermen	9.50	.50	.50		
Plasterers' tenders	7.25	.50	.45		.05
Plumbers & steamfitters:					
Monroe, Rowe and western of Charlemont	8.15	.65	.50	c	.05
Organe	9.20	.30	.40	4%	.05
Remainder of County	9.20	.50	.50		.02
Roofers:					
Composition, dump waterproof	8.695	.59	.61		
Slate, tile, precast concrete	9.35	.59	.61		
Sheet metal workers	8.41	.75	.40 .42		.02
Sprinkler fitters	9.46	.50	.70		.03
Welders - rate for craft					

PAID HOLIDAYS:
A-New Year;s Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiviving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes 4% hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay plus six paid holidays; A through F.

b. Holidays; A through F, Washington's Birthday, Patriots Day providing employee has been employed for a period of five (5) working days prior to the holiday and the regular scheduled work day immediately preceding and following the holiday. One floating holiday per year.

c. Holidays:A through F, plus Veterans' Day, Good Friday & Washington's Birthday; plus an employer contribution of $1.00 per hour to a savings fund.

MASS-2-PEO-1-T 1 of 2

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Shovels, Cranes, Hydraulic Cranes 10 ton capacity or over, Draglines, Derricks, Elevators with Chicago Boom, Backhoes, Cradalls, Elevating Graders, Pile Driving Rigs, Concrete Road Pavers, three drum Hoisting and Trenching Machines, Belt-type Loaders, Front End Loaders-5½ yards or over, Dual Drum Paver, Automatic Grader (i. e. C.M.I.) Combination Back Hoe-Loader-3/4 yard hoe or over.	$8.80	.45	.70	a	.05	
Rotary Drill (with mounted compressor), Compressor house (3 to 6 compressors), Rock and Earth Boring Machines (excluding McCarthy and similar drills), Graders, Front End Loaders-4 yards to 5½ yards, two Drum Hoists, High Fork Lifts with capacity of 15 feet and over, Scrapers-21 yards and over (struck load), Sonic Hammer Console.	8.60	.45	.70	a	.05	
Combination Backhoe-Loader-up to 3/4 yard hoe, Bulldozers, Push Cats, Scrapers-up to 21 yards (struck Load)-self propelled or tractor drawn, Fireman, Front End Loaders-up to 4 yards, Asphalt Paver, Asphalt Roller-10 ton or over, Well Drillers, Mechanics, Welders, Pumpcrete Machines, Concrete Pumps, and similar type pumps, Engineer or Fireman on High Pressure Boiler (on job), Self-Loading Batch Plant, Well Point, Electric Pumps used in Well Point System, Pumps-12 inches and over (total discharge), Compressor (one or two) 900 cu. ft. and over, Powered Grease Truck, Automatic Elevators, (manually or remote controls), Grout Pumps, Boom Truck, Hydraulic Cranes-under 10 ton.	8.40	.45	.70	a	.05	
Asphalt Roller-under 10 ton.	8.10	.45	.70	a	.05	

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BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS (cont'd.)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Single Drum Hoist, Self-Propelled Roller, Self-Propelled Compactors, Power Pavement Breakers, Concrete Pavement Finishing Machines, Two Bag Mixers with Skip, McCarthy and similar drills, Batch Plants (not self-loading) Bulk Cement Plants, Self-Propelled Material Spreaders, A Frame Trucks, Fork Lifts-up to 15 feet.	$7.49	.45	.70	a	.05	
Compressors (one or two) 315 cu. ft. to 900 cu. ft., Pumps-4 inches to 12 inches (total discharge), Tractor (without blade or bucket) Drawing Rollers, Rubber Tire Roller, Compactors or other machines used for pulverizing, Grading or Seeding.	7.08	.45	.70	a	.05	
Compressors (up to 315 cu. ft.), Small Mixers, Pumps (up to 4 inches), Power Heaters, Welding Machines, Conveyors, Oiler, Helpers on Grease Truck and Grease Trucks with hand greasing equipment.	6.42	.45	.70	a	.05	

PAID HOLIDAYS:
A-New Year's Day, B-Memorial Day, C-Independence Day, D-Labor Day, E-Thanksgiving Day, F-Christmas Day.

Footnotes:
a. Holidays: A through F, Veterans' Day and Columbus Day.

HEAVY & HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Shovels, Crawler and Truck Cranes, Derricks, Backhoes, Trenching Machines, Elevating Graders, Belt-type Loaders, Gradalls, Pile Drivers, Concrete Pavers, on site Processing Plant (Engineer in charge), Dragline, Clam Shell, Cableways, Shaft Hoists, Mucking Machines, Front End Loader-5½ yards and over, Tower Cranes, Self-propelled Hydraulic Cranes-10 tons and over, Dual Pavers, Automatic Grader-Excavator (C.M.I. or equal), Scrapers towing pan or wagon, Tandem Dozers or Push Cats (2 units in tandem), Welder using semi automatic Welding Machine, Shotcrete Machine, Tunnel Boring Machine.	$8.80	.45	.70	a	.05	
Rotary Drill (with mounted Compressor), Compressor House (3 to 6 Compressors), Rock and Earth Boring Machines (excluding McCarthy and similar drills), Grader, Front End Loaders-4 yards to 5½ yards, Scraper-21 yards and over (struck load), Forklifts-7 ft. lift and over or 3 ton capacity and over, Sonic Hammer Console.	8.60	.45	.70	a	.05	
Bulldozer, Push Cats, Scrapers-up to 21 yards (struck load) self-propelled or Tractor Drawn, Self-powered Asphalt Paver, Front End Loaders-up to 4 yards, Mechanics, Welders, Well Driller, Pumpcrete Machine, Engineer or Fireman on High Pressure Boiler (on job), Self-loading Batch Plant (on job), Well Point Operators, Electric Pumps used in Well Point system, Fireman, Pumps-16 inches or over total discharge, Compressors (1 or 2) 900 cu. ft. and over, Powered Grease Truck, Asphalt Roller-10 ton and over, Tunnel Locomotives and Dinkys, Grout Pumps, Hydraulic Jacks (jacking pipe, slip forms, etc.), Boom Truck, Self-Propelled Hydraulic Cranes-up to 10 ton.	8.40	.45	.70	a	.05	
Asphalt Roller-up to 10 ton.	8.10	.45	.70	a	.05	

HEAVY & HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Hoists, Conveyors, Self-powered Rollers and Compactors, Power Pavement Breaker Self-propelled Material Spreader, Self-powered Concrete Finishing Machine, Two Bag Mixer with skip, McCarthy and similar Drills, Batch Plant (not self-loading), Bulk Cement Plant.	$7.49	.45	.70	a	.05	
Compressor (315 cu. ft. to 900 cu. ft., 1 or 2), Pumps 4" to 16" total discharge, Tractor without blade drawing sheeps-foot roller, Rubber tired roller or other type of compactors including machines for pulverizing and aerating soil.	7.08	.45	.70	a	.05	
Compressor (up to 315 cu. Ft.), Small Mixers with skip, Oiler, Pumps up to 4", Grease Truck, Helper on powered Grease Truck, Power Heaters, Welding Machines						
A-Frame Trucks, Forklifts-up to 7 ft. lift and up to 3 ton capacity, Hydro Broom, Parts Man (in repair shop), Power Safety Boat.	6.42	.45	.70	a	.05	

Footnotes:

a. Paid Holidays: New Year's Day; Washington's Birthday; Memorial Day; Independence Day; Labor Day; Columbus Day; Veterans' Day; Thanksgiving and Christmas Day.

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HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS:					
Class I	$7.00	.50	.45		.05
Class II	7.25	.50	.45		.05
Class III	7.50	.50	.45		.05
Class IV	7.75	.50	.45		.05

CLASSIFICATIONS:

CLASS I
Carpenter tenders, cement finisher tenders, laborers; wrecking laborers

CLASS II
Asphalt rakers, fence and guard rail erectors, laser beam op., mason tender, pipelayer, pneumatic drill op., pneumatic tool op., wagon drill op

CLASS III
Air track op., block pavers, rammers, curb setters

CLASS IV
Blasters, powdermen

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TRUCK DRIVERS: BUILDING AND HEAVY AND HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Station wagons, panel trucks and pick-up trucks	$6.80	.485	.575	a+b		
Two axle equipment; helpers on low bed when assigned at the discretion of the employer, warehousemen, forklift opers.	6.95	.485	.575	a+b		
Three axle equipment and firemen	7.00	.485	.575	a+b		
Four and five axle equipment	7.10	.485	.575	a+b		
Specialized earth moving equipment under 35 tons other than conventional type trucks, low bed, vachaul, mechanics, paving restoration equipment, Mechanics	7.20	.485	.575	a+b		
Specialized earth moving equipment over 35 tons	7.45	.485	.575	a+b		
Trailers for earth moving equipment, (double hookup)	7.70	.485	.575	a+b		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. One half day's pay each month in which an employee has worked 15 days provided he has been employed for 4 months.
b. Holidays: A through F, Washington's Birthday, Columbus Day, Veteran's Day, and Patriots' Day, provided an employee works two days of the calendar week in which the holiday falls.

SUPERSEDEAS DECISION

STATE: Massachusetts
DECISION NO.: MA75-2007
COUNTY: Hampden
DATE: Date of Publication
Supersedes Decision No. AR-3134 , dated August 30, 1974 in 39 FR 31819
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

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BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$ 9.50	.44	.45		.01
BOILERMAKERS	9.08	.60	10%		.01
BRICKLAYERS: Cement masons; Marble masons; Plasterers; Stone masons; Terrazzo workers; & Tile setters	9.55	.55	.55		.03
CARPENTERS; Soft floor layers	9.15	.35	.50		.02
ELECTRICIANS: Chester, Holyoke, & that portion of Chicopee Township north of the following line: McKinstry Avenue from the Connecticut River to Gratten Street; South on Gratten to Lafayette Street; east on Lafayette to York Street; north on York to McKinstry; east on McKinstry to Grady Road & projected to the Westover Air Force fence & that area north of Westover Field	9.46	.35	1%+.20		.01
Remainder of County	8.29	.48	1%+.15	.43	a
ELEVATOR CONSTRUCTORS	8.55	.39	.26	2%+a+b	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.39	.26	2%+a+b	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	8.05	.37	.45		.005
IRONWORKERS: Ornamental; Reinforcing; Structural	8.81	.55	1.30		.09
LABORERS (BUILDING): Laborers; Wreckers, carpenter & cement finisher tenders	7.00	.50	.45		.05
Asphlat rakers, Carbide Core Driller Ops, Saw Ops, Pipelayers, Jackhammer & Paving Breaker Ops, Barco-type jumping tampers, Laser Beam ops, concrete pump ops, & wagon drill ops, mason tenders, mortar mixers & ride-on motorized buggy ops.	7.25	.50	.45		.05
Air track ops, Block pavers, Rammers & curb setter	7.50	.50	.45		.05

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	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.
LABORERS (CONT'D)					
Blasters & powdermen	7.75	.50	.45		.05
Open air caisson; Cylindrical work & boring crew:					
Bottom man	7.75	.40	.40		.05
Top man	7.00	.40	.40		.05
Test Boring:					
Driller	7.87	.40	.40		.05
Helper	7.12	.40	.40		.05
LATHERS	8.45	.45	.25		.01
LEAD BURNERS	8.75	.30		d	.01
LINE CONSTRUCTION:					
Linemen	10.16	.40	1%	e	3/8of1%
Groundmen, Driver	7.32	.40	1%	e	3/8 of1%
Equipment Operator	9.48	.40	1%	e	3/8of1%
MARBLE, MOSAIC, & TERRAZZO WORKERS' HELPERS	8.00				
MILLWRIGHTS	9.20	.60	.50		.07
PAINTERS:					
Brush	8.32	.50	.35		.03
Spray	11.093	.6667	.4667		.04
Swing stage under 40' steel	8.507	.50	.35		.03
Swing stage over 40' & steel	8.82	.50	.35		.03
PILEDRIVERMEN	9.50	.50	.50		.05
PLUMBERS	9.29	.45	.75	g	.01
ROOFERS:					
Composition, damp & waterproofing	8.695	.59	.61		
Slate, tile, precast, concrete	9.35	.59	.61		
SHEET METAL WORKERS	8.41	.75	.40+.42		.02
SPRINKLER FITTERS	9.46	.50	.70		.08
STEAMFITTERS	8.70	.57	.70	f	

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PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. $.30 per man per week

b. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as vacation pay credit.

c. 6 paid holidays: A through F.

d. 9 paid holidays: A through F, Washington's Brithday, Good Friday, & Christmas Eve, provided the employee has worked 45 full days during the 120 calendar days prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.

e. 9 paid holidays: A through F, provided the employee has been employed for at least 5 days prior to the holiday and is available for work the day before and after the holiday, plus one floating holiday, Washington's Birthday, and Patiots Day.

f. 1 paid holiday: Fourth of July

g. 1 paid holiday: Independence day provided the employee has been employed 7 days prior to the holiday for the same employer

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BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Shovels, Cranes, Hydraulic Cranes 10 ton capacity or over, Draglines, Derricks, Elevators with Chicago Boom, Backhoes, Gradalls, Elevating Graders, Pile Driving Rigs, Concrete Road Pavers, three drum Hoisting and Trenching Machines, Belt-type Loaders, Front End Loaders-3½ yards or over, Dual Drum Paver, Automatic Grader (i. e. C.M.I.) Combination Back Hoe-Loader-3/4 yard hoe or over.	$8.30	.45	.60	a	.05	
Rotary Drill (with mounted compressor), Compressor house (3 to 6 compressors), Rock and Earth Boring Machines (excluding McCarthy and similar drills), Graders, Front End Loaders-4 yards to 5½ yards, two Drum Hoists, High Fork Lifts with capacity of 15 feet and over, Scrapers-21 yards and over (struck load), Sonic Hammer Console.	8.10	.45	.60	a	.05	
Combination Backhoe-Loader-up to 3/4 yard hoe, Bulldozers, Push Cats, Scrapers-up to 21 yards (struck Load)-self propelled or tractor drawn, Tireman, Front End Loaders-up to 4 yards, Asphalt Paver, Asphalt Roller-10 ton or over, Well Drillers, Mechanics, Welders, Pumpcrete Machines, Concrete Pumps, and similar type pumps, Engineer or Fireman on High Pressure Boiler (on job), Self-Loading Batch Plant, Well Point, Electric Pumps used in Well Point System, Pumps-12 inches and over (total discharge), Compressor (one or two) 900 cu. ft. and over, Powered Grease Truck, Automatic Elevators, (manually or remote controls), Grout Pumps, Boom Truck, Hydraulic Cranes-under 10 ton.	7.90	.45	.60	a	.05	
Asphalt Roller-under 10 ton.	7.60	.45	.60	a	.05	

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS (cont'd.)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
Single Drum Hoist, Self-Propelled Roller, Self-Propelled Compactors, Power Pavement Breakers, Concrete Pavement Finishing Machines, Two Bag Mixers with Skip, McCarthy and similar drills, Batch Plants (not self-loading) Bulk Cement Plants, Self-Propelled Material Spreaders, A Frame Trucks, Fork Lifts-up to 15 feet.	$6.93	.45	.60	a	.05	
Compressors (one or two) 315 cu. ft. to 900 cu. ft., Pumps-4 inches to 12 inches (total discharge), Tractor (without blade or bucket) Drawing Rollers, Rubber Tire Roller, Compactors or other machines used for pulverizing, Grading or Seeding.	6.74	.45	.60	a	.05	
Compressors (up to 315 cu. ft.), Small Mixers, Pumps (up to 4 inches), Power Heaters, Welding Machines, Conveyors, Oiler, Helpers on Grease Truck and Grease Trucks with hand greasing equipment.	6.12	.45	.60	a	.05	

PAID HOLIDAYS:
A-New Year's Day, B-Memorial Day, C-Independence Day, D-Labor Day, E-Thanksgiving Day, F-Christmas Day.

Footnotes:
a. Holidays: A through F, Veterans' Day and Columbus Day.

HEAVY & HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.	Others
Shovels, Crawler and Truck Cranes, Derricks, Backhoes, Trenching Machines, Elevating Graders, Belt-type Loaders, Gradalls, Pile Drivers, Concrete Pavers, on site Processing Plant (Engineer in charge), Dragline, Clam Shell, Cableways, Shaft Hoists, Mucking Machines, Front End Loader-5½ yards and over, Tower Cranes, Self-propelled Hydraulic Cranes-10 tons and over, Dual Pavers, Automatic Grader-Excavator (C.M.I. or equal), Scrapers towing pan or wagon, Tandem Dozers or Push Cats (2 units in tandem), Welder using semi automatic Welding Machine, Shotcrete Machine, Tunnel Boring Machine.	$8.30	.45	.60	a	.05	
Rotary Drill (with mounted Compressor), Compressor House (3 to 6 Compressors), Rock and Earth Boring Machines (excluding McCarthy and similar drills), Grader, Front End Loaders-4 yards to 5½ yards, Scraper-21 yards and over (struck load), Forklifts-7 ft. lift and over or 3 ton capacity and over, Sonic Hammer Console.	8.10	.45	.60	a	.05	
Bulldozer, Push Cats, Scrapers-up to 21 yards (struck load) self-propelled or Tractor Drawn, Self-powered Asphalt Paver, Front End Loaders-up to 4 yards, Mechanics, Welders, Well Driller, Pumpcrete Machine, Engineer or Fireman on High Pressure Boiler (on job), Self-loading Batch Plant (on job), Well Point Operators, Electric Pumps used in Well Point system, Fireman, Pumps-16 inches or over total discharge, Compressors (1 or 2) 900 cu. ft. and over, Powered Grease Truck, Asphalt Roller-10 ton and over, Tunnel Locomotives and Dinkys, Grout Pumps, Hydraulic Jacks (jacking pipe, slip forms, etc.), Boom Truck, Self-Propelled Hydraulic Cranes-up to 10 ton.	7.90	.45	.60	a	.05	
Asphalt Roller-up to 10 ton.	7.60	.45	.60	a	.05	

HEAVY & HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS:						
Hoists, Conveyors, Self-powered Rollers and Compactors, Power Pavement Breaker Self-propelled Material Spreader, Self-powered Concrete Finishing Machine, Two Bag Mixer with skip, McCarthy and similar Drills, Batch Plant (not self-loading), Bulk Cement Plant.	$6.93	.45	.60	a	.05	
Compressor (315 cu. ft. to 900 cu. ft., 1 or 2), Pumps 4" to 16" total discharge, Tractor without blade drawing sheeps-foot roller, Rubber tired roller or other type of compactors including machines for pulverizing and aerating soil.	6.74	.45	.60	a	.05	
Compressor (up to 315 cu. Ft.), Small Mixers with skip, Oiler, Pumps up to 4", Grease Truck, Helper on powered Grease Truck, Power Heaters, Welding Machines						
A-Frame Trucks, Forklifts-up to 7 ft. lift and up to 3 ton capacity, Hydro Broom, Parts Man (in repair shop), Power Safety Boat.	6.12	.45	.60	a	.05	

Footnotes:
a. Paid Holidays: New Year's Day; Washington's Birthday; Memorial Day; Independence Day; Labor Day; Columbus Day; Veterans' Day; Thanksgiving and Christmas Day.

HEAVY & HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS:					
Class I	$7.00	.50	.45		.05
Class II	7.25	.50	.45		.05
Class III	7.50	.50	.45		.05
Class IV	7.75	.50	.45		.05

CLASSIFICATIONS:

CLASS I
Carpenter tenders, cement finisher tenders, laborers, wrecking laborers

CLASS II
Asphalt rakers, fence and guard rail erectors, laser beam op., mason tender, pipelayer, pneumatic drill op., pneumatic tool op., wagon drill op

CLASS III
Air track op., block pavers, rammers, curb setters

CLASS IV
Blasters, powdermen

TRUCK DRIVERS: BUILDING AND HEAVY AND HIGHWAY CONSTRUCTION

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Station wagons, panel trucks and pick-up trucks	$6.80	.485	.575	a+b		
Two axle equipment; helpers on low bed when assigned at the discretion of the employer, warehousemen, forklift opers.	6.95	.485	.575	a+b		
Three axle equipment and tiremen	7.00	.485	.575	a+b		
Four and five axle equipment	7.10	.485	.575	a+b		
Specialized earth moving equipment under 35 tons other than conventional type trucks, low bed, vachaul, mechanics, paving restoration equipment, Mechanics	7.20	.485	.575	a+b		
Specialized earth moving equipment over 35 tons	7.45	.485	.575	a+b		
Trailers for earth moving equipment, (double hookup)	7.70	.485	.575	a+b		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. One half day's pay each month in which an employee has worked 15 days provided he has been employed for 4 months.
b. Holidays: A through F, Washington's Birthday, Columbus Day, Veteran's Day, and Patriots' Day, provided an employee works two days of the calendar week in which the holiday falls.

SUPERSEDEAS DECISION

STATE: Massachusetts COUNTY: Hampshire
DECISION NO: MA75-2008 DATE: Date of Publication
Supersedes Decision No. AR-3135, dated August 20, 1974 in 39 FR 31823.
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$ 9.50	.44	.45		.01
Boilermakers	9.08	.60	10%		.01
Bricklayers, plasterers, cement masons, stone masons, marble, tile & terrazzo workers, caulker, cleaner, pointers	9.55	.55	.55		.03
Carpenters	9.15	.35	.50		.02
Electricians:					
Belchertown, Ware	8.29	.48	1%+.15	.43	a
Middlefield, Cummington & Plainfield	8.74	.48	1%+.49		.02
Remainder of County	9.46	.35	1%+.20		.01
Elevator constructors	8.55	.39	.26	2½%+b+c	.02
Elevator constructors' helpers	70%JR	.39	.26	2½%+b+c	.02
Elevator constructors' helpers (prob.)	50%JR				
Glaziers	8.05	.37	.45		.005
Ironworkers, structural, ornamental and reinforcing	7.81	.45	1.30		.09
Laborers, Building:					
Laborers, wrecking laborers, carpenter & cement finisher tenders	7.00	.50	.45		.05
Asphalt rakers, Carbide core driller ops, chain saw ops., pipelayers, jackhammer & paving breaker ops., barco-type jumping tampers, laser beams ops., concrete pumps ops., & wagon drill ops., mason tenders, mortar mixers & ride on motorized buggy ops.	7.25	.50	.45		.05
Air track ops., block pavers, rammers & curb setters	7.50	.50	.45		.05
Powdermen and blasterers	7.75	.50	.45		.05
Open air caisson, underpinning work and boring crew: (entire county)					
Bottom man	7.75	.50	.45		.05
Top man	7.00	.50	.45		.05
Test boring:					
Driller	7.87	.50	.45		.05
Helper	7.12	.50	.45		.05
Lathers	8.45	.45	.25		.01
Line Construction: Linemen	10.16	.40	1%	d	3/8of1%
Line Construction (Cont'd)					
Equipment Operator	9.48	.40	1%	d	3/8of1%
Driver Groundmen	7.32	.40	1%	d	3/8of1%
Marble & tile setters' helpers & terrazzo workers' helpers	8.00				
Millwrights	9.20	.60	.50		.07
Painters:					
Brush & Roller	8.32	.50	.35		.03
Spray	11.093	.6667	.4667		.04
Swing stage under 40' and steel	8.507	.50	.35		.03
Swing stage under 40' and steel	8.87	.50	.35		.03
Piledrivermen	9.50	.50	.50		
Plumbers & Steamfitters:					
Belchertown, Granby, Huntington, Middlefield, South Hadley, Ware:					
Plumbers	9.29	.45	.75	e	.01
Steamfitters	9.38	.57	.70	f	.02
Remainder of County:					
Plumbers & Steamfitters	8.80	.45	.45		.02
Roofers:					
Composition, damp, waterproof	8.695	.59	.61		
Slate, tile, precast concrete	9.35	.59	.61		
Sheet metal workers	8.41	.75	.40+.42		.02
Sprinkler fitters	9.46	.50	.70		.08
Welders - rate for craft.					

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PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. $.30 per man per week.

b. Employer contributes 1% of basic hourly rate for 5 months or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

c. Holidays: A through F.

d. Paid Holidays: A through F, Washington's Birthday and Patriots Day providing employee has been employed for a period of five (5) working days prior to the holiday and the regular scheduled working day preceding and following the holiday.

e. July 4th provided worker employed 7 days before holiday.

f. July 4th & Labor Day - $.08 per hour employer contribution to make two paid holidays.

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BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
Shovels, Cranes, Hydraulic Cranes 10 ton capacity or over, Draglines, Derricks, Elevators with Chicago Boom, Backhoes, Gradalls, Elevating Graders, Pile Driving Rigs, Concrete Road Pavers, three drum Hoisting and Trenching Machines, Belt-type Loaders, Front End Loaders-5½ yards or over, Dual Drum Paver, Automatic Grader (i. e. C.M.I.) Combination Back Hoe-Loader-3/4 yard hoe or over.	$8.80	.45	.70	a	.05	
Rotary Drill (with mounted compressor), Compressor house (3 to 6 compressors), Rock and Earth Boring Machines (excluding McCarthy and similar drills), Graders, Front End Loaders-4 yards to 5½ yards, two Drum Hoists, High Fork Lifts with capacity of 15 feet and over, Scrapers-21 yards and over (struck load), Soc'c Hammer Console.	8.60	.45	.70	a	.05	
Combination Backhoe-Loader-up to 3/4 yard hoe, Bulldozers, Push Cats, Scrapers-up to 21 yards (struck Load)-self propelled or tractor drawn, Tireman, Front End Loaders-up to 4 yards, Asphalt Paver, Asphalt Roller-10 ton or over, Well Drillers, Mechanics, Welders, Pumpcrete Machines, Concrete Pumps, and similar type pumps, Engineer or Fireman on High Pressure Boiler (on job), Self-Loading Batch Plant, Well Point, Electric Pumps used in Well Point System, Pumps-12 inches and over (total discharge), Compressor (one or two) 900 cu. ft. and over, Powered Grease Truck, Automatic Elevators, (manually or remote controls), Grout Pumps, Boom Truck, Hydraulic Cranes-under 10 ton.	8.40	.45	.70	a	.05	
Asphalt Roller-under 10 ton.	8.10	.45	.70	a	.05	

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BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS (cont'd.)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
Single Drum Hoist, Self-Propelled Roller, Self-Propelled Compactors, Power Pavement Breakers, Concrete Pavement Finishing Machines, Two Bag Mixers with Skip, McCarthy and similar drills, Batch Plants (not self-loading) Bulk Cement Plants, Self-Propelled Material Spreaders, A Frame Trucks, Fork Lifts-up to 15 feet.	$7.49	.45	.70	a	.05	
Compressors (one or two) 315 cu. ft. to 900 cu. ft., Pumps-4 inches to 12 inches (total discharge), Tractor (without blade or bucket) Drawing Rollers, Rubber Tire Roller, Compactors or other machines used for pulverizing, Grading or Seeding.	7.08	.45	.70	a	.05	
Compressors (up to 315 cu. ft.), Small Mixers, Pumps (up to 4 inches), Power Heaters, Welding Machines, Conveyors, Oiler, Helpers on Grease Truck and Grease Trucks with hand greasing equipment.	6.42	.45	.70	a	.05	

PAID HOLIDAYS:
A-New Year's Day, B-Memorial Day, C-Independence Day, D-Labor Day, E-Thanksgiving Day, F-Christmas Day.

Footnotes:
a. Holidays: A through F, Veterans' Day and Columbus Day.

HEAVY & HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Shovels, Crawler and Truck Cranes, Derricks, Backhoes, Trenching Machines, Elevating Graders, Belt-type Loaders, Gradalls, Pile Drivers, Concrete Pavers, on site Processing Plant (Engineer in charge), Dragline, Clam Shell, Cableways, Shaft Hoists, Mucking Machines, Front End Loader-5½ yards and over, Tower Cranes, Self-propelled Hydraulic Cranes-10 tons and over, Dual Pavers, Automatic Grader-Excavator (C.M.I. or equal), Scrapers towing pan or wagon, Tandem Dozers or Push Cats (2 units in tandem), Welder using semi automatic Welding Machine, Shotcrete Machine, Tunnel Boring Machine.	$8.80	.45	.70	a	.05	
Rotary Drill (with mounted Compressor), Compressor House (3 to 6 Compressors), Rock and Earth Boring Machines (excluding McCarthy and similar drills), Grader, Front End Loaders-4 yards to 5½ yards, Scraper-21 yards and over (struck load), Forklifts-7 ft. lift and over or 3 ton capacity and over, Sonic Hammer Console.	8.60	.45	.70	a	.05	
Bulldozer, Push Cats, Scrapers-up to 21 yards (struck load) self-propelled or Tractor Drawn, Self-powered Asphalt Paver, Front End Loaders-up to 4 yards, Mechanics, Welders, Well Driller, Pumpcrete Machine, Engineer or Fireman on High Pressure Boiler (on job), Self-loading Batch Plant (on job), Well Point Operators, Electric Pumps used in Well Point system, Tireman, Pumps-16 inches or over total discharge, Compressors (1 or 2) 900 cu. ft. and over, Powered Grease Truck, Asphalt Roller-10 ton and over, Tunnel Locomotives and Dinkys, Grout Pumps, Hydraulic Jacks (jacking pipe, slip forms, etc.), Boom Truck, Self-Propelled Hydraulic Cranes-up to 10 ton.	8.40	.45	.70	a	.05	
Asphalt Roller-up to 10 ton.	8.10	.45	.70	a	.05	

HEAVY & HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Hoists, Conveyors, Self-powered Rollers and Compactors, Power Pavement Breaker Self-propelled Material Spreader, Self-powered Concrete Finishing Machine, Two Bag Mixer with skip, McCarthy and similar Drills, Batch Plant (not self-loading), Bulk Cement Plant.	$ 7.49	.45	.70	a	.05	
Compressor (315 cu. ft. to 900 cu. ft., 1 or 2), Pumps 4" to 16" total discharge, Tractor without blade drawing sheeps-foot roller, Rubber tired roller or other type of compactors including machines for pulverizing and aerating soil.	7.08	.45	.70	a	.05	
Compressor (up to 315 cu. Ft.), Small Mixers with skip, Oiler, Pumps up to 4", Grease Truck, Helper on powered Grease Truck, Power Heaters, Welding Machines						
A-Frame Trucks, Forklifts-up to 7 ft. lift and up to 3 ton capacity, Hydro Broom, Parts Man (in repair shop), Power Safety Boat.	6.42	.45	.70	a	.05	

Footnotes:
a. Paid Holidays: New Year's Day; Washington's Birthday; Memorial Day; Independence Day Labor Day; Columbus Day; Veterans' Day; Thanksgiving and Christmas Day.

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HEAVY & HIGHWAY CONSTRUCTION

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
Class I	$7.00	.50	.45		.05
Class II	7.25	.50	.45		.05
Class III	7.50	.50	.45		.05
Class IV	7.75	.50	.45		.05

CLASSIFICATIONS:

CLASS I
Carpenter tenders, cement finisher tenders, laborers, wrecking laborers

CLASS II
Asphalt rakers, fence and guard rail erectors, laser beam op., mason tender, pipelayer, pneumatic drill op., pneumatic tool op., wagon drill op

CLASS III
Air track op., block pavers, rammers, curb setters

CLASS IV
Blasters, powdermen

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TRUCK DRIVERS: BUILDING AND HEAVY AND HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
Station wagons, panel trucks and pick-up trucks	$6.80	.485	.575	a+b		
Two axle equipment; helpers on low bed when assigned at the discretion of the employer, warehousemen, forklift opers.	6.95	.485	.575	a+b		
Three axle equipment and tiremen	7.00	.485	.575	a+b		
Four and five axle equipment	7.10	.485	.575	a+b		
Specialized earth moving equipment under 35 tons other than conventional type trucks, low bed, vachaul, mechanics, paving restoration equipment, Mechanics	7.20	.485	.575	a+b		
Specialized earth moving equipment over 35 tons	7.45	.485	.575	a+b		
Trailers for earth moving equipment, (double hookup)	7.70	.485	.575	a+b		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. One half day's pay each month in which an employee has worked 15 days provided he has been employed for 4 months.
b. Holidays: A through F, Washington's Birthday, Columbus Day, Veteran's Day, and Patriots' Day, provided an employee works two days of the calendar week in which the holiday falls.

SUPERSEDEAS DECISION

STATE: Massachusetts COUNTY: Middlesex
DECISION NO.: MA75-2009 DATE: Date of Publication
Supersedes Decision No. MA-3136, dated August 30, 1974 in 39 FR 31827.
DESCRIPTION OF WORK: Building Construction, (including Residential), heavy and highway construction and marine construction.

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BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
Asbestos Workers	$ 9.66	.55	.50		.01
Boilermakers	9.08	.60	10%		.01
Bricklayers; Stonemasons; Ashland, Framingham, Holliston Hopkinton, Hudson, Marlboro, Maynard, Natick, Sherborn, & Stow	8.95	1.00	.70		.05
Acton, Ashby, Ayer, Bedford, Billerica, Boxboro, Carlisle, Chelmsford, Dracut, Dubstable, Ft. Devens, Groton, Littleton, Lowell, N. Acton, Pepperell, Shirley, S. Action, Tewksbury, Townsend, Tyngsboro, W. Acton, Westford, & Willmington	9.45	.60	.60		.05
Newton	9.15	.60	.90		.05
Belmont, Burlington, Concord, Lexington, Lincoln, Stoneham, Sudbury, Waltham, Wayland, Weston, Winchester, & Woburn	9.40	.75	.50		.05
Arlington, Cambridge, Everett, Malden, Medford, Melrose, & Somerville	9.05	.70	.90		.05
Reading, N. Reading, & Wakefield	9.30	.50	.85		.05
Carpenters; Soft floor layers: Ashland, Framingham, Holliston, Hopkinton, Hudson, Marlboro, Maynard, Sherborn, & Stow	8.90	.60	.50		.07
Remainder of County	8.85	.50	.50		.03
Cement masons: Bedford, Burlington, Lowell, Tyngsboro, & Westford	8.60	.55			
Arlington, Cambridge, Everett, Malden, Medford, Melrose, Somerville, Stoneham, Wakefield, Wilmington, Winchester & Wobrun	9.15	.50	.30		.05
Reading, N. Reading	8.05	.385	.30		
Billerica, Carlisle, Chelmsford, Dracut, Dunstable, Tewksbury, Acton, Ashby, Ayer, Boxboro, Groton, Littleton, N. Acton, Pepperell, Shirely, S. Acton, Townsend, W. Acton	8.75	.60	.60		.04

DECISION NO. MA75-2009

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
Cement masons (Cont.) Ashland, Framingham, Holliston, Hopkington, Hudson, Marlboro, Maynard, Natick, Sherborne, Stow	$8.70	.60	.65		.04
Newton	9.15	.60	.90		.05
Belmont, Concord, Lexington, Sudbury, Waltham, Watertown, Wayland, and Weston	8.95	.50	.50		.04
Electricians: Bedford, Billerica, Boxboro, Burlington, Carlisle, Chelmsford, Dracut, Dunstable, Littleton, Lowell, Tewksbury, Tyngsboro, Westford, and Wilmington	9.44	.30	1%+.20		.02
Ashby, Ayer, Ft. Devens, Groton, Pepperell, Shirley, & Townsend: commercial	9.20	.45	1%+.35		.02
residential	5.90	.45	1%+.25		.02
Ashland, Hopkinton, Hudson, Marlboro, Stow	9.83	5%	1%+.24		.01
N.Reading	9.34	.25	1%+.20		.02
Remainder of County (commercial)	10.10	.50	1%+.95		.05
Residential	5.25	.35	1%+.95		.05
Elevator constructors	10.04	.445	.29	3%+a+b	.02
Elevator constructors' helpers	70%JR	.445	.29	3%+a+b	.02
Elevator constructors' helpers(prob)	50%JR				
Glaziers	9.20	.45	.66		.03
Ironworkers	9.04	.55	1.40		.06
Laborers (Building): Laborers; carpenter tenders; cement finisher tenders; wreckers	7.00	.50	.45		.05
Jackhammer ops; pavement breakers; wagon drills, asphalt rakers, carbide core drilling machine; chain saw ops; pipelayers; barco type jumping tampers; laser beam ops; concrete pump ops; mason tenders; mortar mixers; ride-on motorized buggy	7.25	.50	.45		.05
Air track ops; block pavers; rammers; curb setters	7.50	.50	.45		.05
Blasterers; powdermen	7.75	.50	.45		.05
Open air caisson, cylindrical work and boring crew: Laborer and top man	7.00	.50	.45		.05
Helper	7.12	.50	.45		.05
Bottom man	7.75	.50	.45		.05
Driller	7.87	.50	.45		.05

DECISION NO. MA75-2009 — 9-MASS-1-2-3-E (3 of 6)

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
Lathers	$ 9.25	.45	.55		
Leadburners	8.75	.30		c	.01
Line Construction:					
Linemen	10.26	.30	1%	d	3/8of1%
Equipment operator	9.62	.30	1%	d	3/8of1%
Driver groundman	7.60	.30	1%	d	3/8of1%
Marble setters: Terrazzo workers	8.75	.60	.50		
Marble setters' helpers	7.94	.40	.25		
Millwrights	9.38	.60	.50		.07
Painters:					
Arlington, Belmont, Cambridge, Malden, Medford, Melrose, Somerville, Stoneham, Wakefield, Winchester, Woburn, Reading, N. Reading					
New Construction					
Brush; Taper	8.76	.62	.85		.04
Sandblasting; spray	9.76	.62	.85		.04
Steel	10.88	.62	.85		.04
Repaint;Alterations; Residential:					
Brush	8.01	.62	.85		.04
Sandblasting, spray	9.01	.62	.85		.04
Steel	10.88	.62	.85		.04
Ashby, Ayer, Groton, Pepperell, Shirley, & Townsend					
Brush	8.98	.75	.50		.02
Sandblasting; Spray	9.98	.75	.50		.02
Steel	11.10	.75	.50		.02
Repaint	8.01	.75	.50		.02
Bedford, Billerica, Burlington, Carlisle, Chelmsford, Dracut, Dunstable, Little, Lowell, Tewsbury, Tyngsboro, Westford, & Wilmington					
Brush; Taping; Paperhangers	8.45	.48	.38		.02
Spray	9.20	.48	.38		.02
Steel	9.25	.48	.38		.02
Repaint	7.27	.48	.38		.02

DECISION NO. MA75-2009 — 9-MASS-1-2-3-E (4 of 6)

Painters (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
All the Newtons, Acton, Ashland, Boxboro, Concord, Framingham, Holliston, Hopkinton, Hudson, Lexington, Lincoln, Marlboro, Maynard, Natick Sherborn, Stow, Sudbury, Waltham, Watertown, Wayland, Westboro, & Weston					
Brush	$ 7.85	.35	.35		.06
Sandblasters; Spray	8.80	.35	.35		.06
Steel	8.10	.35	.35		.06
Piledrivermen	9.50	.50	.50		
Plasterers:					
Arlington, Cambridge, Everett, Malden, Medford, Somerville, Stoneham, Wakefield, Winchester & Woburn	8.55	.45	1.23		.02
Ashland, Framingham, Holliston, Hopkinton, Hudson, Marlboro, Maynard, Natick, Sherborn, Stow	8.70	.60	.65		.04
Acton, Ashby, Ayer, Billerica, Boxboro, Carlisle, Chelmsford, Dracut, Dunstable, Groton, Littleton, N. Acton, Pepperell, Shirley, S. Acton, Tewsbury, Townsend, W. Acton	8.75	.60	.60		.04
Newton	8.60	.60	.75		.04
Belmont, Concord, Lexington, Lincoln, Sudbury, Waltham, Watertown, Wayland, & Weston	8.95	.50	.50		.04
Bedford, Burlington, Lowell, Tyngsboro & Westford	8.60	.55			
N. Reading, Reading	8.05	.385	.30		
Plasterers' Tenders	7.25	.50	.45		.10
Plumbers:					
Acton, Ayer (except portion lying west of the Greenville Branch of the Boston & Main RR), Bedford, Billerica, Boxboro, Burlington, Carisle, Chelmsford, Dracut, Dunstable, Graniteville, Hudson, Littleton, Lowell, Pepperell, Tewsbury, Tyngsboro, Westford, & Wilmington	9.17	.50	.50		.02

DECISION NO. MA75-2009, 9-MASS-1-2-3-D 5 of 6)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Ashby, Ayer (portion lying West of the Greenville Branch of the Boston & Main RR), Pt. Devens, Groton, Shriley & Townsend	$ 9.20	.30	.40	4%	.05
Ashland, Belmont, Concrod, Framingham, Holliston, Hopkinton, Lexington, Lincoln, Marlboro, Maynard, Natick, Sherborn, Stow, Sudbury, Waltham, Wayland & Weston	9.77	.53	.55		.05
Arlington, Cambridge, Everett, Malden, Medford, Melrose, Newton, N. Reading, Reading, Somerville, Stoneham, Wakefield, Watertown, Winchester, & Woburn	10.25	.70	.60		.03
Roofers	9.20	.55	.80		.05
Sheet Metal Workers	9.63	.71	.75		.06
Sprinkler fitters	9.63	.50	.70		.08
Steamfitters: Acton, Arlington, Cambridge, Everett,, Malden, Medford, Melrose, Newton, N. Reading, Reading, Somerville, Stoneham, Wakefield, Watertown, Winchester, & Woburn	10.36	.51	.65		.05
Ayer (except portion lysing west of the Greenbille Branch of the Boston & Main RR), Bedford, Billerica, Boxboro, Burlington, Carlisle, Chelmsford, Dracut, Dunstable, Graniteville, Hudson, Littleton, Lowell, Pepperell, Tewksbury, Tyngsboro, Westford, & Wilmington	8.59	.40	.40		.02
Ashby, Ayer (portion lying west of the Greenville Branch of the Boston & Main RR), Pt. Devens, Shirley, & Townsend	8.75	.30	.40	4%	.02
Remainder of County	8.675	.53	.55		.025
Terrazzo workers' helpers	7.65	.30	.25		.05
Tile setters (except cities & towns of Acton, Ashby, Ayer, Boxboro, Dunstable, E. Pepperell, Pt. Devens, Groton, Littleton, N. Acton, N. Pepperell, Pepperell, Shirley, S. Acton, Townsend & W. Acton	8.25	.60	.50		

DECISION NO. MA75-2009 9-MASS-1-2-3-E (6 of 6)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Tile Setters(Acton, Ashby, Ayer, Boxboro, Dunstable, E. Pepperell, Pt. Devens, Groton, Littleton, N. Acton, N. Pepperell, Pepperell, Shirley, S. Acton, Townsend, & W. Acton)	8.75	.60	.60		.04
Tile Setters' Helpers	7.94	.40	.25		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day;C-Independence Day; D-Labor Day; E-Thanksgiving Day; F- Chirstmas Day.

FOOTNOTES:

a. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% of basic hourly rate for 6 months to 5 years of service as vacation pay credit.

b. 6 paid holidays: A through F

c. 9 paid holidays: A through F, Washington's Birthday, Good Friday, & Christmas Eve, provided the employee has worked at least 45 full days furing the 120 calendar days immediately prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.

d. 7 paid holidays: A through F, & Bunker Hill Day, provided the employee has been employed 5 working days prior to any one of the listed holidays.

e. Employer pays $5.00 per day extra above the brush rate.

MASS-1 - 2-J L

HEAVY & HIGHWAY CONSTRUCTION

LABORER:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
Class I	$7.00	.50	.45		.05
Class II	7.25	.50	.45		.05
Class III	7.50	.50	.45		.05
Class IV	7.75	.50	.45		.05

CLASSIFICATIONS:

CLASS I
Carpenter tenders, cement finisher tenders, laborers, wrecking laborers

CLASS II
Asphalt rakers, fence and guard rail erectors, laser beam op., mason tender, pipelayer, pneumatic drill op., pneumatic tool op., wagon drill op

CLASS III
Air track op., block pavers, rammers, curb setters

CLASS IV
Blasters, powdermen

MASS-1-PEO-1-E

BUILDING CONSTRUCTION

Power Equipment Operators:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
CLASS I	$ 9.81	.60	.60	a	.02
CLASS II	9.69	.60	.60	a	.02
CLASS III	8.22	.60	.60	a	.02
CLASS IV	8.96	.60	.60	a	.02
CLASS V	7.30	.60	.60	a	.02
CLASS VI	7.73	.60	.60	a	.02

CLASSIFICATIONS

CLASS I Cranes, shovels, truck cranes, cherry pickers, draglines, trench hoes, backhoes, three drum machines, derricks, pile drivers, elevator towers, hoists, gradalls, shovel dozers, front end loaders, fork lifts, augers, boring machines, rotary drills, post hole hammers, post hole diggers, pumpcrete machines, asphalt plant (on side), concrete batching and/or mixing plant (on site), crusher plant (on site), paving concrete mixers, timber jacks

CLASS II Boom over 150' including jib - additional $.35 per hour; Boom over 185' including jib - additional $.70 per hour; Boom over 210' including jib - additional $1.00 per hour; Boom over 250' including jib - additional $1.50 per hour Boom over 295' including jib - additional $2.00 per hour; Sonic or vibratory hammers, graders, scrapers, tandem scrapers, concrete pumps, bulldozers, tractors, york rakes, mulching machines, portable steam boilers, portable steam generators, rollers, spreaders, tampers (self propelled or tractor drawn), asphalt pavers, mechanics maintenance, paving screed machines, stationary steam boilers, paving concrete finishing machines, cal trucks, ballast regulators, switch tampers, rail anchor machinery, tire trucks (when operated by the employer on the job site)

CLASS III Pumps (1-3 grouped), compressors, welding machines (1-3 grouped), generators, concrete vibrators, lighting plants, heaters (power driven 1-5), well-point systems (operating and installing), syphones-pulsometers, concrete mixers, valves controlling permanent plant air or steam, conveyors, Jackson type tampers, single disphragm pump, lighting plants

CLASS IV Assistant engineers (firemen)

CLASS V Oilers and apprentices (other than truck cranes and gradalls)

CLASS VI Oilers and apprentices on truck cranes and gradalls

PAID HOLIDAYS: A- New Year's Day; B-Memorail Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE: a. Holidays: A through F, Washington's Birthday, Columbus Day, Veterans Day, and Patriots Day.

STATE: Massachusetts COUNTY: Norfolk
DECISION NO.: MA75-2010 DATE: Date of Publication
Supersedeas Decision No. AR-3137 dated August 30, 1974 in 39 FR 31833
DESCRIPTION OF WORK: Building Construction, (including Residential), heavy and highway construction.

11-Mass-1-2-3-V (1-3)

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos Workers:					
Bellingham, Franklin, Plainville, & Wrentham	$ 9.32	.71	.83		
Remainder of County	9.66	.65	.80		.01
Boilermakers	9.085	.60	10%		.01
Bricklayers; Cement masons; Pasterers; & Stonemasons:					
Dover, Needham & Wellesley	9.15	.60	.90		.05
Medfield, Medway & Mills	8.95	1.00	.70		.05
Avon, Holbrook, Randolph & Stoughton	8.85	.75	1.05		.05
Bellingham, Canton, Dedham, Foxboro Franklin, Norfolk, Norwood, Plainville					
Sharon, Walpole, Westwood & Wrentham	9.20	.80	.65		.05
Braintree, Cohasset, N. Weymouth, Quincy, S. Weymouth, & Weymouth	9.20	.75	.70		.05
Bricklayers; Stonemasons:					
Brookline, & Milton	9.05	.70	.90		.05
Carpenters; Soft floor layers:					
Quincy	9.45	.60	.50		.07
Brookline, Dedham & Milton	9.45	.60	.50		.07
Avon, Holbrook, Randolph & Stoughton	8.75	.50	.50		.02
Bellingham, Franklin, Medfield, Medway & Mills	8.675	.60	.50		.07
Remainder of County	9.45	.60	.50		.05
Cement Masons: Brookline & Milton	9.15	.50	.30		.05
Electricians:					
Avon, Holbrook, Randolph & Stoughton					
Elec. contracts under $20,000	8.30	4%	5%		.5%
Elec. contracts $20,000 or over	10.05	4%	5%		.5%
Residential	5.75	.35	5%		.5%
Plainville	$ 8.80	.38	1%+.50		.02
Residential	5.75	.38	1%+.05		.02
Remainder of County	10.10	.50	1%+.95		.05
Residential	5.25	.35	1%+.95		.05
Elevator Constructors	10.04	.445	.29	2%+a+b	.02
Elevator Constructors' helpers	70%JR	.445	.29	2%+a+b	.02
Elevator Constructors' helpers (prob.)	50%JR				
Glaziers: S. Bellingham	8.48	.47	.40		.01
Remainder of County	9.20	.45	.56		.03
Ironworkers: Plainville	7.95	.50	1.40		.03
Remainder of County	8.39	.50	1.40		.06

LABORERS (BUILDING)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Laborers, carpenter tenders, cement finisher tender, wrecking laborers	$ 7.00	.50	.45		.05
Jackhammer op., pavement breaker, wagon drills, asphalt rakers, carbide core drilling mach., chain saw op., pipelayer, barco type jumping tamper, laser beam, concrete pump, mason tender, mortar mixer, ride-on buggy	7.25	.50	.45		.05
Air track, block paver, rammer, curb setter	7.50	.50	.45		.05
Blasters, powdermen	7.75	.50	.45		.05
Open air caisson, cylindrical work & boring crew:					
Laborer, top man	7.00	.50	.45		.05
Helper	7.12	.50	.45		.05
Bottom men	7.75	.50	.45		.05
Driller	7.87	.50	.45		.05
Lathers	9.25	.45	.55		
Leadburners	8.75	.30		c	.01
Line Construction:					
Linemen	10.26	.30	1%	d	3/Bof1%
Equipment operator	9.62	.30	1%	d	3/Bof1%
Driver groundman	7.60	.30	1%	d	3/Bof1%
Marble setters, Terrazzo workers	8.25	.50	.50		
Marble setters' helpers	7.94	.40	.25		
Millwrights	9.38	.60	.50		.07
Painters:					
Bellingham:					
Brush	8.15	.50	.50		
Steel & Steam cleaning	8.40	.50	.50		
Spray & Potter	9.15	.50	.50		
Residential					
Brush	7.45	.45	.45		
Steel	7.70	.45	.45		
Spray	8.45	.45	.45		
Dover, Medfield, Medway, Mills, Needham, & Wellesley					
Brush	7.85	.35	.35		
Steel	8.10	.35	.35		
Spray	8.80	.35	.35		
Residential					
Brush	7.00	.35	.25		
Steel	7.25	.35	.25		
Spray	7.95	.35	.25		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Painters (Cont'd)					
Remainder of County:					
New Construction					
Brush, taper	$ 8.76	.62	.85		.04
Steel	10.88	.62	.85		.04
Spray	9.76	.62	.85		.04
Repaint, Alterations & Residential					
Brush	8.01	.62	.85		.04
Steel	10.88	.62	.85		.04
Spray	9.01	.62	.85		.04
Piledrivermen	9.50	.50	.50		
Plasterers: Brookline & Milton	8.55	.45	1.25		.02
Plasterers' Tenders:					
Avon, Bellingham, Braintree, Brookline, Canton, Cohasset, Dedham, Dover, Foxboro, Franklin, Holbrook, Medfield, Medway, Millis, Milton, Needham, Norfolk, Norwood Plainville, Quincy, Randolph, Sharon, S. Bellingham, Stoughton, Walpole, Wellisley, Westwood, Weymouth, & Wrentham	7.25	.50	.45		.10
Plumbers; Steamfitters:					
Avon, Holbrook, Randolph, & Stoughton	8.95	.35	.50		.05
Dover, Medfield, Medway, Wellesley	9.77	.53	.55		.05
Plumbers: Gasfitters:					
Bellingham, Braintree, Brookline, Canton, Cohasset, Dedham, Foxboro, Franklin, Millis, Milton, Needham, Norfolk, N. Weymouth, Norwood, Plainville, Quincy, Sharon, S. Weymouth, Walpole, Westwood, Weymouth, & Wrentham	10.25	.70	.60		.03
Roofers	9.20	.55	.80		.05
Sheet Metal workers	9.63	.71	.75		.06
Sprinkler fitters	9.63	.50	.70		.08
Steamfitters:					
Bellingham, Brookline, Canton, Dedham, Foxboro, Franklin, Medway, Milton, Needham, Norfolk, Norwood, Plainville, Quincy, Sharon, Walpole, Westwood & Wrentham	10.36	.51	.65		.05

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Terrazzo Workers' Helpers	7.65	.30	.25		.05
Tile Setters	8.25	.60	.50		
Tile Setters' Helpers	7.94	.40	.25		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C- Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employ contributes 4% of basic hourly rate for 5 years or more of service or 2% of basic hourly rate for 6 months ro 5 years of service as Vacation Pay credit.

b. 6 Paid Holidays: A through F.

c. 9 Paid Holidays: A through F, Washington's Birthday, Good Friday, & Christmas Eve, provided the employee has worked 45 full days during the 120 calendar days prior to the holiday and the regular scheduled work days immediately preceding the following holiday.

d. 7 Paid Holidays: A through F, & Bunker Hill Day provided the employee has been employed 10 working days prior to the listed holidays.

e. Employer pays $5.00 per day extra above the brush rate.

MASS-1-PEO-1-E

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators:					
CLASS I	$ 9.81	.60	.60	a	.02
CLASS II	9.69	.60	.60	a	.02
CLASS III	8.22	.60	.60	a	.02
CLASS IV	8.96	.60	.60	a	.02
CLASS V	7.30	.60	.60	a	.02
CLASS VI	7.73	.60	.60	a	.02

CLASSIFICATIONS

CLASS I Cranes, shovels, truck cranes, cherry pickers, draglines, trench hoes, backhoes, three frum machines, derricks, pile drivers, elevator towers, hoists, gradalls, shovel dozers, front end loaders, fork lifts, augers, boring machines, rotary drills, post hole hammers, post hole diggers, pumpcrete machines, asphalt plant (on side), concrete batching and/or mixing plant (on site), crusher plant (on site), paving concrete mixers, timber jacks

CLASS II Boom over 150' including jib - additional $.35 per hour; Boom over 185' including jib - additional $.70 per hour; Boom over 210' including jib - additional $1.00 per hour; Boom over 250' including jib - additional $1.50 per hour Boom over 295' including jib - additional $2.00 per hour; Sonic or vibratory hammers, graders, scrapers, tandem scrapers, concrete pumps, bulldozers, tractors, york rakes, mulching machines, portable steam boilers, portable steam generators, rollers, spreaders, tampers (self propelled or tractor drawn), asphalt pavers, mechanics maintenance, paving screed machines, stationary steam boilers, paving concrete finishing machines, cal trucks, ballast regulators, switch tampers, rail anchor machinery, tire trucks (when operated by the employer on the job site)

CLASS III Pumps (1-3 grouped), compressors, welding machines (1-3 grouped), generators, concrete vibrators, lighting plants, heaters (power driven 1-5), well-point systems (operating and installing), syphones-pulsometers, concrete mixers, valves controlling permanent plant air or steam, conveyors, Jackson type tampers, single disphragm pump, lighting plants

CLASS IV Assistant engineers (firemen)

CLASS V Oilers and apprentices (other than truck cranes and gradalls)

CLASS VI Oilers and apprentices on truck cranes and gradalls

PAID HOLIDAYS: A- New Year's Day; B-Memorail Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE: a. Holidays: A through F, Washington's Birthday, Columbus Day, Veterans Day, and Patriots Day.

MASS-1-PEO-2-3 F

HEAVY & HIGHWAY CONSTRUCTION: POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1	$9.81	.60	.60	a	.02
Hourly premium for boom lenghts including Jib					
Over 150 feet + $ .35					
Over 185 feet + .70					
Over 210 feet + 1.00					
Over 250 feet + 1.50					
Over 295 feet + 2.00					
Group 2	9.69	.60	.60	a	.02
Group 3	8.22	.60	.60	a	.02
Group 4	8.96	.60	.60	a	.02
Group 5	7.30	.60	.60	a	.02
Group 6	7.73	.60	.60	a	.02

FOOTNOTE: a. 10 Paid Holidays - New Years' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, Washington's Birthday, Columbus Day, Veterans Day, & Patriots Day.

CLASSIFICATIONS:

GROUP 1
Power Shovels, Cranes, Truck Cranes, Derricks, Pile Drivers, Trenching Machines, Mechanical Hoist Pavement Breakers, Cement Concrete Pavers, Draglines, Hoisting Engines, Three Drum Machines, Pumpcrete Machines, Uke Loaders, Shovel Dozers, Front End Loaders, Mucking Machines, Shaft Hoists, Steam Engines, Backhoe, Gradalls, Cable Ways, Fork Lifts, Cherry Pickers, Boring Machines, Rotary Drills, Post Hole Hammers, Port Hole Diggers, Asphalt Plant on Job Sute, Concrete Batching and/or Mixing Plant on Job Site, Crusher Plant on Job Site, Paving Concrete Mixers, Timber Jacks

GROUP 2
Sonic or Vibratory Hammers, Graders, Scrapers, Tandem Scrapers, Bulldozers, Tractors, Mechanic Maintenance, York Rakes, Mulching Machines Paving Screed Machines, Stationary Steam Boilers, Paving Concrete Finishing Machines, Grout Pumps, Portable Steam Boilers, Portable Steam Generators, Rollers, Spreaders, Asphalt Pavers, Locomotives or Machines Used in Place Thereof, Tampers, Self Propelled or Tractor Drawn, Cal Tracks, Ballast Regulators, Rail Anchor Machines, Switch Tampers

GROUP 3
Pump (1-3 groupd), Compressors, Welding Machine (1-3 grouped), Generators, Lighting Plants, Heaters (Power Driven) (1-5), Syphons-Pulsometers, Concrete Mixers, Valves Controlling Permanent Plant Air Steam, Conveyors, Wellpoint Systems (Operating and Installing)

GROUP 4
Assistant Engineers (Firemen)

GROUP 5
Oilers (other than truck cranes & gradalls)

GROUP 6
Oilers (on truck cranes & gradalls)

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HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
LABORERS:		H & W	Pensions	Vacation	App. Tr.
Class I	$7.00	.50	.45		.05
Class II	7.25	.50	.45		.05
Class III	7.50	.50	.45		.05
Class IV	7.75	.50	.45		.05

CLASSIFICATIONS:

CLASS I
Carpenter tenders, cement finisher tenders, laborers, wrecking laborers

CLASS II
Asphalt rakers, fence and guard rail erectors, laser beam op., mason tender, pipelayer, pneumatic drill op., pneumatic tool op., wagon drill op

CLASS III
Air track op., block pavers, rammers, curb setters

CLASS IV
Blasters, powdermen

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TRUCK DRIVERS: BUILDING AND HEAVY AND HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Station wagons, panel trucks and pick-up trucks	$6.80	.485	.575	a+b		
Two axle equipment; helpers on low bed when assigned at the discretion of the employer, warehousemen, forklift opers.	6.95	.485	.575	a+b		
Three axle equipment and firemen	7.00	.485	.575	a+b		
Four and five axle equipment	7.10	.485	.575	a+b		
Specialized earth moving equipment under 35 tons other than conventional type trucks, low bed, vachaul, mechanics, paving restoration equipment, Mechanics	7.20	.485	.575	a+b		
Specialized earth moving equipment over 35 tons	7.45	.485	.575	a+b		
Trailers for earth moving equipment, (double bookup)	7.70	.485	.575	a+b		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. One half day's pay each month in which an employee has worked 15 days provided he has been employed for 4 months.
b. Holidays: A through F, Washington's Birthday, Columbus Day, Veteran's Day, and Patriots' Day, provided an employee works two days of the calendar week in which the holiday falls.

STATE: Massachusetts
DECISION NO.: MA75-2011
COUNTY: Plymouth
DATE: Date of Publication
Supersedes Decision No. AR-3138, dated August 30, 1974 in 39 FR 31836.

DESCRIPTION OF WORK: Building Construction, (including Residential), heavy and highway construction

Building, Heavy & Highway

12-MASS-1-2-3-Y (1-4)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ASBESTOS WORKERS:						
Lakeville, Mattapoisett, Middleboro, Rochester, & Wareham	$9.32	.71	.83			
Remainder of County	9.66	.65	.80		.01	
BOILERMAKERS	9.08	.60	10%		.01	
BRICKLAYERS; Cement masons; & Stonemasons:						
Abington, Bridgewater, Brockton, Carver, Duxbury, E. Bridgewater, Halifax, Hanover, Hanson, Kingston, Marshfield, Middleboro, Norwell, Pembroke, Plymouth, Plympton, Rockland, W. Bridgewater, & Whitman	8.85	.75	1.05		.05	
BRICKLAYERS; Cement masons; Plasterers; & Stonemasons:						
Hingham, Hull, Scituate, & the Islands of Quincy Bay	9.40	.65	.60		.05	
Lakeville	9.30	.75	.60		.05	
Marion, Mattapoisett, Rochester, & Wareham	9.05	.60	.80		.05	
CARPENTERS; Soft floor layers:						
Duxbury, Hanover, Hingham, Hull, Marshfield, Norwell, Pembroke, Rockland, & Scituate	9.45	.60	.50		.07	
Abington, Bridgewater, Brockton, Carver, E. Bridgewater, Halifax, Hanson, Kingston, Plymouth, Plympton, W. Bridgewater, & Whitman	8.75	.50	.50		.02	
Lakeville, & Middleboro	8.75	.50	.50		.02	
Marion, Mattapoisett, Rochester, & Wareham	8.75	.50	.50		.02	
ELECTRICIANS:						
Hingham, Hull	10.10	.50	7%+.95		.05	
Residential	5.25	.35	2%+.95		.05	
Mattapoisett, Rochester & Wareham:						
Electrical contracts over $12,000.	9.00	.30	3%+.25		a	
Electrical contracts under $12,000.	7.55	.30	1%+.25		a	
Lakeville & Middleboro	9.50	.50	1%		.1%	
Residential	6.50	.50	1%		.1%	
Remainder of County:						
Electrical contracts $20,000. or more	10.05	1%	5%		.5%	
Electrical contracts under $20,000.	8.30	1%	5%		.5%	
Residential	5.75	.35	5%		.5%	
ELEVATOR CONSTRUCTORS	9.475	.39	.26	2½%+b&c	.02	
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.39	.26	2½%+b&c	.02	
ELEVATOR CONSTRUCTORS' HELPERS, PROB.	50%JR					

BUILDING, HEAVY, HIGHWAY, & RESIDENTIAL CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GLAZIERS:					
Carver, Lakeville, Middleboro, Marion, Mattapoisett, Rochester, Wareham	$8.48	.47	.40		.01
Remainder of County	9.20	.45	.56		.03
IRONWORKERS:					
Bridgewater, Brockton, Hanover, Hanson, Marshfield, Norwell, Pembroke, Rockland, Scituate, W. Bridgewater, & Whitman	9.04	.35	1.40		.06
Lakeville, Marion, Mattapoisett, Middleboro, Rochester, & Wareham	7.95	.50	1.40		.03
LABORERS (Building):					
Laborers; Carpenter tenders; Cement finisher tenders; Wrecking laborers	7.00	.50	.45		.05
Jackhammer ops; pavement breakers; wagon drills; asphalt rakers; carbide core drilling machine; chain saw ops; pipelayer; barco-type jumping tampers; laser beam ops; concrete pump ops; mason tenders; mortar mixers; ride-on motorized buggy ops	7.25	.50	.45		.05
Air track; block pavers; rammers; curb setters	7.50	.50	.45		.05
Blasters; powdermen	7.75	.50	.45		.05
Open air caisson; Cylindrical work & boring crew:					
Laborer; Top man	7.00	.50	.45		.05
Helper	7.12	.50	.45		.05
Bottom man	7.75	.50	.45		.05
Driller	7.87	.50	.45		.05
LATHERS	9.25	.45	.55		
LEADBURNERS	8.75	.30		d	.01
LINE CONSTRUCTION:					
Linemen	10.26	.30	1%	e	3/8of1%
Equipment operators	9.62	.30	1%	e	3/8of1%
Groundmen	6.39	.30	1%	e	3/8of1%
MARBLE SETTERS: TERRAZZO WORKERS	8.25	.60	.50		
MARBLE SETTERS' HELPERS	7.94	.40	.25		
MILLWRIGHTS	8.75	.60	.50		.07

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
PAINTERS:						
Abington, Bridgewater, Brockton, Carver, Duxbury, E. Bridgewater, Halifax, Hanover, Hanson, Hingham, Hull, Kingston, Marshfield, Norwell, Pembroke, Plymouth, Plympton, Rockland, Scituate, W. Bridgewater, & Whitman:						
Brush; Taper (New construction)	$8.76	.62	.85		.04	
Steel (New construction)	10.88	.62	.85		.04	
Spray (New construction)	9.76	.62	.85		.04	
Brush (repaint, alterations, resid.)	8.01	.62	.85		.04	
Steel (repaint, alterations, resid.)	10.88	.62	.85		.04	
Spray (repaint, alterations, resid)	9.01	.62	.85		.04	
Marion, Mattapoisett, Rochester, & Wareham:						
Brush; Rollers; Taping	7.90	.30	.20			
Steel 1' to 50' & Spray	8.90	.30	.20			
PILEDRIVERMEN:						
Marion, Mattapoisett, Rochester, & Wareham	7.85	.30	.50			
Remainder of County	9.50	.50	.50			
PLASTERERS:						
Norwell	8.55	.45	1.25		.02	
Abington, Bridgewater, Brockton, Carver, Duxbury, E. Bridgewater, Halifax, Hanover, Hanson, Kingston, Marshfield, Middleboro, Pembroke, Plymouth, Plympton, Rockland, W. Bridgewater, & Whitman	8.45	.35	.45		.02	
PLASTERERS' TENDERS:						
Abington, Bridgewater, Brockton, Carver, Duxbury, E. Bridgewater, Halifax, Hanover, Hanson, Hingham, Hull, Kingston, Marshfield, Norwell, Pembroke, Plymouth, Plympton, Rockland, Scituate, W. Bridgewater, & Whitman	7.25	.50	.45		.10	
PLUMBERS:						
Marion, Mattapoisett, Rochester, & Wareham	8.80	.51	.66		.15	
Abington, Bridgewater, Brockton, Carver, Duxbury, E. Bridgewater, Halifax, Hanover, Hanson, Kingston, Marshfield, Norwell, Pembroke, Plymouth, Plympton, Rockland, W. Bridgewater, & Whitman	8.95	.35	.50		.05	
PLUMBERS; Gasfitters:						
Hingham, Hull, & Scituate	9.85	.50	.60		.03	
PLUMBERS; Steamfitters:						
Lakeville, & Middleboro	8.64	.60	.73			

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ROOFERS:						
Abington, Bridgewater, E. Bridgewater, Halifax, Hanover, Hanson, Marshfield, Norwell, Pembroke, Plymouth, Plympton Rockland, Scituate, & W. Bridgewater	$9.20	.55	.80		.05	
Brockton	8.00					
Carver, Lakeville, Marion, Mattapoisett, Middleboro, Rochester, & Wareham:						
Roofers; Kettlemen	8.40	.50	.05			
Helpers, Class "A"	7.70	.50	.05			
SHEET METAL WORKERS:						
Marion, Mattapoisett, Rochester, & Wareham	8.60	.45	.45			
Remainder of County	9.63	.71	.75		.06	
SPRINKLER FITTERS	9.63	.50	.70		.08	
STEAMFITTERS:						
Marshfield	9.76	.51	.65		.05	
TERRAZZO WORKERS' HELPERS	7.65	.30	.25		.05	
TILE SETTERS	8.25	.60	.50			
TILE SETTERS' HELPERS	7.94	.40	.25			

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Employer contribution of $1.00 per journeyman electrician per week.
b. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% of basic hourly rate for 6 months to 5 years of service as vacation pay credit.
c. 6 paid holidays: A through F.
d. 9 paid holidays: A through F, Washington's Birthday, Good Friday, & Christmas Eve, provided the employee has worked at least 45 full days during the 120 calendar days immediately prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.
e. 7 paid holidays: A through F, and Bunker Hill Day, provided the employee has been employed 5 working days prior to any one of the listed holidays.

MASS-1 - 2-3 L

HEAVY & HIGHWAY CONSTRUCTION

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
Class I	$7.00	.50	.45		.05
Class II	7.25	.50	.45		.05
Class III	7.50	.50	.45		.05
Class IV	7.75	.50	.45		.05

CLASSIFICATIONS:

CLASS I
Carpenter tenders, cement finisher tenders, laborers, wrecking laborers

CLASS II
Asphalt rakers, fence and guard rail erectors, laser beam op., mason tender, pipelayer, pneumatic drill op., pneumatic tool op., wagon drill op

CLASS III
Air track op., block pavers, rammers, curb setters

CLASS IV
Blasters, powdermen

MASS - 1 - TD - 1-2-3 D

TRUCK DRIVERS: BUILDING AND HEAVY AND HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
Station wagons, panel trucks and pick-up trucks	$6.80	.485	.575	a+b		
Two axle equipment; helpers on low bed when assigned at the discretion of the employer, warehousemen, forklift opers.	6.95	.485	.575	a+b		
Three axle equipment and tiremen	7.00	.485	.575	a+b		
Four and five axle equipment	7.10	.485	.575	a+b		
Specialized earth moving equipment under 35 tons other than conventional type trucks, low bed, vachaul, mechanics, paving restoration equipment, Mechanics	7.20	.485	.575	a+b		
Specialized earth moving equipment over 35 tons	7.45	.485	.575	a+b		
Trailers for earth moving equipment, (double hookup)	7.70	.485	.575	a+b		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. One half day's pay each month in which an employee has worked 15 days provided he has been employed for 4 months.
b. Holidays: A through F, Washington's Birthday, Columbus Day, Veteran's Day, and Patriots' Day, provided an employee works two days of the calendar week in which the holiday falls.

MASS-1-PBO-1-E

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators:					
CLASS I	$ 9.81	.60	.60	a	.02
CLASS II	9.69	.60	.60	a	.02
CLASS III	8.22	.60	.60	a	.02
CLASS IV	8.96	.60	.60	a	.02
CLASS V	7.30	.60	.60	a	.02
CLASS VI	7.73	.60	.60	a	.02

CLASSIFICATIONS

CLASS I Cranes, shovels, truck cranes, cherry pickers, draglines, trench hoes, backhoes, three drum machines, derricks, pile drivers, elevator towers, hoists, gradalls, shovel dozers, front end loaders, fork lifts, augers, boring machines, rotary drills, post hole hammers, post hole diggers, pumpcrete machines, asphalt plant (on side), concrete batching and/or mixing plant (on site), crusher plant (on site), paving concrete mixers, timber jacks

CLASS II Boom over 150' including jib - additional $.35 per hour; Boom over 185' including jib - additional $.70 per hour; Boom over 210' including jib - additional $1.00 per hour; Boom over 250' including jib - additional $1.50 per hour Boom over 295' including jib - additional $2.00 per hour; Sonic or vibratory hammers, graders, scrapers, tandem scrapers, concrete pumps, bulldozers, tractors, york rakes, mulching machines, portable steam boilers, portable steam generators, rollers, spreaders, tampers (self propelled or tractor drawn), asphalt pavers, mechanics maintenance, paving screed machines, stationary steam boilers, paving concrete finishing machines, cal trucks, ballast regulators, switch tampers, rail anchor machinery, tire trucks (when operated by the employer on the job site)

CLASS III Pumps (1-3 grouped), compressors, welding machines (1-3 grouped), generators, concrete vibrators, lighting plants, heaters (power driven 1-5), well-point systems (operating and installing), syphones-pulsometers, concrete mixers, valves controlling permanent plant air or steam, conveyors, Jackson type tampers, single disphragm pump, lighting plants

CLASS IV Assistant engineers (firemen)

CLASS V Oilers and apprentices (other than truck cranes and gradalls)

CLASS VI Oilers and apprentices on truck cranes and gradalls

PAID HOLIDAYS: A- New Year's Day; B-Memorail Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE: a. Holidays: A through F, Washington's Birthday, Columbus Day, Veterans Day, and Patriots Day.

MASS-1-PBO-2-3 F

HEAVY & HIGHWAY CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS					
Group 1	$9.81	.60	.60	a	.02
Hourly premium for boom lenghts including Jib					
Over 150 feet + $ .35					
Over 185 feet + .70					
Over 210 feet + 1.00					
Over 250 feet + 1.50					
Over 295 feet + 2.00					
Group 2	9.69	.60	.60	a	.02
Group 3	8.22	.60	.60	a	.02
Group 4	8.96	.60	.60	a	.02
Group 5	7.30	.60	.60	a	.02
Group 6	7.73	.60	.60	a	.02

FOOTNOTE: a. 10 Paid Holidays - New Years' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, Washington's Birthday, Columbus Day, Veterans Day, & Patriots Day.

CLASSIFICATIONS:

GROUP 1
Power Shovels, Cranes, Truck Cranes, Derricks, Pile Drivers, Trenching Machines, Mechanical Hoist Pavement Breakers, Cement Concrete Pavers, Draglines, Hoisting Engines, Three Drum Machines, Pumpcrete Machines, Uke Loaders, Shovel Dozers, Front End Loaders, Mucking Machines, Shaft Hoists, Steam Engines, Backhoe, Gradalls, Cable Ways, Fork Lifts, Cherry Pickers, Boring Machines, Rotary Drills, Post Hole Hammers, Port Hole Diggers, Asphalt Plant on Job Sute, Concrete Batching and/or Mixing Plant on Job Site, Crusher Plant on Job Site, Paving Concrete Mixers, Timber Jacks

GROUP 2
Sonic or Vibratory Hammers, Graders, Scrapers, Tandem Scrapers, Bulldozers, Tractors, Mechanic Maintenance, York Rakes, Mulching Machines Paving Screed Machines, Stationary Steam Boilers, Paving Concrete Finishing Machines, Grout Pumps, Portable Steam Boilers, Portable Steam Generators, Rollers, Spreaders, Asphalt Pavers, Locomotives or Machines Used in Place Thereof, Tampers, Self Propelled or Tractor Drawn, Cal Tracks, Ballast Regulators, Rail Anchor Machines, Switch Tampers

GROUP 3
Pump (1-3 groupd), Compressors, Welding Machine (1-3 grouped), Generators, Lighting Plants, Heaters (Power Driven) (1-5), Syphons-Pulsometers, Concrete Mixers, Valves Controlling Permanent Plant Air Steam, Conveyors, Wellpoint Systems (Operating and Installing)

GROUP 4
Assistant Engineers (Firemen)

GROUP 5
Oilers (other than truck cranes & gradalls)

GROUP 6
Oilers (on truck cranes & gradalls)

STATE: Massachusetts
DECISION No.: MA75-2012
Supersedes Decision No. AR-3139, dated August 30, 1974 in 39 FR 31840.

COUNTY: Suffolk
DATE: Date of Publication

DESCRIPTION OF WORK: Building Construction, (Including Residential), heavy and highway construction, marine construction and dredging.

13-MASS-1-2-3-H (1 of 2)

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Apr. Tr.
Asbestos workers	$9.66	.60	.80		.01
Boilermakers	9.08	.50	10%		.01
Bricklayers; Stonemasons	9.05	.70	.90		.05
Carpenters; Soft floor layers	9.45	.60	.50		.07
Cement masons	9.15	.50	.30		.05
Electricians	10.10	.50	1%+.95		.05
Elevator constructors	10.04	.445	.29	3% +a+b	.02
Elevator constructors' helpers	70%JR	.445	.29	3% +a+b	.02
Elevator constructors' helpers (prob.)	50%JR				
Glaziers	8.85	.35	.46		.02
Ironworkers:					
Ornamental; Reinforcing; Structural	9.04	.55	1.40		.06
Laborers (Building):					
Laborers; Carpenter tenders; Cement finisher tenders; Wrecking laborers	7.00	.50	.45		.05
Jackhammer op.; Pavement breakers; Wagon drills; Asphalt rakers; Carbide core drilling machine; Chain saw op.; Pipelayer; Barco type jumping tampers; Laser beam; Concrete pump; Mason tenders; Mortar mixers; Ridge-on motorized buggy	7.25	.50	.45		.05
Air track; Block pavers; Hammers; Curb setters	7.50	.50	.45		.05
Blasters; Powdermen	7.75	.50	.45		.05
Open air caisson; Cylindrical work & boring crew:					
Laborer; Top man	7.00	.50	.45		.05
Helper	7.12	.50	.45		.05
Bottom men	7.75	.50	.45		.05
Driller	7.87	.50	.45		.05
Lathers	9.25	.45	.55		
Leadburners	8.75	.30		c	.01
Line Construction:					
Linemen	10.26	.30	1%	d	3/8of1%
Equipment operators	9.62	.30	1%	d	3/8of1%
Groundman-truck driver	7.60	.30	1%	d	3/8of1%
Marble Setters; Terrazzo workers	8.75	.60	.50		
Marble setters' helpers	7.94	.40	.25		
Millwrights	9.38	.60	.50		.07
Painters:					
Brush; New Construction	8.76	.62	.85		.04
Structutral steel	10.88	.62	.85		.04
Spray	9.76	.62	.85		.04
Repaint, alterations, & residential					
Brush	8.01	.62	.85		.04
Structural steel	10.88	.62	.85		.04
Spray	9.01	.62	.85		.04

13-MASS-1-2-3-H (2 of 2)

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Apr. Tr.
Piledrivermen	9.50	.50	.50		
Plasterers	8.55	.45	1.25		.02
Plasterers' tenders	7.25	.50	.45		.10
Plumbers	10.25	.70	.60		.03
Roofers; Waterproofers	9.20	.55	.80		.05
Sheet Metal workers	9.63	.71	.75		.06
Sprinkler fitters	10.48	.50	.70		.02
Steamfitters	10.36	.51	.65		.05
Terrazzo workers' helpers	7.65	.30	.25		.05
Tile setters	8.75	.60	.50		
Tile setters helpers	7.94	.40	.25		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:

a. Employer contributes 4% of basic hourly rate rate for 5 years or more of service or 2% of basic hourly rate for 6 months to 5 years of service as vacation pay credit.

b. 6 paid holidays; A through F.

c. 9 paid holidays; A through F, Washington's Birthday, Good Friday, & Christmas Eve provided the employee has worked at least 45 full days during the 120 calendar days immediately prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.

d. 7 paid holidays: A through F, and Bunker Hill Day, provided the employee has been employed 10 working days prior to any one of the listed holidays.

e. Employer pays $5.00 per day extra above the brush rate.

TRUCK DRIVERS: BUILDING AND HEAVY AND HIGHWAY CONSTRUCTION

MASS - 1 - TD - 1-2-3 D

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	Apr. Tr.	Oth
Station wagons, panel trucks and pick-up trucks	$6.80	.485	.575	a+b		
Two axle equipment; helpers on low bed when assigned at the discretion of the employer, warehousemen, forklift opers.	6.95	.485	.575	a+b		
Three axle equipment and tiremen	7.00	.485	.575	a+b		
Four and five axle equipment	7.10	.485	.575	a+b		
Specialized earth moving equipment under 35 tons other than conventional type trucks, low bed, vachaul, mechanics, paving restoration equipment, Mechanics	7.20	.485	.575	a+b		
Specialized earth moving equipment over 35 tons	7.45	.485	.575	a+b		
Trailers for earth moving equipment, (double hookup)	7.70	.485	.575	a+b		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. One half day's pay each month in which an employee has worked 15 days provided he has been employed for 4 months.
b. Holidays: A through F, Washington's Birthday, Columbus Day, Veteran's Day, and Patriots' Day, provided an employee works two days of the calendar week in which the holiday falls.

MASS-1 - 2-3 L

HEAVY & HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Apr. Tr.
LABORERS:					
Class I	$7.00	.50	.45		.05
Class II	7.25	.50	.45		.05
Class III	7.50	.50	.45		.05
Class IV	7.75	.50	.45		.05

CLASSIFICATIONS:

CLASS I
Carpenter tenders, cement finisher tenders, laborers, wrecking laborers

CLASS II
Asphalt rakers, fence and guard rail erectors, laser beam op., mason tender, pipelayer, pneumatic drill op., pneumatic tool op., wagon drill op

CLASS III
Air track op., block pavers, rammers, curb setters

CLASS IV
Blasters, powdermen

DREDGING	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
Dredge operator	$5.935	.225	.25	c+d		
Mates	4.05	.742	.197	c+d		
Scowmen	3.31	.742	.161	c+d		
Deckhand	3.36	.742	.163	c+d		
Tug engineer	4.10	.742	.197	c+d		
Hydraulic Dredges						
Leverman	5.47	.25	.15	a+3%		
Engineer and derrick operators	5.40	.25	.15	a+3%		
Maintenance engineer	5.29	.25	.15	a+3%		
Dredge carpenter, electricians, blacksmith, welders & boilerman	5.17	.25	.15	a+3%		
Mates	4.80	.25	.15	a+3%		
Oiler, Fireman, carpenter's helper, welder's helper & blacksmith helper	4.24	.25	.15	a+3%		
Deckhands and shoreman	4.00	.25	.15	a+3%		
Tug engineer	4.86	.25	.15	a+3%		
Tug deckhand	4.06	.25	.15	a+3%		
Drill Boats						
Engineer	6.3473	.25	.15	b		
Blaster	6.4373	.25	.15	b		
Driller; Welder Machinist	6.3487	.25	.15	b		
Firemen	6.0975	.25	.15	b		
Oiler; Drill helper	5.97	.25	.15	b		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Holidays: A through F; Washington's Birthday and Veterans Day.
b. Holidays: A through F; Washington's Birthday and Veterans Day (6½) days of vacation with pay for 104 days of service one additional day of vacation with pay for each additional 21-2/3 days of service, all in one calendar year. Employees not qualifying for vacation to receive 1 day's vacation with pay for each full 24 days of service in one calendar year.
c. Paid Holidays: New Year's Day; Washington's Birthday; Memorial Day; Independence Day; Labor Day; Veterans Day; Thanksgiving Day; Christmas Day.
d. One week's vacation after one year of employment.

MASS-1-PSO-1-S

BUILDING CONSTRUCTION Power Equipment Operators:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
CLASS I	$ 9.81	.60	.60	a	.02
CLASS II	9.69	.60	.60	a	.02
CLASS III	8.22	.60	.60	a	.02
CLASS IV	8.96	.60	.60	a	.02
CLASS V	7.30	.60	.60	a	.02
CLASS VI	7.73	.60	.60	a	.02

CLASSIFICATIONS

CLASS I Cranes, shovels, truck cranes, cherry pickers, draglines, trench hoes, backhoes, three drum machines, derricks, pile drivers, elevator towers, hoists, gradalls, shovel dozers, front end loaders, fork lifts, augers, boring machines, rotary drills, post hole hammers, post hole diggers, pumpcrete machines, asphalt plant (on side), concrete batching and/or mixing plant (on site), crusher plant (on site), paving concrete mixers, timber jacks
CLASS II Boom over 150' including jib - additional $.35 per hour; Boom over 185' including jib - additional $.70 per hour; Boom over 210' including jib - additional $1.00 per hour; Boom over 250' including jib - additional $1.50 per hour Boom over 295' including jib - additional $2.00 per hour; Sonic or vibratory hammers, graders, scrapers, tandem scrapers, concrete pumps, bulldozers, tractors, york rakes, mulching machines, portable steam boilers, portable steam generators, rollers, spreaders, tampers (self propelled or tractor drawn), asphalt pavers, mechanics maintenance, paving screed machines, stationary steam boilers, paving concrete finishing machines, cal trucks, ballast regulators, switch tampers, rail anchor machinery, tire trucks (when operated by the employer on the job site)
CLASS III Pumps (1-3 grouped), compressors, welding machines (1-3 grouped), generators, concrete vibrators, lighting plants, heaters (power driven 1-5), well-point systems (operating and installing), syphones-pulsometers, concrete mixers, valves controlling permanent plant air or steam, conveyors, Jackson type tampers, single disphragm pump, lighting plants
CLASS IV Assistant engineers (firemen)
CLASS V Oilers and apprentices (other than truck cranes and gradalls)
CLASS VI Oilers and apprentices on truck cranes and gradalls

PAID HOLIDAYS: A- New Year's Day; B-Memorail Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE: a. Holidays: A through F, Washington's Birthday, Columbus Day, Veterans Day, and Patricts Day.

MASS-1-FED-2-3 F

HEAVY & HIGHWAY CONSTRUCTION:

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefit Payments H & W	Pensions	Vacation	App. Tr.
Group 1	$9.81	.60	.60	a	.02
Hourly premium for boom lenghts including Jib					
Over 150 feet + $ .35					
Over 185 feet + .70					
Over 210 feet + 1.00					
Over 250 feet + 1.50					
Over 295 feet + 2.00					
Group 2	9.69	.60	.60	a	.02
Group 3	8.22	.60	.60	a	.02
Group 4	8.96	.60	.60	a	.02
Group 5	7.30	.60	.60	a	.02
Group 6	7.73	.60	.60	a	.02

FOOTNOTE: a. 10 Paid Holidays - New Years' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, Washington's Birthday, Columbus Day, Veterans Day, & Patriots Day.

CLASSIFICATIONS:

GROUP 1
Power Shovels, Cranes, Truck Cranes, Derricks, Pile Drivers, Trenching Machines, Mechanical Hoist Pavement Breakers, Cement Concrete Pavers, Draglines, Hoisting Engines, Three Drum Machines, Pumporete Machines, Uke Loaders, Shovel Dozers, Front End Loaders, Mucking Machines, Shaft Hoists, Steam Engines, Backhoe, Gradalls, Cable Ways, Fork Lifts, Cherry Pickers, Boring Machines, Rotary Drills, Post Hole Hammers, Port Hole Diggers, Asphalt Plant on Job Sute, Concrete Batching and/or Mixing Plant on Job Site, Crusher Plant on Job Site, Paving Concrete Mixers, Timber Jacks

GROUP 2
Sonic or Vibratory Hammers, Graders, Scrapers, Tandem Scrapers, Bulldozers, Tractors, Mechanic Maintenance, York Rakes, Mulching Machines Paving Screed Machines, Stationary Steam Boilers, Paving Concrete Finishing Machines, Grout Pumps, Portable Steam Boilers, Portable Steam Generators, Rollers, Spreaders, Asphalt Pavers, Locomotives or Machines Used in Place Thereof, Tampers, Self Propelled or Tractor Drawn, Cal Tracks, Ballast Regulators, Rail Anchor Machines, Switch Tampers

GROUP 3
Pump (1-3 groupd), Compressors, Welding Machine (1-3 grouped), Generators, Lighting Plants, Heaters (Power Driven) (1-5), Syphons-Pulsometers, Concrete Mixers, Valves Controlling Permanent Plant Air Steam, Conveyors, Wellpoint Systems (Operating and Installing)

GROUP 4
Assistant Engineers (Firemen)

GROUP 5
Oilers (other than truck cranes & gradalls)

GROUP 6
Oilers (on truck cranes & gradalls)

SUPERSEDEAS DECISION

STATE: Massachusetts
COUNTY: Worcester
DECISION NO.: MA75-2013
DATE: Date of Publication
Supersedes Decision No. AR-3140, dated August 30, 1974 in 39 FR 31844.
DESCRIPTION OF WORK: Building Construction (including residential), Heavy and Highway Construction.

BUILDING, HEAVY & HIGHWAY CONSTRUCTION 14-MASS-1-2-3-b (1-4)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
ASBESTOS WORKERS	$9.77	.57	.40			
BOILERMAKERS	9.08	.60	10%		.01	
BRICKLAYERS; Cement masons; Plasterers; & Stonemasons:						
Warren	9.55	.55	.55		.03	
Hopedale, Milford, & Southboro	8.55	1.00	.70		.05	
Ashburnham, Athol, E. Templeton, Fitchburg, Gardner, Harvard, Hubbardston, Lancaster, Leominster, Lunenburg, Petersham, Phillipston, Princeton, Royalston, Sterling, Templeton, Westminster, & Winchendon	9.45	.60	.60		.05	
Remainder of County	9.00	.70	.60		.02	
CARPENTERS; Soft floor layers: Ashburnham, Athol, E. Gardner, E. Templeton, Fitchburg, Gardner, Harvard, Leominster, Lunenburg, N. Leominster, Petersham, Phillipston, Royalston, S. Ashburnham, S. Royalston, Templeton, Westminster, & Winchendon	9.45	.60	.50		.07	
Berlin, Bolton, Clinton, Northboro, Southboro, & Westboro	8.90	.60	.50		.07	
Blackstone, Millville	8.44	.60	.40			
Hopedale, Mendon, Milford, Upton, & W. Upton	8.675	.60	.50		.07	
Hardwick, Warren, & W. Brookfield	8.63	.35	.50		.02	
Remainder of County	9.55	.50	.50		.07	
ELECTRICIANS: Warren	8.29	.48	1%+.15	.43	a	
Ashburnham, Athol, Bolton, Fitchburg, Gardner, Harvard, Hubbardston, Lancaster, Leominster, Lunenburg, Phillipston, Princeton, Royalston, Templeton, Westminster, & Winchendon	9.20	.45	1%+.35		.02	
Residential	5.90	.45	1%+.35		.02	
Remainder of County	9.83	5%	1%+.24		.01	
ELEVATOR CONSTRUCTORS	8.73	.39	.26	2½%+b+c	.02	
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.39	.26	2½%+b+c	.02	
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR					
GLAZIERS:						
East Douglas	8.48	.47	.40		.01	
Remainder of County	9.20	.45	.56		.03	
IRONWORKERS:						
Blackstone	7.95	.50	1.40		.03	
Remainder of County	9.04	.55	1.40		.06	

14-MASS-1-2-3-b (2-4)

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LABORERS (BUILDING):						
Laborers; Carpenter tenders; Cement finisher tenders; Wrecking laborers	7.00	.50	.45		.05	
Jackhammer op.; Pavement breakers; Wagon drills; Asphalt rakers; Carbide core drilling machine; Chain saw op.; Pipelayer; Barco type jumping tampers; Laser beam; Concrete pump; Mason tenders; Mortar mixers; Ride-on motorized buggy	7.25	.50	.45		.05	
Air track; Block pavers; Rammers; Curb setters	7.50	.50	.45		.05	
Blasters; Powdermen	7.75	.50	.45		.05	
Open air caisson; Cylindrical work & boring crew:						
Laborer; Top man	7.00	.50	.45		.05	
Helper	7.12	.50	.45		.05	
Bottom men	7.75	.50	.45		.05	
Driller	7.87	.50	.45		.05	
LATHERS:						
Sturbridge, & Warren	7.60	.45	.25			
Clinton, Lancaster, Leominster, Southboro, & Uxbridge	8.72	1.35	.25		.01	
Harvard and Lunenburg	9.25	.45	.55			
LEADBURNERS	8.75	.30		d	.01	
LINE CONSTRUCTION:						
Linemen	10.26	.30	1%	e	3/8of1%	
Equipment operator	9.62	.30	1%	e	3/8of1%	
Driver groundman	7.60	.30	1%	e	3/8of1%	
MARBLE SETTERS:						
Ashburnham, Fitchburg, Harvard, Lancaster, Leominster, Lunenburg, Princeton, Sterling, Westminster	8.75	.60	.50			
Auburn, Barre, Berlin, Blackstone, Bolton, Boylston, Brookfield, Charlton, Clinton, Douglas, Dudley, Grafton, Hardwick, Holden, Leicester, Mendon, Millbury, Millville, New Braintree, Northboro, Northbridge, Oakham, Oxford, Paxton, Rutland, Shrewsbury, Southbridge, Spencer, Sturbridge, Sutton, Upton, Uxbridge, Webster, W. Boylston, Westboro, & Worcester	9.00	.70	.60		.02	
Warren	9.55	.55	.55		.03	
MARBLE SETTERS' HELPERS	7.94	.40	.25			
MILLWRIGHTS	9.38	.60	.50		.07	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
PAINTERS:						
Warren:						
Brush	$8.32	.50	.35		.03	
Spray	11.093	.6667	.4447		.04	
Swing stage under 40 & steel	8.507	.50	.35		.03	
Swing stage over 40 & steel	8.87	.50	.35		.03	
Hopedale, Mendon, Milford, Southboro, Upton, & Westboro:						
Brush (New construction)	7.85	.35	.35		.06	
Brush (Repaint)	7.30	.35	.35		.06	
Steel (New construction)	8.10	.35	.35		.06	
Steel (Repaint)	7.55	.35	.35		.06	
Spray (New construction)	8.80	.35	.35		.06	
Spray (Repaint)	8.25	.35	.35		.06	
Remainder of County:						
Brush	8.98	.75	.50		.02	
Steel	11.10	.75	.50		.02	
Sandblasting; Spray	9.98	.75	.50		.02	
Repaint	8.01	.75	.50		.02	
PILEDRIVERMEN	9.50	.50	.50			
PIPEFITTERS: Hopedale & Southboro	9.175	.53	.55		.025	
Remainder of County	9.725	.35	.25		.05	
PLASTERERS' TENDERS:						
Auburn, Barre, Berlin, Blackstone, Bolton, Boylston, Brookfield, Charlton, Clinton, Douglas, Dudley, E. Brookfield, Grafton, Hardwick, Holden, Hopedale, Leicester, Mendon, Milford, Millbury, New Braintree, Northboro, Northbridge, N. Brookfield, Oakham, Oxford, Paxton, Rutland, Shrewsbury, Southboro, Southbridge, Spencer, Sterling, Sturbridge, Sutton, Upton, Uxbridge, Warren, Webster, Westboro, W. Boylston, W. Brookfield, Whitinsville, & Worcester	7.25	.50	.45		.10	
PLUMBERS:						
Hopedale, & Southboro	9.77	.53	.55		.05	
Ashburnham, Athol, Bolton, Fitchburg, Gardner, Harvard, Hubbardston, Lancaster, Leominster, Lunenburg, Petersham, Phillipston, Royalston, Templeton, Westminster, & Winchendon	9.20	.30	.40	4%	.05	
Remainder of County	9.93	.65	.45		.05	
ROOFERS	9.23	.27				
SHEET METAL WORKERS	9.50	.55	.25		.05	
SPRINKLER FITTERS	9.63	.50	.70		.08	
STEAMFITTERS:						
Ashburnham, Athol, Bolton, Fitchburg, Gardner, Harvard, Hubbardston, Lancaster, Leominster, Lunenburg, Petersham, Phillipston, Royalston, Templeton, Westminster, & Winchendon	9.20	.30	.40	4%	.05	
Remainder of County	9.93	.65	.45		.05	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
TERRAZZO WORKERS & TILE SETTERS:					
Ashburnham, Fitchburg, Harvard, Lancaster, Leominster, Lunenburg, Princeton, Sterling, & Westminster	$8.75	.60	.50		
Auburn, Barre, Berlin, Blackstone, Bolton, Boylston, Brookfield, Charlton, Clinton, Douglas, Dudley, Grafton, Hardwick, Holden, Leicester, Mendon, Millbury, Millville, New Braintree, Northboro, Northbridge, Oakham, Oxford, Paxton, Rutland, Shrewsbury, Southbridge, Spencer, Sturbridge, Sutton, Upton, Uxbridge, Webster, W. Boylston, Westboro, & Worcester	9.00	.70	.60		.02
Warren	9.55	.55	.55		.03
Hubbardston, Gardner, Phillipston, Petersham, Athol, Royalston, Winchenden (only Tile Setters)	9.45	.60	.60		.04
TERRAZZO WORKERS' HELPERS	7.65	.30	.25		.05
TILE SETTERS' HELPERS	7.94	.40	.25		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; & F-Christmas Day.

FOOTNOTES:
a. $.30 per man per week
b. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% of basic hourly rate for 6 months to 5 years of service as vacation pay credit.
c. 6 paid holidays: A through F.
d. 9 paid holidays: A through F, Washington's Birthday, Good Friday, & Christmas Eve, provided the employee has worked at least 45 full days during the 120 calendar days immediately prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.
e. 7 paid holidays: A through F, & Bunker Hill Day, provided the employee has worked 10 days prior to the listed holidays.

MASS - 1 - TD - 1-2-3 D

TRUCK DRIVERS: BUILDING AND HEAVY AND HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Station wagons, panel trucks and pick-up trucks	$6.80	.485	.575	a+b		
Two axle equipment; helpers on low bed when assigned at the discretion of the employer, warehousemen, forklift opers.	6.95	.485	.575	a+b		
Three axle equipment and tiremen	7.00	.485	.575	a+b		
Four and five axle equipment	7.10	.485	.575	a+b		
Specialized earth moving equipment under 35 tons other than conventional type trucks, low bed, vachaul, mechanics, paving restoration equipment, Mechanics	7.20	.485	.575	a+b		
Specialized earth moving equipment over 35 tons	7.45	.485	.575	a+b		
Trailers for earth moving equipment, (double hookup)	7.70	.485	.575	a+b		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. One half day's pay each month in which an employee has worked 15 days provided he has been employed for 4 months.
b. Holidays: A through F, Washington's Birthday, Columbus Day, Veteran's Day, and Patriots' Day, provided an employee works two days of the calendar week in which the holiday falls.

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HEAVY & HIGHWAY CONSTRUCTION

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Class I	$7.00	.50	.45		.05
Class II	7.25	.50	.45		.05
Class III	7.50	.50	.45		.05
Class IV	7.75	.50	.45		.05

CLASSIFICATIONS:

CLASS I
Carpenter tenders, cement finisher tenders, laborers, wrecking laborers

CLASS II
Asphalt rakers, fence and guard rail erectors, laser beam op., mason tender, pipelayer, pneumatic drill op., pneumatic tool op., wagon drill op

CLASS III
Air track op., block pavers, rammers, curb setters

CLASS IV
Blasters, powdermen

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POWER EQUIPMENT OPERATORS:
Sturbridge, Brookfield, E. Brookfield, W. Brookfield, Oakham, Barre, Templeton, Winchendon, Royalston, Phillipston, Athol, Petersham, Hardwick, New Braintree, W. Brookfield, & Warren

MASS-2-PEO-1-T 1 of 2

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Shovels, Cranes, Hydraulic Cranes 10 ton capacity or over, Draglines, Derricks, Elevators with Chicago Boom, Backhoes, Gradalls, Elevating Graders, Pile Driving Rigs, Concrete Road Pavers, three drum Hoisting and Trenching Machines, Belt-type Loaders, Front End Loaders-3½ yards or over, Dual Drum Paver, Automatic Grader (i. e. C.M.I.) Combination Back Hoe-Loader-3/4 yard hoe or over.	$8.30	.45	.60	a	.05	
Rotary Drill (with mounted compressor), Compressor house (3 to 6 compressors), Rock and Earth Boring Machines (excluding McCarthy and similar drills), Graders, Front End Loaders-4 yards to 5½ yards, two Drum Hoists, High Fork Lifts with capacity of 15 feet and over, Scrapers-21 yards and over (struck load), Sonic Hammer Console.	8.10	.45	.60	a	.05	
Combination Backhoe-Loader-up to 3/4 yard hoe, Bulldozers, Push Cats, Scrapers-up to 21 yards (struck Load)-self propelled or tractor drawn, Tireman, Front End Loaders-up to 4 yards, Asphalt Paver, Asphalt Roller-10 ton or over, Well Drillers, Mechanics, Welders, Pumpcrete Machines, Concrete Pumps, and similar type pumps, Engineer or Fireman on High Pressure Boiler (on job), Self-Loading Batch Plant, Well Point, Electric Pumps used in Well Point System, Pumps-12 inches and over (total discharge), Compressor (one or two) 900 cu. ft. and over, Powered Grease Truck, Automatic Elevators, (manually or remote controls), Grout Pumps, Boom Truck, Hydraulic Cranes-under 10 ton.	7.90	.45	.60	a	.05	
Asphalt Roller-under 10 ton.	7.60	.45	.60	a	.05	

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MASS-2-PEO-1-T 2 of 2

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS (cont'd.)	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Single Drum Hoist, Self-Propelled Roller, Self-Propelled Compactors, Power Pavement Breakers, Concrete Pavement Finishing Machines, Two Bag Mixers with Skip, McCarthy and similar drills, Batch Plants (not self-loading) Bulk Cement Plants, Self-Propelled Material Spreaders, A Frame Trucks, Fork Lifts-up to 15 feet.	$7.49	.45	.70	a	.05	
Compressors (one or two) 315 cu. ft. to 900 cu. ft., Pumps-4 inches to 12 inches (total discharge), Tractor (without blade or bucket) Drawing Rollers, Rubber Tire Roller, Compactors or other machines used for pulverizing, Grading or Seeding.	7.08	.45	.70	a	.05	
Compressors (up to 315 cu. ft.), Small Mixers, Pumps (up to 4 inches), Power Heaters, Welding Machines, Conveyors, Oiler, Helpers on Grease Truck and Grease Trucks with hand greasing equipment.	6.42	.45	.70	a	.05	

PAID HOLIDAYS:
A-New Year's Day, B-Memorial Day, C-Independence Day, D-Labor Day, E-Thanksgiving Day, F-Christmas Day.

Footnotes:
a. Holidays: A through F, Veterans' Day and Columbus Day.

HEAVY & HIGHWAY CONSTRUCTION
POWER EQUIPMENT OPERATORS
Sturbridge, Brookfield, E. Brookfield, N.Brookfield, Oakham, Barre, Templeton, Winchendon, Royalston, Phillipston, Athol, Petersham, Hardwick, New Braintree, W.Brookfield, & Warren

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	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Oth
Shovels, Crawler and Truck Cranes, Derricks, Backhoes, Trenching Machines, Elevating Graders, Belt-type Loaders, Gradalls, Pile Drivers, Concrete Pavers, on site Processing Plant (Engineer in charge), Dragline, Clam Shell, Cableways, Shaft Hoists, Mucking Machines, Front End Loader-3½ yards and over, Tower Cranes, Self-propelled Hydraulic Cranes-10 tons and over, Dual Pavers, Automatic Grader-Excavator (C.M.I. or equal), Scrapers towing pan or wagon, Tandem Dozers or Push Cats (2 units in tandem), Welder using semi automatic Welding Machine, Shotcrete Machine, Tunnel Boring Machine.	$8.80	.45	.70	a	.05	
Rotary Drill (with mounted Compressor), Compressor House (3 to 6 Compressors), Rock and Earth Boring Machines (excluding McCarthy and similar drills), Grader, Front End Loaders-4 yards to 5½ yards, Scraper-21 yards and over (struck load), Forklifts-7 ft. lift and over or 3 ton capacity and over, Sonic Hammer Console.	8.60	.45	.70	a	.05	
Bulldozer, Push Cats, Scrapers-up to 21 yards (struck load) self-propelled or Tractor Drawn, Self-powered Asphalt Paver, Front End Loaders-up to 4 yards, Mechanics, Welders, Well Driller, Pumpcrete Machine, Engineer or Fireman on High Pressure Boiler (on job), Self-loading Batch Plant (on job), Well Point Operators, Electric Pumps used in Well Point system, Fireman, Pumps-16 inches or over total discharge, Compressors (1 or 2) 900 cu. ft. and over, Powered Grease Truck, Asphalt Roller-10 ton and over, Tunnel Locomotives and Dinkys, Grout Pumps, Hydraulic Jacks (jacking pipe, slip forms, etc.), Boom Truck, Self-Propelled Hydraulic Cranes-up to 10 ton.	8.40	.45	.70	a	.05	
Asphalt Roller-up to 10 ton.	8.10	.45	.70	a	.05	

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HEAVY & HIGHWAY CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Oth
Hoists, Conveyors, Self-powered Rollers and Compactors, Power Pavement Breaker Self-propelled Material Spreader, Self-powered Concrete Finishing Machine, Two Bag Mixer with skip, McCarthy and similar Drills, Batch Plant (not self-loading), Bulk Cement Plant.	$ 7.49	.45	.70	a	.05	
Compressor (315 cu. ft. to 900 cu. ft., 1 or 2), Pumps 4" to 16" total discharge, Tractor without blade drawing sheeps-foot roller, Rubber tired roller or other type of compactors including machines for pulverizing and aerating soil.	7.08	.45	.70	a	.05	
Compressor (up to 315 cu. Ft.), Small Mixers with skip, Oiler, Pumps up to 4", Grease Truck, Helper on powered Grease Truck, Power Heaters, Welding Machines						
A-Frame Trucks, Forklifts-up to 7 ft. lift and up to 3 ton capacity, Hydro Broom, Parts Man (in repair shop), Power Safety Boat.	6.42	.45	.70	a	.05	

Footnotes:
a. Paid Holidays: New Year's Day; Washington's Birthday; Memorial Day; Independence Day; Labor Day; Columbus Day; Veterans' Day; Thanksgiving and Christmas Day.

MASS-1-PEO-1-E

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators: Remainder of County					
CLASS I	$ 9.81	.60	.60	a	.02
CLASS II	9.69	.60	.60	a	.02
CLASS III	8.22	.60	.60	a	.02
CLASS IV	8.96	.60	.60	a	.02
CLASS V	7.30	.60	.60	a	.02
CLASS VI	7.73	.60	.60	a	.02

CLASSIFICATIONS

CLASS I Cranes, shovels, truck cranes, cherry pickers, draglines, trench hoes, backhoes, three frum machines, derricks, pile drivers, elevator towers, hoists, gradalls, shovel dozers, front end loaders, fork lifts, augers, boring machines, rotary drills, post hole hammers, post hole diggers, pumpcrete machines, asphalt plant (on side), concrete batching and/or mixing plant (on site), crusher plant (on site), paving concrete mixers, timber jacks

CLASS II Boom over 150' including jib - additional $.35 per hour; Boom over 185' including jib - additional $.70 per hour; Boom over 210' including jib - additional $1.00 per hour; Boom over 250' including jib - additional $1.50 per hour Boom over 295' including jib - additional $2.00 per hour; Sonic or vibratory hammers, graders, scrapers, tandem scrapers, concrete pumps, bulldozers, tractors, york rakes, mulching machines, portable steam boilers, portable steam generators, rollers, spreaders, tampers (self propelled or tractor drawn), asphalt pavers, mechanics maintenance, paving screed machines, stationary steam boilers, paving concrete finishing machines, cal trucks, ballast regulators, switch tampers, rail anchor machinery, tire trucks (when operated by the employer on the job site)

CLASS III Pumps (1-3 grouped), compressors, welding machines (1-3 grouped), generators, concrete vibrators, lighting plants, heaters (power driven 1-5), well-point systems (operating and installing), syphons-pulsometers, concrete mixers, valves controlling permanent plant air or steam, conveyors, Jackson type tampers, single disphragm pump, lighting plants

CLASS IV Assistant engineers (firemen)

CLASS V Oilers and apprentices (other than truck cranes and gradalls)

CLASS VI Oilers and apprentices on truck cranes and gradalls

PAID HOLIDAYS: A- New Year's Day; B-Memorail Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE: a. Holidays: A through F, Washington's Birthday, Columbus Day, Veterans Day, and Patriots Day.

MASS-1-PEO-2-3 F

HEAVY & HIGHWAY CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS: Remainder of County					
Group 1	$9.81	.60	.60	a	.02
Hourly premium for boom lenghts including Jib					
Over 150 feet + $ .35					
Over 185 feet + .70					
Over 210 feet + 1.00					
Over 250 feet + 1.50					
Over 295 feet + 2.00					
Group 2	9.69	.60	.60	a	.02
Group 3	8.22	.60	.60	a	.02
Group 4	8.96	.60	.60	a	.02
Group 5	7.30	.60	.60	a	.02
Group 6	7.73	.60	.60	a	.02

FOOTNOTE: a. 10 Paid Holidays - New Years' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, Washington's Birthday, Columbus Day, Veterans Day, & Patriots Day.

CLASSIFICATIONS:

GROUP 1
Power Shovels, Cranes, Truck Cranes, Derricks, Pile Drivers, Trenching Machines, Mechanical Hoist Pavement Breakers, Cement Concrete Pavers, Draglines, Hoisting Engines, Three Drum Machines, Pumpcrete Machines, Uke Loaders, Shovel Dozers, Front End Loaders, Mucking Machines, Shaft Hoists, Steam Engines, Backhoe, Gradalls, Cable Ways, Fork Lifts, Cherry Pickers, Boring Machines, Rotary Drills, Post Hole Hammers, Port Hole Diggers, Asphalt Plant on Job Sute, Concrete Batching and/or Mixing Plant on Job Site, Crusher Plant on Job Site, Paving Concrete Mixers, Timber Jacks

GROUP 2
Sonic or Vibratory Hammers, Graders, Scrapers, Tandem Scrapers, Bulldozers, Tractors, Mechanic Maintenance, York Rakes, Mulching Machines Paving Screed Machines, Stationary Steam Boilers, Paving Concrete Finishing Machines, Grout Pumps, Portable Steam Boilers, Portable Steam Generators, Rollers, Spreaders, Asphalt Pavers, Locomotives or Machines Used in Place Thereof, Tampers, Self Propelled or Tractor Drawn, Cal Tracks, Ballast Regulators, Rail Anchor Machines, Switch Tampers

GROUP 3
Pump (1-3 groupd), Compressors, Welding Machine (1-3 grouped), Generators, Lighting Plants, Heaters (Power Driven) (1-5), Syphons-Pulsometers, Concrete Mixers, Valves Controlling Permanent Plant Air Steam, Conveyors, Wellpoint Systems (Operating and Installing)

GROUP 4
Assistant Engineers (Firemen)

GROUP 5
Oilers (other than truck cranes & gradalls)

GROUP 6
Oilers (on truck cranes & gradalls)

SUPERSEDEAS DECISION

STATE: Mississippi COUNTY: Forrest and Jones
DECISION NO.: MS75-1007 DATE: Date of Publication
Supersedes Decision No.: AM-8264 in 37 13017 dated June 30, 1972.
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartment up to and including 4 stories.

18-R MISSISSIPPI

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Air Conditioning Mechanic	$3.50					
Bricklayers	5.75					
Carpenters	3.75					
Cement Masons	4.75					
Dry Wall Hanger	3.50					
Electricians	4.80					
Ironworkers, Reinforcing	4.00					
Laborers:						
Unskilled	2.10					
Air Tool Operators	2.10					
Mason Tenders	2.10					
Mortar Mixers	2.25					
Pipelayers	2.75					
Painters-Brush	4.00					
Plumbers	4.00					
Roofers (Shingle)	3.50					
Sheet Metal Workers	4.40					
Soft Floor Layers:						
Resilient Tile	3.50					
Carpet	3.85					
Terrazzo Workers	3.85					
Tile Setters	3.75					
Truck Drivers	3.00					
Welders	3.50					
Roofers (Built-up)	3.75					
POWER EQUIPMENT OPERATORS:						
Bulldozer	3.50					
Backhoe-Hi-Lift	3.00					
Cranes	4.00					
Derricks & Draglines	3.50					
Oilers	3.00					
Motor Graders	3.88					
Trenching Machine	4.85					
Hister	4.00					
Ditching Machine	4.85					

SUPERSEDEAS DECISION

STATE: New Mexico COUNTY: Dona Ana
DECISION NO: NM75-4014 DATE: Date of Publication
Supersedes Decision No. AP-340 dated September 22, 1972 in 37 FR 19869
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
AIR CONDITIONING MECHANIC	$4.50				
BRICKLAYERS	4.00				
CARPENTERS	3.41				
CEMENT MASONS	3.00				
DRYWALL TAPERS & APPLICATORS	3.25				
ELECTRICIANS	4.00				
GLAZIERS	2.62				
IRONWORKERS, REINFORCING	2.50				
LABORERS	2.10				
PAINTERS, BRUSH	3.50				
PLUMBERS	5.00				
ROOFERS	4.32				
SHEET METAL WORKERS	4.00				
POWER EQUIPMENT OPERATORS:					
Fork lift operator	2.50				
Tractor operator	3.00				

SUPERSEDEAS DECISION

STATE: North Carolina COUNTY: Statewide
DECISION NO.: NC75-1002 DATE: Date of Publication
SUPERSEDEAS DECISION # AP-156 in 38 FR-4618 dated February 16, 1973.
DESCRIPTION OF WORK: Sewer Line and Water Line Construction.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Bricklayers	$4.48				
Carpenters	3.43				
Cement Masons	3.43				
Electricians	5.00				
Ironworkers:					
Reinforcing	2.50				
Structural	4.00				
Laborers:					
Laborers	2.10				
Pipelayers	2.77				
Powderman	2.50				
Manhole Builders	2.75				
Millwrights	3.69				
Painters	2.25				
Piledrivers	2.62				
Pipefitters	4.10				
Power Equipment Operators:					
Air Drill Operators	2.87				
Air Track	3.625				
Backhoe	3.36				
Bulldozers	2.95				
Chain Saw	2.25				
Compaction Machine	3.25				
Crane & Dragline	3.62				
Equipment Mechanics	3.53				
Front End Loader	3.14				
Gradall	2.60				
Motor Grader	3.20				
Oiler	3.00				
Pan Operator	2.75				
Paving Machines	2.65				
Rodman	2.62				
Rollers	2.25				
Tamping Machines	2.79				
Trenching Machines	2.75				
Truck Drivers	2.25				
Welders	4.00				

SUPERSEDEAS DECISION

STATE: Oklahoma COUNTY: Tulsa & Osage
DECISION NO: OK75-4015 DATE: Date of Publication
Supersedes Decison No. AP-320 dated September 1, 1972 in 37 FR 17899
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
BRICKLAYERS	$5.87				
CARPENTERS	4.00				
CEMENT MASONS	4.50				
DRYWALL INSTALLERS	4.63				
ELECTRICIANS	4.79				
HEATING & AIR CONDITIONING	4.50				
IRONWORKERS, REINFORCING	3.35				
LABORERS	2.87				
PAINTERS, BRUSH	4.50				
PLUMBERS & PIPEFITTERS	5.00				
ROOFERS	4.95				
SHEET METAL WORKERS	4.00				
SOFT FLOOR LAYERS	5.01				
TILE SETTERS	5.25				
TILE SETTERS HELPER	3.35				

SUPERSEDEAS DECISION

STATE: Oklahoma COUNTY: Bryan
DECISION NO: OK75-4016 DATE: Date of Publication
Supersedes Decision No. AP-341 dated September 22, 1972 in 37 FR 19870
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
AIR CONDITIONING MECHANIC	$4.50				
BRICKLAYERS	5.00				
CARPENTERS	3.50				
CEMENT MASONS	3.50				
ELECTRICIANS	4.125				
GLAZIERS	2.50				
IRONWORKERS, REINFORCING	3.00				
LABORERS	2.10				
MASON TENDERS	2.85				
PAINTERS, BRUSH	4.04				
PLUMBERS	4.50				
ROOFERS	3.50				
SHEET METAL WORKERS	4.50				
SOFT FLOOR LAYERS	4.50				
TILE SETTERS	4.00				
TRUCK DRIVERS	2.10				
POWER EQUIPMENT OPERATORS:					
Motor graders	3.00				
Rollers	3.00				
Scrapers	3.00				
Trenching machines	3.00				
Tractors	3.00				

SUPERSEDEAS DECISION

STATE: Oklahoma COUNTY: Comanche
DECISION NO.: OK75-4017 DATE: Date of Publication
Supersedes Decision No. AP-741 dated July 6, 1973 in 38 FR 16164
DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
BRICKLAYERS	$6.65				
CARPENTERS	5.85				.02
CEMENT MASONS	5.20				
ELETRICIANS	7.00	.20	1%		1/4%
LABORERS:					
Laborers	3.00				
Mason tenders	3.55				
PAINTERS, BRUSH	5.00				
PLUMBERS & PIPEFITTERS	6.16				
ROOFERS	4.00				
SHEET METAL WORKERS	5.52				
SOFT FLOOR LAYERS	5.35				
TILE SETTERS	5.60				
TRUCK DRIVERS	2.10				
POWER EQUIPMENT OPERATORS:					
Front end loaders	3.25				
Motor graders	3.50				
Scrapers	3.00				

SUPERSEDEAS DECISION

STATE: South Carolina
COUNTY: Statewide
DECISION NUMBER: SC75-1003
DATE: Date of Publication
Supersedes Decision No. SA-4065 dated February 1, 1974 in 39 FR 4381.
DESCRIPTION OF WORK: Heavy and Highway Construction

1-SC-2-3 (1-2)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asphalt raker	$2.14				
Asphalt laydown man	2.10				
Builder-curb and gutter, etc.	3.50				
Carpenter	3.00				
Carpenter's helper	2.42				
Concrete finisher	2.92				
Concrete rubber	2.56				
Electrician	5.05				
Fireman	3.60				
Formsetter (road)	3.11				
Grade checker	2.58				
Ironworker, reinforcing	2.25				
Ironworker, structural	3.08				
Laborer, common	2.10				
Fence erector	2.95				
Lute man	2.10				
Mason	3.36				
Mechanic	2.80				
Mechanic helper	2.10				
Oiler	2.10				
Painter	3.50				
Painter, bridge	4.00				
Piledriver leadsman	2.54				
Pipelayer	2.10				
Post driver	2.91				
Powderman	2.50				
Welder	2.79				
Power Equipment Operators:					
Asphalt distributor	2.10				
Asphalt paver	2.58				
Asphalt plant	2.25				
Automatic fine grader	3.00				
Bulldozer	3.16				
Bulldozer (utility)	2.50				
Cold feed attendant	2.10				
Concrete finishing machine	2.75				
Concrete paver	2.70				
Concrete saw	2.75				
Concrete spreader	2.75				
Crane, backhoe, dragline, shovel:					
1 yard & under	3.00				
Over 1 yard	3.50				
Crusher feeder	2.50				
Drill operator	2.75				
Form grader	2.56				

1-S. C.- 2-3 (2-2)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators (cont'd):					
Greaseman	$2.21				
Guard rail post drill	3.00				
Hydro seeder	2.50				
Loader operator	2.25				
Machine-concrete curing	3.09				
Machine-concrete joint	2.50				
Mixer box operator	2.75				
Motor grader operator (fine grade)	3.25				
Motor grader operator (rough grade)	2.75				
Pilot vehicle	2.10				
Power tool operator	3.00				
Roller operator	2.10				
Roller operator (finish)	2.23				
Scraper	2.50				
Screed - asphalt	2.50				
Stone spreader	2.00				
Subgrade machine	2.50				
Sweeper	2.10				
Tractor operator (crawler)	2.51				
Tractor operator (utility)	2.11				
Truck drivers:					
Single-rear axle	2.10				
Multi-rear axle	2.10				
Heavy duty	2.40				
Weighman (truck scales)	2.10				

SUPERSEDEAS DECISION

STATE: South Carolina COUNTY: See Below*
DECISION NUMBER: SC75-1004 DATE: Date of Publication
Supersedes Decision No. AR-4059 dated November 29, 1974 in 39 FR 41653.
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

*Counties: Anderson, Greenville, Oconee, & Pickens

23-SC-4-D

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Air conditioning mechanic	4.25				
Bricklayers	5.40				
Carpenters	4.10				
Cement masons	4.19				
Drywall finishers	4.26				
Drywall hangers	4.18				
Electricians	4.34				
Glaziers	3.65				
Insulators	3.50				
Ironworkers, structural & ornamental	3.75				
Laborers:					
Laborers	2.73				
Asphalt raker	3.00				
Mason tenders	3.75				
Mortar mixers	3.15				
Painters, brush	3.95				
Painters, spray	4.10				
Plumbers & pipefitters	4.74				
Roofers	3.50				
Sheet metal workers	4.38				
Soft floor layers	5.50				
Tile setters	4.75				
Truck drivers	2.83				
Welders - rate for craft.					
POWER EQUIPMENT OPERATORS:					
Backhoe	3.50				
Bulldozer	3.75				
Forklift operator	3.68				
Front end loader	3.15				
Motor Grader	3.25				
Pan operator	3.75				

SUPERSEDEAS DECISION

STATE: Tennessee COUNTY: Shelby
DECISION NUMBER: TN75-1006 DATE: Date of Publication
Supersedes Decision No. AR-4036 dated September 13, 1974, in 39 FR 33193
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Utility Construction.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	9.10	.35	.50		.05
Boilermakers	7.50	.40	.90		.02
Bricklayers; Stonemasons	8.75	.35	.20		.05
Carpenters; Piledrivermen: Soft floor layers	8.05	.30	.20		.04
Cement masons:					
Cement masons	7.90	.30	.45		.10
Cement masons machine operator	8.15	.30	.45		.10
Electricians:					
Electricians: Linemen	8.08	.35	11%+.40		.5%
Cable splicers	8.18	.35	11%+.40		.5%
Elevator constructors	8.29	.445	.29	3%+a+b	.02
Elevator constructors' helpers	70%JR	.445	.29	3%+a+b	.02
Elevator constructors' helpers (Prob.)	50%JR				
Glaziers	7.80	.35	.20		
Ironworkers	7.70	.30	.35		.125
Lathers	7.90	.25			.01
Leadburners	7.80	.30		c	.01
Marble setters; Terrazzo workers; Tile setters	7.25	.35	.20		.05
Millwrights	7.90	.34			.06
Painters:					
Brush	7.60	.30	.30		.05
Sandblasting: Spray: Steel	7.85	.30	.30		.05
Plasterers	7.80				.01
Plumbers	9.57	.30	.15		
Roofers:					
Composition	7.40		.20		.03
Slate, Tile asbestos & precast tile	7.65		.20		.03
Sheet metal workers	7.20	.40	.15	.30	.02
Sprinkler fitters	8.75	.50	.70		.08
Steamfitters, air conditioning mechanics and pipefitters	9.42	.30	.30		
Truck drivers:					
Up to 5 tons	3.695		d		
5 tons & over incl. special equipment	4.095		d		
Welders; riggers; & riveters receive rate prescribed for craft performing operation to which welding is incidental.					

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:
a. 6 paid holidays: A through F
b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.
c. 9 paid holidays: A through F, plus Washington's Birthday, Good Friday, & Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.
d. Employer contribution of $2.00 per week.

BUILDING CONSTRUCTION LABORERS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A	$4.95	.20	.20		.05
GROUP B	5.05	.20	.20		.05
GROUP C	5.10	.20	.20		.05
GROUP D	5.30	.20	.20		.05
GROUP E	5.50	.20	.20		.05
GROUP F	5.15	.20	.20		
GROUP G	5.25	.20	.20		

GROUP A : General and common laborers, concrete laborers, track laborers-walkers, cement finisher helpers, plumber helpers, carpenter tenders, asphalt rakers-tampers, form strippers, roofing helpers.

GROUP B : Well driller helpers, storm and sanitary pipe layers, rat weavers, motor buggie operators.

GROUP C : Chain saw operators, jackhammer, vibrator and electric hammers and all air tool and pneumatic tools.

GROUP D : Deep hole men

GROUP E : Powdermen, toolroom attendant, torchman on demolition and salvage. sand hog (free air).

GROUP F : Hod carriers, mason tenders and plasterer tenders.

GROUP G : Mortar mixers

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BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS A	$7.65	.30	.25		
CLASS B	7.22	.30	.25		
CLASS C	6.52	.30	.25		
CLASS D	6.12	.30	.25		

CLASS A: Shovels; Backhoes; Draglines; Cranes; Derricks; Gantrys; Gradall; Winch with boom; Motor patrol; Trenching machine (18" & over); Pile driver; Tug boat operator; Mechanics (heavy); Central mixing plant; Locomotive engineer; Straddle carriers; Core drills (over 3"); Tower cranes; Hydro cranes; Austin Western (and similar type cranes); Drilling of piling; Tugger; Earth freezing equipment; 3 drum hoist; Side boom; Dredge operator (engineer); Hopto; Pump crete; Mucking machines; Cableway; Central compressor plant; Derrick boat; Concrete pump; Welders (men from the craft); Helicopter operator; Well point systems; Sweeper; Bulldozers; Pans; Scrapers; Traxcavators; Fork lift; Front end loader

CLASS B: Trenching machines (18" and smaller); Tandem rollers; Pavers; Mobile mixers (rubber tired, mobile, mixed on job); Back filler; Blade graders; Dinkey operator over 10 tons; Elevating graders; Winches (operated from trucks or tractors, without booms and powered by other than the truck); Distributors; Bituminous surfaces, 1 and 2 drum hoist; Grout pumps; Motor boat; Switchman; Brakeman; Earth compactors (motorized-Buffalo-Springfield type)

CLASS C: Locomotive fireman (on boilers 100 h.p. and over); Operator; Air compressor (stationary); Earth drills; Scale operators; Tractors (40 h.p. and less); Motor crane driver and oiler; Pumps (larger than 4"); Dinkey operators (10 tons and less); Oilers on Gantrys; Greasers

CLASS D: Air compressor operators; Mechanic helper; Locomotive fireman; Welding machine operators; Deck hand; Elevator operators

HEAVY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. T
Bricklayers	$6.00				
Carpenters or leadsman	5.00				
Cement masons	5.00				
Electricians	5.77				
Ironworkers, reinforcing	4.75				
Ironworkers, structural	5.35				
Laborers:					
Laborers, unskilled; Flagman	3.05				
Chain saw; Concrete rubber; Mortar mixer; Pipelayer	3.25				
Air tool operator; Firemen	3.30				
Concrete edger	3.40				
Concrete saw operator; Fence erector; Guard rail erector	3.50				
Asphalt raker	3.60				
Sign erector	3.70				
Form setter; Steel road	3.95				
Powderman	4.25				
Nozzleman or gunman (gunite)	5.00				
Painter or sand blaster	5.00				
Power equipment operators:					
Pump operator; Welder helper	3.20				
Ditch paver; Mechanic helper	3.30				
Curb machine	3.40				
Motor crane driver; Mulcher or seeder; Scale operator	3.50				
Tractor, farm	3.55				
Concrete mixer, less than 1 yd.; Earth drill	3.60				
Track drill	3.75				
Dozer or loader - stock pile only	3.85				
Oiler; Roller, other than finish	3.90				
Distributor (bituminous)	4.05				
Tractor, crawler, utility	4.10				
Spreader (self-propelled)	4.20				
Asphalt paver; Central mixing (asphalt or concrete); Concrete finishing machine; Mechanic, Class II; Motor patrol (rough); Roller (high type); Soil cement machine	4.35				
Tractor - boom & hoist; Trenching machine	4.50				
Bulldozer or push dozer; Scraper	4.75				
Backhoe; Concrete paver; Crane; End loader; Mechanic, Class I; Motor patrol finish; Piledriver; Shovel	5.00				
Truck drivers:					
2 & 3 axles	3.40				
4 & 5 axles or more or heavy duty off-the-road trucks	4.00				
Welders receive rate prescribed for craft performing operations to which is incidental.					

WATER, SEWER AND UTILITIES	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Bricklayers	$3.50					
Carpenters	3.50					
Cement masons	3.00					
Laborers	2.10					
Truck drivers:						
Up to 3 tons	2.32					
Over 3 tons	2.50					
Power Equipment Operators:						
Air compressors	2.37					
Backhoe	3.50					
Blade grader	3.50					
Bulldozer	3.45					
Cranes, derricks & draglines	3.85					
Front end loader	3.50					
Mechanics	3.42					
Motor grader	3.50					
Scrapers	3.34					
Shovels	3.50					
Tractors	2.37					
Trenching machines	3.30					

SUPERSEDEAS DECISION

STATE: Texas

COUNTIES: Bailey, Cochran, Crosby, Floyd, Garza, Hale, Hockley, Lamb, Lubbock, Lynn, Terry & Yoakum

DECISION NO.: TX75-4003

DATE: Date of Publication

Supersedes Decision No. AP-352, dated October 13, 1972, in 37 FR 21786.

DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
BRICKLAYERS	$4.93				
CARPENTERS	4.47				
CEMENT MASONS	4.00				
DRYWALL INSTALLERS	3.50				
ELECTRICIANS	6.35	.25	1%		
FENCE BUILDERS	2.10				
INSULATION INSTALLERS	3.00				
IRONWORKERS	2.50				
LABORERS	2.10				
PAINTERS, BRUSH	4.09				
PLUMBERS	4.66				
ROOFERS	3.52				
SHEET METAL WORKERS	4.13				
SOFT FLOOR LAYERS	5.00				
TAPE & BEDDERS	5.00				
TILE SETTERS	5.50				
TRUCK DRIVERS	2.50				

DECISION NO. TX75-4003

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Air Tool Man	$2.60				
Asphalt Heaterman	2.65				
Asphalt Raker	2.75				
Asphalt Shoveler	2.15				
Batching Plant Scaleman	2.95				
Carpenter	3.50				
Carpenter Helper	3.25				
Concrete Finisher (Paving)	3.50				
Concrete Finisher (Structures)	3.35				
Concrete Finisher Helper(Structures)	3.00				
Form Builder (Structures)	3.25				
Form Builder Helper (Structures)	2.50				
Form Setter (Paving and Curb)	2.35				
Form Setter (Structures)	3.75				
Form Setter Helper (Structures)	2.50				
Laborer, Common	2.10				
Laborer, Utility Man	2.50				
Mechanic	3.05				
Oiler	2.80				
Serviceman	3.00				
Powderman	2.75				
Powderman Helper	2.50				
Spreader Box Man	2.80				
Swamper	2.50				
Power Equipment Operators:					
Asphalt Distributor	2.60				
Asphalt Paving Machine	3.00				
Broom or Sweeper Operator	2.10				
Bulldozer, 150 HP and Less	3.00				
Bulldozer, over 150 HP	3.50				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ CY)	3.40				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ CY & over)	3.75				
Crusher or Screening Plant Operator	3.00				
Foundation Drill Operator (Truck Mounted)	3.75				
Front End Loader (2½ CY & Less)	3.00				
Front End Loader (Over 2½ CY)	3.10				
Motor Grader Operator, Fine Grade	4.10				

DECISION NO. TX75-4003

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators (Cont'd):					
Motor Grader Operator	$3.50				
Roller, Steel Wheel (Plant-Mix Pavements)	2.50				
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.60				
Roller, Pneumatic (Self-Propelled)	2.30				
Scrapers (17 CY and Less)	3.00				
Scrapers (Over 17 CY)	3.25				
Tractor (Crawler Type) 150 HP and Less	2.85				
Tractor (Crawler Type) over 150 HP	3.00				
Tractor (Pneumatic) 80 HP & Less	2.50				
Tractor (Pneumatic) over 80 HP	2.65				
Wagon Drill, Boring Machine or Post Hole Driller Operator	2.75				
Truck Drivers:					
Single Axle, Light	2.10				
Single Axle, Heavy	2.50				
Tandem Axle or Semitrailer	2.25				
Winch	2.60				
Weighman (Truck Scales)	2.30				
Welder	4.35				

SUPERSEDEAS DECISION

STATE: Texas

COUNTIES: Bee, Kleberg, Nueces, San Patricio

DECISION NO.: TX75-4004

DATE: Date of Publication

Supersedes Decision No. AR-16, dated August 16, 1974, in 39 FR 29703.

DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
AIR CONDITIONING MECHANICS	$3.50				
BRICKLAYERS	5.00				
CARPENTERS	5.14				
CEMENT MASONS	6.25				
ELECTRICIANS	6.96				
FIBERGLASS DUCT INSTALLERS	3.75				
FORM SETTERS	2.40				
INSULATION INSTALLERS	5.14				
IRONWORKERS, REINFORCING	2.50				
LABORERS	2.10				
PAINTERS, BRUSH	4.00				
PLUMBERS & PIPEFITTERS	5.74				
ROOFERS	4.50				
SHEETROCK FINISHERS	4.00				
SOFT FLOOR LAYERS	4.05				
TRUCK DRIVERS	2.50				
POWER EQUIPMENT OPERATORS:					
Backhoes	3.35				
Bulldozers	3.20				
Motor graders	3.35				

SUPERSEDEAS DECISION

STATE: Texas COUNTY: Bexar
DECISION NO.: TX75-4005 DATE: Date of Publication
Supersedes Decision No. AR-44, dated September 20, 1974, in 39 FR 34013.
DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
AIR CONDITIONING INSTALLERS	$3.50				
BRICKLAYERS	7.27	.30	.30		.05
CARPENTERS	4.10				
CEMENT MASONS	7.02	.25			
DUCT INSTALLERS	3.45				
ELECTRICIANS:					
Single or multiple family dwellings or apartments up to and including 8 units not exceeding 2 stories	5.55	.30	1%		1/2%
Over 8 units or over 2 stories	8.33	.255	1%		1/2%
FORM SETTERS	3.29				
GLAZIERS	3.50				
INSULATION INSTALLERS	4.50				
IRONWORKERS	4.66				
LABORERS, UNSKILLED	2.34				
PAINTERS	3.675				
TAPE & FLOAT	4.00				
PLASTERERS	7.40				.01
PLUMBERS & PIPEFITTERS	7.13	.25	.35		.10
ROOFERS	3.10				
ROOFING, SHINGLES	3.50				
SHEETROCK INSTALLER	4.00				
SOFT FLOOR LAYERS	3.71				
TILE SETTERS	5.18				
TRUCK DRIVERS	2.25				
T.V. ANTENNA INSTALLERS	3.50				
POWER EQUIPMENT OPERATORS:					
Fork lifts	2.75				
Foundation drill operator (crawler mounted)	5.85				
Front End loader	2.58				
Tractor	3.75				

DECISION NO. TX75-4005

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Air Tool Man	$2.25				
Asphalt Heaterman	3.00				
Asphalt Raker	3.00				
Batching Plant Scaleman	3.25				
Batterboard Setter	2.80				
Carpenter	3.65				
Carpenter Helper	2.50				
Concrete Finisher (Paving)	3.75				
Concrete Finisher Helper (Paving)	3.00				
Concrete Finisher (Structures)	3.50				
Concrete Finisher Helper(Structures)	3.00				
Concrete Rubber	2.60				
Electrician	6.20				
Electrician Helper	3.20				
Form Builder (Structures)	3.50				
Form Builder Helper (Structures)	2.50				
Form Setter (Paving and Curb)	3.50				
Form Setter (Structures)	3.45				
Form Setter Helper (Structures)	2.50				
Laborer, Common	2.10				
Laborer, Utility Man	2.50				
Mechanic	3.85				
Mechanic Helper	3.25				
Oiler	2.80				
Serviceman	3.00				
Pipelayer	3.00				
Pipelayer Helper	2.50				
Powderman	3.25				
Reinforcing Steel Setter (Paving)	3.25				
Reinforcing Steel Setter(Structures)	3.65				
Reinforcing Steel Setter Helper	2.70				
Steel Worker (Structural)	3.00				
Steel Worker Helper (Structural)	2.50				
Sign Erector	3.50				
Sign Erector Helper	2.90				
Spreader Box Man	3.25				
Swamper	2.75				

DECISION NO. TX75-4005

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators:					
Asphalt Distributor	$3.25				
Asphalt Paving Machine	3.30				
Bulldozer, 150 HP and Less	3.25				
Bulldozer, over 150 HP	3.50				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ CY)	3.50				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ CY & over)	4.25				
Crusher or Screening Plant Operator	3.25				
Foundation Drill Operator (Crawler Mounted)	3.50				
Foundation Drill Operator (Truck Mounted)	4.95				
Foundation Drill Operator Helper	3.10				
Front End Loader (2½ CY and Less)	3.00				
Front End Loader (Over 2½ CY)	3.50				
Mixer (16 CP and Less)	3.00				
Motor Grader Operator, Fine Grade	4.00				
Motor Grader Operator	3.75				
Roller, Steel Wheel (Plant-Mix Pavements)	3.00				
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.50				
Roller, Pneumatic (Self-Propelled)	2.55				
Scrapers (17 CY and Less)	3.00				
Scrapers (Over 17 CY)	3.50				
Self-Propelled Hammer	3.50				
Tractor (Crawler Type) 150 HP and Less	2.50				
Tractor (Crawler Type) over 150 HP	3.25				
Tractor (Pneumatic) 80 HP & Less	2.50				
Tractor (Pneumatic) over 80 HP	2.75				
Traveling Mixer	2.50				
Trenching Machine Light	2.75				
Wagon Drill, Boring Machine or Post Hole Driller Operator	3.50				
Truck Drivers:					
Single Axle, Light	2.45				
Single Axle, Heavy	2.50				
Tandem Axle or Semitrailer	2.70				
Lowboy-Float	3.00				
Welder	4.00				
Welder Helper	3.10				

SUPERSEDEAS DECISION

STATE: Texas

COUNTIES: Crane, Ector, Loving, Midland, Pecos, Reeves, Upton, Ward & Winkler

DECISION NO.: TX75-4006

DATE: Date of Publication

Supersedes Decision No. AP-347, dated September 29, 1972, in 37 FR 20499.

DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
BRICKLAYERS	$4.25				
CARPENTERS	3.80				
CEMENT FINISHERS	3.50				
ELECTRICIANS	5.10		1%		1/10%
LABORERS	2.10				
PAINTERS, BRUSH	3.50				
PLUMBERS	4.50				
ROOFERS	4.50				
SHEET METAL WORKERS	3.40				
TRUCK DRIVERS	2.10				

DECISION NO. TX75-4006

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Air Tool Man	$2.40				
Asphalt Heaterman	2.50				
Asphalt Raker	2.35				
Asphalt Shoveler	2.65				
Batching Plant Scaleman	2.85				
Carpenter	3.50				
Carpenter Helper	2.50				
Concrete Finisher (Paving)	3.00				
Concrete Finisher (Structures)	3.30				
Concrete Finisher Helper(Structures)	2.50				
Electrician	5.70				
Form Builder (Structures)	3.25				
Form Builder Helper (Structures)	2.25				
Form Setter (Paving and Curb)	3.25				
Form Setter Helper (Paving & Curb)	2.90				
Form Setter (Structures)	3.15				
Form Setter Helper (Structures)	2.50				
Laborer, Common	2.10				
Laborer, Utility Man	2.50				
Mechanic	3.25				
Mechanic Helper	2.60				
Oiler	2.50				
Serviceman	3.10				
Painter (Structures)	4.75				
Painter Helper (Structures)	2.70				
Pipelayer	2.50				
Powderman	3.00				
Powderman Helper	2.45				
Reinforcing Steel Setter(Structures)	3.40				
Reinforcing Steel Setter Helper	2.45				
Spreader Box Man	2.60				
Power Equipment Operators:					
Asphalt Distributor	2.75				
Asphalt Paving Machine	3.00				
Bulldozer, 150 HP and Less	3.00				
Bulldozer, over 150 HP	3.25				
Concrete Paving Saw	2.50				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ CY)	3.25				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ CY & over)	3.75				

DECISION NO. TX75-4006

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators (Cont'd)					
Crusher or Screening Plant Operator	$3.00				
Front End Loader (2½ CY and Less)	2.95				
Front End Loader (Over 2½ CY)	3.00				
Motor Grader Operator, Fine Grade	3.50				
Motor Grader Operator	3.25				
Roller, Steel Wheel (Plant-Mix Pavements)	2.60				
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.25				
Roller, Pneumatic (Self-Propelled)	2.25				
Scrapers (17 CY and Less)	3.00				
Scrapers (Over 17 CY)	3.25				
Tractor (Crawler Type) over 150 HP	3.00				
Tractor (Pneumatic) 80 HP and Less	2.30				
Tractor (Pneumatic) over 80 HP	2.50				
Trenching Machine, Light	2.50				
Wagon Drill, Boring Machine or Post Hole Driller Operator	2.50				
Truck Drivers:					
Single Axle, Light	2.25				
Single Axle, Heavy	2.25				
Tandem Axle or Semitrailer	2.10				
Transit-Mix	2.60				
Weighman (Truck Scales)	2.10				
Welder	3.15				

SUPERSEDEAS DECISION

STATE: Texas

COUNTIES: Cameron, Hidalgo, Starr & Willacy

DECISION NO.: TX75-4007

DATE: Date of Publication

Supersedes Decision No. AR-40, dated September 20, 1974, in 39 FR 34004

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories). (See General Wage Determination TX75-4001 for Paving & Utilities Incidental to Building Construction).

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$7.64	.35	.30		
BOILERMAKERS	8.00	.30	.76		.02
BRICKLAYERS	6.00				
CARPENTERS:					
Carpenters	5.00				.025
Piledrivermen	4.67				
CEMENT MASONS	3.50				
ELECTRICIANS:					
Electrical contracts under $300,000	6.21	.35	1%		1/2%
Electrical contracts $300,000 & over	7.85	.35	1%		1/2%
GLAZIERS	2.75				
LABORERS:					
Common laborers	2.10				
Mason tenders	2.10				
Pipelayers (concrete & clay)	2.10				
LINE CONSTRUCTION:					
Linemen	6.26	.28	1%		1/2%
Groundmen	3.72	.28	1%		1/2%
Groundmen, 1st 6 mos.	2.56	.28	1%		1/2%
PAINTERS:					
Brush	2.60				
PLASTERERS	5.00				
PLUMBERS & PIPEFITTERS	6.80	.22			.05
ROOFERS:					
Roofers	3.00				
Kettlemen	2.10				
SOFT FLOOR LAYERS	2.10				
SPRINKLER FITTERS	9.05	.50	.70		.08
TERRAZZO WORKERS	2.50				
TERRAZZO WORKERS' HELPERS	2.10				
TILE SETTERS	2.50				
TILE SETTERS' HELPERS	2.10				
TRUCK DRIVERS	2.10				
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.					

SUPERSEDEAS DECISION

STATE: Texas

COUNTIES: Cameron, Hidalgo, Starr & Willacy

DECISION NO.: TX75-4008

DATE: Date of Publication

Supersedes Decision No. AR-39, dated September 20, 1974, in 39 FR 34002.

DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
BRICKLAYERS	$6.00				
CARPENTERS:					
Carpenters	5.00				.025
Piledrivermen	4.67				
CEMENT MASONS	3.50				
ELECTRICIANS:					
Electrical contracts under $300,000	6.21	.35	1%		1/2%
Electrical contracts $300,000 & over	7.85	.35	1%		1/2%
GLAZIERS	2.75				
LABORERS:					
Common laborers	2.10				
Mason tenders	2.10				
Pipelayers (concrete & clay)	2.10				
PAINTERS, BRUSH	2.60				
PLASTERERS	5.00				
PLUMBERS & PIPEFITTERS	6.80	.22			.05
ROOFERS:					
Roofers	3.00				
Kettlemen	2.10				
SOFT FLOOR LAYERS	2.10				
TERRAZZO WORKERS	2.50				
TERRAZZO WORKERS' HELPERS	2.10				
TILE SETTERS	2.50				
TILE SETTERS' HELPERS	2.10				
TRUCK DRIVERS	2.10				

DECISION NO. TX75-4008

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asphalt Raker	$2.85				
Batching Plant Scaleman	3.00				
Carpenter	3.65				
Carpenter Helper	2.10				
Concrete Finisher (Paving)	2.75				
Concrete Finisher Helper (Paving)	2.55				
Concrete Finisher (Structures)	3.50				
Concrete Finisher Helper(Structures)	2.25				
Electrician	6.85				
Fireman	2.20				
Form Builder (Structures)	3.50				
Form Builder Helper (Structures)	2.75				
Form Setter (Paving and Curb)	3.00				
Form Setter Helper (Paving & Curb)	2.75				
Form Setter (Structures)	3.50				
Form Setter Helper (Structures)	2.55				
Laborer, Common	2.10				
Laborer, Utility Man	2.55				
Mechanic	3.25				
Mechanic Helper	2.75				
Oiler	2.65				
Serviceman	2.50				
Piledriverman	3.50				
Pipelayer	2.50				
Pipelayer Helper	2.30				
Reinforcing Steel Setter (Paving)	2.75				
Reinforcing Steel Setter(Structures)	3.00				
Reinforcing Steel Setter Helper	2.50				
Spreader Box Man	3.10				
Swamper	3.25				
Power Equipment Operators:					
Asphalt Distributor	3.25				
Asphalt Paving Machine	3.50				
Broom or Sweeper Operator	2.85				
Bulldozer, 150 HP and Less	3.00				
Bulldozer, over 150 HP	3.60				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ CY)	3.00				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ CY & Over)	4.00				
Front End Loader (2½ CY and Less)	3.00				
Front End Loader (Over 2½ CY)	3.50				
Motor Grader Operator, Fine Grade	4.00				

DECISION NO. TX75-4008

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	Apr. Tr.
Power Equipment Operators (Cont'd):					
Motor Grader Operator	$3.35				
Roller, Steel Wheel (Plant-Mix Pavements)	2.65				
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.35				
Roller, Pneumatic (Self-Propelled)	2.40				
Scrapers (17 CY and Less)	3.00				
Scrapers (Over 17 CY)	3.50				
Tractor (Crawler Type) 150 HP and Less	2.60				
Tractor (Crawler Type) over 150 HP	3.20				
Tractor (Pneumatic) 80 HP and Less	2.50				
Tractor (Pneumatic) over 80 HP	2.85				
Traveling Mixer	3.00				
Trenching Machine, Light	3.50				
Truck Drivers:					
Single Axle, Light	2.10				
Single Axle, Heavy	2.10				
Tandem Axle or Semitrailer	2.10				
Lowboy-Float	3.00				
Welder	3.75				

SUPERSEDES DECISION

STATE: Texas

COUNTIES: Collin, Dallas, Denton, Ellis, Grayson, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Rockwall, Tarrant & Wise

DECISION NO.: TX75-4009

DATE: Date of Publication

Supersedes Decision No. AR-43, dated September 20, 1974, in 39 FR 34009.

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories) and also excluding Dallas-Fort Worth Regional Airport. (See General Wage Determination TX75-4001 for Incidental Paving & Utilities).

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$7.98	.30	.51		.025
BOILERMAKERS	8.00	.30	.76		.02
BRICKLAYERS & STONEMASONS:					
ZONE 1 - Grayson County	6.80				
ZONE 2 - Collin, Dallas, Denton, Ellis, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Rockwall, Tarrant & Wise Counties	8.29	.30	.50		.04
CARPENTERS:					
ZONE 1 - Grayson County:					
Carpenters	7.485	.30			.005
Power saw operators	7.735	.30			.005
Millwrights	7.885	.30			.005
Piledrivermen	7.985	.30			.005
ZONE 2 - Collin, Dallas, Denton, Ellis, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Rockwall, Tarrant & Wise Counties:					
Carpenters	7.81	.30	.30		.02
Power saw operators	7.935	.30	.30		.02
Millwrights	8.44	.30			.02
CEMENT MASONS:					
ZONE 1 - Grayson County	6.16				
ZONE 2 - Denton, Hood, Johnson, Palo Pinto, Tarrant & Wise Counties	7.545	.25	.45		
ZONE 3 - Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties	7.485	.40	.35		.01
ELECTRICIANS:					
ZONE 1 - Grayson County:					
Electricians	7.88	.30	1%		.03
ZONE 2 - Denton, Hood, Johnson, Palo Pinto, Tarrant & Wise Counties:					
Electricians	8.87	4%	1%		7/10%
Cable splicers	9.12	4%	1%		7/10%

DECISION NO. TX75-4009

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ELECTRICIANS (CONT'D):					
ZONE 3 - Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties:					
AREA A - All work performed in Dallas County:					
Electricians	$8.53	4%	1%		7/10%
Cable splicers	9.38	4%	1%		7/10%
AREA B - All work performed outside of Dallas County up to a radius of 40 road miles from the City Hall in the City of Dallas:					
Electricians	8.78	4%	1%		7/10%
Cable splicers	9.65	4%	1%		7/10%
AREA C - All work performed outside of Area A and Area B:					
Electricians	9.03	4%	1%		7/10%
Cable splicers	9.93	4%	1%		7/10%
ELEVATOR CONSTRUCTORS	7.89	.445	.29	3%+a+b	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3%+a+b	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				

FOOTNOTES: a-1st 6 mos. - none; 6 mos. to 5 yrs. - 2%; over 5 yrs. - 4% of basic hourly rates; b-Paid Holidays: New Years' Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Day.

GLAZIERS:					
ZONE 1 - Collin, Dallas, Denton, Ellis, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Rockwall, Tarrant & Wise Counties	7.39	.25	.25		.025
IRONWORKERS	7.125	.55	.60		.03
LABORERS:					
ZONE 1 - Grayson County:					
GROUP 1 - Unskilled laborers	5.27	.275	.30		
GROUP 2 - Air tool operator (jackhammer, vibrator), mason tenders & mortar mixers, pipelayers	5.52	.275	.30		

DECISION NO. TX75-4009

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS (CONT'D):					
ZONE 2 - Collin, Dallas, Denton, Ellis, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Rockwall, Tarrant & Wise Counties:					
GROUP 1	$5.27	.275	.30		.02
GROUP 2	5.42	.275	.30		.02
GROUP 3	5.52	.275	.30		.02
GROUP 4	5.67	.275	.30		.02

LABORERS CLASSIFICATION DEFINITIONS

GROUP 1 - All hand digging dirt work and backfilling; firing of salamanders, loading and unloading of materials to and from hoist or cages; loading and unloading of tools and equipment; wheeling, placing and pouring of concrete; all excavation; handling of lumber, steel, cement; distribution of all materials; miscellaneous job clean-up; wrecking and razing of buildings and all structures; cleaning and clearing of all debris; handling of broken concrete or other damaged or undamaged materials; removing, moving, handling and greasing of forms, wrecking forms; storing materials to storage place; slip form jacks, scaffold builders, checking materials and tools in and out of receiving lots and sheds; tool house men; landscaper; asphalt ironer and raker; waterproofing tender; dumper; spotter; concrete pumpcrete pipe (handling and laying); carpenter tender

GROUP 2 - All power tool and equipment operators (gas, electric or air); cutting torches man; concrete grademan; power buggy operator; wagon drill operator, well driller, drilling rig tender; cement finisher tender; metal pan and steel form men; handling creosoted materials; liquid acids or like materials when injurious to health, eyes, skin or clothes; all newly developed equipment which replaces wheelbarrows or buggies previously used by laborers, scale men on batch plants

GROUP 3 - Concrete and clay pipe (handling & laying); mason handler; scaffold builder; mason tender; hod carriers mortar mixers; lather tenders, plaster tenders; water pump operators up to four inches; cement mason tenders; mortar mixers; hod carriers; dry mixers, kettle and pot men; tank cleaning; all pipe doping, treating and wrapping, including all men working with dope, mortar and plaster mixing machines, grout machines; pump crete machines, gunite mixing machines, including placing and cleaning of pipe and conduits used in placing of concrete, handling and placing of gunite materials from stockpiles, screening sand, running sand dryer and loading and operating sand blaster, except nozzle, conveying, stocking and handling of all materials for brick masons, lathers, cement finishers, plasterers; ditch work over 6 feet and cleaning out drill piers

GROUP 4 - Sand blaster, blaster powderman; Gunite worker; gunite nozzle man and terrazzo grinder

DECISION NO. TX75-4009

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LATHERS:					
ZONE 1 - Collin, Dallas, Denton, Ellis, Grayson, Hunt, Kaufman & Rockwall Counties	$8.00	.20		.50	.04
ZONE 2 - Hood, Johnson, Palo Pinto, Tarrant & Wise Counties	8.43	.30			.04
LINE CONSTRUCTION:					
Linemen; Lineman operator	9.21		1%		1/2%
Cable splicer	10.13		1%		1/2%
Groundman, 1st 6 months	5.53		1%		1/2%
Groundman, 2nd 6 months	5.99		1%		1/2%
Groundman, 1 year & over	6.45		1%		1/2%
MARBLE SETTERS:					
ZONE 1 - Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties	7.90				
ZONE 2 - Denton, Hood, Johnson, Palo Pinto, Tarrant & Wise Counties	8.30				
MARBLE SETTERS' HELPERS:					
ZONE 1 - Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties	6.40				
PAINTERS:					
ZONE 1 - Collin, Dallas, Ellis, Grayson, Hunt, Kaufman & Rockwall Counties:					
GROUP 1 - Brush	7.425	.35	.30		.04
GROUP 2 - All wall covering work; paper, fabric, sheeting, flexwood, etc.	7.675	.35	.30		.04
GROUP 3 - Ames tools operator	7.55	.35	.30		.04
GROUP 4 - Structural steel, stage work, bosun chair, spray gun, sandblasting and window jacks, fire escapes	7.80	.35	.30		.04
ZONE 2 - Denton County:					
GROUP 1 - Brush, hand roller	7.49				
GROUP 2 - All wall covering work	7.61				
GROUP 3 - Structural steel; stage & bosun chair work, window jacks, spraying, sandblasting & power tool work	7.745				

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PAINTERS (CONT'D):					
ZONE 3 - Hood, Johnson, Palo Pinto, Tarrant & Wise Counties:					
GROUP 1	$7.895		.20		.02
GROUP 2	8.145		.20		.02
GROUP 3	7.895		.20		.02
GROUP 4	9.145		.20		.02

PAINTERS CLASSIFICATION DEFINITIONS

GROUP 1 - Brush
GROUP 2 - Spray; Wallcovering; Pressure roller; Sandblasting; Structural steel; Bosun chair, Window jack & window sill; Stage; Fire escape; Steel storage tanks; Stilts; Mittens; Ames tools; Drywall finishing
GROUP 3 - On jobs requiring less than six 250 feet rolls of joint tape, or less than eight man hours of bedding time the drywall finishing rate will be
GROUP 4 - Steeple jack rate (radio and TV towers, smoke stacks, chimneys and water towers, and similar facilities and flag poles atop buildings located closer to the edge of the building than the height of the pole); Toxic material rate (creosote, coal tar products or similar materials injurious to the skin)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PLASTERERS:					
ZONE 1 - Grayson County	$6.05				
ZONE 2 - Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties	7.885	.35		.50	.03
ZONE 3 - Denton, Hood, Johnson, Palo Pinto, Tarrant & Wise Counties	8.755				.01
PLUMBERS & STEAMFITTERS	8.00	.38	.90		.08
POWER EQUIPMENT OPERATORS:					
ZONE 1 - Dallas County:					
GROUP 1	6.465	.30	.40		
GROUP 2	7.25½	.30	.40		
GROUP 3	7.65½	.30	.40		

POWER EQUIPMENT OPERATORS (ZONE 1) CLASSIFICATION DEFINITIONS

GROUP 1 - Oilers
GROUP 2 - Air compressors; Blade Grader, towed; Flex plane; Form grader; Concrete mixer, less than 14 cu. ft.; Water pumps - 2½" or over and 2 or more pumps; Pulsometer; Welding machines, gasoline or diesel driven (2 to 6 machines); Wagon drill operator; Conveyor; Hoist, single drum; Scraper, 3 cu. yd. or less; Generator, gasoline or diesel driven (over 1500 watts); Bob cat with loader; All other equipment of similar nature coming under the light equipment class, when power operated
GROUP 3 - Heavy duty mechanic; Asphalt mixer operator on job; Blade grader, self-propelled; Bull clam; Backfiller; Bulldozer & all cat type tractors; Backhoe; Concrete mixers, over 14 cu. ft.; Crusher operator on job; Concrete batch plant operator; Clam shell; Cranes (all types); Truck mounted on crawler requires oiler including groves (hydraulic) or similar type over 12½ ton capacity Escalated rate on crane and derricks booms; .01c per hour, per foot over 90' including jib; draglines; derricks, power operated (all types); DW-10 caterpillar, S-8 Euclid and similar tractors; Elevating grader, self-propelled; Foundation drilling machine (all); Forklifts, used in handling machinery on construction; Gradeall; Hoist, motor driven, 2 drums or more; Locomotive crane; Mixmobile; Paving mixers (all types); Pile drivers; Pumpcrete machines; Pneumatic rollers, self-propelled; Shovels, power operated; Scrapers, over 3 cu. yds.; Scoopmobile; Trenching machines, all types; Winch trucks, when pole and winch is used; Water well drilling machines, used on construction; Well point pumps; Welding machines (7 to 13 machines); All other equipment of similar nature coming under heavy equipment class, when power operated

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS (CONT'D):					
ZONE 2 - Collin, Denton, Ellis, Grayson, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Rockwall, Tarrant & Wise Counties:					
GROUP 1	$6.265	.30	.50		.10
GROUP 2	7.05	.30	.50		.10
GROUP 3	7.45	.30	.50		.10

POWER EQUIPMENT OPERATORS (ZONE 2) CLASSIFICATION DEFINITIONS

GROUP 1 - Oiler - Fireman
GROUP 2 - Air compressor (1); Pump (1); Pulsometer; Conveyor; Throttle valves; Wagon drill; Elevators building; Form graders; Hoist, single drum; Mixers, less than 14 cu. ft.; Screening plants; Welding machine gas & diesel (2 or more); Crushing plants; Fork lifts (short, under 25 feet); Concrete pumps (all types); Bobcat type equipment
GROUP 3 - Ford tractor or like with any attachments (except backhoe); Drilling machines (all types); Scoopmobile; Hoist, two drums or more; Forklifts (over 25 feet); Winch trucks; Six wheel truck, when used continuously for 5 days; Mixermobile; Locomotives; Mixer, 14 cu. ft. or over; Blade graders, self-propelled; Cableways; Cranes - power operated to 100 feet; Fordson type backhoe; Derrick, power operated (all types); Gradall; Hy-Ho; Hop-To; Paving Mixer (all types); Pile drivers; Mobile concrete mixers over 14 cu. ft.; Bulldozers, loaders, tractowators; Scrapers and pulls; Welders; Trenching machines; Roller, ten tons or over; Air compressors, three; Air compressors & 1 pump; Pump, three or more; Air compressor & air tugger; Boilers, two or more fired by one man; Heavy duty mechanic

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ROOFERS:					
ZONE 1 - Collin, Dallas, Ellis, Grayson, Hunt, Kaufman & Rockwall Counties:					
GROUP 1 - Slate & tile	$7.565				
GROUP 2 - Composition and built-up roofing, damp proofing & bituminous waterproofing	7.415				
ZONE 2 - Denton, Hood, Johnson, Palo Pinto, Tarrant & Wise Counties:					
GROUP 1 - Slate, tile asbestos roofing & siding	7.515				.05
GROUP 2 - Composition, built-up, damp & water proofing, kettlemen	7.365				.05
SHEET METAL WORKERS:					
ZONE 1 - Collin, Dallas, Ellis, Grayson, Hunt, Kaufman & Rockwall Counties	7.835	.35	.50		.03
ZONE 2 - Denton, Hood, Johnson, Palo Pinto, Tarrant & Wise Counties	8.105	.45	.30		.055
SOFT FLOOR LAYERS	7.53	.25	.20		.03
SPRINKLER FITTERS	9.05	.50	.70		.08
TERRAZZO WORKERS:					
ZONE 1 - Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties	7.95				
ZONE 2 - Denton, Hood, Johnson, Palo Pinto, Tarrant & Wise Counties	8.30				
TILE SETTERS:					
ZONE 1 - Collin, Dallas, Hunt, Kaufman & Rockwall Counties	8.30		.15		
ZONE 2 - Denton, Hood, Johnson, Palo Pinto, Tarrant & Wise Counties	8.30				

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
TILE SETTERS' HELPERS:					
ZONE 1 - Collin, Dallas, Hunt, Kaufman & Rockwall Counties	$6.40				
TRUCK DRIVERS:					
ZONE 1 - Collin, Dallas, Ellis, Hunt, Kaufman & Rockwall Counties	4.25				
ZONE 2 - Denton, Hood, Johnson, Palo Pinto, Tarrant & Wise Counties	4.00				
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.					

SUPERSEDEAS DECISION

STATE: Texas

COUNTIES: Dimmit, Jim Hogg, LaSalle, Maverick, Webb, Zapata & Zavala

DECISION NO.: TX75-4010

DATE: Date of Decision

Supersedes Decision No. AR-70, dated November 1, 1974, in 39 FR 38836.

DESCRIPTION OF WORK: Building (including Residential) Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
AIR CONDITIONING MECHANIC	$4.65				
BRICKLAYERS	4.85				
CARPENTERS	3.70				
CEMENT MASONS	3.20				
ELECTRICIANS	4.20				
GLAZIERS	3.14				
IRONWORKERS	2.60				
LABORERS:					
Laborers	2.10				
Asphalt rakers	2.25				
Mason tenders	2.70				
PAINTERS, BRUSH	4.30				
PLUMBERS & PIPEFITTERS	4.35				
ROOFERS:					
Roofers	4.00				
Kettlemen	2.90				
SHEET METAL WORKERS	4.33				
SOFT FLOOR LAYERS	4.30				
TRUCK DRIVERS	2.10				
POWER EQUIPMENT OPERATORS:					
Asphalt finishers	2.50				
Backhoes	2.50				
Bulldozers	2.50				
Cranes	2.70				
Front end loaders	2.50				
Motor graders	2.75				
Rollers	2.40				
Scrapers	3.00				
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.					

SUPERSEDEAS DECISION

STATE: Texas

COUNTIES: Hood, Johnson, Palo Pinto, Parker & Wise

DECISION NO.: TX75-4011

DATE: Date of Publication

Supersedes Decision No. AP-301, dated July 28, 1972, in 37 FR 15232.

DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
BRICKLAYERS	$4.96				
CARPENTERS	3.50				
CEMENT MASONS	4.00				
ELECTRICIANS	3.50				
LABORERS:					
Laborers	2.10				
PAINTERS, BRUSH	3.50				
PLUMBERS	4.50				
ROOFERS	2.95				
SHEET METAL WORKERS	3.00				
TILE SETTERS	4.75				
TRUCK DRIVERS	2.25				

DECISION NO. TX75-4011

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Air Tool Man	$2.55				
Asphalt Heaterman	2.75				
Asphalt Raker	3.25				
Asphalt Shoveler	2.60				
Batching Plant Scaleman	3.00				
Carpenter	3.50				
Carpenter Helper	2.50				
Concrete Finisher (Paving)	3.50				
Concrete Finisher Helper (Paving)	2.85				
Concrete Finisher (Structures)	3.50				
Concrete Finisher Helper(Structures)	3.00				
Concrete Rubber	2.75				
Form Builder (Structures)	3.50				
Form Builder Helper (Structures)	2.50				
Form Liner (Paving & Curb)	3.50				
Form Setter (Paving & Curb)	3.25				
Form Setter Helper (Paving & Curb)	2.75				
Form Setter (Structures)	3.55				
Form Setter Helper (Structures)	2.75				
Laborer, Common	2.25				
Laborer, Utility Man	2.35				
Mechanic	3.50				
Mechanic Helper	2.75				
Oiler	3.00				
Serviceman	2.85				
Pipelayer	3.25				
Powderman	3.00				
Reinforcing Steel Setter (Paving)	2.25				
Reinforcing Steel Setter(Structures)	3.55				
Sign Erector	3.00				
Sign Erector Helper	2.50				
Spreader Box Man	3.25				
Power Equipment Operators:					
Asphalt Distributor	3.15				
Asphalt Paving Machine	3.50				
Bulldozer, 150 HP and Less	3.25				
Bulldozer, over 150 HP	3.50				
Concrete Paving Curing Machine	3.00				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ CY)	3.25				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ CY & over)	3.50				

DECISION NO. TX75-4011

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators (Cont'd):					
Foundation Drill Operator (Truck Mounted)	$4.05				
Foundation Drill Helper	3.00				
Front End Loader (2½ CY and Less)	3.25				
Front End Loader (Over 2½ CY)	3.50				
Motor Grader Operator, Fine Grade	3.50				
Motor Grader Operator	3.25				
Roller, Steel Wheel (Plant-Mix Pavements)	3.25				
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	2.50				
Roller, Pneumatic (Self-Propelled)	2.50				
Scrapers (17 CY and Less)	3.25				
Scrapers (Over 17 CY)	3.50				
Tractor (Crawler Type 150 HP and Less	2.75				
Tractor (Crawler Type) over 150 HP	3.00				
Tractor (Pneumatic) 80 HP & Less	2.85				
Tractor (Pneumatic) over 80 HP	3.20				
Traveling Mixer	2.85				
Wagon Drill, Boring Machine or Post Hole Driller Operator	3.00				
Truck Drivers:					
Single Axle, Light	2.50				
Single Axle, Heavy	2.50				
Tandem Axle or Semitrailer	3.00				
Welder	3.35				

SUPERSEDEAS DECISION

STATE: Texas COUNTIES: Jefferson & Orange
DECISION NO.: TX75-4012 DATE: Date of Publication
Supersedes Decision No. AR-48, dated September 27, 1974, in 39 FR 35060
DESCRIPTION OF WORK: Building (including Residential) Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS:					
Jefferson County	$8.10	.70	.70		.06
Orange County	8.145	.325	.30		.04
BOILERMAKERS	8.00	.30	.76		.02
BRICKLAYERS & STONEMASONS	9.11	.275	.30		.04
CARPENTERS:					
Carpenters:					
Commercial	7.815		.30		.05
Residential construction of not not more than two units and condominium townhouses of not more than 6 units, excluding all apartment construction and multiple buildings for rental purposes	7.45		.30		
Millwrights	8.605				
Piledrivermen	7.96		.30		
CEMENT MASONS	7.49				
ELECTRICIANS	8.80	.28	1%+.285		.06
ELEVATOR CONSTRUCTORS	7.79	.445	.29	3%+a+b	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3%+a+b	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
FOOTNOTES: a-1st 6 mos. - none; 6 mos. to 5 yrs. - 2%; over 5 yrs. - 4% of basic hourly rate. b-Paid Holidays: New Years' Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Day					
IRONWORKERS	7.30	.55	.60		.05
LABORERS:					
GROUP 1 - Common laborer; asphalt ironer & raker; sandblaster, exclusive of preparation work for painters; dumper, spotter & wagon drill; powderman-blaster; well driller	5.11	.28	.20		.02
GROUP 2 - Carpenter tender	5.16	.28	.20		.02
GROUP 3 - Cement masons tender; air tool operator (jackhammer-vibrator)	5.21	.28	.20		.02
GROUP 4 - Mortar mixers, hod carriers & mason tender; plaster & lather tender; pipelayers, non-metallic pipe, including handling & laying pumpcrete pipe	5.31	.28	.20		.02

DECISION NO. TX75-4012

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS (CONT'D):					
GROUP 5 - Machine man & nozzleman for gunniting 1½" and over	$5.485	.28	.20		.02
LATHERS	8.105	.30			.01
LINE CONSTRUCTION:					
Linemen	9.405	.28	1%		1/2%
Groundmen	6.87	.28	1%		1/2%
PAINTERS:					
Southern half of Jefferson County and all of Orange County:					
GROUP 1 - Brush, wood & wall paperhanger and glazier:					
Commercial	7.60				
Residential	7.45				
GROUP 2 - Brush, steel:					
Commercial	7.65				
Residential	7.50				
GROUP 3 - Spray:					
Commercial	8.10				
Residential	7.97				
GROUP 4 - Sandblaster, power cleaning:					
Commercial	7.925				
Residential	7.71				
GROUP 5 - Brush, hot paint or creosote:					
Commercial	7.925				
Residential	7.71				
GROUP 6 - Spray, hot paint or creosote:					
Commercial	8.35				
Residential	8.24				
GROUP 7 - All time spent rigging:					
Commercial	7.925				
Residential	7.71				
Twenty-five cents (25¢) per hour premium on all work from stage, chair, window jack or ledge in all classifications					
Northern half of Jefferson County:					
GROUP 1 - Brush and glaziers:					
Commercial	7.575				
Residential	7.325				
GROUP 2 - Canvas & paperhangers:					
Commercial	7.825				
Residential	7.575				

DECISION NO. TX75-4012

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
PAINTERS (CONT'D):					
Northern half of Jefferson County: (Cont'd)					
GROUP 3 - Brush, steel:					
Commercial	$7.75				
GROUP 4 - Spray:					
Commercial	8.00				
Residential	7.75				
PIPEFITTERS	8.11	.35	.62		.06
PLASTERERS	8.00	.37	.30		.02
PLUMBERS	8.84				.03
POWER EQUIPMENT OPERATORS:					
GROUP 1	7.915		.25		
GROUP 2	7.00		.25		
GROUP 3	6.48		.25		
GROUP 4	6.29		.25		

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - Heavy Duty Mechanic; Blade Grader, Self-propelled; Bull Clam; Back Filler; Derrick - Power Operated, all types; Draglines; Push Cat Operator; Bull Dozer and all types of Cat Tractors; Cable-Way; Back-Hoe; Shovel; Crane - Power Operated, all types; Elevating Grader, Self-propelled; Hoist - motor driven, two drums or more; Mix mobile; Winch Truck; Locomotive Crane; Mixer, 14 cu. ft. or more; Paving Mixer, all sizes; Piledrivers; Scraper - heavy type, over 3 cu. yds.; Trench Machine, all sizes; Gradall; High-Lift; Foundation Boring Machines; Gasoline or Diesel driven welding machines - 7 to 12 machines; Pumpcrete Machine; Drill Operator - Water Well; DW-10 Euclid; Tournapulls; Asphalt Plants; Crushing Machines and Batch-plants; Scoopmobiles; Fingerlift Operator; Well Points

GROUP 2 - Air Compressor; Blade Grade - Towed; Flex Plane; Form Grader; Mixer, less than 14 cu. ft.; Pump, Pulsometer; Truck Crane Driver; Gasoline or Diesel Driven Welding Machines, 3 to 6 machines; Hoist - Single Drum; Scraper, 3 cu. yds. or less; Conveyors - power operated

GROUP 3 - Fireman

GROUP 4 - Oiler

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
ROOFERS:					
Roofers	$6.69	.20	.10	.15	.03
Kettlemen	5.73	.20	.10	.15	.03
Helpers	4.48	.20	.10	.15	.03
SHEET METAL WORKERS	7.79	.25	.15		.06
SPRINKLER FITTERS	9.05	.50	.70		.08

DECISION NO. TX75-4012

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
TILE SETTERS	$7.65	.275	.30		.04
TRUCK DRIVERS:					
GROUP 1 - Under 1½ ton and wash, grease, tireman, fuel pump operators when used on construction	4.40				
GROUP 2 - 1½ tons thru 2½ tons, dump truck less than 7 yds., town driver	4.69				
GROUP 3 - Over 2½ tons, farm tractors (when used to transport personnel or material), fork lifts (when used in warehouses, storage yards, and when used to transport material), floats, hydraulic tail gate lifts	4.85				
GROUP 4 - Euclids (not self-loading)	4.95				
GROUP 5 - Warehousemen - material checker	4.965				
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.					

SUPERSEDEAS DECISION

STATE: Texas COUNTY: Wichita
DECISION NO.: TX75-4013 DATE: Date of Publication
Supersedes Decision No. AR-51, dated September 27, 1974, in 39 FR 35064.
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
BRICKLAYERS	$7.00				
CARPENTERS	5.65				
CEMENT MASONS	4.50				
ELECTRICIANS	5.55				
LABORERS:					
Laborers	3.00				
Mason tenders	3.55				
PAINTERS, BRUSH	4.32				
PLUMBERS & PIPEFITTERS	5.53				
ROOFERS	4.00				
SHEET METAL WORKERS	5.30				
SOFT FLOOR LAYERS	5.00				

DECISION NO. TX75-4013

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Air Tool Man	$2.95				
Asphalt Heaterman	3.50				
Asphalt Raker	3.70				
Batching Plant Scaleman	4.10				
Carpenter	3.95				
Carpenter Helper	3.60				
Concrete Finisher (Paving)	4.30				
Concrete Finisher Helper (Paving)	3.55				
Concrete Finisher (Structures)	4.25				
Concrete Finisher Helper (Structures)	3.35				
Form Builder (Structures)	4.55				
Form Builder Helper (Structures)	2.90				
Form Setter (Paving and Curb)	4.00				
Form Setter (Structures)	4.80				
Form Setter Helper (Structures)	3.65				
Laborer, Common	2.60				
Laborer, Utility Man	3.00				
Manhole Builder, Brick	3.25				
Mechanic	4.20				
Mechanic Helper	3.50				
Oiler	3.55				
Serviceman	3.70				
Pipelayer	3.00				
Pipelayer Helper	2.60				
Powderman	4.00				
Reinforcing Steel Setter(Paving)	4.35				
Reinforcing Steel Setter(Structures)	4.00				
Reinforcing Steel Setter Helper	3.05				
Sign Erector	3.50				
Sign Erector Helper	3.10				
Spreader Box Man	3.60				
Swamper	3.10				
Power Equipment Operators:					
Asphalt Distributor	4.00				
Asphalt Paving Machine	4.45				
Broom or Sweeper Operator	2.80				
Bulldozer, 150 HP and Less	3.70				
Bulldozer, over 150 HP	4.05				
Concrete Paving Finishing Machine	3.25				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ CY)	4.25				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ CY & over)	4.80				

DECISION NO. TX75-4013

INCIDENTAL PAVING & UTILITIES & SITE PREPARATION	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators (Cont'd):					
Crusher or Screening Plant Operator	$4.15				
Foundation Drill Operator (Crawler Mounted)	3.70				
Foundation Drill Operator (Truck Mounted)	4.75				
Foundation Drill Operator Helper	3.25				
Front End Loader (2½ CY and Less)	3.70				
Front End Loader (Over 2½ CY)	4.20				
Motor Grader Operator, Fine Grade	4.80				
Motor Grader Operator	4.45				
Roller, Steel Wheel (Plant-Mix Pavements)	3.50				
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	3.30				
Roller, Pneumatic (Self-Propelled)	3.15				
Scrapers (17 CY and Less)	3.70				
Scrapers (Over 17 CY)	4.20				
Tractor (Crawler Type) 150 HP and Less	3.25				
Tractor (Crawler Type) over 150 HP	3.55				
Tractor (Pneumatic) 80 HP and Less	3.00				
Tractor (Pneumatic) over 80 HP	3.40				
Traveling Mixer	3.75				
Trenching Machine Light	3.00				
Wagon Drill, Boring Machine or Post Hole Driller Operator	3.50				
Truck Drivers:					
Single Axle, Light	3.00				
Single Axle, Heavy	3.00				
Tandem Axle or Semitrailer	3.00				
Weighman (Truck Scales)	2.65				
Welder	4.80				
Welder Helper	2.75				

[FR Doc.75-1299 Filed 1-16-75;8:45 am]

federal register

FRIDAY, JANUARY 17, 1975

WASHINGTON, D.C.

Volume 40 ■ Number 12

PART IV

OFFICE OF MANAGEMENT AND BUDGET

■

FY 75 RESCISSIONS AND DEFERRALS

Cumulative Report

OFFICE OF MANAGEMENT AND BUDGET

FY 1975 RESCISSIONS AND DEFERRALS

Cumulative Report

Honorable NELSON A. ROCKEFELLER
President of the Senate
Washington, D.C. 20510

JANUARY 10, 1975.

DEAR MR. PRESIDENT: The President has directed me to submit the enclosed report required by Section 1014(e) of the Congressional Budget and Impoundment Control Act of 1974. In accordance with that Act, the report is also being transmitted to the House and will be published in the FEDERAL REGISTER.

Sincerely,

ROY L. ASH,
Director.

CUMULATIVE REPORT OF FISCAL YEAR 1975 RESCISSIONS AND DEFERRALS JANUARY 1975

This report is submitted in fulfillment of the requirements of section 1014 of the Congressional Budget and Impoundment Control Act of 1974 (Pub. L. 93-344). Section 1014 provides for a monthly report listing all budget authority for the current fiscal year with respect to which, as of the first day of such month, a special message has been transmitted to the Congress. This January report includes those deferrals and rescissions in the seven special messages sent by the President to the Congress in September, October, November, and December.

Rescissions. Five proposed rescissions, totalling $131,148,000 in budget authority, have been effected by Pub. L. 93-529 signed December 21, 1974. In addition, $455,635,000 in budget authority proposed for rescission for Rural Electrification Administration loans but not included in Pub. L. 93-529 has been made available for obligation. Another $85,000,000 proposed for rescission under the Agricultural Conservation Program (REAP) and not included in Pub. L. 93-529 lapsed on December 31, 1974. These items are shown in the report together with the remaining proposed rescissions which total—as of January 1, 1975—$863,646,000.

Deferrals. Attachment B identifies, by agency and account, all deferred funds reported. As of January 1, 138 deferral reports had been submitted to the Congress and 19 of these had been revised by supplementary reports. When supplementary reports have revised previous reports, the amount initially reported has been placed in brackets and zeroed out in the column labeled "Adjustments." Unlike proposed rescissions of budget authority, funds reported as deferred (section 1013 of the Act) are often planned to be made available for obligation, in whole or in part, during the course of the fiscal year. These releases are detailed in Attachment B which shows, for each deferral, the amount of deferred funds made available by the Office of Management and Budget and other Federal agencies in the current year, the date the funds were made available, and the balance of funds being deferred as of the first of the month for which the report is submitted. The total of all budget authority deferrals currently before the Congress is $24,295,435,000. In addition to this amount of deferred budget authority, another $10,000,000 in outlays have been deferred under the Department of the Interior's Land and Water Conservation Fund.

Actions Concluded Before July 12, 1974. Some of the actions reported in the special messages are not, in the opinion of the Attorney General, subject to Congressional ratification or disapproval under the Impoundment Control Act since they were concluded before it became effective on July 12, 1974. These items, marked by asterisks, are included in the report to provide more complete information on the status of withheld funds.

Actions by Congress on Rescissions and Deferrals. The report formats provide for showing the effect of congressional action and inaction on both deferrals and proposed rescissions. As of January 1, 1975, no congressional action on deferrals had been concluded. Pub. L. 93-529, signed December 21, 1974, rescinded $131,481,000 of budget authority proposed for rescission in the first two special messages. Details of these approved rescissions are shown in Attachment A under columns entitled "Amount Rescinded by Congress" and "Date Rescission Act Signed." The proposed rescission of $455,635,000 for Rural Electrification Administration Loans was not included in Pub. L. 93-529 and was made available for obligation on December 11, 1974.

Information from the Special Messages. The seven special messages containing information on each of the rescissions and deferrals covered by the cumulative report are contained in the FEDERAL REGISTER of:

Monday, September 23 (Vol. 39, No. 185, Part III), Tuesday, October 8 (Vol. 39, No. 196, Part V), Tuesday, November 5 (Vol. 39, No. 214, Part III), Tuesday, November 19 (Vol. 39, No. 224, Part III), Thursday, December 5 (Vol. 39, No. 235, Part IV), and Wednesday, January 8 (Vol. 40, No. 5, Part IV).

ATTACHMENT A

STATUS OF RESCISSIONS

FISCAL YEAR 1975
(Amounts in thousands)

As of January 1, 1975

Agency Bureau Account	Rescission Number	Amount Proposed for Rescission	Date Special Message Transmitted to Congress	Amount Rescinded by Congress	Date Rescission Act Signed	Amount Made Available as a result of Congressional Inaction	Date Made Available
Executive Office of the President							
Special Action Office for Drug Abuse Programs							
Pharmacological Research	R75-45	2,760	11-26-74				
Special Fund for Drug Abuse	R75-46	2,240	11-26-74				
Funds Appropriated to the President							
Appalachian Regional Development Commission							
Appalachian Regional Development Programs	[R75-1]	[40,000*]	[09-20-74]				
	[R75-1A]	[40,000]	[11-13-74]	-40,000	12-21-74		
Department of Agriculture							
Agricultural Stabilization and Conservation Service							
Agricultural Conservation Program (REAP)*	[R75-3]	[85,000*] 1/	[10-04-74]				
Water Bank Act Program	R75-8	11,213	11-26-74				
Rural Electrification Administration							
Loans*	[R75-2]	[455,635*] 2/	[09-20-74]				12-11-74
Forest Service							
Cooperation in Forest Fire Control	R75-9	4,921	11-26-74				
Reforestation and Stand Improvement	R75-10	10,000	11-26-74				

Agency Bureau Account	Rescission Number	Amount Proposed for Rescission	Date Special Message Transmitted to Congress	Amount Rescinded by Congress	Date Rescission Act Signed	Amount Made Available as a result of Congressional Inaction	Date Made Available
Forest Roads and Trails and Roads and Trails for State National Forest Fund	[R75-4]	[63,553*]	[10-04-74]				
	[R75-4A]	[61,611]	[11-13-74]	-61,611	12-21-74		
Department of Commerce							
Social and Economic Statistics Administration							
Salaries and Expenses	R75-11	373	11-26-74				
Economic Development Administration							
Economic Development Assistance Programs	R75-12	2,000	11-26-74				
Domestic and International Business Administration							
Financial and Technical Assistance	R75-13	12,000	11-26-74				
United State Travel Service							
Salaries and Expenses	R75-14	250	11-26-74				
National Oceanic and Atmospheric Administration							
Operations, Research and Facilities	R75-15	500	11-26-74				
Patent Office							
Salaries and Expenses	R75-16	700	11-26-74				
Department of Defense, Military							
Operation and Maintenance							
Army	R75-17	41,000	11-26-74				
Navy	R75-18	27,500	11-26-74				
Marine Corps	R75-19	5,000	11-26-74				

Agency Bureau Account	Rescission Number	Amount Proposed for Rescission	Date Special Message Transmitted to Congress	Amount Rescinded by Congress	Date Rescission Act Signed	Amount Made Available as a result of Congressional Inaction	Date Made Available
Air Force	R75-20	40,000	11-26-74				
Defense Agencies	R75-21	1,900	11-26-74				
Army Reserve	R75-22	1,800	11-26-74				
Navy Reserve	R75-23	1,100	11-26-74				
Air Force Reserve	R75-24	400	11-26-74				
Army National Guard	R75-25	1,400	11-26-74				
Air National Guard	R75-26	500	11-26-74				
Aircraft Procurement Army	R75-27	13,500	11-26-74				
Air Force	R75-28	248,000	11-26-74				
Department of Health, Education and Welfare							
Health Resources Administration: Health Services Planning and Development	R75-29	372,466	11-26-74				
Department of Housing and Urban Development							
Housing Production and Mortgage Credit College Housing*	[R75-5]	[14,518*]	[10-04-74]	-14,518	12-21-74		
Department of the Interior							
Bureau of Land Management Public Lands Development Roads and Trails	[R75-6]	[4,891*]	[10-04-74]				
	[R75-6A]	[4,891]	[11-13-74]	-4,891	12-21-74		
National Park Service Road Construction	[R75-7]	[14,000]	[10-04-74]				
	[R75-7A]	[10,461]	[11-13-74]	-10,461	12-21-74		

Agency Bureau Account	Rescission Number	Amount Proposed for Rescission	Date Special Message Transmitted to Congress	Amount Rescinded by Congress	Date Rescission Act Signed	Amount Made Available as a result of Congressional Inaction	Date Made Available
Department of Justice							
Federal Bureau of Investigation							
Salaries and Expenses	R75-30	5,300	11-26-74				
Immigration and Naturalization Service							
Salaries and Expenses	R75-31	1,300	11-26-74				
Bureau of Prisons							
Salaries and Expenses	R75-32	5,250	11-26-74				
Buildings and Facilities	R75-33	1,750	11-26-74				
Drug Enforcement Administration							
Salaries and Expenses	R75-34	2,400	11-26-74				
Department of State							
International Organizations and Conferences							
Contributions to International Organizations	R75-35	2,000	11-26-74				
International Trade Negotiations	R75-36	100	11-26-74				
Department of Treasury							
Office of the Secretary							
Salaries and Expenses	R75-37	310	11-26-74				
Federal Law Enforcement Training Centers							
Salaries and Expenses	R75-38	60	11-26-74				
Bureau of Accounts							
Salaries and Expenses	R75-39	630	11-26-74				
U.S. Customs Service							
Salaries and Expenses	R75-40	3,000	11-26-74				

Agency Bureau Account	Rescission Number	Amount Proposed for Rescission	Date Special Message Transmitted to Congress	Amount Rescinded by Congress	Date Rescission Act Signed	Amount Made Available as a result of Congressional Inaction	Date Made Available
Internal Revenue Service							
Salaries and Expenses	R75-41	530	11-26-74				
Accounts, Collection and Taxpayer Service	R75-42	9,230	11-26-74				
Compliance	R75-43	10,240	11-26-74				
General Services Administration							
Public Buildings Service							
Federal Buildings Fund	R75-44	20,023	11-26-74				
TOTAL RESCISSIONS		863,646		-131,481			

1/ Contract Authority lapsed December 31, 1974

2/ Released on December 11, 1974

STATUS OF DEFERRALS

ATTACHMENT B

FISCAL YEAR 1975
(Amounts in thousands)

Agency: Funds Appropriated to the President

Bureau/Account	Deferral Number	Amount Transmitted in Special Message		Date of Action	Subsequent Actions Taken by			Adjustments	Amount Deferred as of 01-01-75
		Superseded	Current		OMB/Agency (Releases)	House	Senate		
Agency for International Development									
Prototype Desalting Plant, Economic Assistance*	D75-19		20,000*	10-04-74					20,000
TOTAL			20,000						20,000

STATUS OF DEFERRALS

FISCAL YEAR 1975
(Amounts in thousands)

Agency: Department of Agriculture

Bureau/Account	Deferral Number	Amount Transmitted in Special Message: Superseded	Amount Transmitted in Special Message: Current	Date of Action	Subsequent Actions Taken by: OMB/Agency (Releases)	Subsequent Actions Taken by: House	Subsequent Actions Taken by: Senate	Adjustments	Amount Deferred as of 01-01-75
Agricultural Research Service									
Agricultural Research Service (Construction)*	D75-11		770*	09-20-74					770
Foreign Agriculture Service									
Special Foreign Currency Program*	D75-20		2,516*	10-04-74					2,516
Agricultural Stabilization and Conservation Service:									
Emergency Conservation Measures	D75-21		5,000	10-04-74					5,000
Agricultural Marketing Service:									
Marketing Services*	D75-22		903*	10-04-74					903
Perishable Agricultural Commodities Act Fund*	D75-23		341*	10-04-74					341
Forest Service:									
Youth Conservation Corps	D75-88		3,081	11-13-74					3,081
Forest Roads and Trails and Roads and Trails for State National Forest Fund*	D75-24	[420,000*]		10-04-74 11-13-74				-420,000 1/	0
	D75-24A		420,000	11-13-74					420,000
Construction and Land Acquisition	D75-90		6,865	11-26-74					6,865
Forest Fire Prevention	D75-25		152	10-04-74					152

Bureau/Account	Deferral Number	Amount Transmitted in Special Message: Superseded	Amount Transmitted in Special Message: Current	Date of Action	Subsequent Actions Taken by: OMB/Agency (Releases)	Subsequent Actions Taken by: House	Subsequent Actions Taken by: Senate	Adjustments	Amount Deferred as of 01-01-75
Expense, Brush Disposal*	D75-26		18,747*	10-04-74					18,747
TOTAL		[420,000]	458,375					-420,000	458,375

1/ Subsequently incorporated in a supplementary report

STATUS OF DEFERRALS

FISCAL YEAR 1975
(Amounts in thousands)

Agency: Department of Commerce

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Subsequent Actions Taken by OMB/Agency (Releases)	Subsequent Actions Taken by House	Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-75
Social and Economic Statistics Administration									
Periodic Censuses and Programs	D75-90		327	11-26-74					327
Domestic and International Business Administration									
Operations and Administration	D75-91		750	11-26-74					750
Financial and Technical Assistance, Trade Adjustment Assistance*	D75-27	[1,780*]		10-04-74 11-26-74				-1,780 1/	0
United States Travel Service									
Inter-American Cultural and Trade Center*	D75-28		4,891*	10-04-74 11-26-74				-1,420 2/	3,471
Inter-American Cultural and Trade Center	D75-92		1,420	11-26-74					1,420
National Oceanic and Atmospheric Administration									
Operations Research and Facilities	D75-94		6,800	11-26-74					6,800
Costal Zone Management*	D75-30	[3,175*]		10-04-74 10-26-74 12-27-74	-1,000			-2,175 3/	0
	D75-30A		2,175	12-27-74					2,175
Coastal Zone Management	D75-95		1,000	11-26-74					1,000
Promote and Develop Fishery Products and Research Pertaining to American Fisheries	D75-131		1,871	12-27-74					1,871

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Subsequent Actions Taken by OMB/Agency (Releases)	Subsequent Actions Taken by House	Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-75
Fisheries Loan Fund*	D75-12	[4,039*]		09-20-74 12-27-74				-4,039 3/	0
	D75-12A		5,292	12-27-74					5,292
National Fire Prevention and Control Administration									
Operations, Research and Administration	D75-96		500	11-26-74					500
National Bureau of Standards									
Construction and Facilities*	D75-29		231*	10-04-74					231
Office of Telecommunications: Scientific and Technical Research and Services	D75-97		3,718	11-26-74					3,718
Maritime Administration									
Ship Construction	D75-98		5,750	11-26-74					5,750
Research and Development	D75-99		3,468	11-26-74					3,468
Operations and Training	D75-100		1,300	11-26-74					1,300
Office of the Assistant Secretary for Science and Technology:									
Scientific and Technical Research and Services*	D75-31	[2,468*]		10-04-74 11-26-74				-2,468 4/	0
TOTAL		11,462	39,493		-1,000			-11,882	38,073

1/ See Rescission No. R75-13

2/ See Deferral No. D75-92

3/ Subsequently incorporated in a supplementary report

4/ See Deferral No. D75-97

STATUS OF DEFERRALS

FISCAL YEAR 1975
(Amounts in thousands)

Agency: Department of Defense, Military

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Subsequent Actions Taken by OMB/Agency (Releases)	Subsequent Actions Taken by House	Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-75
Shipbuilding and Conversion, Navy	D75-32	[497,990]		10-04-74					
				12-27-74				-497,990 1/	0
	D75-32A		1,244,760	12-27-74					1,244,760
Military Construction, All	D75-33		156,893	10-04-74					
				10-25-74	-19,598				
				11-18-74	-1,636				
				12-04-74	-10,037				125,622
Special Foreign Currency Program Appropriations	D75-34		955	10-04-74					955
TOTAL		[497,990]	1,402,608		-31,271			-497,990	1,371,337

1/ Subsequently incorporated in a supplementary report

STATUS OF DEFERRALS

FISCAL YEAR 1975
(Amounts in thousands)

Agency: Department of Defense, Civil

Bureau/Account	Deferral Number	Amount Transmitted in Special Message: Superseded	Amount Transmitted in Special Message: Current	Date of Action	Subsequent Actions Taken by: OMB/Agency (Releases)	Subsequent Actions Taken by: House	Subsequent Actions Taken by: Senate	Adjustments	Amount Deferred as of 01-01-75
Corps of Engineers, Civil									
Construction, General	D75-1		108	09-20-74					108
	D75-81		43,945	10-31-74					43,945
Flood Control, Mississippi River and Tributaries	D75-82		14,503	10-31-74					14,503
Soldiers' and Airmen's Home									
Capital Outlay*	D75-35	[613*]		10-04-74					
				10-01-74	-179				
				11-13-74				-434 1/	0
	D75-35A		434	11-13-74					434
Panama Canal Zone									
Capital Outlay*	D75-36	[500*]		10-04-74					
				11-13-74				-500 1/	0
	D75-36A		500	11-13-74					500
Wildlife Conservation Military Reservations*	D75-37	[297*]		10-04-74					
				11-13-74				-297 1/	0
	D75-37A		343	11-13-74					343
TOTAL		[1,410]	59,833		-179			-1,231	59,833

1/ Subsequently incorporated in a supplementary report

FISCAL YEAR 1975
(Amounts in thousands)

Agency: Department of Health, Education, and Welfare

Bureau/Account	Deferral Number	Amount Transmitted in Special Message: Superseded	Amount Transmitted in Special Message: Current	Date of Action	Subsequent Actions Taken by: OMB/Agency	House	Senate	Amount Deferred as of 01-01-75
Health Services Administration								
Health Services Delivery*	D75-38		2,250*	10-04-74				
				10-31-74	-2,250			0
Indian Health Facilities*	D75-39		88*	10-04-74				88
National Institutes of Health								
Buildings and Facilities*	D75-40	[10,441*]		10-04-74	-4,009			
				~~12-27-74~~ 11-18-74	~~-10,441~~		-6,432	0
	D75-40A		6,432	12-27-74				6,432
Health Resources Administration								
Health Manpower	D75-87		100	10-31-74				100
Health Manpower	D75-101		3,550	11-26-74				3,550
Program Management	D75-102		1,400	11-26-74				1,400
Office of Assistant Secretary for Health								
Scientific Activities Overseas*	D75-41		21,714*	10-04-74				21,714
Education Division:								
Office of Education:								
Elementary and Secondary Education:								
Supplementary Services	D75-103		9,278	11-26-74				9,278
Equipment and Minor Remodeling	D75-104		6,562	11-26-74				6,562
Nutrition and Health	D75-105		1,900	11-26-74				1,900

STATUS OF DEFERRALS

FISCAL YEAR 1975
(Amounts in thousands)

Agency: Department of Health, Education, and Welfare

Bureau/Account	Deferral Number	Amount Transmitted in Special Message: Superseded	Amount Transmitted in Special Message: Current	Date of Action	Subsequent Actions Taken by: OMB/Agency (Releases)	Subsequent Actions Taken by: House	Subsequent Actions Taken by: Senate	Adjustments	Amount Deferred as of 01-01-75
Health Services Administration									
Health Services Delivery*	D75-38		2,250*	10-04-74					
				10-31-74	-2,250				0
Indian Health Facilities*	D75-39		88*	10-04-74					88
National Institutes of Health									
Buildings and Facilities*	D75-40	[10,441*]		10-04-74					
				11-18-74	-4,009				
				12-27-74				-6,432 1/	0
	D75-40A		6,432	12-27-74					6,432
Health Resources Administration									
Health Manpower	D75-87		100	10-31-74					100
Health Manpower	D75-101		3,550	11-26-74					3,550
Program Management	D75-102		1,400	11-26-74					1,400
Office of Assistant Secretary for Health									
Scientific Activities Overseas*	D75-41		21,714*	10-04-74					21,714
Education Division: Office of Education:									
Elementary and Secondary Education:									
Supplementary Services	D75-103		9,278	11-26-74					9,278
Equipment and Minor Remodeling	D75-104		6,562	11-26-74					6,562
Nutrition and Health	D75-105		1,900	11-26-74					1,900

Bureau/Account	Deferral Number	Amount Transmitted in Special Message: Superseded	Amount Transmitted in Special Message: Current	Date of Action	Subsequent Actions Taken by: OMB/Agency (Releases)	Subsequent Actions Taken by: House	Subsequent Actions Taken by: Senate	Adjustments	Amount Deferred as of 01-01-75
School Assistance in Federally Affected Areas	D75-6	[16,000]		09-20-74 12-27-74				-16,000 1/	0
	D75-6A	[64,000]		12-27-74 12-07-74				-64,000 2/	0
Higher Education*	D75-42		8,788*	10-04-74					8,788
(University Community Services)	D75-3	[2,906]		09-20-74 12-27-74				-2,906 1/	0
	D75-3A	[5,812]		12-27-74 12-07-74				-5,812 2/	0
(Land Grant Colleges)	D75-4	[9,500]		09-20-74 12-07-74				-9,500 2/	0
(State Postsecondary Education Commission)	D75-5	[350]		09-20-74 12-27-74				-350 1/	0
	D75-5A	[700]		12-27-74 12-07-74				-700 2/	0
Library Resources: (Public Libraries)	D75-2	[5,437]		09-20-74 12-27-74				-5,437 1/	0
	D75-2A	[10,874]		12-27-74 12-07-74				-10,874 2/	0
Social and Rehabilitation Service: Public Assistance (Child Welfare Assistance)	D75-8	[375]		09-20-74 12-27-74				-375 1/	0
	D75-8A	[750]		12-27-74 12-07-74				-750 2/	0
Work Incentives	D75-132	[50,000]		12-27-74 12-07-74				-50,000 2/	0

Bureau/Account	Deferral Number	Amount Transmitted in Special Message: Superseded	Amount Transmitted in Special Message: Current	Date of Action	Subsequent Actions Taken by: OMB/Agency (Releases)	House	Senate	Adjustments	Amount Deferred as of 01-01-75
Rehabilitation Services (Innovation and Expansion)	D75-7	[5,000]		09-20-74 12-27-74				-5,000 1/	0
	D75-7A	[10,000]		12-27-74 12-07-74				-10,000 2/	0
Research and Training Activities Overseas	D75-43		8,158	10-04-74					8,158
Social Security Administration									
Limitation on Construction*	D75-44	[15,393*]		10-04-74 11-22-74 12-27-74	-2,865			-12,528 1/	0
	D75-44A		12,528	12-27-74					12,528
Special Institutions									
Model Secondary School for the Deaf*	D75-45		803*	10-04-74					803
Howard University*	D75-46		11,490*	10-04-74					11,490
Office of the Secretary									
Departmental Management	D75-106		1,902	11-26-74					1,902
TOTAL		207,538	96,943		-9,124			-200,664	94,693

1/ Subsequently incorporated in a supplementary report.

2/ Enactment of P.L. 93-529 (December 7, 1974) ended deferral of funds provided by the Continuing Resolution.

STATUS OF DEFERRALS

FISCAL YEAR 1975
(Amounts in thousands)

Agency: Department of Housing and Urban Development

Bureau/Account	Deferral Number	Amount Transmitted in Special Message: Superseded	Amount Transmitted in Special Message: Current	Date of Action	Subsequent Actions Taken by: OMB/Agency (Releases)	Subsequent Actions Taken by: House	Subsequent Actions Taken by: Senate	Adjustments	Amount Deferred as of 01-01-75
Housing Production and Mortgage Credit									
Nonprofit Sponsor Assistance*	D75-47		7,995*	10-04-74					7,995
Homeownership Assistance*	D75-48		264,117*	10-04-74					264,117
Community Planning and Development									
Comprehensive Planning Grants	D75-107		50,000	11-26-74					50,000
Open Space Land Programs*	D75-49		55,161*	10-04-74					55,161
Grants for Neighborhood Facilities*	D75-50		48*	10-04-74					48
Grants for Basic Water and Sewer Facilities*	D75-51		401,734*	10-04-74					401,734
Public Facility Loans*	D75-52	[199,290*]		10-04-74					
				10-04-74	-15,356				
				11-13-74				-183,934 1/	0
	D75-52A		183,934	11-13-74					183,934
New Communities Administration:									
New Communities Assistance Grants*	D75-53		1,799*	10-04-74					1,799
Policy Development and Research									
Research and Technology	D75-108		8,000	11-26-74					8,000
TOTAL		[199,290]	972,788		-15,356			-183,934	972,788

1/ Subsequently incorporated in a supplementary report

STATUS OF DEFERRALS

FISCAL YEAR 1975
(Amounts in thousands)

Agency: Department of the Interior

Bureau/Account	Deferral Number	Amount Transmitted in Special Message: Superseded	Amount Transmitted in Special Message: Current	Date of Action	Subsequent Actions Taken by: OMB/Agency (Releases)	Subsequent Actions Taken by: House	Subsequent Actions Taken by: Senate	Adjustments	Amount Deferred as of 01-01-75
Bureau of Land Management									
Public Lands Development Roads and Trails*	D75-54	[30,000*]		10-04-74 11-13-74				-30,000 1/	0
	D75-54A		30,000	11-13-74					30,000
Oregon and California Grant Lands*	D75-13		23,693*	09-20-74					23,693
Bureau of Reclamation									
Loan Program	D75-83		900	10-31-74					900
Construction and Rehabilitation:	D75-14		1,055	09-20-74 09-27-74	-25				1,030
	D75-84		17,955	10-31-74					17,955
Colorado River Basin Project	D75-85		2,525	10-31-74					2,525
Upper Colorado River Storage Project	D75-86		1,730	10-31-74					1,730
Upper Colorado River Basin Fund	D75-15		1,150	09-20-74					1,150
Bureau of Outdoor Recreation									
Land and Water Conservation Fund*	D75-55		30,000*	10-04-74					30,000
Land and Water Conservation Fund	D75-109		20,000 (10,000) 2/	11-26-74 11-26-74					20,000 (10,000)
Fish and Wildlife Service									
Federal Aid in Fish Restoration and Management*	D75-56		6,924*	10-04-74					6,924

Bureau/Account	Deferral Number	Amount Transmitted in Special Message: Superseded	Amount Transmitted in Special Message: Current	Date of Action	Subsequent Actions Taken by: OMB/Agency (Releases)	Subsequent Actions Taken by: House	Subsequent Actions Taken by: Senate	Adjustments	Amount Deferred as of 01-01-75
Federal Aid in Wildlife Restoration*	D75-57		19,375*	10-04-74					19,375
National Wildlife Refuge Fund	D75-58		3,642	10-04-74					3,642
Proceeds from Sales, Water Resources Development Projects*	D75-59		4*	10-04-74					4
National Park Service: Road Construction	D75-60		312,098	10-04-74 10-10-74 12-18-74	-55,962 -7,500				248,636
U.S. Geological Survey Payments from Proceeds, Sale of Water, Mineral Leasing Act, 1920*	D75-61	[28*]		10-04-74 10-25-74 11-13-74	-1			-27 1/	0
	D75-61A		27	11-13-74					27
Bureau of Mines Drainage of Anthracite Mines*	D75-62		3,575*	10-04-74					3,575
Helium Fund	D75-133		47,500	12-27-74					47,500
Bureau of Indian Affairs Road Construction	D75-63		110,423	10-04-74					110,423
Acquisition of Land and Loans to Indians of Oklahoma, Act of June 26, 1939*	D75-64		105*	10-04-74					105
TOTAL		[30,028]	632,681		-63,488			-30,027	569,194

1/ Subsequently incorporated in a supplementary report

2/ Deferral of outlays only

STATUS OF DEFERRALS

FISCAL YEAR 1975
(Amounts in thousands)

Agency: Department of Justice

Bureau/Account	Deferral Number	Amount Transmitted in Special Message: Superseded	Amount Transmitted in Special Message: Current	Date of Action	Subsequent Actions Taken by: OMB/Agency (Releases)	Subsequent Actions Taken by: House	Subsequent Actions Taken by: Senate	Adjustments	Amount Deferred as of 01-01-75
Bureau of Prisons									
Buildings and Facilities*	D75-65		19,320*	10-04-74					19,320
TOTAL			19,320						19,320

STATUS OF DEFERRALS

FISCAL YEAR 1975
(Amounts in thousands)

Agency: Department of Labor

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Subsequent Actions Taken by OMB/Agency (Releases)	Subsequent Actions Taken by House	Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-75
Manpower Administration:									
Program Administration	D75-135	[200]		12-27-74					
				12-07-74				-200 1/	0
Comprehensive Manpower Assistance	D75-134	[5,000]		12-27-74					
				12-07-74				-5,000 1/	0
Departmental Management:									
Salaries and expenses	D75-136	[60]		12-27-74					
				12-07-74				-60 1/	0
Pension Benefit Guarantee Corporation:									
Pension Guaranty Fund	D75-89		343	11-13-74					343
TOTAL		[5,260]	343					-5,260	343

1/ Enactment of P.L. 93-529 (December 7, 1974) ended deferral of funds provided by the Continuing Resolution.

STATUS OF DEFERRALS

FISCAL YEAR 1975
(Amounts in thousands)

Agency: Department of State

Bureau/Account	Deferral Number	Amount Transmitted in Special Message		Date of Action	Subsequent Actions Taken by			Adjustments	Amount Deferred as of 01-01-75
		Superseded	Current		OMB/Agency (Releases)	House	Senate		
Administration of Foreign Affairs									
Acquisition, Operation, and Maintenance of Buildings Abroad	D75-66		33,310	10-04-74					33,310
International Boundary and Water Commission, U.S. and Mexico									
Construction*	D75-67	[4,696*]		10-04-74					
				11-13-74				-4,696 1/	0
	D75-67A		4,696	11-13-74					4,696
International Center, Washington, D.C.	D75-16		500	09-20-74					500
TOTAL		[4,696]	38,506					-4,696	38,506

1/ Subsequently incorporated in a supplementary report

STATUS OF DEFERRALS

FISCAL YEAR 1975
(Amounts in thousands)

Agency: Department of Transportation

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Subsequent Actions Taken by OMB/Agency (Releases)	Subsequent Actions Taken by House	Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-75
United States Coast Guard									
Acquisition, Construction, and Improvements	D75-68		7,614	10-04-74					7,614
Federal Aviation Administration									
Civil Supersonic Aircraft Development Termination and Civil Supersonic Aircraft Development	D75-69		8,113	10-04-74					8,113
Facilities and Equipment	D75-70		260,824	10-04-74					260,824
Federal Highway Administration									
Rail Crossings - Demonstration Projects	D75-72		8,015	10-04-74					8,015
National Scenic and Recreational Highway and Trust Fund Share of Other Highway Programs	D75-71		90,000	10-04-74					90,000
Federal Aid Highways 1975 and prior	D75-17		4,370,090	09-20-74					4,370,090
1976	D75-17		6,357,500	09-20-74					6,357,500
TOTAL			11,102,156						11,102,156

STATUS OF DEFERRALS

FISCAL YEAR 1975
(Amounts in thousands)

Agency: Atomic Energy Commission

Bureau/Account	Deferral Number	Amount Transmitted in Special Message: Superseded	Amount Transmitted in Special Message: Current	Date of Action	Subsequent Actions Taken by: OMB/Agency (Releases)	Subsequent Actions Taken by: House	Subsequent Actions Taken by: Senate	Adjustments	Amount Deferred as of 01-01-75
Operating Expenses Weapons Program	D75-110		4,000	11-26-74					4,000
Civilian Reactor Research and Development	D75-111		8,000	11-26-74					8,000
Civilian Reactor Research and Development	D75-112		6,700	11-26-74					6,700
Physical Research	D75-113		2,700	11-26-74					2,700
Controlled Thermonuclear Research	D75-114		8,000	11-26-74					8,000
Biomedical and Environmental Research and Safety	D75-115		4,000	11-26-74					4,000
Operating Expenses/Plant and Capital Equipment Weapons Program	D75-116		4,700	11-26-74					4,700
Plant and Capital Equipment	D75-73	[1,500]		10-04-74 11-26-74				-1,500 1/	0
Plant and Capital Equipment Nuclear Materials	D75-117		12,000	11-26-74					12,000
Nuclear Materials	D75-118		12,000	11-26-74					12,000
Civilian Reactor Research and Development	D75-119		10,000	11-26-74					10,000
Civilian Reactor Research and Development	D75-120		1,500	11-26-74					1,500

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Subsequent Actions Taken by OMB/Agency (Releases)	Subsequent Actions Taken by House	Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-75
Civilian Reactor Research and Development	D75-121		12,100	11-26-74					12,100
Civilian Reactor Research and Development and Controlled Thermonuclear Research	D75-122	--	13,000	11-26-74					13,000
Other Capital Equipment	D75-123		13,900	11-26-74					13,900
TOTAL		[1,500]	112,600					-1,500	112,600

1/ See Deferral No. D75-120

STATUS OF DEFERRALS

FISCAL YEAR 1975
(Amounts in thousands)

Agency: Environmental Protection Agency

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Subsequent Actions Taken by OMB/Agency (Releases)	Subsequent Actions Taken by House	Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-75
Abatement and Control									
Water Program Operations	D75-74		2,000	10-04-74					2,000
Water Planning and Standards	D75-75		30,000	10-04-74					30,000
Construction Grants*	D75-9		9,000,000*	09-20-74					9,000,000
TOTAL			9,032,000						9,032,000

STATUS OF DEFERRALS

FISCAL YEAR 1975
(Amounts in thousands)

Agency: General Services Administration

Bureau/Account	Deferral Number	Amount Transmitted in Special Message: Superseded	Amount Transmitted in Special Message: Current	Date of Action	Subsequent Actions Taken by: OMB/Agency (Releases)	Subsequent Actions Taken by: House	Subsequent Actions Taken by: Senate	Adjustments	Amount Deferred as of 01-01-75
Automatic Data and Telecommunications Activities:									
Automatic Data Processing	D75-10		18,300	09-20-74					
				09-30-74	-4,300				
				12-10-74	-14,000				0
Property Management and Disposal Service:									
Rare Silver Dollar Program	D75-137		2,184	12-27-74					2,184
TOTAL			20,484		-18,300				2,184

STATUS OF DEFERRALS

FISCAL YEAR 1975
(Amounts in thousands)

Agency: National Aeronautics and Space Administration

Bureau/Account	Deferral Number	Amount Transmitted in Special Message: Superseded	Amount Transmitted in Special Message: Current	Date of Action	Subsequent Actions Taken by: OMB/Agency (Releases)	Subsequent Actions Taken by: House	Subsequent Actions Taken by: Senate	Adjustments	Amount Deferred as of 01-01-75
Research and Development Manned Space Flight	D75-124		20,000	11-26-74					20,000
Space Science and Applications	D75-125		16,000	11-26-74					16,000
Aeronautical Research and Space Supporting Activities	D75-126		36,000	11-26-74					36,000
TOTAL			72,000						72,000

STATUS OF DEFERRALS

FISCAL YEAR 1975
(Amounts in thousands)

Agency: Other Independent Agencies

Bureau/Account	Deferral Number	Amount Transmitted in Special Message Superseded	Amount Transmitted in Special Message Current	Date of Action	Subsequent Actions Taken by OMB/Agency (Releases)	Subsequent Actions Taken by House	Subsequent Actions Taken by Senate	Adjustments	Amount Deferred as of 01-01-75
District of Columbia									
Loans for Capital Outlay	D75-76		96,800	10-04-74					96,800
Federal Energy Administration									
Salaries and expenses	D75-77		11,929	10-04-74					11,929
Foreign Claims Settlement Commission									
Payment of Vietnam Prisoners of War Claims	D75-18		10,500	09-20-74					10,500
Advisory Commission on Intergovernmental Relations									
Salaries and Expenses	D75-138		50	12-27-74					50
National Foundation on the Arts and Humanities									
Salaries and expenses	D75-127		18,000	11-26-74					18,000
National Science Foundation									
Salaries and Expenses	D75-128		15,000	11-26-74					15,000
Salaries and Expenses (Energy R&D Appropriation Act, 1975)	D75-129		5,000	11-26-74					5,000
American Revolution Bicentennial Administration									
Salaries and Expenses	D75-78		11,000	10-04-74					11,000
Commemorative Activities Fund	D75-79		6,310	10-04-74					6,310

Bureau/Account	Deferral Number	Amount Transmitted in Special Message: Superseded	Amount Transmitted in Special Message: Current	Date of Action	Subsequent Actions Taken by: OMB/Agency (Releases)	Subsequent Actions Taken by: House	Subsequent Actions Taken by: Senate	Adjustments	Amount Deferred as of 01-01-75
Railroad Retirement Board:									
Railroad Unemployment Administrative Expenses Trust Fund*	D75-80		4,716*	10-04-74					4,716
Small Business Administration:									
Business Loan and Investment Fund	D75-130		36,000	11-26-74					36,000
TOTAL			215,305						215,305
TOTAL, ALL DEFERRALS		1,379,174	24,295,435		-138,718			-1,357,184	24,178,707

[FR Doc. 75-1410 Filed 1-16-75;8:45 am]