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PART I

HIGHLIGHTS OF THIS ISSUE

This listing does not affect the legal status of any document published in this issue. Detailed table of contents appears inside.

NATIONAL FARM SAFETY WEEK, 1975—Presidential Proclamation	15063
CONCORDE SST—FAA hearing in Sterling, Virginia on draft environmental impact statement concerning proposed limited operations; 4-21-75	15119
PUBLIC INSPECTION OF DOCUMENTS—Treasury/IRS amends copying procedures	15090
MEDICAL ASSISTANCE PROGRAMS—HEW/SRS proposal on reporting cases of suspected fraud; comments by 5-5-75	15093
REAL ESTATE SECURITY—USDA/FmHA regulation on servicing and liquidation of loans; effective 4-4-75	15065
COMMUNITY DEVELOPMENT BLOCK GRANTS—HUD extends deadline for applications by urban counties; effective 4-4-75	15089
FEDERAL SAVINGS AND LOAN ASSOCIATIONS—FHLBB proposes increased loans for cooperative housing projects; comments by 5-5-75	15096
NUCLEAR MATERIAL—NRC proposes to require advance notice of some shipments; comments by 5-5-75	15098

(Continued Inside)

PART II:

PROCEDURES AND RULES OF PRACTICE—FTC announces revisions and proposed revisions (6 documents)	15231
--	-------

PART III:

EDUCATIONAL OPPORTUNITY GRANT PROGRAM—HEW/OE regulations on Family Contribution Schedules	15247
--	-------

PART IV:

MINIMUM WAGES—Labor/ESA determination and index for Federal and Federally assisted construction (2 documents); effective 4-4-75	15259
--	-------

reminders

(The items in this list were editorially compiled as an aid to FEDERAL REGISTER users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.)

Rules Going Into Effect Today

HUD/Office of Interstate Land Sales Registration; authority and organization; public information..... 14753; 4-2-75

DOT/FAA—Airworthiness directives; McDonnell Douglas Model DC-10-10, DC-10-10F, DC-10-30, DC-10-30F and DC-10-40 airplanes.

8544; 2-28-75

Requirements for use of X-ray devices;..... 10173; 3-5-75

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HIGHLIGHTS—Continued

MEETINGS—		NASA: Space Processing Ad Hoc Advisory Subcommittee, 4-21 through 4-23-75.....	15135
HEW/OE: Advisory Council on Bilingual Education, 4-28 and 4-29-75.....	15118	GSA: Regional Public Advisory Panel on Architectural and Engineering Services, 4-21-75.....	15131
FDA: Medical Radiation Advisory Committee, 4-18-75.....	15111	CRC: Texas State Advisory Committee, 4-22-75.....	15120
DOD: Defense Science Board Task Force on "Export of U.S. Technology; Implications to U.S. Defense", 4-23-75.....	15101	EPA: Science Advisory Board Ecology Advisory Committee, 4-22-75.....	15124
Interior/NPS: Southeast Regional Advisory Committee, 4-24 and 4-25-75.....	15105	Commerce/Travel Service: Travel Advisory Board Meeting, 4-8-75.....	15111

contents

THE PRESIDENT	COMMODITY EXCHANGE AUTHORITY	ENVIRONMENTAL PROTECTION AGENCY
PROCLAMATIONS	Rules	Proposed Rules
National Farm Safety Week, 1975.....	Commodity positions and daily trading; limits.....	Air quality implementation plans:
15063	15086	New York.....
EXECUTIVE AGENCIES	CUSTOMS SERVICE	Pennsylvania.....
AGRICULTURAL MARKETING SERVICE	Notices	15094
Rules	Foreign currencies; certification of rates.....	15095
Egg research and consumer information; practice and procedure for formulating an order; correction.....	15100	Water pollution; effluent guidelines for certain point source categories:
15065	DEFENSE DEPARTMENT	Seafood, canned and preserved.....
Limitation of Handling: Lemons grown in Calif. and Ariz.....	Notices	15096
15065	Meetings:	Notices
AGRICULTURE DEPARTMENT	Science Board task force.....	Meetings:
See Agricultural Marketing Service; Commodity Exchange Authority; Farmers Home Administration; Packers and Stockyards Administration.	15101	Ecology Advisory Committee.....
ALCOHOL, TOBACCO, AND FIREARMS BUREAU	DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION	15124
Notices	Notices	Pesticide permits:
Firearms; granting of relief.....	Scientific articles; duty-free entry:	Texas A&M University; use of sodium cyanide for predator control investigation.....
15100	Loyola University et al.....	15126
CIVIL AERONAUTICS BOARD	Meharry Medical College.....	Pesticide registration applications.....
Notices	15111	15124
Hearings, etc.:	EDUCATION OFFICE	ENVIRONMENTAL QUALITY COUNCIL
Alaska Airlines, Inc. et al; correction.....	Rules	Notices
15120	Educational opportunity grant program; expected family contribution.....	Environmental impact statements; availability.....
Flying Tiger Line Inc.....	15247	15121
15119	Notices	FARMERS HOME ADMINISTRATION
CIVIL RIGHTS COMMISSION	Desegregation of public education; application closing date.....	Rules
Notices	15118	Real estate security; servicing and liquidations.....
Meetings, State advisory committees:	Education accreditation and approval agents; lists (3 documents).....	15085
Texas.....	15115, 15117	Notices
15120	Meetings:	Disaster areas:
COAST GUARD	Bilingual Education, Advisory Council on.....	Louisiana (2 documents).....
Proposed Rules	15118	Wisconsin.....
Drawbridge operations: New Jersey.....	EMPLOYMENT STATISTICS Standards ADMINISTRATION	15108
15093	Notices	FEDERAL AVIATION ADMINISTRATION
COMMERCE DEPARTMENT	Index to general wage determination decisions and modifications.....	Rules
See Domestic and International Business Administration; United States Travel Service.	15328	Airworthiness directives:
COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS	Minimum wages for Federal and federally assisted construction; general wage determination decisions, modifications, and supersedeas decisions.....	Boeing.....
Notices	15260	Piper.....
Cotton textiles: Yugoslavia.....	ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION	15085, 15086
15121	Rules	15086
	Property management regulations; miscellaneous amendments.....	15086
	15091	Proposed Rules
		Compartment interior materials toxic gas emission.....
		15093
		Transition areas.....
		15094
		Notices
	
		Notices
		Concorde SST; environmental statement on proposed limited operations; hearing.....
		15119
		FEDERAL COMMUNICATIONS COMMISSION
		Rules
		Radio frequency devices; reorganization of rules; correction.....
		15091

CONTENTS

Notices

Common carrier services information; domestic public radio services applications accepted for filing 15126

FEDERAL HOME LOAN BANK BOARD

Proposed Rules

Federal Savings and Loan System: Cooperative housing projects; loans 15096

FEDERAL MARITIME COMMISSION

Proposed Rules

Small claims; informal procedure for adjudication 15097

Notices

Agreements filed:
American President Lines, Ltd. et al 15128
Puerto Rican Forwarding Co., Inc. et al 15129

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:
Natural Gas Pipeline Co. of America 15130

FEDERAL TRADE COMMISSION

Rules

Procedures and rules of practice (3 documents) 15232

Proposed Rules

Procedures and rules of practice (3 documents) 15237

FOOD AND DRUG ADMINISTRATION

Rules

Color additives:
Aluminum hydroxide et al 15087
FD&C Red No. 40 15087
Human drugs:
Candicidin 15089
Methicillin; pyrogens test 15088
Zinc bacitracin 15088

Notices

ARTX telecommunication equipment; memoranda of understanding:
Florida Health and Rehabilitative Services Department 15112
Georgia Agriculture Department 15111
Iowa Agriculture Department 15113
New Jersey State Health Department 15113
South Carolina Agriculture Department 15114
Washington State Agriculture Department 15115
Meetings:
Medical Radiation Advisory Committee 15111

GENERAL SERVICES ADMINISTRATION

Notices

Environmental impact statements preparation procedures 15131
Meetings:
Architectural and Engineering Services Regional Public Advisory Panel 15131

Procurement:

Automatic data processing equipment and data communications systems; privacy and budgetary certificates 15131

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Education Office; Food and Drug Administration; Public Health Service; Social and Rehabilitation Service.

HEARINGS AND APPEALS OFFICE

Notices

Applications, etc.:
Affinity Mining Co 15105
Eastern Associated Coal Corp 15105
Kaiser Steel Corp 15106
McCracken Coal Co 15106
North American Coal Corp 15107
Republic Steel Corp 15107

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Rules

Community development block grants; extension of application deadline 15089

IMMIGRATION AND NATURALIZATION SERVICE

Proposed Rules

Students, nonimmigrant; full course of study and off-campus employment 15092

INTERIOR DEPARTMENT

See Hearings and Appeals Office; National Park Service; Reclamation Bureau.

Rules

Procurement; determinations and findings 15091

INTERNAL REVENUE SERVICE

Rules

Documents; public inspection and copying 15090

INTERNATIONAL TRADE COMMISSION

Notices

Golf gloves; denial of hearing; final findings 15134
Watches and watch movements from insular possessions; determination of consumption and quotas for duty-free entry 15135

INTERSTATE COMMERCE COMMISSION

Notices

Fourth section applications for relief 15141
Hearing assignments 15141
Motor carriers:
Applications and certain other proceedings 15141
Temporary authority applications 15142

JUSTICE DEPARTMENT

See Immigration and Naturalization Service.

LABOR DEPARTMENT

See Employment Standards Administration; Manpower Administration; Occupational and Health Administration.

MANPOWER ADMINISTRATION

Notices

Employment transfer and business competition; determinations and applications 15139

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Notices

Meetings:
Space Processings Ad Hoc Advisory Subcommittee 15135

NATIONAL PARK SERVICE

Notices

Meetings:
Southeast Regional Advisory Committee 15105

NUCLEAR REGULATORY COMMISSION

Proposed Rules

Physical protection of plants and materials; shipments of special nuclear material 15098

Notices

Applications, etc.:
Consumers Power Co 15135
Duke Power Co 15138
Jersey Central Power & Light Co 15137
Gulf States Utilities Co 15136
Tennessee Valley Authority 15136
Virginia Electric & Power Co 15137

Regulatory guide; issuance and availability 15126

OCCUPATIONAL HEALTH AND SAFETY ADMINISTRATION

Notices

Applications, etc.:
Marathon Steel Co., et al 15139

PACKERS AND STOCKYARDS ADMINISTRATION

Notices

Stockyards, posting:
Cleburne County Livestock Sales, Inc 15108
Florida Agricultural Marketing Association, Inc 15108
Tobesofkee Livestock 15109

PUBLIC HEALTH SERVICE

Notices

Authority delegation:
Administrator, Health Services Administration 15118

RECLAMATION BUREAU

Notices

Power, reallocation; Parker-Davis and Colorado River Storage Projects 15101

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.:
Appalachian Power Co. et al 15139
International Chemalloy Corp 15139

CONTENTS

SOCIAL AND REHABILITATION SERVICE

Proposed Rules
 Medical assistance program;
 fraud 15093

SMALL BUSINESS ADMINISTRATION

Proposed Rules
 Loan policy; proposed fees 15098

TRANSPORTATION DEPARTMENT

See Coast Guard; Federal Aviation
 Administration.

TREASURY DEPARTMENT

See also Alcohol, Tobacco, and
 Firearms Bureau; Customs
 Service; Internal Revenue Service.

Notices

Notes, Treasury:
 Series N-1976 15101

TRAVEL SERVICE

Notices
 Meetings:
 Travel Advisory Board 15111

CORRECTION

In the table of contents of the
 issue for Tuesday, April 1, 1975, a
 rule on flammability standards for
 children's sleepwear was erroneously
 listed under the Federal Trade Com-
 mission. It should appear under the
 Consumer Product Safety Commis-
 sion.

list of cfr parts affected

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, follows beginning with the second issue of the month. A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1974, and specifies how they are affected.

3 CFR	PROPOSED RULES:	33 CFR
PROCLAMATIONS:	25 15093	PROPOSED RULES:
4361 15063	71 15094	117 15093
7 CFR	16 CFR	40 CFR
910 15065	1 (2 documents) 15232	PROPOSED RULES:
1250 15065	2 15235	52 (2 documents) 15094, 15095
1872 15065	3 15234	408 15096
8 CFR	4 15236	41 CFR
PROPOSED RULES:	PROPOSED RULES:	14-3 15091
214 15092	1 15237	109-1 15091
10 CFR	3 15239	45 CFR
PROPOSED RULES:	4 15245	190 15248
73 15098	17 CFR	PROPOSED RULES:
12 CFR	150 15086	250 15093
PROPOSED RULES:	21 CFR	46 CFR
541 15096	8 (2 documents) 15087	PROPOSED RULES:
545 15096	431 15088	502 15097
13 CFR	436 15088	47 CFR
PROPOSED RULES:	440 15088	15 15091
120 15098	448 15088	
14 CFR	449 15089	
39 (5 documents) 15085-15086	24 CFR	
71 15086	570 15089	
	26 CFR	
	301 15090	

CUMULATIVE LIST OF PARTS AFFECTED—APRIL

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during April.

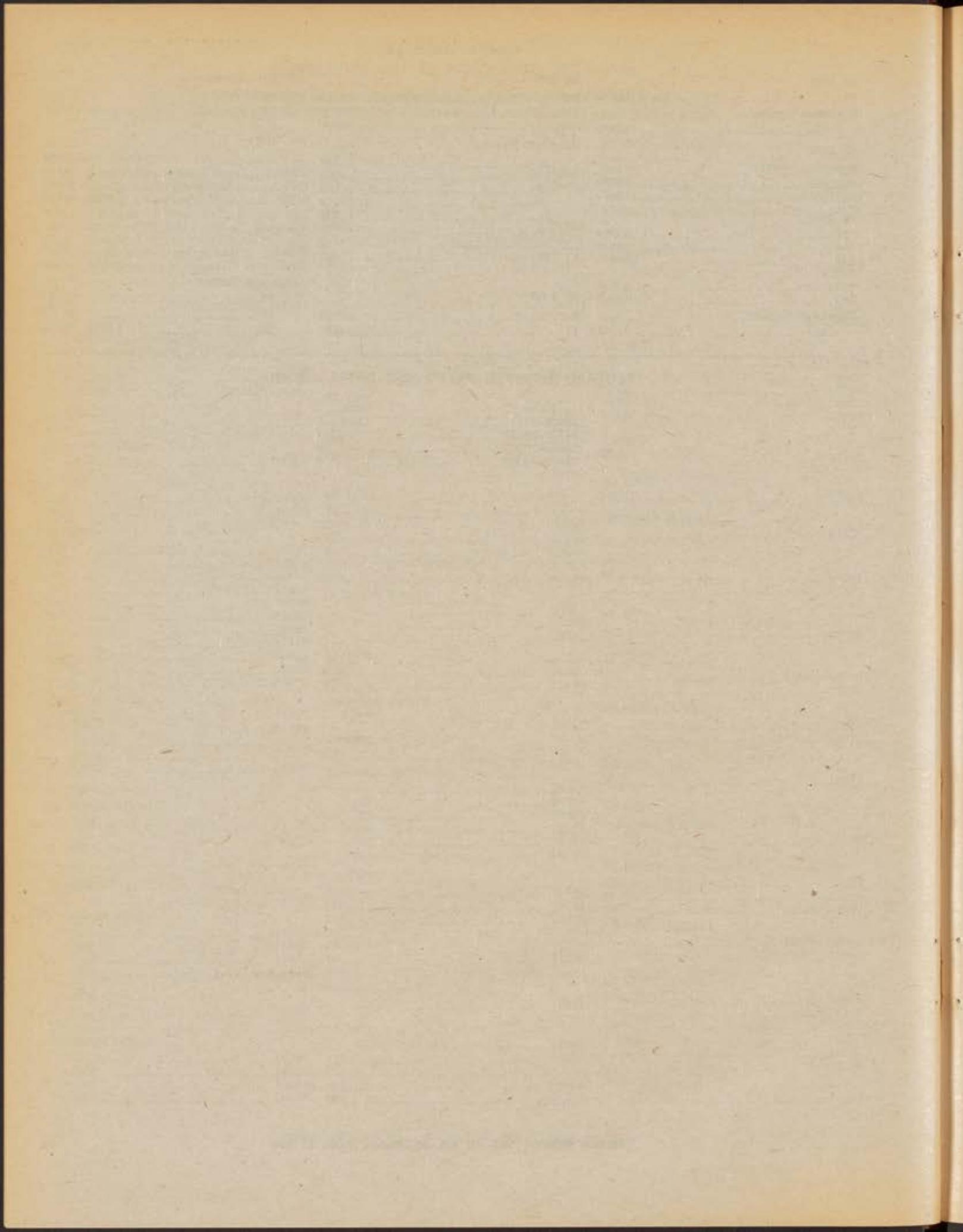
3 CFR		13 CFR		21 CFR—Continued	
PROCLAMATIONS:		PROPOSED RULES:		440.....	15088
2799 (Revoked by Proc. 4360).....	14567	107.....	14606	444.....	14906
2937 (Revoked by Proc. 4360).....	14567	120.....	15098	448.....	15088
2938 (Revoked by Proc. 4360).....	14567			449.....	15089
2942 (Revoked by Proc. 4360).....	14567	14 CFR		1030.....	14750
2972 (Revoked by Proc. 4360).....	14567	39.....	14739,		
3314 (Revoked by Proc. 4360).....	14567		14740, 14891, 14892, 15085—15086	22 CFR	
4101 (Revoked by Proc. 4360).....	14567	71.....	14740, 14741, 15086	PROPOSED RULES:	
4346 (Amended by Proc. 4359).....	14565	97.....	14893	8.....	15060
4359.....	14565	288.....	14893		
4360.....	14567	400.....	14572	23 CFR	
4361.....	15063	401.....	14574	635.....	14906
		425.....	14578	662.....	14907
EXECUTIVE ORDERS:		PROPOSED RULES:			
11809 (See EO 11849).....	14887	25.....	15093	24 CFR	
11828 (Amended by EO 11848).....	14885	71.....	14780, 14781, 15094	300.....	14753
11847.....	14568	75.....	14781	570.....	15089
11848.....	14885			1700.....	14753
11849.....	14887	15 CFR		1914.....	14599-14601
		350.....		1915.....	14754
4 CFR		355.....			
408.....	14737	500.....		25 CFR	
PROPOSED RULES:		PROPOSED RULES:		43k.....	14593
351.....	14942	803.....	14603		
5 CFR		16 CFR		26 CFR	
890.....	14569	1.....	15233	301.....	15090
1001.....	14570	2.....	15235	PROPOSED RULES:	
		3.....	15234	1.....	14767
7 CFR		4.....	15235		
724.....	14737	13.....	14579-14582, 14741, 14894-14904	29 CFR	
731.....	14601	302.....	14584	90.....	14908
905.....	14889	PROPOSED RULES:		2300.....	14593
907.....	14889	1.....	15237		
908.....	14890	3.....	15239	32 CFR	
910.....	15065	4.....	15245	856.....	14758
944.....	14891	17 CFR			
991.....	14737	150.....	15086	33 CFR	
1250.....	15065	200.....	14748	117.....	14594, 15093
1872.....	15065	PROPOSED RULES:		380.....	14761
2710.....	14891	275.....	14782	PROPOSED RULES:	
PROPOSED RULES:		18 CFR		117.....	14604
401.....	14777	301.....	14749	266.....	14872
1002.....	14702	PROPOSED RULES:			
1004.....	14702	35.....	14606	36 CFR	
1033.....	14769	101.....	14606	7.....	14912
1823.....	14776	104.....	14606		
		154.....	14606	38 CFR	
8 CFR		202.....	14606	PROPOSED RULES:	
PROPOSED RULES:		204.....	14606	1.....	14783
214.....	15092				
9 CFR		19 CFR		40 CFR	
94.....	14571	22.....	14749	52.....	14595
		113.....	14749	65.....	14876
10 CFR		153.....	14591	180.....	14496, 14597
211.....	14738	20 CFR		PROPOSED RULES:	
PROPOSED RULES:		10.....	14750	52.....	15094, 15095
73.....	15098	405.....	14591, 14934	408.....	15096
205.....	14605	PROPOSED RULES:			
211.....	14605	405.....	14934	41 CFR	
213.....	14948			1-7.....	14913
12 CFR				1-12.....	14913
563.....	14738	21 CFR		1-15.....	14913
602.....	14571	8.....	15087	1-30.....	14917
PROPOSED RULES:		121.....	14905	14-3.....	15091
7.....	14767	123.....	14592	109-1.....	15091
335.....	14947	431.....	15088	PROPOSED RULES:	
541.....	15096	436.....	15088	Ch. 60.....	14953
545.....	15096				

FEDERAL REGISTER

42 CFR		46 CFR		47 CFR—Continued	
57-----	14762	380-----	14599	PROPOSED RULES:	
PROPOSED RULES:		528-----	14599	73-----	14943-14947
57-----	14932	533-----	14599		
43 CFR		PROPOSED RULES:		49 CFR	
PROPOSED RULES:		32-----	14935	1-----	14764
4-----	14603	50-----	14935	310-----	14919
2650-----	14603	52-----	14935	571-----	14765
		53-----	14935	1033-----	14765, 14766
45 CFR		54-----	14935		
151-----	14762	56-----	14935	50 CFR	
154-----	14917	58-----	14935	32-----	14920
155-----	14918	63-----	14935	33-----	14766, 14920
190-----		502-----	15097	PROPOSED RULES:	
249-----	14597			17-----	14767
250-----	14597	47 CFR		227-----	14777
PROPOSED RULES:		0-----	14764	251-----	14778, 14779
250-----	15248	15-----	15091		

FEDERAL REGISTER PAGES AND DATES—APRIL

<i>Pages</i>	<i>Date</i>
14565-14735-----	Apr. 1
14737-14883-----	2
14885-15062-----	3
15063-15376-----	4



presidential documents

Title 3—The President

PROCLAMATION 4361

National Farm Safety Week, 1975

By the President of the United States of America

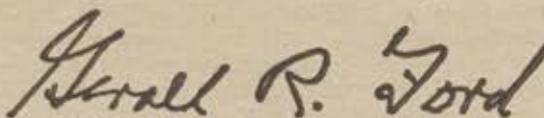
A Proclamation

The demand for agricultural products is at an all-time high both here and abroad. In addition to supplying food for the tables of over 213 million Americans, America's farms and ranches are seen by many millions of people abroad as a source of nourishment. Our agricultural abundance is possible not only because of the blessings of fertile soil and advanced technology, but also because of the capable, hard-working, innovative people in whose hands these immense food and fiber resources are entrusted.

Maintenance of a high level of agricultural production is not without such impediments as shortages of some supplies needed for production, adverse weather and accidents. Farmers and ranchers may not be able to control shortages or nature. But they can do a great deal to control accidents which seriously injure and kill thousands of farm and ranch residents each year. Along with the human suffering and material losses to farm and ranch families, accidents handicap our efforts to feed and clothe our people and help alleviate hunger in the world. Maximum production will be possible only when accident numbers are reduced to a minimum.

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, do hereby designate the week beginning July 25, 1975, as National Farm Safety Week. During this week and the ensuing year, I urge all who live and work on the Nation's farms and ranches to plan for accident prevention and to implement their plans with intelligence and resolve. Further, I invite all who work with and serve our agricultural producers to back these personal accident prevention efforts with every possible encouragement and educational aid. Any strategy to reap full production from our agricultural enterprises must include planning for the safety of those who live and work on our farms and ranches, not only when in the field but also when at home, at play or on the Nation's public roads.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of April, in the year of our Lord nineteen hundred seventy-five, and of the Independence of the United States of America the one hundred ninety-ninth.



[FR Dec. 75-8978 Filed 4-2-75; 3:24 pm]

Presidential documents

The 1952 election

1952-1953

1952-1953

1952-1953

The 1952 election was a significant event in American history, marking the first time that a president was elected through a direct popular vote. The election was held on November 4, 1952, and resulted in the victory of Dwight D. Eisenhower over Adlai Stevenson.

The election was a close one, with Eisenhower winning by a narrow margin. The results were a surprise to many, as Stevenson was widely expected to win. Eisenhower's victory was a result of his strong leadership during the Korean War and his promise of a "New Frontier" in domestic policy.

The 1952 election was a turning point in American history, marking the beginning of the Eisenhower era. Eisenhower's victory was a result of his strong leadership during the Korean War and his promise of a "New Frontier" in domestic policy. The election was a close one, with Eisenhower winning by a narrow margin.

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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 7—Agriculture

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

[Lemon Reg. 686]

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 April 6-12, 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.

§ 910.986 Lemon Regulation 686.

(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.

(3) 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 continues about the same as last week, with some supplies remaining from the holiday to be cleared up. Average f.o.b. price was \$5.59 per carton the week ended March 29, 1975, compared to \$5.63 per carton the previous week. Track and rolling

supplies at 113 cars were down 25 cars from last week.

(4) 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.

(5) 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 April 1, 1975.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period April 6, 1975 through April 12, 1975, is hereby fixed at 235,000 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: April 2, 1975.

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

[FR Doc. 75-8086 Filed 4-3-75; 8:45 am]

PART 1250—EGG RESEARCH AND CONSUMER INFORMATION ORDER

Rules of Practice and Procedure

Correction

In FR Doc. 75-7720, appearing at page 13198, in the issue of Tuesday, March 25, 1975, on page 13200 the heading for § 1250.8(d) (2) reading "(2) Objectives." should read "(2) Objection."

CHAPTER XVIII—FARMERS HOME ADMINISTRATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER F—SECURITY SERVICING AND LIQUIDATIONS

[FmHA Instruction 465.1]

PART 1872—REAL ESTATE SECURITY

Subpart A—Servicing and Liquidation of Real Estate Security for Loans to Individuals and Certain Note-Only Cases

On pages 1253 through 1273 of the FEDERAL REGISTER of January 7, 1975, there was published a notice of proposed rulemaking to revise Subpart A of 7 CFR Part 1872 (38 FR 19385). This revision prescribes policies and procedures for servicing and liquidation of real estate loans and certain note-only cases. More responsibility and approval authority have been placed on the State Director, District Director, and County Supervisor so that the number of referrals to the National Office will be reduced.

Interested persons were given 30 days to submit comments, suggestions, or objections regarding this proposed revised Subpart A. No comments, suggestions or objections have been received. In addition to provisions contained in the proposal the following changes are now being made in § 1872.18:

1. Section 1872.18(b) (8) is changed to include transfer of property improved with RH funds to the person assuming the RH loan.

2. Section 1872.18(c) (2) is changed to delete a portion of the third sentence in subdivision (C) (ii).

3. Section 1872.18(g) (8) is changed to indicate when a new mortgage will be taken on transfers.

Effective date. This revision is effective April 4, 1975.

Dated: March 28, 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

As revised, Subpart A reads as follows:

Subpart A—Servicing and Liquidation of Real Estate Security for Loans to Individuals and Certain Note-Only Cases

- Sec.
- 1872.1 General.
- 1872.2 Preservation of security property and protection of liens.
- 1872.3 Subordination of FmHA mortgage to permit refinancing, extension, reamortization, increase in amount of existing prior lien, or to permit a prior lien.
- 1872.4 Consent by partial release, subordination, or otherwise, to sale or other disposition of portion of or interest in security, except leases.
- 1872.5 Subordination of FmHA real estate mortgages to easements to the Bureau of Sport Fisheries and Wildlife.
- 1872.6 Subordination of FmHA's lien to the Commodity Credit Corporation's (CCC's) security interest taken for loans for farm storage and drying equipment.
- 1872.7 Consent to junior liens.
- 1872.8 Consent to borrower's granting lease of security.
- 1872.9 Transfer of upland cotton, peanut or tobacco allotments.
- 1872.10 Severance agreements.
- 1872.11 Disposition of proceeds of partial release, subordination, and consent transactions.
- 1872.12 Assignment and release of soil bank or similar program payments.
- 1872.13 Deceased borrower.
- 1872.14 Bankruptcy and insolvency.
- 1872.15 Servicing note-only cases.
- 1872.16 Release of FmHA mortgage without monetary consideration on basis of additional security or because of mutual mistake or non-existence of evidence of indebtedness or valueless liens.
- 1872.17 Liquidation action.
- 1872.18 Transfer of real estate security.
- 1872.19 Voluntary conveyance of security to FmHA.
- 1872.20 Foreclosure by the Government.
- 1872.21 Taking liens on real estate as additional security in servicing FmHA loans.
- 1872.22 Assignment of promissory notes and security instruments outside the program.
- 1872.23 Cosigners—Rural Housing (RH) loans.
- 1872.24 Submission to National Office of certain partial release, subordination, consent, or other transactions.
- 1872.25 State supplements and reference to the OGC.
- 1872.26 Redlegation of authority.
- 1872.27 Nondiscrimination.
- Exhibit A—Memorandum of Understanding between Bureau of Sport Fisheries and Wildlife and the Farmers Home Administration

Authority: (7 U.S.C. 1989); (42 U.S.C. 1480); (42 U.S.C.); (5 U.S.C. 301); delegation of authority by the Secretary of Agriculture, 7 CFR 2.23; delegation of authority by the Assistant Secretary for Rural Development, 7 CFR 2.70; delegations of authority by Director OEO, 29 FR 14764, 33 FR 9850.

Subpart A—Servicing and Liquidation of Real Estate Security for Loans to Individuals and Certain Note-Only Cases

§ 1872.1 General.

(a) *Purpose.* The purpose of this subpart is to delegate authority and prescribe policies and procedures for servicing and liquidating real estate security for Farmers Home Administration (FmHA) loans to individuals including loans on leasehold interests, and certain note-only cases, except Rural Rental Housing (RRH) and Labor Housing (LH) loans to individuals operating under a loan agreement, or to Business and Industrial (B&I) loans. This subpart does not apply to loans subject to an FmHA Contract or Guarantee.

(b) *General policies.* Real estate security will be serviced in a manner to accomplish the loan objectives and protect the Government's financial interest. To accomplish these purposes, the real estate security will be serviced in accordance with the security instruments and related agreements, including any authorized modifications, provided the borrower has reasonable prospects of accomplishing the loan objectives, properly maintains and accounts for the security, and otherwise meets the loan obligation, including loan repayment, in a satisfactory manner. When the above conditions are not satisfied, or it is determined that the loans must be liquidated for other reasons, and sufficient legal grounds for liquidation exist, prompt action will be taken to liquidate the security to protect the Government's financial interest.

(c) *Borrower's responsibility.* Each borrower is responsible for repaying principal and interest on a timely basis pursuant to the loan documents, paying real estate taxes, providing adequate property insurance, maintaining, protecting, and accounting to the FmHA for all real estate security, and complying with other loan requirements.

(d) *County Supervisor responsibilities.* The County Supervisor is responsible for informing each borrower of his responsibilities in connection with the loan, seeing that the security is being properly maintained and accounted for, and for servicing the security in accordance with this Subpart. When a borrower fails to maintain, protect, or account for the security as required by the loan documents, or makes unauthorized disposition or use of any security, prompt action will be instituted to protect the FmHA's interest. The County Supervisor will obtain any legal advice he needs from the Office of the General Counsel (OGC) through the State Director. In cases that have been referred to the OGC for legal action, no further action will be taken by the County Supervisor or other FmHA personnel without prior clearance with the OGC. If the case has been referred to the U.S. Attorney, clearance with the U.S. Attorney will be obtained through the OGC.

(e) *Servicing insured loans—(1) Servicing actions.* Servicing actions for insured loans will be the same as

for direct loans except that in voluntary conveyance, and foreclosure cases, when the insured note is not held in the county office, the Finance Office will be requested to obtain assignment of the insured loan to the insurance fund as provided in § 1872.19 and § 1872.20 respectively, and when an insured Farm Ownership (FO) mortgage running to the lender as mortgagee is not held by the FmHA under trust assignment, or declaration of trust, or in the insurance fund (called insured FO mortgage held by the lender in this subpart) and a written subordination or partial release or other servicing document is requested, the document will be executed by the holder on a form prepared or approved by the OGC. In such cases, contacts with the holder will be made by the State Director and the holder's execution of the document will constitute his consent.

(2) *Execution of documents by Government.* The County Supervisor is authorized to execute all necessary forms, satisfactions, releases, and other documents required to complete any transactions in this subpart after the action has been approved by the appropriate approval official. The documents will be executed in behalf of the United States in the following form:

(i) "United States of America," when the mortgage names the United States as mortgagee, or when a mortgage running to the lender is not under a trust or declaration of trust and the note is held by the insurance fund.

(ii) "United States of America, for Itself and as Trustee," when an FO mortgage is held by the FmHA under a trust assignment or declaration of trust, regardless of whether the note is held by a lender or by the insurance fund.

(f) *Consent of lienholders.* When this subpart requires the consent of other lienholders, before the FmHA consents to a transaction which affects the security of its lien, such consent will be obtained and furnished to the FmHA by the borrower. The consent will, unless otherwise provided in a state supplement, include agreement as to the disposition of any funds involved in the transaction.

(g) *Definitions.* Unless otherwise indicated, the term "FmHA loans," "FmHA accounts," "FmHA interests," "FmHA security," "FmHA debts," and similar terms apply to indebtedness owed to or insured by the United States of America acting through the FmHA, and to related security instruments. The term "note" includes any note, bond, assumption agreement, or other evidence of indebtedness. The term "mortgage" includes deeds of trust and similar real estate security instruments and chattel security instruments where appropriate.

"County Supervisor" means "County Supervisor" and "Assistant County Supervisor" when in the opinion of the County Supervisor the Assistant County Supervisor has been sufficiently trained to competently perform the required actions and has delegated such authority to the Assistant County Supervisor in writing.

§ 1872.2 Preservation of security property and protection of liens.

(a) *Inspection of security.* The County Supervisor will inspect farm real estate security every three years for accounts that are current. More frequent inspections will be made when a borrower is delinquent or otherwise in default or when problems exist involving the security property. Security on nonfarm tracts will be inspected only if liquidation action is likely to be taken, the property has been abandoned, when necessary to protect the interest of the Government, or whenever requested by the borrower. If all or part of the security is located in another County Office area, the County Supervisor for that area may be requested to inspect the property.

(b) *Action by FmHA for account of borrower.* When necessary to protect the interest of the Government, actions will be taken by FmHA for the account of the borrower as provided below. Any advances made for such purposes will be paid by Standard Form 1034, "Public Voucher for Purchases and Services Other Than Personal," and charged to the borrower's account.

(1) *Operation of security by lessee or caretaker.* When prior approval is obtained from the State Director in any case, or the District Director in non-foreclosure cases, the County Supervisor will take possession of the property and will enter into a lease or caretaker's agreement for the account of the borrower on the best terms obtainable but not to exceed one year. Lease or caretaker's agreements will not be used as an alternative for, or as a means of delaying prompt liquidation of the loan. Lease agreements will be entered into on Form FmHA 465-2, "Lease of Security Property," and caretaker's agreements on Form FmHA 465-3, "Caretaker's Agreement (Real Property Only)."

(2) *Taxes and assessments.* Real estate taxes and assessments will be handled in accordance with Part 1863 of this chapter.

(3) *Insurance.* For FmHA loans secured by liens on real estate, property insurance will be obtained and serviced in accordance with requirements for the kind of loan involved, Subpart A of Part 1806 of this chapter, and when appropriate Subpart B of Part 1806 of this chapter.

(4) *Maintenance.* In abandonment and pending liquidation cases, the State Director may authorize emergency repairs necessary to protect the interests of the FmHA. Such repairs will be properly documented on Form FmHA 424-1, "Development Plan." In all other cases, complete information concerning the borrower's failure to adequately maintain the security property and the State Director's recommendation for continuing the loan will be submitted to the National Office for prior authorization to advance funds for needed repairs. If there is a prior lien, expenditures for maintenance will not be made unless the prior lienholder refuses to make them. Evidence of

his unwillingness to do so should be included in the case file.

(c) *Actions by third parties which affect security.* The borrower will be expected to protect his own interest in condemnation, trespass, quiet title and other cases affecting the security. Third party actions include court or other actions in which the security property is involved. When the County Supervisor learns of any action taken by third parties which materially affects the security interests of the Government, he will send complete information concerning the action, the County Office case file, and his recommendations to the State Director. When the Government or the County Supervisor is made a party to a court action, or when any suit is brought to condemn, impose a lien upon, or otherwise affect any part of the FmHA real estate security, information furnished by the County Supervisor will include a copy of the petition or complaint, if available to him, a statement of account, a current appraisal report, the name and address of borrower's attorney, if any, and any other pertinent information. The State Director will, in all litigation cases and in any other case where appropriate, after receiving the advice of the OGC, advise the County Supervisor of the actions to be taken to protect the Government's interest. When the State Director determines that foreclosure or other actions which would cause the borrower to lose possession of the property is imminent he may give consideration to making a subsequent loan, as appropriate, or approving a subordination to permit another lender to make a loan to satisfy such action when necessary to enable the borrower to retain the property, provided he has the ability and resources necessary to overcome the problems that caused the action, and, the third party agrees to postpone further action pending the processing of a subsequent loan or subordination. The State Director will notify the County Supervisor of the actions to be taken to protect the Government's interest.

(1) *Sale under prior lien foreclosure.* When a prior lien foreclosure sale is to be held and the State Director determines that a substantial net recovery on the Government's interest can be made by acquiring and reselling the security, he will authorize a bid in accordance with § 1872.20(b) (4) (vi) and (vii). Such bid may provide for payment of the prior lien indebtedness and costs incidental to the sale which must be paid from the sale proceeds. When under state law it is necessary, prior to such foreclosure, to acquire the prior lienholder's rights to protect the Government's junior lien interest, and in other situations when it is advantageous to the Government to pay the prior lien in full before the foreclosure sale, payment of the prior lien and required costs may be made with the advice of the OGC, provided the Government will obtain a greater recovery of the secured debt (not an inventory profit) than it could by bidding at the prior lien foreclosure sale, and the FmHA account

after acquisition of the prior lien will be liquidated as provided in § 1872.17. Information clearly supporting the action as being to the Government's financial advantage must be documented and made as part of the file.

(i) *Lienholder debt.* The prior lienholder will be contacted to determine the amount of his indebtedness including the cost of foreclosure sale and whether payment by SF-1034 is acceptable to him if the Government is the successful bidder at the sale. If the prior lienholder requires a cash payment, SF-1034 will be processed in sufficient time for the County Supervisor to receive a U.S. Treasury check before the sale. Requesting the check, payment of the bid, and payment of any other costs by using SF-1034 will be in accordance with the applicable portions of § 1872.20. The costs will be charged to the borrower's account.

(ii) *Title evidence.* Title evidence will be obtained prior to making a bid on the property or acquiring the prior lienholders rights.

(iii) *Assignment.* An insured loan which is not held by the insurance fund will, whenever possible, be assigned to the insurance fund before the foreclosure sale. Otherwise, the assignment will be completed as soon as feasible after the foreclosure sale.

(iv) *Final reporting.* (A) When FmHA enters a bid or is the successful bidder at the foreclosure sale, reporting actions will be in accordance with § 1872.20 of this subpart.

(B) When the State Director determines that no bid will be entered by FmHA, the County Supervisor will nevertheless attend the sale and make a narrative report to the State Director outlining the results of the foreclosure sale and plans for future servicing of the account. A narrative report will be sent to the Finance Office when no recovery is made by the Government. If the Government is to rely on its redemption rights, that fact will be indicated in the report.

(v) *Servicing Government redemption rights.* If the Government did not have an opportunity or for other reasons did not protect its interest at the time of the foreclosure sale by a prior lienholder and has any redemption rights, the State Director will determine whether to redeem the property before the redemption period expires. Such determination will be made after considering all factors including the value of the property or changes in its value after the sale and any other pertinent information. This determination will be made at a time sufficiently prior to expiration of the redemption period to permit exercise of the Government's rights. If redemption of the property is appropriate, the State Director's recommendation, accompanied by complete information showing the basis for not acquiring the security at the sale and factors which justify redemption of the property, should be sent to the National Office for prior consideration. The report should be accompanied by an opinion of the OGC stating that the redemption is legally authorized. If it is

decided not to redeem the property, the right of redemption may be sold for its value by the State Director. There is no authority to dispose of redemption rights without consideration.

(2) *Foreclosure sale subject to FmHA mortgage.* If a lien junior to the FmHA lien is foreclosed and the property is sold subject to the FmHA mortgage, the account will be transferred under § 1872.18, if appropriate. Otherwise, it will be liquidated as provided in § 1872.17.

(d) *Divorce actions.* When borrowers with loans on farm are involved in a divorce action, the County Supervisor will submit the case to the District Director after the final divorce decree has been granted for his advice or concurrence in servicing the account. When borrowers whose loans are secured by a mortgage on a nonfarm tract are involved in a divorce action, the County Office file will be submitted to the District Director for advice when the County Supervisor is uncertain of the servicing actions needed to protect the Government's interest or if continuation of the loan with the remaining borrower is not authorized. A subsequent loan made as a result of a divorce action will be handled in accordance with § 1872.18(b) (14).

(e) *Abandonment.* When a borrower has removed his personal property from the farm or home or the County Supervisor believes security property has been abandoned by the borrower, he will immediately check with the neighbors, relatives in the area, the local post office, utilities offices, schools, and other appropriate sources to determine if the family has moved from the area and, if so, whether a forwarding address can be determined. If the security property is not being maintained, and available information indicates that it has been abandoned, the County Supervisor will immediately report the facts to the State Director and request authority to take possession of the property pending liquidation, make emergency repairs needed to prevent further deterioration of the property, and to enter into a lease or caretaker's agreement on behalf of the borrower. If the security property is not in need of emergency repairs, Form FmHA 465-7, "Report on Real Estate Problem Case," will be prepared and submitted through the District Director to the State Director for his consideration.

§ 1872.3 Subordination of FmHA mortgage to permit refinancing, extension, reamortization, increase in amount of existing prior lien, or to permit a prior lien.

(a) *Reamortizing existing FmHA debts.* Existing FmHA loans may be reamortized to permit a loan of another lender in lieu of a subsequent loan of the kind involved with prior approval of the District Director or State Director as applicable. The reamortization of each existing loan may be made only within the remaining period of that loan. Authority to reamortize an account will be granted when it is determined that the borrower cannot reasonably be expected to meet installments due unless the ac-

count is reamortized. When a loan is reamortized it will be processed in accordance with Subpart A of Part 1861 of this chapter.

(b) *Use of other lenders' funds to reduce FmHA debts.* In connection with a subordination primarily for other purposes, funds of another lender may be used to pay on an FO, Soil and Water (SW), Recreation Loan (RL), Operating Loan (OL), or Emergency loan (EM) only to the extent that is necessary to accomplish the objectives of the FmHA loan involved and to establish the borrower's operations on a sound basis within his ability to pay. Also, when a borrower owes any of the aforementioned loans and a Rural Housing (RH) loan, the funds of another lender may be used to pay the amount delinquent on the RH loan or to refinance the total RH debt when necessary. It is not intended that the FmHA lien will be subordinated for removal of a delinquency that the borrower could be expected to pay within five years. It is also the policy to only permit payment of that portion of the FmHA debt that is necessary to avoid failure in connection with obtaining additional resources essential to success. This authority will be used in those cases that will provide for meeting the FmHA objectives as specified in § 1872.1(b) of this subpart. In such cases, the narrative justification and the case file will be sent to the National Office prior to development of the subordination.

(c) *Conditions for subordination.* A subordination may be granted subject to the following conditions:

(1) *Refinancing.* The borrower is unable to refinance the FmHA debt on terms which he can reasonably be expected to meet;

(2) *Objectives.* The transaction will further the objectives for which the FmHA loan was made;

(3) *Prior lien.* The terms and conditions of the prior lien will be such that the borrower can reasonably be expected to meet them, as well as all other debts;

(4) *Market value.* The amount of any prior lien plus the balance of the FmHA debt will not exceed the market value of the security; except for an FO, RL, Land Conservation and Development (LCD), or SW loan, it will not exceed the market value of the security or \$225,000, whichever is less. When the FmHA indebtedness was not fully secured by the market value of the security before the transaction, a subordination may be granted only if the market value of the total security will be increased by an amount at least equal to the amount of the additional advance. The \$225,000 limitation will not apply to loans if, because of fire, flood, windstorm, or other casualties, the subordination is necessary for land development or for the repair or replacement of essential buildings to put the property in livable and operable condition or to protect it against further deterioration. However, the subordination will not permit the total indebtedness to exceed the present market value of the security;

(5) *Stock.* An assignment of the beneficial interest in any stock required in connection with a loan will be obtained as collateral security, when possible, and when needed for security; and

(6) *Security.* The FmHA secured indebtedness after the subordination will be adequately secured or will not be adversely affected by the transaction.

(d) *Purposes of subordination.* A subordination may be granted to:

(1) *Refinance, extend, or reamortize.* Refinance, extend, or reamortize an existing prior lien provided the amount of the indebtedness secured by the prior lien, as of the date of the transaction, is not increased by more than reasonable costs incident to loan closing, plus funds for the purchase of any required stock.

(2) *Increase.* Increase the amount of prior lien or permit a new prior lien when the funds will be used:

(i) *Nonfarm tract.* On a nonfarm tract securing RH loans for purposes for which RH nonfarm loans are authorized subject to the limitations that would be applicable if an RH loan were made. When the mortgage includes nonfarm property larger than a minimum adequate site, the subordination may be granted on the excess land for purposes not inconsistent with the purposes for which the loan was made.

(ii) *Farm.* On a farm which secures an FO loan only or an FO and any other type FmHA loan, for any purpose for which an FO loan can be made. Also, an RL, SW, RH, or EM loan may be subordinated for development or enlargement purposes and for any purpose for which that type loan may be made. However, if the RH loan was made to finance a dwelling and the loan is secured only by the dwelling and dwelling site, the RH loan will be subordinated only for purposes for which an RH nonfarm loan may be made.

(3) *Requirements.* Any transaction approved under § 1872.3(d) (2) (i) or (ii) must meet the following additional requirements:

(i) The proposed use of the funds will improve the borrower's ability to repay the FmHA loan(s) or is necessary to place the operation on a sound basis.

(ii) In the case of either an FO loan or OL loan, the use of the funds will not result in the farm being larger than a family farm or family farming operation.

(iii) Any proposed development will be planned and performed in accordance with Part 1804 of this chapter or in a manner directed by the creditor which reasonably attains the objectives of Part 1804 of this chapter and is incurred in by the State Director.

(iv) Funds to be used for development or to acquire land will be handled as prescribed for FO loan funds in Part 1803 of this chapter, except that if the creditor will not permit the use of a supervised bank account, arrangements satisfactory to the FmHA which will assure that the funds will be spent for the planned purposes may be substituted.

(v) In cases of land purchase or exchange of property, the FmHA will obtain a valid mortgage on such acquired land. Title clearance and loan closing will be required the same as for an initial or subsequent FO loan as appropriate. The mortgage will be recorded when the subordination is delivered to the other lender, or immediately after the other lender records its mortgage.

(e) *Request for subordination.* When a borrower requests the FmHA to subordinate a mortgage Form FmHA 465-1, "Application for Partial Release, Subordination, or Consent," will be prepared. If an agreement to give notice of foreclosure is required for approval of an initial FmHA loan, an agreement with a new prior lienholder will be obtained as required in § 1807.2(f) (5) of this chapter. In case of an insured FO mortgage held by the lender, the holder's consent will be obtained in accordance with § 1872.1(e). Any junior lienholder's consent to the transaction and use of the proceeds will be obtained as provided in § 1872.1(f) of this subpart.

(f) *Appraisal.* A current appraisal report will be prepared when property is to be purchased or exchanged, or when the existing appraisal report is more than two years old or is inadequate to make the determination required in this subpart. When an appraisal is required by FmHA in connection with a subordination being granted to the Federal Land Bank (FLB), the appraiser may recommend, or the loan approval official may find, the market value of the total security to be equal to the market value of the real estate plus the value of the FLB stock. This determination will be recorded on a separate sheet and attached to the appraisal report. When a subordination is granted in connection with an FO, SW, or RL loan to permit a loan by another lender, the FmHA appraiser is authorized to use the appraisal report prepared for the other lender in determining the recommended market value of the property in accordance with Subpart A of Part 1809 of this chapter.

(g) *Approval authority.* The County Supervisor and District Director are authorized to approve transactions under § 1872.3 when the total indebtedness against the security after the transaction is completed does not exceed \$100,000 and \$160,000 respectively. The County Supervisor, however, may not approve transactions that involve refinancing of an FmHA debt. The State Director is authorized to approve transactions that exceed the approval authority of the County Supervisor and District Director. When a new appraisal is required for a farm, the employee who appraises the property cannot approve the transaction. Also, the Assistant County Supervisor may not approve a transaction when the appraisal is made by the County Supervisor in the same office.

(h) *Processing.* When the approval of the transaction by the State Director is required or when the County Supervisor or District Director desires advice before his approval of the transaction, the borrower's case folder with current docu-

ments to support the applicable determinations such as, where appropriate, Forms FmHA 431-2, "Farm and Home Plan," FmHA 431-1, "Long-Time Farm and Home Plan," FmHA 431-3, "Family Budget," FmHA 422-1, "Appraisal Report (Farm Tract)," FmHA 422-3, "Property Information and Appraisal Report—Rural Housing Nonfarm Tract," FmHA 440-2, "County Committee Certification or Recommendation," other necessary forms, and Form FmHA 465-1 will be sent to the State Office. Form FmHA 440-2 will be completed in all cases involving a subordination for the purchase of additional land except when the borrower is indebted only for a section 502 or 504 RH loan. After approval of the transaction, it will be closed in accordance with State Supplements to the maximum extent possible as provided in § 1872.25. However, when legal advice on an individual case is necessary, Form FmHA 465-1, any subordination form furnished in connection therewith, the original or a copy of the FmHA mortgage, the refinancing mortgage or agreement, and related documents will be submitted to the OGC for review and preparation of the necessary instruments and closing instructions. The documents and closing instructions will be sent to the County Office. If the signature of the State Director is required on some of the instruments, the docket and closing instructions will be routed through the State Office. The transaction will be completed in accordance with the closing instructions.

§ 1872.4 Consent by partial release, subordination, or otherwise, to sale or other disposition of portion of or interest in security, except leases.

The consent of FmHA or other lienholders may be in the form of a partial release, subordination, or other form of a partial release, subordination, or other form of written consent, depending on the circumstances. The consent authorized herein is applicable to the disposition of security or an interest in the security rather than to a release of security granted to a mortgagor upon his reduction of the debt from regular or other personal funds. A formal release may not be delivered for 15 days after the payment is received unless such payment is made in the form of cash, money order, certified check, or check from a reputable lending agency. Releases not delivered will usually be voided 30 days after notification to the requesting party that the release is available.

(a) *Provisions of FmHA mortgages.* In all FmHA mortgages except RH loan mortgages prepared before October 1, 1950, and a few OL, EM, Special Livestock (SL), and Water Facilities (WF) loans mortgages, the borrower has agreed not to sell, transfer, assign, mortgage, or otherwise encumber the security or any portion of or interest in it, without the prior written consent of the mortgagee. Furthermore, even in the case of the few RH, OL, EM, SL, and WF loan mortgages not requiring FmHA consent, any property, or any part there-

of or interest therein which is subject to the FmHA mortgage and which is disposed of by the borrower without consent remains subject to the mortgage lien. In all FmHA mortgages the borrower expressly agrees not to engage, without prior consent, in certain specified transactions, including the cutting or removal of timber, or mining or removal of gravel, oil, gas, coal, or other minerals, except small amounts used by the borrower for ordinary domestic purposes.

(b) *Consent and partial release and subordination forms.* When FmHA consent is requested, it will be given by approving a completed Form FmHA 465-1 if the transaction meets the conditions of § 1872.4(c). Also, when requested, the FmHA will give a written partial release or subordination on Form FmHA 460-1, "Partial Release," approved by the OGC. Written consent of any prior or junior lienholders will be obtained by the borrower and delivered to the FmHA if any proceeds are not to be applied on liens in accordance with their priorities. When an insured FO mortgage is held by the lender, his consent will be obtained only if a written partial release, subordination, or other written servicing document is requested. Any such consent will be obtained in accordance with § 1872.1(f).

(c) *Conditions of FmHA consent.* FmHA consent may be granted and a partial release or subordination executed if the consideration is adequate for the security property being disposed of, or rights granted; orderly repayment of the FmHA indebtedness will not be impaired; the transaction will not interfere with successful operation of any farming enterprise or other enterprise providing repayment ability of the borrower; the market value of the security is adequate to secure the unpaid balance of the FmHA debts, or if the market value of the security before the transaction was inadequate to fully secure the FmHA debts, the FmHA's security interest is not adversely affected; and the provisions of § 1872.4 (d) and (e) and § 1872.11 are complied with. Exceptions to the foregoing sentence are provided in § 1872.4(c) (1) and (2).

(1) *Condemnations.* The conditions of consent as stated in paragraph (c) that the consideration is adequate for the security property being disposed of, or rights granted, and that orderly repayment of the FmHA indebtedness will not be impaired will not apply in condemnation cases after final judgment or award which is not appealed.

(2) *Costs.* In any case of consent, partial release, or subordination the County Supervisor may authorize the borrower to use a portion of the proceeds to pay customary incidental costs appropriate to the transaction and reasonable in amount which the borrower cannot arrange to pay from personal funds or cannot have the purchaser pay, including real estate taxes which must be paid to consummate the transaction. Such costs may, for example, include the following

in justifiable cases: Costs of title examination, surveys, abstracts, title insurance, reasonable attorney's fees, and recording fees, reasonable attorneys' fees and court costs in condemnation cases, costs necessary to determine the reasonableness of an offer or asking price, such as fees for appraisal of minerals, land, or timber when the necessary appraisal cannot be obtained without costs, real estate brokers' commissions when a borrower can reasonably expect to obtain proceeds in an amount at least equal to the commission in excess of what could otherwise be obtained, or additional income tax which the borrower is required to pay for the year because of the capital gain or mineral royalty payments on the transaction. The amount of the estimated tax on the particular transaction will be deposited in the supervised bank account. Any deposited funds not needed to pay the borrower's adjusted tax liability for the year of the transaction will immediately be applied on the account as an extra payment. In any state in which it is necessary to obtain the insured note from the lender to present to the recorder before a release of a portion of the land from the mortgage, the borrower must pay any costs for postage and insurance of the note while in transit. The County Supervisor will advise the borrower when he requests a partial release that he must pay such costs. If the borrower is unable to pay the costs from personal funds, they may be deducted from the sales proceeds. The amount of the charge will be based on the statement of actual costs furnished by the lender. A subordination approval will also include additional advances by the lender as necessary for taxes, insurance, emergency repairs for maintenance, and liquidation expenses.

(3) *Appraisals.* When the official authorized to approve the transaction is uncertain whether a proposed consideration is adequate or for any other reason considers an appraisal necessary to complete Form FmHA 465-1, or when the transaction involves more than \$5,000, a new appraisal report will be obtained in accordance with the applicable appraisal procedure. However, a new appraisal report need not be obtained if there is an appraisal report not over two years old in the case file which will permit the official authorized to approve the transaction to make the proper determination of the market value of the property being retained and the market value of the portion to be released. When a new appraisal is not required, the appraiser will indicate his determination of values and the basis for it in the comments section of the existing appraisal report. The notation will be initiated and dated. When a new appraisal report is required, it will be completed to show the present market value of the property being retained. Also, the present market value of the property being released will be shown under the comments section of the same appraisal report. Information regarding sales of comparable properties used in arriving at the present market value of the property being released will be shown in

the comments section or on an attached sheet.

(i) *Stationary units.* If timber or minerals including sand, gravel, or stone, which appear to be worth more than \$3,000 are to be sold on the basis of the timber stand or the mineral deposit rather than the units to be removed, the borrower will be encouraged to obtain the assistance of a qualified technician other than an FmHA employee to advise him of the quality or value of the timber or minerals and the manner in which they should be sold. Generally, such assistance can be obtained from State or Federal employees who are located in the area.

(ii) *Units removed.* When timber or minerals, including sand, gravel, or stone, are to be sold on the basis of the units to be removed, or when an easement or a right-of-way is to be sold or granted, the employee authorized to make the appraisal may insert, date, and initial a notation on the existing appraisal report instead of making a new appraisal report. The notation should show the unit value of timber or minerals, or the value of the easement or right-of-way, based on the consideration being paid for similar items in the area, and the manner in which the remaining property will be affected. If the market value of the remaining property is significantly decreased, a market value appraisal of the remaining property usually will be required.

(d) *Authority of the County Supervisor and District Director.* The County Supervisor and District Director are authorized to approve transactions under § 1872.4, except those specifically reserved to the State Director as set forth in § 1872.4(e), when the total indebtedness against the security does not exceed \$100,000 and \$160,000, respectively. Also, when liquidation in accordance with § 1872.17 is not pending, the County Supervisor is authorized to approve transactions when the entire proceeds (other than costs authorized in § 1872.4(c)(2)), or normal income as defined in § 1872.11 (b) will be applied on the liens in the order of their priority. The employee who appraises the property cannot approve the transaction. For example, if the Assistant County Supervisor makes the appraisal, the transaction may be approved by the County Supervisor; if the County Supervisor makes the appraisal, the transactions may be approved by the District Director. In case of a three percent loan for forestry purposes, the application for consent or release involving the harvest or sale of forest products will be forwarded to the District Director for approval if the harvest or sale is not in strict accordance with provisions of the initially-approved forestry plan, future repayments on the three percent advance are scheduled on any basis other than equal annual installments, there is a lien on the forest land prior to the lien of the FmHA, or there is a delinquency on any FmHA real estate loan. The County Supervisor and District Director are also authorized to approve transactions involving ex-

change of all or part of the security for other real estate, use of all or part of the proceeds for development or enlargement or as provided in § 1872.4(d)(3), sale of a portion of the security, except security for RH loans on nonfarm tracts, for its market value and on terms of not less than 10 percent down, and payments not to exceed 10 annual installments of principal plus interest at not less than eight percent per annum or the rate on the borrower's note, whichever is greater, and sale of a portion of the security for RH loans on nonfarm tracts for its market value on terms of not less than 10 percent down, and payments not to exceed five annual installments of principal plus interest at not less than eight percent per annum or the rate on the borrower's note, whichever is greater, provided: The Government's security rights, including the right to foreclose, are not impaired, the downpayment and subsequent payments are applied to the FmHA debts, prior liens, or are used as authorized in this Subpart, any security instruments the borrower obtained in the transactions are assigned to the FmHA, the property sold is not released prior to full payment of the account or receipt of the sale price with proper application or release of such proceeds, and unless appropriate reamortization is made in accordance with § 1851.9, Subpart A of this Chapter, and the borrower understands and agrees that such sale proceeds will not affect his primary and continued obligation for making payments under the note. In any case in which the proceeds under § 1872.11(a) will not be applied on prior liens or FmHA accounts secured by real estate liens, the following requirements must be complied with:

(1) *Development or enlargement.* Use of any proceeds for development or enlargement must be necessary to improve the borrower's debt-paying ability and to place his operation on a sound basis or otherwise further the objectives of the loan. In the case of an FO or OL loan, the use of proceeds for such purposes will not result in making the farm larger than a family farm.

(2) *Development.* Any proposed development work will be in accordance with Part 1804 of this chapter.

(3) *Inadequately secured loans.* When FmHA loans secured by a lien on real estate will be adequately secured after the transaction, proceeds not to exceed an amount equal to the equity in the security may, with the consent of other lienholders, be applied to inadequately secured FmHA loans, to reduce them to the extent that the security is adequately or up to \$2,500 may be used for development of nonowned land essential to the borrower's operation whether or not it is taken as security for the loan. If funds are used on nonowned land it must be determined that the improvements are essential to his operation or repayment ability and that the borrower has tenure arrangements that will justify the use of such proceeds on that land. Proceeds released for payments on other

FmHA debts will be applied as extra payments unless the District Director approves a specific written request from the borrower to apply proceeds on a delinquency or currently maturing installment because the borrower is otherwise unable to make such payment. That part of the proceeds not applied to any prior lien or inadequately secured FmHA loan must be applied to the FmHA lien on the security property of the highest priority if not used to develop or enlarge the security.

(4) *Funds.* Funds to be used for development or enlargement will be handled in the manner prescribed in Part 1803 of this Chapter.

(e) *State Director's authority.* The State Director is authorized to approve transactions (1) that exceed the approval authority of the County Supervisor and District Director, or (2) involving an easement or fee title right-of-way granted or conveyed without monetary compensation or for a token consideration if the Government's security interests are not adversely affected.

(f) *Processing.* When the approval of a transaction by the State Director is required, or the County Supervisor or District Director desires advice in connection with his approval of the transaction, the borrower's case folder, Form FmHA 465-1, and any other information pertinent to the transaction will be sent to the State Office. In an exchange of security, the provisions of this subpart applicable to a sale of a portion of the security will apply to the property being released. The provisions of Subpart A of Part 1821 of this chapter applicable to the purchase of land will apply to land being acquired in connection with FO, RL, and SW loans. The provisions of that subpart applicable to the title clearance, security, and appraisals will apply to lands being acquired in connection with other loans.

§ 1872.5 Subordination of FmHA real estate mortgages to easements to the Bureau of Sport Fisheries and Wildlife.

(a) *General.* The policies and procedures for subordinating FmHA mortgages on wetlands on which the Bureau of Sport Fisheries and Wildlife obtain easements for waterfowl nesting habitats are set forth herein. Appendix I "Memorandum of Understanding Between Bureau of Sport Fisheries and Wildlife and the Farmers Home Administration," outlines the procedure to follow in processing of such subordinations.

(b) *Authorization.* When a request for a subordination is received from the Bureau of Sport Fisheries and Wildlife, the County Supervisor will handle the request in accordance with the steps outlined in Appendix I and applicable portions of §1872.3.

§ 1872.6 Subordination of FmHA's lien to the Commodity Credit Corporation's (CCC's) security interest taken for loans for farm storage and drying equipment.

The CCC makes loans under its Farm Storage and Drying Equipment Loan

Program for the purchase, construction, erection, remodeling, or installation of either farm storage or drying equipment or both and requires that a loan of \$10,000 or more, or any loan at the discretion of the approving committee, be secured by a lien on the real estate. When the CCC proposes to make a loan to an FmHA borrower and requests a subordination of the FmHA real estate lien, the request will be handled on an individual case basis in accordance with the authorizations and requirements of §1872.3 of this subpart. A borrower's request for the FmHA's consent to severance agreement or other similar instrument for an item or items to be acquired with a CCC loan will be handled in accordance with §1872.10 of this subpart.

§ 1872.7 Consent to junior liens.

(a) *Policy.* As a general policy, FmHA borrowers will be discouraged from giving junior liens on real estate securing an FmHA loan to other creditors. When consent is requested by a borrower, the County Supervisor may consent by executing Form FmHA 465-1 or other form approved by OGC for use in the state provided: The loan is necessary for the successful operation of the borrower's security property or because of his financial condition; the terms of the junior lien debt are such that its payment will not likely jeopardize payment of the FmHA loan; any operating plans made with the junior lienholder are consistent with any plans made by the FmHA with the borrower; and the junior creditor agrees in writing that he will not foreclose his mortgage before a discussion with the County Supervisor and after giving a reasonable specified period of notice to the FmHA.

(b) *Servicing action.* When a junior lien is placed on any property without FmHA's consent, and consent may not be granted in accordance with the policy indicated in § 1872.7(a), the FmHA may continue with the loan as long as the borrower makes payments on FmHA loans as agreed, properly maintains the security, and meets all other conditions of the loan. The County Supervisor will continue to service the loan to protect the Government's security interest.

§ 1872.8 Consent to borrower's granting lease of security.

When consent to a lease is required by the security instruments and a borrower requests FmHA's consent to lease all or a portion of the security, or the County Supervisor discovers that a borrower is leasing the security without consent, Form FmHA 465-1 will be prepared when the County Supervisor recommends approval of the lease. That form will show the terms of the proposed lease and will specify the use of proceeds including any proceeds to be released to the borrower. When another lienholder's mortgage requires consent to lease, his consent will be obtained as provided in §1871.1(f). FmHA consent to the lease may be granted on the basis of the situation at the time of the proposed action when; the lease or its terms will not adversely affect the repayment of the loan or the

Government's rights under the mortgage, leasing is not an alternative to, or means of, delaying liquidation action, the operation of all or a portion of the security under the lease will not adversely affect any applicable crop allotments, the lease and use of any proceeds will further the objectives of the loan, liquidation is not pending and rental income sufficient to make regular payments under the note, pay taxes and insurance, and maintain the security is assigned to FmHA for these purposes unless such payments are otherwise reasonably assured, the lease is advantageous to the borrower and is not to the Government's disadvantage, and if foreclosure action has been approved, consent to lease and use of proceeds will be granted only under directions by the OGC. In cases where the borrower leases property without consent and consent may not be granted in accordance with the above provisions, or when further approval of a lease cannot be granted in accordance with the conditions of this subpart, the case will be serviced promptly in accordance with § 1872.17 of this subpart unless the borrower corrects the violation. Consent to lease will be subject to the additional conditions specified below for each kind of lease:

(a) *Leases of security for agricultural purposes—(1) County Supervisor's authority.* When liquidation in accordance with § 1872.17 is not pending, the County Supervisor is authorized to approve annual leases on all or part of the security for borrowers with:

(i) *RH or LH loans on farms, or SW, RL, or Other Real Estate (ORE) loans.* For the purposes of this subpart, leases for an annual term with option to the lessor to renew for a longer term and to cancel at least at the end of each year, will be considered annual leases. The FmHA will reserve the right to withdraw the consent at the end of any year should liquidation or other servicing action be required by FmHA.

(ii) *OL or FO loans.* OL or FO loans provided:

(A) Failure to personally operate the security to be leased is due to old age, poor health, or death in the family and the borrower or his family will continue to occupy the security as a home, or

(B) The part of the security to be leased is insignificant to total farm acreage and is surplus to the borrower's need, for example, a surplus building, wasteland, or a few acres of land inconveniently located or otherwise unsuitable and unnecessary for the successful operation of the farm by the borrower. This will also include the leasing of small allotment acreages that are not feasible for the borrower to operate because of special equipment needs, additional labor requirements, or other economical or management reasons. It must be determined that the leasing of these allotted acres will not reduce the borrower's operation to less than that of a family farm. This is not intended to cover substantial amounts of allotted crop acres that are an important part of the total farming operation. It must

also be determined that the allotted acreage in question cannot be economically disposed of by the borrower in accordance with § 1872.4 and § 1872.9 of this subpart.

(2) *State Director's authority.* The State Director is authorized to approve leases when the following conditions exist:

(i) *Adverse conditions.* Failure to personally occupy as his home or operate EM, FO, or OL security is due to conditions beyond the borrower's control and it is determined that the borrower will reoccupy and resume personal operation of the property within a reasonable period of time generally not to exceed five (5) years.

(ii) *Pending liquidation.* Liquidation in accordance with § 1872.17 is pending and the lease is to protect the Government's interests. Form FmHA 465-2 will be used and the rental income will be applied to the FmHA secured debt as extra payments or to prior lien(s). However, when the value of the property is adequate to cover the secured debts and foreclosure action has not been approved, the proceeds may be applied on unsecured or undersecured FmHA debts.

(iii) *Time limit.* Consent is not granted for a period in excess of one year unless a lease with longer terms is determined to be in the best interest of the borrower and the Government. Any lease for a term of more than five (5) years will require prior concurrence of the National Office.

(3) *District Director's authority.* The District Director is authorized to approve leases on the same basis as the State Director provided consent is not given for more than four (4) years without further authorization from the State Office.

(b) *Lease of nonfarm tracts.* When a borrower who received an RH loan on a nonfarm tract no longer occupies the dwelling purchased, improved, or constructed and given as security for the RH loan, the loan will be serviced promptly for liquidation in accordance with § 1872.17, unless it is determined that the borrower vacated the dwelling for reasons beyond his control and intends personally to reoccupy the dwelling within a reasonable period usually not to exceed three (3) years.

(1) *County Supervisor's limit.* When it is determined that a borrower's request for permission to lease his RH security meets the conditions outlined above, the County Supervisor is authorized to approve the leasing for two (2) consecutive one-year periods.

(2) *District Director's limit.* When the borrower does not resume personal occupancy of the dwelling within two (2) years, the County Supervisor may submit the case file, Form FmHA 465-1, and his recommendations to the District Director who may consent to annual leasing for an additional two-year period or may require immediate liquidation. When the borrower is willing to voluntarily liquidate the account, or if foreclosure is contemplated, the District Director is au-

thorized to approve the leasing pending liquidation. If the lease is for a term of more than one (1) month it will provide for cancellation by 30 days' notice.

(3) *State Director's authority.* Requests for leases exceeding the time limits above may be submitted to the State Director for consideration. However, any lease for a term of more than five (5) years will require the prior concurrence of the National Office.

(c) *Leases of security under conditions other than specified in § 1872.3 (a), (b), (d), or (e).* The State Director is authorized to grant consent to the lease of the security provided:

(1) *Conditions.* The lease is advantageous to the Government and the borrower and will not adversely affect the borrower's personal operation of the farm securing any FmHA loan or the occupancy of the dwelling by a borrower with an RH loan on a nonfarm tract, and the land or building to be leased is surplus to the borrower's needs.

(2) *Time limit.* Consent for lease is not granted for more than five (5) years without prior approval of the National Office. In any such case recommended by the State Director, the County Office case file, the justification for a lease for a longer period of time, and the reasons why a lease is preferable to disposition of the property will be sent to the National Office for consideration.

(d) *Mineral leases.* The County Supervisor, unless restricted by a State Supplement, or liquidation is pending, and the State Director in any case, are each authorized to consent on behalf of the Government and to execute recordable forms and such other forms as may be necessary, under the following conditions:

(1) *Compensation damages.* The lessee agrees in the lease or elsewhere, or is liable without any agreement, to pay adequate compensation for any damage to the real estate surface, improvements, and growing crops. When an oil and gas lease provides for payment of damage to growing crops and contains other provisions which are generally included in so-called "standard" lease forms that are used in the area, the State Director may determine that it will not be necessary to obtain any additional agreement for payment of damages if the value of the security likely will not be lessened. Damage compensation will be assigned to the FmHA by the use of Form FmHA 443-16, "Assignment of Income from Real Estate Security," or to the prior lienholder. However, the crop damage payment liability requirement may be omitted or deleted from the lease on small nonfarm tract cases.

(2) *Assignments.* Royalty payments are adequate and are assigned on Form FmHA 443-16.

(3) *Lease amount.* The bonus and rentals are at least equal to any minimum amounts established by a State Supplement. All or a portion of delay rentals and bonus payments may be assigned on Form FmHA 433-16 if needed for protection of the Government's interests.

(4) *Lease forms.* The lease, subordination, or consent form is prepared by or is acceptable to the OGC. If standard lease forms are acceptable, the use of such forms may be authorized in a State Supplement.

(e) *Naval stores leases.* The County Supervisor, unless liquidation is pending, and the State Director in any case, are each authorized to execute Form FmHA 465-1 giving FmHA consent to the lease of naval stores and to execute such other forms on behalf of the FmHA as may be necessary. No lease may be consented to unless it requires operation consistent with approved naval stores practices in the community and any State Supplement on this subject. When naval stores are not managed or operated by the borrower, an assignment of the proceeds will be taken on Form FmHA 443-16.

§ 1872.9 *Transfer of upland cotton, peanut or tobacco allotments.*

(a) *General.* Agricultural Stabilization and Conservation Service (ASCS) regulations pursuant to approved legislation permits the transfer of upland cotton, peanut, or tobacco allotments by one or more of the following transactions: Sale, lease, or transfer by the owner to another farm owned or controlled by him. These regulations require, among other things, that no allotment may be transferred from a farm which is subject to a mortgage or other lien, unless the transfer is agreed to by the lienholders. It is the policy of the FmHA to approve the transfer of any crop allotments permitted by the ASCS regulations if the conditions and requirements of this subpart can be met. FmHA personnel should familiarize themselves with the state ASCS policies and requirements concerning the sale, lease, or transfer of allotments to assure compliance with established FmHA policies and servicing of security.

(b) *Authorization.* The County Supervisor is authorized to approve a transfer of upland cotton, peanut, or tobacco allotment by execution of a completed Form FmHA 465-1. He is also authorized to execute the lienholder or mortgagee agreement on appropriate ASCS forms provided for this purpose for those cases in which he approves a transfer.

(c) *Transfer by sale.* Crop allotments enhance the value of a farm mortgaged to the FmHA and constitute basic security for the FmHA loan. Accordingly, when a borrower whose farm is mortgaged to the FmHA inquires about the sale of any of his allotted acres or requests the FmHA to sign the required lienholder or mortgagee agreement, the request will be treated the same as for a sale of a portion of the security and approval of the sale can be granted only in accordance with the applicable conditions and requirements of § 1872.4 of this subpart. The sale proceeds may be used only as authorized in that subpart after obtaining the concurrence of the employee authorized to permit use of the proceeds for other than application on the secured debt.

(d) *Transfer of allotment by lease.* The County Supervisor's authority to approve a lease of all or a portion of an allotment for a one-year period is contingent upon compliance with the policy outlined in the introductory statement of § 1872.8, except that the third example of item when FmHA consent may be granted will not be applicable. If the one-year lease is approved, the lease proceeds may be used as normal income. Leases for a period of more than one (1) year will be granted only with the concurrence of the District Director. When a lease is for more than one (1) year, an assignment of the rental proceeds should be obtained for application on the appropriate FmHA debt in accordance with the distribution formula for regular payments as outlined in § 1861.3 of Subpart A, Part 1861, Subchapter E of this chapter.

(e) *Transfer of allotment by owner to other land owned or controlled by him.* A transfer by an owner to land owned or controlled by him is normally interpreted by the ASCS as a permanent transfer and can be avoided only by stipulating in the mortgage approval that the transfer is to be considered as a lease for the appropriate number of years. This type of transfer will be approved only as a lease under conditions outlined in § 1872.9(d) to assure that the crop allotment on the security is not adversely affected.

§ 1872.10 Severance agreements.

When a borrower requests the FmHA's consent to a severance agreement or other instrument of similar effect under which an item or items to be acquired by him through other credit will not become a part of the real estate securing the FmHA debt, such as a silo, storage bin, bulk milk tank, irrigation or a nonfarm enterprise facility or recreational equipment, or other income-producing facilities, and such equipment or facilities will be subject to a chattel lien, Form FmHA 465-1 will be completed. The County Supervisor, if the value of the item does not exceed \$25,000, the District Director, if the value of the item does not exceed \$50,000, and the State Director in any case, are each authorized to give FmHA consent by executing Form FmHA 465-1 and any necessary severance agreements provided the following determination are made: The financing arrangements are sound and proper, the transaction will not adversely affect the FmHA's security position and will be within the borrower's debt-paying ability, and the facility is not in excess of the borrower's needs, is modest in cost and design, and is otherwise in line with FmHA financing policies. In any case in excess of the County Supervisor's approval authority, the County Supervisor will forward to the District Director the Form FmHA 465-1, the borrower's case file, and his recommendations regarding the request. The OGC will be requested to approve a severance agreement submitted by the borrower not previously approved for use in the State and, when necessary, issue closing instructions. The State Director may request the OGC to prepare a severance

agreement instrument for use in the State.

§ 1872.11 Disposition of proceeds of partial release, subordination, and consent transactions.

(a) *Payment on FmHA account or prior lien or use for development or enlargement.* Proceeds from the sale of a portion of the security, the granting of an easement or right-of-way, proceeds from leases referred to in § 1872.8(a)(2)(ii), royalties and damage compensation payments, except for compensation for damages for growing crops, the sale of timber that clearly depletes the Government's security, other than that harvested on a selective cutting basis as authorized in § 1872.11(b), naval stores production not managed by or under the supervision of the borrower, and all similar transactions will be either released for payment on the prior lien, applied as an extra payment on the FmHA loan as provided in Subpart A, Part 1861, Subchapter E of this chapter, used for replacement or repair of damages for which compensation was paid, or used as provided in § 1872.4(c)(2) and § 1872.4(d) of this subpart.

(b) *Normal income.* Proceeds from leases authorized in § 1872.8, except lease proceeds referred to in § 1872.8(a)(2)(ii), bonuses and rentals under mineral leases, proceeds from the sale of timber that is harvested on a selective cutting basis that does not deplete the Government's security, or from naval stores production managed by or under the supervision of the borrower, compensation to the borrower for growing crops, labor, or services in cutting, loading, and hauling of security, and all similar transactions will be considered as normal income and may be used for the same purposes as for normal income security as outlined in Subpart A, Part 1871, Subchapter F of this chapter. When forestry products income is received by the borrower, even though it is considered normal income, the County Supervisor must determine that amount of such proceeds that may be released to the borrower. In making such a determination, protection of the Government's security position must be fully considered in light of the amount of forest resources remaining, the unpaid balance of the loan, and any other debts owed the FmHA.

(c) *Assignment.* Any proceeds to be paid to the FmHA subsequent to the time of closing the transaction and not otherwise assigned or made payable to the FmHA will be assigned by the use of Form FmHA 443-16 or other assignment form approved by the OGC.

§ 1872.12 Assignment and release of soil bank or similar program payments.

The County Supervisor may take an assignment on income to be received under a Soil Bank or similar contract to protect the financial interest of the Government or to facilitate loan servicing. The assignment of all or a portion of the income from the assignment may be

released to the borrower by the County Supervisor when not to the financial detriment of the Government, and payments due on all FmHA loans have been made from other income or the income is urgently needed to meet emergency or other justifiable uses.

§ 1872.13 Deceased borrower.

Deceased borrower cases will be handled in accordance with the policy outlined in § 1871.39 of Subpart B, Part 1871, Subchapter F of this chapter.

§ 1872.14 Bankruptcy and insolvency.

Bankruptcy and insolvency cases will be handled in accordance with the policy outlined in § 1871.38 of Subpart B, Part 1871, Subchapter F of this chapter. The handling of bankruptcy cases varies from state to state. Therefore, the State Director will issue a state supplement for more specific guidance when it will expedite the handling of such cases.

§ 1872.15 Servicing note-only cases.

Each loan made on a note-only basis without mortgage security will be serviced in a manner consistent with the best interests of the FmHA.

(a) *Sale of real property on which improvements were made with note-only FmHA funds.* Any loan evidenced only by an unsecured note will be collected by voluntary means at the time of the sale of the property, if possible. If such collection is not possible, the loan may be assumed by the purchaser of the property on the terms of the note if such assumption is determined to be in the FmHA's best financial interest. If such collection or assumption cannot be effected, consideration should be given to settling the account in accordance with Part 1864, Subchapter E of this chapter, if it is eligible, obtaining judgment, or classifying it as collection-only. In case of a judgment sale, the State Director with the advice of the OGC and the U.S. Attorney will authorize an employee to attend the sale and if appropriate enter a bid on behalf of the Government in accordance with § 1872.20(b)(4)(vi) and (vii) of this subpart.

(b) *Assumption of note-only when real property securing another FmHA loan is involved.* When a borrower has an FmHA loan secured by real estate, and another FmHA loan evidenced only by a note, and the entire secured real estate debt is to be assumed, all or a part of the unsecured note up to the present market value of the property in excess of existing liens must be assumed as appropriate under § 1872.18 of this subpart, if approval of assumption of the secured note and transfer of the real estate is approved. If the entire note-only account is assumed, it may be assumed by use of Form FmHA 460-9, "Assumption Agreement (Same Terms-Eligible Transferee)," in accordance with the terms of the existing note. Otherwise, it may be assumed by use of Form FmHA 460-5, "Assumption Agreement (New Terms)," by an applicant who meets the eligibility requirements for the type of loan involved and on terms applicable to such a loan. Form

FmHA 460-5 or Form FmHA 460-9 will be modified as appropriate, with the advice of OGC. The loan approval official may require a note-only loan being assumed to be secured by obtaining a new mortgage.

(c) *Deceased borrower cases.* When a borrower dies while owing an FmHA unsecured note, the case will be handled in accordance with the applicable policies in Subpart B, Part 1871, Subchapter F of this chapter. If it is determined that there are no assets in the estate from which the claim can be collected and there are no survivors or others who will assume the account and continue to make payments on the note in accordance with its terms, the account will be settled immediately in accordance with Part 1864, Subchapter E of this chapter.

§ 1872.16 Release of FmHA mortgage without monetary consideration on basis of additional security or because of mutual mistake or nonexistence of evidence of indebtedness or valueless liens.

(a) *Additional real estate, chattel, or miscellaneous security.* Real estate, chattel, or miscellaneous items which were taken as additional security for a loan secured by real estate may be released by the State Director without consideration before the loan is paid in full, if the market value of the remaining security for the loan is clearly adequate to secure the unpaid balance of the loan. No part of the FO, RL, SW, EM, or RH farm or the borrower's dwelling for an EM, RH, FO, or RL loan is considered as additional security for this purpose. This subpart does not cover basic security for OL and EM loans and only permits release of real estate for such loans, when it was taken as additional security. It must be determined that there is reasonable assurance that orderly payments can be made on the FmHA indebtedness and:

(1) *Release.* The release is needed to help finance the borrower's operations; or

(2) *Purposes.* The purposes for which the loan was made would be facilitated; or

(3) *Repayment.* The borrower's ability to repay the loan will be improved.

(b) *Release of real estate from mortgage because of mutual mistake.* Land or buildings included in the mortgage through mutual mistake, when substantiated by the factual situation, may be released from the mortgage by the State Director. The release is contingent on the State Director with the advice of the OGC determining that a mutual error existed at the time such property was included in the Government's mortgage.

(c) *No evidence of indebtedness.* The FmHA mortgage may be released by the County Supervisor in situations where there is no evidence of an existing indebtedness secured by the mortgage in the records of the FmHA County, State, or Finance Office.

(d) *Release of valueless liens.* State Directors are authorized to release FmHA mortgages or other liens which have no present or prospective value or when their enforcement would likely be

ineffectual or uneconomical. This authority does not extend to valueless judgment liens or valueless statutory redemption rights except with the consent of the OGC. The following will be obtained:

(1) *Appraisal report.* A market value appraisal report on the security prepared by an FmHA employee authorized to make appraisals.

(2) *Lienholders.* The names of the holders of prior liens on the property and the amount secured by each lien which is prior to the FmHA. Such information will be recorded in the running case record of the borrower's County Office case folder and submitted to the State Director for his review.

§ 1872.17 Liquidation action.

When the County Supervisor, with the advice of the District Director and the County Committee, except the County Committee will not be used for servicing sections 502 and 504 RH loans, determines that continued servicing of the loan will not accomplish the objectives of the loan or that for other reasons further servicing cannot be justified under the policy stated in § 1872.1(b), liquidation of the account(s) will be accomplished as expeditiously as possible.

(a) *General.* When the borrower is willing to voluntarily liquidate the account immediately by selling the property and paying the account in full, transferring the total security with an assumption of all or the appropriate portion of the debt under § 1872.18, selling the property for not less than its present market value under § 1872.17(h), or, conveying the security to the FmHA under § 1872.19, the County Supervisor may give him 60 days to accomplish such action. If the property is to be sold or transferred for its present market value which is less than the total secured debts against it, the County Supervisor will appraise the property immediately. If the unpaid FmHA security debt and any prior lien does not exceed \$100,000, the County Supervisor will establish the present market value of the security. Otherwise, he will obtain the concurrence of the District Director for secured debts of not more than \$160,000 and the concurrence of the State Director if the secured debts exceed \$160,000.

(b) *Problem case report.* If the borrower is unwilling to take any of the actions specified in § 1872.17(a) or fails to carry out any such actions within 60 days, the County Supervisor will complete Form FmHA 465-7 and send it to the State Office through the District Director so that the District Director's recommendation may be attached. In cases involving only a Section 502 or 504 RH loan, the County Committee's recommendation on Form FmHA 465-7 will not be obtained. If the State Director agrees that forced liquidation is appropriate, he should approve such liquidation. The State Director may give the borrower additional time to make the sale, transfer, or voluntary conveyance before sending the case to the OGC for initiation of foreclosure action.

(c) *Acceleration of account.* When the State Director approves forced liquidation, the account should be accelerated and the borrower notified even though he gives the borrower additional time to voluntarily liquidate the account. He should place a time limit on the borrower which usually should not exceed three months in the first instance. The original period fixed by the State Director plus any extensions granted by him should in no case exceed one (1) year without prior concurrence of the National Office. Prior to granting any extension after the original period fixed by him, the State Director will require the County Supervisor to report the steps taken by the borrower to liquidate the account. If a sale is involved, the County Supervisor's report should indicate whether the borrower's asking price is reasonable and whether the asking price is delaying the sale unreasonably. Acceleration or granting time for voluntary liquidation as provided for above will not preclude exercise of the authority in § 1872.17(g). However, the above authority should never be used for the purpose of extending the liquidation period under § 182.17(f).

(d) *Assignment.* When an insured loan case is sent to the OGC to initiate liquidation action, the insured note will be simultaneously assigned to the fund.

(e) *Multiple loans.* When a borrower is indebted to the FmHA for more than one type of FmHA loan, a thorough study should be made of each loan and of the effect liquidation of one or more of the loans would have on any other loan. When liquidation of one or more FmHA loans secured by real estate is necessary and it will jeopardize the repayment of or the accomplishment of the purposes of other FmHA loans, all FmHA loans should be liquidated. For example, on an OL and FO loan, the liquidation action will be started simultaneously, and the liquidation of real estate and chattel security will be coordinated to the extent possible. However, the chattel security will be liquidated in accordance with Subpart B, Part 1871 of Subchapter F except that when an account(s) is secured by both real estate and chattels and the account(s) will be transferred, such transfer(s) will be accomplished in accordance with § 1872.18 of this subpart.

(f) *Requirement.* An RH borrower who obtained a loan on a nonfarm tract, or any FO or RL borrower who, without FmHA consent, does not personally operate the farm or recreational facility, or when required by the mortgage, does not live on the security property, is violating his agreements with FmHA. Such a borrower, if available, will be promptly contacted in person by the County Supervisor and advised of the violation and that it will be necessary to liquidate the account by payment in full, by refinancing or otherwise, unless definite agreements are reached to remove the violation by reoccupying or resuming personal operation of the property as required by the loan documents, or consent for lease is granted as authorized in § 1872.8 of

this Subpart. If the borrower is not available for personal contact or definite agreements cannot be reached or consent to a lease is not authorized, the County Supervisor will write to the borrower at his last known address, notifying him of the violation and advise him that, because of the violation, it will be necessary to liquidate the account. The County Supervisor may authorize the borrower a reasonable period of time (60 to 90 days) in which to correct the violation. If during such period the borrower fails to remove the violation or take appropriate action for liquidation of the account in full, the case will be handled in accordance with § 1872.17 (b) and (c).

(g) *Acceleration agreement.* When liquidation of the account is necessary because of failure to refinance, or for other reasons, and the remaining loan repayment period exceeds ten (10) years for real estate loans, or two (2) years for OL and EM loans, the State Director may, in lieu of foreclosure, permit the borrower to pay the account under an acceleration agreement. For real estate loans other than RH loans on nonfarm tracts, the term of the agreement will not exceed ten (10) years. For OL, EM, and RH nonfarm loans, the term of the agreement will not exceed five (5) years. In either case, the balance of the debt will be scheduled for repayment in equal annual or monthly amortized installments of combined principal and interest, except that if annual payments are required, the first installment may be less than a full amortized installment if it is due substantially less than a full year after the date of the agreement and the borrower will not be able to pay the full amount. If the borrower owes a small amount and the remaining period of the loan is ten (10) years or less for real estate loans and two (2) years or less for OL or EM loans, the State Director may authorize acceleration of the account for a shorter period, as appropriate. Interest will be at the rate shown in the note. The State Director will determine that authorization for repayment of the debt under an accelerated repayment agreement is necessary to protect the Government's financial interest and the borrower can reasonably be expected to meet the accelerated payments, and the borrower will continue to comply with other requirements of the loan and security instruments. When an understanding to accelerate is reached with the borrower, Form FmHA 465-11, "Accelerated Repayment Agreement," will be completed and executed. Separate Forms FmHA 465-11 will be used for each type of loan and for direct or insured loans. If the borrower fails to meet any installment when due as provided in such an agreement, foreclosure action will be initiated.

(h) *Cash sale.* When a cash sale of mortgaged real estate will result in the secured debts not being paid in full, the County Supervisor is authorized to approve the sale for not less than the present market value of the property established in accordance with § 1872.17(a) and to release the Government's liens, provided:

(1) *Substantial recovery.* A substantial recovery can be made on the FmHA secured indebtedness based on a recent appraisal report showing the present market value of the property.

(2) *Application.* All the proceeds are applied on the mortgage debts in accordance with their respective priorities except authorized costs as specified in § 1872.4(c) (2).

(3) *Release.* The FmHA liens are not released by the County Supervisor until receipt of the appropriate sale proceeds for application on the Government's claim. The release will be made on forms approved or prepared by the OGC. If the debt is not paid in full and a deficiency judgment is not to be obtained, the case will be reclassified to collection only if the debt cannot be settled under the provisions of Part 1864 Subchapter E and the requirements of FmHA regulations concerning case classifications can be met. When a case is reclassified to collection only, Form FmHA 404-1, "Case Reclassification," and Form FmHA 450-10, "Advice of Borrower's Change of Address or Name," will be sent to the Finance Office.

§ 1872.18 Transfer of real estate security.

When the mortgage requires the consent of FmHA to any proposed sale or other transfer of real estate security for FmHA loans, the borrower should be reminded that before firm agreements have been reached with a purchaser of all or a portion of the security, the borrower and purchaser should contact the County Supervisor concerning the proposed sale. If the proposed sale would result in the FmHA account being paid in full at the time of the sale, the County Supervisor should explain thoroughly the requirements of this section and § 1872.4 or 1872.17 as appropriate. When the transferor is receiving a substantial downpayment in connection with the sale of his property, the purchaser should be required to contact other sources of credit to secure a loan for repayment of the FmHA loan in full. When real estate security, including water rights, is sold and the mortgage requires FmHA consent to the sale and the transaction cannot be approved under the appropriate sections of this subpart the account will be liquidated as required in § 1872.17.

(a) *Authority.* County Supervisors, District Directors, and State Directors are authorized to approve transfers with assumption of FmHA accounts to eligible or ineligible transferees in accordance with § 1872.18 and release of liability when the secured debts do not exceed \$100,000, \$160,000, and \$225,000 respectively. State Directors also are authorized to approve such transfers to and assumptions by ineligible transferees regardless of the amount of the outstanding FmHA debts or the amount of prior liens. Proposed transfers to, and assumptions by, eligible transferees which will exceed the authorizations and limitation of the State Director for an initial or subsequent loan of the same type, will be sub-

mitted to the National Office for prior authorization for approval.

(b) *General policies.* The following general policies will be applicable when an FmHA borrower transfers or proposes to transfer real estate which is security for an FmHA loan(s) and the loan account(s) is to be assumed by use of either Form FmHA 460-9 or Form FmHA 460-5.

(1) *Agreement.* Form FmHA 465-5, "Transfer of Real Estate Security," will be completed to reflect the agreement between the transferor and the transferee.

(2) *Assignment.* If an insured loan is involved, when applicable, the Finance Office will have the insured not assigned to the fund when the assumption agreement changes the terms of the note.

(3) *Value.* All transfers will be based on present market value. When the total secured FmHA debt(s) exceeds the present market value, the transferee will assume an amount equal to the present market value as determined in accordance with § 1872.1(a), less prior liens. Otherwise, the transferee will assume the total FmHA secured debt(s).

(4) *Assumption agreement.* Notwithstanding that part of § 1807.2(f) (8) regarding the effect of a wife's signature on a promissory note, a deceased borrower's spouse will execute an assumption agreement when the spouse is not already liable for the indebtedness because of not having signed the note(s) or would be absolved from liability under State law after having signed the note(s). The assumption agreement, when required in such cases, will be completed and sent to the Finance Office. The interest rate and terms of the assumption agreement of such a spouse usually will remain the same as they were in the note(s). If, however, the number of years over which a note was amortized needs to be extended to be within the repayment ability of the assuming spouse, the reamortization period may be extended but cannot exceed the repayment period applicable to the kind of loan being assumed calculated from the date of the original note. Authorization to continue the loan at the interest rate and terms authorized by this paragraph are contingent on a determination by the approval official that such rates and terms are necessary to carry out the purpose of the loan, or to protect the financial interest of the Government.

(5) *Withdrawal of joint borrowers.* When one of the joint borrowers (including the jointly liable former spouse of a divorced borrower) withdraws from the operation and conveys his interest in the security property to the remaining borrower who desires to assume the total indebtedness, the assumption, except for RH loans, will be made on the basis of the existing note(s) by use of Form FmHA 460-9 or, in case of an ineligible transferee, on Form FmHA 460-5 on terms applicable to ineligible applicants. For RH loans, an assumption agreement is not required. However, Form FmHA 450-10 will be submitted to the Finance Office when the account will be continued

with the remaining borrower(s) under a different name. In either case, the former spouse or previous joint owner will be released of liability for the indebtedness if the conditions of § 1872.18(f) are met, except when a divorce decree awarded the security property to one spouse would be responsible for playing spouse would be responsible for paying all or part of the mortgage payments.

(6) *Assumption with joint borrower.* When the spouse or another member of a borrower's family who is eligible for the kind of loan involved will assume the indebtedness with one or more of the existing borrowers, the assumption will be made on the same basis as the existing note(s) by use of Form FmHA 460-9. Such assumptions are frequently made in accordance with all or the applicable requirements of this § 1872.18 when an aged couple has a son or daughter who will assist in operating the farm or live in the RH house, help make the payments, and obtain title to the property individually or jointly with the borrower(s), or subject to a life estate reservation by the existing borrower(s).

(7) *Loan type.* The kind(s) of loan will remain the same for all loans except that loans which are transferred to ineligible applicants will be classified as ORE.

(8) *Conveyance of a portion of the security.* Generally, title to all FmHA real estate security, including water rights, must be conveyed to the transferee not later than the date of closing the transfer. However, a transfer of a portion of the FmHA real estate security with an assumption of the total indebtedness may be approved, provided: The portion of the FmHA security transferred has a present market value at least equal to the total indebtedness owed by the borrower or such indebtedness is reduced by a cash payment to the present market value of such property, the transaction is advantageous to the Government, and in cases of RH loans, the property improved with RH funds is conveyed to the person assuming the RH loan. In such a transaction, the transferor will be released from personal liability for the debt. The security he retained will be released from the Government's lien.

(9) *Multiple sales and assumption.* When a request is made by a borrower to transfer the real estate security as parcels to two or more transferees with assumption of a portion of the debt, the County Supervisor may send the proposed action to the State Director for consideration if the County Supervisor recommends that such a transaction would be advantageous to the Government. In such a case, the total debt must be assumed by the transferee even though a portion of the security property may be retained by the transferor. The County Supervisor will submit to the State Director the complete factual information concerning the transaction. It will include appraisal reports showing the present market value of each portion to be transferred and such value of the total unit, before subdivision, the amount of indebtedness to be assumed by each

transferee, and the case file with other pertinent information outlining the reasons for the proposed actions.

(10) *Dual security.* When the account(s) is secured by both chattel and real estate, all the chattel security must be transferred, sold, or liquidated by the time of the transfer or the real estate, except that in case of EM or SL security, the real estate security may be transferred without transfer or liquidation of the chattel security upon prior approval of the National Office.

(11) *Consent.* The written consent of any lienholder must be obtained if required.

(12) *Junior liens.* When the full amount of the FmHA debts assumed, there must be no liens, judgments, or other claims against the security which are junior to any FmHA liens being assumed unless the State Director determines that such liens, judgments, or claims will not adversely affect the Government's security interest and that the transferee's ability to pay the FmHA debt will not be impaired thereby.

(13) *Restriction.* When less than the full amount of the FmHA debt is being assumed, there must be no liens, judgments, or other claims against the security which are junior to any FmHA loans being assumed.

(14) *Loans.* An initial or subsequent loan for which the transferee is eligible may be made in connection with a transfer, subject to the policies and procedures governing the kind of loan being made. When the transfer is being made to an eligible FO applicant, FO loan funds may be used to pay equity. When real estate security for an RH loan is transferred to a person eligible under Subpart A, Part 1822 of Subchapter B for an RH loan to purchase such real estate, RH loan funds may be used to pay the equity. This, however, does not include income producing lands or buildings. In lieu of the subsequent loan of the kind involved, the Government's lien may be subordinated to (1) enable the transferor to take a first mortgage to secure the amount of his equity payment, or, (2) to permit another lender to furnish funds needed in connection with the transfer. In such cases, the subordination will be processed in accordance with the applicable provisions of § 1873.3. The transferor may convey title to the property by warranty deed or, when he agrees to take a first lien to secure his downpayment, he may sell the property by purchase contract or similar instrument that meets the conditions of § 1821.7(a)(2). In such cases, prior lienholders' agreements will be obtained in accordance with § 1807.2(f)(5). When necessary to settle a divorce action, a subsequent loan may be made or a subordination may be granted to permit the remaining borrower to obtain a loan in an amount not to exceed the equity in the property.

(15) *Payments.* If a payment to the transferor is to be made in connection with the transfer, the total FmHA debt must be assumed unless the payment received by the transferor is applied on a prior lien or to the portion of the trans-

feror's FmHA debt not assumed. When the full amount of the FmHA secured debt is being assumed and other FmHA debts owed by the transferor are not adequately secured, the State Director may, as a condition of approving the transfer, require that all or a part of any equity payment be applied on such debts.

(16) *Downpayment.* An eligible transferee will make a downpayment on the FmHA secured debts if he is financially able. When a payment is required the transfer will not be closed nor the appropriate assumption agreement executed prior to receipt of such payment.

(17) *Date.* The effective date of the transfer will be the actual date the transfer is closed. This is the date on which Forms FmHA 460-5 or FmHA 460-9 are signed. In connection with the use of either form, the unpaid principal balance and accrued interest will be shown in Table 1 and the accrued interest will be computed from Form FmHA 451-26, "Transaction Record," Form FmHA 451-31, "Borrower Transaction Record," or the monthly payment account Status Report. If Form FmHA 460-9 is used, the transferee will be informed of the amount of principal and interest owed. He also will be advised of the total amount paid as of the closing date which has not been credited to the account, the amount that would be required to be paid to place the account on schedule as of the previous installment due date, and any accounts that must be paid to bring any monthly payments up to date.

(18) *Civil Rights Acts.* "When the property transferred will continue to be used for the same or a similar purpose for which federal financial assistance was extended, except for property involving only one or more of the following programs: FO and OL loans for farm purposes; RH 503, 504, and 523 Self Help loans; and EO, SW, and EM loans to individuals; the transferee will sign a Form FmHA 400-4, "Nondiscrimination Agreement."

(c) *Transfer of loans to eligible applicants—(1) Eligibility.* A loan may be transferred to an applicant who meets the eligibility requirements for the kind of loan being assumed or whose situation after the transfer will satisfy such eligibility requirements. Also, an RH Senior Citizen loan may be transferred to anyone eligible for a Section 502 RH loan. An ORE loan may be transferred to an applicant who meets the eligibility requirements for an FO loan, or to an applicant who meets the eligibility requirements for an RH loan if it is a nonfarm tract and was security for an FH loan originally. An RH loan to a person of low or moderate income may be transferred to a person whose income is above moderate and who meets the other requirements of an eligible transferee. However, preference will ----- An above moderate loan may be transferred to an applicant whose income may not be in the above moderate category provided his income is sufficient to meet the terms of the loan. Such a loan, after the transfer, will continue

to be classified as above moderate. Special livestock or other emergency type loans no longer being made may be transferred to an applicant who meets current EM loan requirements. Any other type of loan for which there are no present authorizations or eligibility requirements may be transferred only with the advice of the National Office after considering the recommendation of the State Director and reviewing the case file.

(2) *Repayment and reamortization terms*—(1) *Form FmHA 460-9*. Except as noted below for RH loans, assumption of any FmHA loan may be approved without any change in the balance owed, interest rate, or other terms. In such cases Form FmHA 460-9 will be used. A loan may be transferred even though it is on schedule, ahead of schedule, or behind schedule. Whenever reasonably possible, any delinquency should be paid at the time of assumption. However, this is not required if the total FmHA debt to be assumed is within the debt paying ability of the transferee.

(A) Rural Housing Disaster (RHD) loans will be transferred at the current rate for section 502 loans unless the transferee is eligible for a RHD loan.

(B) Direct sections 502, 503, and direct Senior Citizen RH loans will be transferred at the current rate for section 502 loans.

(C) Low and moderate RH loans transferred to a person having an above-moderate income will be transferred at the current rate for an above-moderate section 502 loan.

(ii) *Form FmHA 460-5*. If an extension of the existing loan repayment period is necessary to enable the transferee to be successful, Form FmHA 460-5 will be used. The new repayment period will not exceed the repayment period for a new loan of the type involved; for example, FO—40 years, OL—7 years, and RH—33 years. If a new repayment period is used, the current interest rate for a new loan of the type involved will be used and any insurance charge applicable to such a loan will be provided for, except in assumptions by a surviving spouse under § 1872.18(b)(4). In determining the new repayment period and interest rate, (a) an ORE loan will be considered an FO or RH loan, as appropriate, if the applicant and the property meet the requirements of § 1872.18(c)(1), and (b) an SL or other emergency type loan no longer being made will be considered an EM loan.

(d) *Transfer of loans to ineligible transferees*. When a borrower sells or proposes to sell the real estate security to a person(s) who is not eligible to assume the indebtedness in accordance with § 1872.18(c) and the mortgage requires the Government's consent for the transaction, it will be the policy to permit assumption of the account by the ineligible transferee if it is in the best interest of the FmHA. Otherwise, the account will be immediately liquidated. Ineligible transferees may include a farming corporation or a farming partnership

but do not include other corporations or partnerships, real estate brokers, or financing institutions. For any type of loan for which there are no existing authorizations or eligibility requirements in FmHA Instructions, the loan may be transferred under the requirements and conditions of this Subpart. If the approval official determines that it is in the best financial interest of the FmHA to transfer the account, he may consent to the transfer by assumption agreement provided:

(1) *Downpayment*. Each transferee is required to make as large a downpayment on the FmHA secured debt as he is financially able to make under the circumstances. However, no transfer to an ineligible applicant may be approved without at least ten (10) percent downpayment.

(2) *Terms—farm*. Except for RH loans on nonfarm tracts, the balance of the FmHA debt assumed is scheduled for repayment in not to exceed ten (10) years with amortized monthly or annual installments, and with interest to the borrower at the rate being charged for section 502 RH loans to moderate-income applicants at that time or at the rate of interest specified in the note being assumed, whichever is greater. When it has been definitely determined that a property cannot be transferred on terms of ten (10) years or less because of conditions in the area, the State Director may authorize a longer repayment term not to exceed fifteen (15) years. When the FmHA debt consists only of OL and EM operating type loans secured by real estate, the balance of the debt assumed will be scheduled for repayment in not more than five (5) years. In case of real estate loan transfers previously made on terms of not more than five (5) years and the borrower, because of crop failure, a natural disaster, or similar conditions beyond his control, is unable to meet the scheduled installments, an extension of the repayment period not to exceed a total of ten (10) years from the date of transfer may be authorized provided the County Committee and the State Director determine that the extended repayment period is necessary to prevent foreclosure action and the Government's interest will not be adversely affected. In such cases, the unpaid balance owed will be reamortized over the remaining period and the borrower will execute a replacement assumption agreement evidencing the debt.

(3) *Terms—nonfarm*. For RH loans secured by a lien on a nonfarm tract, the balance of the RH debt assumed will be scheduled for repayment in not more than five (5) years with amortized annual or monthly installments. Interests on the amount assumed will be charged at the rate currently applicable to above-moderate RH loans, including insurance charges, or at the rate of interest specified in the note being assumed, whichever is greater.

(4) *Payment*. The transferee has ability to pay the FmHA debt in accordance

with the assumption agreement and the legal capacity to enter into the contract.

(5) *County Committee*. The County Committee, except for Section 502 and 504 RH loans, finds that the transferee will honestly endeavor to make payments in accordance with the assumption agreements, maintain the security property, and carry out his other obligations in connection with the loan.

(6) *Condition*. The transfer will not adversely affect the FmHA program in the area.

(e) *Consent of FmHA not required to transfer*. When the FmHA mortgage(s) does not require the Government's consent to the sale of the security and the borrower conveys or proposes to convey the security to a person who is ineligible or unwilling to assume the FmHA debt in accordance with § 1872.18(c) or (d), the Government will not consent to the sale. In such a case, the County Supervisor will advise the State Director of the sale. If the account is delinquent or the loan is otherwise in default, the County Supervisor also will advise the State Director of the nature of the default, and any specific plans that may have been made to correct the default. If the State Director decides to continue with the account, it will be serviced in the name of the borrower and otherwise serviced in the usual manner.

(f) *Release of transferor from liability*. The policy of the FmHA is that the borrower (and any cosigner for an RH loan) will be released from personal liability to the FmHA when all of the real estate security for a loan is transferred under § 1872.18(c) or (d) and the total outstanding debt or that portion of the debt equal to the present market value of the security is assumed. Borrowers, however, may not be released from personal liability to the FmHA when real estate securing loans, other than section 502 and 504 RH loans, is transferred to an ineligible transferee under § 1872.18(d) unless the debt assumed by the transferee is scheduled for repayment in not to exceed five (5) years from the date of the assumption agreement. Also, when the total outstanding debt is not assumed, the following conditions must be met:

(1) *Required certification—(1) Certification by County Committee*. The County Committee, except for section 502 and 504 RH loans, must execute a memorandum containing the following statement:

(Name of transferor and any cosigner) in our opinion do not have reasonable ability to pay all or a substantial part of the balance of the debt not assumed after considering their assets and income at the time of transfer. Transferors have cooperated in good faith, used due diligence to maintain the security against loss, and otherwise fulfilled the covenants incident to the loan to the best of their ability. Therefore, we recommend that the transferor and any cosigner be released of personal liability upon the transferees' assumption of that portion of the indebtedness equal to the present market value of the security.

(ii) *Certification by loan approval official*. The official approving the transfer

section 502 and 504 RH loans must execute a memorandum containing the statement provided for in § 1872.18(f) (1) (i) when County Committee action was not required to authorize release of the borrower from personal liability to the FmHA.

(2) *Release.* For an RH loan involving a cosigner, the transferor may be released from personal liability only if the cosigner also can be released.

(3) *Continued liability.* When an ineligible transferee assumes an FmHA loan, other than a section 502 and 504 RH loan, scheduled for repayment in more than five (5) years from the date of the assumption agreement, the transferor must indicate that he will continue to be liable for the debt by signing an agreement as follows:

CONTINUED LIABILITY AGREEMENT OF PRESENT DEBTORS

The undersigned hereby agree to remain personally liable for the indebtedness owed to the FmHA and assumed by _____

(assuming parties) under assumption agreement dated _____

(Date)

(The original of the signed agreement will be attached to the original assumption agreement, a copy filed in the transferee's County Office case folder, and a copy provided the transferor.)

(g) *Processing transfer by assumption of indebtedness.* When the transfer is not within the County Supervisor's approval authority, the docket with the transferor's case file will be sent to the District Director or State Office, as appropriate, for approval or disapproval.

(1) *Refund of unused funds, loan funds not advanced, transaction record.* Unexpended funds in the supervised bank account will be applied as a refund unless FO, SW, RL, RH, RRH, LH, or EM security is transferred to an eligible applicant and the funds are needed for completing planned development. Any obligation of, or request for loan funds not yet advanced will be canceled. Form FmHA 451-26, Form FmHA 451-31 or the monthly payment account Status Report will be used to compute the unpaid balance due on the effective date of the transfer.

(2) *Preparation and distribution of transfer docket—(i) Checking docket forms.* When the transfer docket forms shown in § 1872.18(g) (2) (iii) have been completed, the approval official will determine that the proposed transfer conforms to the applicable procedural requirements, each form is prepared correctly in accordance with Forms Manual Insert or other appropriate Subparts, and items such as names, addresses, and the amount of the indebtedness to be assumed are the same on all forms in which such items appear.

(ii) *Information on the availability of other credit.* The County Supervisor will record in the running case record the pertinent information concerning the negotiations made by an eligible transferee and the discussion by FmHA per-

sonnel with the applicant's creditors and other lenders. The investigation and availability of other credit for eligible transferees will be documented as required for the kind of loan being assumed. This must be sufficiently clear and adequate to establish that other credit is not available to pay the debt in full and make the transfer unnecessary. Any let-

ters from lenders or other evidence which may have been obtained indicating that the applicant is unable to obtain satisfactory credit elsewhere will be included in the loan docket.

(iii) *Distribution of transfer docket forms.* The following table will be used as a guide in distributing the necessary forms.

FmHA Form No.	Name of form	Total number of copies	Signed by transferee	Transfer docket	Copy for transferee
446-3	Record of Actions	3		1, 2	
469-4	Non-discrimination Agreement	2	1, 1	1	1
410-1	Application for FmHA Services (with attachments)	1	1	1	
410-4	Application for Rural Housing Loans (Non-Farm Tract)	1			
416-5	Request for Verification of Employment	1			
485-5	Transfer of Real Estate Security	3	1, 1	1	1
440-2	County Committee Certification or Recommendation	1			
431-2	Farm and Home Plan	1	1, 1	1	1
431-1	Long-Time Farm and Home Plan	2	1, 1	1	1
431-3	Family Budget	2	1, 1	1	1
431-4	Business Analysis-Nonagricultural Enterprise	2	1, 1	1	1
423-1	Appraisal Report (Farm Tract)	1		1	
422-3	Map of Property	1		1	
422-8	Property Information and Appraisal Report—Rural Housing Nonfarm Tract	1		1	
426-1	Valuation of Buildings	1		1	
449-9	Supplementary Payment Agreement	2	1, 1	1, 2	1
424-1	Development Plan	2	1, 1	1, 2	1
466-5	Assumption Agreement (New Terms)	4	1, 1	1, 1	1, 1
466-9	Assumption Agreement (Same Terms—Eligible Transferee)	4	1, 1	1, 1	1, 1
465-8	Release from Personal Liability	2		1, 1	1, 1
443-17	Agreement to Sell Nonessential Real Estate	2	1, 1	1	1
440-41	Disclosure Statement for Loans Secured by Real Estate	2		1	1
440-43	Notice of Right to Rescind	3	1, 1	1	1, 1
451-10	Request for Statement of Account	3		1, 2	
451-25	Status of Account	2		1, 1	

- 1 Original.
 1 Copy.
 2 When applicable.
 3 In addition to plan for the first full year, interim plan, if prepared, will be included in the docket.
 4 a record book.
 5 The original form will not be executed until date of closing the transfer.
 6 In right to rescind cases, original and sufficient copies for each person who has right to rescind in accordance with part 1908.
 7 Original and 1 copy to transferee; 2 copies to each other person who has right to rescind in accordance with part 1908. If the person exercises his right to rescind, he will sign one copy of the form and return it to the county office.
 NOTE.—When requested prepare an additional copy for delivery to transferor.

(iv) *Other transfer docket items when applicable.* Other transfer docket items may include a mortgage title policy, title evidence, or report of lien search, foreclosure notice agreement, original or certified copy of deed to any property to be taken as additional security, purchase contract, or other instrument of ownership, and information on prior mortgage(s) and cosigner(s). When the County Supervisor is the approval official, he may, in lieu of including the document evidencing ownership, include a statement in the docket indicating that he has seen and reviewed the document. When less than the total amount of the indebtedness is assumed, the transferor's financial statement will be included. When an initial or subsequent loan is involved, include any additional forms required by the appropriate loan making subpart.

(3) *Collections and receipts.* During the period that a transfer is pending in the County Office, payments received by the Finance Office will continue to be applied to the transferor's account and Form FmHA 451-26 or Form FmHA 451-31 will be forwarded to the County Office. This includes any downpayments made in connection with the transfer for reducing the amount of the debt to be assumed. When the County Supervisor

has received a payment on the account which is not included in the latest transaction record or monthly payment account status report, he should deduct such amounts from the total amount of principal and interest calculated from the latest information available before completing the assumption agreement and having it signed.

(i) *Transaction record.* When the borrower has made a direct payment to the Finance Office and there is no record of the payment in the County Office, the account will be assumed on the basis of the latest record in the County Office. In such cases, the application of the direct payment will be reversed from the account and the assumption agreement will be processed in the Finance Office. The Director of the Finance Office will contact the County Supervisor to determine the disposition of the proceeds from the direct payment.

(ii) *Identification.* For payments received on the date of transfer, Form FmHA 451-2, "Schedule of Remittances," will be prepared to show "Transfer in process for account owned by (borrower's name and case number) to be transferred to (name of transferee and case number, if known)." If the borrower number portion of the case number has not yet been assigned for a

transferee only the State and County portion of the case number will be shown. A statement for the information of the Finance Office will be attached to the assumption agreement showing the date of Form FmHA 451-2 and the amount paid.

(iii) *Payment.* When a payment is due on the assumption agreement shortly after the transfer is completed, such a payment should, if possible, be collected at the time of transfer and remitted in the name of the transferee.

(4) *Farm and home plans and financial statements.* When the transfer involves an ineligible transferee, Form FmHA 431-3 or Form FmHA 431-2 will be used with Tables A and J being completed in the same manner as for any other borrower but other tables and portions of the form will be completed only to the extent necessary to determine the debt-paying ability of the transferee and to give sufficient information for completing Table J. When a transfer is to be made for less than the amount of the indebtedness and a release of liability is involved, a current financial and income statement of transferor will be obtained on Form FmHA 431-3 or Form FmHA 431-2.

(5) *Appraisal report.* Form FmHA 422-1, FmHA 422-7, "Appraisal Report for Multiunit Housing," or FmHA 422-8 as appropriate will be obtained when (a) the amount to be assumed is less than the full amount of the indebtedness, (b) required in connection with an initial or subsequent FO, RL, SW, RH, RRH, or LH loan to be processed with the transfer, or (c) the loan approval official requests a current appraisal.

(6) *County Committee certification and recommendation.* The complete transfer docket, except for sections 502 and 504 RH loans, will be presented to the County Committee for review.

(i) *Applicants.* The transfer will be contingent upon the County Committee making its appropriate certification on Form FmHA 440-2 for an eligible applicant or when transfer is to an ineligible applicant, executing a memorandum containing the following statement:

In our opinion, the transferee, _____ (name of transferee) will honestly endeavor to make payments in accordance with the assumption agreement, maintain the security, and carry out the other obligations in connection with the loan.

(ii) *Release.* When the County Committee recommends a release of the transferor and any cosigner from liability when real estate security is being transferred under § 1872.18 (c) or (d) with an assumption of less than the total debt, the provisions of § 1872.18(f) (1) (i) will be followed.

(7) *Property insurance.* The transferee will obtain property insurance in accordance with the requirement for the loan(s) involved. If the insurance is required, it may be obtained either by transfer of the existing coverage by the transferor or by acquisition of new coverage by the transferee. The insurance company will

be notified by the County Supervisor immediately after completion of the transfer. When the full amount of the FmHA indebtedness is being assumed and an insurance premium has been advanced to the account, the transfer will not be completed until the amount of the premium has been charged to the transferor's account.

(8) *Title clearance and legal services.* Title clearance and legal services for closing transfers will be accomplished in accordance with Part 1807 Subchapter A of this chapter in case of a transfer involving an FO, RL, RH, RRH loan to an individual, LH, or SW loan not coded J or a LCD loan. Where the original repayment terms are altered, it may be necessary to obtain a new mortgage from the transferee to continue FmHA's lien on the transferred real estate. The advice of OGC will be obtained on a State-by-State basis and implemented through State regulations to provide for such new mortgage where required, and to further provide instructions on whether the original mortgage should be released. Title clearance and legal services for the above loans change are not required when a joint borrower conveys his interest in the security to the remaining borrower who assumes the total indebtedness on the same terms provided a subsequent loan or subordination is not involved. For all other kinds of loans being transferred, title clearance and loan closing services will not be required unless the approval official, with the advice of the OGC, determines that such services are needed in order to maintain the FmHA's security position or for other reasons. If other than an FmHA mortgage is involved which requires the mortgagee's consent to the transfer, such consent will be obtained.

(9) *Assumption agreement, release from personal liability, receipts.* When the full amount of the debt is assumed or a release from personal liability is otherwise approved under this Subpart and all of the security is being transferred, Forms FmHA 460-5 or FmHA 460-9, FmHA 451-1, "Acknowledgement of Cash Payment," and FmHA 465-8 will be completed and executed simultaneously with the closing of the transaction. The original (and signed copy for insured loan) Form FmHA 460-5 or Form FmHA 460-9 and, when applicable, Form FmHA 451-1 will be transmitted immediately to the Finance Office.

(10) *Transfer of unused development funds.* Any remaining funds not to be refunded that are in the transferor's supervised bank account will be transferred to the eligible transferee's supervised bank account simultaneously with the closing of the transfer for use in completing planned development.

(11) *Case folder.* The transferor's County Office case folder will be used for the transferee after adjustments have been made.

(12) *Nondiscrimination Agreement.* "When the property transferred will continue to be used for the same or similar purpose for which federal financial assistance was extended, except for prop-

erty involving only one or more of the following programs: FO and OL loans for farm purposes; RH 502, 504, and 523 Self Help loans; and Economic Opportunity (EO), SW, and EM loans to individuals; the transferee will sign a Form FmHA 400-4.

(h) *Transfer not completed.* If for any reason the transfer is not completed, the Finance Office will be notified to resume servicing of the account in the name of the transferor.

§ 1872.19 Voluntary conveyance of security to FmHA.

When voluntary conveyance of security to the FmHA is determined to be appropriate, the voluntary conveyance docket will be assembled and approved by the County Supervisor or submitted with the borrower's County Office case folder(s) to the State Director or District Director, as appropriate. If voluntary conveyance is approved as being in the best financial interest of the Government by permitting a substantial recovery on the Government's loan, the State Director will send any title information or evidence of ownership of water rights held in the State Office to the County Office. When a prior lien(s) exist, such lien(s) will be paid by Standard Form 1034, only if it is determined that a substantially greater recovery on the Government's investment can be obtained, or the property is suitable for sale to an eligible applicant subject to the terms of the prior lien and the holder of the prior lien(s) will not agree and his concurrence is required for the Government to acquire the property and resell it subject to his lien(s). If the property is acquired subject to a prior lien(s), payment of installments on the prior lien may be made while title to the property is held by the Government. All junior liens on the property except FmHA liens and taxes and assessments which are or will become a lien on the property must be satisfied by the borrower without FmHA assistance, unless the State Director determines that payment of the junior liens by the Government voucher will better protect the Government's interests, considering all pertinent factors including the results of any delay that foreclosure action would involve. If a mortgage has been taken on the property to further secure other FmHA loans, all security not conveyed to the FmHA must be liquidated by the borrower and the sales proceeds applied on the secured debts in the order of their priority before the conveyance is closed. The word "property" as used in this subpart includes the real estate items which are considered real estate, items which customarily pass with the real estate in the change of ownership, and any irrigation equipment and other equipment such as bulk milk tanks, feed storage facilities which are normally considered chattel security if they are necessary for the successful operation of the farm, will enhance the sale of the farm, and are a part of the security for the loan involved in the conveyance.

(a) *Authority.* The State Director, subject to the policies outlined in this Subpart, is authorized to approve a voluntary conveyance with or without release of personal liability. The State Director is authorized to consent to release of a borrower and any cosigner in connection with a voluntary conveyance as set forth in § 1872.18(f) which is applicable to a transfer. The County Supervisor and District Director are authorized to approve transactions under § 1872.19 on the same basis as the State Director provided the total debts against the security do not exceed \$100,000 and \$160,000 respectively.

(b) *Preparation, processing and distribution of voluntary conveyance docket.* When a borrower offers to voluntarily convey his property to the FmHA and agrees to carry out all the conditions contained in Form FmHA 465-4, "Offer to Convey Security," the form will be completed and he will signify his agreement by signing the form. A warranty deed on a state approved form or a deed meeting the requirements of § 1807.2(e) will be required and, whenever possible, completed and signed simultaneously with Form FmHA 465-4. However, it will not be recorded until the closing of the transaction. Also, if water rights are not fully conveyed in the deed, any necessary assignments of transfers of water stock, membership certificates, or other water right documents will be obtained simultaneously with the execution of Form FmHA 465-4 whenever possible but not later than the execution of the deed, and will be recorded, if necessary or appropriate, in connection with closing the transaction. When the borrower executes Form FmHA 465-4, a preliminary determination will be made by the County Supervisor as to whether the property constitutes a family farm as defined in Subpart A of Part 1821 of this chapter. Based on the recommendation of the County Supervisor, a decision will be made by the approval official at the time of acquisition of the property as to whether such property is suitable for sale under the terms and conditions of Subpart C, Part 1872, of Subchapter F to eligible applicants or as surplus property. If the voluntary conveyance is approved by the District Director or State Director, the County Supervisor will be notified of the determination and given instructions for selling the property in accordance with Subpart C of Part 1872 of this chapter.

(1) *Acceptance of offer.* Offers made and accepted are subject to the conditions outlined in Form FmHA 465-4.

(i) *Appraisal not required.* When the approval official determines that a borrower who is indebted only for a Section 502 or 504 RH loan has cooperated in good faith, used due diligence to maintain the property against loss, farmed in a workmanlike manner if engaged in a farming operation, and has otherwise fulfilled the covenants of the loan to the best of his ability, the approval official will immediately accept the offer for full satisfaction of the FmHA debt secured by the real estate. In such cases an appraisal of the security property will not be made. The borrower's ac-

count will be satisfied in accordance with § 1872.19(b)(10)(i) after the transaction has been closed.

(ii) *Appraisal required.* When a borrower indebted for any type loan other than a section 502 or 504 RH loan or when the approval official is unable to make the determination required by § 1872.19(b)(1)(i) for a section 502 or 504 RH borrower, offers to convey the property securing the loan to the FmHA, the approval official will make or request that an appraisal be made of the property to be conveyed. The appraisal will reflect the market value of the property in its present condition. If the amount of the outstanding FmHA debts secured by a lien on the property, plus any prior liens exceeds the present market value of the security property, the County Committee, except for section 503 and 504 RH loans, must determine whether the borrower should be released of liability for any balance owed on the indebtedness. In such cases, the recommendation of the County Supervisor and the Committee certification required by § 1872.19(b)(4) will be submitted with the borrower's loan docket and Form FmHA 465-4 to the approval official for his consideration. If, however, the value of the security is equal to or exceeds the FmHA debts and any prior liens against the security property, the case will be handled in accordance with § 1872.19(b)(1)(i).

If, however, the value of the security is less than the FmHA debts and any prior liens against the security property and the approval official is unable to determine that a borrower, who is indebted only for a section 502 or 504 RH loan, meets the conditions of paragraph 1872.19(b)(1)(i) or the County Committee does not recommend that a borrower and any cosigner be released of liability for any balance owed on debts secured by the property being conveyed, the account will be handled in accordance with § 1872.19(b)(10)(ii) after the transaction has been closed.

(2) *Assignment of note to the insurance fund.* When an insured loan not held by the insurance fund is involved and the approval official decides to accept the offer to convey, he will request the Director, Finance Office, to have the insured loan assigned to the insurance fund.

(3) *Taxes.* When Form FmHA 465-4 is submitted to the approval official and it does not obligate the borrower to pay taxes and assessments which are a lien or

will become a lien on the property, or water assessments or charges to protect the right to receive water, Standard Form 1034 will be attached thereto for the payment of any taxes and assessments which are due and payable. If Form FmHA 465-4 is accepted, the approval official will forward the voucher to the Finance Office.

(4) *County Committee's certification and recommendation.* When property is to be voluntarily conveyed for a credit on the borrower's account of less than the FmHA indebtedness secured by the property, the County Committee, except for sections 502 and 504 RH loans, will determine whether in its opinion the borrower should be released of liability for any balance owed on such indebtedness. If the County Committee recommends that the borrower and any cosigner be released of liability for such balance, it will make the following certification:

In our opinion

(Name of borrower(s) and any cosigner) do not have reasonable debt-paying ability to pay all or a substantial part of the balance of the debt owed after the voluntary conveyance, taking into consideration their assets and income at the time of the conveyance. The borrower has cooperated in good faith, used due diligence to maintain the security property against loss, and has otherwise fulfilled the covenants incident to the loan to the best of his ability. Therefore, we recommend that the borrower and any cosigner be released of personal liability for any balance due on the secured indebtedness upon conveyance of the property to the Government.

(5) *Obtaining statement of account and refunding unused loan funds.* Any funds remaining in the supervised bank account will be applied as a refund on the loan prior to accepting the offer to convey. A statement of account will be requested by using Form FmHA 451-10 when a current transaction record or monthly payment account Status Report is not available.

(6) *Checking docket forms.* When the docket forms shown in § 1872.19(b)(7) have been completed, the approval official will determine that (a) each form is prepared correctly in accordance with the Form Manual Insert or other appropriate instructions, and (b) items such as names and addresses are the same on all forms.

(7) *Distribution of voluntary conveyance docket forms.* The following table will be used as a guide in distributing the necessary forms.

FmHA Form No.	Name of form	Total number of copies	Signed by borrower	Voluntary conveyance docket
465-4	Offer to Convey Security	2	1, 2	1, 2
422-1	Appraisal Report (Farm Tract)	1		1
422-3	Map of Property	1		1
422-8	Property Information and Appraisal Report—Rural Housing Nonfarm Tract	1		1
431-2	Farm and Home Plan	1	1	1
431-3	Family Budget	1	1	1
451-10	Request for Statement of Account	2		1 (0 to 2)
451-11	Statement of Account	2		1, 1
465-8	Release from Personal Liability	2		1, 1
465-2	Lease of Security Property	3		1, 2

1 Original. 2 Copy.

3 When applicable.

* This form will be executed by the county supervisor after approval of the voluntary conveyance and the determination is made to release the borrower from personal liability.

(7) *Other voluntary conveyance docket items.* When a voluntary conveyance involves a release of liability under §1872.19 (b)(1)(ii), a current financial statement, and information relative to the present income of the borrower, and any cosigner, will be obtained. Ordinarily, this information will be recorded on either Form FmHA 431-2 or Form FmHA 431-3, whichever is more appropriate. The borrower's deed for voluntary conveyance of the property will be included in the conveyance docket and for cases handled under §1872.19(b)(1)(ii), the County Committee's Certification and Recommendation narrative form will be completed in accordance with §1872.19 (b)(4) and included.

(8) *Title examination and closing instructions.* Upon acceptance of the borrower's offer, the County Supervisor will determine whether title clearance and closing of conveyance will be accomplished with the assistance of the designated attorney, title insurance company, or combination thereof, or by other method, as outlined in a State Supplement. The County Supervisor will notify the designated attorney or title insurance company to furnish title services in accordance with Part 1807, Subchapter A of this chapter. All junior liens except FmHA liens, taxes, and assessments to be advanced by the FmHA will be removed by the borrower, unless the State Director determines that payment of the junior liens by Government vouchers will better protect the Government's interests considering all pertinent factors including the results of any delay that foreclosure action would involve. Any additional title defects or encumbrances will be removed by the borrower except those recited in the FmHA mortgage or subsequently approved by the FmHA. When title defects or encumbrances will be removed as required, the title evidence will be submitted to the designated attorney or title insurance company by memorandum with Form FmHA 465-4, the deed of conveyance, any water right documents, the original or a conformed copy of the FmHA mortgage, any assignment instruments, and conformed copies of any remaining encumbrances such as mineral leases, agricultural leases, easements, rights-of-way, and partial releases. The transmittal memorandum will include a request for the preparation of necessary legal instruments, including any necessary separate instruments of assignment (which will become effective when the deed is recorded) pursuant to Form FmHA 465-4, and request a date for closing the conveyance. The designated attorney or title insurance company will determine the manner in which any necessary notices of assignment of leases will be given to the lessees. The assistance of the OGC will be obtained only in unusual or complex cases.

(9) *Closing of conveyance.* The State Director will issue a State Supplement containing general guidelines for closing a voluntary conveyance when it will expedite such closing. The conveyance transaction will be closed by the designated attorney or title insurance company representative. When an insured loan is involved and the note is not held by the insurance fund or in the county office, the Finance Office will be requested to repurchase and assign the borrower promissory note to the appropriate insurance fund. However, the conveyance transactions may be closed and deed recorded pending assignment of the insured note to the insurance fund. Expenses incident to the closing of the transaction, as authorized in the closing instructions, will be paid. After the designated attorney or title insurance company determines that the transaction has been properly closed, he will return all documents submitted to him to the County Supervisor and advise as to the date when title to the property was vested in the Government. The County Supervisor will forward a copy of this memorandum to the State Director and to the Finance Office. The County Supervisor will notify the District Director of completion of any conveyance which the District Director approved. Property insurance will be handled in accordance with Part 1806, Subchapter A of this chapter. The acquired property will be handled in accordance with Subpart C, Part 1872, Subchapter F of this chapter.

(10) *Indebtedness and inventory records.* The credit to be entered on the borrower's loan records will be either: (a) the total amount of the indebtedness owed on the account after all expense items have been charged thereto when the property is accepted in full satisfaction of the debt, or (b) the present market value of the security conveyed when the debt is not satisfied and the borrower is not released from personal liability for the remaining balance owed on the debt. Immediately after the transaction is closed in accordance with the closing instructions and the amount of the credit to be allowed on the account is determined, Form FmHA 465-6, "Advice of Mortgaged Real Estate Acquired," will be completed and transmitted to the Finance Office by the County Supervisor for processing. Any assigned agricultural, mineral, or other lease on the property will be sent to the Finance Office along with Form FmHA 465-6. If an oral lease of the property or on a portion of the property exists, it will be reduced to writing on Form FmHA 465-2, and if possible its execution by the lessee will be obtained. A copy of the Form 465-2 will be sent to the Finance Office. After the Finance Office assigns an advice number to Form 465-2, and a contract number to the lease, it will advise the County Supervisor by memorandum with a copy to the State Office of such number for proper identification of the inventory property and lease.

(i) *Satisfied account.* The Finance Office or the County Supervisor, as appropriate, will stamp the borrower's note "Satisfied by surrender of security and release from liability" when the account is fully satisfied. The County Supervisor will take appropriate action to release the lien of record on the security property and deliver the satisfied note to the borrower.

(ii) *Unsatisfied account.* When the account is not fully satisfied by surrender of the security, the borrower will be classified as "collection-only" by processing Form FmHA 404-1 and Form FmHA 450-10 and submitting them to the Finance Office with Form 465-6. The remaining amount will be accelerated by written notice if grounds for acceleration exist. The Finance Office will retain the note(s) and send the County Office a current transaction record or Form FmHA 451-11. Upon receipt of the transaction record or Form FmHA 451-11 from the Finance Office, the loan record card will be reconciled with the statement of account and the account will be serviced as a collection-only case in accordance with Subpart A of Part 1851. In such cases, the FmHA mortgage will be released of public record, but not satisfied. The type of release to be used will be as prescribed by State Supplement.

§ 1872.20 Foreclosure by the Government.

Foreclosure action will be recommended when (1) liquidation has been decided upon, (2) a substantial net recovery can be obtained on the FmHA account(s), (3) foreclosure is determined to be the most practicable method of liquidation by which the interest of the FmHA can be protected or (4) failure to foreclose would adversely affect the FmHA program in the area. If these requirements cannot be met under the circumstances existing when foreclosure is first considered, but conditions change so that the requirements can be met at a later date, foreclosure will be instituted at a later date. When there is a prior lien(s) and the State Director has determined that foreclosure is necessary, he will contact the prior lienholder, either directly or through the County Supervisor, and give him an opportunity to institute the foreclosure proceedings, if he is in a position to do so, with the FmHA taking whatever action is necessary to protect the interests of the Government. If the prior lienholder is unable or unwilling to institute the foreclosure, the FmHA will institute foreclosure proceedings, subject to the prior lien if feasible. Whether foreclosure of the FmHA mortgage will be subject to the prior lien will depend upon such factors as the state law, the action or inaction of the prior lienholder, the condition of the prior lien account, the amount of the prior lien debt in relation to the total debt, and other factors. After issuance

of the acceleration notice, account and security servicing actions other than acceptance of payment in full, voluntary conveyance, or permitting of transfer, including payments of insurance and taxes, will be taken only with the advice of the OGC. Expenses incident to the foreclosure action which are approved by the OGC for payment by the FmHA will be paid. If the OGC advises that a credit on the borrower's account or a Standard Form 1034 will not be acceptable for payment on the FmHA bid, the State Director will obtain a check from the Finance Office for making the payment. Standard Form 1034 will be used for this purpose and it will fully explain why it is necessary to immediately obtain a check for such payment.

(a) *Authority.* The State Director is authorized to approve foreclosures and to execute any necessary documents. After such approval, the County Supervisor will take appropriate action and execute all necessary forms for completion of the transaction, except as otherwise provided herein.

(b) *Processing—(1) Form FmHA 465-7 and recommendation for deficiency judgment.* If Form FmHA 465-7 has not been recently submitted to the State Office, and foreclosure is recommended in accordance with § 1872.17, the form will be completed, and if chattle security is involved, Form FmHA 455-1, "Request for Legal Action," and Form FmHA 455-2, "Evidence of Conversion," when appropriate, providing necessary supplementary information, will be attached to Form FmHA 465-7. The completed Form FmHA 465-7 will be forwarded with the County Office case file to the State Office through the District Director so the District Director's recommendation will be included. If it appears that the recovery to the Government from a sale by foreclosure will be insufficient to fully satisfy the indebtedness, the borrower's situation will be reviewed by the County Supervisor to determine if there is a possibility of making a further recovery on the account. The facts revealed by his review should be included in the recommendation made on Form FmHA 465-7. When foreclosure action does not automatically result in a deficiency judgment and there are other assets from which a substantial recovery can be made, the OGC will be requested by the State Director, on Form FmHA 465-7, to obtain such a judgment if legally permissible. No deficiency judgment may be sought if the borrower has received a moratorium on payments as provided for in § 1861.10 when the moratorium has previously been obtained on the section 502 or 504 RH loan being liquidated.

(2) *Appraisal report, additional instructions and withdrawal of funds in supervised bank account.* The State Director will obtain a present market value appraisal report unless there is a current appraisal report that can be relied on for completing Form FmHA 465-7. Any additional instructions and the case folder will be returned to the County Office. Also, when foreclosure is approved, the State Director will include

any title information or evidence of ownership of water rights held in the State Office. Any order to the bank will be included for withdrawal of any funds remaining in the supervised bank account.

(3) *Foreclosure not approved.* If foreclosure is not approved, the State Director will instruct the County Supervisor on Form FmHA 465-7 on future servicing of the account. The original of Form FmHA 465-7 will be forwarded to the County Supervisor, a copy retained in the State Office, and a copy sent to the District Director.

(4) *Actions after approval of foreclosure.* When foreclosure action is approved, steps will be taken to consummate the foreclosure as follows:

(i) *Unused loan funds.* Any funds remaining in the supervised bank account will be refunded.

(ii) *Statement of account.* Form FmHA 451-10 will be forwarded to the Finance Office to obtain a statement of account when required for foreclosure action for each account to be included in the foreclosure and to request the Finance Office not to issue any statements of account to the borrower or apply any payments to the account until further notice.

(iii) *Issuance of acceleration notice.* When an FmHA account is in monetary default the State Director will date, sign, and forward the acceleration notice, if he has not already issued one in accordance with § 1872.17(c), to the borrower with two conformed copies to the County Supervisor, and the case folder and any necessary instructions. For all other types of default, the account will not be accelerated until review by the OGC. In such cases a State Supplement will be issued to prescribe the information to be assembled and sent to OGC. When the borrower is in the Armed Forces of the United States the acceleration notice will not be prepared until clearance is obtained from the OGC. A copy of Form FmHA 465-7 will be retained in the State Office and a copy will be forwarded to the District Director. Thereafter, except as otherwise provided in State Supplements, where state law requires acceptances of defaulted installments after acceleration, the County Supervisor will not accept payment of less than the full amount of the indebtedness but will notify the State Director of any such offer and ask for instructions.

(iv) *Cancellation of foreclosure action.* When it has been determined that foreclosure is warranted and circumstances change which, in the opinion of the State Director, makes liquidation of the account unnecessary, he may stop the action or request OGC to stop it. If the action is stopped, the account will be reinstated. The State and County Office records will be properly noted to indicate the situation and the borrower will be informed. The Finance Office will be notified. The OGC also will be informed of the situation if it has been consulted.

(v) *Forwarding docket to the OGC and institution of foreclosure action.* When the period provided by the acceleration notice expires, or, if one is not issued

upon the advice of the OGC, the following action will be taken:

(A) If a direct loan is involved, the State Director will request the Finance Office to send the original or conformed copy of the note as required by State Supplement to the County Office. If an insured loan is involved and the note is not held by the insurance fund, or the County Office, the State Director will request the Finance Office to have the note assigned to an insurance fund. The Finance Office will send the original or conformed copy of the assigned note and related documents to the State Director with instructions as to any necessary action in connection with the assignment.

(B) The borrower's case folder, including a conformed copy of each FmHA note and any assumption or cosigner agreements involved and such additional information and copies as appropriate will be forwarded by the State Director to the OGC for instructions to complete the foreclosure action. Also, title evidence required by OGC will be obtained and furnished to it at that time so that an opinion can be issued as to whether the FmHA will obtain a title merchantable in fact if it is the successful bidder.

(C) Ordinarily, no curative action will be taken with respect to title defects before foreclosure sale. However, when for special reasons the State Director, with the advice of the OGC, determines it would be in the best interest of the FmHA to cure certain defects before the foreclosure sale, the State Director may authorize the necessary curative action.

(D) The expiration date of the property insurance will be called to the attention of OGC so that office will be aware of the fact that an additional cost will be incurred if the sale is not completed before the expiration date of insurance. A copy of the acceleration notice will be sent to the Finance Office. When it has been determined that a title merchantable in fact can be obtained, the OGC will advise the County Supervisor who will prepare and submit Standard Form 1034 to the Finance Office for payment of all real estate taxes and assessments including water assessments which are due and payable. The OGC also will request the Finance Office to send it a current statement of account which reflects the amount of vouchers it advised the County Supervisor to process in connection with the foreclosure.

(E) The OGC will, except in judicial foreclosure cases, route the docket through the State Office so any advertising notices and other needed documents may be prepared, or signed by the State Director when necessary if they were prepared by OGC.

(F) If the property is subject to redemption rights under State law, the State Director, in judicial foreclosure cases, will request through OGC that the provisions in the mortgage waiving the right of redemption be enforced.

(G) Title VI of the Civil Rights Act of 1964 applies as long as any real property continues to be used for the same or similar purposes for which the Federal financial assistance was extended. If the property being sold was subject to Title VI,

the advertisement of foreclosure sale should include a statement that the purchaser will be required to sign Form FmHA 400-4, if he intends to use the property for its original or similar purposes.

(vi) *Maximum bid.* The State Director will establish the maximum amount of the FmHA bid. Such bid will be either the present market value of the security or gross investment, whichever is less.

(A) In establishing the present market value, the State Director will consider (a) the effect that any outstanding mineral rights, easements, other interests, or title defects will have on the resale of the property, (b) any prior liens that will remain outstanding after the foreclosure sale, and (c) any other pertinent information affecting or indicating the value including the appraisal report.

(B) Gross investment means the amount of the FmHA secured indebtedness, including all advances made, or to be made, by the FmHA and charged to the mortgage debt before the foreclosure sale, plus the amount of any prior liens or other costs which the OGC advises must be paid from proceeds of the foreclosure sale before payment of the FmHA mortgage debts.

(vii) *Bidding.* The State Director or an employee designated by him is authorized to bid on behalf of the FmHA. In appropriate cases the State Director may request that the U.S. Marshall be designated. The State Director will inform the County Supervisor by memorandum as to the maximum amount to be bid and whether he or some other person is authorized to bid. A copy of this memorandum will be sent to the OGC. Ordinarily, the State Director will designate the County Supervisor to bid on behalf of the FmHA unless circumstances make it necessary or desirable to designate another person. In judicial foreclosures, the OGC will inform the U.S. Attorney of the maximum amount recommended by the FmHA to be bid and in appropriate cases that an FmHA employee will be available at the sale to make the bid. The FmHA employee will make only one bid and that will be for the authorized maximum bid. This bid will be made when no other party makes a bid or when it appears that the bidding has slowed down and likely will stop and result in the property being sold for less than the authorized maximum bid.

(viii) *Final Report on foreclosure sale.* Immediately after a foreclosure sale at which the bidder on behalf of the FmHA is an FmHA employee, the County Supervisor will furnish the OGC with a copy to the State Director, a narrative statement giving complete information relative to the sale, including a copy of Form FmHA 465-6 if sufficient information is available for completion of the form at that time. When the OGC receives a report of a foreclosure sale, whether from FmHA or the U.S. Attorney, he will furnish the County Supervisor any necessary instructions for completing the transactions and advise of any rights of the Government, considering privileges provided by law and any

other pertinent information. As soon as practicable, the OGC will also furnish the County Supervisor a final report on any acquired property. The final report will include instructions concerning any additional steps which should be taken to complete the transaction. A copy of this report will be forwarded to the State Director.

(ix) *Completion of Form FmHA 465-6.* If the FmHA is the successful bidder at the foreclosure sale, Form FmHA 465-6 will be completed and forwarded to the Finance Office by the County Supervisor as soon as all information necessary for completion of the form is available, except the date the Government acquired title to the property, without waiting for the final report of the OGC. The form will be dated as of the date of the sale.

(x) *Leases.* If the sale is made subject to an agricultural, mineral, or other lease in which the lessor's interest is acquired by the FmHA through the sale, the original or a copy of the lease will be submitted to the Finance Office with Form FmHA 465-6 for processing in accordance with § 1872.19(b)(10). Any oral lease in effect at the time the Government acquires the property will be reduced to writing using Form FmHA 465-2 and its execution by the lessee will be obtained if possible. The County Supervisor will notify any lessee in writing that the Government has acquired the lessor's rights under the lease and will direct the lessee to remit all payments to the County Office. Payments to FmHA under a lease which by its terms were due and payable prior to the date of the foreclosure sale will be applied first on any delinquency claim resulting from the foreclosure and then on any other FmHA claim against the borrower. Any surplus remaining will be remitted to the borrower. Payments due and payable to the FmHA after the date of foreclosure will be collected and forwarded to the Finance Office as miscellaneous income. Receipts for collections made in accordance with this subpart will be issued to: "Lease proceeds from property formerly owned by (borrower's name and case number) and leased to (name of lessee)." After a foreclosure sale is held, if a redemption period is involved, and the borrower has possession of the property during such period, or a right to lease proceeds during the redemption period, a lease will not be obtained by the Government or be sent to the Finance Office until the redemption period has expired and the Government has a right to such proceeds.

(xi) *Deficiency judgment.* When a deficiency judgment is obtained, the account will be classified as a judgment case and the County Supervisor will send Form FmHA 455-20, "Notice of Judgment," to the Finance Office and the account will be serviced in accordance with Subpart B, Part 1871, Subchapter F of this Chapter. When action to obtain a deficiency judgment is pending at the time Form FmHA 465-6 is sent to the Finance Office, the fact that it is pending will be indicated on Form FmHA 465-6. When a deficiency judgment is not to be

obtained the case will be reclassified to collection only if the debt cannot be settled under the provisions of Part 1864, Subchapter E of this Chapter, and the requirements of FmHA regulations concerning case classifications. When a case is to be reclassified to collection only, Forms FmHA 404-1 and FmHA 450-10 will be forwarded to the Finance Office.

(xii) *Property insurance.* Property insurance will be handled in accordance with Subpart B, Part 1806, Subchapter A of this Chapter.

§ 1872.21 Taking liens on real estate as additional security in servicing FmHA loans.

(a) *Liens.* In servicing FmHA loans, the best lien obtainable will be taken on any real estate owned by the borrower, including any real estate which already serves as security for another loan. Normally, the prior concurrence of the District Director will be obtained. Such liens will be taken only when:

(1) *Inadequate security.* Present security for the loan is not adequate to protect the interests of the FmHA, and

(2) *Equity.* The borrower has substantial equity in the real estate to be mortgaged and it is determined that the taking of such a mortgage will not prevent the making of an FmHA real estate loan, which may be needed in the foreseeable future.

(b) *Real estate.* Before taking real estate as additional security for the FmHA loan the following items will be documented in the running record:

(1) *Justification.* The facts justifying the taking of such real estate lien;

(2) *Value.* A conservative estimate of the present market value of the real estate to be mortgaged (It will not be necessary to submit an appraisal of the property to be mortgaged.);

(3) *Description.* A brief description of any existing liens on such property including the repayment terms and the unpaid balance on the debts secured by such existing liens, unless this is accurately reflected on a recent financial statement; and

(4) *Identification.* The name of the title holder and how title of the property is held. (Title evidence need not be required.)

(c) *Security form.* Each real estate lien taken as additional security for both FmHA direct and insured loans will be taken on Form FmHA 427-1(State), "Real Estate Mortgage for _____" unless a State Supplement requires the use of a form of mortgage comparable to that which secures the existing loan(s) to be additionally secured. The notes evidencing both FmHA direct and insured loans for which the additional security will be taken will be described in the same mortgage.

§ 1872.22 Assignment of promissory notes and security instruments outside the program.

The policy described in Subpart A, Part 1871, Subchapter F of this chapter assigning notes and security instruments to third parties will apply to all loans

secured by real estate and when the State Director determines it is to the financial advantage of the Government or when the borrower has failed to refinance after an appropriate request. Payment of the FmHA debt in full will be collected and transmitted to the Finance Office at the time the assigned instruments are delivered. For insured loans, an assignment may be made on a non-insured basis after the note has been assigned to the insurance fund. The assignment will be effected on an assignment form furnished by the OGC which will include provisions (1) releasing the FmHA from liability as insurer, and (2) nullifying the provisions and covenants in the note and security instrument relating to the Government's rights and obligations as insurer and collection agent. The Government's endorsement of the promissory note will be made without recourse. The State Director will execute the assignment instruments unless he delegates authority to the County Supervisor in a State Supplement. At the time the assigned instruments are delivered, the County Supervisor will write "Insurance Contract Cancelled" across the face of the Government's insurance endorsement and will sign and date such cancellation.

§ 1872.23 Cosigners—Rural Housing (RH) loans.

A cosigner, as defined in § 1822.3(e), is personally liable for payment of the RH debt. The cosigner is not entitled to any interest in the security property or the rights of the borrower under the loan agreements or security instruments. However, he may pay the account in full and take any assignment of FmHA's interest.

(a) *Transfer or other servicing action.* In a case of a transfer, a cosigner may be given preference to assume the FmHA indebtedness as either an eligible or ineligible applicant, whichever is appropriate. Otherwise, the cosigner's status does not make inapplicable any conditions or provisions required for transactions authorized in this subpart.

(b) *Substitution or replacement of cosigner.* Any person, as determined by the County Supervisor, with ability to repay the RH loan in accordance with its terms, may be substituted for the other party who is previously obligated as cosigner on the loan. The new cosigner will execute an agreement to pay the balance owed on the RH debt. This agreement will be made in consideration of the release of the existing cosigner from personal liability. The original of the new cosigner's agreement will be attached to the original note and a copy will be attached to each copy of the note. The new agreement will be prepared by OGC.

(c) *Release of liability.* A cosigner of an RH note may be released from personal liability for the debt upon satisfactory substitution of a new cosigner. The release may be accomplished by modifying and using Form FmHA 465-8 with the advice of the OGC or on appropriate form prepared by the OGC.

§ 1872.24 Submission to National Office of certain partial release, subordination, consent, or other transactions.

The State Director may submit to the National Office for determination by the Administrator or his delegate any proposed transaction in which the conditions prescribed in the foregoing subparts for partial release, subordination, or consent by the FmHA cannot be satisfied, or any servicing action, that in the opinion of the State Director, is necessary for the protection of the Government's interest. The State Director must determine that either the FmHA secured indebtedness remaining after the transaction will be adequately secured, or the Government's security interest will not be adversely affected, and that the transaction and use of any proceeds will further the purposes for which the loan was made, improve the borrower's debt-paying ability, and permit necessary payment of reasonable costs and expenses incident to the transaction which the borrower is unable to pay from other sources. This Subpart is primarily intended to be used for those cases in which the use of the proceeds would be necessary for the borrower to retain the farm or rural residence that otherwise usually could not be accomplished. The State Director will submit to the National Office the full facts and justification for his recommendation and the County Office files. If the National Office approves the proposal, the returned material will, when legal assistance is needed, be submitted to OGC by the State Director for legal guidance in accomplishing the proposal.

§ 1872.25 State Supplements and reference to the OGC.

State Supplements will be prepared, with the advice of the OGC, as necessary, to carry out this Supplement, and forwarded to the National Office for prior approval. Whenever, in this Supplement, reference is made to advice or approval of the OGC it is contemplated that to the maximum extent possible the legal advice or approval may be stated in a general way whether included in State Supplements, State Bulletins, or other statements or explanations, rather than by the submission of individual matters to the OGC. It should be possible under such a plan to procure the most efficient legal assistance in handling real estate security servicing transactions.

§ 1872.26 Redlegation of authority.

The State Director is authorized to redelegate in writing any authority delegated to the State Director in this Subpart to one or more of the following State Office employees: Chief, Rural Housing, Chief, Farmer Programs, Chief, Community Programs, Rural Housing Specialist; Farmer Programs Specialist; and Community Programs Specialist. The State Director may also redelegate in writing to the Property Management Specialist the responsibility

for carrying out liquidation actions and management of security property for those cases where a determination has been made that liquidation of a loan is necessary to protect the Government's interest.

§ 1872.27 Nondiscrimination.

Each instrument of conveyance for any transfer or foreclosure sale of real property subject to Title VI of the Civil Rights Act of 1964 will contain the following covenant:

The property described herein was obtained or improved through Federal financial assistance. This property is subject to the provisions of Title VI of the Civil Rights Act of 1964 and the regulations issued pursuant thereto for so long as the property continues to be used for the same or similar purposes for which the Federal financial assistance was extended.

EXHIBIT A—MEMORANDUM OF UNDERSTANDING BETWEEN BUREAU OF SPORT FISHERIES AND WILDLIFE AND THE FARMERS HOME ADMINISTRATION

MEMORANDUM OF UNDERSTANDING BETWEEN BUREAU OF SPORT FISHERIES AND WILDLIFE AND THE FARMERS HOME ADMINISTRATION

The purpose of this memorandum is to simplify and facilitate the obtaining by the Bureau of Sport Fisheries and Wildlife (Bureau) of subordination of mortgages held by the Farmers Home Administration (FmHA) on lands with respect to which the Bureau obtains a "Conveyance of Easement for Waterfowl Management Rights" (3-1916 Rev. April 1970). In order to accomplish this purpose it is agreed that:

1. In each case in which the Bureau proposes to take an easement from a landowner whose land is subject to a mortgage held by FmHA and the Bureau's proposal is acceptable to the landowner, the Bureau will notify the local FmHA County Supervisor. The notification will show the amount of consideration to be offered for the easement and the legal description of the land to be affected by the easement. Where there are existing drainage facilities on the land, the affected wetland areas that are to be excluded from coverage by the easement will be outlined on a map and furnished to FmHA and the landowner.

2. Where a subordination agreement is required, the FmHA County Supervisor will advise the designated local official of the Bureau as to whether the consideration is adequate from the standpoint of FmHA as mortgagee.

3. Where a subordination is required and the County Supervisor advises that the consideration is adequate, said easement form will be amended by: inserting at the end of the instrument the following: "In consideration of payment which is determined to be adequate from the standpoint of the FmHA as mortgagee, for the foregoing easement as provided in paragraph 5 thereof, the United States of America acting through FmHA hereby subordinates its mortgage dated _____, recorded in Book _____, page _____, of the real estate records in _____ County, State of _____ to said easement.

Date

UNITED STATES OF AMERICA
By _____
FmHA County Supervisor

4. Where a subordination is not required of FmHA, because of a waiver of the need for

a subordination by the United States Attorney General, the Bureau nevertheless will send a copy of the agreement and the check for the easement consideration, which will include FmHA as a co-payee, to the FmHA County Supervisor.

5. In all cases where an FmHA mortgage is involved, the easement form will be amended by: inserting at the end of paragraph 5 an additional sentence as follows: "The check for the easement consideration will be made payable to the Farmers Home Administration (FmHA) and the landowners, as co-payees, and will be mailed to the FmHA to be applied to its mortgage unless applied on a prior mortgage debt or released for other use as permitted by FmHA regulations."

6. The Bureau and FmHA will issue such procedures or directives to their respective field offices as may be necessary to effectuate this memorandum of understanding.

Date: September 14, 1967.

A. V. TUNISON,
Acting Director, Bureau of
Sport Fisheries and Wildlife.

Date: August 29, 1967.

HOWARD BERTSCH,
Administrator,
Farmers Home Administration.

[FR Doc.75-8829 Filed 4-3-75;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 75-NW-10-AD; Amdt. 39-2159]

PART 39—AIRWORTHINESS DIRECTIVE

Boeing Model 737-100 and -200 Series Airplanes

Recently Boeing conducted laboratory tests of the 737 ground spoiler actuators using Type IV Stauffer Aero Safe ER hydraulic fluid. The results from these tests show that with this hydraulic fluid and a loss of the system "A" hydraulic pressure, the ground spoiler actuator friction locking mechanism may release permitting the ground spoiler to float. This would result in an undesirable roll and/or excessive sink rate if occurring during a critical regime of flight. This is an initial action pending the completion of (1) the manufacturer's investigation, (2) the availability of modified ground spoiler actuators, and (3) FAA evaluation of the redesign of the actuators. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require the installation of warning placards prohibiting the use of Stauffer Aero Safe ER hydraulic fluid. The placards will be installed adjacent to the hydraulic pressure filling installation, the "A" hydraulic system reservoir and the ground service hydraulic module. The FAA will consider amending the AD to prescribe additional requirements when it is determined that such required actions will provide ground spoiler actuators with internal locking mechanisms that are not sensitive to hydraulic fluid friction characteristics.

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

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:

BOEING: Applies to Model 737-100/-200 series airplanes certificated in all categories. Compliance required as indicated.

To prevent an inadvertent deployment of ground spoilers in flight after the loss of system "A" hydraulic pressure, accomplish the following:

Within the next 100 hours time in service after the effective date of this AD, unless already accomplished, remove the existing placards, part numbers BACM10H6CY and BAC27DHY195, and install warning placards, part numbers BAC27DHY220 and BAC27-DHY221, or equivalent placards approved by the FAA assigned maintenance inspector, in accordance with the instructions contained in Boeing Service Bulletin 737-29-1029 dated December 20, 1974, or later revisions approved by the Chief, Engineering and Manufacturing Branch, Northwest Region, near the hydraulic pressure filling installation, on the hydraulic system "A" reservoir, and at the ground service hydraulic module. These placards warn that servicing the 737 airplane with Stauffer Aero Safe ER hydraulic fluid is prohibited. The improved lubricity characteristics of the ER fluid may permit the unlocking of the ground spoiler actuators in flight if/when hydraulic system "A" fails.

A subsequent amendment to this AD will include a type design change which incorporates ground spoiler actuators with internal locking mechanisms that are not sensitive to hydraulic fluid friction characteristics.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1).

All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Boeing Commercial Airplane Company, P.O. Box 3707, Seattle, Washington 98124. The documents may also be examined at FAA Northwest Region, 9010 East Marginal Way, Seattle, Washington 98108.

This amendment becomes effective April 25, 1975.

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

NOTE.—The incorporation by reference provisions in the document were approved by the Director of the Federal Register on June 19, 1967.

Issued in Seattle, Washington on March 27, 1975.

C. B. WALK, Jr.,
Director,
Northwest Region.

[FR Doc.75-8778 Filed 4-3-75;8:45 am]

[Docket No. 75-EA-4; Amdt. 39-2154]

PART 39—AIRWORTHINESS DIRECTIVE

Piper Aircraft

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to amend AD 74-17-04. The AD prescribes the application of a Piper kit to certain aircraft in the vicinity of the windshield and over the fabric. Experience has indicated that applicability to cotton or linen fabric only is intended. The AD is being amended to reflect such restriction.

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 74-17-04 as follows:

Amend the applicability paragraph of AD 74-17-04, Amendment 39-1919, to read as follows:

PIPER: Applies to the following Models which are covered with cotton or linen at the critical area on top of the windshield where the fabric attaches to the channel: PA-12, Serial Numbers 12-2904 and higher, except 12-2907, 12-2911, 12-2914, 12-2915, 12-2917, 12-2925, 12-2950, 12-3028-S and 12-3901 through 12-3903; PA-14; PA-15; PA-16; PA-17, PA-20; and PA-22 airplanes, Serial Numbers 22-1 through 22-7999, certificated in all categories.

This amendment is effective April 9, 1975.

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

Issued in Jamaica, New York, on March 26, 1975.

LOUIS J. CARDINALI,
Acting Director, Eastern Region.

[FR Doc.75-8776 Filed 4-3-75;8:45 am]

[Airworthiness Docket No. 75-SW-20; Amdt. 39-2160]

PART 39—AIRWORTHINESS DIRECTIVES

Rockwell International Corp., General Aviation Division; Model 690A Airplanes

On one Model 690A aircraft an in-flight fire resulted from a leaking bleed air line which generated excessive heat, causing failure of the wire bundle insulation and a hydraulic line. Since this condition is likely to occur on other aircraft of the same type design, an Airworthiness Directive is being issued to require modification of the bleed air system on Rockwell International, General Aviation Division, Model 690A aircraft.

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

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new Airworthiness Directive:

ROCKWELL INTERNATIONAL CORPORATION, GENERAL AVIATION DIVISION. Applies to Model 690A airplanes, Serial Numbers 11100 through 11308.

Compliance required within 25 hours' time in service after the effective date of this AD, unless otherwise accomplished.

To minimize the possibility of bleed air line failure and resultant leakage, accomplish the following:

Modify Model 690A airplanes in accordance with Rockwell International, General Aviation Division, Service Bulletin Number 147 dated November 27, 1974, except that the requirements of Paragraphs "s" and "u" may be ignored and the first item under "SUPPLY DATA" may be deleted, or later approved revision, or in accordance with an equivalent procedure approved by the Chief, Engineering and Manufacturing Branch, Flight Standards Division, Southwest Region, Federal Aviation Administration.

This amendment becomes effective on April 10, 1975.

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

Issued in Fort Worth, Texas on March 27, 1975.

HENRY L. NEWMAN,
Director, Southwest Region.

[FR Doc.75-8773 Filed 4-3-75; 8:45 am]

[Airworthiness Docket No. 75-SW-15; Amdt. 39-2168]

PART 39—AIRWORTHINESS DIRECTIVES

Rockwell International Corp., General Aviation Division; Model 690A Airplanes

As a result of inspecting numerous Model 690A aircraft, the manufacturer found that the battery select switch disconnected the opposite battery from the one indicated on the switch. Therefore, if an overtemperature should occur in one battery and the pilot attempted to disconnect that battery from the line, the possibility exists that the good battery could be removed from operation and a battery fire would result from continued operation of the overheated battery, resulting in catastrophic loss of the aircraft. Since this condition is likely to exist in other airplanes of the same type design, an Airworthiness Directive is being issued to require inspection and correction of defective battery switching circuitry on Rockwell International Corporation, General Aviation Division Model 690A aircraft.

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

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation

Regulations is amended by adding the following new Airworthiness Directive:

ROCKWELL INTERNATIONAL CORPORATION, GENERAL AVIATION DIVISION. Applies to Model 690A airplanes, Serial Numbers 11100 through 11196, 11198 through 11216, 11219 through 11227, and 11231 through 11233.

Compliance required within the next 25 hours time in service after the effective date of this AD, unless already accomplished.

To assure correct battery disconnect, accomplish the following:

(a) Check operation of the battery select switch in accordance with Rockwell International, General Aviation Division, Service Bulletin No. 149, dated February 20, 1975, or later approved revision or in accordance with an equivalent operational check approved by the Chief, Engineering and Manufacturing Branch, Flight Standards Division, Southwest Region, Federal Aviation Administration.

(b) If the check indicates incorrect connection, interchange Wires P42B22 and P53B22.

This amendment becomes effective on April 5, 1975.

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

Issued in Fort Worth, Texas on March 26, 1975.

A. M. THURBURN,
Acting Director,
Southwest Region.

[FR Doc.75-8777 Filed 4-3-75; 8:45 am]

[Docket No. 75-EA-13; Amdt. 39-2166]

PART 39—AIRWORTHINESS DIRECTIVES

Vertol Aircraft

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to amend AD 64-21-6 applicable to Vertol 107-II type helicopters.

There has been additional data submitted to the agency which permits a relaxation of the retirement life of the affected pitch housings.

Since this amendment is relaxatory in nature, notice and public procedure hereon are unnecessary and cause exists to make the amendment 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 64-21-6 as follows:

Delete the figures "2500" in paragraph (g) and insert in lieu thereof "4000".

This amendment is effective April 9, 1975.

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

Issued in Jamaica, New York, on March 26, 1975.

JAMES BISPO,
Acting Director,
Eastern Region.

[FR Doc.75-8774 Filed 4-3-75; 8:45 am]

[Airspace Docket No. 75-RM-3]

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

Alteration of Transition Area

On February 24, 1975, a notice of proposed rule making was published in the FEDERAL REGISTER (40 FR 7944) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the transition area of Wolf Point, Montana.

Interested persons were given 30 days in which to submit written comments, suggestions or objections. No objections have been received and the proposed amendment is hereby adopted without change.

Effective date. This amendment shall be effective 0901 G.m.t., June 19, 1975.

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

Issued in Aurora, Colorado, on April 7, 1975.

M. M. MARTIN,
Director, Rocky Mountain Region.

In § 71.181 (40 FR 441) the description of the Wolf Point, Mont. transition area is revised to read:

WOLF POINT, MONT.

That airspace extending upward from 700' above the surface within an 8.5-mile radius of the Wolf Point, Mont. NDB (latitude 48°06'16" N., longitude 105°36'05" W.); and that airspace extending upward from 1200' above the surface within a 12-mile radius of the Wolf Point NDB; and within 4.5 miles north and 9.5 miles south of the 294° bearing from the Wolf Point NDB extending from the 12-mile radius area to 18.5 miles northwest of the NDB, excluding that portion that overlies the Glasgow, Mont. transition area.

[FR Doc.75-8772 Filed 4-3-75; 8:45 am]

Title 17—Commodity and Securities Exchanges

CHAPTER I—COMMODITY EXCHANGE AUTHORITY (INCLUDING COMMODITY EXCHANGE COMMISSION), DEPARTMENT OF AGRICULTURE

PART 150—ORDERS OF THE COMMODITY EXCHANGE COMMISSION

Conforming Amendments to Orders Prescribing Limits on Positions and Daily Trading in Certain Commodities

On November 11, 1974 notice was published in the FEDERAL REGISTER (39 FR 39731) that the Secretary of Agriculture was considering an amendment to the general regulations under the Commodity Exchange Act relating to "bona fide hedging transactions and positions," pursuant to section 404 of PL 93-463, enacted October 23, 1974.

Such a definition was issued, effective immediately in the FEDERAL REGISTER of March 12, 1975 (40 FR 11560).

Accordingly, pursuant to section 404 of PL 93-463, the definition of "bona fide hedging transactions and positions" as used in section 4a(3) of the Commodity Exchange Act, is no longer found in

the Act, but now appears in the general regulations which are issued under the Act.

Sections 150.1(c), 150.2(c), 150.3(c), 150.4(c), 150.5(c), 150.10(c), and 150.11(c) of the Orders of the Commodity Exchange Commission, presently contain references to "bona fide hedging transactions and positions as defined in section 4a(3) of the Commodity Exchange Act." This Commission is revising such references to make them conform to the said regulation issued by the Secretary of Agriculture.

In addition, this Commission is deleting from §§ 150.1 and 150.11 the special exemptions from limits on daily trading and positions for producers of livestock and poultry. Such trading and positions are exempted from such limits by the new amendment by the Secretary relating to "bona fide hedging transactions and positions."

Inasmuch as these amendments are only to conform certain references to the new regulations of the Secretary and to remove language which is redundant under the new regulation, it is found upon good cause that notice and public procedure thereon are unnecessary, and that the amendments should become effective less than 30 days after publication in the FEDERAL REGISTER.

Effective date. This amendment shall become effective April 4, 1975. As so revised, §§ 150.1(c), 150.2(c), 150.3(c), 150.4(c), 150.5(c), 150.10(c), and 150.11(c) of the Orders of the Commodity Exchange Commission will read:

§ 150.1 Limits on position and daily trading in grain for future delivery.

(c) *Bona fide hedging.* The foregoing limits upon position and upon daily trading shall not be construed to apply to bona fide hedging transactions or positions, as provided in regulations issued pursuant to section 4a(3) of the Commodity Exchange Act (7 U.S.C. 6a(3)) and section 404 of Pub. L. 93-463.

§ 150.2 Limits on position and daily trading in cotton for future delivery.

(c) *Bona fide hedging; straddles.* The foregoing limits upon position and upon daily trading shall not be construed to apply to bona fide hedging transactions or positions, as provided in regulations issued pursuant to section 4a(3) of the Commodity Exchange Act (7 U.S.C. 6a(3)), and section 404 of Pub. L. 93-463, nor, except during the delivery month, to (1) net positions in any one future to the extent that they are shown to represent straddles between cotton futures or markets, or (2) purchases and sales of cotton which are shown to represent straddles or the closing of straddles between futures or markets.

§ 150.3 Limits on position and daily trading in rye for future delivery.

(c) *Bona fide hedging.* The foregoing limits upon position and upon daily trad-

ing shall not be construed to apply to bona fide hedging transactions or positions, as provided in regulations issued pursuant to section 4a(3) of the Commodity Exchange Act (7 U.S.C. 6a(3)) and section 404 of Pub. L. 93-463.

§ 150.4 Limits on position and daily trading in soybeans for future delivery.

(c) *Bona fide hedging.* The foregoing limits upon position and upon daily trading shall not be construed to apply to bona fide hedging transactions or positions, as provided in regulations issued pursuant to section 4a(3) of the Commodity Exchange Act (7 U.S.C. 6a(3)) and section 404 of Pub. L. 93-463.

§ 150.5 Limits on position and daily trading in eggs for future delivery.

(c) *Bona fide hedging.* The foregoing limits upon position and upon daily trading shall not be construed to apply to bona fide hedging transactions or positions, as provided in regulations issued pursuant to section 4a(3) of the Commodity Exchange Act (7 U.S.C. 6a(3)) and section 404 of Pub. L. 93-463.

§ 150.10 Limits on position and daily trading in potatoes for future delivery.

(c) *Bona fide hedging.* The foregoing limits upon position and upon daily trading shall not be construed to apply to bona fide hedging transactions or positions, as provided in regulations issued pursuant to section 4a(3) of the Commodity Exchange Act (7 U.S.C. 6a(3)) and section 404 of Pub. L. 93-463.

§ 150.11 Limits on position and daily trading in corn for future delivery.

(c) *Bona fide hedging.* The foregoing limits upon position and upon daily trading shall not be construed to apply to bona fide hedging transactions or positions, as provided in regulations issued pursuant to section 4a(3) of the Commodity Exchange Act (7 U.S.C. 6a(3)) and section 404 of Pub. L. 93-463.

(Section 4a as added by section 5, 40 Stat. 1493, and amended by section 1, 70 Stat. 630, and sections 2-4, 82 Stat. 26, 27)

Issued April 1, 1975.

COMMODITY EXCHANGE COMMISSION,
E. L. PETERSON,
*Chairman designee for the
Secretary of Agriculture.*

JOSEPH J. SAUNDERS,
*Member designee for the
Attorney General.*

SAMUEL B. SHERWIN,
*Member designee for the
Secretary of Commerce.*

[FR Dec. 76-8809 Filed 4-3-75; 8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER A—GENERAL

PART 8—COLOR ADDITIVES

FD&C Red No. 40; Confirmation of Effective Date

An order was published in the FEDERAL REGISTER of December 23, 1974 (39 FR 44198) amending § 8.7201 to provide for safe use of the color additive FD&C Red No. 40 in cosmetics generally subject to certification (21 CFR 8.7201). The order also deleted from § 8.7201 the specific use of the additive in coloring dentifrices since such use would be included under use in cosmetics generally.

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b), (c), and (d), 74 Stat. 399-403; 21 U.S.C. 376 (b), (c), and (d)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), notice is given that no objections or requests for hearing were filed in response to the subject order. Accordingly, the amendment promulgated thereby became effective February 21, 1975.

Dated: March 14, 1975.

SAM D. FINE,
*Associate Commissioner for
Compliance.*

[FR Doc 75-8761 Filed 4-3-75; 8:45 am]

PART 8—COLOR ADDITIVES

Subpart—Provisional Regulations

Postponement of Closing Dates and Deletion of Certain Color Additives from Provisional Listing

The Commissioner of Food and Drugs is postponing the closing date of December 31, 1974 for certain provisionally listed color additives upon request for such action and is deleting 13 color additives from the provisional list, effective January 1, 1975.

Pursuant to the provisions of Title II of the Color Additive Amendments of 1960 (sec. 203(a)(2), Pub. L. 86-618, 74 Stat. 404 (21 U.S.C. 376 note)) and under authority delegated to him (21 CFR 2.120), the Commissioner is authorized to postpone the closing date of a provisional listing of a color additive on his own initiative or upon the application of an interested person. Section 203(d)(1) of Title II requires promulgation, insofar as practical, of a current listing of color additives and the particular uses thereof deemed provisionally listed.

The Commissioner finds that, except for thirteen color additives—namely, aluminum hydroxide, barium sulfate, calcium carbonate, calcium sulfate, cornstarch, magnesium carbonate, magnesium oxide, magnesium trisilicate, silicic acid, silicon dioxide, talc, tin oxide, and zinc carbonate—postponement of the closing date for the currently provisionally listed color additives is consistent with the protection of the public health and with the objective of carrying to completion the scientific investigations

necessary for making a determination as to the listing of such color additives, or specified uses thereof, under section 706 (b) of the Federal Food, Drug, and Cosmetic Act.

A notice was published in the FEDERAL REGISTER of October 8, 1974 (39 FR 36126) announcing that the provisional listing, with respect to 21 color additives on the so-called "Harvey list," would be retained only for those color additives for which color additive petitions or progress reports, as provided for under § 8.501 (21 CFR 8.501), were submitted by December 31, 1974. Included in the "Harvey list" were the above-identified 13 color additives. However, the provisional listings of these 13 color additives are being terminated by this order, on the basis that no color additive petition or progress report has been submitted for any of these color additives; and the Food and Drug Administration is not aware of any studies in progress, or of any current interest, with respect to pursuing the listing of these 13 color additives under section 706(b) of the Federal Food, Drug, and Cosmetic Act.

Therefore, pursuant to the transitional provisions accompanying the Color Additive Amendments of 1960 to the Federal Food, Drug, and Cosmetic Act (sec. 203(a)(2), (d)(1), Title II, Pub. L. 86-618; 74 Stat. 404-405 (21 U.S.C. 376 note)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 8 is amended as follows:

§ 8.501 [Amended]

Section 8.501 is amended by:

1. Changing the closing dates for the color additives listed in paragraphs (a), (b), (c), (e), (f), and (g) to read, "December 31, 1975, or until a new closing date is established".

2. Deleting the items, "Aluminum hydroxide", "Barium sulfate (blanc fixe)", "Calcium carbonate", "Calcium sulfate", "Cornstarch", "Magnesium carbonate", "Magnesium oxide", "Magnesium trisilicate", "Silicic acid", "Silicon dioxide (silica)", "Talc", "Tin oxide", and "Zinc carbonate" from the list of color additives in paragraph (g).

Notice and public procedure and delayed effective date are not prerequisites to the promulgation of this order, since § 203(a)(2) of Pub. L. 86-618 provides for this issuance.

Effective date. This order is effective as of January 1, 1975.

(Sec. 203(a)(2), (d)(1), Title II, Pub. L. 86-618; 74 Stat. 404-405; 21 U.S.C. 376 note.)

Dated: March 17, 1975.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc. 75-8760 Filed 4-3-75; 8:45 am]

PEPTIDE ANTIBIOTIC DRUGS

Zinc Bacitracin; Change in Method for Determining Zinc Content

In a notice published in the FEDERAL REGISTER of September 26, 1974 (39 FR 34561), the Commissioner of Food and

Drugs proposed to amend 21 CFR Parts 431, 436, and 448 by providing a new official method for determining the zinc content of zinc bacitracin. This proposed method is more sensitive and more specific, and it can be performed in a shorter period of time than the method set out currently in the regulations. Interested persons were invited to submit their comments in response to the notice of proposed rule making on or before June 3, 1975. No comments were received. Accordingly, the Commissioner of Food and Drugs concludes that the antibiotic drug regulations should be amended as set forth below.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner (21 CFR 2.120), Subchapter D is amended as follows:

PART 431—CERTIFICATION OF ANTIBIOTIC DRUGS

1. In Part 431 by amending § 431.53 (b)(1), by revising the last item in the table to read as follows:

§ 431.53 Fees.		
•	•	•
(b)	• • •	
(1)	• • •	
Test:		Chargeable fee per test
•	•	•
Zinc content	-----	36
•	•	•

PART 436—TESTS AND METHODS OF ASSAY OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

2. In part 436 by establishing new § 436.312, to read as follows:

§ 436.312 Atomic absorption method for determining the zinc content of zinc bacitracin.

(a) **Equipment.** An atomic absorbance spectrophotometer equipped with a zinc hollow-cathode discharge lamp, an air-acetylene flame, a nebulizer-burner system for introducing the sample solution into the flame, an optical dispersing device (such as a monochromator) for isolating a resonance line of zinc from others produced by the emission source, and a suitable radiation detector and recorder.

(b) **Preparation of working standard and sample solutions.**—(1) **Working standard solutions.** Prepare a standard stock solution containing 10 milligrams of zinc per milliliter as follows: Weigh 3.11 grams of zinc oxide into a 250-milliliter volumetric flask, add 80 milliliters of 1N HCl, warm to dissolve, cool to room temperature, and dilute to volume with water. Dilute aliquots of this standard stock solution with 0.001N HCl to obtain three working standard solutions containing respectively 0.5, 1.5, and 2.5 micrograms of zinc per milliliter.

(2) **Sample solution.** Accurately weigh approximately 200 milligrams of the sample into a 100-milliliter volumetric flask.

Dissolve and dilute to volume with 0.01N HCl. Transfer a 2.0-milliliter aliquot of this solution to a 200-milliliter volumetric flask and dilute to volume with 0.001N HCl.

(c) **Procedure.** Using 0.001N HCl as the blank, adjust the absorbance of the instrument to zero at a detection wavelength of 213.8 nanometers. Determine the absorbance of each standard solution and the sample solution at 213.8 nanometers.

(d) **Calculations.** Plot the absorbance versus the concentration of each of the working standard solutions. Draw a straight response line of best fit through these points. Read the concentration of zinc in micrograms per milliliter corresponding to the absorbance of the sample solution. Calculate the percent zinc in the sample as follows:

$$\text{Percent zinc} = \frac{C \times 100,000}{\text{Milligrams of sample} \times (100-m)}$$

where:

C = Concentration of zinc in the sample solution in micrograms per milliliter;
m = Percent moisture in the sample.

PART 448—PEPTIDE ANTIBIOTIC DRUGS

3. In Part 448:
a. Section 448.13(b)(5) is revised to read as follows:

§ 448.13 Zinc bacitracin.
• • • • •
(b) • • • • •
(5) **Zinc content.** Proceed as directed in § 436.312 of this chapter.

b. Section 448.13a(b)(6) is revised to read as follows:

§ 448.13a Sterile zinc bacitracin.
• • • • •
(b) • • • • •
(6) **Zinc content.** Proceed as directed in § 436.32 of this chapter.

Effective date. This order shall become effective May 5, 1975.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357.)

MARY A. McENIRY,
Assistant to the Director for
Regulatory Affairs, Bureau of
Drugs.

MARCH 20, 1975.

[FR Doc. 75-8758 Filed 4-3-75; 8:45 am]

SUBCHAPTER D—DRUGS FOR HUMAN USE

PART 440—PENICILLIN ANTIBIOTIC DRUGS

Revision of Pyrogens Test for Methicillin

In a notice of proposed rule making published in the FEDERAL REGISTER of September 26, 1974 (39 FR 34562), the Commissioner of Food and Drugs proposed to amend 21 CFR Part 440 by increasing the methicillin content of the pyrogens test dose solution as necessary to provide adequate assurance for detection of pyrogen contamination. Interested persons were invited to submit their comments in response to the notice of

proposed rule making on or before June 3, 1975. No comments were received. Accordingly, the Commissioner of Food and Drugs concludes that the antibiotic drug regulations should be amended as set forth below.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner (21 CFR 2.120), Part 440 is amended as follows:

1. In Subpart A by revising § 440.36a (b) (3) to read as follows:

§ 440.36a Sterile sodium methicillin.

(b) * * *

(3) *Pyrogens*. Proceed as directed in § 436.32(a) of this chapter, using a solution containing 60 milligrams of methicillin per milliliter.

2. In Subpart C by revising § 440.236 (b) (3) to read as follows:

§ 440.236 Sodium methicillin for injection.

(b) * * *

(3) *Pyrogens*. Proceed as directed in § 436.32(a) of this chapter, using a solution containing 60 milligrams of methicillin per milliliter.

Effective date. This order shall become effective May 5, 1975.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357.)

Dated: March 20, 1975.

MARY A. McENERY,
Assistant to the Director for
Regulatory Affairs, Bureau of
Drugs.

[FR Doc. 75-8769 Filed 4-3-75; 8:45 am]

PART 449—ANTIFUNGAL ANTIBIOTIC DRUGS

Candidin; Change in Potency Assay Method

A notice was published in the FEDERAL REGISTER of November 1, 1972 (37 FR 23278), proposing to amend §§ 148v.3 and 148v.4 (now §§ 449.610a and 449.610c (21 CFR 449.610a and 449.610c) pursuant to recodification published in the FEDERAL REGISTER of May 30, 1974 (39 FR 18922)) of the antibiotic drug regulations by revising the potency assay method for candidin vaginal ointment and candidin vaginal capsules. The proposal provided for the addition of 0.1 percent butylated hydroxyanisole to both the *n*-hexane and the dimethylsulfoxide used in the extraction of candidin. The notice afforded interested person an opportunity to submit written comments on the proposal. Comments were received from two antibiotic drug manufacturers.

1. One manufacturer was in agreement with the proposed method and provided data to demonstrate the improved assay results obtained with that method.

2. The second manufacturer objected to the proposed revisions primarily for technical reasons. In order to fully consider these comments, collaborative laboratory studies involving the Food and Drug Administration and the manufacturer were undertaken. As a result of these laboratory studies, the manufacturer notified the Hearing Clerk, Food and Drug Administration by letter of January 23, 1975, that they are withdrawing their earlier objections.

The Commissioner concludes that there are no objections to the proposal and that it should be adopted, with a minor technical change, as set forth below. This change provides for washing out the candidin vaginal capsules with warm *n*-hexane after the ointment has been expressed and adding the washes to the separatory funnel.

Therefore, under provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under the authority delegated to the Commissioner (21 CFR 2.120), Part 449 (which includes the former Part 148v) is amended as follows:

1. By revising § 449.610a(b) (1) to read as follows:

§ 449.610a Candidin vaginal ointment.

(b) * * *

(1) *Potency*. Proceed as directed in § 436.106 of this chapter, preparing the sample for assay as follows: Place an accurately weighed representative portion of the sample into a separatory funnel containing approximately 50 milliliters of *n*-hexane (containing 0.1 percent butylated hydroxyanisole). Shake the sample and *n*-hexane until homogeneous. Add 15 milliliters of dimethylsulfoxide (containing 0.1 percent butylated hydroxyanisole) and shake well. Allow the layers to separate. Remove the bottom layer and repeat the extraction procedure with a second 15-milliliter portion of dimethylsulfoxide (containing 0.1 percent butylated hydroxyanisole). Combine the extractives in a suitable volumetric flask and fill to volume with sterile distilled water. Further dilute an aliquot with sterile distilled water to the reference concentration of 0.06 microgram of candidin per milliliter (estimated).

2. By revising § 449.610c(b) (1) to read as follows:

§ 449.610c Candidin vaginal capsules.

(b) * * *

(1) *Potency*. Proceed as directed in § 436.106 of this chapter, preparing the sample for assay as follows: Remove the tips from two capsules and express the ointment from each capsule into a separatory funnel containing approximately 50 milliliters of *n*-hexane (containing 0.1 percent butylated hydroxyanisole). Wash out the capsules at least two times with 2- to 3-milliliter portions of warm (approximately 50° C) *n*-hexane (containing 0.1 percent butylated hydroxyanisole). Add the washes to the separatory

funnel. Shake the sample and *n*-hexane until homogeneous. Add 15 milliliters of dimethylsulfoxide (containing 0.1 percent butylated hydroxyanisole) and shake well. Allow the layers to separate. Remove the bottom layer and repeat the extraction procedure with a second 15-milliliter portion of dimethylsulfoxide (containing 0.1 percent butylated hydroxyanisole). Combine the extractives in a suitable volumetric flask and fill to volume with sterile distilled water. Further dilute an aliquot with sterile distilled water to the reference concentration of 0.06 microgram of candidin per milliliter (estimated).

Effective date. This order shall become effective May 5, 1975.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357.)

Dated: March 26, 1975.

MARY A. McENERY,
Assistant to the Director for
Regulatory Affairs, Bureau of
Drugs.

[FR Doc. 75-8756 Filed 4-3-75; 8:45 am]

Title 24—Housing and Urban Development
CHAPTER V—OFFICE OF ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT

[Docket No. R-75-292]

PART 570—COMMUNITY DEVELOPMENT BLOCK GRANTS

Extension of Application Deadline

On February 5, 1975, in 40 FR 5356, the Department amended § 570.300(a) of Title 24 of the Code of Federal Regulations which governs the deadlines for submission of applications for community development block grants under title I of the Housing and Community Development Act of 1974, Pub. Law 93-383. The part 570 regulation was published November 13, 1974 (39 FR 40136). The purpose of the first amendment was to allow the Secretary discretion to extend the deadline for particular cases in certain narrow circumstances. Subsequently, the need for additional deadline extensions has arisen because of changes in the scheduling and review of eligibility determinations affecting urban counties as entitlement applicants under Part 570. It was anticipated by HUD that such determinations could be accomplished in time to permit the urban counties to apply by April 15, 1975, the same time as other eligible applicants. The process of obtaining local certifications with respect to the authority of urban counties to undertake essential community development and housing assistance activities has necessitated an extension of the timetable originally established by HUD for the acceptance and review of applications from urban counties. In addition, the form and content of cooperation agreements, where required, varied among urban counties, thereby delaying further the estimated schedules for urban county qualification. Therefore, § 570.300(a) is hereby revised to extend

the deadline for application submissions by urban counties. It is necessary that this amendment take effect at the earliest possible date so that those urban counties unable to meet the previously established deadlines can plan the completion of their work within the time remaining under the extended dates. Accordingly, the Assistant Secretary for Community Planning and Development finds good cause for foregoing usual public comment and notice procedure, and he finds further good cause that this amendment to the regulations should take effect on the date of publication. In connection with the environmental review of this technical change to the final Regulations, a Finding of Inapplicability has been made under HUD Handbook 1390.1, 38 FR 19182.

The section is amended as follows: In Subpart D of Part 570, § 570.300 is revised to read as follows:

§ 570.300 Pre-submissions.

(a) *Timing of submission of applications.* The Secretary will establish from time to time the earliest and latest dates for submission of an application for each fiscal year. Applications, or draft materials relating to applications, received before the earliest date will be returned to the applicant without review. For fiscal year 1975, the earliest date for submission of an application shall be December 1, 1974; the latest date shall be April 15, 1975: *Provided, however,* That the Secretary may extend the April 15, 1975, deadline for submission of an application in particular cases in which, in his judgment, procedures mandated by state statute or regulation render submission of the application by April 15, 1975, impracticable, but in no event will submission of an application be accepted after May 30, 1975. Applicants wishing to request an extension of the April 15, 1975, deadline pursuant to this paragraph shall inform the appropriate HUD Area Office by March 1, 1975, giving the basis for the applicant's inability to file an application by April 15, 1975. No extension will be granted if the request for extension and the reasons therefor have not been received by HUD by March 1, 1975. *Provided, further,* That all counties which have been advised by HUD of either final qualification or preliminary recognition for qualification as urban counties under § 570.105 may have their deadline for submission of their applications extended to May 15, 1975; provided, however, that the request for such an extension has been received by the HUD Area Office by April 15, 1975. Cooperation agreements, where required for urban counties, shall be submitted not later than fifteen days after the date an application from an urban county has been received for processing in HUD. Prior to the earliest date for submission of an application for each fiscal year, HUD will provide all applicants with forms and instructions, including the actual or estimated entitlement amount. Entitlement applicants wishing to apply for discretionary grants shall follow the procedures described in Subpart E, Applications and Criteria for Discretionary Grants.

(Sec. 7(d) Department of HUD Act (42 U.S.C. 3535(d)).

Effective date. This amendment shall be effective on April 4, 1975.

DAVID O. MEEKER, JR.,
Assistant Secretary for Community
Planning and Development.

[FR Doc. 75-8784 Filed 4-3-75; 8:45 am]

Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE,
DEPARTMENT OF THE TREASURY

SUBCHAPTER F—PROCEDURE AND
ADMINISTRATION

[T.D. 7350]

[Regs. on procedure and administration]

PART 301—PROCEDURE AND
ADMINISTRATION

Inspection and Copying of Documents

This document adopts an amendment to the Procedure and Administration Regulations (26 CFR Part 301) under section 6104 of the Internal Revenue Code of 1954, relating to copying of documents, in order to liberalize the manner in which copies may be made of material that is otherwise available to the public for inspection, and to reflect the change in title of the Public Information Division and the Director, Public Affairs Division.

Currently, § 301.6104-1(e) (3) provides that copies of applications for exemption and supporting documents may be made manually but not photographically. Similarly, § 301.6104-2(c) (4) provides that, with the exception of copies made in the National Office and the Mid-Atlantic Regional Service Center, copies of information returns and annual reports of certain organizations and certain trusts may be made manually but not photographically. Under the amendment, photographic copies of such applications, information returns, and annual reports may be made at the place of inspection by a person who provides the equipment with which such copies are made. In addition, reference is currently made in paragraphs (d), (e), and (f) of § 301.6104-1 and paragraph (b) of § 301.6104-2 to the Public Information Division. Similarly, § 301.6104-2(c) refers to the Director, Public Affairs Division. The Public Information Division is now the Public Affairs Division, and the Director of the Public Affairs Division is now the Assistant to the Commissioner (Public Affairs). The above provisions in the regulations are amended to conform with such changes.

Adoption of amendment to the regulations. In order to liberalize the manner in which copies may be made and to revise the references to the Public Information Division or its Director, the following amendment to the Procedure and Administration Regulations (26 CFR Part 301) under section 6104 of the Internal Revenue Code of 1954 is hereby adopted:

PARAGRAPH 1. Section 301.6104-1 is amended by revising the first sentence of paragraph (d), the second sentence of paragraph (e) (1), the first sentence of

paragraph (e) (3), and the last sentence of paragraph (f). The revised provisions read as follows:

§ 301.6104-1 Public inspection of applications for tax exemption.

(d) *Place of inspection.* Applications for exemption, together with any supporting documents, which are open to public inspection under section 6104(a) (1) shall be available for inspection on or after November 3, 1958, in the Public Affairs Division, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, D.C. 20224, regardless of when or where such applications were filed except for such applications as have been destroyed pursuant to Congressional authority. * * *

(e) *Procedure for public inspection of applications for exemption.*—(1) *Request for inspection.* * * * If inspection at the National Office is desired, the request shall be made in writing to the Commissioner of Internal Revenue, Attention: Assistant to the Commissioner (Public Affairs), 1111 Constitution Avenue NW., Washington, D.C. 20224. * * *

(3) *Copies.* Notes may be taken of the material opened for inspection under this section, and copies may be made manually or, if a person provides the equipment, photographically at the place of inspection, subject to reasonable supervision with regard to the facilities and equipment to be employed. * * *

(f) *Statement of exempt status.* * * * Request for such information may be made in writing to the Commissioner of Internal Revenue, Attention: Assistant to the Commissioner (Public Affairs), 1111 Constitution Avenue NW., Washington, D.C. 20224, or to the district director with whom the organization's application for exemption was required to be filed.

PAR. 2. Section 301.6104-2 is amended by revising paragraph (b), the second sentence of paragraph (c) (1) and the second sentence of paragraph (c) (4). The revised provisions read as follows:

§ 301.6104-2 Publicity of information on certain information returns and annual reports.

(b) *Place of inspection.* Information furnished on the public portion of returns and annual reports (as described in paragraph (a) of this section) shall be available to any person in the National Office, Public Affairs Division, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, D.C. 20224, in the Office of the Director, Mid-Atlantic Regional Service Center, Philadelphia, Pa., and in the office of the district director of the district serving the principal place of business of the organization.

(c) *Procedure for public inspection.*—(1) *Requests for inspection.* * * * If inspection at the National Office is desired, the request shall be made in writing to the Commissioner of Internal Revenue, Attention: Assistant to the Commissioner

(Public Affairs), Washington, D.C. 20224. * * *

(4) *Copies.* * * * Copies may be made manually or, if a person provides the equipment, photographically at the place of inspection, subject to reasonable supervision with regard to the facilities and equipment to be employed.

Because this Treasury decision constitutes a liberalization of policy with respect to rules of Departmental practice and procedure, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under subsection (b) of section 553 of title 5 of the United States Code or subject to the effective date limitation of subsection (d) of that section.

(Sec. 7805, Internal Revenue Code of 1954, 68A Stat. 917; (26 U.S.C. 7805))

[SEAL] DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

Approved: March 25, 1975.

ERNEST S. CHRISTIAN, Jr.,
Deputy Assistant Secretary
of the Treasury.

[FR Doc. 75-8847 Filed 4-3-75; 8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 14—DEPARTMENT OF THE INTERIOR

PART 14-3—PROCUREMENT BY NEGOTIATION

Determinations and Findings

Pursuant to the authority of the Secretary of the Interior contained in 5 U.S.C. 301, Part 14-3 of Chapter 14 of Title 41 of the Code of Federal Regulations is hereby amended as stated herein.

It is the general policy of the Department of the Interior to allow time for interested parties to participate in the rulemaking process. However, the amendments herein are revisions in administrative procedures. Paragraph (i) of § 14-3.305-51 of 41 CFR is revised to provide that determinations and finding required to waive the audit of proposals will be signed by the contracting officer. Paragraph (m) of § 14-3.305-51 of 41 CFR is revised to provide that the determination, findings and authorization to make advance payments and the contract provisions relating to advance payments will be approved by the Assistant Director for Procurement, Office of Management Services. Because the amendments are entirely administrative in nature, the public rulemaking process is waived in this instance. Subpart 14-3.3 of 41 CFR, as published in the FEDERAL REGISTER of December 30, 1974 (39 FR 44982), is amended as stated below effective immediately.

Dated: March 27, 1975.

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

Subpart 14-3.3—Determinations, Findings, and Authorities

1. Subpart 14-3.3 of 41 CFR is amended by revising §§ 14-3.305-51(i) and 14-3.305-51(m)(1) to read as follows:

§ 14-3.305-51 Summary of required determinations and findings.

(i) Waiver of audit of proposals. The determination and findings required to waive the audit of proposals which exceed \$100,000 pursuant to § 1-3.809(b) of this title will be signed by the contracting officer.

(m) Advance payments. (1) The determination, findings, and authorization required to make advance payments pursuant to § 1-30.405 of this title will be signed by the contracting officer after the determination, findings, and authorization and the contract provisions relating to advance payments are approved by the Assistant Director for Procurement, Office of Management Services, as set forth in § 14-30.406 of this chapter. (See also §§ 1-30.410 and 1-30.414-2 of this title.)

[FR Doc. 75-8801 Filed 4-3-75; 8:45 am]

CHAPTER 109—ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

PART 109-1—INTRODUCTION

Miscellaneous Amendments

The Energy Research and Development Administration (ERDA) was established by the Energy Reorganization Act of 1974 (P.L. 93-438), and the creation of ERDA was made effective on January 19, 1975, by Executive Order 11834, dated January 15, 1975, published on January 17, 1975, at 40 F.R. 2971.

All rules and regulations in 41 CFR Chapter 109 were adopted by ERDA for all ERDA activities under the Energy Reorganization Act of 1974, the Federal Nonnuclear Energy Research and Development Act of 1974 (P.L. 93-577), and other applicable law and were redesignated as the Energy Research and Development Administration Property Management Regulations (ERDA-PMR) with changes as published on February 5, 1975, at 40 F.R. 5364.

Revisions to 41 CFR Chapter 109 are necessary to provide the proper authority for prescribing ERDA-PMR's, correct the procedure for obtaining copies of the ERDA-PMR's, and to establish authority for exemptions to the Federal Property and Administrative Services Act of 1949, as amended.

1. § 109-1.102 is revised to read as follows:

§ 109-1.102 Authority for prescribing ERDA-PMR.

The ERDA Property Management Regulations are prescribed by the Administrator or his designee and the head of any ERDA division or office having functional responsibility for the Regulations

being prescribed, pursuant to the authority of the Energy Reorganization Act of 1974, and the Federal Property and Administrative Services Act of 1949, as amended.

2. § 109-1.104-2(a) is revised to read as follows:

§ 109-1.104-2 Copies.

(a) Copies of the FEDERAL REGISTER in which ERDA Property Management Regulations are published and the Code of Federal Regulations may be purchased by Federal Agencies and the public, at nominal cost, from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

3. § 109-1.151 (a) is revised to read as follows:

§ 109-1.151 Exemptions.

(a) Section 602(d)(13) of the Federal Property and Administrative Services Act of 1949, as amended, provides that nothing in that Act shall impair or affect any authority of the Atomic Energy Commission. This includes the authority of AEC under the Atomic Energy Act of 1954, as amended, Public Law 85-804, and any other law. All authorities of the Atomic Energy Commission, except as noted in the Energy Reorganization Act of 1974, were transferred by that Act to the Energy Research and Development Administration.

(Sec. 105, Energy Reorganization Act of 1974, Pub. L. 93-438)

Questions or comments concerning this notice may be directed to the Director of Procurement, ERDA.

Effective date. This notice is effective immediately.

Dated at Germantown, Maryland, this 28th day of March, 1975.

JOSEPH L. SMITH,
Director of Procurement.

[FR Doc. 75-8747 Filed 4-3-75; 8:45 am]

Title 47—Telecommunications

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[FCC-74-1221]

PART 15—RADIO FREQUENCY DEVICES

Reorganization of Rules

Correction

In the correction to FR Doc. 75-5675 (40 FR 10673, Friday, March 7, 1975) appearing on page 13219 in the issue for Tuesday, March 25, 1975, the following changes should be made:

1. The material from the table in § 15.111 should read:

300	2,400
	$\frac{F(\text{kHz})}{24,000}$
300	24,000
	$\frac{F(\text{kHz})}{70}$

2. In the material from the table in § 15.184(c), the first line should read:

70 to 130..... 125

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 JUSTICE

Immigration and Naturalization Service

[8 CFR Part 214]

NONIMMIGRANT STUDENTS

Full Course of Study and Off-Campus Employment

Pursuant to section 553 of title 5 of the United States Code (80 Stat. 383), notice is hereby given of the proposed amendment of 8 CFR 214.2(f) pertaining to nonimmigrant students, their pursuit of a full course of study, and their off-campus employment.

It is proposed to amend § 214.2(f) to incorporate into the regulations a definition of the term "full course of study" within the meaning of section 101(a) (15) (F) (i) of the Immigration and Nationality Act, as amended, and as used in 8 CFR Chapter I. It is proposed to further amend § 214.2(f) to make it clear that a nonimmigrant student may not engage in gainful off-campus employment in the United States without the prior approval of this Service. Corollary amendments are proposed in §§ 214.3(g) and 214.4(a).

In accordance with the provisions of section 553 of Title 5 of the United States Code (80 Stat. 383), interested persons may submit to the Commissioner of Immigration and Naturalization, Room 7100-C, 425 Eye Street NW., Washington, D.C. 20536, written data, views, or arguments, in duplicate, with respect to the proposed rules. Such representations may not be presented orally in any manner whatsoever. All relevant material received by the close of business on May 1, 1975, will be considered.

In the light of the foregoing, it is proposed to amend Part 214 of 8 CFR Chapter I as follows:

1. It is proposed to amend § 214.2(f) by adding between the existing subparagraphs (1) and (2) a new subparagraph (1a), and by inserting between the heading and the existing first sentence of subparagraph (6), a new sentence, to read as follows:

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

(f) Students. . . .

(1a) Full course of study. A "full course of study" as required by section 101(a) (15) (F) (i) of the Act means (i) post graduate study at a college or university, or undergraduate or post graduate study at a religious seminary, certified by an authorized official of the institution as a full course of study; (ii)

undergraduate study at a college or university certified by an authorized official of the institution to consist of at least 12 hours of instruction per week, or its equivalent or (iii) study at a vocational, business, or language school, certified by an authorized official of the institution to consist of at least 20 clock hours of attendance per week if classroom instructions comprises the dominant part of the course of studies, or at least 25 hours per week if shop or laboratory work comprises the dominant part of the course of studies, or (iv) study at a secondary or primary school certified by an authorized official of the institution to consist of class attendance for not less than the minimum number of hours per week prescribed by such school for normal progress towards graduation. Also, to be deemed a full course of study the authorized school official must certify that the course of study will lead to the attainment of a specific educational objective. Except for post graduate study at a college or university, or undergraduate or post graduate study at a religious seminary, any class scheduled to commence at or after 6 p.m. shall not be counted in determining whether a student will pursue a full course of study unless a specific subject taught in such class is not offered or available in classes scheduled before 6 p.m. A school shall not issue Form I-20 to any student who will not be pursuing a full course of study as defined in this subparagraph. For purposes of this subparagraph, a college or university is an institution of learning which awards recognized degrees in educational programs above the level of a secondary school, and includes a community or junior college which awards such degrees. A college or university does not include a vocational, business or language school. A nonimmigrant admitted to the United States prior to July 1, 1975 under section 101(a) (15) (F) (i) of the Act or granted a change to that classification prior to that date, notwithstanding that he may not be taking a full course of study as defined in this subparagraph, may continue in that nonimmigrant classification until he completes the course of study at the school he was authorized to attend prior to that date, provided he continues to carry not less than what the school had considered to be a full course of study and he otherwise continues to maintain student status.

(6) Employment. A nonimmigrant student is not permitted to engage in gainful off-campus employment in the United States, either for an employer or

independently, unless his application to do so has first been approved by the Service. . . .

2. In § 214.3, it is proposed to amend the second sentence of paragraph (g) to read as follows:

§ 214.3 Petitions for approval of schools.

(g) Reporting requirements. Each approved school, upon receiving Service notification of arrival in the United States of a nonimmigrant student destined to that school, or Service notification of permission to attend the school, shall submit immediately to the office of the Service having jurisdiction over the area in which the institution is located a report, in writing, if the student fails to register personally at the school within 60 days of the time he was expected to do so. An immediate report shall also be made in the case of each nonimmigrant student who fails to carry a full course of study as defined in § 214.2(f) (1a), fails to attend classes to the extent normally required, or terminates his attendance at the institution. The report shall be made on Form I-20B.

3. In § 214.4, it is proposed to amend paragraph (a) by adding a new subparagraph (3) and by redesignating existing subparagraphs (3) through (6) as (4) through (7), respectively, to read as follows:

§ 214.4 Withdrawal of school approval.

(a) General. The approval by the Service, pursuant to section 101(a) (15) (F) of the Act and this part, of a petition by a school or school system for the attendance of nonimmigrant students shall be withdrawn if the school or school system is no longer entitled to such approval for any reason including, but not limited to, the following: (1) Failure to submit reports required by § 214.3(g); (2) issuance of Certificates of Eligibility, Forms I-20, to students lacking scholastic, financial, or language requirements; (3) issuance of Certificates of Eligibility, Forms I-20, to students who will not be enrolled in or carry a full course of study as defined in § 214.2(f) (1a); (4) failure to operate as a bona fide institution of learning; (5) failure to employ qualified professional personnel; (6) failure to maintain proper facilities for instruction; or (7) failure to limit its advertising in the manner prescribed in § 214.3 (1).

(Sec. 103, 86 Stat. 173; 8 U.S.C. 1103)

Dated: April 1, 1975.

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

[FR Doc.75-8783 Filed 4-3-75;8:45 am]

**DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE**

Social and Rehabilitation Service

[45 CFR Part 250]

MEDICAL ASSISTANCE PROGRAM

Fraud in the Medical Assistance Program

Notice is hereby given that the regulations set forth in tentative form below are proposed by the Administrator, Social and Rehabilitation Service, with the approval of the Secretary of Health, Education, and Welfare. The proposed regulations revise 45 CFR 250.80(a) (4) published in the FEDERAL REGISTER of March 1, 1974 (39 FR 7930), which relate to procedures for detecting and acting on cases of suspected fraud in the medical assistance program under title XIX, Social Security Act.

At present State agencies must report to the Social and Rehabilitation Service each case of suspected fraud by a provider which has been referred by the State or local agency to law enforcement officials for appropriate action. Such reports must use a numbering system which does not disclose identity of the provider (unless SRS specifically requests such disclosure).

In order to facilitate the exchange of information between the Bureau of Health Insurance, Social Security Administration and the Medical Services Administration, SRS, about providers suspected of fraud in the Medicaid and Medicare (title XVIII) programs, the proposed change would require States to report to SRS by name and provider number providers suspected of fraud.

Prior to the adoption of the proposed revision in the regulations, consideration will be given to any comments, suggestions, or objections thereto which are received in writing by the Administrator, Social and Rehabilitation Service, Department of Health, Education, and Welfare, P.O. Box 2366, Washington, D.C. 20013, on or before May 5, 1975. Comments will be available for public inspection in Room 5326 of the Department's offices at 330 C Street SW., Washington, D.C. on Monday through Friday of each week from 8:30 a.m. to 5 p.m. (area code 202-245-0950).

(Catalog of Federal Domestic Assistance Program No. 13.714, Medical Assistance Program)

Dated: January 24, 1975.

JAMES S. DWIGHT, JR.,
Administrator, Social and
Rehabilitation Service.

Approved: March 26, 1975.

CASPAR W. WEINBERGER,
Secretary.

Section 250.80(a) (4) of 45 CFR Part 250 is revised to read as follows:

§ 250.80 Fraud in the medical assistance program.

(a) State plan requirements. * * *

(4) Provide that the State agency will establish and maintain procedures for reporting

(i) to the Regional Office, SRS, at the time an investigation is initiated, the name and provider number of each case of suspected fraud by a provider;

(ii) to the Central Office, SRS, on a quarterly basis both (A) the name and provider number of each case of suspected fraud by a provider which has been referred by the State or local agency to law enforcement officials for appropriate action and (B) the disposition thereof by such law enforcement officials.

(Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302))

[FR Doc.75-8751 Filed 4-3-75;8:45 am]

**DEPARTMENT OF
TRANSPORTATION**

Coast Guard

[33 CFR Part 117]

[CGD 75-052]

**DRAWBRIDGE OPERATION REGULATIONS
PASSAIC RIVER, N.J.**

Notice of Proposed Rule Making

At the request of the Board of Chosen Freeholders of Bergen and Passaic Counties, the Coast Guard is considering amending the regulations for the Gregory Avenue drawbridge across the Passaic River, mile 14.0, to permit the draw to be maintained in a permanently closed position. There have been no passages through the draw since May 5, 1972, and no potential water commerce is contemplated. The draws of the 2nd Street and 8th Street drawbridges immediately upstream of this bridge have been permitted to be maintained in the permanently closed position. Also, "Market Street" has been renamed "Second Street", and this change is made accordingly.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander (oan), Third Coast Guard District, Governors Island, New York, N.Y. 10004. Each person submitting comments should include his name and address, identify the bridge, and give reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Third Coast Guard District.

The Commander, Third Coast Guard District, will forward any comments received before May 6, 1975, with his recommendations to the Chief, Office of Marine Environment and Systems, who will evaluate all communications received

and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that 33 CFR Part 117 be amended by revising paragraph (f) (2) of § 117.225 to read as follows:

§ 117.225 Navigable waters in the State of New Jersey; bridges where constant attendance of draw tenders is not required.

(f) * * *

(2) Passaic River, Passaic and Bergen Counties highway bridges at Gregory Avenue, Second Street and West Eighth Street, Passaic. The draws need not open for the passage of vessels, and paragraphs (b) through (e) of this section shall not apply to these bridges.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g) (2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g) (2); 49 CFR 1.46(c) (5), 33 CFR 1.05-7(c) (4)).

Dated: March 27, 1975.

W. E. CALDWELL,
Captain, U.S. Coast Guard,
Acting Chief, Office of Marine
Environment and Systems.

[FR Doc.75-8805 Filed 4-3-75;8:45 am]

Federal Aviation Administration

[14 CFR Part 25]

[Docket No. 14230; Notice No. 74-38A]

**COMPARTMENT INTERIOR MATERIALS
TOXIC GAS EMISSION**

Extension of Comment Period

By an Advance Notice of Proposed Rulemaking (ANPRM), Notice 74-38, published in the FEDERAL REGISTER on December 30, 1974 (39 FR 45044), the Federal Aviation Administration stated that it is considering rule making to establish standards governing the toxic gas emission characteristics of compartment interior materials used in transport category airplanes when subjected to fire conditions. In that Notice, the FAA stated that information presently available does not provide an adequate data base for development of toxicity standards and solicited the views of all interested persons with reference to a number of questions propounded in the notice.

By letter dated March 24, 1975, the Monsanto Fire Safety Center of the Monsanto Company, a manufacturer of chemicals and other products used in various aircraft applications, requested an extension of the comment period for Notice 74-38 for a reasonable time beyond March 31, 1975, so that it could obtain and evaluate information referred to in that Notice. In view of the complexity of the subject matter of the Notice, the FAA believes that the requested extension of time should be granted in order to permit receipt of all relevant data that can be provided.

I find that the petitioner has shown a substantive interest in the proposed rule, that good cause exists for the extension, and that the extension is consistent with the public interest.

Therefore, pursuant to the authority delegated to me by the Administrator (14 CFR 11.45), the time within which comments on Notice 74-38 will be received is extended to June 2, 1975.

Issued in Washington, D.C., on March 31, 1975.

R. P. SKULLY,
Director,
Flight Standards Service.

[FR Doc.75-8786 Filed 4-3-75; 8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 75-NW-06]

ALTERATION OF TRANSITION AREA

Notice of Proposed Rule Making

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Seattle, Washington, Transition Area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Operations, Procedures and Airspace Branch, Northwest Region, Federal Aviation Administration, FAA Building, Boeing Field, Seattle, Washington, 98108. All communications received on or before May 5, 1975, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangement for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Northwest Region, Federal Aviation Administration, FAA Building, Boeing Field, Seattle, Washington, 98108.

A review of the controlled airspace around Seattle, Washington, disclosed that the existing Transition Areas are restrictive to efficient radar vectoring services. This amendment will incorporate many of the Transition Areas into standard 700' AGL and 1200' AGL Transition Areas, thereby affording more efficient use of the controlled airspace. This will permit better sequencing of aircraft and improved service to the users.

In consideration of the foregoing the FAA proposes the following airspace action:

In § 71.181 (40 FR 441) the description of the Seattle, Washington, Transition Area is amended to read as follows:

SEATTLE, WASHINGTON

That airspace extending upward from 700 feet above the surface bounded on the east by a line beginning at Latitude 49°00' N., Longitude 122°21' W., to Latitude 48°40' N., Longitude 122°21' W., to Latitude 48°40' N., Longitude 122°05' W., Latitude 47°30' N., Longitude 121°48' W., to Latitude 47°10' N., Longitude 121°48' W., to Latitude 46°48' N., Longitude 122°15' W., on the south by a line extending to Latitude 46°42' N., Longitude 123°17' W., on the west by a line extending to Latitude 47°10' N., Longitude 123°17' W., to Latitude 47°10' N., Longitude 120°00' W., to Latitude 47°39' N., Longitude 120°00' W., to Latitude 48°17' N., Longitude 123°15' W., thence via the Canada/United States boundary to the point of beginning; that airspace extending upward from 1200' above the surface bounded on the north by a line beginning at Latitude 48°05' N., Longitude 123°40' W., to Latitude 48°05' N., Longitude 121°35' W., on the east by a line extending to the south via Longitude 121°35' W., to the south edge of V-204, on the south by the south edge V-204 and Latitude 46°30' to the east edge of V-27, on the west by east edge of V-27 to Longitude 123°40' W., to the point of beginning; that airspace east of Seattle extending upward from 9500' MSL bounded on the north by a line beginning at Latitude 48°00' N., Longitude 121°35' W., to Latitude 48°00' N., Longitude 121°00' W., thence south to Latitude 47°42' N., Longitude 121°00' W., thence east to Latitude 47°42' N., Longitude 119°43' W., on the east by a line extending south via Longitude 119°43' W., to the north edge of V-2N, on the south by the north edge of V-2N to Longitude 121°35' W., and on the west by Longitude 121°35' W., to the point of beginning.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended, (49 U.S.C. 1348(a)), and of Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Seattle, Washington, on March 27, 1975.

C. B. WALK, JR.,
Director, Northwest Region.

[FR Doc.75-8779 Filed 4-3-75; 8:45 am]

ENVIRONMENTAL PROTECTION
AGENCY

[40 CFR Part 52]

[355-3]

NEW YORK

Implementation Plan for Control of Indirect
Sources of Air Contamination; Proposed
Revision

On June 18, 1973 (38 FR 15834), the Administrator of the Environmental Protection Agency (EPA) promulgated under section 110 of the Clean Air Act, as amended, amendments to 40 CFR Part 51, Requirements for Preparation, Adoption, and Submittal of State Implementation Plans. Those amendments were designed primarily to provide for long-term maintenance of the national ambient air quality standards. Among other requirements, states were directed to expand their present procedures for

review of buildings or other facilities prior to construction or modification in order to include consideration of the air quality impact not only of pollutants emitted directly from stationary sources, but also of pollution arising from mobile source activity associated with such buildings or facilities (termed indirect sources).

Pursuant to an order of the U.S. Court of Appeals for the District of Columbia Circuit in the case of Natural Resources Defense Council, Inc. et al v. EPA, States were required to submit by August 15, 1973 plan revisions to comply with these new requirements involving indirect source review (38 FR 12920).

The Commissioner of the New York State Department of Environmental Conservation (NYSDEC), on August 15, 1973, proposed a revision to the State's plan which provided for a preconstruction review of indirect sources which commenced construction after November 3, 1973. On February 25, 1974 (39 FR 7283), EPA disapproved this proposed revision request because the requirements of 40 CFR 51.18(h) were not met and State procedures allowed the issuance of a provisional permit to construct if the owner or operator of the indirect source experienced undue hardships or delay in complying with normal State procedures. To correct these deficiencies on February 25, 1974 (39 FR 7270) and as amended on July 9, 1974 (39 FR 25272), EPA promulgated a regulation applicable in New York State which provided for preconstruction review of indirect sources of air pollution. This regulation is scheduled to become effective sometime after July 1, 1975 (39 FR 45014).

To correct the deficiencies in the plan revision request of August 15, 1973, the Commissioner of NYSDEC, on January 27, 1975, submitted a new request which consists of a newly adopted Part 203 of New York's Codes, Rules and Regulations entitled "Indirect Sources of Air Pollution". Public hearings were held by New York State on this regulation on October 15 and 17, 1974 and the regulation became effective on January 13, 1975.

The regulation provides for preconstruction review in the following instances:

(1) The construction or modification of any parking facility or any associated parking area in New York County;

(2) The construction or modification of any airport which results or may result in the following activity within ten years after completion of the construction or modification:

(i) In the case of a new airport, 50,000 or more aircraft operations per year by regularly scheduled air carriers, or use by 1,600,000 or more passengers per year;

(ii) In the case of a modified airport, an increase of 50,000 or more aircraft operations per year by regularly scheduled air carriers over the existing annual volume of aircraft operations, or an increase of 1,600,000 or more passengers per year;

(3) Within an urban area;

(i) The construction of any new parking facility, or other new indirect source

with an associated parking area, which adds new parking capacity of 1,000 vehicles or more;

(ii) The modification of any parking facility or any associated parking area which, by itself or when added together with all parking capacity constructed subsequent to November 4, 1973 or the date the latest permit to construct has been issued for such facility or area, will produce parking capacity of 500 vehicles or more, unless such modification is permitted under the latest permit to construct;

(iii) The construction of any road or highway section on which the annual average of daily traffic volume within ten years of completion of construction exceeds or may exceed 20,000 vehicles;

(iv) The modification of any existing section of road or highway which increases or may increase the annual average of daily traffic volume within ten years of completion of modification by more than 10,000 vehicles;

(4) Outside an urban area:

(i) The construction of any new parking facility, or other new indirect source with an associated parking area, which adds new parking capacity of 2,000 vehicles or more;

(ii) The modification of any parking facility or of any associated parking area which, by itself or when added together with all parking capacity constructed subsequent to November 4, 1973 or the date the latest permit to construct has been issued for such facility or area, will produce parking capacity of 1,000 vehicles or more, unless such modification is permitted under the latest permit to construct;

(5) Whenever an indirect source or associated parking area is to be constructed or modified in planned incremental phases, the Commissioner may approve any or all such phases prior to the initiation of any such phase.

Urban areas are defined as those which may have a potential for violating any national ambient air quality standard in the 10-year period following standard attainment. A listing of these "urban areas" is given in § 203.2(e) of the regulation.

Procedurally, the regulation requires that all affected indirect sources be subject to a detailed analysis to show that operation of the source will not cause contravention of applicable national ambient air quality standards. The applicable national standards for a parking facility are the national standards for carbon monoxide. With regard to construction and modification of highway sections and airports the applicable ambient air quality standards are the national standards for carbon monoxide, photochemical oxidants and nitrogen dioxide.

Section 203.9 of the regulation describes the criteria by which the State will determine whether to issue indirect source permit to construct. This section requires prior to the issuance of the permit that it be shown that the operation of the indirect source will not: (1) Cause a violation of any applicable am-

bient air quality standard or, where a violation of such standard exists, increase the ambient concentration of the applicable pollutant or interfere with attainment or maintenance of such standard; (2) cause a violation of applicable portions of any control strategy of an applicable implementation plan approved or promulgated under the Clean Air Act and in effect at the time of the issuance of the permit; and (3) result in a violation of any of the provisions of New York's Codes, Rules and Regulations.

Preliminary analysis by the Regional Office indicates that the State's regulation is more stringent than the EPA promulgation in the following ways:

(1) For highway sections and airports, the preconstruction review includes, in addition to a carbon monoxide and photochemical oxidant determination, a determination that the national standard for nitrogen dioxide will not be violated. The EPA review is limited to a showing that the national standards for carbon monoxide and photochemical oxidants will not be exceeded.

(2) In New York County, the preconstruction review for parking facilities will be required for all new or modified facilities, regardless of size. The EPA review is limited to new facilities having greater than 1,000 spaces and to modifications of facilities of 500 or more spaces.

This notice is issued as required by section 110 of the Clean Air Act to advise the public that comments may be submitted on whether the proposed implementation plan revision should be approved or disapproved. Only comments received within the 30-day public comment period will be considered. The Administrator's decision to approve or disapprove the proposed plan revision is based on whether it meets the requirements of § 110(a)(2)(A)-(H) and EPA regulations in 40 CFR Part 51.

Copies of the plan revision submission are available for public inspection during normal business hours at the Air Branch, EPA, Region II, 26 Federal Plaza, New York, New York 10007, Room 907 and at the New York State Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233. Copies are also available at the Freedom of Information Center, EPA, 401 M Street, S.W., Washington, D.C. 20460. All comments should be addressed to the Regional Administrator, Environmental Protection Agency, Region II, 26 Federal Plaza, New York, New York 10007 (42 U.S.C. 1857c-5).

Dated: March 28, 1975.

GERALD M. HANSLER,
Regional Administrator.

[FR Doc 75-8842 Filed 4-3-75; 8:45 am]

[40 CFR Part 52]

[PRL 355-4]

PENNSYLVANIA

Approval of Compliance Schedules

Section 110 of the Clean Air Act, as amended, 42 U.S.C. section 1857c-5, and the implementing regulations of 40 CFR

Part 51, require each State to submit a plan which provides for the attainment and maintenance of the national ambient air quality standards throughout the State. Each such plan is to contain legally enforceable compliance schedules setting forth the dates by which all stationary and mobile sources must be in compliance with any applicable requirement of the plan.

On May 31, 1972, pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator of the Environmental Protection Agency ("EPA") approved portions of the Pennsylvania State Implementation Plan (37 FR 10842).

Pursuant to 40 CFR 51.6, the Commonwealth of Pennsylvania submitted for EPA's approval revisions to the compliance schedule portion of its plan. This publication proposes that one of these revisions be approved. Other revisions were previously published in the FEDERAL REGISTER on August 22, 1974, (39 FR 30349), October 10, 1974 (39 FR 36481), and November 27, 1974 (39 FR 41363). The proposed revision establishes a date by which the air pollution source must attain compliance with the emission limitation of the State Implementation Plan. This date is indicated in the approval table below under the heading "Final Compliance Date." While the table below contains only the date of final compliance, the schedule itself includes interim dates which denote increments of progress toward final compliance in accordance with 40 CFR 51.15(c). Both the final and interim dates are federally enforceable by EPA pursuant to the Clean Air Act, as amended.

The "Effective Date" column in the table below refers to the date the compliance schedule becomes effective for purposes of Federal enforcement.

The complete text of the compliance schedule listed below is available for public inspection at the following locations:

Environmental Protection Agency
Region III
Curtis Building
Sixth and Walnut Streets
Philadelphia, Pa. 19106
Bureau of Air Quality & Noise Control
Pennsylvania Department of Environmental Resources
Box 2063
Fulton National Building, 18th Floor
Harrisburg, Pa. 17105
Freedom of Information Center
Environmental Protection Agency
401 M Street, SW
Washington, D.C. 20460

An Evaluation Report for the compliance schedule may be examined at the EPA Region III office indicated above.

The compliance schedule has been adopted by the Pennsylvania Department of Environmental Resources and submitted to EPA after notice and public hearing in accordance with procedural requirements of 40 CFR 51.4.

Interested parties may participate in the final rule making by submitting comments on whether the proposed revision to the Pennsylvania State Implementation Plan should be approved or disapproved as required by Section 110 of the

Clean Air Act. To be considered, comments must be postmarked on or before May 5, 1975. All public comments received in regard to the proposed revision will be available for public inspection at the EPA Region III office in Philadelphia, Pennsylvania and at the EPA Freedom of Information Headquarters in Washington, D.C. The Administrator's decision to approve or disapprove the proposed revision is based upon the requirements of Section 110(a)(2)(A-H) of the Clean Air Act as amended and the EPA regulations published in 40 CFR Part 51. Comments should be directed to the Environmental Protection Agency, Region

III, Curtis Building, Sixth and Walnut Streets, Philadelphia, Pennsylvania 19106, Attention: Eileen M. Glen.
(42 USC section 1857c-5)

Dated: March 24, 1975.

JOSEPH M. MANKO,
Acting Regional Administrator.

It is proposed to amend 40 CFR Part 52 as follows:

Section 52.2036(a) is amended by revising the table as follows:

§ 52.2036 Compliance Schedules.
(a) * * *

Source	Location	State regulation(s) involved	Date of adoption	Effective date	Final compliance date
West Penn Power Co., Order No. 73-679-V.	Armstrong County.	123.11, 123.22, 123.41...	July 20, 1973.	Immediately..	Apr. 30, 1975

[FR Doc. 75-8843 Filed 4-3-75; 8:45 am]

[40 CFR Part 408]

[FRL 354-6]

CANNED AND PRESERVED SEAFOOD PROCESSING

Point Source Category Effluent Limitations Guidelines and Standards; Notice of Availability

On January 30, 1975, the Agency published a notice of interim final rule making establishing effluent limitations and guidelines (40 FR 4582) and a notice of proposed rules for standards of performance for new sources and pretreatment standards for existing and new sources (40 FR 4608) for the canned and preserved seafood processing point source category. Reference was made in the preambles to these notices of a technical report and an economic report prepared by the Agency in connection with the development of these regulations.

The report entitled "Development Document for Interim Final Effluent Limitations Guidelines and Proposed New Source Performance Standards for the Fish Meal, Salmon, Bottom Fish, Clam, Oyster, Sardine, Scallop, Herring and Abalone Segment of the Canned and Preserved Seafood Processing Point Source Category" details the analysis undertaken in support of the regulations and is available for inspection in the EPA Freedom of Information Center, Room 204, West Tower, Waterside Mall, Washington, D.C., at all EPA regional offices, and at State water pollution control offices. A supplementary analysis entitled "Economic Analysis of Interim Final Effluent Guidelines, Seafood Processing Industry" which discusses the possible economic effects of the regulation is also available for inspection at these locations. Copies of both of these documents have been sent to persons or institutions affected by the proposed regulation or who have placed themselves on a mailing list for this purpose (see EPA's Advance Notice of Public Review Procedures, 38 FR 21202, August 6, 1973). An

additional limited number of copies of both reports are available. Persons wishing to obtain a copy may write the EPA Freedom of Information Center, Environmental Protection Agency, Washington, D.C. 20460, Attention: Ms. Ruth Brown.

All comments received on or before May 5, 1975 will be considered. Steps previously taken by the Environmental Protection Agency to facilitate public response within this time period are outlined in the advance notice concerning public review procedures published on August 6, 1973 (38 FR 21202)..

Dated: March 26, 1975.

JAMES L. ACEE,
*Assistant Administrator for
Water and Hazardous Materials.*

[FR Doc. 75-8844 Filed 4-3-75; 8:45 am]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Parts 541 and 545]

[No. 75-206]

FEDERAL SAVINGS AND LOAN SYSTEM

Loans on Cooperative Housing Projects

MARCH 5, 1975.

Summary. The following summary of the amendments proposed by this Resolution is provided for the reader's convenience and is subject to the full description in the preamble as well as the specific provisions in the regulations.

I. Present situation. Conventional loans by Federal associations to housing cooperatives are governed by § 545.6-1(b) and limited thereby to a loan-to-value ratio no greater than 80 percent.

II. Proposed amendment. Would authorize under certain conditions conventional loans to cooperative housing projects up to 95 percent of value.

The Federal Home Loan Bank Board considers it desirable to propose to amend Parts 541 and 545 of the Rules and Regulations for the Federal Savings

and Loan System (12 CFR Parts 541 and 545) to add thereto provisions which would, respectively, define the term "cooperative housing project" and liberalize under certain conditions the loan-to-value ratios of conventional loans on cooperatives. Federal associations are currently authorized to make conventional cooperative housing loans with loan-to-value ratios of up to 80 percent under § 545.6-1(b); the purpose of the new provisions would be to authorize conventional loans of up to 95 percent loan-to-value ratios on certain cooperatives, defined as "cooperative housing projects", on a basis analogous to loans which Federal associations are authorized to make on condominiums.

The proposed amendments would comprise three parts: a new "cooperative housing project" definition to be added as § 541.10-4, a new specific provision for cooperative loans to be added to a revised § 545.6-1(b), loans on "other dwelling units", and a conforming amendment to § 545.6-7(b), loan percentage-limitations categories.

The new § 541.10-4 would define "cooperative housing project" as being owned by a non-profit corporation whose stock is held by the residents and whose sponsor is a non-profit organization having no identity of interest with the builder of the project.

The proposed revision of § 545.6-1(b) would divide it into three parts, for (i) regular 80 percent multi-unit loans, (ii) insured or guaranteed loans, and (iii) the new cooperative housing loans. The latter provision would authorize 90 and 95 percent loan-to-value ratios, provided that the requirements of §§ 545.6-1(a)(4) and (5) for 90 and 95 percent loans on single-family dwellings are met. These requirements include completed construction, limits on loan amounts, pre-paid monthly charges, owner-occupancy certifications, percentage-of-assets limitations (all high-ratio loans, including cooperative housing project loans, share the same percentage limitation categories), and, in the case of 95 percent loans, private mortgage insurance or specific reserves. In addition, the proposed § 545.6-1(b)(1)(iii) would require maintenance of reserves as are required for comparable housing project loans insured by the Federal Housing Administration.

A cooperative housing project loan, like any other loan under § 545.6-1(b)(1), could be combined with a construction loan into a single loan, but under § 545.6-1(a)(4) and (5), as incorporated into § 545.6-1(b)(1), no disbursement of the permanent financing funds over 80 percent could be made until completion of construction and presale to the cooperative.

The maximum amount which could be invested in a cooperative loan under the proposal would be computed by locating the appropriate regulatory provision for a single-family dwelling loan in § 545.6-1(a), and then multiplying the limit provided for therein by the number of units

in the cooperative. For example, a 95 percent loan on a 50-unit co-op could not exceed 50 times \$42,000 (\$50,000 in Alaska, Guam, or Hawaii) which is the loan limit for 95 percent single-family-dwelling loans under § 545.6-1(a)(5)(i)(a). A further proposed limitation on the maximum amount of the loan is a "per unit" ceiling for allocation of loan proceeds, which provides that the amount of the loan to be applied to any individual unit may not exceed the regulatory dollar limit.

Cooperative housing loans under the proposed § 545.6-1(b) would be treated as multi-family dwelling loans for percentage-of-asset-limitation purposes under the proposed revision to § 545.6-7(b); such loans would be released from the percentage limitation categories of §§ 545.6-1(a)(4) and (5) when the balances were reduced to 80 percent of value, but would continue to be included in the appropriate categories under § 545.6-7(c).

Accordingly, the Federal Home Loan Bank Board hereby proposes to amend Part 541 by adding thereto a new § 541.10-4 as set forth below and to amend Part 545 by revising §§ 545.6-1(b)(1) and 545.6-7(b) to read 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 May 5, 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 § 505.5 of the General Regulations of the Federal Home Loan Bank Board (12 CFR 505.5).

1. A new § 541.10-4 would be added to read as follows:

§ 541.10-4 Cooperative housing project.

The term "cooperative housing project" means real estate comprising dwelling units for more than four families in the aggregate, designed primarily for residential use, which is owned by a non-profit corporation whose stock is owned by the residents of the project and whose sponsor is a nonprofit organization which has no identity of interest with the builder of the project.

2. Section 545.6-1(b)(1) would be revised to read as follows:

§ 545.6-1 Lending powers.

(b) Other dwelling units; combination of dwelling units, including homes, and business property involving only minor or incidental business use;—(1) Monthly installment loans. Subject to the limitations of § 545.6-7, monthly installment loans may be made on other dwelling units or combinations of dwelling units, including homes, and business property involving only minor or incidental busi-

ness use, or cooperative housing projects, for amounts not in excess of:

(i) 50 percent (or if authorized by the members of such an association, not in excess of 80 percent) of the value thereof, repayable within 30 years;

(ii) the maximum percentage of value acceptable to the insuring or guaranteeing agency, in the case of an insured or guaranteed loan, and a repayment period acceptable to such agency; or

(iii) the amounts authorized in paragraphs (a)(4) and (5) of this section, and the repayment periods authorized in those paragraphs, in the case of cooperative housing project loans: *Provided*, That all the requirements of such paragraphs are met; and *Provided further*, That such cooperative housing projects shall be required to maintain at least such reserves as are required for comparable cooperative housing projects insured by the Federal Housing Administration. For purposes of compliance with this paragraph (b)(1)(iii), the term "single-family dwelling" in paragraph (a)(4)(i) of this section shall read "cooperative housing project"; the words "borrower is", in paragraph (a)(4)(iv)(b) of this section, shall read "stockholders of the cooperative housing project are"; and the loan limits of \$55,000, or \$68,750 in Alaska, Guam and Hawaii, in paragraph (a)(4)(ii)(a) of this section, and \$42,000, or \$50,000 in Alaska, Guam and Hawaii, in paragraph (a)(5)(i)(a) of this section, shall read "\$55,000, or \$68,750 with respect to dwelling units in Alaska, Guam and Hawaii, multiplied by the number of dwelling units" and "\$42,000, or \$50,000 with respect to dwelling units in Alaska, Guam and Hawaii, multiplied by the number of dwelling units", respectively: *Provided*, That the amount of the loan to be applied to any one dwelling unit may not exceed the applicable limitation per dwelling unit.

3. Section 545.6-7(b) would be revised to read as follows:

§ 545.6-7 Percentage limitations on real estate loan investments.

(b) *Percentage limitations for specific types of loans.* Real estate loan investments made under the authority of § 545.6-14 (land acquisition and development loans), § 545.6-16 (loans for housing for the aging), § 545.6-18 (urban renewal loans), § 545.6-20 (Foreign Assistance Act loans), § 545.6-3(c) (developed building lot loans), § 545.6-1(a)(4) and (5) (loans on single-family dwellings in excess of 80 percent of value), or § 545.6-1(a)(3)(iii) (loans to facilitate trade-in or exchange of homes) shall be subject to the respective percentage limitations contained in such sections. However, whenever the terms of a loan investment under §§ 545.6-16 or 545.6-18 would meet the requirements for a loan under § 545.6-1, it may be released from the percentage-limitation category in §§ 545.6-16 or 545.6-18 and, unless it is

a loan specified in paragraph (a) of this section as not subject to any percentage limitation, allocated within an applicable percentage-limitation category in paragraph (c) of this section. A loan investment under § 545.6-1(a)(4) or (5) on a single-family dwelling within the association's regular lending area may be released from any percentage-limitation category when the loan balance has been reduced to not more than 80 percent of value. A loan investment under § 545.6-1(b)(1)(iii) on a cooperative housing project may be released from the percentage-limitation categories of § 545.6-1(a)(4) or (5) when the loan balance has been reduced to not more than 80 percent of value, but shall at all times be included in an appropriate percentage-limitation category of paragraph (c) of this section.

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

By the Federal Home Loan Bank Board,

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

[FR Doc.75-8781 Filed 4-3-75;8:45 am]

FEDERAL MARITIME COMMISSION

[46 CFR Part 502]

[Docket No. 75-7]

INFORMATIONAL PROCEDURE FOR ADJUDICATION OF SMALL CLAIMS

Notice of Proposed Rulemaking

In 1967 (Docket 65-33) the Commission instituted procedures under Subparts S and T, Part 502, 46 CFR whereby claims for reparations of \$1,000 or less against carriers subject to the Shipping Act of 1916 could be adjudicated informally.

Following review and analysis of the claims settled during the period June, 1972 to January, 1975, the Commission has concluded that an increase in the ceiling from \$1,000 to \$5,000 is timely and proper. Analysis revealed that the \$1,000 limit set in 1967 has been eroded by general economic pressures to the point that a new limit would be required to reestablish the relationship between the original ceiling and the costs of doing business. Further, it is felt that by offering informal proceedings to a larger number of claimants the Commission would advance the cause of expeditious regulatory action.

Therefore, pursuant to section 4 of the Administrative Procedure Act (5 USC 553) and sections 22 and 43 of the Shipping Act of 1916 (46 USC 820, 841(a)) § 502.301 Policy of Title 46 CFR is proposed to be amended by changing the \$1,000 limitation in the first sentence thereof to read "\$5,000".

Interested persons may participate in this rulemaking proceeding by filing with the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before May 4, 1975, an original and 15

copies of their views and arguments pertaining to the proposed rules.

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-8820 Filed 4-3-75;8:45 am]

NUCLEAR REGULATORY COMMISSION

[10 CFR Part 73]

PHYSICAL PROTECTION OF PLANTS AND MATERIALS

Advance Notice of Certain Shipments of Special Nuclear Material

On November 6, 1973, the Atomic Energy Commission published amendments to 10 CFR Part 73 which strengthened the security requirements for special nuclear material in transit. These amendments became effective on March 6, 1974. In order to assure that these requirements are fulfilled, the Commission needs advance notice of shipments involving certain quantities of special nuclear material, and notification of arrival of such shipments at their final destinations.

Accordingly, the Nuclear Regulatory Commission has under consideration amendments to its regulations in 10 CFR Part 73 to require that the Commission be informed seven days in advance of a shipment of quantities of special nuclear material specified in § 73.1(b)(2) of 10 CFR Part 73, and that it be notified upon arrival of such shipments.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, and section 553 of title 5 of the United States Code, notice is hereby given that adoption of the following amendments to 10 CFR Part 73 is contemplated. Interested persons who desire to submit written comments or suggestions for consideration in connection with the proposed amendments should send them to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section by May 5, 1975.

1. Paragraphs (c) (3) and (e) of § 73.36 are revised to read as follows:

§ 73.36 Miscellaneous requirements.

(c) (3) Each licensee who delivers special nuclear material to a carrier for transport or releases special nuclear material f.o.b. at the point where it is delivered to a carrier for transport shall also make arrangements with the consignee to be notified immediately by telephone, telegraph, or teletype, of the arrival of the shipment at its destination.

(e) Each licensee who receives a shipment of special nuclear material shall immediately notify by telephone and telegraph, or teletype, the person who delivered the material to a carrier for transport and the Director of the appropriate Nuclear Regulatory Commission Regional Office listed in Appendix A of

the arrival of the shipment at its destination. When an Energy Research and Development Administration (ERDA) license-exempt contractor is the consignee, the licensee who is the consignor shall notify by telephone and telegraph, or teletype, the Director of the appropriate Nuclear Regulatory Commission Regional Office listed in Appendix A of the arrival of the shipment at its destination immediately upon being notified of the receipt of the shipment by the license-exempt contractor as arranged pursuant to paragraph (c) (3) of this section. In the event such a shipment fails to arrive at its destination at the estimated time, the consignee, if a licensee, or in the case of an export shipment, the licensee who exported the shipment, shall immediately notify by telephone and telegraph, or teletype, the Director of the appropriate Nuclear Regulatory Commission Regional Office listed in Appendix A of this part, and the licensee or other person who delivered the material to a carrier for transport. The licensee who made the physical protection arrangements shall also immediately notify by telephone and telegraph, or teletype, the Director of the appropriate Nuclear Regulatory Commission Regional Office listed in Appendix A of the action being taken to trace the shipment.

2. A new § 73.72 is added to read as follows:

§ 73.72 Requirement for advance notice of shipment of special nuclear material.

Each licensee who plans to import, export, transport, deliver to a carrier for transport in a single shipment, or take delivery of a single shipment free on board at the point where it is delivered to a carrier quantities of special nuclear material as specified in § 73.1(b)(2) shall notify the Director of the appropriate Nuclear Regulatory Commission Regional Office listed in Appendix A by U.S. Mail, postmarked at least seven days in advance of the shipping date. The information to be furnished in the advance notice prior to a shipment is specified in § 73.70(g).

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

Dated at Washington, D.C., this 31st day of March, 1975.

For the Nuclear Regulatory Commission.

SAMUEL J. CHILE,
Secretary of the Commission.

[FR Doc.75-8749 Filed 4-3-75;8:45 am]

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 120]

LOAN POLICY

Fees

The Small Business Administration (SBA) is considering amending its Business Loan Policy Regulations to authorize a lender to charge a small business concern applying for a loan to be made

in participation with SBA a reasonable fee to be negotiated between applicant and lender, but not in excess of \$200. The purpose of this fee is to reimburse the lender for the expense incurred in processing the loan application. Another amendment under consideration would provide an incentive to a lender to make longer term loans by allowing the lender to charge a borrower a fee, to be negotiable between borrower and lender, for providing such longer term loans. The fees to be authorized by these proposed amendments may be charged in addition to other fees permitted by § 120.3(b)(5).

Inquiries with respect to these proposed amendments may be sent to the Associate Administrator for Finance and Investment, SBA, 1441 L Street, NW., Washington, D.C., 20416. All material received on or before May 5, 1975, will be considered.

Pursuant to the authority of section 5 of the Small Business Act, 72 Stat. 385, U.S.C. 634 and section 7 of the said Act, as amended, 72 Stat. 387, 15 U.S.C. 636 it is proposed to amend Part 120 in the manner set forth below:

Section 120.3(b)(5) is amended by revising the introductory paragraph and paragraph (i); paragraph (ii) is redesignated as paragraph (iv); and paragraphs (ii) and (iii) are added to read as follows:

§ 120.3 Terms and conditions of business loans and guarantees.

(b) *Charges and interest rates.* * * *

(5) *Applicants' and borrowers' fees.* Subject to the limitations of § 120.5(a)(2), a lender or associate may charge an applicant or borrower reasonable fees for necessary services actually performed at the request of the applicant or borrower; provided, however, that no applicant or borrower shall be required as a condition or requirement for obtaining a loan to pay any fees or charges to the lender, associate, or designee of either, or to purchase any goods or services (including insurance) from the lender, associate, or designee of either, except as hereinafter specified: and further provided, that a lending institution may not impose upon an applicant or borrower fees or charges any part of which defrays the lender's overhead costs, except as specifically authorized in paragraphs (b)(5)(i), (ii) and (iii) of this section.

(i) *Application preparation fees.* Notwithstanding the provisions of paragraph (b)(5) of this section, a lender or associate may charge an applicant reasonable fees for necessary services actually performed at the request of the applicant in the preparation of the loan application. If additional, supplemental, or revised financial statements, income projections, appraisals, abstracts of title, or other records are required for the processing of a loan, or as a condition of the disbursement thereof, a lender or an associate (with the consent of the applicant in either case)

may prepare such documentation for a reasonable fee: *Provided, however*, That legible copies of any such documents shall be made available to the applicant, together with supporting work papers that the applicant may request. A lender shall also be entitled to reimbursement from the borrower for any expenses incurred for filing or recordation necessary to perfect a security interest in the assets of the borrower, including title insurance. The fees authorized hereunder may be charged whether or not the requested loan is actually approved by the Lender or SBA.

(ii) *Application processing fees.* Notwithstanding the provisions of paragraph (b) (5) of this section, a lending institution may charge a fee to cover the cost of processing an application for a loan which is proposed to be guaranteed by, or made in participation with, SBA: *Provided, however*, that the amount of any such fee shall be negotiable between applicant and lender, but shall not exceed \$200. The fees authorized hereunder may be charged whether or not the requested loan is actually approved by the Lender or SBA.

(iii) *Maturity fees.* Notwithstanding the provisions of paragraph (b) (5) of this section, a lender may charge a borrower a fee on any loan made by lender which has a maturity of five years or more. Such fee may be charged in addi-

tion to interest charged and other fees authorized hereunder. The fee authorized hereunder shall be negotiable between lender and borrower but shall not exceed the percentages set forth in the following table:

Term of loan:	<i>Permitted fee (percent)</i>
Five years or more, but less than 7 years.....	2
7 years or more, but less than 9 years.....	3
9 years or more.....	4

The amount of the maturity fee shall be based on the actual amount of the loan to be disbursed to the borrower after reduction for all other fees and insurance charges under § 120.3(b) (5). The maturity fee is a one time fee only, to be charged at the time of actual loan disbursement(s). In the case of phased disbursements, the maturity fee charges shall be phased in accordance with actual loan disbursements. The maturity fee may be deducted from the amount to be disbursed to the borrower.

* * * * *

(Catalog of Federal Domestic Assistance Program No. 59012, Small Business Loans)

Dated: April 2, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc. 75-9050 Filed 4-3-75; 11:44 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 THE TREASURY

Bureau of Alcohol, Tobacco and Firearms FIREARMS

Granting of Relief

Notice is hereby given that pursuant to 18 U.S.C., section 925(c), the following named persons have been granted relief from disabilities imposed by Federal laws with respect to the acquisition, transfer, receipt, shipment, or possession of firearms incurred by reason of their convictions of crimes punishable by imprisonment for a term exceeding one year.

It has been established to my satisfaction that the circumstances regarding the convictions and each applicant's record and reputation are such that the applicants will not be likely to act in a manner dangerous to public safety, and that the granting of the relief will not be contrary to the public interest.

Arpen, Frank T., Jr., 8990 Diamond C Lane, Jacksonville, Florida, convicted on January 13, 1961, in the United States District Court, Southern District of Florida.

Baxter, Robert L., 14747 El Cariso Road, Victorville, California, convicted on September 7, 1945, in a General Court Martial, Camp Joseph T. Robinson, Arkansas; and on December 5, 1946, in the United States District Court, Eastern District of Arkansas.

Bostain, Rudie G., 414 Rosewood Street, Kelso, Washington, convicted on April 30, 1965, in the Circuit Court of the State of Oregon, Multnomah County; on December 26, 1968, and October 29, 1970, in the Superior Court, Cowlitz County, Washington.

Broadway, John E., 431 Arcade Boulevard, Sacramento, California, convicted on October 9, 1962, and on May 9, 1966, in the Superior Court of the State of California, In and For the County of Sacramento.

Coker, Robert B., 1305 Metro Drive, Apt. #165, Carrollton, Texas, convicted on April 8, 1959, in the Jackson County Circuit Court, Medford, Oregon.

Cook, Cecil N., Box 155, Lovelock, Nevada, convicted on January 31, 1969, in the District Court of the Eleventh Judicial District of the State of Montana, in and for the County of Lincoln.

Cowan, Cornelius, 5608 Springfield, Detroit, Michigan, convicted on October 8, 1957, in the Recorder's Court of the City of Detroit, Michigan.

Dearinger, Robert L., 911 Central, Kansas City, Kansas, convicted on April 9, 1965, in the First Judicial District Court of the State of Nevada, in and for Carson City; on December 16, 1966, in the Twenty-Ninth Judicial District Court, for the County of Wyandotte, Kansas; and on October 30, 1969, in the Leavenworth County Circuit Court, Leavenworth, Kansas.

Hand, Howard Jerome, Jr., Route 9, 426½ Old Mill Road, Clarksville, Tennessee, convicted on February 1, 1974, in the United States District Court, Middle District of Tennessee.

Harrell, Carlton Lee, P.O. Box 119, Jarratt, Virginia, convicted on July 8, 1971, Hustings Court, Richmond, Virginia.

Harris, Norman V., Jr., 107 Carrolls Avenue, Carrolls, Washington, convicted on August 12, 1971, in the Superior Court, Cowlitz County, Washington.

Heichel, John W., Sr., P.O. Box 263, New Buffalo, Michigan, convicted on October 31, 1947, in the Circuit Court, Porter County, Indiana; and on November 16, 1948, in the United States District Court for the Northern District of Indiana.

McBroom, Joseph R., 662 N.W. 7th, Apt. 8, Camas, Washington, convicted on February 10, 1966, in the Superior Court, Yakima County, Washington.

Matthews, Ray E., 6308 Butte, Boise, Idaho, convicted on May 9, 1973, in the District Court, Ada County, Idaho.

Maze, Robert P., Star Route B, Box 533, Palmer, Alaska, convicted on April 18, 1960, in the Superior Court, Fairbanks, Alaska; on April 21, 1966, and on January 27, 1967, in the Superior Court for the State of Alaska, Third Judicial District.

Minucie, Mike Thurman, Route 1, Ferrum, Virginia, convicted on December 10, 1928, on November 13, 1930, and on June 11, 1940, in the Franklin County Circuit Court, Virginia; on July 5, 1944, January 9, 1946, and on May 7, 1951, in the United States District Court for the Western District of Virginia.

Montano, Ricardo, 1232 Sanford, Muskegon Michigan, convicted on or about March 8, 1972; State of Michigan Circuit Court for the County of Wayne.

Montgomery, Rick C., 1729 Christina, Stockton, California, convicted on March 9, 1973, in the Municipal Court of California, County of San Joaquin.

Pelliccia, Emanuele, Jr., 153 So. Avenue 57, Apt. 10, Los Angeles, California, convicted on November 2, 1961, in the Superior Court, Los Angeles County, California.

Rajewich, William John, 1830 S. Street, Gering, Nebraska, convicted on or about November 6, 1969, and on May 3, 1972, in the United States District Court, District of Nebraska.

Richardson, Charles G., Highway 80, Hazel Green, Wisconsin, convicted on April 27, 1972, in the United States District Court, Western District, Wisconsin.

Risinger, Edmund L., Rt. 1, Box 103, Natalia, Texas, convicted on July 22, 1971, in the United States District Court, Western District of Texas.

Roup, Ronald V., Route 4, Box 675, Sequim, Washington, convicted on April 26, 1972, in the Superior Court, Clallam County, Washington.

Rumfelt, Verl Adaz, 705 Davidson Avenue, Lexington, North Carolina, convicted on November 28, 1959, in the Superior Court, Davidson County, North Carolina; and on November 18, 1971, in the United States District Court, Middle District of North Carolina, Salisbury Division.

Schrock, Nola, Box 165, Empire, Michigan, convicted on or about October 10, 1950, in the Court of Common Pleas, Ross County, Ohio.

Smith, Theodore C., 1739 El Codo Way, San Jose, California, convicted on November 13, 1968, in the Superior Court, Santa Clara County, California.

Spradlin, Charles L., 221 Park Hill Drive, La Grange, Georgia, convicted on or about September 15, 1970, in the United States District Court, Middle District of Georgia.

Vance, James Junior, Rt. 2, Box 13, Mimosa Trailer Park, Princeton, West Virginia, convicted on July 9, 1937, in the Mercer County Circuit Court, Princeton, West Virginia.

Wheeler, Thomas G., 848 So. Cowley, Spokane, Washington, convicted on or about May 8, 1970, in the Superior Court of the State of Washington for Whitman County.

Wilhite, Kenneth D., 2020 W. Irving Boulevard, #101, Irving, Texas, convicted on April 3, 1953, in the United States District Court for the Southern District of California.

Signed at Washington, D.C. this 19th day of March 1975.

REX D. DAVIS,
Director, Bureau of
Alcohol, Tobacco and Firearms.

[FR Doc.75-8804 Filed 4-3-75;8:45 am]

Customs Service

[T. D. 75-82]

FOREIGN CURRENCIES

Certification of Rates

MARCH 19, 1975.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange which varied by 5 per centum or more from the quarterly rate published in Treasury Decision 75-24 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following daily rates:

Belgium franc:	
Mar. 10, 1975.....	\$0.028975
Mar. 11, 1975.....	.029170
Mar. 12, 1975.....	.029000
Mar. 13, 1975.....	(¹)
Mar. 14, 1975.....	.029100
France franc:	
Mar. 10, 1975.....	.2361
Mar. 11, 1975.....	.2382
Mar. 12, 1975.....	.2367
Mar. 13, 1975.....	.2369
Mar. 14, 1975.....	.2378
Japan yen:	
Mar. 10, 1975.....	.003494
Mar. 11, 1975.....	.003495
Netherlands guilder:	
Mar. 11, 1975.....	.4224
Mar. 12, 1975.....	.4203
Mar. 13, 1975.....	.4210
Mar. 14, 1975.....	.4212

¹ Use Quarterly Rate.

Norway krone:	
Mar. 10, 1975.....	\$0.2010
Mar. 11, 1975.....	.2039
Mar. 12, 1975.....	.2030
Mar. 13, 1975.....	.2026
Mar. 14, 1975.....	.2038

[SEAL] R. N. MARRA,
Director,
Duty Assessment Division.
[FR Doc. 75-8807 Filed 4-3-75; 8:45 am]

Office of the Secretary

[Public Debt Series—No. 11-75]

7½ PERCENT TREASURY NOTES OF SERIES N-1976

Dated March 26, 1975

APRIL 2, 1975.

The Secretary of the Treasury announced on April 1, 1975, that the interest rate on the notes described in Department Circular—Public Debt Series—No. 11-75, dated March 26, 1975, will be 7½ percent per annum. Accordingly, the notes are hereby redesignated 7½ percent Treasury Notes of Series N-1976. Interest on the notes will be payable at the rate of 7½ percent per annum.

DAVID MOSSO,
Deputy Fiscal Assistant Secretary.
[FR Doc. 75-8974 Filed 4-3-75; 8:45 am]

DEPARTMENT OF DEFENSE

Office of the Secretary of Defense

DEFENSE SCIENCE BOARD TASK FORCE ON "EXPORT OF U.S. TECHNOLOGY; IMPLICATIONS TO U.S. DEFENSE"

Meeting

A task force of the Defense Science Board on "Export of U.S. Technology; Implications to U.S. Defense" will meet in closed session on 23 April 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 task force 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 sec. 10(d) of appendix I, title 5, United States Code, it has been determined that this Defense Science Board task force meeting concerns matters listed in 5 U.S.C. 552(b), and specifically subparagraph (1) thereof, and that accordingly this meeting will be closed to the public.

MAURICE W. ROCHE,
Director, Correspondence and Directives, OASD (Comptroller).

APRIL 1, 1975.

[FR Doc. 75-8808 Filed 4-3-75; 8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

PARKER-DAVIS AND COLORADO RIVER STORAGE PROJECTS

Notice of Proposed Reallocation of Power

Pursuant to Public Law 83-373, May 28, 1954 (68 Stat. 143), and Public Law 84-485, April 11, 1956 (70 Stat. 105), and by virtue of authority under the Reclamation Project Act of 1939, August 4, 1939 (53 Stat. 1187, 1194, 1198), the Secretary of the Interior proposes to reallocate power from the Parker-Davis Project and the Southern Division of the Colorado River Storage Project (CRSP).

There are 254,000 kW of Parker-Davis Project power to be reserved or reallocated and 26,650 kW of CRSP power to be reallocated.

Public comments on the proposed reallocation to be made this year should be submitted in writing on or before June 3, 1975 to one of the following offices:

Chief, Division of Power
Bureau of Reclamation, Room 7612
Department of the Interior
Washington, D.C. 20240
Telephone: (202) 343-5337

Regional Supervisor of Power
Bureau of Reclamation, Room A-35
Department of the Interior
Lower Colorado Region
Boulder City, Nevada 89005
Telephone: (702) 293-8421

A detailed analysis of the proposed reallocation and the principles involved is reproduced below and also is available for public inspection at any of the above offices.

Dated: March 27, 1975.

JOHN C. WHITAKER,
Acting Secretary of the Interior.

PROPOSED ALLOCATION OF POWER FROM PARKER-DAVIS PROJECT AND SOUTHERN DIVISION OF COLORADO RIVER STORAGE PROJECT

I. POWER MARKETING AREA

The area in which power is marketed includes the State of Arizona, southern Nevada, and southeastern California.

II. BACKGROUND

A. *Parker-Davis Project.* Parker-Davis Project power was last allocated in 1962. At that time, it was estimated that 248,000 kW of capacity and associated energy were available to serve load after consideration was given to losses, reserves, and diversity. Of this amount, it was estimated that 32,475 kW of capacity would be utilized in connection with the Gila and Yuma Federal Reclamation projects. An additional 20,000 kW was reserved for these projects' uses in the future but was allocated and contracted out on the basis that it could be withdrawn as required for project use on 2 years' notice. (This quantity was later reduced to 19,500 kW when the Yuma Irrigation District, which had received a 500 kW withdrawable allocation, sold part of its

distribution system to the Arizona Public Service Company in 1968, and the 500 kW was withdrawn for project use.) Of the remaining capacity, 21,000 kW was under contract to two nonpreference customers, the Citizens Utilities Company and the California-Pacific Utilities Company, as part of the settlement of a claim adjudicated in the companies' favor based on the failure of the Department of the Interior to renew its contracts for power from Hoover Dam as provided in the Boulder Canyon Project Act of 1928. These contracts expire at midnight, December 31, 1977.

The remaining 174,525 kW of available capacity was allocated to and contracted for by preference customers on a permanent, nonwithdrawable basis for a 10-year period through December 31, 1972.

B. *Colorado River Storage Project (CRSP).* In March 1962 the Southern Division (SD) CRSP preference customers were allocated a total of 240,000 kW of power on a nonwithdrawable basis. Of this amount, 213,350 kW were placed under contract. The remaining allottees, for various reasons, never contracted for CRSP power and 26,650 kW of CRSP-SD remains available for reallocation to the Southern Division. In addition to the above, over 141,000 kW is under contract to the existing CRSP-SD customers on a withdrawable basis subject to recapture on April 1, 1976. The latter amount will revert to the Northern Division preference customers to meet 1976-77 contract commitments in accordance with the CRSP "General Power Marketing Criteria," approved December 4, 1962.

C. *Original Proposal.* In 1972 the Bureau of Reclamation proposed that the allocations of Parker-Davis power, both permanent and withdrawable, be renewed for another 10 years through December 31, 1982, and that the contracts for the sale of power be extended on that basis. In the same year, the Bureau also proposed to reallocate the remaining 26,650 kW of CRSP-SD power proportionately among the existing CRSP-SD preference customers. The Parker-Davis proposal was objected to by the Commissioner of Indian Affairs who argued that the existing allocation to the Colorado River Indian Reservation (CRIR) was neither fair nor in accordance with the law. This assertion and other considerations led to the decision by the Department of the Interior to renew the existing Parker-Davis contracts through March 31, 1976, and to postpone placing the additional CRSP power under contract to allow ample time to review the entire subject.

III. PROPOSED REALLOCATION OF SUMMER SEASON POWER

The proposed reallocation of Parker-Davis and CRSP-SD power is based on the principles set forth below:

A. *Power Available*—1. *Parker-Davis Project.* After reexamining plant capability and reevaluating requirements for regulation, reserves, plant use, losses, and load diversity, it has been determined

that 254,000 kW are available to serve Parker-Davis loads.

2. *Colorado River Storage Project*. As stated previously, the total CRSP-SD summer season allocation is 240,000 kW, of which 213,350 kW are presently committed.

B. *Priority Uses (Parker-Davis)*—1. *Project Use*. In 1962 it was estimated that 32,475 kW were required for operation of irrigation, drainage, and relift pumps on reclamation projects, and this was increased by 500 kW in 1968. In 1972 the project use requirements were 38,975 kW. The larger amount was supplied without using any of the 19,500 kW of withdrawable allocations because of the diversity of the project loads.

The 39 MW was made up as follows:

	Load (megawatt)
Wellton-Mohawk irrigation and drainage district, plant No. 1	5
Wellton-Mohawk irrigation and drainage district plant No. 2	12
Wellton-Mohawk irrigation and drainage district plant No. 3	6
Project relift and drainage pumps	3
Construction camp site	1
Yuma-Mesa irrigation and drainage district	4
Gila project drainage pumps	1
Colorado River front work and levee system (CRFWSL)	7
	39

2. *Colorado River Indian Irrigation Project (CRIIP)*. The CRIIP was authorized in the same Act of August 30, 1935, (49 Stat. 1028, 1039) that ratified construction of the Parker Dam Project following the Supreme Court decision in *United States v. Arizona* (295 U.S. 174 (1935)) that construction had been commenced without proper congressional authorization. One of the purposes of the Parker Dam Project, as stated in the authorizing act, is "the reclamation of * * * Indian reservations." It is logical to conclude, therefore, that CRIIP, as part of the Colorado River Indian Agency is included within this stated purpose and, therefore, has a priority claim to power from Parker Dam. The Office of the Solicitor has so held in 1973 and again in 1974, thus hopefully putting to rest 40 years of controversy on this point. It appears that the present summer irrigation pumping power requirement for this project is about 2,100 kW, which should be added to the present capacity used by the Federal projects (project use). Any additional power required for full irrigation development should be included as reserved power from Parker-Davis and sold as withdrawable power at this time.

3. *Future Uses*. A reasonable quantity of power should be reserved at this time for possible future uses by Federal projects, by CRIIP, and by other Indian irrigation projects bordering the Colorado River in the lower basin.

The Indian tribes on the Lower Colorado River have Winter Doctrine water rights in the mainstem with the expectation of future irrigation development. A reservation of a relatively small amount of power for this purpose may be found

to be in keeping with the congressional purpose implied by the quoted reference to the reclamation of lands on Indian reservations in the 1935 Act, even though no further specific projects were in the planning stages at that time. By including such power in the reserved status, it will be recapturable on 2 years' notice to facilitate efficient planning for such developments.

It is estimated that a reservation of 18,300 kW will be adequate for future use by Federal reclamation projects, such as Yuma, Gila, and Colorado River Front Work and Levee System and/or Indian irrigation projects bordering the mainstem of the Lower Colorado River. This power would be allocated subject to withdrawal on 2 years' notice for any of the indicated purposes.

C. *Net Available for Allocation (Parker-Davis)*. The following table summarizes the amounts available for allocation:

	Load (megawatt)	
	Existing	Proposed
Private utilities	21.0	
Future priority uses (withdrawable)	19.5	18.3
Permanent allocation	174.5	194.6
Total allocation	215.0	212.9
Current priority uses	39.0	41.1
Power available	254.0	254.0

¹ The existing contracts with the private utilities do not expire until Dec. 31, 1977; however, it has been determined that the 21.0 MW can be allocated to preference customers now by utilizing some interim power from other sources that contractually has been committed but is temporarily not required for load.

D. *Colorado River Indian Agency (CRIA)*. The Colorado River Indian Agency should have a permanent allocation as a preference customer in addition to the power supply for the irrigation project discussed under III(B) above.

In view of the system's proximity to Parker Dam, the allocation would appropriately come from the Parker-Davis Project rather than CRSP-SD; however, since 750 kW of CRSP-SD summer season power is already under contract and cannot be unilaterally terminated, the CRSP-SD contract will continue, and the rest of CRIA requirements will come from Parker-Davis.

As to amounts, the Bureau of Indian Affairs (BIA) suggests that the summer season allocation should be 19,900 kW based on the estimated on-reservation loads in 1986. BIA relies heavily on statements in the 1933 contract with the Metropolitan Water District that the United States would use Parker Dam power for CRIA and the Gila or Parker-Gila Project. The Indians were not a party to this contract, and it created no enforceable rights in them. The then Reclamation District counsel stated in a 1938 memorandum that the provision was included to "avoid incurring the opposition of the Salt River Valley Water Users' Association to construction of the dam."

When Congress ratified the Parker Dam contracts in 1935, it had in mind

the contracts for the construction of the dam, not this provision. The specific operative contract reference to the use of power on the reservation and the downstream projects was removed when the contract was amended in 1939, and Congress never dissented.

To set an allocation based on the foregoing would place CRIA in a far more advantageous position than any other preference customer, including other Indian tribes, and is not considered appropriate.

The 1973 load of CRIA was about 14,800 kW. Of this amount, 2,100 kW represents the on-reservation irrigation pumping requirements, leaving 12,500 kW. About one-half of this amount represents the remaining on-reservation requirements. It is proposed that the allocation of summer season power to CRIA be based on the current on-reservation nonirrigation load of about 6,250 kW (5,500 kW from Parker-Davis and 750 kW from CRSP). The allocation should be permanent rather than withdrawable, since it would not make much sense to withdraw from CRIA to serve its own irrigation loads.

E. *Ak-Chin Indian Community (Ak-Chins)*. The Ak-Chin Indian Community should be given a fixed allocation of CRSP-SD power to cover its irrigation pumping load. The Ak-Chins did receive, for some summer seasons, about 5,000 kW of CRSP-SD power indirectly from Electrical District No. 3 (ED-3) as part of ED-3's withdrawable allocation. Under existing conditions, the Ak-Chins have no Federal power supply. This Indian community is entirely agricultural, and its economic well-being is tied to the success of this agricultural enterprise. The community, by its industrious efforts, has shown that an Indian reservation can operate a farming enterprise without substantial financial aid from the Federal Government. In fact, the Ak-Chins have frequently been cited as an example of unparalleled productivity and self-sufficiency. For these reasons, special consideration should be given the Ak-Chins, and it is proposed that they be given a permanent allocation of CRSP-SD summer season power of 5,500 kW.

F. *Queen Creek and San Tan Irrigation Districts*. These two irrigation districts should be given permanent allocations of CRSP-SD power. These two customers are the only ones in the CRSP power marketing area which have a withdrawable CRSP-SD allocation but no permanent allocation of any Federal power.

This should not bar them from receiving consideration for sharing in the additional power now available. Assigning them an allocation of approximately one-half of their current loads will place them roughly on parity with other preference customers.

G. *Existing Customers*. Each existing preference customer should be allocated power at least equal to, if not more than, its present Parker-Davis allocation (permanent and withdrawable), plus its present CRSP-SD permanent allocation.

There is a greater demand by preference customers for power than there is power available. In such a situation, dependability of supply and timing are important factors in enabling the Federal power to be put to use more effectively. Since the leadtime in planning for power supply is quite long, a customer should know whether or not it can rely on Federal power as early as possible in the planning process. Thus it can make plans for alternative sources of supply, if necessary. When the allocations were made in 1962 for both projects, consideration was given to the legal, policy, and equity aspects, and the allocations were made fairly and equitably. Consideration was given to requests from entities not now receiving power, and it was decided that it would not be in the public interest to make major alterations in the allocation scheme at this time. Therefore, it is proposed to allocate the remaining available power among existing preference customers.

IV. ALLOCATION

A. Parker-Davis and CRSP Totals. Since one-third of the preference customers with existing allocations utilize power from both projects simultaneously in amounts totalling about 70 percent of all power available for customer use, the total amount available from both projects should be allocated as a package. After deducting the amounts for each entity described above and the current priority uses, the remainder should be allocated in proportion to present allocations (permanent and withdrawable).

The following table illustrates the mechanical procedure used to determine the summer season reallocation (final quantities are shown in Table I):

	Present	Proposed
Parker-Davis.....	254,000	254,000
CRSP-SD.....	213,350	240,000
Less:		
Ak-Chins.....		5,500
CRIA (nonirrigation).....	4,070	6,250
Queen Creek Irrigation District.....		2,700
San Tan Irrigation District.....		1,300
Priority uses.....	38,975	41,100
Private utilities.....	21,000	
Total.....	64,045	56,850
Balance to be allocated.....	403,305	437,150

$$Y = \frac{437,150 X}{403,305}$$

X = present customer allocation
Y = proposed customer reallocation

The total amounts thus reallocated are listed in column 10 of table I. The original allocations are listed in column 5 of are listed in table I.

B. CRSP-SD Allocation. The allocation to those customers which receive all of their power from CRSP-SD will be equal to the amounts calculated under IV(A) above. These amounts, along with the CRIA allocation, are then subtracted from the total CRSP power available and the remainder distributed proportionately.

The calculations shown below were used to determine the CRSP-SD summer

season reallocations and the quantities are listed in Table I.

	Present	Proposed
Total allocated.....	213,350	240,000
Less:		
Ak-Chins.....		5,500
CRIA.....	750	750
Queen Creek Irrigation District.....		2,700
San Tan Irrigation District.....		1,300
Customers with no Parker-Davis power.....	61,700	66,900
Total.....	62,450	77,150
Balance to be allocated.....	150,900	162,850

$$Y = \frac{162,850 X}{150,900}$$

X = present customer allocation
Y = proposed customer reallocation

The X quantities are listed in column 4, and the Y quantities in column 9 of Table I.

C. Parker-Davis Total Allocation. 1. For those customers which have no CRSP-SD allocations, the Parker-Davis total allocation must be the amounts calculated under IV(A) above. The summer season amounts are tabulated in column 8 of Table I and the existing amounts in column 3 of Table I.

2. For those customers having allocations from both projects, the total Parker-Davis allocations will be the difference between the amounts calculated under IV(A) above and those under IV(B) above.

D. Parker-Davis Permanent Allocation. 1. For those customers having no withdrawable allocation, the permanent allocations will be those calculated under IV(C) above. The summer season quantities are listed in columns 1 and 6 of Table I.

2. After deducting from the total permanent allocations, amounts under IV(D)(1) above, the remainder should be distributed in proportion to existing allocations among the remaining customers, as shown below:

	Present	Proposed
Total available (permanent).....	234,569	235,700
Less:		
Arizona Electric Power Coop.....	19,425	21,100
CRIA (nonirrigation).....	2,005	5,500
Imperial Irrigation District.....	30,055	32,550
Mesa.....	9,590	10,450
Mohave Electric Coop.....	2,515	2,700
Salt River project.....	30,000	33,000
Thatcher.....	310	350
Yuma Irrigation District.....	1,500	1,600
Private utilities.....	21,000	
Priority uses.....	38,975	41,100
Total.....	155,375	148,350
Balance to be allocated.....	79,125	87,350

$$Y = \frac{87,350 X}{79,125}$$

X = present customer allocation
Y = proposed customer reallocation

E. Parker-Davis Withdrawable Allocation. The withdrawable allocation should now be the difference between the total Parker-Davis allocation under IV(C) above and the permanent allocation

under IV(D) above. The summer amounts are listed in columns 2 and 7 of Table I.

V. WINTER SEASON ALLOCATIONS

The winter season allocations were calculated in a similar manner as under IV above and are listed in Table II.

VI. CONTRACTUAL ARRANGEMENTS

A. Term of Contracts—1. Parker-Davis Project. All Parker-Davis power will be placed under contract for a 10-year period through March 31, 1986.

2. CRSP. For those customers having existing long-term contracts, CRSP

power will be for the term of the existing contract. For those without existing long-term contracts, the term will be through March 31, 1986.

B. Deadline. Each allottee must place its allocated amount(s) under contract by the end of the 1975-75 winter season or the allocation(s) will be rescinded.

TABLE I. Summer Season Allocations

Customer or load	Present allocation					Proposed allocation				
	Parker-Davis project		Total	CRSP	Total	Parker-Davis project		Total	CRSP	Total
	Perma- nent	With- drawable				Perma- nent	With- drawable			
1	2	3	4	5	6	7	8	9	10	
Ak-Chin Indian community								5,500		5,500
Arizona Electric Power Coop.	19,425		19,425	12,300	31,725	21,100		21,100	13,300	34,400
Arizona Power Authority		3,035	3,035		3,035		3,300		3,300	3,300
Chandler Heights Citrus Irrigation District				400	400				450	450
Colorado River Indian Agency	2,005	1,315	3,320	750	4,070	5,300		5,500	780	6,250
DCRR of Nevada	45,000	8,080	53,140	28,500	81,640	49,800	8,000	57,800	30,700	88,500
Edwards Air Force Base	15,030	2,020	17,050		17,050	16,500	2,000	18,500		18,500
Electrical District No. 2				10,400	10,400				11,300	11,300
Electrical District No. 3				3,450	3,450				9,400	9,400
Electrical District No. 4				5,250	5,250				5,700	5,700
Electrical District No. 5 (Pinal)				3,250	3,250				3,500	3,500
Electrical District No. 5 (Maricopa)				1,700	1,700				1,850	1,850
Electrical District No. 6				6,250	6,250				6,800	6,800
Electrical District No. 7				4,950	4,950				5,350	5,350
Imperial Irrigation District	30,055		30,055		30,055	32,500		32,500		32,500
Littlefield Electric Coop.				200	200				250	250
Maricopa County Mun. Water Construction				5,850	5,850				6,300	6,300
City of Mesa	9,590		9,590	4,800	14,440	10,450		10,450	5,200	15,650
Mohave Electric Coop.	2,515		2,515	400	2,915	2,700		2,700	450	3,150
Navajo Tribal Utilities Authority				2,500	2,500				2,700	2,700
Ocotillo Water Construction District				1,200	1,200				1,300	1,300
Queen Creek Irrigation District				5,200	5,200				5,600	5,600
Roosevelt Irrigation District				2,500	2,500				2,700	2,700
Roosevelt Water Construction District				1,200	1,200				1,300	1,300
City of Stafford									1,300	1,300
Salt River Project	30,000		30,000	101,900	131,900	33,000		33,000	109,950	142,950
San Carlos Irrigation Project	14,025	2,020	16,045	1,750	17,795	15,400	2,000	17,400	1,900	19,300
San Tan Irrigation District									1,300	1,300
Town of Thatcher	310		310	550	860	350		350	600	950
Wellton-Mohawk Irrigation and Drain District	2,005	1,010	3,015	250	3,265	2,200	1,000	3,200	300	3,500
Williams Air Force Base				2,200	2,200				2,400	2,400
Yuma Irrigation District	1,500		1,500		1,500	1,000		1,000	1,000	1,000
Yuma Proving Ground	3,005	2,020	5,025	400	5,425	3,450	2,000	5,450	450	5,900
Priority uses	38,975		38,975		38,975	41,100		41,100		41,100
Private utilities	21,000		21,000		21,000					21,000
Total	234,500	19,300	254,000	213,350	467,350	235,700	18,300	254,000	240,000	494,000

TABLE II. Winter Season Allocations

Customer or load	Present allocation					Proposed allocation				
	Parker-Davis project		Total	CRSP	Total	Parker-Davis project		Total	CRSP	Total
	Perma- nent	With- drawable				Perma- nent	With- drawable			
1	2	3	4	5	6	7	8	9	10	
Ak-Chin Indian Community									3,300	3,300
Arizona Electric Power Coop.	14,570		14,570	500	15,070	10,200		10,200	1,400	17,000
Arizona Power Authority		2,275	2,275		2,275		2,650		2,650	2,650
Chandler Heights Citrus Irrigation District				150	150				200	200
Colorado River Indian Agency	1,505	985	2,490	400	2,890	4,200		4,200	400	4,600
DCRR of Nevada	33,810	6,000	39,870	11,450	51,320	36,300	6,000	42,300	17,600	59,900
Edwards Air Force Base	11,270	1,515	12,785		12,785	13,450	1,500	14,950		14,950
Electrical District No. 2				3,800	3,800				4,500	4,500
Electrical District No. 3				1,400	1,400				1,650	1,650
Electrical District No. 4				2,100	2,100				2,450	2,450
Electrical District No. 5 (Pinal)				1,500	1,500				1,750	1,750
Electrical District No. 5 (Maricopa)				700	700				800	800
Electrical District No. 6										
Electrical District No. 7				700	700				800	800
Imperial Irrigation District	22,535		22,535		22,535	26,300		26,300		26,300
Littlefield Electric Coop.				100	100				150	150
Maricopa County Mun. Water Construction				1,300	1,300				1,500	1,500
City of Mesa	7,190		7,190	1,050	8,240	8,000		8,000	2,300	10,300
Mohave Electric Coop.	1,800		1,800	300	2,100	2,200		2,200	250	2,450
Navajo Tribal Utilities Authority				1,000	1,000				1,150	1,150
Ocotillo Water Construction District				500	500				600	600
Queen Creek Irrigation District										
Roosevelt Irrigation District				1,000	1,000				1,150	1,150
Roosevelt Water Construction District				950	950				1,100	1,100
City of Stafford				250	250				400	400
Salt River project	22,500		22,500	29,550	52,050	22,500		22,500	38,250	60,750
San Carlos Irrigation project	10,515	1,515	12,030	350	12,380	11,950	1,500	13,450	1,000	14,450
San Tan Irrigation District										
Town of Thatcher	230		230	200	430	250		250	250	500
Wellton-Mohawk Irrigation & Drain District	1,595	700	2,295	100	2,395	1,850	750	2,600	150	2,750
Williams Air Force Base				850	850				650	650
Yuma Irrigation District	1,125		1,125		1,125	1,300		1,300		1,300
Yuma Proving Ground	2,255	1,515	3,770	300	4,070	2,900	1,500	4,400	200	4,600
Priority uses	24,700		24,700		24,700	24,700		24,700		24,700
Private utilities	15,750		15,750		15,750					15,750
Total	171,350	14,625	185,975	60,750	246,725	172,100	13,900	186,000	84,000	270,000

[FR Doc. 75-8097 Filed 4-3-75; 8:45 am]

National Park Service
SOUTHEAST REGIONAL ADVISORY
COMMITTEE

Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Southeast Regional Advisory Committee will be held at 8:30 a.m., e.d.t., on April 24 and 3 p.m. on April 25 at the Holiday Inn, Airport & I-95, Jacksonville, Florida.

The purpose of the Southeast Regional Advisory Committee is to provide for the free exchange of ideas between the National Park Service and the public and to facilitate the solicitation of advice or other counsel from members of the public on problems and programs pertinent to the Southeast Region of the National Park Service.

The members of the Advisory Committee are as follows:

Mrs. Ann Smith Bedsole (chairman), Mobile, Alabama
Mr. Tutt S. Bradford, Maryville, Tennessee
Mr. Robert Gable, Frankfort, Kentucky
The Very Reverend Monsignor Michael V. Gannon, Gainesville, Florida
Mr. Alfredo Heres Gonzalez, Santurce, Puerto Rico
Honorable Donald Kincaid, Lenoir, North Carolina
Dr. John King, Jackson, Mississippi
Mr. Charles Edward Lee, Columbia, South Carolina
Mrs. Jane Hurt Yarn, Atlanta, Georgia

The matters to be discussed at this meeting are: (1) Cumberland Island National Seashore planning and operations, (2) Wilderness Program status and (3) Establishment of Canaveral National Seashore and Tuskegee Institute National Historic Site.

The meeting will be open to the public. However, facilities and space for accommodating members of the public are limited and it is expected that not more than 25 persons will be able to attend. Any member of the public may file with the committee a written statement concerning the matters to be discussed.

Persons wishing further information concerning this meeting or who wish to submit written statements, may contact Paul C. Swartz, Chief, Cooperative Activities Division, Southeast Regional Office, at 404/526-7560. Minutes of the meeting will be available for public inspection 4 weeks after the meeting at the office of the Southeast Region, 3401 Whipple Avenue, Atlanta, Georgia.

Dated: March 14, 1975.

PAUL C. SWARTZ,
Chief, Cooperative Activities
Division, Southeast Region,
National Park Service.

[FR Doc.75-8748 Filed 4-3-75;8:45 am]

Office of Hearings and Appeals

[Docket No. M 75-98]

AFFINITY MINING CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301

(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. section 861(c) (1970), Affinity Mining Company has filed a petition to modify the application of 30 CFR 75.200 to its Keystone No. 5 Mine, Midway, Raleigh County, West Virginia.

30 CFR 75.200 provides in pertinent part:

Each operator shall undertake to carry out on a continuing basis a program to improve the roof control system of each coal mine and the means and measures to accomplish such system. The roof and ribs of all active underground roadways, travelways, and working places shall be supported or otherwise controlled adequately to protect persons from falls of the roof or ribs. A roof control plan and revisions thereof suitable to the roof conditions and mining system of each coal mine and approved by the Secretary shall be adopted and set out in printed form on or before May 29, 1970. The plan shall show the type of support and spacing approved by the Secretary. * * *

1. In January 1975, Petitioner submitted its proposed roof control plan which included a "Special Plan" (a copy is attached hereto as Exhibit A)¹ for use in those areas of the mine which had a solid sandstone roof.

2. The aforesaid "Special Plan" was contained in prior Keystone No. 5 mine roof control plans submitted by Petitioner and approved by MESA.

3. The provisions of the Special Plan include:

a. Line posts are to be installed as space permits to within 5 feet of the face during the loading cycle. Supports near the face may be repositioned to facilitate operation of the equipment provided at least a double row of supports is installed on the side opposite the row being removed.

b. No person is to advance in by roof supports.

c. The intersection may be fully bolted.

d. Temporary supports and the sequence of installation of roof bolts shall conform to schematic diagrams submitted by Petitioner and approved by MESA.

e. When loose, broken, or drummy roof is encountered, the roof shall be supported by installing crossbars or according to the spot bolting permit.

f. When mining with conventional equipment, temporary supports shall be installed as shown upon completion of the loading cycle.

4. On February 14, 1975, MESA approved Petitioner's proposed roof control plan, but only after it had deleted the "Special Plan" for said sandstone roof from the proposed plan for the reason that Petitioner is not presently mining in the sandstone roof area.

5. Petitioner is not now mining in an area of sandstone roof, but engineering studies from core drillings indicate that Petitioner will be mining in areas of solid sandstone roof within the next three (3) to six (6) months (see areas indicated on Exhibit B attached).²

¹ Exhibit A will be available for inspection at the address contained in the last paragraph of the notice.

² Exhibit B will be available for inspection at the address contained in the last paragraph of the notice.

6. Petitioner's "Special Plan" is proposed and intended only for use in the solid sandstone roof areas.

7. Petitioner requests that its roof control plan approved under 30 CFR 75.200 be modified to include the "Special Plan" for use only in areas of solid sandstone roof for the reason that use of said "Special Plan" in areas of solid sandstone roof would provide at least the same degree of safety to the miners in said mine than if the roof control plan approved on February 14, 1975, by MESA under 30 CFR 75.200 were strictly complied with.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before May 5, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director, Office of
Hearings and Appeals.

MARCH 27, 1975.

[FR Doc.75-8795 Filed 4-3-75;8:45 am]

[Docket No. M 75-95]

EASTERN ASSOCIATED COAL CORP.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. section 861(c) (1970), Eastern Associated Coal Corp. has filed a petition to modify the application of 30 CFR 75.305 to its Joanne Mine, Rachel, West Virginia.

30 CFR 75.305 provides in pertinent part:

In addition to the preshift and daily examinations required by this Subpart D, examinations for hazardous conditions, including tests for methane, and for compliance with the mandatory health or safety standards, shall be made at least once each week by a certified person designated by the operator in the return of each split of air where it enters the main return, on pillar falls, at seals, in the main return, at least one entry of each intake and return aircourse in its entirety. Idle workings, and, insofar as safety considerations permit, abandoned areas.

In support of its petition, Petitioner states:

1. The Joanne Mine was originally opened in 1917, and since that time it has changed ownership numerous times during which there were several lengthy idle periods due to extended work stoppages, bankruptcies and several fires.

2. Petitioner purchased the mine in 1969 and operated it until a mine fire occurred in January 1974, at which time the mine was temporarily sealed. The mine was reopened in June 1974 for recovery work followed by the resumption of operations.

3. On January 27, 1975, Petitioner was issued Notice No. 1 RLA for an alleged

violation of 30 CFR 75.305 as a result of Petitioner's failure to conduct weekly examinations of at least one entry in its entirety on either of the two main return air courses between the East Run Shaft and No. 1 shaft bottom, and Old 1 West and the No. 1 shaft bottom. Said notice also states "hazardous roof conditions causes said areas to be unsafe for travel."

4. The Old 1 West area was developed between 1949 and 1965; it passes through very bad fault areas; the return airways were not roof bolted or adequately supported by the developing operator; and the draw slate top in the returns has deteriorated causing massive falls throughout the area making safe travel impossible.

5. The airways between the East Run Shaft and the No. 1 shaft bottom were developed between 1949 and 1953; these return airways are in the same condition as those of the Old 1 West area described in paragraph 4 *supra*.

6. Because of ventilation problems and the hazards involved with rehabilitating these two sets of return airways, Petitioner added two new airshafts in the west side of the mine to provide adequate ventilation of the active workings.

7. It is impossible to use mechanical equipment to rehabilitate either of the said two return airways. To handle the material by hand would require years of work, and it would involve unnecessary risks to the miners involved.

8. In the alternative to specific compliance with 30 CFR 75.305, Petitioner proposes to establish and maintain five special ventilation check points which would be examined weekly by a qualified person. Petitioner proposes to establish said check points at the following locations (see attached map):

- (1) outby end of 2 North Mains, i.e., the inby end of Old 1 West near survey station 9999;
- (2) one block outby old 2 right overcasts on left side return;
- (3) one block outby old 2 Right overcasts on right side return;
- (4) all approaches of East Run Air Shaft; and
- (5) All approaches of No. 1 air shaft.

9. Weekly methane and air quantity readings will be made at each check point by a qualified person; the readings will be recorded as required by 30 CFR 75.305; access to and from the five check points will be kept properly supported and in a condition which is safe for travel; and a date board will be located at each station for the purpose of recording the initials, date and time of each examination.

10. Petitioner respectfully requests that its petition for modification, as set forth hereinabove, be granted for the reason that it will provide no less than the same degree of safety to the miners at the Joanne Mine than if 30 CFR 75.305 were strictly complied with, and in fact, Petitioner asserts that the proposed alter-

nate system would provide a greater degree of safety to the miners at said mine.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before May 5, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.
[FR Doc.75-8796 Filed 4-3-75;8:45 am]

[Docket No. M 75-99]

KAISER STEEL CORP.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. section 861(c) (1970), Kaiser Steel Corporation has filed a petition to modify the application of 30 CFR 75.1704-1(a) to its York Canyon No. 1 Mine, Colfax County, New Mexico.

30 CFR 75.1704-1(a) provides:

Except in situations where the height of the coalbed is less than 5 feet, escapeways should be maintained at a height of at least 5 feet (excluding necessary roof support) and the travelway in such escapeway should be maintained at a width of at least 6 feet. In those situations where the height of the coalbed is less than 5 feet, the escapeway should be maintained to the height of the coalbed (excluding any necessary roof support) and the travelway in such escapeways should be maintained at a width of at least 6 feet.

Petitioner seeks to modify that part of said standard which requires that a six (6) foot wide travelway be maintained to the working face.

(1) Petitioner proposes to drive two entries on fifty (50) foot centers, with the "intake" being eight (8) feet wide and the "return" (with conveyor belt) being twelve (12) feet wide, with crosscuts on five hundred (500) foot centers. The conveyor belt tailpiece would then be installed as close to the outby rib line of the last open crosscut as feasible. An extensible belt conveyor system would then be used to transport coal from the face to the last open crosscut where the coal would be transferred to the section conveyor belt. Roof bolts would then be installed as the miner progresses using hand held hydraulic drills. Ventilation would be by auxiliary fans and vent tubing.

(2) Petitioner seeks said modification to allow for the development of an eight (8) foot wide intake entry inby the last open crosscut. The extensible belt conveyor system is five (5) feet wide; thus allowing three (3) feet for an escapeway. It is Petitioner's belief that the twelve (12) foot wide entry and the eight (8) foot wide entry outby the last open crosscut will satisfy the requirements prescribed in Standard 30 CFR 75.1704-1(a).

(3) Petitioner believes the alternate method will at all times guarantee no less than the same measure of protection afforded the miners at the affected mine by Standard 30 CFR 75.1704-1(a), and further believes the application of the standard results in diminution of safety to miners in the affected mines.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before May 5, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.
[FR Doc.75-8797 Filed 4-3-75;8:45 am]

[Docket No. M 75-97]

MCCRACKEN COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. section 861(c) (1970), McCracken Coal Company has filed a petition to modify the application of 30 CFR 75.523-1(a)(2) to its McCracken Mine, West Lebanon, Pennsylvania.

30 CFR 75.523-1(a)(2) provides:

(a) Except as provided in paragraphs (b) and (c) of this section, all self-propelled electric face equipment which is used in the active workings of each underground coal mine on and after March 1, 1973, shall, in accordance with the schedule of time specified in paragraph (a) (1) and (2) of this section, be provided with a device that will quickly deenergize the tramping motors of the equipment in the event of an emergency. The requirements of this paragraph (a) shall be met as follows:

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

In support of its petition to secure a waiver of the foregoing mandatory standard, Petitioner states:

(1) Petitioner's short wall cutting machine is equipped with a Jeffrey drum-type controller. This sealed machine has been approved as gas-proof by the Bureau of Mines.

(2) A hazard would be created if a "panic bar" (deenergizing device) were installed on the cutting machine.

(3) Since only two men (the owner and a workman) work in the subject mine, the application of Petitioner's alternate method will not result in a diminution of safety in the mine.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before May 5, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the

¹ The map attached to the petition is available for inspection at the address contained in the last paragraph of the notice.

petition are available for inspection at that address.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

MARCH 27, 1975.

[FR Doc.75-8798 Filed 4-3-75;8:45 am]

[Docket No. M 75-96]

NORTH AMERICAN COAL CORP.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. section 861 (c) (1970), the North American Coal Corporation has filed a petition to modify the application of 30 CFR 75.1405 to its Jenise Mine, Powhatan Point, Ohio. 30 CFR 75.1405 provides:

All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and uncouple without the necessity of persons going between the ends of such equipment. All haulage equipment without automatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30, 1970.

In support of its petition, Petitioner states:

(1) This petition pertains only to supply cars at the subject mine. These supply cars are flat bed cars similar to mine cars in use at this mine. The supply cars are loaded outside in the mine yard and dropped into the mine via a 1,700 ft. slope with a 17° pitch. Supplies are then pulled on rail by locomotive to areas of the mine as needed.

(2) Petitioner's alternate coupling method will provide much greater protection for the miners than automatic couplers required by 30 CFR 75.1405 by eliminating the possibility of the cars uncoupling when they are dropped down the slope into the mine.

(3) Schematic diagrams¹ accompanying the petition show two slightly different methods of raising and lowering the coupling pin. Both systems have been tried and work successfully. These systems consist of a lever attached to the coupling pin which is enclosed in a slotted cylinder allowing the pin to be raised and lowered without personnel going between the cars. Where necessary a specially designed hook will be used to remotely align the link.

(4) A training and retraining program will be initiated in which all personnel required to work in and around these cars will be properly trained in the operation of the foregoing coupling device. A record will be kept of this training.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before May 5, 1975. Such requests or comments must be filed

¹ The diagrams will be available for inspection at the address contained in the last paragraph of the notice.

with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

MARCH 27, 1975.

[FR Doc.75-8799 Filed 4-3-75;8:45 am]

[Docket No. M 75-94]

REPUBLIC STEEL CORP.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. section 861 (c) (1970), Republic Steel Corporation has filed a petition to modify the application of 30 CFR 75.305 to its Clyde Mine, Uniontown, Pennsylvania.

30 CFR 75.305 provides in pertinent part:

In addition to the preshift and daily examinations required by this subpart D, examinations for hazardous conditions, including tests for methane, and for compliance with the mandatory health or safety standards, shall be made at least once each week by a certified person designated by the operator in the return of each split of air where it enters the main return, on pillar falls, at seals, in the main return, at least one entry of each intake and return aircourse in its entirety, idle workings, and, insofar as safety considerations permit, abandoned areas.

(1) Modification of this mandatory safety standard is sought in light of the fact that Petitioner's Clyde Mine is an old mine with many worked out areas. Many of the return air courses were developed 40 years ago prior to the use of roof bolting for roof control. The Commonwealth of Pennsylvania has issued orders on air course inspection which conflict with the orders issued by the Federal Mining Enforcement and Safety Administration.

To require restoration of the aforementioned return air courses to travelable condition would be an almost impossible task, necessitating exorbitant expenditures and years of work to complete.

(2) *Alternate Method.* Petitioner asserts that only one alternate method is both practicable and feasible and would at all times guarantee the personnel at Clyde Mine no less than the same measure of protection afforded by the mandatory standard. This alternate method requires the construction of two methane monitoring stations, one in each of the Ross shaft returns. Total intake air from the Ross shaft fan will be monitored at four strategic locations. A continuous methane monitor I-500 Module analyzer is in operation at Ross Shaft Portal Service Building. If at any time the methane concentration exceeds .5 percent in the return upcast an audible alarm sounds; a telephone is automatically dialed at the mine office and in a private home occupied by an employee of Petitioner; a

recording plays a message warning of the concentration. The alarm and telephones must be manually shut off at the monitoring station.

The aforementioned detecting, recording, and warning system, in combination with the monitoring stations in the return air courses, would assure satisfaction with the standard set forth in 30 CFR 75.305. Further, the return air from the return air courses in question would at no time have any effect on the present active workings at Clyde Mine.

Additional guidelines would be as follows:

A. The monitoring stations and continuous methane monitor analyzer will, at all times, be maintained in proper working condition.

B. A date board or book will be located at each measuring station and air and methane readings will be taken and recorded.

C. Examinations will be made daily at each monitoring station by a properly qualified person.

D. The number of employees who work in this area is minimal. Each man is able to reach a separate split of air in a reasonable period of time. Each man working in this area is required to carry a one-hour, self-rescuing device on his person at all times.

E. A diagram showing the air flow direction in this area will be posted at the measuring stations and at other strategic locations.

(3) *Measure of Protection.* The detecting, recording and warning method working in combination with the monitoring stations hereinabove described will assure that the criteria in 30 CFR 75.305 will be satisfied. The net effect will be that the mandatory safety standard will be met as though the return air courses were capable of being traveled. The alternate method at all times guarantees no less than the same measure of protection afforded the miners at Clyde Mine as provided by the mandatory standard.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before May 5, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES C. RICHARDS,
Director,
Office of Hearings and Appeals.

[FR Doc.75-8800 Filed 4-3-75;8:45 am]

DEPARTMENT OF AGRICULTURE

[Notice of Designation No. A180]

Farmers Home Administration

LOUISIANA

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in the following parishes in Louisiana as a result of natural disasters consisting of:

Franklin—Drought June 10 to August 20, 1974. Excessive rainfall August 21 to October 18, 1974.

Morehouse—Excessive rainfall August 15 to September 1 and October 1 to December 31, 1974. Hailstorm May 26, 1974.

Ouachita—Excessive rainfall May 1 to 31 and September 1 to October 31, 1974.

Richland—Excessive rainfall September 1 to December 14, 1974.

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Edwin Edwards that such designation be made.

Applications for Emergency loans must be received by this Department no later than May 19, 1975, for physical losses and December 19, 1975, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 28th day of March, 1975.

FRANK B. ELLIOTT,
Administrator,

Farmers Home Administration.

[PR Doc.75-8825 Filed 4-3-75;8:45 am]

[Notice of Designation No. A184]

LOUISIANA

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in the following parishes in Louisiana as a result of a natural disaster consisting of:

Caldwell—Excessive rainfall March 1 to December 12, 1974.

DeSoto—Excessive rainfall January 1 to May 31 and August 18 to November 20, 1974. (Hurricane Carmen occurred September 8, 9, and 10, 1974.) Drought July 1 to August 15, 1974. Cool weather September 1-7, 1974.

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Edwin Edwards that such designation be made.

Applications for Emergency loans must be received by this Department no later than May 27, 1975, for physical losses and December 26, 1975, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of pro-

posed rule making and invite public participation.

Done at Washington, D.C., this 28th day of March, 1975.

FRANK B. ELLIOTT,
Administrator,

Farmers Home Administration.

[PR Doc.75-8826 Filed 4-3-75;8:45 am]

[Notice of Designation No. A179]

WISCONSIN

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in the following counties in Wisconsin:

Ashland Iron
Bayfield

The Secretary has found that this need exists as a result of a natural disaster consisting of drought July 1 through 31 and early frosts and/or freezes from August 31 through September 3, 1974, in all three counties and hailstorms July 17 and 18, 1974, in Bayfield County.

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Patrick J. Lucey that such designation be made.

Applications for Emergency loans must be received by this Department no later than May 19, 1975, for physical losses and December 19, 1975, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 28th day of March, 1975.

FRANK B. ELLIOTT,
Administrator,

Farmers Home Administration.

[PR Doc.75-8827 Filed 4-3-75;8:45 am]

Packers and Stockyards Administration

CLEBURNE COUNTY LIVESTOCK SALES, INC., RANBURNE, ALABAMA, ET AL.

Posted Stockyards

Pursuant to the authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. et seq.), it was ascertained that the livestock markets named below were stockyards within the definition of that term contained in section 302 of the Act, as amended (7 U.S.C. 202), and notice was given to the owners and to the public by posting notices at the stockyards as required by said section 302, on the respective dates specified below.

Facility No., name, location of stockyard, and date of posting

ALABAMA

AL-158 Cleburne County Livestock Sales, Inc., Ranburne, February 21, 1975.

ARIZONA

AZ-108 West Chandler Dairy Auction, Chandler, December 5, 1974.

AZ-100 Arizona Livestock Auction, Inc., Phoenix, February 12, 1975.

GEORGIA

GA-178 R & T Livestock Co., Millen, February 17, 1975.

KANSAS

K8-300 Leavenworth Livestock Auction, Company, Leavenworth, February 7, 1975.

OKLAHOMA

OK-193 Meeker Livestock Market, Meeker, February 3, 1975.

TEXAS

TX-310 Bowie Livestock Commission, Inc., Bowie, February 21, 1975.

TX-308 Rio Livestock Sales, Inc., Rio Grande City, December 6, 1974.

TX-309 Nixon Livestock Commission, Inc., Nixon, February 2, 1975.

Done at Washington, D.C., this 31st day of March, 1975.

EDWARD L. THOMPSON,
Chief, Registrations, Bonds, and
Reports Branch, Livestock
Marketing Division.

[PR Doc.75-8833 Filed 4-3-75;8:45 am]

FLORIDA AGRICULTURAL MARKETING ASSOCIATION, INC., BELLE GLADE, FLORIDA, ET AL.

Deposting of Stockyards

It has been ascertained, and notice is hereby given, that the livestock markets named herein, originally posted on the respective dates specified below as being subject to the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), no longer come within the definition of a stockyard under said Act and are, therefore, no longer subject to the provisions of the Act.

Facility No., name, location of stockyard, and date of posting

FL-101 Florida Agricultural Marketing Association, Inc., Belle Glade, Fla., February 25, 1960.

KS-170 Osage City Livestock Sales Pavilion, Osage City, Kans., March 31, 1950.

KY-113 Farmers Livestock Market of Glasgow, Inc., Glasgow, Ky., December 11, 1950.

KY-122 Lebanon Stockyard, Inc., Lebanon, Ky., December 19, 1950.

MI-105 Thumb Auction Markets, Inc., Caro, Mich., April 24, 1950.

MI-116 Escanaba Livestock Auction, Escanaba, Mich., March 5, 1950.

MN-132 Montevideo Sales Company, Montevideo, Minn., April 19, 1960.

OK-108 Shawnee-Tecumseh Livestock Auction, Shawnee, Okla., August 11, 1970.

SD-154 Webster Livestock Exchange, Webster, S. Dak., May 29, 1950.

TN-101 Athens Livestock Auction Co., Athens, Tenn., May 15, 1950.

TX-213 Lubbock Livestock Auction Company, Lubbock, Tex., November 14, 1936.

Notice or other public procedure has not preceded promulgation of the foregoing rule. There is no legal justification for not promptly deposing a stockyard which is no longer within the definition of that term contained in the Act.

The foregoing is in the nature of a rule relieving a restriction and may be made effective in less than 30 days after publication in the FEDERAL REGISTER. This notice shall become effective April 4, 1975.

(42 Stat. 159, as amended and supplemented; 7 U.S.C. 181 et seq.).

Done at Washington, D.C. this 31st day of March, 1975.

EDWARD L. THOMPSON,
Chief, Registrations, Bonds, and
Reports Branch, Livestock
Marketing Division.

[FR Doc.75-8831 Filed 4-3-75;8:45 am]

**TOBESOFKE LIVESTOCK, MACON,
GEORGIA, ET AL.**

Proposed Posting of Stockyards

The Chief, Registrations, Bonds, and Reports Branch, Packers and Stockyards Administration, United States Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 202), and should be made subject to the provisions of the Act.

GA-179 Tobesofke Livestock, Macon, Ga.
KY-113 Farmers Livestock Market of Glasgow, Inc., Glasgow, Ky.
MN-166 Perham Livestock Auction, Perham, Minn.
MN-167 Simon Horse Co., Rosemount, Minn.
MO-239 South Central Livestock Market, Inc., Vienna, Mo.
MT-118 Falls Livestock Exchange, Great Falls, Mont.
OK-194 Tonkawa Auction Center, Tonkawa, Okla.
TN-173 Athens Livestock Auction Company, Inc., Athens, Tenn.
TX-311 Lone Star Livestock Commission Co., San Antonio, Tex.
VA-148 Southampton Livestock Sales, Inc., Courtland, Va.

Notice is hereby given, therefore, that the said Chief, pursuant to authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), proposes to issue a rule designating the stockyards named above as posted stockyards subject to the provisions of the Act as provided in section 302 thereof.

Any person who wishes to submit written data, views, or arguments concerning the proposed rule, may do so by filing them with the Chief, Registrations, Bonds, and Reports Branch, Packers and Stockyards Administration, United States Department of Agriculture, Washington, D.C. 20250, by April 21, 1975.

All written submissions made pursuant to this notice shall be made available for public inspection at such times and places in a manner convenient to the public business (7 U.S.C. 1.27(b)).

Done at Washington, D.C., this 31st day of March, 1975.

EDWARD L. THOMPSON,
Chief, Registrations, Bonds, and
Reports Branch, Livestock
Marketing Division.

[FR Doc.75-8832 Filed 4-3-75;8:45 am]

DEPARTMENT OF COMMERCE

**Domestic and International Business
Administration**

**LOYOLA UNIVERSITY OF CHICAGO ET AL.
Consolidated Decision on Applications for
Duty-Free Entry of Scientific Articles**

The following is a consolidated decision on applications for duty-free entry of EMI Scanner Systems pursuant to sec. 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.). (See especially § 701.11(e).)

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

Docket Number: 75-00253-33-90000. Applicant: Loyola University of Chicago, Foster G. McGaw Hospital, 2160 South First Avenue, Maywood, Illinois 60513. Article: EMI Scanner System, with Magnetic Tape Storage Unit. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for research to improve the detection of intracranial and intraorbital lesions with Computerized Tomography with the adjunct of different contrast media to enhance the absorption coefficient. These studies are being carried out with patients, as well as with animals. Also studies for improving the resolution and detail by way of different computer programs applied to the basic principle will be done. The article will also be used in an intensive training program in Neuroradiology in affiliation with other Neurological disciplines (Neurology, Neurosurgery, Ophthalmology and Neuropathology). Application received by Commissioner of Customs: December 6, 1974. Advice submitted by the Department of Health, Education, and Welfare on: March 14, 1975. Article ordered: November 30, 1973.

Docket number: 75-00256-33-90000. Applicant: Hahnemann Medical College and Hospital, Diagnostic Radiology, 230 N. Broad Street, Philadelphia, Pa. 19102. Article: EMI Scanner System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for research of diseases of the brain and neurological diseases which include the following:

(1) Evaluation of cerebral underdevelopment of children with malnutrition and the changes during the phenomenon

of catch up brain growth which accompanies proper nutrition.

(2) Research to clarify the relationships that exist between cerebral changes occurring in aging as measured by computerized transaxial tomography, measure psychological behavior attained by both current observation studies and past psychiatric history, and sociocultural evaluations.

(3) Evaluation of the etiology and physical and behavioral changes in retarded and handicapped children. Application received by Commissioner of Customs: December 10, 1974. Advice submitted by the Department of Health, Education, and Welfare on: March 14, 1975. Article ordered: November 16, 1973.

Docket number: 75-00258-33-90000. Applicant: Northwestern Memorial Hospital, Superior Street and Fairbanks Court, Chicago, Illinois 60611. Article: EMI Scanner System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for comparative studies between the results of the computerized tomogram and other neuroradiologic investigative methods of patients with suspected intracranial disease. Application received by Commissioner of Customs: December 10, 1974. Advice submitted by the Department of Health, Education, and Welfare on: March 14, 1975. Article ordered: January 23, 1974.

Docket number: 75-00262-33-90000. Applicant: William Beaumont Hospital, 3601 West 13 Mile Road, Royal Oak, Michigan 48072. Article: EMI Scanner System with Magnetic Tape System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for studies of human subjects whose symptoms strongly suggest the presence of neurological disease, including patients with suspected tumors, congenital malformations of the skull and brain, and patients who have suffered traumatic injuries to the cranium. The patients will be studied to determine the feasibility of diagnosing brain disease with the article. The article will also be used to train radiologists and radiologic technologists on its operating principles and applications.

Application received by Commissioner of Customs: December 10, 1974. Advice submitted by the Department of Health, Education, and Welfare on: March 14, 1975. Article ordered: September 11, 1974.

Docket number: 75-00263-33-90000. Applicant: St. Anthony Hospital, 601 N.W. 9th Street, Oklahoma City, Oklahoma 73102. Article: EMI Scanner System with Magnetic Tape System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for studies of the human brain in vivo. Studies will be made comparing the accuracy of computerized axial tomography with conventional neurologic examination which includes Arteriography, Pneumography and Nuclear Scans. The article will also be used to familiarize neurosurgical and

radiology residents with the operations of the article as well as the results that can be expected. In addition, it will be used to train the attending and the housestaff of the hospital. Application received by Commissioner of Customs: December 10, 1974. Advice submitted by the Department of Health, Education, and Welfare on: March 14, 1975. Article ordered: April 4, 1974.

Docket number: 75-00266-33-90000. Applicant: University of Chicago Hospitals and Clinics, 950 East 59th Street, Chicago, Illinois 60637. Article: EMI Scanner System with Magnetic Tape System. Manufacturer: EMI, Limited, United Kingdom. Intended use of article: The article will be used to study a variety of tumors and diseases of the human brain. Scans of patients with brain disease established and diagnosed by standard, approved means, such as angiography and surgical biopsy will be compared with the scans of apparently normal subjects. The article will also be used in teaching and training resident physicians in Radiology, Neurosurgery, Neurology and Ophthalmology, as well as medical students, in the diagnosis of brain diseases by computerized axial tomography. Application received by Commissioner of Customs: December 10, 1974. Advice submitted by the Department of Health, Education, and Welfare on: March 14, 1975. Article ordered: December 12, 1973.

Docket number: 75-00268-33-90000. Applicant: St. John's Hospital, 14 Bartlett Street, Lowell, Mass. 01852. Article: EMI Scanner System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used in research projects to develop new techniques of neuroradiologic diagnosis and optimum patterns of study for patients with symptoms referable to the central nervous system. Application received by Commissioner of Customs: December 10, 1974. Advice submitted by the Department of Health, Education, and Welfare on: March 14, 1975. Article ordered: October 11, 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. Advice submitted by the Department of Health, Education, and Welfare on: March 14, 1975. Article ordered: February 19, 1974.

Docket number: 75-00299-99-90000. Applicant: University of Mississippi Medical Center, 2500 North State Street, Jackson, Mississippi 39216. Article: EMI Scanner System. Manufacturer: EMI

Limited, United Kingdom. Intended use of article: The article is intended to be used to demonstrate and analyze certain physical properties of normal cerebral tissues and a wide variety of pathological lesions involving the brain and related structures without patient hazard or even discomfort. The article will also be used to teach technologists and physicians how to make the computerized radiological images now possible. It will be used to teach Radiologists, Neurologists, Neurosurgery (SIC) and other physicians, how to make the computerized radiological images now possible. It will be used to teach these professionals how to integrate the knowledge gained into current medical practice with the object of decreasing patient morbidity and mortality, and to increase the quality of medical care. Application received by Commissioner of Customs: December 31, 1974. Advice submitted by the Department of Health, Education, and Welfare on: March 14, 1975. Article ordered: August 13, 1974.

Comments: No comments have been received with respect to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for such purposes as these articles are intended to be used, was being manufactured in the United States at the time the articles were ordered. Reasons: Each foreign article is a newly developed system which is designed to provide precise transverse axial X-ray tomography. The Department of Health, Education, and Welfare (HEW) advised in its respectively cited memoranda that the sensitivity and the non-invasive methodology of each article are pertinent to the purposes for which each foreign article is intended to be used. HEW also advised that it knows of no domestic instrument of equivalent scientific value to any of the articles to which the foregoing applications relate for such purposes as these articles are intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which was being manufactured in the United States at the time the articles were 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.75-8763 Filed 4-3-75;8:45 am]

MEHARRY MED. 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 sec. 6(c) of the

Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

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

Docket number: 75-00245-33-46040. Applicant: Meharry Medical College, 1005 18th Avenue North, Nashville, Tennessee 37208. Article: Electron Microscope, Model EM 301 and accessories. Manufacturer: Philip Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used in part to carry out research programs in developmental immunology and keloid formation. The article will also be used in the training of pre- and postdoctoral students in the techniques of ultrastructural research.

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 (October 25, 1974). Reasons: The foreign article has a specified resolving power of 3 Angstroms (Å) point to point and is equipped with a eucentric goniometer stage with $\pm 60^\circ$ tilt and more than 360° rotation in the specimen phase while providing a guaranteed point to point resolution of 8Å. 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. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated March 3, 1975 that the characteristics of the foreign article described above are pertinent to the applicant's research studies. HEW further advises that the EMU-4C did not have a scientifically equivalent goniometer stage nor resolution when the article was ordered. 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 Educational and Scientific Materials.)

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc.75-8765 Filed 4-3-75;8:45 am]

UNIVERSITY OF NEBRASKA

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 sec. 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

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

Docket number: 75-00209-33-43780. Applicant: University of Nebraska, College of Pharmacy, 42nd and Dewey Avenue, Omaha, Nebraska 68105. Article: Dianorm Equilibrium Dialysing System. Manufacturer: Innovativ-Medizin AG, Switzerland. Intended use of article: The article is intended to be used to study the interactions between low molecular weight compounds (less than 1000) to relatively higher molecular weight biopolymers (greater than 40,000 to 50,000). Specifically, the interactions of drugs to plasma and/or tissue proteins will be investigated. The direct application of the article will include experiments designed to elucidate and characterize the interactions of drugs to tissue proteins and various protein constituents of the plasma, e.g., albumin and the globulin fraction. The following parameters will be studied: The affinity and strength of drug binding to these proteins, the number of sites to which the drug is bound to the biopolymer, and the nature of these binding sites. The article will also be used in the following courses: Pharmaceutics 687 (Bachelor's Thesis in Pharmacy), Pharmaceutics 899 (Master's Thesis in Pharmacy) and Pharmaceutics 999 (Doctoral Dissertation in Pharmacy).

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 is capable of handling samples less than one millimeter in volume. It is also capable of processing 20 samples simultaneously and it provides a high membrane area to cell volume ratio. The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated March 14, 1975 that the features described above are pertinent to the applicant's intended use. HEW also advises that it knows of no domestic instrument 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 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.75-8764 Filed 4-3-75; 9:45 am]

United States Travel Service
TRAVEL ADVISORY BOARD

Meeting and Agenda

As noted in the FEDERAL REGISTER dated March 7, 1975, Volume 40, page 10703, a meeting of the Travel Advisory Board of the U.S. Department of Commerce will be held on April 8, 1975, at 9:30 a.m., in Room 4830, of the Main Commerce Building, 14th Street and Constitution Avenue NW., Washington, D.C. 20230.

Established in July, 1968, the Travel Advisory Board consists of senior representatives of 15 U.S. travel industry segments who are appointed by the Secretary of Commerce to serve two year terms.

Members advise the Secretary of Commerce and Assistant Secretary of Commerce for Tourism on policies and programs designed to accomplish the purposes of the International Travel Act of 1961, as amended.

Agenda items are as follows:

1. Report on USTS legislation
 - a. Domestic tourism development
 - b. Extension of the International Travel Act
2. Bicentennial—how should USTS support the Bicentennial?
3. International report on the Pacific Area Travel Association (PATA)

Committee name	Date, time, place	Type of meeting and contact person
Medical Radiation Advisory Committee.	April 18, 8 p.m., Holiday Inn, Delaware Room, 8120 Wisconsin Ave., Bethesda, Md.; April 19, 9 a.m., Room T-400, Bldg. 4, 12720 Twinbrook Pkwy., Rockville, Md.	Open—William S. Cole, M.D. (HFX-4), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-6220.

Purpose. Advises and consults with the Bureau of Radiological Health in the formulation of policy and the development of a coordinated program related to application of ionizing radiation in the healing arts.

Agenda. Review of the recommendations of the Subcommittee on the Division of Training and Medical Applications.

Agenda items are subject to change as priorities dictate.

Dated: March 31, 1975.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.75-8757 Filed 4-3-75; 8:45 am]

[FDA-225-75-4041]

ARTX TELECOMMUNICATION EQUIPMENT

Memorandum of Understanding With the
Georgia Department of Agriculture

Pursuant to a notice published in the FEDERAL REGISTER of October 3, 1974 (39

4. Status of the World Tourism Organization (WTO)
5. Fly U.S. Flag Program
6. Adjournment

A limited number of seats—approximately 14—will be available to observers from the public and the press. The public will be permitted to file written statements with the Committee before or after the meeting. To the extent time is available, the presentation of oral statements will be allowed.

Robert Jackson, Director of Information Services, of the United States Travel Service, Room 1525, U.S. Department of Commerce, Washington, D.C. (telephone 202/967-4987) will respond to public requests for information about the meeting.

C. LANGHORNE WASHBURN,
Assistant Secretary for Tourism,
U.S. Department of Commerce.

[FR Doc.75-8923 Filed 4-3-75; 8:45 am]

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFAREFood and Drug Administration
MEDICAL RADIATION ADVISORY
COMMITTEE

Notice of Meeting

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776; 5 U.S.C. App. I), the Food and Drug Administration announces the following public advisory committee meeting and other required information in accordance with provisions set forth in § 10(a) (1) and (2) of the act:

FR 35697), stating that future memoranda of understanding between the Food and Drug Administration and others would be published in the FEDERAL REGISTER, the Commissioner of Food and Drugs issues the following notice:

The Food and Drug Administration executed a Memorandum of Understanding with the Georgia Dept. of Agriculture on February 19, 1975. The purpose of the memorandum is to establish the procedures and guidelines for the operation, maintenance and protection of FDA-rented ARTX Telecommunication Equipment. It reads as follows:

MEMORANDUM OF UNDERSTANDING BETWEEN
THE GEORGIA DEPARTMENT OF AGRICULTURE
AND THE FOOD AND DRUG ADMINISTRATION

I. Purpose. To establish the procedures and guidelines for the operation, maintenance and protection of FDA-rented ARTX Telecommunication Equipment located in Room 314, Agriculture Building, Capitol Square, Atlanta, Georgia.

II. Background. The FDA, Assistant Secretary for Health, Department of HEW, and

the General Services Administration have approved a program to install full telecommunication transmit and receive terminals in a number of prime state food and drug agencies. Although terminals will be placed in a number of prime food and drug regulatory agencies, there are a number of other agencies with food and drug responsibilities in each state, where no terminal will be installed. Therefore, your agency, being one that received a terminal, must agree to share the terminal with other food and drug agencies in your state to assure that the communication system is accessible to all agencies with food and drug related responsibilities.

In addition to terminal-sharing, it is necessary for our two agencies to assure that proper operation and necessary supporting requirements for the equipment is maintained and proper security is provided for the equipment.

III. Substance of Agreement. A. The Food and Drug Administration agrees:

1. To arrange for the installation of the equipment in the location designated by your agency.

2. To support financially the cost of initial installation of the equipment and pay directly to GSA and Western Union the monthly rental cost. After the initial installation, the state will be responsible for relocation installation cost, unless relocation is in conjunction with a major move of the terminal agency to a new location address.

3. To identify for you those units in your state on which terminal-sharing must be accomplished.

4. To require that the terminal location agency (your agency) submit to FDA a terminal-sharing plan to be developed by you and other sharing units in your state.

5. To arrange through Western Union for training of terminal operators.

6. To provide operation instruction manual.

7. To withdraw financial support for the terminal if gross misuse of the terminal is practiced after due notice.

B. The State Terminal Agency agrees:

1. To provide suitable physical location for equipment with adequate security protection.

2. To provide and pay for electric power source to operate the terminal. (110 volts)

3. To provide for paper, tape and other material necessary for the operation of the equipment.

4. To share the terminal with other food and drug agencies in the state according to a terminal-sharing plan agreed to by each potential user.

5. To submit to the FDA Regional Office monthly traffic log. (Form to be furnished by FDA)

6. To submit promptly all messages received for addresses other than your agencies. Transmit promptly messages to FDA received from other appropriate agencies.

7. Maintain operator coverage for the terminal between normal working hours of your agency.

8. Notify vendor (Western Union) of any breakdown of the equipment or other needs for maintenance.

9. Notify FDA (Regional or Headquarters) of periods that the equipment is out-of-service.

10. That the system will be used only for communication between your state and FDA (Regional, District, or Headquarters Office). It is understood that the equipment is not to be used for communication between state agencies.

IV. Name and Address of Terminal Agency. Georgia Department of Agriculture, Agricultural Building, Capitol Square, Atlanta, Georgia.

V. Liaison Officers. For Georgia Dept. of Agriculture: Clifton Ward, Assistant Commissioner, Consumer Protection.

Address: Georgia Department of Agriculture, Agricultural Building, Capitol Square, Atlanta, Georgia. Telephone No.: (404) 656-3600.

For FDA: George R. White, Director, Atlanta District. Address: 880 W. Peachtree St., NW. Atlanta, GA 30309. Telephone No.: (404) 526-3218.

VI. Period of Agreement. This agreement, when accepted by both parties, will have an effective period of performance three (3) years from date of signature and may be modified by mutual consent by both parties or may be terminated by either party upon a thirty (30) day advance written notice to the other.

Approved and accepted for the Georgia Department of Agriculture:

CLIFTON A. WARD,
Assistant Commissioner,
Consumer Protection.

Date: February 19, 1975.

Approved and accepted for the Food and Drug Administration:

M. D. KINSLOW,
Regional Food and Drug Director,
Region IV.

Date: February 19, 1975.

Effective date. This memorandum of understanding became effective February 19, 1975.

Dated: March 31, 1975.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc. 75-8755 Filed 4-3-75; 8:45 am]

[FDA-225-75-4023]

ARTX TELECOMMUNICATION EQUIPMENT Memorandum of Understanding With the Florida Department of Health and Rehabilitative Services

Pursuant to a notice published in the FEDERAL REGISTER of October 3, 1974 (39 FR 35697), stating that future memoranda of understanding between the Food and Drug Administration and others would be published in the FEDERAL REGISTER, the Commissioner of Food and Drugs issues the following notice:

The Food and Drug Administration executed a Memorandum of Understanding with the Florida Department of Health and Rehabilitative Services (Division of Health) on January 31, 1975. The purpose of the memorandum is to establish the procedures and guidelines for the operation, maintenance, and protection of FDA-rented ARTX Telecommunication Equipment. It reads as follows:

MEMORANDUM OF UNDERSTANDING

BETWEEN THE

FLORIDA DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES (DIVISION OF HEALTH)

AND THE

FOOD AND DRUG ADMINISTRATION

I. Purpose. To establish the procedures and guidelines for the operation, maintenance and protection of FDA-rented ARTX Telecommunication Equipment located in Room 247 of the Division of Health, 1217 Pearl Street, Jacksonville, Florida 32201.

II. Background. The FDA, Assistant Secretary for Health, Department of HEW, and the General Services Administration have ap-

proved a program to install full telecommunication transmit and receive terminals in a number of prime state food and drug agencies. Although terminals will be placed in a number of prime food and drug regulatory agencies, there are a number of other agencies with food and drug responsibilities in each state, where no terminal received a terminal, must agree to share the terminal with other food and drug agencies in your state to assure that the communication system is accessible to all agencies with food and drug related responsibilities. (NOTE: There will be no need for your agency to share the terminal with any other agency in Florida at the present time. A terminal is also being placed in the Florida Department of Agriculture in Tallahassee. It is necessary for our two agencies to assure that proper operation and necessary supporting requirements for the equipment is maintained and proper security is provided for the equipment.)

III. Substance of Agreement. A. The Food and Drug Administration agrees:

1. To arrange for the installation of the equipment in the location designated by your agency.

2. To support financially the cost of initial installation of the equipment and pay directly to GSA and Western Union the monthly rental cost. After the initial installation, the state will be responsible for relocation installation cost, unless relocation is in conjunction with a major move of the terminal agency to a new location address.

3. To identify for you those units in your state on which terminal-sharing must be accomplished. (This is not necessary for your agency since your department will be the sole user to the terminal.)

4. To require that the terminal location agency (your agency) submit to FDA a terminal-sharing plan to be developed by you and other sharing units in your state. (Not necessary for your agency.)

5. To arrange through Western Union for training of terminal operators.

6. To provide operation instruction manual.

7. To withdraw financial support for the terminal if gross misuse of the terminal is practiced after due notice.

B. The State Terminal Agency agrees:

1. To provide suitable physical location for equipment with adequate security protection.

2. To provide and pay for electric power source to operate the terminal. (110 volts)

3. To provide for paper, tape and other material necessary for the operation of the equipment.

4. To share the terminal with other food and drug agencies in the state according to a terminal-sharing plan agreed to by each potential user. (Not necessary with your agency)

5. To submit to the FDA Regional Office monthly traffic log. (Form to be furnished by FDA)

6. To submit promptly all messages received for addresses other than your agencies. Transmit promptly messages to FDA received from other appropriate agencies. (Not necessary)

7. Maintain operator coverage for the terminal between normal working hours of your agency.

8. Notify vendor (Western Union) of any breakdown of the equipment or other needs for maintenance.

9. Notify FDA (Regional or Headquarters) of periods that the equipment is out-of-service.

10. That the system will be used only for communication between your state and FDA (Regional, District, or Headquarters Office). It is understood that the equipment is not to

be used for communication between state agencies.

IV. Name and Address of Terminal Agency. Florida Department of Health and Rehabilitative Services, Division of Health, 1217 Pearl Street, Jacksonville, Florida 32201.

V. Liaison Officers. For Florida Department of Health and Rehabilitative Services: Dr. E. Charlton Prather, Director, Division of Health Address: 1217 Pearl Street, Jacksonville, FL 32201. Telephone No.: (904) 354-3961.

For FDA: Adam J. Trujillo, Director, Orlando District, Address: 7200 Lake Ellenor Drive, Orlando, FL 32809. Telephone No.: (305) 855-0900.

VI. Period of Agreement. This agreement, when accepted by both parties, will have an effective period of performance three (3) years from date of signature and may be modified by mutual consent by both parties or may be terminated by either party upon a thirty (30) day advance written notice to the other.

Approved and accepted for the Florida Dept. of Health and Rehabilitative Services: s/ E. C. Prather, M.D., Director, Florida Division of Health. Date: January 29, 1975

Approved and accepted for the Food and Drug Administration: s/ M. D. Kinslow, Regional Food and Drug Director, Atlanta Field Office. Date: January 31, 1975

Effective date: This Memorandum of Understanding became effective January 31, 1975.

Dated: March 25, 1975.

SAM D. FINE,
Associate Commissioner for
Compliance.

[FR Doc. 75-8169 Filed 4-3-75; 8:45 am]

[FDA-225-75-4031]

ARTX TELECOMMUNICATION EQUIPMENT Memorandum of Understanding With the Iowa Department of Agriculture

Pursuant to the notice published in the FEDERAL REGISTER of October 3, 1974 (39 FR 35697), stating that future memoranda of understanding between the Food and Drug Administration and others would be published in the FEDERAL REGISTER, the Commissioner of Food and Drugs issues the following notice:

The Food and Drug Administration executed a Memorandum of Understanding with the Iowa Department of Agriculture on February 4, 1975. The purpose of the memorandum is to establish the procedures and guidelines for the operation, maintenance, and protection of FDA-rented ARTX Telecommunication Equipment. It reads as follows:

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
IOWA DEPARTMENT OF AGRICULTURE
AND THE
FOOD AND DRUG ADMINISTRATION

I. Purpose. To establish the procedures and guidelines for the operation, maintenance and protection of FDA-rented ARTX Telecommunication Equipment located in the State Chemical Laboratory, Iowa Department of Agriculture, East 7th & Court, Des Moines, Iowa 50319.

II. Background. The FDA, Assistant Secretary for Health, Department of HEW, and the General Services Administration have ap-

proved a program to install full telecommunication transmit and receive terminals in a number of prime state food and drug agencies. Although terminals will be placed in a number of prime food and drug regulatory agencies, there are a number of other agencies with food and drug responsibilities in each state, where no terminal will be installed. Therefore, your agency, being one that received a terminal, must agree to share the terminal with other food and drug agencies in your state to assure that the communication system is accessible to all agencies with food and drug related responsibilities.

In addition to terminal-sharing, it is necessary for our two agencies to assure that proper operation and necessary supporting requirements for the equipment is maintained and proper security is provided for the equipment.

III. Substance of Agreement. A. The Food and Drug Administration agrees:

1. To arrange for the installation of the equipment in the location designated by your agency.

2. To support financially the cost of initial installation of the equipment and pay directly to GSA and Western Union the monthly rental cost. After the initial installation, the state will be responsible for relocation installation cost, unless relocation is in conjunction with a major move of the terminal agency to a new location address.

3. To identify for you those units in your state on which terminal-sharing must be accomplished.

4. To require that the terminal location agency (your agency) submit to FDA a terminal-sharing plan to be developed by you and other sharing units in your state.

5. To arrange through Western Union for training of terminal operators.

6. To provide operation instruction manual.

7. To withdraw financial support for the terminal if gross misuse of the terminal is practiced after due notice.

B. The State Terminal Agency agrees:

1. To provide suitable physical location for equipment with adequate security protection.

2. To provide and pay for electric power source to operate the terminal. (110 volts)

3. To provide for paper, tape and other material necessary for the operation of the equipment.

4. To share the terminal with other food and drug agencies in the state according to a terminal-sharing plan agreed to by each potential user.

5. To submit to the FDA Regional Office monthly traffic log. (Form to be furnished by FDA)

6. To submit promptly all messages received for addresses other than your agencies. Transmit promptly messages to FDA received from other appropriate agencies.

7. Maintain operator coverage for the terminal between normal working hours of your agency.

8. Notify vendor (Western Union) of any breakdown of the equipment or other needs for maintenance.

9. Notify FDA (Regional or Headquarters) of periods that the equipment is out-of-service.

10. That the system will be used only for communication between your state and FDA (Regional, District, or Headquarters Office). It is understood that the equipment is not to be used for communication between state agencies.

IV. Name and Address of Terminal Agency. Iowa Department of Agriculture, State Capitol, Des Moines, Iowa 50319.

V. Liaison Officers. For Iowa Dept. of Agriculture: J. D. Hook, Admin., State Chemical Lab. Address: E. 7th & Court, Des Moines, Iowa 50319. Telephone No.: (515) 281-5861.

For FDA: Dwight F. Ringhausen, Asst. to Director for Federal, State & Industry Affairs. Address: 1009 Cherry Street, Kansas City, Missouri 64106. Telephone No.: (816) 374-3817.

VI. Period of Agreement. This agreement, when accepted by both parties, will have an effective period of performance three (3) years from date of signature and may be modified by mutual consent by both parties or may be terminated by either party upon a thirty (30) day advance written notice to the other.

Approved and accepted for the Iowa Dept. of Agriculture: s/R. H. Lounsberry, Iowa Secretary of Agriculture. Date: February 4, 1975.

Approved and accepted for the Food and Drug Administration: s/ Lloyd R. Claiborne, Regional Food and Drug Director, Region VII. Date: January 29, 1975.

Effective date: This Memorandum of Understanding became effective February 4, 1975.

Dated: March 25, 1975.

SAM D. FINE,
Associate Commissioner for
Compliance.

[FR Doc. 75-8168 Filed 4-3-75; 8:45 am]

[FDA-225-75-4032]

ARTX TELECOMMUNICATION EQUIPMENT Memorandum of Understanding With the New Jersey State Department of Health

Pursuant to the notice published in the FEDERAL REGISTER of October 3, 1974 (39 FR 35697), stating that future memoranda of understanding between the Food and Drug Administration and others would be published in the FEDERAL REGISTER, the Commissioner of Food and Drugs issues the following notice:

The Food and Drug Administration executed a Memorandum of Understanding with the New Jersey State Department of Health on February 14, 1975. The purpose of the memorandum is to establish the procedures and guidelines for the operation, maintenance, and protection of FDA-rented ARTX Telecommunication Equipment. It reads as follows:

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
NEW JERSEY STATE DEPARTMENT OF HEALTH
AND THE
FOOD AND DRUG ADMINISTRATION

I. Purpose. To establish the procedures and guidelines for the operation, maintenance and protection of FDA-rented ARTX Telecommunication Equipment located in the office complex of the Drug Control Program, 1911 Princeton Avenue, Trenton, New Jersey.

II. Background. The FDA, Assistant Secretary for Health, Department of HEW, and the General Services Administration have approved a program to install full telecommunication transmit and receive terminals in a number of prime state food and drug agencies. Although terminals will be placed in a number of prime food and drug regulatory agencies, there are a number of other

agencies with food and drug responsibilities in each state, where no terminal will be installed. Therefore, your agency, being one that received a terminal, must agree to share the terminal with other food and drug agencies in your state to assure that the communication system is accessible to all agencies with food and drug related responsibilities.

In addition to terminal-sharing, it is necessary for our two agencies to assure that proper operation and necessary supporting requirements for the equipment is maintained and proper security is provided for the equipment.

III. *Substance of Agreement.* A. The Food and Drug Administration agrees:

1. To arrange for the installation of the equipment in the location designated by your agency.

2. To support financially the cost of initial installation of the equipment and pay directly to GSA and Western Union the monthly rental cost. After the initial installation, the state will be responsible for relocation installation cost, unless relocation is in conjunction with a major move of the terminal agency to a new location address.

3. To identify for you those units in your state on which terminal-sharing must be accomplished.

4. To require that the terminal location agency (your agency) submit to FDA a terminal-sharing plan to be developed by you and other sharing units in your state.

5. To arrange through Western Union for training of terminal operators.

6. To provide operation instruction manual.

7. To withdraw financial support for the terminal if gross misuse of the terminal is practiced after due notice.

B. The State Terminal Agency agrees:

1. To provide suitable physical location for equipment with adequate security protection.

2. To provide and pay for electric power source to operate the terminal. (110 volts).

3. To provide for paper, tape and other material necessary for the operation of the equipment.

4. To share the terminal with other food and drug agencies in the state according to a terminal-sharing plan agreed to by each potential user.

5. To submit to the FDA Regional Office monthly traffic log. (Form to be furnished by FDA).

6. To submit promptly all messages received for addressees other than your agencies. Transmit promptly messages to FDA received from other appropriate agencies.

7. Maintain operator coverage for the terminal between normal working hours of your agency.

8. Notify vendor (Western Union) of any breakdown of the equipment or other needs for maintenance.

9. Notify FDA (Regional or Headquarters) of periods that the equipment is out-of-service.

10. That the system will be used only for communication between your state and FDA (Regional, District, or Headquarters Office). It is understood that the equipment is not to be used for communication between state agencies.

IV. *Name and Address of Terminal Agency.* New Jersey Department of Health, P.O. Box 1540, Trenton, New Jersey 08625.

V. *Liaison Officers.* For New Jersey Dept. of Health: Donald J. Foley, Chief, Drug Control Program. Address: 1911 Princeton Ave., Trenton, New Jersey 08638. Telephone No.: (609) 392-1180.

For FDA: Edward H. Wilkens, Dir., Domestic Inv. Branch, Newark District. Address: 1180 Raymond Blvd., Newark, New Jersey 07102. Telephone No.: (201) 645-8230.

VI. *Period of Agreement.* This agreement, when accepted by both parties, will have an effective period of performance three (3) years from date of signature and may be modified by mutual consent by both parties or may be terminated by either party upon a thirty (30) day advance written notice to the other.

Approved and accepted for the New Jersey Dept. of Health: s/ Joanne E. Finley, M.D., M.P.H., State Commissioner of Health, N.J. State Dept. of Health. Date: February 14, 1975.

Approved and accepted for the Food and Drug Administration: s/ Clifford G. Shane, Regional Director, FDA, Region II. Date: January 29, 1975.

Effective date. This Memorandum of Understanding became effective February 14, 1975.

Dated: March 25, 1975.

SAM D. FINE,
Associate Commissioner for
Compliance.

[FR Doc.75-8165 Filed 4-3-75; 8:45 am]

[FDA-225-75-4016]

ARTX TELECOMMUNICATION EQUIPMENT Memorandum of Understanding With the South Carolina Department of Agriculture

Pursuant to a notice published in the FEDERAL REGISTER of October 3, 1974 (39 FR 35697), stating that future memoranda of understanding between the Food and Drug Administration and others would be published in the FEDERAL REGISTER, the Commissioner of Food and Drugs issues the following notice:

The Food and Drug Administration executed a Memorandum of Understanding with the South Carolina Department of Agriculture on February 19, 1974. The purpose of the memorandum is to establish the procedures and guidelines for the operation, maintenance, and protection of FDA-rented ARTX Telecommunication Equipment. It reads as follows:

MEMORANDUM OF UNDERSTANDING

BETWEEN THE

SOUTH CAROLINA DEPARTMENT OF AGRICULTURE

AND THE

FOOD AND DRUG ADMINISTRATION

I. *Purpose.* To establish the procedures and guidelines for the operation, maintenance and protection of FDA-rented ARTX Telecommunication Equipment located in Room 212, Laboratory Building, 1101 Williams Street, Columbia, South Carolina 29211.

II. *Background.* The FDA, Assistant Secretary for Health, Department of HEW, and the General Services Administration have approved a program to install full telecommunication transmit and receive terminals in a number of prime state food and drug agencies. Although terminals will be placed in a number of prime food and drug regulatory agencies, there are a number of other agencies with food and drug responsibilities in each state, where no terminal will be installed. Therefore, your agency, being one that received a terminal, must agree to share the terminal with other food and drug agencies in your state to assure that the communication system is accessible to all agencies with food and drug related responsibilities.

In addition to terminal-sharing, it is necessary for our two agencies to assure that

proper operation and necessary supporting requirements for the equipment is maintained and proper security is provided for the equipment.

III. *Substance of Agreement.* A. The Food and Drug Administration agrees:

1. To arrange for the installation of the equipment in the location designated by your agency.

2. To support financially the cost of initial installation of the equipment and pay directly to GSA and Western Union the monthly rental cost. After the initial installation, the state will be responsible for relocation installation cost, unless relocation is in conjunction with a major move of the terminal agency to a new location address.

3. To identify for you those units in your state on which terminal-sharing must be accomplished.

4. To require that the terminal location agency (your agency) submit to FDA a terminal-sharing plan to be developed by you and other sharing units in your state.

5. To arrange through Western Union for training of terminal operators.

6. To provide operation instruction manual.

7. To withdraw financial support for the terminal if gross misuse of the terminal is practiced after due notice.

B. The State Terminal Agency agrees:

1. To provide suitable physical location for equipment with adequate security protection.

2. To provide and pay for electric power source to operate the terminal. (110 volts)

3. To provide for paper, tape and other material necessary for the operation of the equipment.

4. To share the terminal with other food and drug agencies in the state according to a terminal-sharing plan agreed to by each potential user.

5. To submit to the FDA Regional Office monthly traffic log. (Form to be furnished by FDA)

6. To submit promptly all messages received for addressees other than your agencies. Transmit promptly messages to FDA received from other appropriate agencies.

7. Maintain operator coverage for the terminal between normal working hours of your agency.

8. Notify vendor (Western Union) of any breakdown of the equipment or other needs for maintenance.

9. Notify FDA (Regional or Headquarters) of periods that the equipment is out-of-service.

10. That the system will be used only for communication between your state and FDA (Regional, District, or Headquarters Office). It is understood that the equipment is not to be used for communication between state agencies.

IV. *Name and Address of Terminal Agency.* South Carolina Department of Agriculture, Wade Hampton Office Building, P.O. Box 11280, Columbia, South Carolina 29211.

V. *Liaison Officers.* For South Carolina Dept. of Agriculture: Truluck Kelly, Director, Laboratory Division. Address: Wade Hampton Office Building, P.O. Box 11280, Columbia, South Carolina 29211. Telephone No.: (803) 758-7470.

For FDA: George R. White, Director, Atlanta District. Address: 830 W. Peachtree St., NW., Atlanta, GA 30309. Telephone No.: (404) 526-3218.

VI. *Period of Agreement.* This agreement, when accepted by both parties, will have an effective period of performance three (3) years from date of signature and may be modified by mutual consent by both parties or may be terminated by either party upon a thirty (30) day advance written notice to the other.

Approved and accepted for the South Carolina Dept. of Agriculture: s/ Truluck Kelly,

Director of the Laboratory. Date: February 10, 1975.

Approved and accepted for the Food and Drug Administration: s/ M. D. Kinslow, Regional Food and Drug Director, Region IV. Date: February 19, 1975.

Effective date: This Memorandum of Understanding became effective February 19, 1975.

Dated: March 25, 1975.

SAM D. FINE,
Associate Commissioner for
Compliance.

[FR Doc. 75-8187 Filed 4-3-75; 8:45 am]

[FDA-295-75-4025]

ARTX TELECOMMUNICATION EQUIPMENT Memorandum of Understanding With the Washington State Department of Agriculture

Pursuant to the notice published in the FEDERAL REGISTER of October 3, 1974 (39 FR 35697), stating that future memoranda of understanding between the Food and Drug Administration and others would be published in the FEDERAL REGISTER, the Commissioner of Food and Drugs issues the following notice:

The Food and Drug Administration executed a Memorandum of Understanding with the Washington State Department of Agriculture on January 24, 1975. The purpose of the memorandum is to establish the procedures and guidelines for the operation, maintenance, and protection of FDA rented ARTX Telecommunication Equipment. It reads as follows:

MEMORANDUM OF UNDERSTANDING

BETWEEN THE

WASHINGTON STATE DEPARTMENT OF
AGRICULTURE

AND THE

FOOD AND DRUG ADMINISTRATION

I. Purpose. To establish the procedures and guidelines for the operation, maintenance and protection of FDA-rented ARTX Telecommunication Equipment located in the Dairy and Food Division, of the State Department of Agriculture.

II. Background. The FDA, Assistant Secretary for Health, Department of HEW, and the General Services Administration have approved a program to install full telecommunication transmit and receive terminals in a number of prime state food and drug agencies. Although terminals will be placed in a number of prime food and drug regulatory agencies, there are a number of other agencies with food and drug responsibilities in each state, where no terminal will be installed. Therefore, your agency, being one that received a terminal, must agree to share the terminal with other food and drug agencies in your state to assure that the communication system is accessible to all agencies with food and drug related responsibilities.

In addition to terminal-sharing, it is necessary for our two agencies to assure that proper operation and necessary supporting requirements for the equipment is maintained and proper security is provided for the equipment.

III. Substance of Agreement. A. The Food and Drug Administration agrees:

1. To arrange for the installation of the equipment in the location designated by your agency.

2. To support financially the cost of initial installation of the equipment and pay directly to GSA and Western Union the monthly rental cost. After the initial installation, the state will be responsible for relocation installation cost, unless relocation is in conjunction with a major move of the terminal agency to a new location address.

3. To identify for you those units in your state on which terminal-sharing must be accomplished.

4. To require that the terminal location agency (your agency) submit to FDA a terminal-sharing plan to be developed by you and other sharing units in your state.

5. To arrange through Western Union for training of terminal operators.

6. To provide operation instruction manual.

7. To withdraw financial support for the terminal if gross misuse of the terminal is practiced after due notice.

B. The State Terminal Agency agrees:

1. To provide suitable physical location for equipment with adequate security protection.

2. To provide and pay for electric power source to operate the terminal. (110 volts)

3. To provide for paper, tape and other material necessary for the operation of the equipment.

4. To share the terminal with other food and drug agencies in the state according to a terminal-sharing plan agreed to by each potential user.

5. To submit to the FDA Regional Office monthly traffic log. (Form to be furnished by FDA)

6. To submit promptly all messages received for addressees other than your agencies. Transmit promptly messages to FDA received from other appropriate agencies.

7. Maintain operator coverage for the terminal between normal working hours of your agency.

8. Notify vendor (Western Union) of any breakdown of the equipment or other needs for maintenance.

9. Notify FDA (Regional or Headquarters) of periods that the equipment is out-of-service.

10. That the system will be used only for communication between your state and FDA (Regional, District, or Headquarters Office). It is understood that the equipment is not to be used for communication between state agencies.

IV. Name and Address of Terminal Agency. Washington State Department of Agriculture, 406 General Administration Bldg., Olympia, Washington.

V. Liaison Officers. For Washington State Dept. of Agriculture: Clarence Gehrman, Supr. Dairy & Food Division. Address: 406 General Administration Bldg., Olympia, Washington. Telephone No. (206) 753-5042.

For FDA: J. Kenneth Kinney, Federal-State Liaison Officer. Address: 5003 Federal Office Bldg., Seattle, WA 98174, Telephone No.: (206) 442-5304.

VI. Period of Agreement. This agreement, when accepted by both parties, will have an effective period of performance three (3) years from date of signature and may be modified by mutual consent by both parties or may be terminated by either party upon a thirty (30) day advance written notice to the other.

Approved and accepted for the Washington State Dept. of Agriculture: s/ Clarence Gehrman, Supervisor, Dairy Food Div. Date: January 24, 1975.

Approved and accepted for the Food and Drug Administration: s/ James W. Swanson,

Regional Food & Drug Director, Seattle Field Office, Region X. Date: January 23, 1975.

Effective date. This Memorandum of Understanding became effective January 24, 1975.

Dated: March 25, 1975.

SAM D. FINE,
Associate Commissioner for
Compliance.

[FR Doc. 75-8186 Filed 4-3-75; 8:45 am]

Office of Education

NATIONALLY RECOGNIZED ACCREDITING AGENCIES AND ASSOCIATIONS

List

For the purposes of determining eligibility for Federal assistance, pursuant to Pub. L. 82-550 and subsequent legislation, the U.S. Commissioner of Education hereby publishes a list of nationally recognized accrediting agencies and associations which he determines to be reliable authorities as to the quality of training offered by educational institutions either in a geographical area or in a specialized field, and the general scope of recognition granted to the accrediting bodies.

This list supersedes the list previously promulgated by the Commissioner of Education on February 14, 1973, 38 FR 4428-4430.

AGENCIES AND ASSOCIATIONS RECOGNIZED FOR THEIR GENERAL ACCREDITATION OF COLLEGES AND UNIVERSITIES.

Commission on Higher Education, Middle States Association of Colleges and Secondary Schools.

Commission on Independent Secondary Schools, Commission on Institutions of Higher Education, Commission on Public Secondary Schools, Commission on Vocational Technical Institutions, New England Association of Schools and Colleges.

Commission on Institutions of Higher Education, Commission on Secondary Schools, North Central Association of Colleges and Secondary Schools.

Commission on Higher Schools, Northwest Association of Schools and Colleges.

Commission on Colleges, Commission on Occupational Education Institutions, Southern Association of Colleges and Schools.

Accrediting Commission for Junior Colleges, Accrediting Commission for Secondary Schools, Accrediting Commission for Senior Colleges and Universities, Western Association of Schools and Colleges.

Board of Regents, The University of the State of New York (for institutions within New York State registered by the Office of Higher Education, the State Education Department).

AGENCIES AND ASSOCIATIONS RECOGNIZED FOR THEIR SPECIALIZED ACCREDITATION OF SCHOOLS OR PROGRAMS.

ARCHITECTURE

National Architectural Accrediting Board, Inc. (5-year programs leading to a professional degree).

AET

Commission on Accrediting, National Association of Schools of Art (professional schools and programs).

ASSISTANT TO THE PRIMARY CARE PHYSICIAN

Council on Medical Education, American Medical Association, in cooperation with the Joint Review Committee on Educational Programs for the Assistant to the Primary Care Physician, which is sponsored by the American Academy of Family Physicians, American Academy of Pediatrics, American College of Physicians and American Society of Internal Medicine (programs for the assistant to the primary care physician).

BIBLE COLLEGE EDUCATION

American Association of Bible Colleges (3-year institutes and 4- and 5-year colleges).

BLIND AND VISUALLY HANDICAPPED EDUCATION

National Accreditation Council for Agencies Serving the Blind and Visually Handicapped (residential schools for the blind).

BLOOD BANK TECHNOLOGY

Council on Medical Education, American Medical Association, in cooperation with the National Accrediting Agency for Clinical Laboratory Sciences, which is sponsored by the American Society for Medical Technology and the American Society of Clinical Pathologists, and in collaboration with the American Association of Blood Banks (programs for the specialist in blood bank technology).

BUSINESS

American Assembly of Collegiate Schools of Business (baccalaureate and master's degree programs).

Accrediting Commission, Association of Independent Colleges and Schools (private junior and senior colleges of business, and private business schools).

CERTIFIED LABORATORY ASSISTANT EDUCATION

Council on Medical Education, American Medical Association, in cooperation with the National Accrediting Agency for Clinical Laboratory Sciences, which is sponsored by the American Society for Medical Technology and the American Society of Clinical Pathologists (educational programs for the certified laboratory assistant).

CHIROPRACTIC

Commission on Accreditation, Council on Chiropractic Education (programs leading to the D.C. degree).

CLINICAL PASTORAL EDUCATION

Association for Clinical Pastoral Education, Inc. (professional training centers).

COSMETOLOGY

Cosmetology Accrediting Commission (cosmetology schools and programs).

CYTOTECHNOLOGY

Council on Medical Education, American Medical Association, in cooperation with the National Accrediting Agency for Clinical Laboratory Sciences, which is sponsored by the American Society for Medical Technology and the American Society of Clinical Pathologists (educational programs for the cytotechnologist).

DENTISTRY

Council on Dental Education, American Dental Association (programs leading to D.D.S. or D.M.D. degrees, advanced dental specialty programs, rotating and mixed internship and general practice residency programs and programs in dental hygiene, dental assisting and dental technology).

DIETETICS

Dietetic Internship Board, American Dietetic Association (coordinated undergraduate programs in dietetics and dietetic internships).

ENGINEERING

Engineers' Council for Professional Development (first professional degree programs in engineering, graduate programs leading to advanced entry into the engineering profession and associate and baccalaureate degree programs in engineering technology).

FORESTRY

Society of American Foresters (professional schools).

FUNERAL SERVICE EDUCATION

Commission of Schools, American Board of Funeral Service Education (independent schools and collegiate departments).

HISTOLOGIC TECHNOLOGY

Council on Medical Education, American Medical Association, in cooperation with the National Accrediting Agency for Clinical Laboratory Sciences, which is sponsored by the American Society for Medical Technology and the American Society of Clinical Pathologists (programs for the histologic technician).

HOME STUDY EDUCATION

Accrediting Commission, National Home Study Council (private correspondence schools).

HOSPITAL ADMINISTRATION

Accrediting Commission on Graduate Education for Hospital Administration (graduate programs).

JOURNALISM

Accrediting Committee, American Council on Education for Journalism (baccalaureate professional programs).

LANDSCAPE ARCHITECTURE

Board of Landscape Architectural Accreditation, American Society of Landscape Architects (first professional degree programs).

LAW

Section of Legal Education and Admissions to the Bar, American Bar Association (professional schools).

LIBRARIANSHIP

Committee on Accreditation, American Library Association (5-year programs leading to the master's degree).

MEDICAL ASSISTANT

Accrediting Bureau of Medical Laboratory Schools (private medical assistant educational institutions and programs).

Council on Medical Education, American Medical Association, in cooperation with the Curriculum Review Board, American Association of Medical Assistants (1- and 2-year medical assistant programs).

MEDICAL LABORATORY TECHNICIAN EDUCATION

Accrediting Bureau of Medical Laboratory Schools (technical schools and programs).

Council on Medical Education, American Medical Association, in cooperation with the National Accrediting Agency for Clinical Laboratory Sciences, which is sponsored by the American Society for Medical Technology and the American Society of Clinical Pathologists (technical programs).

MEDICAL RECORD EDUCATION

Council on Medical Education, American Medical Association, in cooperation with the Education and Registration Committee, American Medical Record Association (programs for medical record administrators and medical record technicians).

MEDICAL TECHNOLOGY

Council on Medical Education, American Medical Association, in cooperation with the National Accrediting Agency for Clinical Laboratory Sciences, which is sponsored by the American Society for Medical Technology and the American Society of Clinical Pathologists (professional programs).

MEDICINE

Liaison Committee on Medical Education, representing the Council on Medical Education, American Medical Association, and the Executive Council, Association of American Medical Colleges (programs leading to the M.D. degree).

MUSIC

National Association of Schools of Music (baccalaureate and graduate degree programs).

NUCLEAR MEDICINE TECHNOLOGY

Council on Medical Education, American Medical Association, in cooperation with the Joint Review Committee on Educational Programs in Nuclear Medicine Technology, which is sponsored by the American College of Radiology, American Society of Clinical Pathologists, American Society for Medical Technology, American Society of Radiologic Technologists, Society of Nuclear Medicine Technologists and Society of Nuclear Medicine (programs for the nuclear medicine technologist and nuclear medicine technician).

NURSING

Approval of Schools Committee, American Association of Nurse Anesthetists (professional schools of nurse anesthetists).

Accrediting Review Board, National Association for Practical Nurse Education and Service, Inc. (practical nurse programs).

Board of Review for Diploma Programs, Board of Review for Associate Degree Programs, Board of Review for Baccalaureate and Higher Degree Programs, Board of Review for Practical Nursing Programs, National League for Nursing (professional, technical and practical nurse programs).

OCCUPATIONAL THERAPY

Council on Medical Education, American Medical Association, in cooperation with the Accreditation Committee, American Occupational Therapy Association (professional programs).

OCCUPATIONAL, TRADE AND TECHNICAL EDUCATION

Accrediting Commission, National Association of Trade and Technical Schools (private trade and technical schools).

OPTOMETRY

Council on Optometric Education, American Optometric Association (professional programs).

OSTEOPATHIC MEDICINE

American Osteopathic Association (programs leading to the D.O. degree).

PHARMACY

American Council on Pharmaceutical Education (professional schools).

PHYSICAL THERAPY

Council on Medical Education, American Medical Association, in cooperation with the Committee on Accreditation in Education, American Physical Therapy Association (professional programs).

PODIATRY

Council on Podiatry Education, American Podiatry Association (baccalaureate and graduate degree programs).

PSYCHOLOGY

Committee on Accreditation, American Psychological Association (doctoral and internship programs in clinical and counseling psychology and doctoral programs in school psychology).

PUBLIC HEALTH

Council on Education for Public Health (graduate professional schools of public health).

RABBINICAL AND TALMUDIC EDUCATION

Accreditation Commission, Association of Advanced Rabbinical and Talmudic Schools (rabbinical and Talmudic schools).

RADIOLOGIC TECHNOLOGY

Council on Medical Education, American Medical Association, in cooperation with the Joint Review Committee on Education in Radiologic Technology, which is sponsored by the American College of Radiology and the American Society of Radiologic Technologists (2-year programs for radiologic technologists and radiation therapy technologists).

RESPIRATORY THERAPY

Council on Medical Education, American Medical Association, in cooperation with the Joint Review Committee for Respiratory Therapy Education, which is sponsored by the American Association for Respiratory Therapy, American College of Chest Physicians, American Society of Anesthesiologists and American Thoracic Society (programs for respiratory therapists and respiratory therapy technicians).

SOCIAL WORK

Commission on Accreditation, Council on Social Work Education (master's and baccalaureate degree programs).

SPEECH PATHOLOGY AND AUDIOLOGY

American Boards of Examiners in Speech Pathology and Audiology, American Speech and Hearing Association (master's degree programs).

TEACHER EDUCATION

National Council for Accreditation of Teacher Education (baccalaureate and graduate degree programs).

THEOLOGY

Commission on Accrediting, Association of Theological Schools in the United States and Canada (graduate professional schools).

VETERINARY MEDICINE

Council on Education, American Veterinary Medical Association (programs leading to D.V.M. or V.M.D. degrees).

AGENCIES AND ASSOCIATIONS RECOGNIZED FOR THEIR GENERAL PREACCREDITATION OF COLLEGES AND UNIVERSITIES

Middle States Association of Colleges and Secondary Schools, Commission on Higher Education ("Candidate for Accreditation").

New England Association of Schools and Colleges, Commission on Independent Secondary Schools ("Recognition of Candidacy for Accreditation," "Correspondent") Commission on Institutions of Higher Education ("Candidate for Accreditation").

Commission on Public Secondary Schools ("Recognition of Candidacy for Accreditation"), Commission on Vocational Technical Institutions ("Recognized Candidate for Accreditation").

North Central Association of Colleges and Secondary Schools, Commission on Institutions of Higher Education ("Candidate for Accreditation").

Northwest Association of Schools and Colleges, Commission on Higher Schools ("Candidate for Accreditation").

Southern Association of Colleges and Schools, Commission on Colleges ("Candidate for Accreditation"), Commission on Occupational Education Institutions ("Affiliate").

Western Association of Schools and Colleges, Accrediting Commission for Junior Colleges ("Candidate for Accreditation"), Accrediting Commission for Secondary Schools ("Candidate for Accreditation"), Accrediting Commission for Senior Colleges and Universities ("Candidate for Accreditation").

AGENCIES AND ASSOCIATIONS RECOGNIZED FOR THEIR SPECIALIZED PREACCREDITATION OF SCHOOLS OR PROGRAMS

American Association of Bible Colleges ("Associate").

Approval of Schools Committee, American Association of Nurse Anesthetists ("Preaccreditation," "Provisional Accreditation"). Commission on Accrediting, Association of Theological Schools in the United States and Canada ("Authorization of Self-Study").

Council on Dental Education, American Dental Association ("Accreditation Eligible," "Reasonable Assurance," "Preliminary Approval").

Council on Optometric Education, American Optometric Association ("Accreditation Eligible," "Preliminary Approval").

American Osteopathic Association ("Preaccreditation Status," "Provisional Approval").

Council on Education, American Veterinary Medical Association ("Reasonable Assurance of Accreditation").

Accreditation Commission, Association of Advanced Rabbinical and Talmudic Schools ("Correspondent," "Candidate").

Commission on Accreditation, Council on Chiropractic Education ("Correspondent Status," "Conditionally Approved," "Provisionally Approved").

Commission on Accreditation, Council on Social Work Education ("Candidacy").

Engineering Technology Committee, Engineers' Council for Professional Development ("Candidate for Accreditation," "Reasonable Assurance of Accreditation").

Liaison Committee on Medical Education ("Reasonable Assurance," "Provisional Approval").

Commission on Accrediting, National Association of Schools of Art ("Candidacy Status").

Board of Review for Diploma Programs, Board of Review for Associate Degree Programs, Board of Review for Baccalaureate and Higher Degree Programs, National League for Nursing ("Reasonable Assurance of Accreditation").

Dated: March 28, 1975.

T. H. BELL,

U.S. Commissioner of Education.

[FR Doc.75-8815 Filed 4-3-75;8:45 am]

STATE AGENCIES RECOGNIZED FOR THE APPROVAL OF PUBLIC POSTSECONDARY VOCATIONAL EDUCATION

List

For the purposes of determining eligibility for Federal assistance, pursuant to section 438(b) of the Higher Education Act of 1965 as amended by Pub. L. 92-318, the U.S. Commissioner of Education hereby publishes a list of State agencies which he determines to be reliable authorities as to the quality of public postsecondary vocational education in their respective States.

Colorado State Board for Community Colleges and Occupational Education
Florida State Board of Education
Indiana State Board of Vocational and Technical Education
Iowa State Board of Public Instruction
Kansas State Department of Education
Kentucky State Department of Education
Minnesota State Board for Vocational-Technical Education
Missouri State Board for Vocational Education
Montana Board of Public Education
New Mexico State Board of Education
New York State Education Department
South Dakota State Board of Vocational-Technical Education

Dated: March 28, 1975.

T. H. BELL,

U.S. Commissioner of Education.

[FR Doc.75-8816 Filed 4-3-75;8:45 am]

ACCREDITING BODIES AND STATE AGENCIES RECOGNIZED BY THE COMMISSIONER OF EDUCATION AS RELIABLE AUTHORITY FOR THE APPROVAL OF NURSE EDUCATION

List

For the purposes of determining eligibility for Federal assistance, pursuant to the Nurse Training Act, as amended (42 U.S.C. 298(b)), the U.S. Commissioner of Education hereby publishes a list of recognized accrediting bodies, and of State agencies, which he determines to be reliable authorities as to the quality of training offered by schools and programs for diploma, associate degree, and baccalaureate and graduate degrees in nursing.

This list supersedes the list previously promulgated by the Commissioner on June 18, 1970, 35 FR 10051.

REGIONAL ACCREDITING COMMISSIONS FOR HIGHER EDUCATION

Commission on Higher Education, Middle States Association of Colleges and Secondary Schools.

Commission on Institutions of Higher Education, New England Association of Schools and Colleges.

Commission on Institutions of Higher Education, North Central Association of Colleges and Secondary Schools.

Commission on Higher Education, Northwest Association of Schools and Colleges.

Commission on Colleges, Southern Association of Colleges and Schools.

Accrediting Commission for Junior Colleges, Accrediting Commission for Senior Colleges and Universities, Western Association of Schools and Colleges.

NATIONAL SPECIALIZED ACCREDITING AGENCIES

Board of Review for Diploma Programs, Board of Review for Associate Degree Programs, Board of Review for Baccalaureate and Higher Degree Programs, National League for Nursing.

STATE AGENCIES

California Board of Nursing Education and Nurse Registration.
Iowa Board of Nursing.
Louisiana State Board of Nurse Examiners.
Missouri State Board of Nursing.
Montana State Board of Nursing.
New Hampshire Board of Nursing Education and Nurse Registration.
New York Board of Regents.
West Virginia Board of Examiners for Registered Nurses.

Dated: March 28, 1975.

T. H. BELL,

U.S. Commissioner of Education.

[FR Doc. 75-8817 Filed 4-3-75; 8:45 am]

DESEGREGATION OF PUBLIC EDUCATION

Notice of Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in Title IV of the Civil Rights Act of 1964, 78 Stat. 246, as amended (42 U.S.C. 2000c-2000c-9), applications for awards are being accepted from State educational agencies, institutions of higher education, and school boards under §§ 403 (technical assistance), 404 (training institutes), and 405 (grants to school boards), respectively, of the Act.

Applications must be submitted to the Regional Office of the Office of Education serving the area in which the applicant is located and must be received by that Regional Office on or before May 16, 1975.

The addresses are as follows:

REGIONAL OFFICES OF EDUCATION

REGION I

(Boston)—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont:
U.S. Office of Education, Equal Educational Opportunity, John Fitzgerald Kennedy Federal Bldg., Government Center, Boston, Massachusetts 02203.

REGION II

(New York City)—New York, New Jersey, Puerto Rico and Virgin Islands:
U.S. Office of Education, Equal Educational Opportunity, Federal Bldg., 26 Federal Plaza, New York, New York 10007.

REGION III

(Philadelphia)—Delaware, District of Columbia, Maryland, Pennsylvania, Virginia and West Virginia:
U.S. Office of Education, Equal Educational Opportunity, P.O. Box 13716, Philadelphia, Pennsylvania 19101.

REGION IV

(Atlanta)—Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina and Tennessee:
U.S. Office of Education, Equal Educational Opportunity, 50 7th Street NE, Atlanta, Georgia 30323.

REGION V

(Chicago)—Illinois, Indiana, Minnesota, Michigan, Ohio and Wisconsin:
U.S. Office of Education, Equal Educational Opportunity, 300 South Wacker Drive, Chicago, Illinois 60606.

REGION VI

(Dallas)—Arkansas, Louisiana, New Mexico, Oklahoma and Texas:
U.S. Office of Education, Equal Educational Opportunity, 1114 Commerce Street, Dallas, Texas 75202.

REGION VII

(Kansas City)—Iowa, Kansas, Missouri and Nebraska:
U.S. Office of Education, Equal Educational Opportunity, New Federal Office Bldg., 601 East 12th Street, Kansas City, Missouri 64106.

REGION VIII

(Denver)—Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming:
U.S. Office of Education, Equal Educational Opportunity, 1961 Stout Street, Denver, Colorado 80202.

REGION IX

(San Francisco)—Arizona, California, Hawaii, Nevada, American Samoa, Guam and the Trust Territory of the Pacific Islands:
U.S. Office of Education, Equal Educational Opportunity, 50 Fulton Street, Room 359, San Francisco, California 94102.

REGION X

(Seattle)—Alaska, Idaho, Oregon and Washington:
U.S. Office of Education, Equal Educational Opportunity, Arcade Plaza Bldg.—M/6 628, 1321 Second Avenue, Seattle, Washington 98101.

A. *Applications sent by mail.* An application sent by mail will be considered to have been received on time by the Regional Office if:

(1) The application was sent by registered or certified mail not later than May 12, 1975, 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 appropriate Regional Office mail room. (In establishing the date of receipt, the Commissioner will reply on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, the U.S. Office of Education or the Regional Offices.)

B. *Hand delivered applications.* An application to be hand delivered must be taken to the appropriate U.S. Office of Education Regional Office at the address listed above in this notice. No application will be accepted after the normal close of business time by a U.S. Office of Education Regional Office on the closing date.

C. *Program information and forms.* Information and application forms may be obtained from the appropriate Regional Office.

D. *Applicable regulations.* Awards under this program are subject to the Office of Education General Provisions Regulations (45 CFR Parts 100 and 100a)

and Subparts A, B, D, and E of the proposed regulations for this program published as a notice of proposed rule making on March 17, 1975, at 40 FR 12243-50.

(Catalog of Federal Domestic Assistance Program number 13.405, Civil Rights Technical Assistance and Training Program)

Dated: March 28, 1975.

T. H. BELL,

U.S. Commissioner of Education.

[FR Doc. 75-8806 Filed 4-3-75; 8:45 am]

ADVISORY COUNCIL ON BILINGUAL EDUCATION

Public Meeting

Notice is hereby given pursuant to section 10 (a) (2) of the Federal Advisory Committee Act (Public Law 92-463), that a meeting of the Advisory Committee on the Education of Bilingual Children will be held from 9 a.m. to 5 p.m. on Monday, April 28, and on Tuesday, April 29, 1975 from 9 a.m. to 5 p.m. The Council will meet in the Office of Civil Rights Conference Room on the 5th Floor of the RKO Building located at the Government Center, Bulfinch Place, Boston, Massachusetts.

The Advisory Council on Bilingual Education is established pursuant to section 732 of the Bilingual Education Act (20 U.S.C. 890b-11) to advise the Secretary of Health, Education, and Welfare and the Commissioner of Education concerning matters arising in administration of the Bilingual Education Act.

The meeting shall be opened to the public. The proposed agenda for the Committee meeting is:

1. Council report on position paper and draft
2. Annual Report to the Commissioner
3. New Business

Records shall be kept of all proceedings, and shall be available for public inspection at Room 3600, Regional Office Building #3, 7th and D Streets SW., Washington, D.C. 20202.

Signed at Washington, D.C. on March 27, 1975.

JOHN C. MOLINA,
Director, Division of
Bilingual Education.

[FR Doc. 75-8742 Filed 4-3-75; 8:45 am]

Public Health Service

ADMINISTRATOR, HEALTH SERVICES ADMINISTRATION

Delegation of Authority

Notice is hereby given that on March 19, 1975, the Assistant Secretary for Health made the following delegation to the Administrator, Health Services Administration. This delegation supersedes the delegation made to the Administrator, Health Services Administration, on July 29, 1974.

I hereby redelegate to the Administrator, Health Services Administration, the following authorities under the Health Maintenance Organization Act of

1973 (Pub. L. 93-222) which were delegated to me by the Secretary. Unless otherwise noted, the citations below refer to sections of the Public Health Service Act, as amended by Pub. L. 93-222:

1. Authority under section 1303 to authorize grants and contracts for feasibility surveys;

2. Authority under section 1304 to authorize grants, contracts, and to make loan guarantees for planning and for initial development costs;

3. Authority under section 1305 to make loans and loan guarantees for initial operation costs;

4. Authority under section 6 of Pub. L. 93-222 for provision of Health Services for Indians and domestic agricultural migratory and seasonal workers;

5. Authority under section 1308.

The above authorities may be redelegated, except for those subsections specifically referred to below.

6. Authority under section 1308(a) 2A, (b)3, (c), (d), and (e) relating to loan guarantees and loans. This authorization may not be redelegated.

Dated: March 19, 1975.

R. MOURE,
Executive Officer.

[FR Doc.75-8794 Filed 4-3-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration CONCORDE SUPERSONIC TRANSPORT AIRCRAFT

Draft Environmental Impact Statement Public Hearing

The Federal Aviation Administration will hold a public hearing in Sterling Park, Virginia on April 21, 1975 on the draft environmental impact statement prepared in connection with a proposal by British Airways and Air France to amend their operations specifications to permit those carriers to conduct limited commercial air service to and from the United States with the Concorde airplane under Part 129 of the Federal Aviation Regulations (14 CFR Part 129). This hearing is for the purpose of assisting the FAA in making a determination on the proposal and will afford interested persons the opportunity to present views, data and arguments regarding the substance and issues associated with this proposal and identified in the draft environmental impact statement.

The hearing will be conducted in Sterling Middle School, West Holley Avenue, Sterling Park, Virginia, convening at 8 p.m. This hearing is in addition to the hearings announced by the notice appearing in 40 FR 11933, published March 14, 1975.

The hearing will be informal in nature and will be conducted by a designated representative of the Administrator. The hearing will not be evidentiary or judicial in nature. There will be no cross-examination or other adjudicatory procedure applied to the presentations. However,

interested persons wishing to make rebuttal statements will be given an opportunity to do so at the conclusion of the presentations in the same order in which the initial statements are made.

Interested persons are invited to attend the hearing and to participate by making oral or written statements. Written statements should be submitted in duplicate and will be made a part of the record. Persons wishing to make oral statements at the hearing must notify the FAA and indicate the amount of time required for their initial statements. Presentations will be scheduled on a first-come-first-served basis, as time may permit. Requests to be heard should be addressed:

Director, Flight Standards Service (AFS-1)
Attention: Concorde EIS
Federal Aviation Administration
800 Independence Avenue, S.W.
Washington, D.C. 20591

In addition, persons not participating in the hearing are invited to submit relevant written comments to the same address.

The closing date for submitting comments is May 6, 1975.

A transcript of the hearing will be made and anyone may purchase a copy of it from the reporter.

A limited number of copies of the draft environmental impact statements will be available at the hearing. Also, the draft environmental impact statement can be reviewed at the Council on Environmental Quality, 722 Jackson Place, N.W., Washington, D.C., at the Sterling Public Library, 304 Sterling Boulevard, Sterling Park, Virginia, and at the FAA Regional Office, Federal Building, JFK International Airport, Jamaica, New York. Copies may be obtained by writing to the Federal Aviation Administration, Attention: AFS-1 (Concorde EIS), 800 Independence Avenue, S.W., Washington, D.C. 20591.

Issued in Washington, D.C., on April 2, 1975.

F. A. MEISTER,
Associate Administrator for Policy
Development and Review
(Acting).

[FR Doc.75-9013 Filed 4-3-75;9:08 am]

CIVIL AERONAUTICS BOARD

[Docket No. 27451; Order 75-3-127]

FLYING TIGER LINE INC.

Certificate Amendment; Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 31st day of March, 1975.

Application of The Flying Tiger Line Inc. for an amendment of its certificate of public convenience and necessity for route 100.

By application filed January 28, 1975, The Flying Tiger Line Inc. (FTL) requests that condition (4) of its certificate for route 100 be amended so as to authorize the carrier to transport, at the expense of the shipper, one or more attendants in connection with any ship-

ment provided that such attendant may be transported only when actually accompanying the shipment and may not be transported from the destination of the shipment to its origin or otherwise.¹ Contemporaneously, FTL filed a petition seeking the issuance of an order to show cause why its certificate should not be amended as requested.

Under the pertinent terms of condition (4) of its certificate, FTL may now transport one or more attendants with each shipment of live animals, live birds, and live reptiles where necessary to protect such animals, other cargo, the aircraft, or its crew.² The grant of the carrier's certificate amendment application would eliminate the present limitations on categories of shipments and permit FTL to transport attendants in connection with any shipment, irrespective of the nature of the commodity transported or of the identity of the shipper involved.

In support of its application, the carrier states that, unlike FTL, Airlift International, Inc. (Airlift), the other domestic all-cargo carrier, has been authorized to permit attendants with any shipment provided only that the attendant actually accompany the shipment and travel at the shipper's expense,³ and that both FTL's and Seaboard's international certificates allow the carriage of attendants in accordance with applicable IATA Resolutions.⁴ The carrier also states that on six occasions in the past 10 months it has been requested to carry cargo attendants with nonanimate traffic and in each instance it has had to seek *ad hoc* emergency exemption authority in order to carry these attendants; and that the requirement of obtaining an exemption (1) is cumbersome and involves unnecessary expenses in the form of legal and Board filing fees,⁵ (2) creates uncertainty on the shipper's part as to whether FTL's services will be available in situations where there may be no alternative air freight service due to the hazardous nature of the shipment, and (3) may raise serious security problems, where shipments of nuclear material are concerned and reference is made to the specific movement of such material on specific dates. FTL states further that, in some instances, cargo attendants are required to accompany shipments pursuant to the regulations of other government agencies; and that the recently enacted Transportation

¹ FTL formerly held authority such as that now requested in the form of a temporary exemption (see 42 C.A.B. 901 (1965)). However, this exemption authority was granted for a period to terminate 60 days after final decision on FTL's application for certificate amendment in docket 16072. When the latter application was dismissed as stale by order 73-1-56 on Jan. 18, 1973, FTL's exemption authority automatically expired 60 days thereafter.

² See order 71-11-33.

³ See orders 73-3-58/59.

⁴ See orders E-23230 and 69-4-90.

⁵ FTL alleges that the Board's filing fee of \$300 significantly dilutes FTL's revenues and in some cases may result in a non-profitable operation.

Safety Act of 1974 (which will prohibit the carriage of radioactive material on any passenger-carrying aircraft unless those materials are intended for use in, or incident to, research, or medical diagnosis or treatment), together with the Atomic Energy Commission's (AEC) recent proposal⁶ to require two armed guards with all air shipments of certain quantities of nuclear material, will require operators of all-cargo equipment to carry armed attendants in an increased number of situations. In order to meet the growing demand for cargo attendant requests that is likely to accompany the newly proposed AEC regulations as well as recently enacted legislation in this field, FTL requests that the Board act on this matter with expedition.

Northwest Airlines, Inc. (Northwest), filed an answer to FTL's request stating that it does not oppose grant of the authority requested by FTL provided such authority is limited to those cases in which such attendants are required by Federal regulations and a reporting requirement outlining the use made of the authority is imposed.

Subsequently, FTL filed a reply together with a motion for leave to file an unauthorized document.⁷

Upon consideration of the pleadings and all the relevant facts, we have decided to issue an order to show cause why the Board should not allow FTL to transport attendants, at the shipper's expense, in connection with any shipment provided that such attendant may be transported only when actually accompanying the shipment and may not be transported from the destination of the shipment to its origin or otherwise.⁸

The facts and circumstances which we have tentatively found to support our ultimate conclusion are as follows. We tentatively find that the shipping public will receive certain advantages from the improved services, and that there will be little if any adverse impact on other carriers. To require the carrier to resort to individual exemption applications each time it needs attendants to comply with Federal regulations or as required for the safety or security or proper handling of the shipment creates an undue burden on the carrier in order to provide a service which can be provided without limitations by its principal competitors. There is also advantage to the Board in being relieved of the necessity of processing a number of individual applications. Furthermore, we tentatively find that requiring FTL to submit quarterly reports, as suggested by Northwest, would be unduly burdensome. In this connection, we note that FTL is

not now required to file such reports for carrying cargo attendants accompanying shipments of live animals, live birds, and live reptiles. Finally, the lack of any real opposition to FTL's application lends support to our decision that the show-cause procedure is appropriate. Northwest offers no reason why FTL should be required to operate under different conditions and reporting requirements from its competitors. To impose such a discriminatory burden on FTL without good cause would be unfair and not in the public interest.⁹

Interested persons will be given 30 days following the date of this order to show cause why the tentative findings and conclusions set forth herein should not be made final. We expect such persons to support their objections, if any, with detailed answers, specifically setting forth the tentative findings and conclusions to which objection is taken. Such objections should be accompanied by arguments of fact or law and should be supported by legal precedent or detailed economic analysis. If any evidentiary hearing is requested, the objector should state in detail why such a hearing is considered necessary and what relevant and material facts he would expect to establish through such a hearing that cannot be established in written pleadings. General, vague, or unsupported objections will not be entertained.

Accordingly, it is ordered, That:

1. All interested persons are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein, and amending condition (4) of the certificate of public convenience and necessity of The Flying Tiger Line Inc. for route 100 so as to read as follows:

4. The holder may transport, at the expense of the shipper, one or more attendants with any shipment provided that such attendant may be transported only when actually accompanying the shipment and may not be transported from the destination of the shipment to its origin or otherwise;

2. Any interested person having objections to the issuance of an order making final any of the proposed findings, conclusions, or certificate amendments set forth herein shall, within 30 days after the date of adoption of this order, file with the Board and serve upon all persons listed in paragraph 6 a statement of objections together with a summary of testimony, statistical data, and other evidence expected to be relied upon to support the stated objections;¹⁰

3. If timely and properly supported objections are filed, full consideration

⁶ We further find that FTL is a citizen of the United States within the meaning of the Act and is fit, willing, and able properly to perform the transportation proposed herein and to conform to the Board's rules, regulations, and requirements thereunder.

⁷ All motions and/or petitions for reconsideration shall be filed within the period allowed for filing objections, and no further such motions, requests, or petitions for reconsideration of this order will be entertained.

will be accorded the matters and issues raised by the objections before further action is taken by the Board;

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived, and the Board may proceed to enter an order in accordance with the tentative findings and conclusions set forth herein;

5. The motion of The Flying Tiger Line Inc. to file an otherwise unauthorized document in docket 27451 be and it hereby is granted; and

6. A copy of this order shall be served upon Airlift International, Inc.; Alaska Airlines, Inc.; Allegheny Airlines, Inc.; American Airlines, Inc.; Braniff Airways, Inc.; Continental Air Lines, Inc.; Delta Air Lines, Inc.; Eastern Air Lines, Inc.; The Flying Tiger Line Inc.; Frontier Airlines, Inc.; Hughes Airwest; National Airlines, Inc.; North Central Airlines, Inc.; Northwest Airlines, Inc.; Ozark Air Lines, Inc.; Pan American World Airways, Inc.; Piedmont Aviation, Inc.; Southern Airways, Inc.; Texas International Airlines, Inc.; Trans World Airlines, Inc.; United Air Lines, Inc.; Department of Army; Department of Navy; Department of Air Force; Department of Transportation; Atomic Energy Commission; National Aeronautics and Space Administration; and the U.S. Postal Service.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc. 75-8821 Filed 4-3-75; 8:45 am]

[Docket 27588; Order 75-3-61]

ALASKA AIRLINES, INC., ET AL.

Order Denying Stay

Correction

In FR Doc. 75-7716 appearing at page 13237 in the issue for Tuesday, March 25, 1975, make the following changes:

1. On page 13238, the first column, the fifth line, the word "reuse" should read "refuse".

2. On page 13238, the first column, the asterisks preceding footnote 3 should be removed and footnote 3 should be placed at the bottom of the column.

COMMISSION ON CIVIL RIGHTS TEXAS STATE ADVISORY COMMITTEE

Agenda and Notice 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 6 p.m. on April 22, 1975 at the Holiday Inn, 801 Calhoun, Houston, Texas 77001.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Southwestern Regional Office of the Commission, Room 231, New Moore

⁸ See 39 FR 40037 (Nov. 13, 1974).

⁷ We will grant the motion.

⁹ Our action herein will not result in a major Federal action significantly affecting the quality of the environment within the meaning of the National Environmental Policy Act of 1969. In most instances, if not in all, the cargo attendants will be transported on FTL's regularly scheduled flights.

Building, 106 Broadway, San Antonio, Texas 78205.

The purpose of this meeting is to discuss the status of school finance Texas Legislature will be reviewed. Other parts of the Conference will consider the overall problems in school finance reform in Texas.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., April 1, 1975.

ISAIAH T. CRESWELL, JR.,
Advisory Committee
Management Officer.

[FR Doc.75-8788 Filed 4-3-75;8:45 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA

Entry or Withdrawal from Warehouse for Consumption

APRIL 1, 1975.

On March 11, 1965, there was published in the FEDERAL REGISTER (30 FR 3336) a letter of March 8, 1965 from the Chairman of the Interagency Textile Administrative Committee to the Commissioner of Customs, prohibiting entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products, produced or manufactured in Yugoslavia and exported from Yugoslavia for which that Government had not issued a visa. One of the requirements is that each visa must include the signature of an official authorized to issue visas. The Government of the Socialist Federal Republic of Yugoslavia has requested that Anka Lomic and Nebojsa Krnjajic be authorized to issue visas in place of Nikola Agic, Dusan Maric, Anoka Stritar, and Nedeljok Carman.

Accordingly, there is published below a letter of April 1, 1975 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs amending the directive of March 8, 1965, effective on April 4, 1975. Facsimiles of the signatures of the two newly-designated officials are filed as part of the original document with the Office of the Federal Register. A complete list of officials currently authorized to issue visas for cotton textiles and cotton textile products exported to the United States from Yugoslavia is enclosed with the letter to the Commissioner of Customs.

ALAN POLANSKY,
Acting Chairman, Committee
for the Implementation of
Textile Agreements, and Acting
Deputy Assistant Secretary
for Resources and Trade
Assistance, U.S. Department
of Commerce.

APRIL 1, 1975.

Commissioner of Customs,
Department of the Treasury,
Washington, D.C. 20229.

DEAR MR. COMMISSIONER: This directive amends, but does not cancel, the directive of March 8, 1965 from the Chairman, Interagency Textile Administrative Committee, that directed you to prohibit, under certain specified conditions, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1 through 64, produced or manufactured in Yugoslavia, for which the Government of the Socialist Federal Republic of Yugoslavia had not issued an appropriate visa. One of the requirements is that each visa include the signature of an official authorized to issue visas.

Under the provisions of the Bilateral Cotton Textile Agreement of December 31, 1970, as amended, between the Governments of the United States and the Socialist Federal Republic of Yugoslavia, and in accordance with Executive Order 11651 of March 3, 1972, the directive of March 8, 1965 is amended, effective on April 4, 1975, to authorize Anka Lomic and Nebojsa Krnjajic to issue visas in place of Nikola Agic, Dusan Maric, Anoka Stritar, and Nedeljok Carman. A complete list of officials currently authorized to issue visas is enclosed.

The actions taken with respect to the Government of the Socialist Federal Republic of Yugoslavia and with respect to imports of cotton textiles and cotton textile products from Yugoslavia 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, U.S. Department
of Commerce.

Officials of the Government of the Socialist Federal Republic of Yugoslavia Authorized to Issue Visas for Exports of Cotton Textiles and Cotton Textile Products to the United States

STEVAN M. ZEC,
ANKA LOMIC,
NEBOJSA KRNJAJIC.

[FR Doc.75-8810 Filed 4-3-75;8:45 am]

COUNCIL ON ENVIRONMENTAL QUALITY

ENVIRONMENTAL IMPACT STATEMENTS

Notice of Availability

Environmental impact statements received by the Council on Environmental Quality from March 24 through March 28, 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 in forty-five (45) days from this Federal Register notice of availability (May 19, 1975). The thirty (30) day period for each final statement begins on the day the statement is made avail-

able 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) 447-3853.

ANIMAL AND PLANT HEALTH INSPEC. SERVICE

Draft

Veterinary Biologics Laboratory, Ames, Iowa, March 24: The statement concerns the construction of the Veterinary Biologics Laboratory on a new site to replace and upgrade the present facilities in Ames, Iowa. Adverse impacts include air and noise pollution and odor due to solid waste disposal, land use change, and the presence of microorganisms causing diseases in animals (49 pages). (ELR Order No. 50398.)

Final

1975 Addendum to 1974 Gypsy Moth EIS, March 28: The statement, a 1975 draft addendum to the USDA 1974 Gypsy Moth EIS, refers to the continued suppression and/or regulation of the gypsy moth. In 1975 action is proposed in Connecticut, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, and Virginia. Carbaryl, trichlorfon, and Bacillus thuringiensis will be used on approximately 116,200 acres. Comments made by: EPA, USDA, DOC, HEW, DOI, and agencies of several States, and concerned citizens and organizations. (ELR Order No. 50443.)

FOREST SERVICE

Draft

Shafer Butte Planning Unit, Boise National Forest, Ada County, Boise, Idaho, March 24: The statement refers to the land use plan for the 98,500-acre Shafer Butte Planning Unit of Boise National Forest. Balanced resources use is given emphasis in the plan. Watershed, visual quality, and recreation as noncommodity items or nonconsumptive resource activities are complemented. Wildlife habitat improvement or maintenance is stressed. Consumptive demands are mixed to the extent the land base can meet and support. (ELR Order No. 50400.)

Central Nevada Unit, Toiyabe National Forest, Nev., March 28: Several. (ELR Order No. 50442.)

Malheur, Umatilla, and Wallow-Whitman National Forest's Herbicide, Oregon and Washington, March 24: The statement concerns the use of the herbicides 2,4-D, 2,4,5-T, Dicamba, and Picloram on the three National Forests located in Northeast Oregon and Southeast Washington. Adverse impacts include harmful effects on non-target species and the alteration of wildlife habitat. (ELR Order No. 50403.)

Mount Butler--Dry Creek Planning Unit, Siskiyou National Forest, Curry County, Oreg., March 27: The proposed action consists of a land use plan for management of a largely roadless, 22,100 acre Planning Unit on the Siskiyou National Forest. The plan recommends land allocations to sustain a high level of timber harvest, develop the Unit's recreation potential, and protect resources. The opportunity for future statutory wilderness designation for the roadless areas in the Unit will eventually be pre-empted by implementation of the plan, and suitable

habitat for the northern spotted owl, a bird on the state threatened list, will be reduced by approximately 60% (135 pages). (ELR Order No. 50429.)

Chelan Planning Unit, Snoqualmie and Wenatchee National Forests, Kings, Snohomish, and Chelan Counties, Wash., March 24: The statement concerns a proposed allocation to remove the moratorium on commodity production placed on portions of Chelan Planning Unit by the Roadless Area Review and Evaluation in 1971-72. New Study Areas will remain under the management activity moratorium until intensive wilderness studies can be conducted (108 pages). (ELR Order No. 50396.)

Final

Fall Cankerworm Spraying, Va., Prince William County, Va., March 26: Proposed is the suppression of fall cankerworm infestations on 514 acres of wooded residential area in Prince William County, Virginia. The eis discusses the aerial application of bacterial insecticide *Bacillus thuringiensis*. Adverse impacts discussed in the eis include the noise effects from project aircraft and the temporary displacement of wildlife. Comments made by: USDA, DOD, HEW, EPA, DOI, TVA, and State agencies. (ELR Order No. 50418.)

Soleduck Planning Unit, Olympic National Forest, Wash., March 27: Proposed is the implementation of a land use plan for the 133,299 acre Soleduck Planning Unit of the Olympic National Forest. Under the proposal two undeveloped roadless areas Elk Reade and Rugged Ridge, would be allocated to full multiple use management. The Mt. Baldy area would also be subject to full multiple use, but will remain roadless, with timber harvested by operations which do not require roads. The primary impacts will be those which result from the development of undeveloped areas. Comments made by: DOI, COE, HUD, DOT, USDA, EPA, and State and local agencies and organizations. (ELR Order No. 50432.)

Eagle Lake Recreation, Monongahela National Forest, Pocahontas County, W. Va., March 25: The statement refers to the proposed construction of a 47 acre lake on Hills Creek, in order to provide fishing, minor flood control, and day use recreation. Also proposed is a 50 unit campground, to be constructed 3 miles east of the lake. Impacts of the action will include the loss of 1.5 miles of native trout stream and 106 acres of wildlife habitat; and those resulting from increased visitor use (137 pages). Comments made by: AHP, COE, USDA, State agencies, and organizations. (ELR Order No. 50412.)

SOIL CONSERVATION SERVICE

Draft

Texas, March 25: Elm Creek Watershed Project. (ELR Order No. 50414.)

DEPARTMENT OF COMMERCE

Contact: Dr. Sidney R. Galler, Deputy Assistant Secretary for Environmental Affairs, Department of Commerce, Washington, D.C. 20230, (202) 967-4335.

ECONOMIC DEVELOPMENT ADMINISTRATION

Final

Yamhill County Bridge, Yamhill County, Oreg., March 27: Proposed is the construction of a bridge and connecting approaches across the Willamette River at Mile 62.8. Approximately 84 acres of land will be committed to the project. Comments made by: USDA, USCG, COE, EPA, DOI, State, and local agencies. (ELR Order No. 50440.)

Draft

Estuarine Sanctuary Grant Award, Duplin River, McIntosh County, Ga., March 28: (ELR Order No. 50475.)

DEPARTMENT OF DEFENSE

Final

Alaska, March 24: Parachute Drop Zone and Assault Landing Strip, Fort Richardson. (ELR Order No. 50401.)

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) 693-6861.

Draft

Ponce Harbor, Puerto Rico (2), March 27: The statement is a revised draft concerning the construction of a main channel 36 feet deep from the Caribbean Sea up to the authorized Federal project at Ponce Harbor and modifying and deepening the channel and turning basin. Virtually all of the benthic organisms in the proposed channel will be destroyed. There will be a temporary increase in turbidity and siltation in the construction area and some temporary turbidity in the disposal area. (Jacksonville District.) (ELR Order No. 50426.)

Hoonah Small Boat Harbor, Supplement, Alaska, March 24: The statement is a supplement to a final EIS filed with CEQ 13 November 1970. The proposed project consists of constructing rubblemound breakwaters aggregating 2,790 feet, dredging an entrance channel 1,200 feet long, and constructing a diversion dike 2,125 feet long. The project will result in the alteration of 56 acres of natural marine habitat and 24 acres of natural intertidal habitat for disposal of dredge material and a partial or total elimination of a salmon run to Gartina Creek. (Anchorage District.) (ELR Order No. 50404.)

Moline, Illinois, Local Flood Protection, Rock Island County, Ill., March 25: The proposed plan would provide flood protection for 362 acres of the City of Moline from the Mississippi River through construction of levees and floodwalls. The project would require commitment of 14 acres of land, including a marsh between 16th and 20th Streets. (Rock Island District.) (ELR Order No. 50417.)

Chelsea Flood Protection, Iowa River, Tama County, Iowa, March 24: Proposed is the construction of 3.8 miles of earth levees, nine feet high, and 60 feet of 3-foot, precast I-wall at Chelsea, Iowa to protect 300 acres from Iowa River floods with 100-year frequency occurrences. Seventy-six acres of agricultural land and six acres of creek-bottom land will be committed to the project (Rock Island District) (33 pages). (ELR Order No. 50406.)

West Des Moines-Des Moines Flood Protection, Polk County, Iowa, March 25: Proposed is the refurbishing of existing levees and the construction of new levees along the north bank of Raccoon River, the west bank of Walnut Creek, and the north bank of Jordan Creek to protect West Des Moines and Des Moines, Iowa from 200-year floods. Levee construction will result in the loss of 20 acres of vegetation, not including the vegetation loss resulting from construction on the newly-protected low-lying land. The levees will also alter the aesthetic quality of trails and nature areas coinciding with levee alignment (Rock Island District). (ELR Order No. 50416.)

Union Township Drainage District, Lewis County, Mo., March 24: Proposed is the improvement of 7 miles of earthen levee, pumping station outlet modifications, railroad closure structures, and road ramp raises for purposes of flood control. Adverse impacts include the loss of productivity of the 25 acres of cropland needed for borrow, the loss and disruption of the benthic organisms, the clearing of one acre of bottomland woods, and construction disruption (Rock

Island District) (25 pages). (ELR Order No. 50409.)

Deep Creek Flood Control Project, Edgecombe County, N.C., March 24: Proposed is a project for flood control consisting of the construction of a dike and drainage appurtenances on the north and south sides of Speed, N.C., relocation and channel excavation of 3,300 feet of Knight Swamp, snagging and clearing 8.3 miles of Deep Creek, and enlarging 2,800 feet of Deep Creek to approximately 80-ft bottom width. Adverse impacts include loss of two acres of swamp habitat, loss of stream habitat, loss of 0.9 mile of natural stream section, and the conversion of 31 acres of pine and hardwood to grass habitat. (Wilmington District). (ELR Order No. 50405.)

Chetco, Coquille and Rogue River Estuaries and Por, Oreg., March 24: The statement concerns the maintenance dredging of Chetco, Coquille, and Rogue River Estuaries and Port Orford, Oregon. Adverse impacts include disruption and removal of river bottom habitat and organisms, resuspension of bottom sediments, smothering of aquatic and terrestrial habitat and organisms during disposal, the possible shoaling of Battle Rock Historical site, and augmented housing shortages (Portland District). (ELR Order No. 50402.)

Saw Mill Run, Pittsburgh (2), Allegheny County, Pa., March 25: Proposed is the widening and deepening and minor realignment of 5,600 feet of Saw Mill Run through the West End Section of the City of Pittsburgh for purposes of flood control. The project would result in temporary increases in traffic, noise dust, exhaust emissions, erosion, stream turbidity, and sedimentation. Eight families would be displaced by the project (Pittsburgh District). (ELR Order No. 50413.)

Chippewa River Eau Claire, Flood Control, Eau Claire County, Wis., March 25: Proposed is the construction of a series of floodwalls, levees, and road raises through flood prone areas along the Chippewa and Eau Claire Rivers, Wisconsin. The project would result in a reduction and alteration of streambank vegetation and aesthetics. About 200 trees and other streambank vegetation which have value as wildlife habitat would be removed (St. Paul District). (ELR Order No. 50415.)

Final

Newburgh Bank Revetment, Ohio River, Ind., March 24: The project proposes a riverbank revetment needed for bank stabilization on the Ohio River in the Newburgh area. The revetment procedure will include stabilizing the bank with stone protection. The project is 1.1 miles in length. Increases in water turbidity will occur with loss of aquatic life (69 pages). Comments made by: DOI, EPA, DOC, USDA, USCG, AHP, State, and local agencies and citizen groups. (ELR Order No. 50408.)

Hunting Island Beach, Beaufort County, S.C., March 26: The statement refers to the proposed renourishment of Hunting Island Beach. The project involves the renourishment of the 10,000-foot feeder beach to help stabilize the shore with material taken from the mouth of Fripp Inlet. Adverse impacts include a temporary reduction of recreational activity, mechanical disturbance and smothering of the benthic community along the beach and in the borrow area, and a temporary increase in water turbidity (Charleston District) (27 pages). Comments made by: USDA, EPA, HEW, DOI, DOT, AHP, one State agency, and one private organization. (ELR Order No. 50419.)

R.D. Bailey Lake, Guyandotte River, Wyoming and Mingo Counties, W. Va., March 29: The statement refers to the construction and operation of a multiple purpose lake on the Guyandotte River near the

Mingo-Wyoming County line. Project purposes are flood control, water quality control, area redevelopment, general recreation and fish and wildlife recreation. Adverse impacts include the relocation of 33 businesses, 530 residential units, 11 churches, 3 schools, and 2 post offices, the inundation of about 7 miles of the Guyandotte River and 510 acres of land at seasonal pool, and construction problems with soil erosion, stream sedimentation, stream turbidity, dust, and noise (Huntington District). Comments made by: USDA, FPC, EPA, DOI, USCG, AHP, and State agencies. (ELR Order No. 50425.)

Pleasants Power Stations, Units No. 1 and 2, Pleasants County, W. Va., March 27: The statement refers to the construction, operation and maintenance of a new power generation facility on the Ohio River, Pleasants County, West Virginia. The new facilities will consist of a proposed coal-fired plant consisting of two steam operated electric generator units. Adverse impacts are increased noise pollution, use of land for plant operation, increased river traffic, discharge of station waste into the Ohio River, and use of chemical additives to waste used in station systems (Huntington District) (607 pages). Comments made by: EPA, DOI, USDA, DOC, FPC, USCG, DOT, AHP, State, and local agencies and concerned citizens. (ELR Order No. 50434.)

Port Washington Small Boat Harbor, Wis., March 24: The statement refers to the proposed construction of rubble mound breakwaters in order to form a 13.5 acre small boat harbor. Construction activities and the dredging of 80,000 cu. yds. of material will adversely affect aquatic life. The project will increase the recreational-navigation potential of the Harbor. Comments made by: EPA, DOI, HUD, and State agencies. (ELR Order No. 50397.)

NAVY

Contact: Mr. Peter M. McDavitt, Special Assistant to the Assistant Secretary of the Navy (Installations and Logistics), Washington, D.C. 20350, (202) 692-3227.

Final

Outlying Helicopter Fields, Whiting Field, Santa Rosa County, Fla., March 26: Proposed is the acquisition in fee of two tracts of land totaling 780.5 acres, and the construction of two helicopter outlying fields. Site 1 is 10 miles west of NAS Whiting Field; Site 2 is 8 miles east of the Field. The fields will be used for training operations. Adverse impact will include the removal of 207 acres from soybean production and 433 acres from timber production. Comments made by: DOD, EPA, DOI, and one State agency. (ELR Order No. 50422.)

Navy Family Housing, Charleston, S.C., March 26: Proposed is the construction of 526 units of Navy family housing at the Naval Weapons Station, Charleston, South Carolina. The project would include recreational and play areas, sidewalk, streets, storm drainage, landscaping and utilities. Eighty acres of wildlife habitat and timber land will be committed to the project. Comments made by: EPA, AHP, DOI, HEW, USDA, and one State agency. (ELR Order No. 50421.)

ENVIRONMENTAL PROTECTION AGENCY

Contact: Mr. Sheldon Meyers, Director, Office of Federal Activities, Room 3630 Water-side Mall, Washington, D.C. 20460, (202) 755-0940.

Draft

New Shoreham Treatment Facilities, R.I., March 27: Proposed is a municipal collection system and an extended aeration system as the method of wastewater treatment for Rock Island. The preferred plan is to sewer the old harbor area and to develop subsur-

face disposal systems in New Harbor. Adverse impacts include temporary construction disruption, noises and odors from the plant, and the visual impact of the concrete outfall. (ELR Order No. 50439.)

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

Modular Integrated Utility Systems, March 25: The statement assesses the environmental impact from installation and operation of the Modular Integrated Utility Systems in a generic sense. The impacts were evaluated by use of a hypothetical housing development and were found to be less harmful to the environment than conventional utility systems. (ELR Order No. 50410.)

Santa Rosa Urban Renewal, Sonoma County, Calif., March 27: The Santa Rosa Center Urban Renewal Project entails the development of a major regional shopping center covering 12 blocks (30 acres) in the business center of downtown Santa Rosa. The project is being developed in three phases, with land use being for government, institutional, commercial, and retail purposes. In addition to temporary construction disruption, the project will have adverse impacts on air quality, noise levels, and circulation patterns, due to increases in traffic. The project is also subject to possible seismic hazards. (ELR Order No. 50437.)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 7260, Department of the Interior, Washington, D.C. 20240, (202) 343-3891.

Draft

Ute Mountain Ute Tribal Lands Mineral Lease, Montezuma County, Colo., March 27: The statement concerns the approval of a lease of Ute Mountain Ute Tribal Lands to Mobil Oil Corporation for the purpose of exploration and possible mining of uranium and related minerals. The plan consists of a four-year exploration phase, a four-year development phase and approximately twelve years of mining and processing. The biological community and aesthetics of the area will be noticeably and adversely impacted (73 pages). (ELR Order No. 50431.)

BONNEVILLE POWER ADMINISTRATION

Draft

Southwestern Power Administration, Construction and Maintenance, March 27: Proposed is the maintenance and construction of additions to Southwestern Power Administration's electric transmission system including transmission lines, substations, and related structures in Oklahoma, Arkansas, Missouri, and parts of Texas, Kansas and Louisiana. The land occupied by structures will be unavailable for other uses during the life of the facility, and homes and other buildings will be displaced. The project will also be detrimental to wildlife habitat (55 pages). (ELR Order No. 50427.)

BUREAU OF SPORTS FISHERIES AND WILDLIFE

Final

Proposed Santee National Wilderness Area, Clarendon County, S.C., March 26: The statement refers to the proposed legislative designation of 13 islands in Lake Marion, which encompass 163 acres which are presently part of the Santee National Wildlife Refuge, as wilderness within the National Wilderness Preservation System. Some future management options would thereby be removed (47

pages). Comments made by: DOI and one State agency. (ELR Order No. 50420.)

GEOLOGICAL SURVEY

Draft

Bell Ayr South Mine, Amax Coal Co., Campbell County, Wyo., March 25: Proposed is the approval of a strip mining and reclamation plan for Belle Ayr South Mine, Amax Coal Company. The plan proposes expansion of the existing operation from 3.1 million to 15 million tons per year. The land surface, vegetation, and coal bed aquifers will be destroyed in the area mined, and there will be a permanent reduction in productivity on the 3,018 acres. (ELR Order No. 50411.)

NATIONAL PARK SERVICE

Draft

Pecos National Monument, Proposed Master Plan, San Miguel County, N. Mex., March 27: The statement concerns the proposed master plan and development concept plan for Pecos National Monument. The plan includes introduction of a major visitor facility structure, employee housing, archeological workshop housing, materials and equipment yard, water and sewerage systems and attendant roads and parking. Legislation is proposed to authorize addition of two adjoining parcels of land to be donated, totaling 23.5 acres and to increase the ceiling of development (63 pages). (ELR Order No. 50430.)

BUREAU OF LAND MANAGEMENT

Final

OCS Offshore Central Gulf, March 27: (ELR Order No. 50435.)

INTERNATIONAL BOUNDARY AND WATER COMM.

Contact: Mr. T. R. Martin, ARA/Mex., State Department, Room 3906 A, Washington, D.C. 20520, (202) 632-1317.

Draft

Rio Grande Canal Project Improvements, Texas and New Mexico, March 27: (ELR Order No. 50441.)

NUCLEAR REGULATORY COMMISSION

Contact: Mr. A. Giambusso, Director of Division of Reactor Licensing, P-722, NRC, Washington, D.C. 20545, (301) 973-7373.

Draft

Cherokee Nuclear Stations, Units 1, 2, and 3, Cherokee County, S.C., March 27: The proposed action is the issuance of a construction permit to the Duke Power Company for the construction of the Cherokee Nuclear Station Units 1, 2 and 3. The stations will employ three identical pressurized water reactors to produce up to approximately 3817 MWt each. A steam turbine generator will use this heat to provide 1280 MWe of electrical power capacity per unit. Water for cooling will be obtained from and discharged to the Broad River. A total of 2263 acres will be utilized for the site, displacing about 17 families. The cooling tower blow-down and chemical effluents from the station will increase the dissolved solids concentration in the Broad River. (ELR Order No. 50436.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Affairs, 400 7th Street SW., Washington, D.C. 20590, (202) 426-4357.

FEDERAL HIGHWAY ADMINISTRATION

Draft

Overpass of I-95, Blythe Island, Glynn County, Ga., March 27: The proposed project is located on Blythe Island, Glynn County, Georgia, and affects an area located between

the Turtle River on the northeast to approximately 6,000 feet to the southwest along I-95. The overpass will be a grade separation structure with or without an interchange and access roads. Two or three residences may be displaced. (ELR Order No. 50428.)

Nebraska 370, Bellevue, Sarpy County, Nebr., March 24: Proposed is the improvement of two segments of approximately 1.25 miles of Nebraska 370 within the City of Bellevue from two to four lanes. The additional right-of-way for construction will require acquisition of two residences, two businesses, and the relocation of three mobile homes. Since a motel, one church, 73 homes and a number of businesses exceed the design noise levels, a full detailed study of all noise abatement measures will be made. (ELR Order No. 50407.)

Gaines County Airport, Tex., Gaines County, Tex., March 27: Proposed is the acquisition of 400 acres of land for the construction of an airport 2 miles south of the city limits of Seminole. The plan includes construction of two runways, connecting taxiways, and apron, and lighting. Increased air pollution will result. (ELR Order No. 50438.)

STH 35 (Lang Drive), La Crosse, La Crosse County, Wis., March 26: Proposed is the reconstruction of 1.13 miles of STH 35 (Lang Drive) from La Crosse Street to St. Andrews Street, along the existing alignment. The roadway will be widened from two to four lanes and raised above 100-year flood levels in an effort to keep this traffic corridor open during future floods from both the La Crosse and Mississippi Rivers. The roadway embankment material will be obtained by constructing a lake in the La Crosse River floodplain. The project will displace nine acres of marsh (90 pages). (ELR Order No. 50424.)

Final

U.S. 95, Between Coeur d'Alene and Bellgrove, Kootenai County, Idaho, March 24: The project involves the improvement of a section of U.S. 95 between Coeur d'Alene and Bellgrove. The improvement would involve construction of approximately 12.5 miles of roadway. Adverse impacts include the loss of some forest land, wildlife habitat and wetlands, the displacement of families and businesses, and temporary construction inconveniences. The project will be constructed in three stages and will cost approximately seven million dollars (142 pages). Comments made by: USDA, COE, EPA, and State and local agencies. (ELR Order No. 50395.)

U.S. 641, Murray, Calloway County, Ky., March 24: The statement refers to the proposed construction of US 641 from Sycamore St. to Utterback Rd. The 4-lane facility will have a length of 2.5 miles. Adverse impacts are increased noise pollution, and the displacement of 10 families and 3 businesses. Comments made by: HEW, EPA, DOI, TVA, and one State and one local agency. (ELR Order No. 50399.)

US 277-82, Spur 447, Wichita Falls, Wichita County, Tex., March 27: The statement concerns the construction of an 8.95 mile 4-lane divided highway, providing a controlled access facility for U.S. 277-82 and Spur 447. The highway would connect Edison Street, a recently completed 4-lane arterial, on the east end and U.S. 277-82 on the west end. The project will displace 160 families, 27 businesses, and 2 non-profit organizations (126 pages). Comments made by: DOT, HEW, HUD, USDA, DOI, and State and local agencies. (ELR Order No. 50433.)

U.S. COAST GUARD

Final

Arcata Airport, McKinleyville, Humboldt County, Calif., March 26: The proposed action provides for the establishment of a new Search and Rescue (SAR) air station in Mc-

Kinleyville, California. Included in the project are hangar, utility buildings, bachelor enlisted quarters, site paving and walkways, jet refueling system, communications antennae, and taxiway lighting. There will be some visual impact and the possibility of hydrological impact because of the facility. There will be secondary impacts involving the scarce housing supply and future sewage tie-in requests for the McKinleyville system. Comments made by: EPA, DOI, and State and local agencies. (ELR Order No. 50423.)

GARY L. WIDMAN,
General Counsel.

[FR Doc.75-3767 Filed 4-3-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

Science Advisory Board

[FRL 355-2]

ECOLOGY ADVISORY COMMITTEE

Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given that a meeting of the Ecology Advisory Committee of the Science Advisory Board will be held beginning at 9:00 a.m., April 22, 1975, in the Conference Building, Building 38, Gulf Breeze Environmental Research Laboratory, Sabine Island, Gulf Breeze, Florida.

This is the second meeting of the Committee. The agenda includes review of the Laboratory's research program, pesticides—effects associated with the estuarine and marine environments; progress reports on the Committee's study on the health of the environment; and member items of interest.

The meeting is open to the public. Any member of the public wishing to attend, participate, or obtain additional information, should contact Dr. J. Frances Allen, Executive Secretary, Ecology Advisory Committee, (703) 557-7720.

JOHN BUCKLEY,
Acting Assistant Administrator
for Research and Development.

MARCH 28, 1975.

[FR Doc.75-8846 Filed 4-3-75;8:45 am]

[FRL 354-8] OPP-32000/220

NOTICE OF 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 D.C. 20460.

On or before June 3, 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 D.C. 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after June 3, 1975.

Dated: March 27, 1975.

JOHN B. RITCH, JR.,
Director,
Registration Division.

APPLICATIONS RECEIVED (OPP-32000/220)

EPA Reg. No. 1526-374. Arizona Agrochemical Co., PO Box 21537, Phoenix AZ 85036. DIBROM SEC. Active Ingredients: Naled (1,2-dibromo-2, 2-dichloroethyl dimethyl phosphate) 58%; Xylene 20%. Method of Support: Application proceeds under 2(c) of interim policy. PM16.

EPA File Symbol 35376-R. A. T. S. Laboratories Inc., 936 Ledge Rd., Medina OH 44256. SUPER SHIELD 5 DAY FLY REPELLENT. Active Ingredients: Butoxypolypropylene Glycol 10.00%; Piperonyl Butoxide Technical Equivalent to 0.8% (Butylcarbityl) (6-propylpiperonyl)-ether and to 0.2% related compounds] 1.00%; Pyrethrin 0.25%; Petroleum Distillate 1.00%. Method of Support: Application proceeds under 2(b) of interim policy. PM17.

EPA File Symbol 36532-E. Better Water Corp., 500 C Allied Dr., Nashville TN 37211. BIO-110. Active Ingredients: Poly[oxyethylene (dimethyliminio) ethylene(dimethyliminio)-ethylene dichloride] 10.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM34.

EPA File Symbol 36532-G. Better Water Corp., 500 C Allied Dr., Nashville TN 37211. BIO-POOL. Active Ingredients: Poly[oxyethylene (dimethyliminio) ethylene (dimethyliminio)-ethylene dichloride] 10.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM34.

- EPA File Symbol 6959-UN. Cessco, Inc., 3534 Central Ave., Charlotte NC 28205. CESSCO 10 A CONCENTRATED INSECTICIDE. Active Ingredients: 2,2-dichlorovinyl dimethyl phosphate 9.3%; Related compounds 0.7%; Petroleum distillate 30.0%; 1,1,1-trichloroethane 60.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM13.
- EPA File Symbol 6959-UR. Cessco, Inc., PO Box 12452, Charlotte NC 28205. CESSCO ACCUDOSE 20. Active Ingredients: 2,2-Dichlorovinyl Dimethyl Phosphate 18.6%; Related Compounds 1.4%. Method of Support: Application proceeds under 2(c) of interim policy. PM13.
- EPA File Symbol 5736-LR. DuBois Chemicals, Div. of Chemed Corp., 3630 E. Kemper Rd., Sharonville OH 45241. SLIME FREE A BACTERIOSTAT AND ALGAEICIDE. Active Ingredients: n-Alkyl (60% C14, 5% C12, 30% C14, 5% C18) dimethyl benzyl ammonium chloride 12.50%; Bis (Tri-n-Butyltin) Oxide 2.25%. Method of Support: Application proceeds under 2(c) of interim policy. PM33.
- EPA File Symbol 5736-UI. DuBois Chemicals, Div. of Chemed Corp., 3630 E. Kemper Rd., Sharonville OH 45241. X-PEL ALGAEICIDE. Active Ingredients: Dehydroabietylamine Acetate 6.25%; Alkyl (70% C18, 27% C16, 3% C14) Trimethyl Ammonium Chloride 3.125%; Dialkyl (47% C12, 18% C14, 10% C18, 9% C10, 5% C16, 8% C8) Dimethyl Ammonium Chloride 3.125%. Method of Support: Application proceeds under 2(c) of interim policy. PM33.
- EPA File Symbol 9198-GU. Constantine's Nursery & Garden, Inc., PO Box 119, Maumee OH 43537. CONSTANTINE'S WEED KILLER AND FERTILIZER. Active Ingredients: Dimethylamine Salt of 2,4-Dichlorophenoxyacetic Acid 0.90%; Isooctyl Ester of Silvex 2-(2,4,5-Trichlorophenoxy) Propionic Acid 0.75%. Method of Support: Application proceeds under 2(c) of interim policy. PM23.
- EPA File Symbol 36534-E. Crown Chemical Co., 5280 Merrick Rd., Massapequa LI NY 11758. HYDROCID 5. Active Ingredients: Poly[oxyethylene (dimethyliminio) ethylene(dimethyliminio) (ethylene dichloride)] 5.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM34.
- EPA File Symbol 36534-G. Crown Chemical Co., 5280 Merrick Rd., Massapequa LI NY 11758. HYDROCID 5. Active Ingredients: Poly[oxyethylene (dimethyliminio) ethylene(dimethyliminio) ethylene dichloride] 5.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM34.
- EPA File Symbol 4643-EO. Dearborn Chemical Div., Chemed Corp., 300 Genesee St., Lake Zurich IL 60047. DEARCIDE 716 OXIDIZING MICROBICIDE. Active Ingredients: Trichloroisocyanuric Acid 21.25%; Potassium Peroxymonosulfate 22.90%; Potassium Disulfate 0.35%. Method of Support: Application proceeds under 2(c) of interim policy. PM34.
- EPA File Symbol 3770-GEG. Economy Products Co., Inc., PO Box 427, Shenandoah IA 51601. DAIRY FOG 20% VAPONA INSECTICIDE CONCENTRATE. Active Ingredients: 2,2-Dichlorovinyl Dimethyl Phosphate 18.6%; Related Compounds 1.4%; Aromatic Petroleum Hydrocarbons 75.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM13.
- EPA Reg. No. 270-37. Farnam Co., Inc., PO Box 21447, Phoenix AZ 85036. FARNAM WIPE FLY PROTECTANT. Active Ingredients: Pyrethrins 0.20%; Piperonyl Butoxide Technical [Equivalent to 0.40% (butylcarbityl) (6-Propylpiperonyl) ether and 0.10% of related compounds] 0.50%; Di-n-propyl Isocinchomerate 1.00%; Oil of Citronella 2.00%; Butoxypolypropylene Glycol 20.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.
- EPA Reg. No. 270-96. Farnam Co., Inc., PO Box 21447, Phoenix AZ 85036. SUPER-SHEEN WIPE WIPE-ON FLY REPELLENT AND COAT BRIGHTENER. Active Ingredients: Pyrethrins 0.20%; Piperonyl Butoxide Technical [Equivalent to 0.40% (Butylcarbityl) (6-Propylpiperonyl) Ether and 0.10% of related compounds] 0.50%; di-n-propyl Isocinchomerate 1.00%; Butoxypolypropylene Glycol 20.00%; Iso-propyl Lanolin Ester 1.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.
- EPA File Symbol 779-OT. Paesy & Besthoff, Inc., 143 River Rd., Edgewater NJ 07020. LAWN GRANULAR FUNGICIDE. Active Ingredients: 4,6 - Dichloro - N-(2-chlorophenyl)-1,3,5-triazin-2-amine 5%. Method of Support: Application proceeds under 2(c) of interim policy. PM21.
- EPA File Symbol 25881-A. Lispar, Ltd., 3236 N. 11th St., Philadelphia PA 19140. NO ALGAE SWIMMING POOL ALGAEICIDE. Active Ingredients: Alkyl (C14 60%, C12 25%, C16 15%) Dimethyl Benzyl Ammonium Chloride 10%. Method of Support: Application proceeds under 2(b) of interim policy. PM24.
- EPA Reg. No. 618-55. Merck Chemical Div., Merck & Co., Inc., Rahway NJ 07065. 2% LIQUID GIBREL. Active Ingredients: Potassium Gibberellate 2%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.
- EPA Reg. No. 72-89. Miller Chemical & Fertilizer Corp., PO Box 333, Hanover PA 17331. MILLER KILMITE-40 (40% TEPP). Active Ingredients: Tetraethylpyrophosphate 40%. Method of Support: Application proceeds under 2(c) of interim policy. PM16.
- EPA File Symbol 524-GRT. Monsanto Co., Agricultural Products, 800 N. Lindbergh Ave., St. Louis MO 63166. GLYPHOSINE TECHNICAL GRADE. Active Ingredients: N,N-bis (phosphonomethyl)-glycine 95.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM25.
- EPA File Symbol 524-GRU. Monsanto Co., Agricultural Products, 800 N. Lindbergh Ave., St. Louis MO 63166. LASSO EC HERBICIDE. Active Ingredients: Alachlor (2-chloro-2', 6'-diethyl-N-(methoxymethyl) acetanilide) 45.7%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.
- EPA File Symbol 1769-EAG. National Chemsearch, 2727 Chemsearch Blvd., PO Box 2170, Irving TX 75060. SELECT-TROL. Active Ingredients: Diethanolamine salt of 2-(2 - Methyl - 4-chlorophenoxy) Propionic acid 8.0%; Diethanolamine salt of 2,4-Dichlorophenoxyacetic acid 6.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM23.
- EPA File Symbol 358-RLO. Nott Mfg. Co., Pleasant Valley NY 12569. STRYCHNINE ALKALOID N.F. Active Ingredients: Strychnine Alkaloid 100%. Method of Support: Application proceeds under 2(c) of interim policy. PM11.
- EPA File Symbol 33576-GN. Olin Water Services, Olin Corp., 120 Long Ridge Rd., Stamford CT 06904. OLIN 7080. Active Ingredients: 2,2-Dibromo-3-nitrilpropionamide 20%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.
- EPA Reg. No. 2548-59. Research Products Co., PO Box 1057, 1835 East North St., Salina KS 67401. DETIA GAS-EX-B. Active Ingredients: Aluminum Phosphide 57%. Method of Support: Application proceeds under 2(c) of interim policy. PM11.
- EPA File Symbol 8597-U. Swimrite Inc., 15330 Oxnard St., Van Nuys CA 91408. SWIMRITE CALIFORNIA CHLORINE. Active Ingredients: Trichloro-S-Triazinetrione 70%; Sodium Carbonate 30%. Method of Support: Application proceeds under 2(c) of interim policy. PM34.
- EPA File Symbol 148-RENI. Thompson-Hayward Chemical Co., 5200 Speaker Rd., Kansas City KS 66106. CAPTAN SULFUR 15-50 DUST. Active Ingredients: Captan (cis-N-((Trichloromethyl) - thio)-4-cyclohexene-1,2-dicarboximide) 15%; Sulfur 50%. Method of Support: Application proceeds under 2(c) of interim policy. PM22.
- EPA File Symbol 148-RENT. Thompson-Hayward Chemical Co. BOTRAN 6% DUST. Active Ingredients: 2,6-Dichloro-4-nitroaniline 6%. Method of Support: Application proceeds under 2(c) of interim policy. PM21.
- EPA File Symbol 148-RERE. Thompson-Hayward Chemical Co. DIAZINON 4 DUST. Active Ingredients: 0,0-diethyl 0-(2-isopropyl - 6 - methyl - 4-pyrimidinyl) phosphorothioate 4%. Method of Support: Application proceeds under 2(c) of interim policy. PM14.
- EPA File Symbol 148-RERN. Thompson-Hayward Chemical Co. BOTRAN SULFUR 6-25. Active Ingredients: 2,6-Dichloro-4-nitroaniline 6%; Sulfur 25%. Method of Support: Application proceeds under 2(c) of interim policy. PM22.
- EPA File Symbol 148-RERR. Thompson-Hayward Chemical Co. CAPTAN-BOTRAN 10-5 DUST. Active Ingredients: Captan (2,6-Dichloro-4-nitroaniline) 10%; N-[trichloromethyl]thio]-4-cyclohexene-1,2-dicarboximide 5%. Method of Support: Application proceeds under 2(c) of interim policy. PM21.
- EPA File Symbol 10352-RI. Union Carbide Corp., 270 Park Ave., New York NY 10017. BIOCIDAL FORMULA I. Active Ingredients: Glutaraldehyde 20.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM33.
- EPA File Symbol 10352-RO. Union Carbide Corp., 270 Park Ave., New York NY 10017. BIOCIDAL FORMULA II. Active Ingredients: Glutaraldehyde 2.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM33.
- EPA File Symbol 1386-LJO. Universal Cooperatives Inc., 111 Glamorgan St., Alliance OH 44601. UNICO BUSAN 30. Active Ingredients: 2 - (Thiocyanomethylthio) benzothiazole 30%. Method of Support: Application proceeds under 2(c) of interim policy. PM22.
- EPA Reg. No. 7401-255. Voluntary Purchasing Groups, Inc., PO Box 460, Bonham TX 75418. HI-YIELD 5 LB. MALATHION. Active Ingredients: Malathion (0,0-diethyl dithiophosphate of diethyl mercaptosuccinate) 56%; Aromatic Petroleum Derivatives 32%. Method of Support: Application proceeds under 2(c) of interim policy. PM16.
- EPA File Symbol 15265-I. Wausau Chemical Corp., 2001 N. River Dr., Wausau WI 54401. ROLAR BRAND FORMULA NUMBER 39 CHLORINATED CLEANER. Active Ingredients: Sodium Hypochlorite 3.25%. Method of Support: Application proceeds under 2(c) of interim policy. PM34.
- EPA File Symbol 15265-O. Wausau Chemical Corp. ROLAR BRAND FORMULA NUMBER 60 CHLORINATED C.I.P. CLEANER. Active Ingredients: Sodium Dichloro-s-Triazinetrione Dihydrate 2.95%. Method of Support: Application proceeds under 2(c) of interim policy. PM34.

EPA File Symbol 15265-T. Wausau Chemical Corp. ROLAR BRAND FORMULA NUMBER 21 CHLORINATED C.I.P. CLEANER. Active Ingredients: Sodium Hypochlorite 1.75%. Method of Support: Application proceeds under 2(c) of interim policy. PM34.

EPA File Symbol 5427-AE. Wright Chemical Corp., 1319 Wabansia Ave., Chicago IL 60622. WRICO NRA. Active Ingredients: Octyl dodecyl dimethylammonium chloride 25.0%; Isopropyl alcohol 12.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM31.

EPA File Symbol 5427-AG. Wright Chemical Corp., 1319 W. Wabansia Ave., Chicago IL 60622. WRICO TDL. Active Ingredients: 2,2-Dibromo-3-nitripropionamide 20%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.

EPA File Symbol 10238-EN. Zimmite Corp., 810 Sharon Dr., Westlake OH 44145. CHEMTROL NO. 20. Active Ingredients: 2,2-Dibromo-3-nitripropionamide 5%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.

EPA File Symbol 10238-ER. Zimmite Corp., 810 Sharon Dr., Westlake OH 44145. CHEMTROL NO. 21. Active Ingredients: 2,2-Dibromo-3-nitripropionamide 20%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.

EPA File Symbol 7885-UE. Zoe Chemical Co., 1801 Falmouth Ave., New Hyde Park NY 11040. AUTOMATIC INDOOR FOGGER. Active Ingredients: Pyrethrins 0.2%; Piperonyl Butoxide, Technical [Equivalent to 0.64% (butylcarbityl) (6-propyl-piperonyl) ether and 0.16% related compounds] 0.8%; Petroleum Distillate 14.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

[FR Doc.75-8559 Filed 4-3-75;8:45 am]

[FRL 355-5; OPP-50011]

TEXAS A & M UNIVERSITY

Experimental Use Permit To Use Sodium Cyanide To Investigate Effectiveness of SCSLEM for Predator Control

Pursuant to section 5 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 7 U.S.C. 136), the Environmental Protection Agency (EPA) announces that it has issued an experimental use permit to the Department of Wildlife and Fisheries Sciences of the Texas A & M University. This permit (No. 35899-EXP-1G) was issued in conjunction with an EPA contract also awarded to the Applicant; this contract (No. 68-01-2835) will conduct certain tests using sodium cyanide in the sodium cyanide spring-loaded ejector mechanism (SCSLEM) to determine its effectiveness as a tool to curtail sheep losses due to predation. The permit is in accordance with 40 CFR 162.19 as promulgated in the FEDERAL REGISTER on January 31, 1974 (39 FR 3939).

This program began on FEBRUARY 24, 1975, and will expire on AUGUST 31, 1975. However, it may be revoked at any time for violation of the terms thereof, or to avoid deleterious effects on the environment.

Interested persons may submit written comments with reference to this notice to the FEDERAL REGISTER Section, Technical Services Division (WH-569), Office of Pesticide Programs, EPA, 401 M St. SW., Room E-421, Washington, D.C.

20460. Three copies of the comments must be submitted to facilitate the work of EPA and others interested in reviewing them. The comments must bear the identifying notation OPP-50011. All written comments filed pursuant to this notice will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 4 p.m. Monday through Friday. Persons wishing to review the contract and the permit issued in relation to it may do so from 8:30 a.m. to 4 p.m. Monday through Friday. However, it is requested that appointments be made in advance by contacting the Registration Division (WH-567), Office of Pesticide Programs, EPA, prior to visiting EPA Headquarters; the telephone number to be used in arranging appointments is 202/755-4851.

PROGRAM FOR EXPERIMENTAL USE OF SODIUM CYANIDE SPRING-LOADED EJECTOR MECHANISM (SCSLEM) FOR PREDATOR CONTROL

I. PURPOSE

Sodium cyanide will be used in the spring-loaded ejector mechanism (SCSLEM) in an experimental program which will be located on a 22,000 acre ranch in Pecos County, Texas. Data from this program and from the other EPA-approved experimental use programs will be evaluated by EPA in order to make a decision regarding the possible registration of sodium cyanide in the spring-loaded ejector mechanism.

II. OBJECTIVES

- To determine the efficacy of the SCSLEM as a predator control tool in a sheep ranching operation;
- To determine if a correlation exists between numbers of coyotes and losses of sheep to predation;
- To determine the selectiveness of the SCSLEM for target animals; and
- To determine the level of coyote control achieved by sheep producers in Pecos County using various control techniques and relate this to sheep losses.

III. BRIEF DESCRIPTION OF PROGRAM

A. The program will involve two flocks of sheep, each containing 100 pregnant ewes. One flock will be established in an experimental area treated with SCSLEM's. The other flock will be placed in an untreated area where no predator control techniques will be employed.

B. Daily counts will be made of both flocks and records kept indicating the cause of death (when discernable) of all sheep, their age, sex, and condition.

C. The total number of devices and capsules for the entire program will not exceed 200 devices and 1,000 capsules.

D. Devices will be placed in the experimental area and in the eight (8) square mile buffer zone immediately surrounding it. These will be inspected daily throughout the study period. The SCSLEM's will be placed along ravines, trails, and other coyote travel lanes. At the conclusion of the study, all devices will be collected and stored in a safe place.

E. Reports will be made on a monthly basis. There will also be a final report to be submitted to EPA for review and comment within a month of the completion of field operations. The final report is to be submitted to EPA by September 30, 1975.

Dated: March 28, 1975.

JAMES L. AGEE,
Assistant Administrator for
Water and Hazardous Materials.

[FR Doc.75-8845 Filed 4-3-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 747]

COMMON CARRIER SERVICES INFORMATION¹

Domestic Public Radio Services
Applications Accepted for Filing²

MARCH 31, 1975.

Pursuant to §§ 1.227(b)(3) and 21.30 (b) of the Commission's Rules, an application, in order to be considered with any domestic public radio services application appearing on the attached list, must be substantially complete and tendered for filing by whichever date is earlier: (a) the close of business one business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cut-off dates are set forth in the alternative—applications will be entitled to consideration with those listed in the appendix if filed by the end of the 60 day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to §§ 21.27 of the Commission's Rules for provisions

¹ All applications listed in the appendix are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's Rules, regulations and other requirements.

² The above alternative cut-off rules apply to those applications listed in the appendix as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio and Local Television Transmission Services (Part 21 of the Rules).

governing the time for filing and other requirements relating to such pleadings.

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

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

- 20216-CD-P-75, General Telephone Company of the Northwest, Inc. (KUC860), C.P. to add Loc. #2 to operate on 152.78 MHz to be located 5.5 miles NE. of East Wenatchee, Washington at the intersection of Badger Mountain and Clark Roads.
- 21297-CD-P-75, Radio fone of Georgia, Inc., C.P. for a new 1-way station to operate on 152.24 MHz located 600 North Lee Street, Valdosta, Georgia.
- 21298-CD-P-75, Meriden Telephone Company (New), C.P. for a new station to operate on 152.51 MHz to be located 1.7 miles Northeast of Meriden.
- 21299-CD-P-75, General Communications Company (KUC849), C.P. to replace transmitter operating on 35.22 MHz located on Route 50, 2 miles east of Clarksburg, West Virginia.
- 21300-CD-P-75, The Ohio Bell Telephone Company (KU0560), C.P. to change antenna system at Loc. #2 operating on 152.84 MHz located ¼ miles North of the intersection of Route 23 and Eckel Road, Ferrysburg, Ohio.
- 21304-CD-P-75, Radio Telephone, Inc. (KRM948), C.P. to add Loc. #2 to operate on 158.70 MHz to be located 6 miles NW. of Serat Mountain, Hapeville, Georgia.
- 21305-CD-P-75, Northwest Mutual Aid Telephone Corporation (KAI928), C.P. to change antenna system and replace transmitter operating on 152.69 MHz located 2 miles North and 0.25 mile east of Epping, North Dakota.
- 21306-CD-P-75, Penasco Valley Telephone Cooperative, Inc. (KEK282), C.P. to change antenna system, replace transmitter operating on 152.54 MHz and add facilities to operate on 152.75 MHz to be located Approx. 4 miles North of Artesia off Highway #285, Artesia, New Mexico.
- 21307-CD-P-75, South Central Bell Telephone Company (KIA960), C.P. to change antenna system and add facilities to operate on 454.375 MHz. at Loc. #2; 1500 Beacon Parkway, east, Birmingham, Alabama.
- 21308-CD-TC-75, Mountain Home Telephone Co., Inc., Consent to Transfer of Control from Calvin Czeschin, et al, Transferor to Century Telephone Enterprises, Inc., Transferee. Station: KLB773, Mountain Home, Arkansas.
- 21309-CD-AL-75, M. O. Bobes d/b/a Mobile Telephone Service of Wheeling, West Virginia Consent to Assignment of License from M. O. Bobes d/b/a Mobile Telephone Service of Wheeling, West Virginia, Assignor to Mobile Telephone Service of Wheeling, West Virginia, Inc., Assignee. Station: KQK775 & KSV893, Wheeling, West Virginia.
- 21309-CD-AL-(5)-75, Empire Paging Corporation, consent to assignment of license from Empire Paging Corporation, assignor to Tri-State Radio Corporation, assignee, Stations, KU0831 and KEC744, Atlantic City, New Jersey, KEC746, Cape May, New Jersey, KU0615, Marshalltown, Delaware and KGA800, Wilmington, Delaware.
- Major Amendment*
- 20617-CD-P-75, Island Telepage Systems, Oak Harbor, Washington, (New), Amend to change base frequency 454.250 MHz. to read

454.300 MHz and to add second transmitting site at Lummi Island, Washington to operate on same frequency; change the antenna system at the proposed Blyn Mountain, Washington site. All other particulars are to remain the same as reported on PN #726, dated November 4, 1974.

Correction

- 21258-CD-P-(4)-75, New Dawn Communications, Inc. (KCB892), correct to read: 21258-CD-P-(6)-75, New Dawn Communications, Inc. (KCB892), C.P. for additional base facilities to operate on 152.18 and 152.21 MHz and repeater facilities to operate on 459.275 and 459.300 MHz located at 35 Hardy Road, Falmouth, Maine and Control facilities to operate on 454.275 and 454.300 MHz located at 32 Cook Street, Auburn, Maine.
- 21260-CD-P-(2)-75, Santa Cruz Telephone Answer and Radio Service, correct entry to include the addition of frequency 454.325 MHz at Loc. #1. All other particulars to remain as previously reported on PN #745, dated March 17, 1975.
- 21268-CD-AL-75 (KLF531), correct station location to read Groton, Connecticut. All other particulars to remain as previously reported on PN #745, dated March 17, 1975.
- Island Telepage Systems (New), Delete Major amendment to 20618-CD-P-75 previously reported on PN #746 March 24, 1975, due to Applicant inadvertent reference to File number 20618-CD-P-75 in Major amendment.

Informatives

It appears that the following applications may be mutually exclusive and subject to the Commission's Rules regarding Ex Parte presentations by reason of potential electrical interference.

C & C Communications Co., Vancouver, Washington, 21541-C2-P-74; Maron O. Scott, Chehalis, Washington, 20262-CD-P-75; Gulf Central Communications & Electronics, Inc., Nr. Kaplan, Louisiana, 21543-C2-P-74; Jennings Mobilfone, Nr. Jennings, Louisiana, 20002-CD-P-75; Gulf Central Communications & Electronics, Inc., Lafayette, Louisiana, 20252-CD-P-75.

RURAL RADIO

60297-CR-P-75, The Mountain States Telephone and Telegraph Company (New), C.P. for a new rural subscriber station to operate on 158.01 MHz to be located 5.3 Miles SSW. of Scofield, Utah.

POINT-TO-POINT MICROWAVE RADIO SERVICE

- 3080-CF-P-75, MCI Telecommunications Corporation (WPY77), 9.3 Miles NW. of Greer, Arizona. Lat. 34°06'33" N., Long. 109°34'27" W. C.P. to add frequency 6330.7H towards Pinal Peak, Arizona on azimuth 231°55'.
- 3081-CF-P-75, Same (New), 8.0 Miles South of Miami, Arizona. Lat. 33°16'56" N., Long. 110°49'14" W. C.P. for a new station on 6167.6H MHz towards Greer, Arizona on azimuth 51°13'.
- 3052-CF-P-75, American Telephone and Telegraph Company (KGN87), 0.5 mile SW. of Faulkner, Maryland. Lat. 38°26'02" N., Long. 76°58'58" W. C.P. to add 3910V MHz towards Westwood, Maryland on azimuth 44°19'.
- 3053-CF-P-75, Same (KGN78), 1.4 miles SW. of Westwood, Maryland. Lat. 38°38'47" N., Long. 76°43'04" W. C.P. to add 3870V MHz towards Faulkner, Maryland; on azimuth 224°29'; add 3870H MHz towards Prince Frederick, Maryland on azimuth 141°35'.
- 3054-CF-P-75, Same (KGN95), 4.0 miles South of Prince Frederick, Maryland. Lat. 38°28'46" N., Long. 76°32'58" W. C.P. to add 3910H MHz towards Westwood, Mary-

land on azimuth 321°41'; 3910V MHz towards Trappe, Maryland on azimuth 87°04'.

- 3055-CF-P-75, Same (KGO60), 0.7 mile South of Trappe, Maryland. Lat. 38°38'29" N., Long. 76°03'30" W. C.P. to add 3870V MHz towards Prince Frederick, Maryland on azimuth 247°22'; 3870H MHz towards Denton, Maryland on azimuth 38°28'.
- 3956-CF-P-75, Same (KGP39), 2 Miles NE. of Denton, Maryland. Lat. 38°54'19" N., Long. 75°47'23" W. C.P. to add 3910H MHz towards Trappe, Maryland on azimuth 218°38'; 3910V MHz towards Blackiston, Delaware on azimuth 14°37'.
- 3057-CF-P-75, Same (KGP42), 1.85 miles SE. of Blackiston, Delaware. Lat. 39°15'20" N., Long. 75°40'20" W. C.P. to add freq. 3870V MHz towards Quinton, New Jersey on azimuth 39°19'; 3870H MHz towards Denton, Maryland on azimuth 194°41'.
- 3058-CF-P-75, Same (KEM73), 2 miles SE. of Quinton, New Jersey. Lat. 39°31'49" N., Long. 75°22'53" W. C.P. to add freq. 3910V MHz towards Blackiston, Delaware on azimuth 219°30'.
- 2779-CF-ML-75, RCA Alaska Communications, Inc. (WGF62), Bird Creek, Alaska. Lat. 60°57'52" N., Long. 149°26'19" W. Mod. of License to change polarization from Horizontal to Vertical on freq. 2125.4 MHz towards Bird Point, Alaska on azimuth 284°00'.
- 3051-CF-ML-75, American Telephone and Telegraph Company (KKW32), 4.8 miles West of Los Lunas, New Mexico. Lat. 34°47'50" N., Long. 106°49'10" W. Mod. of License to change polarization from Vertical to Horizontal on freq. 4198 MHz towards Scholle, New Mexico on azimuth 141°28'.
- 3061-CF-P-75, The Chesapeake and Potomac Telephone Company of Maryland (New), 24 S. Centre Street, Cumberland, Maryland. Lat. 39°39'03" N., Long. 78°45'39" W. C.P. for a new station on freq. 11035.0V MHz towards a new point of communication at Dans Rock, Maryland on azimuth 237°07'.
- 3062-CF-P-75, Same (New), On Dans Rock Road, adjacent to Lookout Tower, 3 miles East of Midland, Maryland. Lat. 39°34'57" N., Long. 78°53'50" W. C.P. for a new station on 10735.0V MHz towards a new point of communication at Martin Mountain, Maryland on azimuth 59°02'; 11485.0V MHz towards a new point of communication at Cumberland, Maryland on azimuth 57°01'.
- 3063-CF-P-75, Same (New), Sideling Hill, on U.S. 40, 7.7 miles West of Hancock, Maryland. Lat. 39°41'17" N., Long. 78°18'02" W. C.P. for a new station on 10735.0V MHz towards a new point of communication at Clear Spring, Maryland on azimuth 98°58'; 10735.0V MHz towards a new point of communication at Martin Mountain, Maryland on azimuth 274°27'.
- 3064-CF-P-75, Same (New), Martin Mountain, 3.5 miles West of Flintstone and 0.2 mile North of U.S. 40, Maryland. Lat. 39°42'26" N., Long. 78°37'39" W. C.P. for a new station on freq. 11625.0V MHz towards a new point of communication at Sideling Hill, Maryland on azimuth 94°14'; 11625.0V MHz towards a new point of communication at Dans Rock, Maryland on azimuth 239°12'.
- 3065-CF-P-75, Same (New), 2.5 miles West of Clear Spring, Maryland. Lat. 39°38'50" N., Long. 77°58'11" W. C.P. for a new station on 11625.0V MHz towards a new point of communication at Hagerstown, Maryland on azimuth 91°26'; 11625.0V MHz towards a new point of communication at Sideling Hill, Maryland on azimuth 279°11'.
- 3066-CF-P-75, Same (New), 120 W. Antietam Street, Hagerstown, Maryland. Lat. 39°38'32" N., Long. 77°43'28" W. C.P. for a new station on 10735.0V MHz towards Clear Spring, Maryland on azimuth 271°35'.

- 3082-CF-AL-(1)-75, The Ohio Bell Telephone Company, Consent to Assignment of Radio Station License from the Ohio Bell Telephone Company, Assignor to General Telephone Company of Ohio, Assignee, for station KQH48, Bryon, Ohio.
- 2942-CF-P-75, Eastern Microwave, Inc. (WPX 31), 4 Miles ESE. of Attica, New York. Lat. 42°50'12" N., Long. 78°12'30" W. C.P. to add 6049.0H MHz toward Springwater, New York on azimuth 115°57'.
- 2949-CF-P-75, American Television Relay, Inc. (KNK67), 14.1 Miles SSW. of Palm Desert, California. Lat. 33°31'22" N., Long. 116°25'30" W. C.P. to change point of communications from Egel Mtn., California to Desert Center, California, existing frequencies unchanged.
- 3014-CF-MP-75, Eastern Microwave, Inc. (WQR73), Pittsburgh, Pennsylvania. Lat. 40°26'46" N., Long. 79°57'51" W. Mod. of C.P. (9383-C1-P-73), (a) to delete West View, Pennsylvania, McKees, Penna.; and Universal, Penna. as points of communications, (b) to change name of point of communications from Mt. Lebanon, Penna. to Castle, Penna., (c) change polarity to 11665.0V MHz and 11345.0V MHz toward Bethel Park, Penna., (d) change polarity to 11665.0V MHz and 11345.0V MHz toward Etna, Penna.
- 3015-CF-MP-75, Same (WQR74), 2.0 Miles South of Bethel Park, Pennsylvania. Mod. of C.P. (9385-C1-P-73) to, (a) delete West Homestead, Pennsylvania as a point of communications, (b) change coordinates of Washington, Penna. receive site to Lat. 40°08'12" N., Long. 80°13'34" W.
- 3016-CF-MP-75, Same (WDD82), 0.9 Mile SE. of Bell Point Hill, Pennsylvania. Lat. 40°32'03" N., Long. 79°31'59" W. Mod. of C.P. (9384-C1-P-73) to delete Scottdale, Pennsylvania as a point of communication.
- 3067-CF-P-75, Microwave Communications, Corp. (KNM53), St. John Mtn., 27 miles West of Willows, California. Lat. 39°28'05" N., Long. 122°41'32" W. C.P. to change Frequency 6004.5V MHz to 5945.2V MHz toward (KHSL-TV) in Chico, California.
- 3069-CF-P-75, American Television & Communications Corp. (New), Winter Haven, Florida. Lat. 28°00'46" N., Long. 81°45'45" W. C.P. for a new station on 11665.0V MHz and 11505.0V MHz toward Mulberry, Florida on azimuth 247°13'.
- 3070-CF-P-75, Same (New), Mulberry, Florida. Lat. 27°58'08" N., Long. 81°58'09" W. C.P. for a new station on 10975.0V MHz, 10815.0V MHz and 1135.0V MHz toward Plant City, Florida and Lakeland, Florida. Lat. 28°00'03" N., Long. 82°07'38" respectively.
- 3071-CF-P-75, Same (New) Plant City, Florida. Lat. 28°00'03" N. Long. 82°07'38" W. C.P. for a new station on 11385.0V MHz, 11545.0V MHz and 11225.0V MHz toward Brandon, Florida on azimuth 244°03'.
- 3072-CF-P-75, Same (New), Brandon, Florida. Lat. 27°55'32" N., Long. 82°18'04" W. C.P. for a new station on 10775.0V MHz, 11095.0V MHz and 10935.0V MHz toward Ruskin, Florida on azimuth 202°54' and toward Mullis City, Florida on azimuth 299°00'.
- 3073-CF-P-75, American Television & Communications Corp. (New), Mullis City, Florida. Lat. 28°03'22" N., Long. 82°31'59" W. C.P. for a new station on 11425.0V MHz, 11585.0V MHz and 11265.0V MHz toward Safety Harbor, Florida on azimuth 250°07'.
- 3074-CF-P-75, Same (New), Safety Harbor, Florida. Lat. 27°59'07" N., Long. 82°42'05" W. C.P. for a new station on 10735.0V MHz, 10895.0V MHz and 11055.0V MHz toward Largo, Florida on azimuth 231°33'.
- 3075-CF-P-75, Same (New), Largo, Florida. Lat. 27°53'14" N., Long. 82°50'25" W. C.P.

- for a new station on 11665.0V MHz, 11345.0V MHz and 11505.0V MHz toward St. Petersburg, Florida on azimuth 126°58'.
- 3076-CF-P-75, Same, (New), Ruskin, Florida. Lat. 27°42'24" N., Long. 82°24'18" W. C.P. for a new station on 11665.0V MHz, 11345.0V MHz and 11505.0V MHz toward Bradenton, Florida, on azimuth 204°42'.
- 3118-CF-A1-(4)-75, Application for Consent to Assignment of Radio Station License from Yankee Microwave Corporation, Inc., Assignor, to Karlen Communications, Inc., Assignee, for the following stations: KYZ85, Mt. Washington, New Hampshire; WYZ86 Mosse Hill, Maine; WQQ54, Blinn Hill, Maine; and WAH541, Saddleback Mtn., New Hampshire.
- 3095-CF-ML-75, American Telephone and Telegraph Company (KIM52), 4.0 miles NE. of Leopold, Indiana. Lat. 38°07'27" N., Long. 85°31'09" W. Mod. of License to change polarity from Horizontal to Vertical on frequencies directed towards Schnellville, Indiana.
- 3093-CF-P-75, Southwestern Bell Telephone Company (KKB37), 1116 Houston Street, Fort Worth, Texas. Lat. 32°44'57" N., Long. 97°19'43" W. C.P. to correct coordinates, transmission path and add 8730H MHz towards Roanoke, RS, Texas on azimuth 04°41'.
- 3099-CF-P-75, The Southern New England Telephone Company (New), 39 West Street, Danbury, Connecticut. Lat. 41°23'34" N., Long. 73°27'16" W. C.P. for a new station on 11095.0V and 11095.0H MHz towards a new point of communication located at Moses Mountain, Connecticut on azimuth 194°46'.
- 3100-CF-P-75, Same (New), Moses Mountain, 2.4 miles SW. of City of Danbury, Connecticut. Lat. 41°21'34" N., Long. 73°27'58" W. C.P. for a new station on 11545.0V and 11545.0H MHz towards Danbury, Connecticut on azimuth 14°46'; 11505.0V and 11505.0H MHz towards Norwalk, Connecticut on azimuth 166°07'.
- 3101-CF-P-75, Same (KCE72), 430 John Street, Bridgeport, Connecticut. Lat. 41°10'34" N., Long. 73°11'43" W. C.P. for adding 11565V MHz towards Norwalk, Connecticut on azimuth 252°08'.
- 3102-CF-P-75, Same (KTQ40), Willard Road, Norwalk, Connecticut. Lat. 41°07'42" N., Long. 73°23'26" W. C.P. to add 11055V MHz and 11055H MHz towards Moses Mountain, Danbury, Connecticut on azimuth 346°10'; 11115V MHz towards Bridgeport, Connecticut on azimuth 72°00'.

Major Amendments

- 1478-CF-P-75, RCA Alaska Communications, Inc. (WJM35), Duncan Canal, Alaska. Application amended to change site location at Duncan Canal to Lat. 56°45'20" N., Long. 133°10'21" W. and change azimuth of radio path to 54°29' towards Petersburg, Mtn., passive reflector and 300°18' towards Kake North, passive reflector. (Rest remain the same as reported on Public Notice dated November 18, 1974.)

Corrections

- 2403-CF-P/ML-75, Southern Pacific Communications Company (WOF52), Correct entry to read: 1.3 miles North of McKiddyville, Oklahoma. Lat. 35°06'08" N., Long. 97°11'56" W. C.P. and Mod. of License to correct station location to that shown above and to change frequency to 11385.0V MHz on azimuth 160°23' towards Byars, Oklahoma.

MULTIPOINT DISTRIBUTION SERVICE

Major Amendments

- 1432-C5-P-72, Microband Corporation of America (New), amended to change appli-

cant to "Microband-MTC West Coast, Inc." Station location: Anaheim, California. All other particulars remain the same as reported by Public Notice date 9-20-71.

- 1792-C5-P-72, Microband Corporation of America (New), amended to change applicant to "Microband-MTC West Coast, Inc." Station location: Seattle, Washington. All other particulars remain the same as reported by Public Notice date 10-21-71.
- 6234-C5-P-71, Microband Corporation of America (New), amended to change applicant to "Microband-MTC West Coast, Inc." Station location: San Francisco, California. All other particulars remain the same as reported by Public Notice date 5-10-71.
- 2815-C5-P-72, Microwave Transmission Corporation (New), amended to change applicant to "Microband-MTC West Coast, Inc." Station Location: Portland, Oregon. All other particulars remain the same as reported by Public Notice date 11-17-71.

Informative

The above amendments reflect a joint venture by Microband Corporation of America and Microwave Transmission Corporation to resolve mutually exclusive applications in these cities. Upon grant of the above applications, it is requested that the remaining applications in each city be dismissed. These amendments do not affect the applications' status under the "cut-off" rule. (SEE Notice of Proposed Rule Making in Docket No. 19905, 44FRC2d556.)

APPLICATIONS FILED PURSUANT TO SECTION 214 OF THE COMMUNICATION ACT OF 1934, AS AMENDED:

TELEPHONE WIRE FACILITIES

- W-P-C-349, American Telephone and Telegraph Company and Southwestern Bell Telephone Company Informal (Section 63-03), To equip for operation 2 pairs in an existing coaxial cable between Kansas City, Missouri and Mission, Kansas.
- W-P-C-350, American Telephone and Telegraph Company and Southern Bell Telephone and Telegraph Company Formal (Section 63.01), To equip an existing spare coaxial cable pair for L4 carrier operation between: Folk City, Florida-Windermere, Florida; Jacksonville, Florida-Edinville, Florida; and Ojus, Florida-Windermere, Florida.
- W-P-C-351, South Central Bell Telephone Company Formal (Section 63.06), Blanket authority to supplement existing facilities in applicants' operating area.
- W-P-D-42, The Ohio Bell Telephone Company Formal (63.62(F) and 63.505), To discontinue cable television channel service in the communities of Canton, Louisville, North Canton, and the Plain, Perry, Jackson and Canton Townships. Facilities will be purchased by cable television operator Warner COC, Inc.

[FR Doc.75-8686 Filed 4-3-75;8:45 am]

FEDERAL MARITIME COMMISSION

[FMC-142(a)]

AMERICAN PRESIDENT LINES, LTD. AND OYAMA SHIPPING COMPANY, LTD.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763 (46 U.S.C. 814)).

Interested parties may inspect and obtain a copy of the agreement at the

Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before April 24, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

American President Lines, Ltd. and Oyama Shipping Co., Ltd.

Notice of agreement filed by:

Mr. D. J. Morris
Assistant Director of Pricing
American President Lines, Ltd.
601 California Street
San Francisco, California 94108

Agreement No. 10157 is a transshipment agreement between American President Lines, Ltd. and Oyama Shipping Co., Ltd. applying to the transportation of containerized cargo moving under through bills of lading from Philippine Islands ports of call of Oyama to ports of call of APL on the Pacific Coast of the United States with transshipment at Hong Kong or ports in Japan.

By order of the Federal Maritime Commission.

Dated: April 1, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc. 75-8818 Filed 4-3-75; 8:45 am]

[Docket No. 75-8]

**PUERTO RICAN FORWARDING CO., INC.
ET AL.**

Possible Violations of the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933; Investigation and Hearing

Puerto Rican Forwarding Company, Inc. (PRF) had been operating as a tariffed Non-Vessel Operating Common Carrier (NVOCC) in the Puerto Rican trades since the early 1960's and as a licensed independent ocean freight forwarder since May 17, 1966. European Container Service (ECS), a division of PRF was also a tariffed NVOCC in the European Trades but was not a freight forwarder.

PRF surrendered its freight forwarder's license on June 16, 1972 and cancelled its NVOCC tariff on September 1, 1972. ECS also cancelled its NVOCC tariff on September 1, 1972. Contemporaneously, Seatrain Lines, Inc. (Seatrain), entered into an agreement with Transmodal Associates, Inc. (Transmodal), a newly created company owned by the owners of PRF and ECS, whereby Transmodal would be a sales agent of Seatrain for less than trailerload freight (LTL) in both the New York/Puerto Rico and New York/United Kingdom and Continent trades. Furthermore, Seatrain and PRF agreed that PRF was to be the agent for Seatrain to receive cargo, consolidate and strip containers, and perform certain LTL services exclusively for Seatrain. Seatrain maintained that these agreements were not subject to section 15 of the Shipping Act, 1916, because Transmodal and PRF were not persons subject to the Act as would be required to establish jurisdiction.

On or about October 1, 1974 the Puerto Rico Maritime Shipping Authority (PRMSA) initiated service in the Puerto Rico/East and Gulf Coast trades, and Sea-Land Service, Inc. (Sea-Land), Seatrain Lines, Inc., and Transamerican Trailer Transport, Inc. (TTT) withdrew.

From about October 9, 1974 until on or about December 9, 1974, PRF continued to perform the above described services in the Puerto Rican trade, ostensibly as agent for Seatrain. During this period of time PRF shipped containers and trailers via PRMSA's respective services at Port Elizabeth and Staten Island.

On the basis of bills of lading and other information it appears that PRF, as shipper and consignee, may have shipped containers and trailers at freight all kinds (FAK) rates, when in fact their shipments did not qualify for such rates under the terms of PRMSA's tariff because of failure to meet cargo mix requirements.

The Commission has determined that a proceeding should be instituted pursuant to sections 18(a) and 22 of the Shipping Act, 1916, and section 2 of the Intercoastal Shipping Act, 1933, to determine whether PRF was operating as an NVOCC in the Puerto Rican Trade without a tariff on file and/or whether any of PRF's shipments were in violation of rules or regulations related to FAK shipments as set forth in item 15940 of PRMSA's Tariff, FMC-F No. 1, Second Revised Page 419, Note 1.

It also appears that PRMSA and PRF may be further violating the express terms of PRMSA's tariff pertaining to freight of all kinds. This rule requires, among other things, that the shipper must furnish the carrier a complete manifest of the contents of each trailer, showing the number of packages, description of goods and gross weight of each article. PRMSA was unable to produce these documents when so requested by Commission investigators.

Therefore, it is the determination of the Commission that the proceeding

hereby instituted further investigate, pursuant to section 2 of the Intercoastal Shipping Act, 1933, and section 16, of the Shipping Act, 1916, whether PRF and PRMSA did violate provisions of PRMSA's tariff, and if so, whether by these violations PRMSA allowed PRF to obtain transportation at less than the regular rates or charges then established.

During December 1974, PRF filed an NVOCC tariff in the Puerto Rican trade to become effective January 20, 1975. Because of Seatrain's continued relationship with ECS, a corporate affiliate of PRF, the Commission is of the opinion that the proceeding should also determine, pursuant to section 15 of the Shipping Act, 1916, whether the agreement(s) between Seatrain on the one hand, and Transmodal, PRF, or ECS on the other is subject to that section, and if so, whether such agreement(s) should be approved, disapproved, or modified after public investigation and hearing.

It is therefore ordered, That pursuant to section 22 of the Shipping Act, 1916, a proceeding is hereby instituted to determine whether PRF, Transmodal, ECS, PRMSA, and/or Seatrain, have violated and/or are continuing to violate various provisions of the Shipping Act, 1916, and/or the Intercoastal Shipping Act, 1933, as set forth below.

It is further ordered, That pursuant to section 18(a) of the Shipping Act, 1916, a determination shall be made as to whether PRF was operating as an NVOCC without a tariff on file with this Commission.

It is further ordered, That pursuant to section 2 of the Intercoastal Shipping Act, 1933, a determination shall be made as to whether PRF, its principal, Seatrain, and/or PRMSA violated any of the rules or regulations set forth in or, related to Item 15940 of PRMSA's tariff FMC-F No. 1.

It is further ordered, That pursuant to section 16 of the Shipping Act, 1916, a determination shall be made as to whether PRF obtained or is obtaining transportation by water for property at less than the rates or charges which would otherwise be applicable at any time since October 1, 1974.

It is further ordered, That a determination shall be made as to whether any agreement or agreements between Seatrain on the one hand, and Transmodal, PRF, and/or ECS on the other, are subject to section 15 of the Shipping Act, 1916, and if so, whether they should be approved, disapproved or modified.

It is further ordered, That pursuant to section 16 Second of the Shipping Act, 1916, a determination shall be made as to whether PRMSA allowed any person to obtain transportation for property at less than the regular rates or charges which would otherwise be applicable.

It is further ordered, That Puerto Rico Forwarding Company, Inc., Transmodal Associates, Inc., including its division European Container Service, the Puerto Rico Maritime Shipping Authority and Seatrain Lines, Inc. are hereby made respondents to this proceeding.

It is further ordered, That this matter be assigned for public hearing and decision by an Administrative Law Judge of the Commission's Office of Administrative Law Judges, and that the hearing commence on or before October 1, 1975.

It is further ordered, That (1) a copy of this order be forthwith served upon

the respondents named herein and upon the Commission's Bureau of Hearing Counsel, and published in the FEDERAL REGISTER; and (2) the respondents and Hearing Counsel be duly served with notice of time and place of the hearing.

It is further ordered, That any person other than respondents and Hearing Counsel having an interest and desiring to participate in this proceeding shall file a petition for leave in accordance with Rule 5(1) (46 CFR § 502.72) of the Commission's rules of practice and procedure.

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Secretary.

[FR Doc. 75-8819 Filed 4-3-75; 8:45 am]

FEDERAL POWER COMMISSION

[Docket No. CP75-269]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Application

MARCH 27, 1975.

Take notice that on March 13, 1975, Natural Gas Pipeline Company of America (Applicant), 122 South Michigan Avenue, Chicago, Illinois 60603, filed in Docket No. CP75-269 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to sell and deliver an additional 147,368 Mcf of natural gas per day to certain of its existing customers under Rate Schedules WS-1 and WS-2 and to construct related facilities, all as set out more fully in the application, which is on file with the Commission and open to public inspection.

Applicant states that the application further implements arrangements for the funding of exploration and development by Shell Oil Company (Shell) of gas reserves underlying offshore Louisiana. Applicant indicates it made an advance payment to Shell of \$40 million in return for the right to purchase natural gas produced from these reserves. Applicant states that its customers, in turn, reimbursed Applicant for \$36,362,667 of the \$40 million, in consideration for the right to purchase during the winter season the customers' proportionate shares of deliverability from the Shell reserves, in accordance with agreements between Applicant and participating customers.

The application states that Applicant has subsequently made available winter service to those customers not originally participating in the Shell funding arrangement from that portion of deliverability from the Shell reserves attributable to the funds advanced by Applicant to Shell and not reimbursed by funding customers. Applicant states further that customers who participate in funding the Shell advances will receive service under Rate Schedule WS-1 while non-funding customers will receive service under Rate Schedule WS-2, bearing a rate consisting of the WS-1 rate plus a surcharge reflecting the financing costs associated with the unreimbursed Shell advances.

Applicant indicates that it is presently seeking authorization to offer 52,632 Mcf per day of winter service by an application filed March 29, 1974, in Docket No. CP74-260, as subsequently amended. Applicant states this service is being implemented during the 1974-75 winter under temporary authorization granted by Commission order on November 27, 1974.

The application states it is now anticipated that deliverability from the Shell reserves will attain 200,000 Mcf per day during the winter season of 1975-76. Accordingly, commencing with the 1975-76 winter season, Applicant seeks authorization to sell and deliver an additional 147,368 Mcf per day to winter service customers. Applicant indicates 100 days of winter service at 200,000 Mcf per day will be available to winter service customers, but service can be scheduled by the customers over a 120-day period starting December 1. Applicant projects that this service will commence December 1, 1975; however, the service would not be implemented until, in Applicant's judgment, deliveries from the Shell reserves can be maintained at the level of 200,000 Mcf per day or above. Such proposed sales and deliveries are requested to be in the daily quantities shown on the following table:

Share of 200,000 M ft³ per day winter service for 1975-76

COMPANY	Pro rata share	M ft ³ (1,000 Btu./ft. ³)
Rate schedule WS-1:		
Associated Natural Gas Co.....	0.00129	258
Central Illinois Light Co.....	0.00078	156
Illinois Power Co.....	0.08750	7,500
Iowa Power & Light Co.....	0.00578	1,156
Kaskaskia Gas Co.....	0.00046	92
Nashville, Ill., city of.....	0.00071	142
North Shore Gas Co.....	0.04407	8,994
Northern Illinois Gas Co.....	0.35423	70,846
Northern Indiana Public Service Co., The.....	0.13320	27,040
Peoples Gas, Light, & Coke Co., The.....	0.31431	62,862
Peoples Natural Gas Division.....	0.00115	230
Pineknobville, Ill., city of.....	0.00087	174
Salem, Ill., city of.....	0.00144	288
Sullivan, Ill., city of.....	0.00025	50
United Cities Gas Co.....	0.00133	266
Wellman, Iowa, town of.....	0.00024	48
Wisconsin Southern Gas Co., Inc.....	0.00856	1,712
Rate schedule WS-2:		
Interstate Power Co.....	.00882	1,764
Iowa Electric Light & Power Co.....	.01165	2,330
Iowa-Illinois Gas & Electric Co.....	.05409	10,818
Iowa Southern Utilities Co.....	.00209	418
Mississippi River Transmission Corp.....	.01343	2,686
North Central Public Service Co.....	.00013	26
Perryville, Mo., city of.....	.00072	144

Applicant states that winter service gas will be utilized primarily to serve residential and small commercial customers. The application indicates this is primarily winter space heating load to meet residential growth and to alleviate existing waiting lists for new service.

Applicant proposes to make these sales pursuant to the terms of its Rate Schedules WS-1 and WS-2; however, Applicant proposes to revise the rate provision of these rate schedules to provide for billing and payment under a monthly demand charge applied uniformly throughout the year, and discontinue the

carrying charge component of the presently effective rates. Applicant states it will continue to apply its present rate-making procedure of offsetting the Winter Service revenues against the costs used in the development of basic DMQ-1 sales rates.

Applicant indicates that the sales rates for the proposed service are derived by classifying such cost of service to demand and commodity cost components utilizing an unmodified Seaboard¹ cost classification. Applicant states that in its development of the cost of service data, a 10.34 percent overall rate of return which produces a 15.25 percent return on equity and a 5 percent depreciation rate is used.

Applicant proposes to construct approximately 12.14 miles of 36 inch pipeline and 11.94 miles of 30-inch pipeline in Effingham, Grundy, Cook and Lake Counties, Illinois, partially looping its Gulf Coast pipeline. Applicant asserts the additional facilities are necessary to accommodate the increased quantities of pipeline flow gas from the Shell reserves and, in addition, maintain current flows of storage gas between Applicant's storage fields and the terminus of its system during the winter heating season. Applicant estimates that the additional mainline facilities will cost \$9,953,000.

Applicant states that as of December 31, 1974, no exact plan for financing facilities proposed in this application had been finally determined and no firm financing commitments had been made. Applicant sets forth in the application a detailed description of cash funds from outside sources required in the current period to finance these facilities, other facilities certificated but which have not been permanently financed, requirements for normal construction and other corporate obligations and advances which total approximately \$135,000,000. Applicant states that financing these requirements will be done on an interim basis with a combination of funds obtained under lines of credit entered into with several banks, with short-term borrowings from Peoples Gas Company (Applicant's parent) and through the issuance of commercial paper.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 16, 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.

¹ Atlantic Seaboard Corporation, et al. Docket No. G-1384, et al., 11 FPC 43.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by secs. 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-8591 Filed 4-3-75;8:45 am]

GENERAL SERVICES ADMINISTRATION

REGIONAL PUBLIC ADVISORY PANEL ON ARCHITECTURAL AND ENGINEERING SERVICES

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of a meeting of the Regional Public Advisory Panel on Architectural and Engineering Services, Region 8, April 21, 1975, from 8:30 a.m. to 3 p.m., Room 2225, Building 41, Denver Federal Center, Denver, Colorado. The meeting will be devoted to the initial step of the procedures for screening and evaluating the qualifications of architect-engineers under consideration for selection to furnish professional services for the proposed year term fixed price contract for selected projects in the State of Colorado.

Frank and open discussion of the professional qualifications of the firms being considered is essential to insure selection of the best qualified firms. Accordingly, pursuant to a determination that it will be concerned with a matter listed in 5 U.S.C. 552(b)(5), the meeting will not be open to the public."

MICHAEL J. NORTON,
Regional Administrator.

[FR Doc.75-8782 Filed 4-3-75;8:45 am]

[FPMR Temp. Reg. E-38]

AUTOMATIC DATA PROCESSING EQUIP- MENT AND DATA COMMUNICATIONS SYSTEMS

Privacy and Budgetary Certifications Needed for Agency Procurement Re- quests

1. *Purpose.* This regulation continues the certification requirements previously stated in FPMR Temporary Regulation E-34. These certifications are in addition to the information required by FPMR 101-32.203, 101-32.404, and 101-35.203. This regulation also includes information and requirements related to the

Privacy Act of 1974 (Pub. L. 93-579), pending the issuance of guidelines and regulations by the Office of Management and Budget (OMB) pursuant to the provisions of the Act.

2. *Effective date.* This regulation is effective April 4, 1975.

3. *Expiration date.* This regulation expires September 30, 1975, unless sooner revised or superseded.

4. *Applicability.* The provisions of this regulation apply to all Federal agencies.

5. *Background.* GSA issued FPMR Temporary Regulation E-34 on October 1, 1974, which required, for an interim period, agency certifications of privacy safeguards and budgetary approval. Subsequently, the Privacy Act of 1974 was passed by the Congress and signed by the President December 31, 1974. Sections 3 and 4 of this Act become effective September 27, 1975. The remaining sections were effective upon enactment.

6. *Procedures.* If a proposed Agency Procurement Request (APR), a request for a data communications system or service, or a request for ADP services involve a procurement action meeting either or both of the criteria in a and b, below, the certifications indicated in paragraph 7, below, must be provided to GSA with the APR, the data communications request, and/or the request for ADP services before GSA can act on the request. When neither of the criteria in a nor b is met, the APR and/or the data communications request should so indicate.

a. An ADP system, a teleprocessing system, a data communications system, or any augmentation thereto, which will be used for the storage, retrieval, processing, or transfer of "personal information" other than routine employment-related information on agency employees; e.g., payroll or accounting.

b. An ADP, teleprocessing, or data communications system which constitutes all or part of a contemplated procurement of any system in excess of \$25 million in "system's life cost."

NOTE.—The term "personal information" means any system of records pertaining to identifiable individuals which are indexed or from which information can be retrieved by the name assigned to each individual or some identifying number or symbol. The term "system's life cost" in this instance means the total dollar value of the hardware, vendor-supplied software, and maintenance over the life of the system.

7. *Certifications.* Each APR, request for a data communications system or service, or request for ADP services meeting the criteria in paragraph 6, above, shall include a certification by the head of the agency or his authorized designee that:

a. The procurement has been included in the agency's budget program plan submitted to the Office of Management and Budget (OMB) and was not disallowed either by OMB or the Congress for the fiscal year in which the award is anticipated and/or was included in the budget to be submitted to the Congress. A statement should be included indicat-

ing whether the object of the procurement was explicitly or implicitly described in the documentation provided to OMB and/or the Congress with sufficient detail to the relevant portion of the document including, if applicable, a cross-reference to submissions made pursuant to OMB Circular A-11 and Federal Management Circular 74-2. If the budgetary amendment or budget request was outside the normal budget cycle, an indication of this fact and the date of its submission to OMB shall be provided. (Procurements of less than \$50,000 do not require a budget certification.);

b. Adequate measures to safeguard "personal information" have been incorporated into the system's design;

c. The provisions of section 7 of the Privacy Act of 1974 will be complied with in the design, development, operation, or maintenance of the system; and

d. All provisions of the Privacy Act of 1974 have been considered with respect to ADP systems and/or data communications systems or services being acquired which are to be operational on or after September 27, 1975.

8. *Documentation, retention, and review.* Each agency shall retain documentation supporting the information provided with the APR and/or data communications request. Agencies should be aware that in certain instances review of these files may be required.

9. *Privacy Act of 1974.* In addition to the criteria outlined in this regulation and the specific certifications required, agencies should ensure that the Act is considered with respect to any new ADP and/or data communications systems to be procured.

10. *Effect on other issuances.* This regulation cancels FPMR Temporary Regulation E-34 and Supplement 1 thereto. It also supplements requirements expressed in FPMR 101-32.203, 101-32.404, and 101-35.203.

11. *Agency comments.* Agency comments shall be submitted to the General Services Administration (CP), Washington, D.C. 20405, no later than April 30, 1975.

ARTHUR F. SAMPSON,
Administrator of General Services.

MARCH 31, 1975.

[FR Doc.75-8792 Filed 4-3-75;8:45 am]

[GSA Order Adm 1095.1]

ENVIRONMENTAL IMPACT STATEMENTS

Preparation Procedures

Notice is hereby given that the General Services Administration in accordance with the National Environmental Policy Act of 1969 (Pub. L. 91-190) has adopted uniform procedures for preparing environmental impact statements. This procedure was published as a proposed order in the FEDERAL REGISTER on April 16, 1974 (39 FR 13722). Interested persons were given 45 calendar days to submit written data, views, or objections.

No written objections were received and the proposed procedures were adopted with minor modifications.

Dated: March 26, 1975.

ARTHUR F. SAMPSON,
Administrator of General Services.

ENVIRONMENTAL CONSIDERATIONS IN
DECISIONMAKING

1. *Purpose.* a. This order prescribes the uniform procedures to be followed in implementing the laws, Executive orders, and directives with respect to all major GSA actions which significantly affect the quality of the human environment. These laws, Executive orders, and directives include the National Environmental Policy Act of 1969 (42 U.S.C. 4321, et. seq.), hereinafter referred to as NEPA; Executive Order 11514 of March 5, 1970, entitled "Protection and Enhancement of Environmental Quality"; section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470f); Executive Order 11593 of May 13, 1971, entitled "Protection and Enhancement of the Cultural Environment"; Executive Order 11752 of December 17, 1973, entitled "Prevention, Control, and Abatement of Environmental Pollution at Federal Facilities"; and the Guidelines issued by the Council on Environmental Quality (CEQ) for preparing environmental impact statements, hereinafter referred to as the Guidelines, published in the FEDERAL REGISTER August 1, 1973, 38 FR 20550, and amended in the FEDERAL REGISTER on August 7, 1973, 38 FR 21265.

b. This order provides a basis for the publication, when required, of service and staff office orders and instructions explicitly directed toward the particular activities and personnel of each organization. Publication by the Public Buildings Service of its orders and instructions will complete GSA's primary implementation of § 1500.3 of the Guidelines.

2. *Background.* Section 102 of NEPA directed all Federal agencies (a) to utilize a systematic, interdisciplinary approach which will ensure the integrated use of the natural and social sciences and the environmental design arts in planning and in decisionmaking which may have an impact on man's environment; (b) to develop methods and procedures which will ensure that environmental concerns, effects, and values are given appropriate consideration with economic and technical issues in decisionmaking; and (c) to prepare detailed statements on recommendations or reports for legislative proposals and other major Federal actions that may significantly affect the quality of the human environment. Executive Order 11514 effectuates the purpose of NEPA, and the revised Guidelines for implementing NEPA have been issued by CEQ.

3. *Role of the environmental impact statement process.* The environmental impact statement process is a means of coordinating active consideration of environmental concerns throughout the GSA planning, action development, and review processes. Environmental enhancement, protection, and restoration

shall be regarded as primary responsibilities. Through serious consideration of alternatives, adverse environmental effects must be avoided or minimized. The process shall be used to reassess ongoing actions as NEPA applies to those actions approved prior to January 1, 1970, and to assess future actions to avoid or minimize adverse effects.

4. *Responsibilities.*—a. *External to GSA.* (1) *Council on Environmental Quality.* Under section 202 of NEPA, CEQ is responsible for reviewing and appraising the environmental programs and activities of the Federal Government. CEQ will determine the extent to which these programs and activities are contributing to the achievement of NEPA's policy and make recommendations to the President with respect thereto.

(2) *Environmental Protection Agency (EPA).* Pursuant to section 309 of the Clean Air Act, as amended, EPA is responsible for the review of agency activities and proposed legislation and regulations if these would result in environmental impact on any activities under the authority of the EPA Administrator.

(3) *Advisory Council on Historic Preservation.* The Council is charged in section 202 of the National Historic Preservation Act of 1966 with advising the President and the Congress in the field of historic preservation and with commenting on Federal, federally assisted, and federally licensed undertakings which affect properties listed in the National Register of Historic Places.

b. *Internal GSA.* (1) *Deputy Administrator for Special Projects.* The Deputy Administrator for Special Projects acts for the Administrator on environmental matters. However, the distribution of environmental materials may be made by the Commissioner of the Public Buildings Service.

(2) *Director of Environmental Affairs.* The Director is responsible for the initiation and direction of GSA's nationwide environmental programs. He has review responsibility on all phases of the environmental impact statement process and represents GSA on environmental policy matters in dealings with entities outside the agency.

(3) *General Counsel.* The General Counsel has responsibility for interpreting statutes, Executive orders, guidelines, and regulations, and for reviewing impact statements to ensure compliance with the above authorities.

(4) *Other.* Responsibilities within the services and staff offices are to be delineated in their corresponding orders where required.

5. *Preparation of the environmental assessment.* Any major GSA action which may significantly affect environmental quality shall be carefully evaluated, and an environmental assessment of the action shall be prepared. From this assessment a determination can be made to develop an environmental impact statement or a negative declaration. Those GSA actions and activities which are covered by NEPA include, but are not limited to:

a. Major actions which would result from recommendations or favorable reports on legislation, including requests for appropriations, originating both within and outside the agency when GSA has primary responsibility for implementing the legislation;

b. Major actions which would result from establishment or modification of rules, regulations, procedures, and policies;

c. New and continuing actions by GSA, including grants, loans, and other funding assistance, new construction, real property actions, leases, permits, easements, and licenses; and

d. Major actions which would result from new technology, research, and development, based on the size of GSA's investment, likelihood of widespread application, potential environmental impacts, and degree that continued investment will foreclose alternatives.

6. *Decision to prepare an environmental impact statement.* Subsequent to an environmental assessment, if there is doubt whether a statement should be prepared, or if the proposed action is likely to be environmentally controversial, a statement shall be prepared. It must be recognized that many Federal decisions seem of limited environmental consequence when viewed individually but are of significant consequence when viewed collectively. When GSA is responsible for all such decisions, a GSA statement will be filed covering the entire complex of decisions and actions.

7. *Specific criteria.* As required by § 1500.6(c) of the Guidelines, the services and staff offices must review the typical classes of actions that they undertake and develop specific criteria and methods for identifying those actions likely to require environmental statements and those actions likely not to require environmental statements. The specific criteria, if applicable to existing actions and activities, shall be transmitted by the Heads of Services and Staff Offices to the Director of Environmental Affairs (PWA) upon request or as new agency activities arise which could qualify under the Guidelines.

ATTACHMENT

CHAPTER 1. DEFINITIONS

1. *Environment.* The whole complex of physical, social, cultural, and aesthetic factors which affect individuals and communities and ultimately determine their form, character, relationship, and survival.

2. *Resources.* All actions and ideas, as well as living and nonliving materials devoted to the action.

3. *Public entities.* Any Federal, State, or local offices and legislatures, and any public or semipublic agencies.

4. *Relevant A-95 clearinghouse.* Clearinghouse(s) listed in OMB Circular No. A-95 (Revised) clearinghouse directory for the geographical area in which the GSA action is to take place. (OMB through its Circular No. A-95 (Revised) established this system of clearinghouses to facilitate intergovernmental and intragovernmental communication.)

5. *Corresponding service and staff office orders and instructions.* Service and staff office orders and instructions which provide

guidelines, delineate procedures, and assign responsibilities relevant to the personnel and activities of the appropriate organization.

6. *Environmental assessment.* An evaluation occurring early in the approval process of the potential environmental impact of a project or activity. (The assessment begins when the planning on the project or activity is first initiated and ends with a decision to prepare either a full environmental impact statement or a negative declaration.)

7. *Environmental impact statement.* A detailed statement which, pursuant to section 102(2)(C) of NEPA, identifies and analyzes, among other things, the anticipated environmental impact of a proposed GSA action and discusses how the adverse effects will be mitigated.

8. *Negative declaration.* An official administrative decision stating that an analysis of the environmental assessment has been made and that the proposed action is not considered a major GSA action having a significant impact on the environment, and, therefore, will not require the preparation of an environmental impact statement. (The declaration must also include a summary of any known environmental impacts.)

9. *Significant environmental effects.* Socio-economic and physical effects which may be beneficial and/or detrimental to the environment, even if the net effect is believed to be beneficial. (These effects may be influenced by the geographical location of the subject project or action. Significant detrimental effects include those that degrade the environment, curtail its range of uses, or sacrifice its long term productivity to serve only man's short term needs.)

10. *Comments.* All formal reactions by public and private entities to the proposed action and to the environmental impact statement.

11. *Areas of jurisdiction by law or special expertise.* Specific Federal agencies identified by appendix II of the Guidelines as competent to comment on environmental impact statements which have bearing on particular environmental concerns. (GSA's areas of jurisdiction by law or special expertise include energy and natural resources conservation (design and operation of buildings); property management; redevelopment and construction in built-up areas; historic, architectural, and archeological preservation; and any other areas designated by the Council on Environmental Quality.)

12. *Lead agency.* The Federal agency which has primary authority for committing the Federal Government to a course of action with significant environmental impact.

CHAPTER 2. ENVIRONMENTAL IMPACT STATEMENT PROCESS, CONTENT, AND FORMAT

1. *Environmental assessment.* The preparation of an environmental assessment shall begin within the service or staff office in the early stages of planning an action. (See figure 2-1.)¹ As the action develops, the assessment shall be prepared by all involved, using interdisciplinary expertise to ensure complete assessment and full consideration of the range of environmental factors in the development of the action to make certain that:

a. Commitments are not made to courses of action that will unnecessarily complicate reconciliation with environmental factors;

b. Environmentally desirable alternatives are not inadvertently foreclosed; and

c. Negative environmental impacts are minimized.

2. *Lead agency.* a. If there is a question concerning the primary responsibility for statement preparation, the matter shall be referred to the Director of Environmental Af-

fairs (PWA) for resolution by CEQ. However, it is possible for a statement to be submitted jointly by all agencies concerned, with the comments being returned to a single designated official.

b. If GSA is the "lead agency" and one or more other agencies have partial responsibility for the action, the other agencies shall be requested to provide to the responsible GSA official such information as may be necessary to prepare a suitable and complete environmental impact statement. If another agency is designated to be the "lead agency," the criteria for statement preparation for that agency shall apply. Thus, GSA should consider its planned action in relation to those of other agencies in the area, as well as those actions jointly undertaken by GSA and other Federal agencies.

3. *Clearinghouse consultation.* The relevant A-95 clearinghouse (as defined in chap. 1-4) shall be notified of plans for the project or action at the earliest practicable point. Thus, any comments germane to the decision to prepare an environmental impact statement or to the early planning of the action may be promptly received and incorporated.

4. *Decision to prepare an environmental impact statement or negative declaration.* a. As soon as it is determined that an environmental impact statement will be necessary, the service or staff office developing the action shall begin preparation of the statement.

b. If, however, after completion of a full environmental assessment it is concluded that the action will have no significant adverse environmental impact, the service or staff office shall:

(1) Prepare a negative declaration which will have the environmental assessment as an attachment, obtain concurrence on the negative declaration from the Director of Environmental Affairs (PWA) and the Office of General Counsel (L), and forward the negative declaration to the Commissioner, PBS (P).

(2) Continue development of the action, and in the spirit of environmental enhancement, monitor the action for any subsequent development which may necessitate the preparation of an environmental impact statement.

(3) Maintain a copy of its negative declaration in a file available for public inspection. The original declaration shall be maintained in the Environmental Affairs office.

c. The Deputy Administrator for Special Projects shall reconcile any differences concerning the decision to prepare an environmental impact statement that may arise between the Director of Environmental Affairs and the services or staff offices.

5. *Environmental impact statement format.* a. Draft and final environmental impact statements shall be prepared in clear black type.

b. A cover page containing all essential information to facilitate subsequent identification and retrieval shall be prepared for each statement. Figure 2-5² is a suggested format.

c. The format of the summary sheet accompanying each statement is specified in appendix I of the Guidelines.

6. *Draft environmental impact statement preparation and content.* a. The draft shall describe in detail the environmental implications of a proposed GSA action and satisfy the substantive requirements of the final statement to the fullest extent possible. The minimum content requirements for an environmental impact statement are set out in section 1500.8 of the Guidelines. They require discussion of the following points:

- (1) The action itself;
- (2) The purpose of the action;

(3) The environmental setting;

(4) The relation, when appropriate, to other Federal actions in this area;

(5) The cumulative effects of the action;

(6) The probable impact of the action, including the national and international impact, when appropriate;

(7) The alternatives, including those outside of the agency's authority and the alternative of taking no action;

(8) Adverse effects, including a discussion of how they will be mitigated;

(9) Short and long term use of the environment; and

(10) The irreversible and irretrievable commitments.

b. Preparation of the draft environmental impact statement shall include input from all relevant disciplinary areas. Specialists to be consulted may include urban planners, land use planners, space planners, landscape architects, transportation experts, interior designers, design architects, engineers, sociologists, economists, psychologists, demographers, or any other experts, public or private, deemed necessary for full consideration of all relevant environmental factors. The solicitation of expert assistance from any public or private entity during the preparation of a GSA environmental impact statement does not detract from GSA responsibility for scope and content of the statement and the judgment relevant to GSA actions on the project.

c. Each statement shall show that the particular economic and technical benefits of the proposed action have been assessed against the environmental effects.

d. When the Head of Service or Staff Office or the Regional Administrator deems it appropriate, public meetings shall be held during the course of development of the action, either before the draft statement is prepared or at least 15 days following issuance of the draft statement. The agency's decision to hold a public meeting shall be based on the magnitude of the action, the complexity of the issue, and the extent of previous public involvement and interest. The Head of Service or Staff Office or Regional Administrator shall determine the best method of notifying the public that a public meeting is to be held.

e. When the service or staff office or regional office has completed the preliminary draft statement, it shall be transmitted to the Office of General Counsel (L) and to the Director of Environmental Affairs (PWA) for review and comment. The statement shall be revised as indicated in their comments and resubmitted to the same offices for concurrence. The Head of the appropriate Service or Staff Office or Regional Administrator shall then forward the statement to the Deputy Administrator for Special Projects (P) for distribution as indicated in par. 7.

f. The Head of Service or Staff Office or Regional Administrator shall determine the extent of newspaper coverage and select the newspaper(s) which would most adequately inform the reading public in the area of the action that a GSA draft environmental impact statement has been prepared. Notice should be published at least once and should include how and where copies of the Statement may be obtained. The paper(s) may be a weekly and very local in nature. If the action is not local in character, the Head of Service or Staff Office or Regional Administrator shall determine the best method of publicizing the availability for review of the environmental impact statement. The Director of Information in the Central Office and the Regional Administrators in the regions must clear notices regarding any GSA activity under their jurisdiction as provided in the GSA Administrative Manual, 6-2 (OAD P 5410.1).

¹ Filed as part of the original document.

² Filed as part of the original document.

7. *Distribution of draft environmental impact statements.* The service or staff office or regional office responsible for the preparation of an environmental impact statement shall be responsible for compiling a list for its distribution. (See appendix II of the Guidelines.)

a. Included in this list shall be:

(1) The Council on Environmental Quality (5 copies);

(2) The relevant A-95 clearinghouse, appropriate elected officials, all State and local agencies that would be interested in the action;

(3) Federal agencies directly related to the specific action;

(4) EPA (7 copies);

(5) All other Federal agencies competent to comment owing to legal jurisdiction or special expertise (for reference, see appendix II of Guidelines);

(6) Any group or individual that requests a copy of the environmental statement; and

(7) Any entity, group, or individual that the Director of Environmental Affairs decides should be included.

b. The Deputy Administrator for Special Projects shall transmit copies of the statement to CEQ, the Governor and Senators from the affected State, the Congressman from the affected district, and any other appropriate officials. The service or staff office planning the action shall distribute copies to the remaining groups and individuals.

8. *Commenting period.* The service or staff office or regional office preparing the statement shall, in consultation with the Director of Environmental Affairs, establish a time limit of not less than 45 calendar days for comments on each draft. In establishing this time limit, the service or staff office or regional office should keep in mind the magnitude and complexity of the statement and the extent of citizen interest in the proposed action. For the purpose of establishing the minimum review period, the impact statement received by CEQ during a given week (Monday through Friday) will be recorded as filed with CEQ on the Friday of the following week. Upon request, GSA may extend the commenting period for up to 15 calendar days, whenever practicable. It may be assumed that entities that have not responded by the close of the commenting period do not wish to comment.

9. *Consideration of comments.* The service or staff office or regional office shall carefully reconsider its action in relation to the relevant and substantive comments received on the draft environmental impact statement, and shall make every attempt to reconcile its action with respect to any divergent recommendations by:

a. Altering its current plan of action;

b. Working with the commenting entities to develop mutually acceptable plans or workable compromises; and

c. Working with any additional entities or private groups to initiate additional projects or programs designed to mitigate environmental impacts.

If in the opinion of the Deputy Administrator for Special Projects (P) a substantial environmental consideration was not adequately dealt with in the draft statement, the draft shall be considered incomplete, and consideration shall be given to issuing a supplementary statement as provided in par. 13 or to issuing a new draft statement.

10. *Final environmental impact statement preparation and content.* a. The final statement shall consist of all the information in the draft statement and information on any developments that arise subsequent to the filing of the draft. All substantive comments made on the draft statement shall be attached to the final statement, insofar as feasible, and the substantive comments must

be addressed in the text through revisions and additions or by direct reference. Additionally, wherever a conflict exists, efforts to reconcile differences shall be described, including the activities listed in par. 9.

b. When completed, the preliminary final statement shall be transmitted to the Office of General Counsel (L) and to the Director of Environmental Affairs (PWA) for review and comment. The statement shall be revised in accordance with their comments and resubmitted to them for concurrence. The Head of the appropriate Service or Staff Office or Regional Administrator who prepared the statement shall then forward the statement to the Deputy Administrator for Special Projects (P) for distribution as indicated in par. 11.

11. *Distribution of the final environmental impact statement.* a. Copies of the final statement shall be sent simultaneously and free of charge to:

(1) All entities that offered substantive comments on the draft;

(2) The Environmental Protection Agency;

(3) The relevant A-95 clearinghouse;

(4) The principal whose project is the subject of the statement; and

(5) The Council on Environmental Quality (5 copies).

b. The Deputy Administrator for Special Projects shall transmit copies of the statement to CEQ and other appropriate officials. The service or staff office which is planning the action shall make the remainder of the distribution.

c. All members of the public who request a copy shall receive one if feasible. When it is not feasible to comply with requests for copies, the Director of Environmental Affairs shall consult with CEQ in devising alternative arrangements. Under no circumstances shall a charge be affixed greater than the cost of reproduction.

12. *Moratorium period.* The services and staff offices and regional offices shall take no administrative action in prosecution of any phase of the subject action within 90 calendar days of the commencement of the review period on the draft (see par. 8) or within 30 calendar days of CEQ's receipt of the final statement. The above 90- and 30-day periods may run concurrently to the extent that they overlap. The Deputy Administrator for Special Projects shall receive all requests for reducing the minimum time requirements. If after weighing all considerations he deems the request justified, he shall instruct the Director of Environmental Affairs to consult with the Council on Environmental Quality in arriving at alternative arrangements. Each organization shall be responsible for defining in its orders what action will not constitute "an administrative action in prosecution of the action" for each of its typical classes of action for which environmental impact statements are often prepared.

13. *Supplementary statements.* The service or staff office or regional office shall supplement or amend draft and final statements when substantial changes are made in the proposed action (unless these changes are made to decrease the environmental impact), when changes are made which significantly increase the adverse environmental impact, or when significant new information becomes available concerning the environmental impact of the action. The service or staff office or regional office shall distribute these supplements or amendments pursuant to par. 11, and the Director of Environmental Affairs (PWA) shall consult with CEQ regarding the necessity of re-establishing appropriate commenting or review periods.

14. *Recommendations or favorable reports on proposals for legislation.* a. If GSA makes

a recommendation or favorable report on a legislative proposal the subject of which is the primary responsibility of GSA, then GSA must determine the environmental impact of that proposal. If in the opinion of the Head of a Service or Staff Office, the Director of Environmental Affairs (PWA), or the Deputy Administrator for Special Projects (P), the proposal may have significant environmental impact, an environmental impact statement shall be prepared on the proposal consistent with the provisions of § 1500.12(b) of the Guidelines.

b. Where possible, the final statement shall be available to the Congress, CEQ, EPA, and the public at the time the legislation is submitted to the Congress. If time is a constraint, the draft statement may be used.

15. *Early notice system.* a. Each service and staff office and regional office shall keep available for public inspection a current list of its contemplated actions for which environmental impact statements are being prepared. A copy of the current list shall be transmitted to the Director of Environmental Affairs (PWA) on the last workday prior to March 9, June 9, September 9, and December 9 of each year.

b. Each service and staff office and regional office shall also maintain for public inspection a current list of its actions for which negative declarations have been made and shall transmit them pursuant to a, above.

c. The Director of Environmental Affairs shall compile the aforementioned lists and transmit composite agency lists for the previous quarter to the CEQ by March 15, June 15, September 15, and December 15 of each year.

d. The Director of Environmental Affairs shall promptly notify CEQ if an action is listed as one for which an environmental impact statement is being prepared and at a later date a decision is made that only a negative declaration is needed.

16. *Commenting on environmental impact statements prepared by other agencies.* Upon receipt in GSA of a draft statement prepared by another agency, the Director of Environmental Affairs shall forward the statement to those GSA offices competent to comment on it. Those offices shall then provide input for the Director of Environmental Affairs' official reply. Comments shall be specific, substantive, and factual, following the format of the draft statement. Within GSA's areas of jurisdiction by law or special expertise, GSA shall assess the degree of environmental impact and the acceptability of that impact. GSA may recommend modifications or alternatives to a project. (See section 1500.9e of the Guidelines.)

17. *Supplementary guidelines.* The CEQ Guidelines, upon which this order is based, may be supplemented as required by CEQ. The Guidelines became effective on January 28, 1974, and are effective for all draft and final impact statements filed with the Council after that date.

[FR Doc. 75-8793 Filed 4-3-75; 8:45 am]

INTERNATIONAL TRADE COMMISSION

[337-37]

GOLF GLOVES

Denial of Request for Rehearing, and of Transmission of Final Findings and Report to the President

On April 1, 1975, the United States International Trade Commission denied the request for rehearing in investigation No. 337-37 filed with it on March 26,

1975, by complainants Anthony J. Antonious and the Ajac Glove Corp. The request stated no good cause for re-hearing.

The Commission hereby gives notice of the transmission to the President of its final findings and report with respect to investigation No. 337-37.

By order of the Commission.

Issued: April 1, 1975.

KENNETH R. MASON,
Secretary.

[FR Doc.75-8812 Filed 4-3-75;8:45 am]

WATCHES AND WATCH MOVEMENTS FROM INSULAR POSSESSIONS

Determination of Apparent United States Consumption and of Quotas for Duty-Free Entry

In accordance with headnote 6(c) of schedule 7, part 2, subpart E, of the Tariff Schedules of the United States (TSUS), the International Trade Commission has determined that the apparent United States consumption of watch movements for the calendar year 1974 was 51,019 thousand units, and that the number of watches and watch movements, the product of the Virgin Islands, Guam, and American Samoa, which may be entered free of duty during the calendar year 1975 under headnote 6(b) of said subpart E of the TSUS is as follows:

	Thousand units
Virgin Islands.....	4,960
Guam.....	472
American Samoa.....	237

By order of the Commission.

KENNETH R. MASON,
Secretary.

APRIL 1, 1975.

[FR Doc.75-8813 Filed 4-3-75;8:45 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (75-25)]

SPACE PROCESSING AD HOC ADVISORY SUBCOMMITTEE

Meeting

The NASA Space Processing Ad Hoc Advisory Subcommittee of the Applications Steering Committee will meet at NASA Headquarters, 600 Independence Avenue SW, Washington, DC, on April 21-23, 1975. The meetings will be held in Room 226B of FOB 10B from 8:30 a.m. to 4:30 p.m. on each day.

The subcommittee will discuss, evaluate, and categorize the proposals submitted to NASA in response to the Space Processing Rocket Experiment Project Announcement of Opportunity (OA-74-1).

The professional qualifications of the proposers, will be candidly discussed and appraised throughout the subcommittee meetings. Discussion of these matters in a public session would invade the privacy of the proposers as well

as inhibit a free exchange of ideas between subcommittee members.

Since the subcommittee sessions will be concerned throughout with matters listed in 5 U.S.C. 552(b) (6), as described above, it is hereby determined that the sessions should be closed to the public.

For further information, please contact Dr. James H. Bredt at Area Code 202, 755-3848.

DUWARD L. CROW,
Assistant Administrator for
DOD and Interagency Affairs.

MARCH 27, 1975.

[FR Doc.75-8787 Filed 4-3-75;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-255]

CONSUMERS POWER CO.

Issuance of Amendment to Provisional Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 13 to Provisional Operating License No. DPR-20 issued to Consumers Power Company which revised Technical Specifications for operation of the Palisades Plant, located in Covert Township, Van Buren County, Michigan. The amendment is effective as of its date of issuance.

This amendment requires the next steam generator tube inspection to be conducted at the end of not more than 90 effective full power days or more than nine calendar months from the date of initial criticality after February 1975, whichever occurs first. The amendment also imposes limits on reactor power level and reactor coolant minimum flow for various reactor coolant pump combinations, with an overall power limitation of 2100 MWt. In addition, the amendment revises section 4.14 of the technical specifications by deleting paragraphs 4.14.1 and 4.14.4, two one-time requirements which have been satisfied. The remaining paragraphs of specification 4.14 are renumbered.

The amendment relates to two prior FEDERAL REGISTER notices. On February 3, 1975, 40 FR 4968, the Commission published in the FEDERAL REGISTER a notice of consideration of a license amendment proposed by the license which would have eliminated the requirement, in the license at that time, for a steam generator tube inspection within six months from the date of initial criticality after the August 1974 shutdown. The proposed amendment would have preserved, however, the alternative requirement, also in the license at that time, for such an inspection at the end of no more than 90 effective full power days following the August 1974 shutdown. No request for hearing or petition for leave to intervene was filed in response to the February 3, 1975 notice.

On February 6, 1975, the Commission issued an Order for Modification of License which was published in the FEDERAL REGISTER on February 10, 1975, 40 FR 6241. This Order required Consumers Power Company to follow certain speci-

fied tube inspection and plugging procedures prior to further reactor operation, and to submit the results thereof together with a proposal for the conduct of future operations, including a recommended schedule for the next steam generator tube inspection. No request for a hearing or petition for leave to intervene was filed in response to the February 6, 1975 Order.

As discussed in the Commission's Safety Evaluation related to this action, the licensee has complied with the provisions of the February 6 Order. Extensive steam generator tube inspections have been conducted and approximately 280 additional tubes have been plugged. The additional tube plugging is expected to result in a reduction of reactor coolant flow of approximately 1%. The new limits on reactor power level and reactor coolant minimum flow have been specified in order to take into account the anticipated reduction of coolant flow.

The amendment will allow a maximum interval of nine months prior to the next steam generator tube inspection. This is about the same interval effectively allowed between the last two inspections, which occurred in May-June 1974 and February-March 1975, respectively.

The Commission has found that the amendment involves no significant hazards consideration not described or implicit in the FEDERAL REGISTER notice of February 3, 1975, the Order published in the FEDERAL REGISTER on February 10, 1975, or both.

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 March 10, 1975, (2) Amendment No. 13 to License No. DPR-20, with Change No. 17, (3) the Commission's related Safety Evaluation, and (4) the February 3 and February 10, 1975 FEDERAL REGISTER notices and documents referenced therein. 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 Kalamazoo Public Library, 315 South Rose Street, Kalamazoo, Michigan.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 28th day of March 1975.

For the Nuclear Regulatory Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors
Branch No. 1, Division of Reactor
Licensing.

[FR Doc.75-8803 Filed 4-3-75;8:45 am]

[Dockets Nos. 50-458 and 50-459]

GULF STATES UTILITIES COMPANY (RIVER BEND STATION, UNITS 1 & 2)

Additional Hearing Session

Please take notice that an additional session of the public evidentiary hearing in this construction permit proceeding will be held before the Atomic Safety and Licensing Board at 9:30 a.m. e.d.t., on April 17, 1975 at the following location:

Room 1202, 12th Floor
Landow Building
7910 Woodmont Avenue
Bethesda, Maryland 20014

This session will be a continuation of the four days of hearings conducted in Baton Rouge and St. Francisville, Louisiana, March 24-27, 1975, and will concern only a limited number of subject matters remaining to be covered in areas that first arose during the Louisiana sessions.

As set forth in this Board's February 28 Notice of Hearing, the issues being considered are those environmental and site suitability issues prescribed in the Commission's regulations concerning construction permits and pre-construction permit activities (10 CFR § 50.10 (e)(1), (e)(2)(ii)). The radiological health and safety issues will be considered at a separate public hearing session to be scheduled later.

It is so ordered.

For the Atomic Safety and Licensing Board,

THOMAS W. REILLY,
Chairman.

Issued at Bethesda, Maryland this 31st day of March, 1975.

[FR Doc.75-8750 Filed 4-3-75;8:45 am]

REGULATORY GUIDE

Notice of Issuance and Availability

The Nuclear Regulatory Commission has issued a new guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC 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 5.49, "Internal Transfers of Special Nuclear Material," describes acceptable methods for controlling and documenting transfers of special nuclear material within a plant site in order to meet the requirements of 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 Guide 5.49 will, however, be particularly useful

in evaluating the need for an early revision if received by June 5, 1975.

Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, 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, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. 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

Preparation of Uranyl Nitrate Solution as a Working Standard

Shipping and Receiving Control of Special Nuclear Materials

Barrier Design and Placement

Nondestructive Assay of U-235 Content of Unpoisoned Low-Enrichment 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 Facilities Other Than Nuclear Power Plants)

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

Verification 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

Use of Closed Circuit TV for Area Surveillance

Preparation of Working Calibration and Test Materials for Analytical Laboratory Measurement Control Programs—Part 1: Plutonium Nitrate Solution.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland this 26th day of March 1975.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
Acting Director,

Office of Standards Development.

[FR Doc.75-8746 Filed 4-3-75;8:45 am]

[Docket Nos. 50-327 and 50-328]

TENNESSEE VALLEY AUTHORITY, SEQUOYAH NUCLEAR PLANTS, UNITS 1 AND 2

Notice of Issuance of Amendments To Provisional Construction Permits and Availability of Atomic Safety and Licensing Appeal Board Decision

Notice is hereby given that pursuant to a Decision issued by the Atomic Safety and Licensing Appeal Board on February 27, 1975, the Nuclear Regulatory Commission has issued Amendment No. 3 to Provisional Construction Permit No. 3 to Provisional Construction Permit No. CPPR-72 and Amendment No. 3 to Provisional Construction Permit No. CPPR-73 issued to the Tennessee Valley Authority for construction of the Sequoyah Nuclear Plant, Units 1 and 2, located in Hamilton County, Tennessee. The Decision modifies the construction permits to require compliance with the applicable federal and Tennessee water quality standards. Any decisions or actions taken by the Atomic Safety and Licensing Appeal Board in connection with this Decision may be reviewed by the Commission.

A copy of the Decision dated February 27, 1975, Amendment No. 3 to Provisional Construction Permit No. CPPR-72, Amendment No. 3 to Provisional Construction Permit No. CPPR-73, and the Tennessee Valley Authority's Final Environmental Statement are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C., and in the Chattanooga Public Library, 601 McCally Street, Chattanooga, Tennessee 37403.

The above noted documents are also available at the Office of Urban and Federal Affairs, Suite 1025, Andrew Jackson State Office Building, Nashville, Tennessee 39219; the Chattanooga Area Regional Council of Governments, 423 James Building, 735 Broad Street, Chattanooga, Tennessee 37402; and the Southeast Tennessee Development District, 423 James Building, 731 Broad Street, Chattanooga, Tennessee 37402.

The Nuclear Regulatory Commission has found that the provisions of these amendments comply with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations published in 10 CFR Chapter I and has concluded that the issuance of these amendments will not be inimical to the common defense and security or to the health and safety of the public.

The record developed in the public hearing in the above captioned matter modified in certain respects the contents

of the Final Environmental Statement relating to the construction of the Sequoyah Nuclear Plant, Units 1 and 2, prepared by the Tennessee Valley Authority. Pursuant to the provisions of § 51.52(b)(3) of 10 CFR Part 51, the Final Environmental Statement is deemed modified to the extent that the conditions relating to environmental matters contained in the Decision are different from those contained in the Final Environmental Statement issued February 1974. As required by § 51.52(b)(3) of 10 CFR Part 51, a copy of the Decision which modified the Final Environmental Statement has been transmitted to the Council on Environmental Quality and distributed to the Environmental Protection Agency and other interested agencies and persons in accordance with § 51.26(c) of 10 CFR Part 51.

Single copies of the Decision, Amendment No. 3 to Provisional Construction Permit No. CPPR-72, Amendment No. 3 to Provisional Construction Permit No. CPPR-73, and the Final Environmental Statement may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 27th day of March 1975.

For the Nuclear Regulatory Commission,

KARL KNIEL,
Chief, Light Water Reactors
Branch 2-2, Division of Reactor Licensing.

[FR Doc.75-8744 Filed 4-3-75;8:45 am]

[Docket Nos. 50-280 and 50-281]

VIRGINIA ELECTRIC & POWER CO.
Issuance of Amendments to Facility
Operating Licenses

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments No. 5 to Facility Operating Licenses No. DPR-32 and DPR-37 issued to Virginia Electric & Power Company (licensee) which revised Technical Specifications for operation of the Surry Power Station, Units 1 and 2, located in Surry County, Virginia. The amendments are effective as of the date of issuance.

The amendments revise the provisions in the Technical Specifications for the fuel residence time for Unit 1, Cycles 1 and 2 from 15,500 to 26,000 EFPH and Unit 2, Cycle 1 core from 10,000 to 17,000 EFPH, pursuant to licensee's application for amendment dated October 17, 1974, supplemented by his application dated February 25, 1975.

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. The Commission has made appropriate findings as re-

quired by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. A prenotice was issued on November 20, 1974, (39 FR 40810) for the licensee's request of October 17, 1974. No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

For further details with respect to this action, see (1) the application for amendment dated October 17, 1974, as supplemented February 25, 1975, (2) Amendments No. 5 to Licenses No. DPR-32 and DPR-37, with Changes No. 20 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 Swem Library, College of William & Mary, Williamsburg, Virginia 23185.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 27th day of March 1975.

For the Nuclear Regulatory Commission,

ROBERT A. PURPLE,
Chief, Operating Reactors
Branch No. 1, Division of
Reactor Licensing.

[FR Doc.75-8745 Filed 4-3-75;8:45 am]

[Docket No. 50-219]

JERSEY CENTRAL POWER & LIGHT CO.
Proposed Issuance of Amendment To
Provisional Operating License

The Nuclear Regulatory Commission (the Commission) is considering the issuance of an amendment to Provisional Operating License No. DPR-16 issued to Jersey Central Power & Light Co. (the licensee) for operation of Oyster Creek Nuclear Generating Station, a boiling water reactor located in Ocean County, New Jersey, and currently authorized for operation at power levels up to 1930 MWt.

The amendment would revise provisions in the Technical Specifications in accordance with the licensee's applications for license amendments dated March 25, 1975, and March 29, 1975. The amendment would modify operating limits in the Technical Specifications based upon an evaluation of ECCS performance calculated in accordance with an acceptable evaluation model that conforms to the requirements of the Commission's regulations in 10 CFR Part 50, § 50.46. The amendment would modify various limits established in accordance with the Commission's Interim Acceptance Criteria, and would, with respect to Oyster Creek Nuclear Generating Station, terminate the further restrictions imposed by the Commission's December 27, 1974, Order for Modification of License, and would impose instead, limitations established in accordance with the Commission's Acceptance Criteria for

Emergency Core Cooling Systems for Light Water Nuclear Power Reactors, 10 CFR Part 50, § 50.46.

The proposed license amendment would also modify the Technical Specifications to account for changes in: (1) Limiting safety system settings for the neutron flux scram and for the neutron flux control rod block, (2) the operability requirements for the local power range monitors, and (3) the fuel cladding integrity safety limit.

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.

By May 5, 1975, the licensee may file a request for a hearing and any person whose interest may be affected by this 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. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to G. F. Trowbridge, Esquire, Shaw, Pittman, Potts, Trowbridge & Madden, Barr Building, 910 17th Street NW., Washington, D.C. 20006, the attorney for the licensee.

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 an Atomic Safety and Licensing Board designated by the Commission or 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 (1) the applications for amendments dated March 25, 1975 and March 29, 1975, (2) the Commission's Order of Modification of License and the Documents referred to in the Order dated December 27, 1974 (published in the FEDERAL REGISTER on January 9, 1975 (40 FR 1764)), (3) NRC Report Regarding the EXXON Nuclear Company ECCS Model, dated March 6, 1975, which are available for public inspection at the Commission's Public Document Room 1717 H Street NW., Washington, D.C. 20555, and at the Ocean County Library, 15 Hooper Avenue, Toms River, New Jersey 08753. The license amendment and the Safety Evaluation, when issued, may be inspected at the above locations and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland this April 1, 1975.

FOR THE NUCLEAR REGULATORY
COMMISSION,

GEORGE LEAR,
*Chief, Operating Reactors
Branch No. 3, Division of Re-
actor Licensing.*

[FR Doc.75-8862 Filed 4-3-75;8:45 am]

[Docket Nos. STN 50-491, STN 50-492 and
STN 50-493]

DUKE POWER CO.

Availability of NRC Draft Environmental
Statement for Cherokee Nuclear Station,
Units 1, 2, and 3

Pursuant to the National Environmental Policy Act of 1969 and the United States Nuclear Regulatory Commission's regulations in 10 CFR Part 51, notice is hereby given that a Draft Environmental Statement prepared by the Commission's Division of Reactor Licensing related to the proposed Cherokee Nuclear Station, Units 1, 2, and 3 to be constructed by the Duke Power Company in Cherokee County, South Carolina is available for inspection by the public in the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. and in the Cherokee County Library, Gaffney, South Carolina 29340. The Draft Statement is also being made available at the State Clearinghouse, Office of the Governor, Division of Administration, Edgar A. Brown State Office Building, Columbia, South Carolina 29201 and at the South Carolina Appalachian Council of Governments, Drawer 6668, 211 Century Drive, Greenville, South Carolina 29606. Copies of the Commission's Draft Environmental Statement (NUREG-75/017) may be obtained by request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

The Applicant's Environmental Report, as supplemented, submitted by the Duke Power Company is also available for public inspection at the above-designated locations. Notice of availability of the Applicant's Environmental Report was published in the FEDERAL REGISTER on July 9, 1974 (39 FR 26472).

Pursuant to 10 CFR Part 51, interested persons may submit comments on the Applicant's Environmental Report, as supplemented, and the Draft Environmental Statement for the Commission's consideration. Federal and State agencies are being provided with copies of the Applicant's Environmental Report and the Draft Environmental Statement (local agencies may obtain these documents upon request). Comments are due by June 6, 1975. Comments by Federal, State, and local officials, or other persons received by the Commission will be made available for public inspection at the Commission's Public Document Room in Washington, D.C. and the Cherokee County Library, Gaffney, South Carolina 29340. Upon consideration of comments submitted with respect to the draft environmental statement, the Staff will prepare a final environmental statement, the availability of which will be published in the FEDERAL REGISTER.

Comments on the Draft Environmental Statement from interested persons of the public should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Rockville, Maryland, this 26th day of March, 1975.

For the Nuclear Regulatory Commission.

WM. H. REGAN, Jr.,
*Chief, Environmental Projects
Branch 4, Division of Reactor
Licensing.*

[FR Doc.75-8743 Filed 4-3-75;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[Rel. No. 18895; 70-5338]

APPALACHIAN POWER CO., ET AL.

Proposed Issuance and Sale of Common
Stock by Subsidiary to Holding Company
and Capital Contributions to Subsidiary

MARCH 28, 1975.

In the Matter of Appalachian Power Co., 40 Franklin Road, Roanoke, Virginia 24009, Indiana & Michigan Electric Co., 2101 Spy Run Avenue, Fort Wayne, Indiana 46801, and American Electric Power Co., Inc., 2 Broadway, New York, New York 10004.

Notice is hereby given that American Electric Power Company, Inc. ("AEP"), a registered holding company, and Appalachian Power Company ("Appalachian") and Indiana & Michigan Electric Company ("I&M"), its subsidiary electric utility companies, have filed with this Commission a post-effective amendment to the application-declaration in this proceeding pursuant to sections 6(b), 9(a), 10, 12(b) and 12(f) of the Public

Utility Holding Company Act of 1935 ("Act") and rules 43 and 50(a) (3) promulgated thereunder regarding the following proposed transactions. All interested persons are referred to the post-effective amendment to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

By orders dated June 29, 1973 and October 8, 1974 (Holding Company Act Release Nos. 18013 and 18597), this Commission, among other things, authorized AEP to make cash capital contributions from time to time prior to June 30, 1975, to I&M up to \$100,000,000. It is now proposed that AEP be permitted to increase contributions to I&M to a total amount of \$125,000,000.

It is also proposed that AEP make additional investment in the equity of Appalachian in the form of the purchase from time to time prior to June 30, 1975 of a total of 750,000 shares of common stock, no par value, of Appalachian for a consideration of \$40 a share, or a total consideration of \$30,000,000. As of March 7, 1975, Appalachian had 30,000,000 shares of its common stock authorized of which there were outstanding 9,937,000 shares.

The proceeds from the capital contributions and the sale of common stock are to be used by I&M and Appalachian to finance their construction programs and for the payment of short-term notes issued in connection therewith. I&M and Appalachian estimate construction expenditures for 1975 at \$80,000,000 and \$140,000,000 respectively. The State Corporation Commission of Virginia, the Public Service Commission of West Virginia and the Public Service Commission of Tennessee have jurisdiction over the proposed issue and sale by Appalachian of its common stock to AEP. No other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than April 21, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said post-effective amendment to the application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as now amended, or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations

promulgated under the Act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] SHIRLEY E. HOLLIS,
Assistant Secretary.
[FR Doc.75-8786 Filed 4-3-75; 8:45 am]

[File No. 500-1]

INTERNATIONAL CHEMALLOW CORP.
Suspension of Trading

MARCH 18, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of International Chemallow 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 2:15 P.M. (e.d.t.) on March 18, 1975 through midnight (e.d.t.) on March 27, 1975.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS,
Assistant Secretary.
[FR Doc.75-8785 Filed 4-3-75; 8:45 am]

DEPARTMENT OF LABOR

Manpower Administration

**EMPLOYMENT TRANSFER AND BUSINESS
COMPETITION DETERMINATIONS UNDER
THE RURAL DEVELOPMENT ACT**

Notice of Applications

The organizations listed in the attachment have applied to the Secretary of Agriculture for financial assistance in the form of grants, loans, or loan guarantees in order to establish or improve facilities at the locations listed for the purposes given in the attached list. The financial assistance would be authorized by the Consolidated Farm and Rural Development Act, as amended, 7 USC 1924 (b), 1932, or 1942(b).

The Act requires the Secretary of Labor to determine whether such Federal assistance is calculated to or is likely to result in the transfer from one area to another of any employment or business activity provided by operations of the applicant. It is permissible to assist the establishment of a new branch, affiliate or subsidiary, only if this will not result in increased unemployment in the place of present operations and there is no

reason to believe the new facility is being established with the intention of closing down an operating facility.

The Act also prohibits such assistance if the Secretary of Labor determines that it is calculated to or is likely to result in an increase in the production of goods, materials, or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity of existing competitive commercial or industrial enterprises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75, published January 29, 1975 (40 FR 4393). In determining whether the applications should be approved or denied, the Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local area in which the proposed facility will be located.

2. Employment trends in the same industry in the local area.

3. The potential effect of the new facility upon the local labor market, with particular emphasis upon its potential impact upon competitive enterprises in the same area.

4. The competitive effect upon other facilities in the same industry located in other areas (where such competition is a factor).

5. In the case of applications involving the establishment of branch plants or facilities, the potential effect of such new facilities on other existing plants or facilities operated by the applicant.

All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing on or before April 18, 1975 to: Deputy Assistant Secretary for Manpower, 601 D Street NW., Washington, D.C. 20213.

Signed at Washington, D.C. this 31st day of March, 1975.

BEN BURDETSKY,
Deputy Assistant Secretary
for Manpower.

Applications received during the week ending March 28, 1975

Name of applicant	Location of enterprise	Principal product or activity
Ciantro Corp.	Pittsfield, Maine	General construction and production of transit concrete and bituminous concrete.
C. N. Brown Co.	South Paris, Maine	Retail gasoline stations and heating oil distribution.
Round Hill Foods, Inc. (Tenant of New Oxford municipal authority).	Adams County, Pa.	Turkey processing.
Miller-Pickling of Mississippi, Inc.	Hattiesburg, Miss.	Industrial, institutional and commercial air conditioning equipment.
Aeroquip Corp. (Tenant of Jackson County).	Gainesboro, Tenn.	Production of hydraulic couplings.
Dalwal Tool Co., Inc.	Whittington, Ill.	Rebuilding of rotary drill bits used in coal mining.
Tom W. Kaufman Co.	Carrollton, Ohio	Manufacture of deep drawn tanks and panels, and fabrication of stainless pipe and liquid containers.
Huffman Farm Supply.	Mhner, Ill.	Sale and construction of grain storage, drying, and handling facilities and related products.
Dearco, Inc.	Shawano, Wis.	Retail and wholesale paint, glass and related products and services.
Stanley G. Bosker	Kalamazoo, Mich.	Restaurant.
1-69 Industrial Park, Inc.	Marion, Ind.	Distribution for glass bottle manufacturers.
Lazy Days Campground.	West Bend, Wis.	Campground.
Goers Brothers, Inc.	Shawano, Wis.	Auto sales and services.
Ecological Research Associates, Inc.	Hereford, Tex.	Manufacture of hymeth gas and residue for cattle feed supplement or fertilizer.
Rice County Metal Casting Co. (Tenant of city of Lyons).	Lyons, Kans.	Production of gray iron castings.
Ridgeview Manor Nursing Home.	Walden, Mo.	Nursing home.
Tract Handcraft, Inc. (Tenant of city of Webster).	Webster, S. Dak.	Manufacture of bedspreads, draperies, tablecloths, pillows.
Bocals, Inc.	Martin, N. Dak.	Manufacture of grain trailers, pickup tow hitches and line bottom trailers.

[FR Doc.75-8698 Filed 4-3-75; 8:45 am]

**Occupational Safety and Health
Administration**

[V-73-31; V-74-30]

MARATHON STEEL COMPANY, ET AL.
Grant of Variance

I. *Background.* The following companies have made application pursuant to section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596; 29 U.S.C. 655) and 29 CFR 1905.11 for a variance, and for an interim order pending a decision on the application for a variance, from the safety standards prescribed in 29 CFR 1926.451(a)(4), (5), and (10). The

standards set general requirements for scaffolding. Companies affected by this application are:

Marathon Steel Co.
(formerly Allison Steel Manufacturing Co.)
P.O. Box 6598
Phoenix, Arizona 85005
Chattanooga Boiler & Tank Co.
1011 East Main Street
Chattanooga, Tennessee 37401
Fisher Tank & Welding Co.
Third and Booth Streets
Chester, Pennsylvania 19013
Nooter Corp.
1400 South Third Street
St. Louis, Missouri 63166

Wyatt Division
U.S. Industries
P.O. Box 3052
Houston, Texas 77001

Brown Minneapolis Tank & Fabricating Co.
P.O. Box 3670
St. Paul, Minnesota 55165

Chicago Bridge & Iron Co.
901 West 22nd Street
Oak Brook, Illinois 60521

Graver Tank & Mfg. Co.
4809 Tod Avenue
East Chicago, Indiana 46312

Universal Tank & Iron Works
11221 W. Rockville Road
Indianapolis, Indiana 46231

Pittsburgh-Des Moines Steel Co.
Neville Island
Pittsburgh, Pennsylvania 15225

Caldwell Tanks, Inc.
P.O. Box 19108
4000 Tower Road
Louisville, Kentucky 40219

Western Petro-Chem Services, Inc.
1947 East 223rd Street
Carson, California 90810

The Bishopric Products Co.
4413 Kings Run Drive
Cincinnati, Ohio 45232

The places of employment affected by these applications are all construction projects where the applicants are engaged in construction operations.

Notice of applications submitted by the first 10 applicants, and of the granting of interim orders, was published in the FEDERAL REGISTER on October 26, 1973 (38 FR 29658). Notice of applications submitted by the remaining three applicants, and of the granting of interim orders, was published in the FEDERAL REGISTER on June 3, 1974 (39 FR 19541). The notices invited interested persons, including employers and employees who believe they would be affected by the grant or denial of the applications for variance, to submit written data, views, and arguments regarding the applications. In addition, affected employers and employees were notified of their right to request a hearing on a particular application for variance. No written comments or requests for a hearing have been received.

II. Facts. The applicants' business, which is part of the tank building industry, involves the erection of relatively large steel plate segments of circumferential rings. Due to the unique nature of the construction involved, special procedures, including special scaffolding, have been developed. For example, as opposed to more conventional scaffolds, tank scaffolds must be highly portable and have a relatively low density of occupancy by workmen. These scaffolds are raised up the shell of the tank as new rings of steel are added and work is completed at the level below.

Most plate structures are fabricated from standard length plates obtained from steel mills. These plates, each approximately 31.416 feet long, normally have brackets welded to them while they are on the ground prior to being placed into position on the tank wall. Scaffolding and guardrail supports are then attached to these brackets. If the applicants were to comply with § 1926.451(a)(5) which requires that guardrail sup-

ports be at intervals not to exceed 8 feet, and Table L-3 in § 1926.451(a)(10) which sets the maximum permissible span (distance between planking supports) for 2 x 10 inch full thickness undressed lumber at 10 feet, they assert it would be necessary to lay out each steel plate into sections with the brackets located approximately 7.854 feet apart. Instead, the applicants wish to lay out the plate into three equal sections with brackets located approximately 10' 6" apart.

The planks used on the scaffolds by the applicants are rough full-dimensioned 2" x 12" x 12' planks of Douglas Fir or Southern Yellow Pine of Select Structural Grade. The Douglas Fir has a fiber stress of 1,900 and a modulus of elasticity of 1,900,000, while the Southern Yellow Pine has a 2,500 fiber stress and a modulus of elasticity of 2,000,000. These characteristics of both types of planking meet the requirements of Scaffold Grade in § 1926.451(a)(10).

The tank scaffolds do not have toeboards as required by § 1926.451(a)(4) and (5). Instead, applicants have stated that most tools are placed in well-designed "loose tool" containers provided for that purpose. The area directly below and far enough away from the base of the scaffold to contain anything that falls from above is roped off. Because the contour of the steel plates of the tank face is curved and the adjacent edge of the scaffold platform is straight, there is an open space between them. As a result, applicants have installed taut wire rope on the scaffold brackets that extends midway between the innermost edge of the scaffold platform and the curved plate structure of the tank face to serve as a safety line in lieu of an inner guardrail assembly.

According to the applicants, less than 10 percent of the plank surface on the scaffold serves as a work location at any one time, and is normally occupied by approximately one person per 30 feet of scaffold length. About one-third of the employees work alone on the scaffolds, and the others work in groups of 2 or 3 with only one group located within a 10'6" bracket span. The employees carry their tools and equipment from one location to the next as work progresses.

III. Decision. Section 1926.451(a)(4) and (5) requires toeboards with a minimum height of 4' on all open sides and ends of platforms more than 10 feet above the ground or floor. This is intended to keep tools and equipment from falling off the scaffold injuring people below. The applicants' system of keeping most tools in containers and roping off the area under and in close proximity to the scaffold accomplishes this purpose and thus provides a place of employment as safe as that required by the toeboard requirements of § 1926.451(a)(4) and (5).

Table L-3 in § 1926.451(a)(10) sets the maximum permissible span between planking supports at 10 feet for 2 x 10 inch or wider planks of full thickness

undressed lumber. The applicants have proposed to use 2' x 12' x 12' full thickness Douglas Fir or Southern Yellow Pine of Select Structural Grade on 10' 6" spans. The 12" width provides a modulus for nominal section of 5.06 and a collapse point of 900 lbs as compared to a modulus of 4.8 and collapse point of 700 lbs for a 10' width of the planking. This approximately 25 percent greater strength in span, together with the limited number of employees on a plank at one time provides planking at least as strong and safe as that which would be obtained by complying with the span requirements contained in Table L-3 of § 1926.451(a)(10).

Section 1926.451(a)(5) also requires that guardrail supports be placed at no more than 8 foot intervals. While applicants could comply with this requirement by attaching guardrail supports to the scaffolds, the applicants normally attach the guardrail supports, as well as the scaffolding supports to the brackets which are welded to the steel plates at 10' 6" intervals. This practice affords considerably more stable attachments for the guardrail assembly than would exist with wooden 2 x 4s attached to the scaffold at 8 foot intervals. Moreover, the wire rope cables used for guardrails and the angle irons used for supports are at least as strong as the wooden 2 x 4s permitted by § 1926.451(a)(5). Therefore, it is determined that the guardrail assemblies supported by the brackets at 10' 6" intervals are as safe as those required by § 1926.451(a)(5).

IV. Order. Pursuant to authority in section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970, section 107 of the Contract Work Hours and Safety Standards Act, as amended (83 Stat. 96; 40 U.S.C. 333), 29 CFR Part 1905, 29 CFR 1926.2, and Secretary of Labor's Order No. 12-71 (36 FR 8754), it is ordered that the above listed applicants be, and they are hereby, authorized to use the scaffolds described in their applications in their tank-building process at all construction projects where the applicants are engaged in construction operations, provided that:

(a) The applicants' loose tools and equipment shall be kept in well-designed tool containers. This does not include fit-up bar, key plates, key channels, or long handled maul which may be placed on the scaffold plank during the time they are required for work. The loose tool containers shall be secured to prevent their upset or dislodgment from the scaffold area.

(b) Areas beneath and far enough away from the base of the scaffold to contain anything that falls from above shall be roped off and posted with clearly visible signs stating: "Danger Overhead Work."

(c) A taut wire rope supported on the scaffold brackets shall be installed at the scaffold plank level between the innermost edge of the scaffold platform and the curved plate structure of the tank shell to serve as a safety line in lieu of

an inner guardrail assembly. In the event the open space on either side of the rope exceeds 12", a second wire rope appropriately placed, or guarding in accordance with 29 CFR 1926.451(a) (5), shall be installed.

(d) Not more than 3 employees shall be working on a 10'6" span of scaffold planking at any time.

(e) The maximum distance between brackets to which scaffolding and guardrail supports are attached shall be 10'6". These brackets shall be welded to the steel plates.

(f) Scaffold planks of rough full-dimensioned 2" x 12" x 12' Douglas Fir or Southern Yellow Pine of Select Structural Grade shall be used. The Douglas Fir shall have at least a 1,900 fiber stress and 1,900,000 modulus of elasticity, while the Yellow Pine shall have at least 2,500 fiber stress and 2,000,000 modulus of elasticity.

(g) All planking shall be secured from movement or overlapped in accordance with § 1926.451(a) (12).

(h) Guardrails shall be constructed of taut wire rope, and shall be supported by angle irons attached to brackets welded to the steel plates. These guardrails shall be at least of equivalent strength, stability and height as those required for the 8 foot span of 2" x 4" wood rails by 29 CFR 1926.451(a) (5). Guardrail supports shall be located at no greater than 10'6" intervals.

(i) As soon as possible, the applicants shall give notice to affected employees of the terms of this order by the same means used to inform them of the application for variance.

Effective date. This order shall become effective on April 4, 1975, and shall remain in effect until modified or revoked in accordance with section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970.

Signed at Washington, D.C. this 28th day of March, 1975.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.75-8811 Filed 4-3-75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 7951]

ASSIGNMENT OF HEARINGS

APRIL 1, 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.

MC 129631, Sub 44, Pack Transport, Inc., now being assigned June 18, 1975 (3 days), at Denver, Colorado, in a hearing room to be designated later.

MC 111812, Sub 509, Midwest Coast Transport, Inc., MC 112822, Sub 343, Bray Lines Incorporated, and MC 117119, Sub 516, Willis Shaw Frozen Express, Inc., now assigned April 10, 1975, at Salt Lake City, Utah, will be held at Salt Palace, 100 South Temple West.

MC 134370, Sub 12, Osborne Trucking Co., Inc., now assigned April 14, 1975, at Denver, Colo., will be held at the Holiday Inn, Bryant Street & West 20th.

MC-F-11787, O. N. C. Freight System—Purchase William Louis Damon, d.b.a. Damon Freight Lines, now assigned April 21, 1975, at Albuquerque, N. Mex., will be held at The Holiday Inn East, 12901 Central NE.

MC 107304, Sub 10, Transway, Inc., now being assigned July 8, 1975 (9 days), at New Orleans, Louisiana, in a hearing room to be designated later.

MC 139648, Station Wagon Service, Inc., now being assigned July 8, 1975 (4 days), at Newark, New Jersey, in a hearing room to be designated later.

MC 134501, Sub 14, UFT Transport Company, now assigned June 19, 1975, at St. Louis, Missouri, is cancelled and the application is dismissed.

MC 139193, Sub 19, Roberts & Oake, Inc., now being assigned June 19, 1975 (2 days), at St. Louis, Missouri, in a hearing room to be designated later.

MC 107295, Sub 751, Pre-Fab Transit Co., application dismissed.

EX PARTE No. 277 (Sub-No. 3), Adequacy of Intercity Rail Passenger Service, Continued to April 16, 1975, at Boston, Mass., May 7, 1975, at San Francisco, Ca., May 12, 1975, at Los Angeles, Ca., and May 15, 1975, at Fort Worth, Texas, in hearing rooms to be later designated, June 9, 1975, at The Offices of The Interstate Commerce Commission, Washington, D.C.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-8835 Filed 4-3-75;8:45 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 1, 1975.

An application, 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 April 21, 1975.

FSA No. 42966—*Iron or Steel Plate or Sheet from East St. Louis, Illinois*. Filed by Southwestern Freight Bureau, Agent, (No. B-525), for and on behalf of Missouri-Kansas-Texas Railroad Company. Rates on iron or steel plate or sheet, in carloads, as described in the application, from East St. Louis, Illinois, to Houston, Texas. Grounds for relief—Market competition. Tariff—Supplement 111 to Southwestern Freight Bureau, Agent, tariff 301-F, I.C.C. No. 5098. Rates are

published to become effective on April 28, 1975.

FSA No. 42967—*Joint Water-Rail Container Rates—A. P. Moller-Maersk Line*. Filed by A. P. Moller-Maersk Line (No. 1), for itself and interested rail carriers. Rates on general commodities, between rail carriers terminals on the U.S. Atlantic and Gulf Coasts, and ports in the Philippines, Hong Kong, Taiwan, Thailand, Singapore, Malaya, Japan, Korea, and Indonesia. Grounds for relief—Water competition.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-8836 Filed 4-3-75;8:45 am]

[Notice No. 5]

MOTOR CARRIER APPLICATIONS FOR TACKLING AND GATEWAY ELIMINATION IN FINANCE PROCEEDINGS

APRIL 2, 1975.

The following notices are supplemental materials to the Section 5(2) finance applications listed below wherein each applicant requests (1) to tack certain authorities in its respective pending finance application, and (2) to concurrently eliminate the gateway in order to provide the described direct service.

Each applicant (except as otherwise specifically noted) states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

Protests to the granting of the requested authority must be filed with the Commission on or before May 5, 1975. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in this noticed portion of the finance proceeding.

A protest should comply with section 247(d) of the Commission's General Rules of Practice. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative or applicant if no representative is named.

MC-F-11961—Brada Miller Freight System, Inc.—Purchase (Portion)—Sims Motor Transport Lines, Inc.

MC-F-12327—Byrnes Long Island Motor Cargo, Inc.—Purchase (Portion)—All Island Delivery Service, Inc.

MC-F-12331—Aero Trucking, Inc.—Purchase (Portion)—Miller's Motor Freight, Inc.

MC-F-12391—Ace Doran Hauling & Rigging Co.—Purchase (Portion)—Fred Carpenter, Inc.

No. MC 29079 (Sub-No. 82), filed March 17, 1975. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., 1210 South Union Street, Kokomo, Ind. 46901. Applicant's representative: Edward K. Wheeler, 704 Southern Building, 15th and H Streets NW., Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities*, (1) between points in Illinois on the one hand, and, on the other, points in New York on and west of U.S.

Highway 62, those in Pennsylvania on and west of U.S. Highway 219 and those in West Virginia on and north of U.S. Highway 40; (2) between Holland, Grand Rapids, and Lansing, Mich. and points in Michigan on a line beginning at Holland, Mich., and extending along Michigan Highway 21 to Grand Rapids, thence along U.S. Highway 16 to Lansing, thence southerly along U.S. Highway 27 to the Michigan-Indiana State Boundary line, including points within said territory, on the one hand, and, on the other, points in New York on and west of U.S. Highway 62, those in Pennsylvania on and west of U.S. Highway 219 and those in that part of West Virginia on and north of U.S. Highway 40; and (3) between Louisville, Ky. on the one hand, and, on the other, points in New York on and west of U.S. Highway 62, those in Pennsylvania on and west of U.S. Highway 219, and those in that part of West Virginia on and north of U.S. Highway 40. The purpose of this filing is to eliminate a gateway at Columbiana, Ohio. This application is a gateway elimination request filed pursuant to the Commission's Policy Statement in Ex Parte No. 55 (Sub-No. 8) noticed in the FEDERAL REGISTER issue of December 9, 1974; and is directly related to MC-F-11961 pending on petition.

MC 99369 (Sub-No. 3) (Correction), filed January 31, 1975, published in the FEDERAL REGISTER issue of March 4, 1975, and republished as corrected, this issue. Applicant: BYRNES LI. MOTOR CARGO, INC., 136 Allen Boulevard, Farmingdale, N.Y. 11735. Applicant's representative: Robert R. Redmon, 5530 Wisconsin Avenue, Suite 1145, Chevy Chase, Md. 20015. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, automobiles, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in Nassau and Suffolk Counties, N.Y., on the one hand, and, on the other, points in New Jersey within 15 miles of Columbus Circle, N.Y. The purpose of this filing is to eliminate the gateway at New York, N.Y. This application is a gateway elimination request filed pursuant to the Commission's Policy Statement in Ex Parte No. 55, Sub-No. 8, noticed in the FEDERAL REGISTER issue of December 9, 1974; and directly related to MC-F-12327 published in the FEDERAL REGISTER of October 10, 1974.

NOTE.—The purpose of this republication is to indicate the correct docket number assigned to this proceeding as MC 99369 (Sub-No. 3), in lieu of MC 99366 (Sub-No. 3), as previously published.

No. MC 60014 (Sub-No. 38), filed January 29, 1975. Applicant: AERO TRUCKING, INC., Box 308, Monroeville, Pa. 15146. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to

operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, by reason of their size or weight require the use of special equipment, (a) from points in Maryland, Delaware, Pennsylvania, New Jersey, New York, Virginia, West Virginia, and the District of Columbia, to points in the United States (except Alaska, Hawaii, Connecticut, Delaware, Maryland, New Jersey, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia). The purpose of this filing is to eliminate the gateway of York, Pa. and points within 10 miles thereof. (b) From points in Connecticut, Rhode Island and New Hampshire, to points in the United States (except Alaska, Hawaii, Connecticut, Delaware, Maryland, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia). The purpose of this filing is to eliminate the gateway of York, Pa. and points within 10 miles thereof. (c) From points in Indiana, Illinois, Michigan, Ohio, and Wisconsin, to points in the United States (except Alaska, Hawaii, Connecticut, Delaware, Maryland, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia and the District of Columbia). The purpose of this filing is to eliminate the gateway of York, Pa. and points within 10 miles thereof.

(2) *Commodities*, the transportation of which, by reason of their size or weight, require the use of special equipment, and which are included in the "twilight zone" as defined in *National Automobile Transporters Association v. Rowe Transfer*, 64 M.C.C. 229, from points in Maine, to points in the United States (except Alaska, Hawaii, Connecticut, Delaware, Maryland, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia). The purpose of this filing is to eliminate the gateway of York, Pa. and points within 10 miles thereof. This application is a gateway elimination request filed pursuant to the Commission's Policy Statement in Ex Parte No. 55 (Sub-No. 8), noticed in the FEDERAL REGISTER issue of December 9, 1974, and is directly related to MC-F-12331 published in the FEDERAL REGISTER of October 17, 1974. HEARING: On the 28th day of April, 1975, at 9:30 a.m. Local Time, at the Offices of the Interstate Commerce Commission, Washington, D.C.

No. MC 112304 (Sub-No. 87) (Amendment), filed December 16, 1974, published in the FEDERAL REGISTER issue of March 6, 1975, and republished, in part, as amended, this issue. Applicant: ACE DORAN HAULING & RIGGING CO., a corporation, 1601 Blue Rock Street, Cincinnati, Ohio 45223. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which because of size or weight require the use of special equipment, between points in Vermont,

New Hampshire, Massachusetts, Connecticut, and Rhode Island, on the one hand, and, on the other, points in Indiana, Kentucky, Michigan, Ohio, West Virginia, and those in Pennsylvania west of U.S. Highway 15. The purpose of this filing is to eliminate the gateways of points in New York within 75 miles of Syracuse and any point in Ohio. (3A) *Iron and steel articles* which because of size or weight require the use of special equipment, from the plantsites of the Jones & Laughlin Steel Corporation located in Putnam County, Ill., to points in Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island. The purpose of this filing is to eliminate the gateways of points in Ohio and points in New York within 75 miles of Syracuse. This application is a gateway elimination request filed pursuant to the Commission's Policy Statement in Ex Parte No. 55 (Sub-No. 8), noticed in the FEDERAL REGISTER issue of December 9, 1974, and is directly related to MC-F-12391 published in the FEDERAL REGISTER of March 5, 1975.

NOTE.—The purpose of this partial republication is to indicate in (1) above, applicant seeks authority to points in Pennsylvania west of U.S. Highway 15 in lieu of east as previously published; and add part (3A). The rest of the notice remains as originally published.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.
[FR Doc.75-8838 Filed 4-3-75;8:45 am]

[Notice No. 34]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MARCH 31, 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 specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 22139 (Sub-No. 14TA), filed March 20, 1975. Applicant: ROBERT ZAPORA, doing business as R. F. ZAPORA MOTOR TRANS., 22 Auburn Road, Hooksett, N.H. 03104. Applicant's representative: Arthur J. Piken, Esq., One Lefrak City Plaza, Flushing, N.Y. 11368. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from Portsmouth and Newington, N.H., to points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont, for 180 days. Supporting shipper: SEA-3, Inc., One State Street, Boston, Mass. 02109. Send protests to: Ross J. Seymour, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 313 Federal Bldg., Concord, N.H. 03301.

No. MC 25869 (Sub-No. 125TA), filed March 20, 1975. Applicant: NOLTE BROS. TRUCK LINE, INC., 6217 Gilmore Avenue, Omaha, Nebr. 68107. Applicant's representative: Bruce A. Bullock, Suite 530 Univac Bldg., 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products* as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except hides and commodities in bulk, from York, Nebr., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin, for 180 days. Supporting shipper: Sunflower Beef Packers, Inc., G. Merritt Otupal, Traffic Manager, P.O. Box 355, York, Nebr. 68467. Send protests to: Carroll Russell, District Supervisor, Suite 620 Union Pacific Plaza, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 50069 (Sub-No. 497TA) (Correction), filed February 27, 1975, published in the FEDERAL REGISTER issue of March 12, 1975, and republished as corrected this issue. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: Jack A. Gollan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid chemicals, rolling processing fluids, and lubricating oils*, in bulk, in tank vehicles, from Columbus, Ohio, to points in Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Texas, Tennessee, Virginia, West Virginia, and Wisconsin; and (2) *ingredients, and raw materials used in the manufacture of liquid chemicals, rolling processing fluids and lubricating oils*, in bulk, in tank vehicles, from points in Smackover, Ark., Savannah, Ga., Itasca, McCook, Cicero, and Chicago, Ill., Hammond, Jefferson-

ville, Indianapolis, Ft. Wayne, and Plymouth, Ind., Ashland, Ky., Elkridge, Md., Austin, Minn., St. Louis, Mo., Weehawken, N.J., Buffalo, N.Y., Bradford, Marcus, Hook, Petrolia, Franklin, and Philadelphia, Pa., Houston, Tex., Norfolk, Va., Milwaukee, Cudahy, and Madison, Wis., and Lake Charles, La., to the plantsites of the Ironsides Company of Columbus Ohio, for 180 days. Supporting shipper: The Ironsides Company, 270 West Mound St., P.O. Box 1999, Columbus, Ohio 43216. Send protests to: Keigh D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 313 Federal Office Bldg., 234 Summit St., Toledo, Ohio 43604. The purpose of this republication is to clarify the territorial description.

No. MC 92550 (Sub-No. 7TA), filed March 19, 1975. Applicant: J. G. STROCK, doing business as SAFEWAY MOTOR FREIGHT COMPANY, 846 Willard NE., Warren, Ohio 44483. Applicant's representative: J. G. Strock (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Iron or steel rods*, from Cleveland and Struthers, Ohio, to New Brighton, Pa., for 180 days. Supporting shipper: Brainard Rivet Company, 222 Harry Street, Girard, Ohio 44420. Send protests to: James Johnson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 181 Federal Office Building, 1240 East Ninth Street, Cleveland, Ohio 44199.

No. MC 116073 (Sub-No. 315TA), filed March 19, 1975. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., 1825 Main Avenue, Moorhead, Minn. 56560. Applicant's representative: Robert G. Tassar (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Travel trailers and 5th wheel travel trailers*, from the plantsite of Wilderness Industries, Inc., at or near Merced, Calif., to Junction City, Medford, Klamath Falls, Grants Pass, Coos Bay, Florence, Eugene, Salem, and Redmond, Oreg., Spokane, Blaine, Everett, Tacoma, Longview, and Yakima, Wash., Las Vegas, and Sparks, Nev., Boise, Idaho, and Spanish Forks, Utah, for 180 days. Supporting shipper: Wilderness Industries, Inc., 2047 Grogan Ave., Merced, Calif. 95340. Send protests to: J. H. Ambs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 107403 (Sub-No. 935TA), filed March 21, 1975. Applicant: MATLACK, INC., Ten West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, in bulk, in tank vehicles, from Clintondale, Pa., to points in Pennsauken, N.J., for 180 days. Supporting shipper: Clintondale Mills, R.D. #1, Box 365, Mill Hall, Pa. 17715. Send protests to: Ross A. Davis,

District Supervisor, Interstate Commerce Commission, 600 Arch Street, Room 3238, Philadelphia, Pa. 19106.

No. MC 107496 (Sub-No. 995TA), filed March 21, 1975. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Des Moines, Iowa 50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Weed killing compounds (liquid)*, in bulk, in tank vehicles, from the plantsite and storage facilities of Monsanto Company near Muscatine, Iowa, to points in Delaware, Illinois, Missouri, Nebraska, Ohio, Indiana, and Minnesota (except points in the East St. Louis, Ill., St. Louis, Missouri Commercial Zone), for 180 days. Supporting shipper: Monsanto Company, 800 North Lindbergh, St. Louis, Mo. 63166. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 875 Federal Bldg., Des Moines, Iowa 50309.

No. MC 113908 (Sub-No. 337TA) (Correction), filed March 12, 1975, published in the FEDERAL REGISTER issue of March 26, and republished as corrected this issue. Applicant: ERICKSON TRANSPORT CORP., 2105 East Dale Street, Springfield, Mo. 65804. Applicant's representative: B. B. Whitehead (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Neutral spirits, distilled spirits and alcohol*, in bulk, from Roberts, Ga., to Chicago, Ill., for 180 days. Supporting shipper: Monarch Wine Company of Georgia, P.O. Box 6847, Atlanta, Ga. 30315. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, 600 Federal Bldg., 911 Walnut Street, Kansas City, Mo. 64106. The purpose of this republication is to state the correct docket number.

No. MC 113908 (Sub-No. 338TA), filed March 20, 1975. Applicant: ERICKSON TRANSPORT CORPORATION, 2105 East Dale Street, P.O. Box 3180 G.S.S., Springfield, Mo. 65804. Applicant's representative: B. B. Whitehead (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wine and wine products*, in bulk; (2) *Neutral spirits, distilled spirits and alcohol*, in bulk, from (1) Westfield, N.Y., to points in Roberts, Ga.; (2) from Roberts, Ga., to points in Westfield, N.Y., for 180 days. Supporting shipper: Monarch Wine Company of Georgia, P.O. Box 6847, Atlanta, Ga. 30315. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, 600 Federal Bldg., 911 Walnut St., Kansas City, Mo. 64106.

No. MC 116763 (Sub-No. 308TA), filed March 14, 1975. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a *common carrier*,

by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in or distributed by health and beauty aid distributors and wholesalers, from the facilities of Supreme Distributors Company at or near Detroit, Mich., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Minnesota, Missouri, Nebraska, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Virginia, West Virginia, Wisconsin, and Washington, D.C., for 180 days. Supporting shipper: Supreme Distributors Company, 4220 Grandy, Detroit, Mich. 48207. Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 5514-B Federal Office Bldg., 550 Main Street, Cincinnati, Ohio 45202.

No. MC 116859 (Sub-No. 14TA), filed March 24, 1975. Applicant: CLARK TRANSFER, INC., P.O. Box 190, Route 130 & Dulty Lane, Burlington, N.J. 08016. Applicant's representative: David A. Sutherland, 1140 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Displays and exhibits*, between points in the United States (except Alaska and Hawaii). Restrictions: (1) Restricted to shipments moving to or from places of exhibition or storage; (2) Restricted against the transportation of displays or exhibits in demonstration trailers, and (3) Restricted against the transportation of experimental and show display tractors, farm, construction and excavating equipment, for 180 days. Supporting shippers: There are approximately 28 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Richard M. Regan, District Supervisor, Interstate Commerce Commission, 428 East State St., Room 204, Trenton, N.J. 08608.

No. MC 117765 (Sub-No. 187TA), filed March 21, 1975. Applicant: HAHN TRUCK LINE, INC., 5315 NW. Fifth St., 5315 Box 75218, Oklahoma City, Okla. 73107. Applicant's representative: R. E. Hagan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Non-Frozen food-stuffs*, in containers, from the plantsite of Woldert Canning Company, Lindale, Tex., to points in Alabama, Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, Oklahoma, Tennessee, and Wisconsin, restricted to traffic originating at the facilities of Woldert Canning Company, Lindale, Tex., and destined to named states, for 180 days. Supporting shipper: Woldert Canning Company, Dan C. Woldert, Manager, Partner, 818 W. Erwin Street, P.O. Box

1448, Tyler, Tex. 75701. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 240, Old P.O. Bldg., 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 118922 (Sub-No. 13TA), filed March 21, 1975. Applicant: CARTER TRUCKING CO., INC., P.O. Box 126, Locust Grove, Ga. 30248. Applicant's representative: William Addams, Suite 212, 5299 Roswell Road NE., Atlanta, Ga. 30342. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as used, sold, or dealt in by wholesale, retail and chain grocery and food business houses (except commodities requiring refrigeration and except commodities in bulk), from points in Massachusetts, Connecticut, New York, Pennsylvania, Maryland, New Jersey, Illinois, Indiana, Ohio, Kentucky, and the District of Columbia, to the warehousing, storage and distribution facilities of Colonial Stores, Inc., at Atlanta and Thomasville, Ga., Columbia, S.C., Raleigh, N.C., and Norfolk, Va., for 180 days. Supporting shipper: Colonial Stores, Incorporated, 2251 N. Sylvan Road, East Point, Ga. 30344. Send protests to: William L. Scroggs, District Supervisor, 1252 West Peachtree Street NW., Room 546, Atlanta, Ga. 30309.

No. MC 123329 (Sub-No. 24TA), filed March 20, 1975. Applicant: H. M. TRIMBLE & SONS, LTD., 4056 Ogden Road SE., Calgary, Alberta, Canada. Applicant's representative: D. S. Vincent, P.O. Box 3500, 535 7th Avenue SW., Calgary, Alberta, Canada T2P 2P9. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Naphthenic acid*, in bulk, in tank vehicles, from Marcus Hook, Pa., to the Ports of Entry at or near Portal, N. Dak., on the Canada-United States International Boundary line for delivery to the destination points of Calgary, Edmonton, Lethbridge, Medicine Hat and Red Deer, all in Alberta, Canada, for 180 days. Supporting shipper: Amoco Canada Petroleum Co., Ltd., Room 231, Bentall Bldg., 444 7th Ave. SW., Calgary, Alberta, Canada. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Room 222, U.S. Post Office Bldg., Billings, Mont. 59101.

No. MC 124579 (Sub-No. 14TA), filed March 21, 1975. Applicant: WIKEL BULK EXPRESS, INC., Route 2, Huron, Ohio 44839. Applicant's representative: Robert E. Wikel (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, from the facilities of Chester, Inc., at or near Brookston and Boone Grove, Ind., to points in Michigan and Ohio, for 180 days. Supporting shipper: Chester, Inc., P.O. Box 276, Brookston, Ind. 47923. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 313 Federal Office Bldg., 234 Summit Street, Toledo, Ohio 43604.

No. MC 124692 (Sub-No. 149TA), filed March 21, 1975. Applicant: SAMMONS TRUCKING, P.O. Box 4347, Missoula, Mont. 59801. Applicant's representative: Charles E. Johnson, 425 Gate City Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pre-cut log and wood buildings, knocked down, and materials and supplies used in the construction, installation and erection thereof*, from Missoula County, Mont., to points in the United States in and west of Texas, Oklahoma, Missouri, Illinois, Indiana and Michigan (except Alaska and Hawaii), for 180 days. Supporting shipper: Real Log Homes, Inc., P.O. Box 1520, Route 2, Missoula, Mont. 59801. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Room 222, U.S. Post Office Bldg., Billings, Mont. 59101.

No. MC 125120 (Sub-No. 6TA), filed March 20, 1975. Applicant: TWIN STATE SAND & GRAVEL CO., INC., Elm Street, West Lebanon, N.H. 03784. Applicant's representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rock salt*, in bulk, from Turland, Vermont, to points in Washington, Clinton, Essex, and Warren Counties, N.Y., under a continuing contract with Cargill, Incorporated of Minneapolis, Minn., for 180 days. Supporting shipper: Cargill, Inc., Cargill Bldg., Minneapolis, Minn. Send protests to: Ross J. Seymour, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 313 Federal Bldg., Concord, N.H. 03301.

No. MC 125375 (Sub-No. 14TA), filed March 21, 1975. Applicant: F. B. GUEST, doing business as F. B. G. TRANSPORT, Route No. 5, Box 298, Covington, Ga. 30209. Applicant's representative: Bruce E. Mitchell, 3379 Peachtree Road NE., Suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cottage cheese*, from Wattertown, N.Y., to Charlotte and Raleigh, N.C., under a continuing contract with Borden, Inc., applicant intends to tack with MC 125375, Subs 8 and 10, for 180 days. Supporting shipper: Borden, Inc., Dairy & Services Division, Northern Division, 165 North Washington Ave., Columbus, Ohio 43215. Send protests to: William L. Scroggs, District Supervisor, 1252 West Peachtree St. NW., Room 546, Atlanta, Ga. 30309.

No. MC 129891 (Sub-No. 1TA), filed March 21, 1975. Applicant: INTERSTATE TRUCKING CO., Connelly Mill Road, Delmar, Md. 19904. Applicant's representative: L. P. Stradley (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Crushed stone, sand and gravel*, in bulk, in dump vehicles, between points in Berks, Chester, Delaware, Lancaster, Montgomery Counties, Pa., on the one

hand, and, on the other, points in Kent and Sussex Counties, Del.; Caroline, Dorchester, Kent, Queen Annes, Somerset, Talbot, Wicomico and Worcester Counties, Md.; and Accomack and Northampton Counties, Va.; under a continuing contract or contracts with the Interstate Amlesite Corporation, Concordville, Pa., for 180 days. Supporting shipper: L. P. Stradley, Vice President, The Interstate Amlesite Corporation, Route 202, 1/2 Mile S. of Rt. 1, Concordville, Pa. 19331. Send protests to: William L. Hughes, District Supervisor, Interstate Commerce Commission, 814-B Federal Bldg., Baltimore, Md. 21201.

No. MC 133646 (Sub-No. 17TA), filed March 20, 1975. Applicant: YELLOWSTONE MOLASSES SERVICE, INC., P.O. Box 404, Billings, Mont. 59103. Applicant's representative: Richard P. Anderson, 502 First National Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Molasses*, in bulk, in tank vehicles, from Minn-Dak Farmers Cooperative, at or near Wahpeton, N. Dak., and the Red River Valley Cooperative at or near Hillsboro, N. Dak., to points in South Dakota, Nebraska, Minnesota, Montana, Iowa, and Wisconsin, for 180 days. Supporting shippers: Minn-Dak Farmers Cooperative, Wahpeton, N. Dak. 58075. The Red River Valley Cooperative, Inc., Box 43, Hillsboro, N. Dak. 58045. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Room 222, U.S. Post Office Bldg., Billings, Mont. 59101.

No. MC 134484 (Sub-No. 6TA), filed March 21, 1975. Applicant: EDWARDS BROS., INC., 1875 North Holmes, Idaho Falls, Idaho 83401. Applicant's representative: Dennis M. Olsen, 485 "E" Street, Idaho Falls, Idaho. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, fresh including frozen*, from the Counties of Jefferson and Bonneville, State of Idaho, to the states of Minnesota, South Dakota, Nebraska, Iowa, Wisconsin, Illinois, and Kansas, for 180 days. Supporting shippers: Golden Valley Packers, Inc., P.O. Box 208, Roberts, Idaho. Benner Tea Company, 3400 Mount Pleasant, Burlington, Iowa. Send protests to: C. W. Campbell, District Supervisor, Interstate Commerce Commission, 550 West Fort, Box 07, Boise, Idaho 83724.

No. MC 135291 (Sub-No. 1TA), filed March 21, 1975. Applicant: ROSS & HOGLUND, INC., 1522 Occidental Avenue South, Seattle, Wash. 98134. Applicant's representative: George Kargianis, 2120 Pacific Bldg., Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from points in California, to points in Oregon and Washington, applicant intends to tack with MC 135291, for 180 days. Supporting shippers: Colonial Fruit & Produce Co., 1179 Dock Street, Tacoma, Wash., Rogge Commission Com-

pany, P.O. Box 24144, Seattle, Wash. 98134. Rosella's Fruit & Produce Co., Inc., 1540 Occidental Ave., South, Seattle, Wash. 98134. United Fruit & Produce Co., Inc., 1500 Occidental Ave., South, Seattle, Wash. 98134. Consolidated Fruit & Produce Co., Inc., 1916 Occidental Ave., South, Seattle, Wash. 98134. Send protests to: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 585 Federal Bldg., 915 Second Ave., Seattle, Wash. 98174.

No. MC 136008 (Sub-No. 51TA), filed March 21, 1975. Applicant: JOE BROWN COMPANY, INC., P.O. Box 1669, Ardmore, Okla. 73401. Applicant's representative: G. Timothy Armstrong, 280 National Foundation Life Bldg., 3535 NW, 58th Street, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, (1) from the plantsites of Southwestern Coal Co., at Spadra, Ark., and Buckhorn Co., Ltd., at Prairie View, Ark., to the plantsites of Kingsford Co., at Dothan, Ala., Belle, Mo., and Burnside, Ky.; and (2) from the plantsite of Southwestern Coal Co., at Spadra, Ark., to the plantsite of Sherwin-Williams Co., at Coffeyville, Kans., for 180 days. Supporting shippers: Kingsford Co., LaVern N. Forseph, T. M., P.O. Box 1033, Louisville, Ky. 40201. Sherwin-Williams Company, Wayne Livingston, Pur., Agt., P.O. Box 855, Coffeyville, Kans. 67337. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 215 NW Third, Oklahoma City, Okla. 73102.

No. MC 139123 (Sub-No. 6TA), filed March 20, 1975. Applicant: GLOUCES-TER DISPATCH, INC., P.O. Box 127, Kelly Road, Plaistow, N.H. 03885. Applicant's representative: Ignatius C. Goode (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs, frozen foods*, in boxes, cartons, packages, but not in bulk, from Brockton, Mass., to points in Alabama, Delaware, District of Columbia, Florida, Georgia, Louisiana, Maryland, Michigan, North Carolina, New Jersey, New York, Ohio, Pennsylvania, South Carolina, and Virginia, for 180 days. Supporting shipper: Howard Johnson Company, 309 Battles St., Brockton, Mass. 02401. Send protests to: Ross J. Seymour, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 313 Federal Bldg., Concord, N.H. 03301.

No. MC 139134 (Sub-No. 3TA), filed March 21, 1975. Applicant: KENNEDY MOTORS, INC., 1305 S. Mountain Avenue, Monrovia, Calif. 91016. Applicant's representative: Frederick J. Coffman, 521 South 14th St., P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Long Beach and Wilmington, Calif., and their respective commercial zones, to points in Idaho, Montana,

Oregon, and Washington, for 180 days. Supporting shippers: There are approximately 9 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Walter W. Strakosch, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 1312, Federal Bldg., 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 140585 (Sub-No. 1TA), filed March 20, 1975. Applicant: MID-PENN TRANSPORTATION, INC., 1100 Lafayette Street, York, Pa. 17405. Applicant's representative: S. Harrison Kahn, Suite 733 Investment Bldg., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum, petroleum products, vehicle body sealer and sound deadening compounds*, from points in McKees Rocks and New Kensington, Pa., to points in Delaware, Maryland, New Jersey, New York, North Carolina, South Carolina, and Virginia, for 180 days. Supporting shipper: Quaker State Oil Refining Corporation, P.O. Box 989, Oil City, Pa. 16301. Send protests to: Robert P. Amerine, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 278 Federal Bldg., P.O. Box 869, Harrisburg, Pa. 17108.

No. MC 140709 (Sub-No. 1TA), filed March 18, 1975. Applicant: FANKHAUSER BROTHERS, INC., 139 Hillside, El Dorado, Kans. 67042. Applicant's representative: Clyde Christey, 641 Harrison, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed and liquid feed supplements*, from the plantsite and/or storage facilities of Farmland Industries, Inc., at or near Muncie, Kans., to points in Missouri and Oklahoma, for 180 days. Supporting shipper: Farmland Industries, Inc., P.O. Box 7305, Kansas City, Mo. 64116. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, 501 Petroleum Bldg., Wichita, Kans. 67202.

No. MC 140733 TA (Correction), filed March 12, 1975, published in the FEDERAL REGISTER issue of March 26, 1975, and republished as corrected this issue. Applicant: DWANE L. FORD, doing business as D & G TRUCKING, 424 Canyon, Nampa, Idaho 83651. Applicant's representative: F. L. Sigloh, P.O. Box 7651, Boise, Idaho 83707. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Insulation and insulation materials made of styrofoam, urethane, rock wool, fiberglass, cellulose and minerals*; (2) *Materials and supplies used in the manufacture and installation of insulation*, from Kansas City, Kans., and Kansas City, Mo., Tacoma, Wash., Portland, Oreg., Chilton, Tex., Santa Clara, Compton, Torrance, and Fontana, Calif., to points in Ada, Canyon, Gem, Payette,

Washington, Adams, Boise, Owyhee, Elmore, Buster, Camas, Blaine, Gooding, Jerome, and Twin Falls, Counties, Idaho, and Malheur County, Oreg., for 180 days. Supporting shippers: Tempco Contracting & Supply Corp., 5023 Gage St., Boise, Idaho 83704. Action Insulation, 1177 W. Wright St., Boise, Idaho. Broadway Insulation, 1175 Wright St., Boise, Idaho 83706. Send protests to: C. W. Campbell, District Supervisor, Interstate Commerce Commission, 550 West Fort St., Box 07, Boise, Idaho 83724. The purpose of this republication is to clarify the territorial description.

No. MC 140774 (Sub-No. 1TA), filed March 19, 1975. Applicant: HERMAN J. ROBINSON AND JAMES H. ROBINSON, doing business as HERMAN'S & SONS ARCO, Route 50, Salisbury, Md. 21801. Applicant's representative: Charles E. Creager, Esq., 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled, inoperative, stolen, abandoned, repossessed and replacement vehicles and parts therefor, and mobile cranes*, in truckaway service, between points in Wicomico, Worcester, Somerset, Caroline, Talbot, Dorchester, Queen Annes,

and Kent Counties, Md., and Kent and Sussex Counties, Del., on the one hand, and, on the other, Maine, New Hampshire, Vermont, Connecticut, Rhode Island, Massachusetts, New York, New Jersey, Delaware, Maryland, Pennsylvania, District of Columbia, Virginia, West Virginia, Ohio, North Carolina, South Carolina, Georgia, Alabama, Florida, and Mississippi, for 180 days. Supporting shippers: There are approximately 12 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: W. C. Hersman, District Supervisor, Interstate Commerce Commission, Room 317, 12 & Constitution Ave. NW., Washington, D.C. 20423.

No. MC 140772 (Sub-No. 1TA), filed March 20, 1975. Applicant: JOHN H. THOMASON, doing business as DIXIE AIR FREIGHT, P.O. Box 823, August, Ga. 30903. Applicant's representative: Virgil H. Smith, 1587 Phoenix Blvd., Suite 12, Atlanta, Ga. 30349. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, Classes A and B explosives, household goods as defined

by the Commission, and those requiring special equipment), between points in Bush Field, Richmond County, Ga., on the one hand, and, on the other, points in Richmond, Columbia, McDuffie, Lincoln Wilkes, Oglethorpe, Elbert, Green, Taliaferro, Hancock, Warren, Glascock, Washington, Jefferson, Burke, Jenkins, Emanuel, Johnson, Bullock, Chandler, and Screven Counties, Ga., and points in Aiken, Barnwell, Allendale, Bamberg, Hampton, Orangeburg, Edgefield, Saluda, McCormick, Greenwood, Newberry, and Abbeville Counties, S.C. Restriction: Restricted to traffic having an immediate prior or subsequent movement by air, over irregular routes, for 180 days. Supporting shippers: There are approximately 8 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: William L. Scroggs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1252 West Peachtree Street NW., Room 546, Atlanta, Ga. 30309.

By the Commission.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.75-8837 Filed 4-3-75;8:45 am]

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PART II



FEDERAL TRADE COMMISSION

■

PROCEDURES AND RULES OF PRACTICE

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

SUBCHAPTER A—PROCEDURES AND RULES OF PRACTICE

PART 1—GENERAL PROCEDURES

Miscellaneous Amendments

The Commission announces the following rules, which are effective April 4, 1975, to implement the initial stages of trade regulation rule proceedings pursuant to the authority of Pub. L. 93-637. Under separate announcement these rules are supplemented by proposed rules further implementing that authority. Subpart B is redesignated as Subpart C and a new Subpart B is added. The amendments to redesignated Subpart C, Rules and Rulemaking, are made to eliminate references to the Flammable Fabrics Act and to reflect the promulgation of the new Subpart B for trade regulation rules.

Part 1 of Title 16 is amended as set forth below.

1. Subpart B is redesignated as Subpart C and a new Subpart B is added to read as follows:

Subpart B—Rules and Rulemaking Under Section 18(a)(1)(B) of the FTC Act As Amended by Public Law 93-637

- Sec.
- 1.7 Scope of rules in this subpart.
- 1.8 Nature, authority and use of trade regulation rules.
- 1.9 Initiation of a trade regulation rule proceeding.
- 1.10 Investigations and conferences.
- 1.11 Initial notice.
- 1.13 Rulemaking proceeding.
- 1.15 Petition for amendment to or repeal of a rule.
- 1.16 Petition for exemption from trade regulation rule.

AUTHORITY: Pub. L. 93-637.

§ 1.7 Scope of rules in this subpart.

The rules in this subpart apply to and govern proceedings for the promulgation of rules as provided in section 18(a)(1)(B) of the Federal Trade Commission Act as amended by Pub. L. 93-637 only. Such rules shall be known as trade regulation rules. All other rulemaking proceedings shall be governed by the rules in the remainder of this part.

§ 1.8 Nature, authority and use of trade regulation rules.

For the purpose of carrying out the provisions of the Federal Trade Commission Act, the Commission is empowered to promulgate trade regulation rules which define with specificity acts or practices which are unfair or deceptive acts or practices in or affecting commerce. Such rules may include requirements prescribed for the purpose of preventing such acts or practices. A violation of a rule shall constitute an unfair or deceptive act or practice in violation of section 5(a)(1) of that Act, unless the Commission otherwise expressly provides in its rule. However, the respondent in an adjudicative proceeding may show that his conduct does not violate the rule, or assert any other defense to which he is legally entitled.

§ 1.9 Initiation of a trade regulation rule proceeding.

Trade regulation rule proceedings may be commenced by the Commission upon its own initiative or pursuant to written petition filed with the Secretary by any interested person stating reasonable grounds therefor. If the Commission determines to commence a trade regulation rule proceeding pursuant to the petition, the petitioner shall be mailed a copy of the public notices issued under §§ 1.11 and 1.12. Any person whose petition is not deemed by the Commission sufficient to warrant commencement of a rulemaking proceeding shall be notified of that determination and may be given an opportunity to submit additional data.

§ 1.10 Investigations and conferences.

The Commission at any time may conduct such investigations, make such studies and hold such conferences as it may deem necessary. All or any part of any such investigation may be conducted under the provisions of Subpart A of Part 2 of this Chapter.

§ 1.11 Initial notice.

A trade regulation rule proceeding shall commence with an initial notice of proposed rulemaking. Such notice shall be published in the Federal Register and, to the extent practicable, otherwise made available to interested persons. The initial notice shall include: (a) the terms or substance of the proposed rule or a description of the subjects and issues involved; (b) reference to the legal authority under which the rule is proposed; (c) a statement describing with particularity the reason for the rule; (d) an invitation to all interested persons to propose disputed issues of specific fact, in contrast to legislative fact, that are material and necessary to resolve; and (e) an invitation to all interested persons to comment on the proposed rule.

§ 1.13 Rulemaking proceeding.

(a) *Written comments.* After commencement of a trade regulation rule proceeding, the Commission shall accept written submissions of data, views, and arguments on all issues of fact, law, and policy. Written comments other than under subsection (b) of this section shall be accepted until ten (10) days before commencement of the informal hearing.

(b) *Comments proposing disputed issues of specific fact, in contrast to legislative fact, that are material and necessary to resolve.* Written comments which propose disputed issues of specific fact, in contrast to legislative fact, that are material and necessary to resolve shall be accepted for a period of sixty (60) days after publication of the initial notice.

§ 1.15 Petition for amendment to or repeal of a rule.

(a) *Petition for substantive amendment to or repeal of a rule.* The procedures for petitions for substantive

amendments to or repeal of a rule shall be the same as for the issuance thereof.

(b) *Petition for nonsubstantive amendment of a rule.* When the Commission, for good cause, finds that notice and public procedure relating to a petition for nonsubstantive amendment of a rule or such an amendment proposed by the Commission itself are impractical, unnecessary, or contrary to the public interest, it may dispense with the procedures of this subpart and publish the nonsubstantive amendment of the rule along with the above finding and a brief statement of the reasons therefor.

§ 1.16 Petition for exemption from trade regulation rule.

Any person to whom a rule would otherwise apply may petition the Commission for an exemption from such rule. The procedures for determining such a petition shall be those of Subpart C of these rules.

Subpart C—Rules and Rulemaking

2. Subpart C is redesignated as Subpart I, and a new Subpart C is redesignated from Subpart B; §§ 1.11 through 1.16 are redesignated as §§ 1.21 through 1.26, and §§ 1.21, 1.22 and 1.24 are revised to read as follows:

§ 1.21 Scope of the rules in this subpart.

The rules in this subpart apply to and govern procedures for the promulgation of rules, including quantity limit rules, rules authorized under the Wool Products Labeling Act of 1939, the Fur Products Labeling Act, and the Textile Fiber Products Identification Act, and rules under the Fair Packaging and Labeling Act except to the extent that objections to orders relating to the issuance, amendment, or repeal of rules under the latter Act are required by statute to be determined on the record after opportunity for an agency hearing. The rules in this subpart do not apply to the promulgation of industry guides, general statements of policy, or rules of agency organization, procedure, or practice, or rules governed by the procedures of Subpart B of this part.

§ 1.22 Rulemaking.

(a) *Nature and authority.*—For the purpose of carrying out the provisions of the statutes administered by it, the Commission is empowered to promulgate rules and regulations applicable to unlawful trade practices. Such rules and regulations express the experience and judgment of the Commission, based on facts of which it has knowledge derived from studies, reports, investigations, hearings, and other proceedings, or within official notice, concerning the substantive requirements of the statutes which it administers.

(b) *Scope.*—Rules may cover all applications of a particular statutory provision and may be nationwide in effect, or they may be limited to particular areas or industries or to particular product or geographic markets, as may be appropriate.

(c) *Use of rules in adjudicative proceedings.*—Where a rule is relevant to

any issue involved in an adjudicative proceeding thereafter instituted, the Commission may rely upon the rule to resolve such issue, provided that the respondent shall have been given a fair hearing on the applicability of the rule to the particular case.

§ 1.24 Rules applicable to wool, fur, and textile fiber products and rules promulgated under the Fair Packaging and Labeling Act.

Rules having the force and effect of law are authorized under section 6 of the Wool Products Labeling Act of 1939, section 8 of the Fur Products Labeling Act, section 7 of the Textile Fiber Products Identification Act, and sections 4, 5, and 6 of the Fair Packaging and Labeling Act.

Subpart J—Economic Surveys, Investigations and Reports

3. Subpart J is redesignated from Subpart C and § 1.21 is redesignated as § 1.91 of this subpart.

(Sec. 6, 38 Stat. 721 (15 U.S.C. 46), Pub. L. No. 93-837, Sec. 202 (Jan. 4, 1975).)

By direction of the Commission, dated March 11, 1975.

[SEAL] VIRGINIA M. HARDING,
Acting Secretary.

[FR Doc. 75-8489 Filed 4-2-75; 8:45 am]

**PROCEDURES AND RULES OF PRACTICE
Miscellaneous Amendments**

The Commission announces the following amendments to 16 CFR Chapter I. The amendments are effective April 4, 1975.

PART 1—GENERAL PROCEDURES

Subpart A—Industry Guidance

1. Section 1.4(b) is revised to provide for confidential treatment in appropriate circumstances of information contained in formal written objections or comments on requests for advice concerning proposed mergers. Section 1.4(b) is revised to read as follows:

Section 1.4 Public disclosure.

(b) All requests for advice submitted under § 1.2 concerning proposed mergers, together with supporting materials, will be placed on the public record as soon after they are received as circumstances permit, except for information for which confidential classification has been requested, with a showing of justification therefor, and which the Commission, with due regard to statutory restrictions, its rules, and the public interest, has determined should not be made public. Within thirty (30) days after such requests and materials are placed on the public record, any person may file formal written objections or comments with the Secretary of the Commission. Such objections or comments shall be placed on the public record except for information for which confidentiality has been requested, with a showing of justification

therefor, and which the Commission with due regard to statutory restrictions, its rules, and the public interest, has determined should not be made public. Additionally, any communications, written or oral, concerning such proposed mergers, received by any individual member of the Commission, or by an employee involved in the decisional process, will be placed on the public record immediately after their receipt. In the case of an oral communication, the member or employee shall immediately furnish the Commission with a memorandum setting forth the full contents of such communication and the circumstances thereof, and such memorandum will immediately be placed on the public record. Any advice given under § 1.3 concerning proposed mergers, together with a statement of supporting reasons, will be published when given.

Subpart G—Injunctive and Condemnation Proceedings

3. Section 1.61 is revised to take into account the Commission's expanded injunctive authority granted under the Trans-Alaska Pipeline Authorization Act, Pub. L. 93-153 section 408(f).

Section 1.61 is revised to read as follows:

§ 1.61 Injunctions.

In those cases where the Commission has reason to believe that it would be in the interest of the public, the Commission will apply to the courts for injunctive relief, pursuant to the authority granted in section 13 of the Federal Trade Commission Act.

Subpart I—Procedures for Implementation of the National Environmental Policy Act of 1969

Sections 1.81-1.86 are revisions (1) to accord with the National Council on Environmental Quality's revised Guidelines on "Preparation of Environmental Impact Statements", (2) to integrate provisions relating to rules and guides and those relating to legislative matters, and (3) to expand §§ 1.83-1.84 into three sections, each of deal with a discrete segment of the Environmental Act chronology and duties. A proposed revision of §§ 1.81-1.86 was published December 6, 1973, 38 FR 33618. The differences in the proposed rules and the rules adopted appear in § 1.82(c) with the substitution of "emergency action makes * * *" for "pediteous action is in the public interest," and in § 1.84(c) with the substitution of "emergency action makes * * *" for "emergencies make * * *".

4. Section 1.81 (a) and (b) are revised to read as follows:

§ 1.81 Authority and definition.

(a) This subpart is issued pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, Pub. L. 91-190 (NEPA) as implemented by Executive Order 11514 and by "Preparation of Environmental Impact Statements: Guidelines," issued by the Council on Environmental Quality (CEQ), 40 CFR 1500.1, et seq. (1973) (CEQ Guidelines).

(b) As used in this subpart, "environmental impact statement" means a de-

tailed statement, as provided for in NEPA, Executive Order 11514, and CEQ Guidelines, on:

(1) The environmental impact of a proposed action;

(2) Any adverse environmental effects which cannot be avoided should the proposal be implemented;

(3) Alternatives to the proposed action;

(4) The relationship between local short-term uses of man's environment and enhancement of long-term productivity; and

(5) Any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

5. Section 1.82 is revised to read as follows:

§ 1.82 Declaration of policy.

(a) No Commission rule or guide which is a major action significantly affecting the environment will be promulgated unless an environmental impact statement has been prepared for consideration in the decisionmaking, and

(b) No Commission legislative proposal or Commission legislative report on a proposal in an area in which the Commission has primary responsibility, concerning a matter significantly affecting the environment, will be submitted to Congress without an accompanying environmental impact statement, except that

(c) An environmental impact statement will not be prepared when the Commission finds that emergency action is necessary. In such instance, the Commission will consult with CEQ and develop a statement promptly after the action, in accordance with CEQ Guidelines, 40 CFR 1500.11(e).

(d) Nothing in this procedure shall be construed as stating or implying that section 102(2)(C) of NEPA applies to: any investigation made by the Commission for law enforcement purposes; any process or order issued by the Commission in connection with any type of investigation; any agreement of voluntary compliance or consent decree entered into by the Commission; or any adjudicatory proceedings commenced by the Commission.

6. Section 1.83 (a) and (b) are revised and new paragraphs (c) and (d) are added to read as follows:

§ 1.83 Draft environmental impact statements: availability and comment.

(a) Staff proposals recommending the initiation of a rule or guide proceeding, as well as staff evaluations of legislative proposals and legislative reports in an area in which the Commission has primary responsibility, shall include an assessment of the anticipated environmental impact, based on CEQ Guidelines, 40 CFR 1500.6 (a), (b).

(b) Upon the determination of the Commission that a matter subject to paragraph (a) of this section is a major action having a significant effect on the quality of the human environment, it

shall prepare a draft environmental impact statement. In legislative matters, a copy of the draft environmental impact statement, together with the legislative proposal, shall be submitted to the Office of Management and Budget (OMB), in accordance with applicable provisions of OMB Circular No. A-19. In rule or guide proceedings, and in legislative matters not subject to OMB Circular No. A-19, the draft environmental impact statement shall be

(1) Transmitted to CEQ for listing in the weekly FEDERAL REGISTER notice of draft environmental impact statements;

(2) In rule or guide proceedings, placed in the public record to which it pertains; in legislative matters, placed in a public record to be established, containing the legislation or legislative report to which it pertains; these will be available to the public through the Office of the Assistant Secretary for Legal and Public Records, Federal Trade Commission, Washington, D.C. 20580;

(3) Published in full with the appropriate proposed rule, guide, legislation, or legislative report in the FEDERAL REGISTER;

(4) Forwarded to the Environmental Protection Agency's Office of Federal Activities (EPA) and to the National Technical Information Service of the Department of Commerce, Springfield, Virginia 22151 (NTIS);

(5) Circulated to appropriate Federal, State, and local agencies with jurisdiction by law or special expertise, by means, where appropriate, of Office of Management and Budget (OMB) Clearinghouse Mechanism No. A-95 (revised);

(6) Circulated to appropriate private organizations and individuals;

(7) In the case of legislation, transmitted to Congress together with the proposed legislation or report to which it pertains.

(c) Forty-five (45) days will be allowed for comment on the draft environmental impact statement, calculated from the date of inclusion in CEQ's weekly Federal Register list of draft environmental impact statements. Comments on draft environmental impact statements may be in any reasonable form, addressed to the Office of the Secretary, Federal Trade Commission, Washington, D.C. 20580, with copies to CEQ as it shall direct. Upon request by a commenting party, the Commission may in its discretion grant an extension of up to fifteen (15) days, or such longer period as the complexity of the issues may warrant.

(d) A public list will be maintained in the Office of the Secretary of all draft and all final environmental impact statements, and will be forwarded quarterly to CEQ.

7. Sections 1.84 (a) and (b) are revised and new paragraph (c) is added to read as follows:

§ 1.84 Final environmental impact statements.

(a) After the close of the comment period, the Commission will consider the

comments received on the draft environmental impact statement and will put the draft environmental impact statement into final form, attaching the comments received (or summaries if response was exceptionally voluminous).

(b) Upon Commission approval of the final environmental impact statement and the matter for which it was prepared, the final environmental impact statement will be

(1) Forwarded to all parties which commented on the draft environmental impact statement and to other interested parties, if practicable;

(2) Placed in the public record of the rule or guide proceeding or legislative matter to which it pertains;

(3) Forwarded to EPA, NTIS, and CEQ;

(4) Distributed in any other way which the Commission, in consultation with CEQ, deems appropriate;

(5) Published in the FEDERAL REGISTER, together with the final rule or guide, or legislative proposal or report;

(6) In legislative matters, transmitted to Congress.

(c) In rule and guide proceedings, thirty (30) days will be allowed for comment on the final environmental impact statement, calculated from the date of inclusion in CEQ's weekly FEDERAL REGISTER list of final environmental impact statements. In no event will a final rule or guide be promulgated prior to ninety (90) days after notice of the draft environmental impact statement, except where emergency action makes such time periods impossible.

8. Section 1.85 is revised to read as follows:

§ 1.85 Implementing procedures.

(a) The General Counsel is designated the official responsible for the Commission's environmental impact statements and for otherwise coordinating the Commission's efforts to improve environmental quality. He will provide assistance to the staff in determining when an environmental impact statement is needed and in its preparation, and after review he will refer environmental impact statements to the Commission with recommendations.

(b) The Commission will determine finally whether an action complies with NEPA.

(c) The Directors of the Bureaus of Consumer Protection and Competition will establish procedures for their bureaus to assure that every proposed rule and guide is reviewed to assess the need for an environmental impact statement and that, where need exists, an environmental impact statement is developed.

(d) The General Counsel will establish procedures to assure that every legislative proposal and legislative report on a matter for which the Commission has primary responsibility is reviewed to assess the need for an environmental impact statement and that, where need exists, an environmental impact statement is developed.

9. Section 1.86 is added to read as follows:

§ 1.86 Effect on prior actions.

With respect to proceedings already in progress, the Commission recognizes that it will not be possible to comply fully with the procedures here outlined and, in particular, that it will not be possible in every instance to include within the record all of the material relating to the environmental impact of the contemplated action which might otherwise be developed. Nonetheless, it is the policy of the Commission to apply these procedures to the fullest extent possible to proceedings which are already in progress.

PART 3—RULES OF PRACTICE FOR ADJUDICATIVE PROCEEDINGS

Subpart C—Prehearing Procedures; Motions; Interlocutory Appeals; Summary Decisions

Section 3.21 is amended to expand public access to prehearing conferences and clarify the provision relating to stenographic reporting.

10. Section 3.21(c) is revised to read as follows:

§ 3.21 Prehearing conferences.

(c) *Public access and reporting.* Prehearing conferences shall be public unless the Administrative Law Judge determines in his discretion that the conference (or any part thereof) shall be closed to the public. The Administrative Law Judge shall have discretion to determine whether a prehearing conference shall be stenographically reported.

Subpart G—Reports of Compliance

11. Section 3.61(f) is revised to provide for confidential treatment in appropriate circumstances of information contained in formal written objections or comments on applications for approval of proposed divestitures, acquisitions or similar transactions subject to Commission review under outstanding orders.

Section 3.61(f) is revised to read as follows:

§ 3.61 Reports of compliance.

(f) All applications for approval of proposed divestitures, acquisitions, or similar transactions subject to Commission review under outstanding orders, together with supporting materials, will be placed on the public record as soon after they are received as circumstances permit, except for information for which confidential classification has been requested, with a showing of justification therefor, and which the Commission, with due regard to statutory restrictions, its rules, and the public interest, has determined should not be made public. Within thirty (30) days after such requests and materials are placed on the public record, any person may file formal written objections or comments with the Secretary of the Commission. Such ob-

jections or comments shall be placed on the public record except for information for which confidentiality has been requested, with a showing of justification therefor, and which the Commission with due regard to statutory restrictions, its rules, and the public interest, has determined should not be made public. Additionally, any communications, written or oral, concerning such proposed transactions, received by any individual member of the Commission, or by any employee involved in the decisional process, will be placed on the public record immediately after their receipt. In the case of an oral communication, the member or employee shall immediately furnish the Commission with a memorandum setting forth the full contents of such communication and the circumstances thereof, and such memorandum will immediately be placed on the public record. All responses to applications for approval of proposed divestitures, acquisitions, or similar transactions subject to Commission review under outstanding orders, together with a statement of supporting reasons, will be published when made.

PART 4—MISCELLANEOUS RULES

12. Section 4.1(b)(4) is revised to eliminate the requirement for filing affidavits in a case in which a former Commission member or employee is prohibited under § 4.1(b) from appearing or participating in a Commission proceeding or investigation, and his partner(s) or associate(s) desire to appear or participate therein without utilizing his services. The amendment also dispenses with the need for special assurances that the disqualified former employee will not share in the revenues from such representation.

Section 4.1(b)(4) is revised to read as follows:

§ 4.1 Appearances.

(b) * * *

(4) In any case in which a former member or employee of the Commission is prohibited under this section from appearing or participating in a Commission proceeding or investigation, his services shall not be utilized in any respect in such matter nor shall the matter be discussed with him in any manner by any partner or legal or business associate.

13. Section 4.2(a) is revised to make clear that documents addressed to the Administrative Law Judge are to be filed with the Secretary; paragraph (c) is revised to reduce the number of documents required to be filed, and paragraph (d)(1) is revised to require specific identifying information on motions or other papers filed in adjudicative proceedings.

Section 4.2 (a), (c), and (d)(1) are revised to read as follows:

§ 4.2 Requirements as to form and filing of documents other than correspondence.

(a) *Filing.* Except as otherwise provided, all documents submitted to the

Commission including those addressed to the Administrative Law Judge shall be filed with the Secretary of the Commission; provided, however, that in any instance informal applications or requests may be submitted directly to the official in charge of any office of the Commission or to the Director, Deputy Director, or Assistant Director of the appropriate bureau or office or to the Administrative Law Judge.

(c) *Copies.* Twenty (20) copies of a notice of intention to appeal and of all briefs before the Commission shall be filed; ten (10) copies of all other documents shall be filed, with the exception of notices of appearances and reports of compliance, as to which only two (2) copies of each need be filed. As to admissions and answers thereto, only one copy need be filed.

(d) *Form.* (1) Documents filed with the Secretary of the Commission, other than briefs in support of appeals from initial decisions, shall be printed, typewritten, or otherwise processed in permanent form and on good unglazed paper. A motion or other paper filed in an adjudicative proceeding shall contain a caption setting forth the title of the case, the docket number, and a brief descriptive title indicating the purpose of the paper.

(Sec. 6, 38 Stat. 721 (15 U.S.C. 46), 80 Stat. 383, as amended, 81 Stat. 54 (5 U.S.C. 552))

By direction of the Commission dated March 11, 1975.

[SEAL] VIRGINIA M. HARDING,
Acting Secretary.
[PR Doc.75-8488 Filed 4-2-75;8:45 am]

**PROCEDURES AND RULES OF PRACTICE
Miscellaneous Amendments**

The Commission hereby announces its determination to abolish Part 2 proposed complaint and consent order procedures. Under these procedures a proposed complaint was served upon a respondent with a notice that he had 30 days to settle the matter by consent agreement. The primary purpose of the procedures was to encourage a proposed respondent to enter into a settlement containing effective relief and thereby avoid expensive and time consuming litigation. The Commission has concluded, however, that the procedures have too often proven to be a source of unnecessary delay and has therefore determined to eliminate them.

This decision does not affect the Commission's policy of encouraging settlements and discouraging litigation where a consent agreement is in the public interest. Opportunity to negotiate such agreements will continue to be available during the investigative stage, and, in appropriate circumstances, after complaint has issued.

To effectuate the Commission's determination, the following amendments, revisions, and additions to Parts 2, 3, and

4 of the Commission's rules of practice are adopted and made effective April 4, 1975.

PART 2—NONADJUDICATIVE PROCEDURES

Subpart A—Investigations

1. Section 2.14(a) is revised to read as follows:

§ 2.14 Disposition.

(a) When the facts disclosed by an investigation indicate that corrective action is warranted, and the matter is not subject to informal nonadjudicative disposition pursuant to § 2.21 or to a consent settlement pursuant to Subpart C of this part, further proceedings may be instituted pursuant to the provisions of Part 3 of this chapter.

Subpart C—Consent Order Procedure

2. Sections 2.31 through 2.35 are revised to read as follows:

§ 2.31 Opportunity to submit a proposed consent order.

(a) Where time, the nature of the proceeding, and the public interest permit, any individual, partnership, or corporation being investigated shall be afforded the opportunity to submit through the operating Bureau or Regional Office having responsibility in the matter a proposal for disposition of the matter in the form of a consent order agreement executed by the party being investigated and complying with the requirements of § 2.32, for consideration by the Commission in connection with a proposed complaint submitted by the Commission's staff.

(b) After a complaint has been issued, the consent order procedure described in this part will not be available except as provided in § 3.25(b).

§ 2.32 Agreement.

Every agreement shall contain, in addition to an appropriate order, either an admission of the proposed findings of fact and conclusions of law submitted simultaneously by the Commission's staff or an admission of all jurisdictional facts and an express waiver of the requirement that the Commission's decision contain a statement of findings of fact and conclusions of law. In addition, every agreement shall contain waivers of further procedural steps and of all rights to seek judicial review or otherwise to challenge or contest the validity of the order. The agreement shall also contain provisions that the complaint may be used in construing the terms of the order, and that no agreement, understanding, representation, or interpretation not contained in the order or the aforementioned agreement may be used to vary or to contradict the terms of the order; that the order shall have the same force and effect and may be altered, modified, or set aside in the same manner provided by statute for other orders; that the order shall become final upon service; that the agreement shall not become a part of the public record unless

and until it is accepted by the Commission; and that the Commission may withdraw its acceptance of the agreement if comments or views submitted to the Commission within sixty (60) days after such acceptance disclosure facts or considerations which indicate that the order contained in the agreement is inappropriate, improper, or inadequate. In addition, in appropriate circumstances the agreement may contain a statement that the signing thereof is for settlement purposes only and does not constitute an admission by any party that the law has been violated as alleged in the complaint.

§ 2.33 Compliance procedure.

The Commission may in its discretion require that a proposed agreement containing an order to cease and desist be accompanied by an initial report signed by the respondent setting forth in precise detail the manner in which the respondent will comply with the order when and if entered. Such report will not become part of the public record unless and until the accompanying agreement and order are accepted by the Commission. At the time any such report is submitted a respondent may request confidentiality for any portion thereof with a precise showing of justification therefor, and the Commission with due regard to statutory restrictions, its rules, and the public interest will act upon such request.

§ 2.34 Disposition.

Upon receiving an executed agreement conforming with the requirements of § 2.32, the Commission may: (1) Accept it; (2) reject it and issue its complaint; or (3) take such other action as it may deem appropriate. If an agreement is accepted, the Commission will place the order contained therein and any initial report of compliance submitted pursuant to § 2.33 on the public record, and at the same time, will make available an explanation of the provisions of the order and the relief to be obtained thereby and any other information which it deems helpful in assisting interested persons to understand the terms of the order. The Commission will publish the agreement, order and explanation in the Federal Register. For a period of sixty (60) days after placement of the order on the public record and issuance of the statement, the Commission will receive and consider any comments or views concerning the order that may be filed by any interested persons. Thereafter, within thirty (30) days, the Commission may either withdraw its acceptance of the agreement and so notify the other party, in which event it will take such other action as it may consider appropriate, or issue and serve its complaint (in such form as the circumstances may require), and decision, in disposition of the proceeding.

§ 2.35 Confidentiality.

All negotiations and communications under this subpart will constitute a part

of the confidential records of the Commission, except to the extent otherwise specifically provided therein.

PART 3—RULES OF PRACTICE FOR ADJUDICATIVE PROCEEDINGS

Subpart C—Prehearing Procedures; Motions; Interlocutory Appeals; Summary Decisions

3. Section 3.25 is added to read as follows:

§ 3.25 Consent agreement settlements.

(a) The Administrative Law Judge may, in his discretion and without suspension of prehearing procedures, hold conferences for the purpose of supervising negotiations for settlement of the case by way of consent agreement.

(b) A proposal to settle a matter in adjudication by consent agreement shall be submitted by way of a motion by a respondent or jointly by a respondent and counsel representing the Commission to withdraw the matter from adjudication for the purpose of considering the proposed consent agreement. Such motion shall be accompanied by the consent agreement executed by the respondent and conforming to the requirements of § 2.32; the consent agreement itself, however, shall not be placed on the public record unless and until it is accepted by the Commission as provided herein. If the motion is not opposed, the Administrative Law Judge shall within fifteen (15) days after service of such motion certify the matter to the Commission, with any recommendation he may make. If the motion is opposed, the Administrative Law Judge may certify the matter to the Commission together with his recommendation if it appears that there is a likelihood of settlement. The filing of a motion to withdraw a matter from adjudication and certification thereof to the Commission shall not stay proceedings before the Administrative Law Judge unless the Administrative Law Judge or the Commission shall so order.

(c) Upon certification of a motion to withdraw a matter from adjudication pursuant to subsection (b), the Commission may, if it is satisfied that there is a likelihood of settlement, issue an order withdrawing the matter from adjudication for the purpose of considering the proposed consent agreement. In such event, the Commission will treat the matter as being in a nonadjudicative status and may consult with and receive advice without regard to the requirements of § 4.7.

(d) After the matter has been withdrawn from adjudication, the Commission may (1) accept the agreement; (2) reject it and return the matter to adjudication for further proceedings; or (3) take such other action as it may deem appropriate. If an agreement is accepted, the Commission will place it on the public record, together with any initial report of compliance submitted pursuant to § 2.33, and at the same time, will make available an explanation of the provisions of the order and the relief to be obtained thereby and any other

information which it deems helpful in assisting interested persons to understand the terms of the order. For a period of sixty (60) days after placement of the order on the public record and issuance of the statement, the Commission will receive and consider any comments or views concerning the order that may be filed by any interested persons. Thereafter, within thirty (30) days, the Commission may either withdraw its acceptance of the agreement and so notify the other party, in which event it will return the matter to adjudication for further proceedings or take such other action as it may consider appropriate, or issue and serve its decision in disposition of the proceeding.

(e) This rule will not preclude the settlement of the case by regular adjudicatory process through the filing of an admission answer or submission of the case to the Administrative Law Judge on a stipulation of facts and an agreed order.

PART 4—MISCELLANEOUS RULES

4. Section 4.9(b) (10), (12), and (14) are revised to read as follows:

§ 4.9 Public records.

(b) The public records of the Commission which are routinely available for inspection and copying include:

(10) Agreements containing orders after acceptance by the Commission pursuant to §§ 2.34 and 3.25(d), and assurances of voluntary compliance which are accepted under § 2.21 of this chapter (excluding matters disposed of under § 1.34 of this chapter);

(12) Reports of compliance and supplemental materials in connection therewith filed pursuant to the rules in this chapter or to a provision in an order of the Commission, and reports of compliance filed pursuant to assurances of voluntary compliance which are accepted under § 2.21 of this chapter (excluding matters disposed of under § 1.34 of this chapter), except as provided in § 2.33 and in § 4.9(b) (13), shall be available at the principal office of the Commission for inspection and copying by the public when received, unless at such time of filing the filing party requests confidentiality in whole or in part and submits satisfactory reasons therefor, and the Commission, with due regard for statutory restrictions, its rules and the public interest, grants the request; and

(14) Comments filed under §§ 2.34 and 3.25(d) of this chapter concerning proposed consent agreements;

(Sec. 6, 38 Stat. 721 (15 U.S.C. 46), 80 Stat. 383, as amended, 81 Stat. 54 (5 U.S.C. 552))

By direction of the Commission dated March 11, 1975.

[SEAL] VIRGINIA M. HARDING,
Acting Secretary.

[FR Doc.75-8490 Filed 4-2-75;8:45 am]

FEDERAL TRADE COMMISSION
[16 CFR Part 1]
TRADE REGULATIONS RULEMAKING
PROCEDURES

Notice of Proposed Rulemaking

The Commission proposes the following rules to implement its trade regulation rulemaking authority under Pub. L. 93-637. These rules supplement rules published under separate announcement which are effective on publication. Comments on these proposed rules shall be received by the Commission through May 5, 1975. Such comments should be addressed to the Secretary, Federal Trade Commission, Washington, D.C. 20580.

The following rules would replace the existing Subpart B and establish procedures for the promulgation of trade regulation rules pursuant to Pub. L. 93-637.

Accordingly, it is proposed to amend Part 1 of Title 16 as set forth below:

Subpart B—Rules and Rulemaking Under Section 18(a)(1)(B) of the FTC Act as Amended by Public Law 93-637

1. Section 1.12 is added to read as follows:

§ 1.12 Final notice.

A final notice of proposed rulemaking shall be published in the FEDERAL REGISTER, and to the extent practicable, otherwise made available to interested persons. The final notice may include: (a) Designated issues which are to be considered in accordance with § 1.13(d) (5) and (6); (b) the time and place of an informal hearing; (c) instructions to interested persons seeking to make oral presentations; (d) a requirement that interested persons who desire to avail themselves of the procedures of § 1.13(d) (5) and (6) with respect to any issue designated in paragraph (a) of this section must identify their interests with respect to those issues in such manner as may be established by the presiding officer; and (e) an incorporation by reference of the contents of the initial notice.

2. Section 1.13 is amended by adding paragraphs (c) through (h) as follows:

§ 1.13 Rulemaking proceeding.

(c) *Presiding officer.* Upon commencement of a proposed trade regulation rule proceeding, the Commission shall appoint a presiding officer who shall be responsible for the orderly conduct of the rulemaking proceeding. He shall have all powers necessary to that end including the following: (1) To publish a final notice in accordance with § 1.12 or issue any other public notice that may be necessary for the orderly conduct of the rulemaking proceeding; (2) to designate, modify, or delete issues for consideration in accordance with § 1.13(d) (5) and (6); (3) to set the time and place of the informal hearing and to change any time periods prescribed in this subpart; (4) to prescribe rules or issue rulings to avoid unnecessary costs or delay. Such rulings

may include, but are not limited to, the imposition of reasonable time limits on each person's oral presentation and requirements that any examination, including cross-examination, which a person may be entitled to conduct or have conducted under this subpart be conducted in such a manner as the presiding officer shall determine to be appropriate and to be required for a full and true disclosure with respect to any issue designated for consideration in accordance with § 1.13(d) (5) and (6); (5) to make rules and rulings limiting the representation of interested persons for the purpose of examination, including cross-examination, and governing the manner in which such examination is limited, including the selection of a representative from among a group of persons with the same or similar interests; (6) to compel the attendance of persons or the production of documents or to obtain responses to written questions; (7) to require testimony at the informal hearing to be under oath; (8) to require that oral presentations at the informal hearing be submitted in writing in advance of presentation; and (9) to certify questions to the Commission for its determination. Applications for review of a ruling will not be entertained by the Commission prior to its review of the record pursuant to § 1.14, unless the presiding officer certifies in writing to the Commission that a ruling involves a controlling question of law or policy as to which there is substantial ground for difference of opinion and that an immediate review of the ruling may materially advance the ultimate termination of the proceeding or subsequent review will be an inadequate remedy and the Commission permits review. Certification of such rulings shall not stay the rulemaking proceeding unless the presiding officer or the Commission shall so order.

(d) *Informal hearings.* An informal hearing with the opportunity for oral presentations on all issues shall be conducted by the presiding officer. In addition, if an issue is designated pursuant to these rules for consideration in accordance with § 1.13(d) (5) and (6), the informal hearing on such issues shall be conducted in accordance with those subsections. For all other issues the presiding officer may in his discretion employ, in whole or in part, the procedures of those subparagraphs.

(1) *Designation of issues for consideration in accordance with § 1.13(d) (5) and (6).* The presiding officer may at any time on his own motion or pursuant to a written petition by interested persons, modify the issues designated pursuant to § 1.12(a). No such petition shall be considered unless good cause is shown why any such proposed issue could not have been proposed pursuant to § 1.13(b).

(2) *Nature of issues for consideration in accordance with § 1.13(d) (5) and (6).*—(i) *Issues that must be considered in accordance with § 1.13(d) (5) and (6).* The only issues that must be designated for consideration in accordance with paragraphs (d) (5) and (6) of this section are disputed issues of specific fact,

in contrast to legislative fact, that are determined by the Commission or the presiding officer to be material and necessary to resolve.

(ii) *Issues that may be considered in accordance with § 1.13(d) (5) and (6).* The Commission and the presiding officer retain the power to designate any other issues for consideration in accordance with paragraphs (d) (5) and (6) of this section.

(3) *Identification of interests.* Not later than twenty (20) days after publication of the final notice each interested person who desires to avail himself of the procedures of paragraphs (d) (5) and (6) of this section shall notify the presiding officer in writing of his particular interest with respect to each issue designated for consideration in accordance with those subsections. In the event that new issues are designated, each interested person shall promptly notify the presiding officer of his particular interest with respect to each such issue.

(4) *Examination and cross-examination by the staff of the Commission.* The staff of the Commission may examine, including cross-examine, persons making oral presentations subject only to the discretion of the presiding officer.

(5) *Examination and cross-examination by interested persons.*—(i) *In general.* The presiding officer shall conduct or allow to be conducted examination, including cross-examination of oral presentations and the presentation of rebuttal submissions relevant to the issues designated for consideration in accordance with paragraphs (d) (5) and (6) of this section. Examination, including cross-examination, shall be allowed to the extent to which it is appropriate and is required for a full and true disclosure with respect to those issues. Requests for an opportunity to examine, including cross-examine, shall be accompanied by a specific justification therefor. In determining whether or not to grant such requests the presiding officer shall take into account the following considerations:

(A) The extent to which a full and true disclosure with respect to any designated issue can be achieved through rebuttal submissions or the presentation of additional oral submissions;

(B) The extent to which there are circumstantial guarantees of the trustworthiness of the presentations;

(C) Whether a particular person's presentation is required for the resolution of the designated issues; and

(D) Whether a dispute concerns facts in contrast to the inferences and conclusions to be drawn from facts.

(ii) *Selection of representatives for cross-examination.* After consideration of the information supplied in response to the final notice, the presiding officer shall identify groups of persons with the same or similar interests in the proceeding. Such groups may be required to select a single representative for the purpose of examination, including cross-examination. If a group is unable to select a representative then the presiding

officer shall select a representative of each such group.

(iii) *Inability to select representative for examination, including cross-examination.* No person shall be denied the opportunity to conduct, or have conducted, examination, including cross-examination, under paragraph (d) (5) (i) of this section if he is a member of a group as described in paragraph (d) (5) (i) of this section and is unable to agree upon group representation with other group members after a good faith effort to do so and seeks to present substantial and relevant issues which will not be adequately presented by the group representative. In that event he shall be allowed to conduct or have conducted any examination, including cross-examination, to which he is entitled on issues designated for consideration in accordance with paragraphs (d) (5) and (6) of this section and which affect his particular interest.

(iv) *Conduct of examination and cross-examination by presiding officer.* The presiding officer may conduct any examination, including cross-examination, to which a person may be entitled. For that purpose he may require submissions of written requests for presentation of questions to any person making oral presentations and shall determine whether to ask such questions or any other questions. All requests for presentation of questions shall be placed in the rulemaking record.

(6) *Requests to compel the attendance of persons or the production of documents or to obtain responses to written questions.* During the course of the rulemaking proceeding the presiding officer shall entertain requests from interested persons to compel the attendance of persons or the production of documents or to obtain responses to written questions on behalf of the Commission's staff or any interested person. The presiding officer may require the payment of a fee to any person to whom such requests are directed in accordance with § 4.5 of this chapter. Requests to compel the attendance of persons or the production of documents or to obtain responses to written questions shall contain a statement showing the general relevancy of the material, information or presentation, and the reasonableness of the scope of the request, together with a showing that such material, information or presentation is not available by voluntary methods and cannot be obtained through examination, including cross-examination, of oral presentations or the presentation of rebuttal submissions, and is appropriate and required for a full and true disclosure with respect to the issues designated for consideration in accordance with paragraphs (d) (5) and (6) of this section.

(e) *Written transcript.* A verbatim transcript shall be made of the informal hearing which transcript shall be placed in the rulemaking record.

(f) *Summary and findings.* After the close of the informal hearing, the presiding officer shall prepare a summary of the record, both written and oral, re-

lating to the issues designated for consideration in accordance with paragraphs (d) (5) and (6) of this section and make initial factual findings and conclusions as to these issues and other findings and conclusions as he sees fit.

(g) *Staff recommendations.* The staff shall make recommendations to the Commission in a report based on the rulemaking record and taking into account the presiding officer's findings of fact. Such report shall contain its analysis of the record and its recommendations as to the form of the final rule.

(h) *Post record comment.* The findings and conclusions of the presiding officer as well as the staff report shall be the subject of public comment for a period of sixty (60) days after the staff recommendations are placed in the rulemaking record. Such comments shall be confined to information already in the record and may include requests for review by the Commission of determinations made by the presiding officer.

3. Section 1.14 is added to read as follows:

§ 1.14 Promulgation.

(a) The Commission shall review the rulemaking record including the summary, findings, and conclusions of the presiding officer as to the issues designated for consideration in accordance with § 1.13(d) (5) and (6), the verbatim transcript of the informal hearing, the report and recommendations of the staff and any public comments thereon, to determine what form of rule, if any, it should promulgate. The Commission may issue, modify, or decline to issue any rule. Where it believes that it should have further information or additional views of interested persons as to the form and content of the rule, it may withhold final action pending the receipt of such additional information or views. If it determines to issue a rule, it shall adopt a Statement of Basis and Purpose to accompany the rule. If it determines not to issue a rule, it may adopt and publish an explanation for not doing so. The Statement of Basis and Purpose to accompany a rule promulgated under this subpart shall include (1) a statement as to the prevalence of the acts or practices treated by the rule, (2) a statement as to the manner and context in which such acts or practices are unfair or deceptive, and (3) a statement as to the economic effect of the rule, taking into account the effect on small businesses and consumers.

(b) The final rule and Statement of Basis and Purpose shall be published in the FEDERAL REGISTER not less than thirty (30) days prior to the effective date of the rule except where the Commission for good cause found and published with the rule sets an earlier effective date.

Sections 1.17 through 1.20 are added as follows:

§ 1.17 Compensation for representation in rulemaking proceedings.

(a) *Purpose of compensation.* The Commission may provide compensation to any person who has or represents an interest which would not otherwise be

adequately represented in a rulemaking proceeding, and representation of which is necessary for a fair determination of the rulemaking proceeding taken as a whole, and who is unable effectively to participate in such proceeding because such person cannot afford to pay costs of making oral presentations, conducting cross-examination, and making rebuttal submissions in such proceeding.

(b) *Level of funding.* At or after the time of the initial notice of proposed rulemaking, the Commission may announce a tentative total level of funding for compensation for participation in that proceeding.

(c) *Applications.* An application for compensation for participation in a rulemaking proceeding may be filed at any time after the publication of the initial notice of proposed rulemaking. An application for compensation shall be filed prior to the time when the costs for which compensation is sought are incurred. Such application shall contain the following:

(1) A description of the interest the applicant has or represents in the rulemaking proceeding;

(2) A statement of the reasons representation of such interest is necessary for a fair determination of the proceeding taken as a whole taking into account the number and complexity of the issues involved, and the importance of a fair, balanced representation of all interests;

(3) The reasons why such interest would not otherwise be adequately represented in the proceeding;

(4) A statement of the reasons the applicant is unable effectively to participate in the rulemaking proceeding without financial assistance including information relating to:

(i) The economic stake of the interest involved as compared with the costs of participation;

(ii) The feasibility of contributions to the costs of participation by individual representatives of the interests;

(iii) The resources of the applicant, or of the interest represented by the applicant;

(5) Insofar as possible, a specific statement of the expenses to be incurred for which compensation is sought, including an estimate of the total anticipated expenses; and

(6) A statement of the applicant's organizational and financial status in such form as the Commission may prescribe.

(d) *Determination of applications.*—

(1) *By the presiding officer.* The presiding officer shall consider applications for compensation filed under this section and forward initial findings to the Director of the Bureau of Consumer Protection as to whether the applicant meets the criteria of paragraph (a) of this section. In connection with his determination the presiding officer may conduct such inquiry of the applicant or require the production of such documents as he deems necessary.

(2) *By the Director of the Bureau of Consumer Protection.* The Director of the Bureau of Consumer Protection shall review applications and the initial findings

of the presiding officer and determine, in his discretion, to what extent compensation shall be authorized under this section.

(e) *Payment of compensation.*—(1) *In general.* The Commission will compensate the applicant only for those authorized expenses actually incurred. Appropriate proof of actual expenditures may be required by the Commission. The Commission may make any payments under this section in advance where necessary to permit effective participation in the rule-making proceeding. Payment will be conditioned upon the execution by the applicant of an appropriate agreement setting forth the terms and conditions of the compensation.

(2) *Attorneys' Fees; Expert Witness Fees.* Attorneys' fees at a rate in excess of \$50 per hour will be considered presumptively unreasonable and compensation will not be provided for such excess in the absence of sufficient justification. Experts and consultants will be compensated a rate not to exceed the highest rate at which experts and consultants to the Commission are compensated.

§ 1.18 Public availability of rulemaking record.

(a) *Rulemaking record.* For the purposes of these rules the term "rulemaking record" includes the rule, its Statement of Basis and Purpose, the verbatim transcript of the informal hearing, written submissions, and any other information which the Commission considers relevant to the rule.

(b) *Public availability of written submissions.* Written submissions commenting on the proposed rule as well as the verbatim transcript of the informal hearing, shall be made publicly available except when the presiding officer, for good cause shown, determines that it is in the public interest to allow any such submissions to be received in camera subject to the provisions of § 4.11 of this chapter.

§ 1.19 Modification of a rule by the Commission at the time of judicial review.

In the event that a reviewing court determines under section 18(e) (2) of the Federal Trade Commission Act, as amended by Pub. L. 93-637, to allow further submissions and presentations on the rule, the Commission may modify or set aside its rule or make a new rule by reason of the additional submissions and presentations. Such modified or new rule shall then be filed with the court together with an appropriate Statement of Basis and Purpose and the return of such submissions and presentations.

§ 1.20 Expeditions procedure.

Any or all of the procedures established in this subpart may be dispensed with by the Commission, to the extent that they are not otherwise required by law, when it finds, for good cause, that such procedures are impractical, unnecessary, or contrary to the public interest. In that case the Commission shall publish with the rule or amendment a brief statement of its reasons for dispensing with any such procedures.

By direction of the Commission dated March 11, 1975.

[SEAL] VIRGINIA M. HARDING,
Acting Secretary.
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[16 CFR Part 3]

RULES GOVERNING DISCOVERY AND COMPULSORY PROCESS IN ADJUDICATIVE PROCEEDINGS

Proposed Rule Changes

The Federal Trade Commission is considering a general revision of its rules governing discovery and compulsory process in adjudicative proceedings to adopt a system modeled on the Federal Rules of Civil Procedure, with modifications adapted to the Commission's structure.

The proposed rules would, among other changes, allow discovery to be initiated in most instances by the parties to the proceeding, without the requirement of obtaining the permission of the presiding administrative law judge. They would add to the list of available methods of discovery between parties written interrogatories and requests for production of documents.

Under the proposed rules, discovery from Commission counsel supporting an administrative complaint is treated as discovery from a party, and discovery from the remainder of the Commission is classified as discovery from a nonparty. Particularly in the context of the proposed liberalized discovery between parties, this approach reflects the distinct functions which various segments of the Commission perform in an adjudicative proceeding.

The proposed rules are promulgated under the authority granted by the Federal Trade Commission Act, 15 U.S.C. section 41 et seq.

Written comments on the proposed rules will be received by the Commission on or before May 5, 1975. Comments should be filed in duplicate and addressed to the Secretary, Federal Trade Commission, Pennsylvania Avenue and Sixth Street NW., Washington, D.C. 20580.

Comments from the Commission's administrative law judges, operating bureaus, and regional offices will be received in the same manner as comments from members of the public.

All comments, including those received from the Commission's staff, will be available for public inspection during normal business hours at the Division of Legal and Public Records, Room 130, Federal Trade Commission Building, Pennsylvania Avenue and Sixth Street NW., Washington, D.C.

The proposed changes are set forth below.

Subpart D—Discovery; Compulsory Process

1. Sections 3.33 through 3.38 are revised and incorporated into proposed §§ 3.31-9, 3.31-11, and 3.31-12 as set forth below.

§ 3.31-10 [Redesignated]

2. The present § 3.31 is proposed to be redesignated as § 3.31-10.

3. Sections 3.31-1 through 3.31-9 and 3.31-11 and 3.31-12 are proposed to read as follows:

§ 3.31-1 Definitions governing discovery.

(a) The following definitions shall apply to the rules of discovery for Commission adjudicative proceedings, *infra*, §§ 3.31-2 through 3.31-13:

(1) "Party" means each respondent named in the complaint, Commission complaint counsel, and any intervenor under the provisions of § 3.14.

(2) "Person" means any natural person, corporation (including a corporation as defined in section 4 of the Federal Trade Commission Act), partnership, or unincorporated association not a party to the proceeding or an officer, director, partner, or employee of a party; and any government agency, or officer or employee thereof.

(3) "Government agency" means any unit of government, Federal or State, including, unless otherwise indicated, the Commission itself with the exception of complaint counsel.

(4) "Complaint counsel" means, for purposes of a particular adjudicative proceeding, all Commission counsel responsible for supporting the allegations of the complaint in the adjudicative proceeding, in their capacity as complaint counsel in that proceeding.

(b) Discovery which may be sought from a party by any of the means provided by §§ 3.31-2 through 3.31-12 shall, as to discovery sought from complaint counsel, extend to all documents which are within the possession, custody, and control of the Commission, and all information within the knowledge of complaint counsel, which relate to the allegations of the complaint at issue. It shall not extend to documents or information relating to proceedings against other respondents whether or not similar as to their legal bases, to other proceedings against the same respondent or respondents, or to other Commission investigations or non-adjudicative activities; and all such documents or information shall be sought only in accordance with the procedures provided for discovery from persons not parties. For purposes of seeking discovery from the Commission other than complaint counsel, the Secretary of the Commission shall be deemed to have possession, custody, and control of all documents in the possession, custody, and control of the Commission and shall also be the Commission's agent for the service of all motions under §§ 3.31-5 and 3.31-6 for the taking of depositions of Commission officers or employees other than complaint counsel.

(c) Nothing contained herein or in §§ 3.31-2 through 3.31-12 shall in any way alter or affect any restriction upon discovery of documents within the possession and control of, or information within the knowledge of, the Commission (including complaint counsel) or any

other government agency, or alter or affect any privilege or other exemption from discovery of such documents or information, heretofore or hereafter established by statute, rule, regulation or precedent of judicial or administrative body, except insofar as such restriction, privilege, or exemption is solely dependent upon a Commission rule abolished by the promulgation of these discovery rules.

(d) Nothing contained herein shall prevent the Administrative Law Judge presiding over an adjudicative proceeding, on motion or sua sponte, from placing such limits upon the kind or amount of discovery to be had, or the period of time during which discovery may be carried out, as shall be consistent with justice and the public interest in an expeditious resolution of the proceeding.

(e) These amended discovery rules, including this section and §§ 3.31-2 through 3.31-12, shall take effect on _____, 1975. They govern all discovery in Commission adjudicative proceedings initiated after they take effect and also all further discovery in such proceedings then pending except to the extent that in the opinion of the Administrative Law Judge or the Commission their application in a particular proceeding would not be feasible or would work injustice, in which event the former discovery rules apply.

§ 3.31-2 General provisions governing discovery.

(a) *Discovery methods.* Parties may obtain discovery by one or more of the following methods: depositions upon oral examination or written questions; written interrogatories; production of documents or things for inspection and other purposes; and requests for admission. Unless the Administrative Law Judge orders otherwise under paragraph (c) of this section or § 3.31-1, the frequency of use of these methods is not limited.

(b) *Scope of discovery.* Unless otherwise limited by order of the Administrative Law Judge in accordance with these rules, the scope of discovery is as follows:

(1) *In general.* Parties may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending proceeding, whether it relates to the allegations of the complaint or to the defense of any respondent, including the existence, description, nature, custody, condition and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of any discoverable matter. It is not ground for objection that the information sought will be inadmissible at hearing if the information sought appears reasonably calculated to lead to the discovery of admissible evidence.

(2) *Trial preparation: Materials.* (i) Subject to the provisions of paragraph (b) (3) of this section, a party may obtain discovery of documents and tangible things otherwise discoverable under paragraph (b) (1) of this section and prepared in anticipation of litigation or

for hearing by or for another party or by or for that other party's representative (including his attorney, consultant, or agent) only upon a showing that the party seeking discovery has substantial need of the materials in the preparation of his case and that he is unable without undue hardship to obtain the substantial equivalent of the materials by other means. In ordering discovery of such materials when the required showing has been made, the Administrative Law Judge shall protect against disclosure of the mental impressions, conclusions, opinions, or legal theories of an attorney or other representative of a party concerning the litigation.

(ii) A party may obtain without the required showing a statement concerning the action or its subject matter previously made by that party. Upon request, a person not a party may obtain without the required showing a statement concerning the action or its subject matter previously made by that person. If the request is refused, the person may move the Administrative Law Judge for an order. For purposes of this paragraph, a statement previously made is (A) a written statement signed or otherwise adopted or approved by the person making it, or (B) a stenographic, mechanical, electrical, or other recording, or a transcription thereof, which is a substantially verbatim recital of an oral statement by the person making it and contemporaneously recorded.

(3) *Hearing preparation: Experts.* Discovery of facts known and opinions held by experts, otherwise discoverable under the provisions of paragraph (b) (1) of this section and required or developed in anticipation of litigation or for hearing, may be obtained only as follows:

(i) (A) A party may through interrogatories require any other party to identify each person whom the other party expects to call as an expert witness at hearing, to state the subject matter on which the expert is expected to testify, and to state the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion. (B) Upon motion, the Administrative Law Judge may order further discovery by other means, subject to such restrictions as to scope as the Administrative Law Judge may deem appropriate.

(ii) A party may discover facts known or opinions held by an expert who has been retained or specially employed by another party in anticipation of litigation or preparation for hearing and who is not expected to be called as a witness at hearing, only upon a showing of exceptional circumstances under which it is impracticable for the party seeking discovery to obtain facts or opinions on the same subject by other means.

(iii) The Administrative Law Judge may require as a condition of discovery that the party seeking discovery pay the expert a reasonable fee for time spent in responding to discovery under paragraphs (b) (3) (i) (B) and (b) (3) (ii) of this section.

(c) *Protective orders.* Upon motion by a party or by the person from whom discovery is sought, and for good cause shown, the Administrative Law Judge may make any order which may appear necessary and appropriate for the protection of the public interest or which justice requires to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense, including one or more of the following:

(1) That the discovery not be had; (2) that the discovery may be had only on specified terms and conditions, including a designation of the time or place; (3) that the discovery may be had only by a method of discovery other than that selected by the party seeking discovery; (4) that certain matters not be inquired into, or that the scope of the discovery be limited to certain matters; (5) that discovery be conducted with no one present except persons designated by the Administrative Law Judge; (6) that a deposition after being sealed be opened only by order of the Administrative Law Judge; (7) that a trade secret or other confidential research, development, or commercial information not be disclosed or be disclosed only in a designated way; (8) that the parties simultaneously file specified documents or information enclosed in sealed envelopes to be opened as directed by the Administrative Law Judge.

If the motion for a protective order is denied in whole or in part, the Administrative Law Judge may, on such terms and conditions as are just, order that any party or person provide or permit discovery.

(d) *Sequence and timing of discovery.* Unless the Administrative Law Judge upon motion, for the convenience of parties and witnesses and in the interests of justice, orders otherwise, methods of discovery may be used in any sequence and the fact that a party is conducting discovery, whether by deposition or otherwise, shall not operate to delay any other party's discovery.

(e) *Supplementation of responses.* A party who has responded to a request for discovery with a response that was complete when made is under no duty to supplement his response to include information thereafter acquired, except as follows:

(1) A party is under a duty seasonably to supplement his response with respect to any question directly addressed to (i) the identity and location of persons having knowledge of discoverable matters, and (ii) the identity of each person expected to be called as an expert witness at hearing, the subject matter on which he is expected to testify, and the substance of his testimony.

(2) A party is under a duty seasonably to amend a prior response if he obtains information upon the basis of which (i) he knows that the response was incorrect when made, or (ii) he knows that the response though correct when made is no longer true and the circumstances are such that a failure to

amend the response is in substance a knowing concealment.

(3) A duty to supplement responses may be imposed by order of the Administrative Law Judge, agreement of the parties, or at any time prior to hearing through new requests for supplementation of prior responses.

§ 3.31-3 Persons before whom deposition may be taken.

(a) *Within the United States.* Within the United States or within a territory or insular possession subject to the dominion of the United States, depositions shall be taken before an officer authorized to administer oaths by the laws of the United States or of the place where the examination is held, or before such person as the parties may stipulate under § 3.31-4.

(b) *In foreign countries.* In a foreign country, depositions may be taken (1) on notice before a person authorized to administer oaths in the place in which the examination is held, either by the law thereof or by the law of the United States, or (2) before a person commissioned by the Administrative Law Judge, and a person so commissioned shall have the power by virtue of his commission to administer any necessary oath and take testimony, or (3) before such person as the parties may stipulate under § 3.31-4, or (4) pursuant to a letter rogatory. A commission or a letter rogatory shall be issued on application and notice and on terms that are just and appropriate. It is not requisite to the issuance of a commission or a letter rogatory that the taking of the deposition in any other manner is impracticable or inconvenient; and both a commission and a letter rogatory may be issued in proper cases. A notice or commission may designate the person before whom the deposition is to be taken either my name or descriptive title. A letter rogatory may be addressed "To the Appropriate Authority in [here name the country]." Evidence obtained in response to a letter rogatory need not be excluded merely for the reason that it is not a verbatim transcript or that the testimony was not taken under oath or for any similar departure from the requirements for depositions taken within the United States under these rules.

§ 3.31-4 Stipulations regarding discovery procedure.

Unless the Administrative Law Judge orders otherwise, the parties may by written stipulation (a) provide that depositions may be taken before any person, at any time or place, upon any notice, and in any manner and when so taken may be used like other depositions, and (b) modify the procedures provided by these rules for other methods of discovery, except that stipulations extending the time provided in §§ 3.31-8, -9, and -10 for responses to discovery may be made only with the approval of the Administrative Law Judge.

§ 3.31-5 Depositions upon oral examination.

(a) *When depositions may be taken.* After service of the complaint, any party may take the testimony of any person, including a party, by deposition upon oral examination. Leave of the Administrative Law Judge, granted with or without notice, must be obtained only if the plaintiff seeks to take a deposition prior to the expiration of 30 days after service of the complaint upon any respondent, except that leave is not required (1) if a respondent has served a notice of taking deposition or otherwise sought discovery, or (2) if special notice is given as provided in paragraph (b) (2) of this section. The attendance of witnesses may be compelled by subpoena as provided in § 3.31-12.

(b) *Notice of examination: General requirements; special notice; Non-stenographic recording; production of documents and things; depositions of organization.*

(1) A party desiring to take the deposition of any person other than a person described in paragraph (b) (2) of this section upon oral examination shall give reasonable notice in writing to every other party to the action. Reasonable notice is defined to be not less than 10 days, but the Administrative Law Judge may designate a shorter or longer time. The notice shall state the time and place for taking the deposition and the name and address of each person to be examined, if known, and, if the name is not known, a general description sufficient to identify him or the particular class or group to which he belongs. If a subpoena duces tecum is to be served on the person to be examined, the designation of the materials to be produced as set forth in the subpoena shall be attached to or included in the notice.

(2) A party desiring to take the deposition of an officer or employee of the Commission other than complaint counsel, or of an officer or employee of another government agency, or to obtain documents, or other physical exhibits in the custody, control and possession of such officer or employee, shall proceed by written motion to the Administrative Law Judge, filed in accordance with the provisions of § 3.22(a), for leave to apply for a subpoena under § 3.31-12. Such a motion shall be granted only upon a showing that the information expected to be obtained thereby is within the scope of discovery permitted by § 3.31-2(b) and cannot be obtained without undue hardship by alternative means. No motion for an order or subpoena for production of documents grounded upon § 4.11 of this chapter or upon the Freedom of Information Act shall be entertained by the Administrative Law Judge.

(3) The Administrative Law Judge may upon motion order that the testimony at a deposition be recorded by other than stenographic means, in which event the order shall designate the manner of recording, preserving, and filing

the deposition, and may include other provisions to assure that the recorded testimony will be accurate and trustworthy.

(4) The notice to a party deponent may be accompanied by a request made in compliance with § 3.31-9 for the production of documents and tangible things at the taking of the deposition. The procedure of § 3.31-9 shall apply to the request.

(5) A party may in his notice and in a subpoena name as the deponent a public or private corporation or a partnership or association or governmental agency and describe with reasonable particularity the matters on which examination is requested. In that event, the organization so named shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which he will testify. A subpoena shall advise a nonparty organization of its duty to make such a designation. The persons so designated shall testify as to matters known or reasonably available to the organization. This paragraph (b) (5) does not preclude taking a deposition by any other procedure authorized in these rules.

(c) *Examination and cross-examination; record of examination; oath; objections.* (1) Examination and cross-examination of witnesses may proceed as permitted at the hearing under the provisions of § 3.43. The officer before whom the deposition is to be taken shall put the witness on oath and shall personally, or by someone acting under his direction and in his presence, record the testimony of the witness. The testimony shall be taken stenographically or recorded by any other means ordered in accordance with paragraph (b) (4) of this section. If requested by one of the parties, the testimony shall be transcribed.

(2) All objections made at time of the examination to the qualifications of the officer taking the deposition, or to the manner of taking it, or to the evidence presented, or to the conduct of any party, and any other objection to the proceedings, shall be noted by the officer upon the deposition. Evidence objected to shall be taken subject to the objections. In lieu of participating in the oral examination, parties may serve written questions in a sealed envelope on the party taking the deposition and he shall transmit them to the officer, who shall propound them to the witness and record the answers verbatim.

(d) *Motion to terminate or limit examination.* At any time during the taking of the deposition, on motion of a party or of the deponent and upon a showing that the examination is being conducted in bad faith or in such manner as unreasonably to annoy, embarrass, or oppress the deponent or party, the Administrative Law Judge may order the officer conducting the examination to cease forthwith from taking the deposition, or may limit the scope and man-

ner of the taking of the deposition as provided in § 3.31-2(c). If the order made terminates the examination, it shall be resumed thereafter only upon the order of the Administrative Law Judge. Upon demand of the objecting party or deponent, the taking of the deposition shall be suspended for the time necessary to make a motion for an order.

(e) *Submission to witness; changes; signing.* When the testimony is fully transcribed the deposition shall be submitted to the witness for examination and shall be read to or by him, unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness within 30 days of its submission to him, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed unless on a motion to suppress under § 3.31-7(d)(4) the Administrative Law Judge holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

(f) *Certification and filing by officer; exhibits; copies; notice of filing.* (1) (i) The officer shall certify on the deposition that the witness was duly sworn by him and that the deposition is a true record of the testimony given by the witness. He shall then securely seal the deposition in an envelope indorsed with the title of the action and marked "Deposition of [here insert name of witness]" and shall promptly file it with the Secretary of the Commission.

(ii) Documents and things produced for inspection during the examination of the witness, shall, upon the request of a party, be marked for identification and annexed to and returned with the deposition, and may be inspected and copied by any party, except that (A) the person producing the materials may substitute copies to be marked for identification, if he affords to all parties fair opportunity to verify the copies by comparison with the originals, and (B) if the person producing the materials requests their return, the officer shall mark them, give each party an opportunity to inspect and copy them, and return them to the person producing them, and the materials may then be used in the same manner as if annexed to and returned with the deposition. Any party may move for an order that the original be annexed to and returned with the deposition to the Secretary of the Commission, pending final disposition of the case.

(2) Upon payment of reasonable charges therefor, the officer shall fur-

nish a copy of the deposition to any party or to the deponent.

(3) The party taking the deposition shall give prompt notice of its filing to all other parties.

§ 3.31-6 Depositions upon written questions.

(a) *Serving questions; notice.* (1) After service of the complaint, any party may take the testimony of any person, including a party, by deposition upon written questions, except that the deposition by written questions of an officer or employee of the Commission other than complaint counsel, or the deposition of an officer or employee of another government agency, may be taken only with leave of the Administrative Law Judge given in response to a motion and upon a showing as specified by § 3.31-5(b)(2). The attendance of witnesses may be compelled by the use of subpoena as provided in § 3.31-12.

(2) A party desiring to take a deposition upon written questions shall serve them upon every other party with a notice stating (i) the name and address of the person who is to answer them, if known, and if the name is not known, a general description sufficient to identify him or the particular class or group to which he belongs, and (ii) the name or descriptive title and address of the officer before whom the deposition is to be taken. A deposition upon written questions may be taken of a public or private corporation or a partnership or association or governmental agency in accordance with the provisions of § 3.31-5(b)(5).

(3) Within 30 days after the notice and written questions are served, a party may serve cross questions upon all other parties. Within 10 days after being served with cross questions, a party may serve redirect questions upon all other parties. Within 10 days after being served with redirect questions, a party may serve recross questions upon all other parties. The Administrative Law Judge may for cause shown enlarge or shorten the time.

(b) *Officer to take responses and prepare record.* A copy of the notice and copies of all questions served shall be delivered by the party taking the deposition to the officer designated in the notice, who shall proceed promptly, in the manner provided by § 3.31-5(c), (e), and (f), to take the testimony of the witness in response to the questions and to prepare, certify, and file or mail the deposition, attaching thereto the copy of the notice and the questions received by him.

(c) *Notice of filing.* When the deposition is filed the party taking it shall promptly give notice thereof to all other parties.

§ 3.31-7 Use of depositions in adjudicative proceedings.

(a) *Use of depositions.* At hearing or upon the hearing of a motion or an interlocutory proceeding, any part or all of a deposition, so far as admissible under the rules of evidence applied as though the witness were then present and testi-

fying, may be used against any party who was present or represented at the taking of the deposition or who had reasonable notice thereof, in accordance with any of the following provisions:

(1) Any deposition may be used by any party for the purpose of contradicting or impeaching the testimony of deponent as a witness.

(2) The deposition of a party or of anyone who at the time of taking the deposition was an officer, director, or managing agent, or a person designated under §§ 3.31-5(b)(5) or 3.31-6(a) to testify on behalf of a public or private corporation, or partnership or association or governmental agency which is a party or on behalf of complaint counsel may be used by an adverse party for any purpose.

(3) The deposition of a witness, whether or not a party, may be used by any party for any purpose if the Administrative Law Judge finds: (i) that the witness is dead; or (ii) that the witness is out of the United States, unless it appears that the absence of the witness was procured by the party offering the deposition; or (iii) that the witness is unable to attend or testify because of age, illness, infirmity, or imprisonment; or (iv) that the party offering the deposition has been unable to procure the attendance of the witness by subpoena; or (v) upon application and notice, that such exceptional circumstances exist as to make it desirable, in the interest of justice and with due regard to the importance of presenting the testimony of witnesses orally at hearing, to allow the deposition to be used.

(4) If only part of a deposition is offered in evidence by a party, an adverse party may require him to introduce any other part which ought in fairness to be considered with the part introduced, and any party may introduce any other parts.

Substitution of parties does not affect the right to use depositions previously taken; and, when a complaint has been dismissed and another complaint involving the same subject matter is afterward brought against the same parties or their representatives or successors in interest, all depositions lawfully taken and duly filed in the former proceeding may be used in the latter as if originally taken therefor.

(b) *Objections to admissibility.* Subject to the provisions of § 3.31-3(b) and paragraph (d)(3) of this section, objection may be made at the hearing to receiving in evidence any deposition or part thereof for any reason which would require the exclusion of the evidence if the witness were then present and testifying.

(c) *Effect of taking or using depositions.* A party does not make a person his own witness for any purpose by taking his deposition. The introduction in evidence of the deposition or any part thereof for any purpose other than that of contradicting or impeaching the deponent makes the deponent the witness of the party introducing the deposition,

but this shall not apply to the use by any adverse party of a deposition under paragraph (a) (2) of this section: At the hearing any party may rebut any relevant evidence contained in a deposition whether introduced by him or by any other party.

(d) *Effect of Errors and Irregularities in Depositions.* (1) *As to notice.* All errors and irregularities in the notice for taking a deposition are waived unless written objection is promptly served upon the party giving the notice.

(2) *As to disqualification of officer.* Objection to taking a deposition because of disqualification of the officer before whom it is to be taken is waived unless made before the taking of the deposition begins or as soon thereafter as the disqualification becomes known or could be discovered with reasonable diligence.

(3) *As to taking of deposition.* (1) Objections to the competency of a witness or to the competency, relevancy, or materiality of testimony are not waived by failure to make them before or during the taking of the deposition, unless the ground of the objection is one which might have been obviated or removed if presented at that time.

(ii) Errors and irregularities occurring at the oral examination in the manner of taking the deposition, in the form of the questions or answers, in the oath or affirmation, or in the conduct of parties, and errors of any kind which might be obviated, removed, or cured if promptly presented, are waived unless reasonable objection thereto is made at the taking of the deposition.

(iii) Objections to the form of written questions submitted under § 3.31-6 are waived unless served in writing upon the party propounding them within the time allowed for serving the succeeding cross or other questions and within 5 days after service of the last questions authorized.

(4) *As to completion and return of deposition.* Errors and irregularities in the manner in which the testimony is transcribed or the deposition is prepared, signed, certified, sealed, indorsed, transmitted, filed, or otherwise dealt with by the officer under §§ 3.31-5 and -6 are waived unless a motion to suppress the deposition or some part thereof is made with reasonable promptness after such defect is, or with due diligence might have been, ascertained.

§ 3.31-8 Interrogatories to parties.

(a) *Availability; procedures for use.* (1) Any party may serve upon any other party written interrogatories to be answered by the party served or, if the party served is a corporation or a partnership or association, by any officer or agent or if complaint counsel, by any one of complaint counsel, who shall furnish such information as is available to the party. Interrogatories may, without leave of the Administrative Law Judge, be served upon complaint counsel after service of the complaint and upon the respondent or respondents with or after service of the complaint upon that party.

(2) Each interrogatory shall be answered separately and fully in writing under oath, unless it is objected to, in which event the reasons for objection shall be stated in lieu of an answer. The answers are to be signed by the person making them, and the objections signed by the attorney making them. The party upon whom the interrogatories have been served shall serve a copy of the answers, and objections if any, within 30 days after the service of the interrogatories, except that a respondent may serve answers or objections within 45 days after service of the complaint upon that respondent. The Administrative Law Judge may allow a shorter or longer time. The party submitting the interrogatories may move for an order under § 3.31-11(a) with respect to any objection to or other failure to answer an interrogatory.

(b) *Scope; use at hearing.* (1) Interrogatories may relate to any matters which can be inquired into under § 3.31-2(b), and the answers may be used to the extent permitted by the rules of evidence.

(2) An interrogatory otherwise proper is not necessarily objectionable merely because an answer to the interrogatory involves an opinion or contention that relates to fact or the application of law to fact, but the Administrative Law Judge may order that such an interrogatory need not be answered until after designated discovery has been completed or until a pretrial conference or other later time.

(c) *Option to Produce Records.* Where the answer to an interrogatory may be derived or ascertained from the records of the party upon whom the interrogatory has been served or from an examination, audit or inspection of such records, or from a compilation, abstract or summary based thereon, and the burden of deriving or ascertaining the answer is substantially the same for the party serving the interrogatory as for the party served, it is a sufficient answer to such interrogatory to specify the records from which the answer may be derived or ascertained and to afford to the party serving the interrogatory reasonable opportunity to examine, audit or inspect such records and to make copies, compilations, abstracts or summaries.

§ 3.31-9 Production of documents and things for inspection and other purposes.

(a) *Scope.* Any party may serve on any other party a request (1) to produce and permit the party making the request, or someone acting on his behalf, to inspect and copy, any designated documents (including writings, drawings, graphs, charts, photographs, phonorecords, and other data compilations from which information can be obtained, translated, if necessary, by the party upon whom the request is served through detection devices into reasonably usable form), or to inspect and copy, test, or sample any tangible things which constitute or contain matters within the scope of § 3.31-2(b) and which are in

the possession, custody or control of the party upon whom the request is served.

(b) *Procedure.* (1) The request may, without leave of the Administrative Law Judge, be served upon complaint counsel after service of the complaint and upon the respondent or respondents with or after service of the complaint upon that respondent. The request shall set forth the items to be inspected either by individual item or by category, and describe each item and category with reasonable particularity. The request shall specify a reasonable time, place, and manner of making the inspection and performing the related acts.

(2) The party upon whom the request is served shall serve a written response within 30 days after the service of the request, except that a respondent may serve a response within 45 days after service of the complaint upon that respondent. The Administrative Law Judge may allow a shorter or longer time. The response shall state, with respect to each item or category, that inspection and related activities will be permitted as requested, unless the request is objected to, in which event the reasons for objection shall be stated. If objection is made to part of an item or category, the part shall be specified. The party submitting the request may move for an order under Section 3.31-11 with respect to any objection to or other failure to respond to the request or any part thereof, or any failure to permit inspection as requested.

§ 3.31-11 Failure to make discovery: sanctions.

(a) *Motion for order compelling discovery.* A party, upon reasonable notice to other parties and all persons affected thereby, may apply to the Administrative Law Judge for an order compelling discovery as follows:

(1) *Motion.* (i) If a deponent fails to answer a question propounded or submitted under § 3.31-5 or § 3.31-6, or a corporation or other entity fails to make a designation under § 3.31-5(b) (5) or § 3.31-6(a), or a party fails to answer an interrogatory submitted under § 3.31-8, or if a party, in response to a request for inspection submitted under Section 3.31-9, fails to respond that inspection will be permitted as requested or fails to permit inspection as requested, the discovering party may move for an order compelling an answer, or a designation, or an order compelling inspection in accordance with the request. When taking a deposition on oral examination, the proponent of the question may complete or adjourn the examination before he applies for an order.

(ii) If the Administrative Law Judge denies the motion in whole or in part, he may make such protective order as he would have been empowered to make on a motion made pursuant to § 3.31-2(c).

(2) *Evasive or incomplete answer.* For purposes of this subdivision an evasive or incomplete answer is to be treated as a failure to answer.

(b) *Failure to comply with order.* If a party or an officer or agent of a party or

a person designated under § 3.31-5(b) (5) or § 3.31-6(a) to testify on behalf of a party fails to obey an order to provide or permit discovery, including an order made under paragraph (a) of this section, the Administrative Law Judge may make such orders in regard to the failure as are just, and among others the following:

(1) Infer that the admission, testimony, documents or other evidence would have been adverse to the party;

(2) Rule that for the purposes of the proceeding the matter or matters concerning which the order or subpoena was issued be taken as established adversely to the party;

(3) Rule that the party may not introduce into evidence or otherwise rely, in support of any claim or defense, upon testimony by such party, officer, or agent, or the documents or other evidence;

(4) Rule that the party may not be heard to object to introduction and use of secondary evidence to show what the withheld admission, testimony, documents, or other evidence would have shown;

(5) Rule that a pleading, or part of a pleading, or a motion or other submission by the party, concerning which the order or subpoena was issued, be stricken, or that a decision of the proceeding be rendered against the party, or both.

(c) (1) Action under paragraph (b) of this section may be taken by written or oral order issued in the course of the proceeding or by inclusion in an initial decision of the Administrative Law Judge or an order or opinion of the Commission. It shall be the duty of parties to seek and the Administrative Law Judge to grant such of the means of relief listed in paragraph (b) of this section or other appropriate relief as may be sufficient to compensate for the lack of testimony, documents, or other evidence withheld by a party. If in the Administrative Law Judge's opinion such relief would not be sufficient, or in the case of a subpoena or other discovery order against a person, not a party, would be inappropriate, and if the party who obtained the subpoena or other discovery order so requests, he shall certify to the Commission a request that court enforcement of the subpoena or other discovery order be sought.

(ii) Any request for enforcement of a subpoena or other discovery order against a party certified by an Administrative Law Judge to the Commission shall contain a statement that the party who obtained the subpoena or other discovery order has sought relief of the type listed in paragraph (b) hereof and that the Administrative Law Judge finds that such relief would be insufficient under the circumstances.

§ 3.31-12 Subpoenas.

(a) *Issuance of subpoenas ad testificandum and duces tecum.* Subpoenas requiring a person to appear and depose or testify and subpoenas requiring a person to depose or testify and to produce specified documents or other tangible things, at the taking of a deposition or at

a hearing, shall be issued by the Administrative Law Judge, signed and sealed but otherwise in blank, to a party requesting it, who shall fill each subpoena in before service.

(b) *Form of subpoenas duces tecum.* Subpoenas duces tecum shall specify as exactly as possible the documents or physical exhibits to be produced. When the subpoena is sought for discovery purposes, the documents or physical exhibits sought shall constitute or contain matters within the scope of examination permitted by § 3.31-2(b), and the subpoena shall be subject to the provisions of § 3.31-2(c) and of paragraph (c) of this section.

(c) *Objections to subpoenas duces tecum.* The person to whom a subpoena duces tecum is directed may, within 10 days after the service thereof, or such other time as the Administrative Law Judge shall allow, serve upon the attorney designated in the subpoena and file with the Secretary of the Commission written objection to inspection or copying of any or all of the material sought. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials except pursuant to an order of the Administrative Law Judge. The party serving the subpoena may, if objection has been made, move upon notice to the person to whom the subpoena is directed, within 20 days or such other time as the Administrative Law Judge shall allow after service of the objections, for an order directing compliance with the subpoena or any part thereof. The party upon whom the subpoena is served may move within the time allowed for service of objections or within 20 days after service of a motion for an order directing compliance, or such other time as the Administrative Law Judge shall allow, for an order quashing or modifying the subpoena upon any ground contained in § 3.31-2 (b) or (c).

(d) *Objections to subpoenas for non-party Commission records or for records or personnel of other government agencies.* (1) Subpoenas duces tecum served upon the Commission or Commission officials or employees other than complaint counsel or upon other government agencies or their officials or employees shall be subject to objection and motion to quash or modify as provided in paragraph (c) of this section and upon the further ground, if applicable, that the information contained in these materials or their substantial equivalent as evidence could be obtained without undue hardship by alternative means.

(2) Subpoenas ad testificandum served upon the Commission or Commission officials or employees other than complaint counsel or upon other government agencies or their officials or employees shall include a statement of the subject matter of the testimony sought, and shall be subject to objection and motion to quash or limit as provided in paragraph (c) of this section, and upon the further grounds, if applicable, that such testimony would be contrary to the public

interest, or that the information or evidence sought could be obtained without undue hardship by alternative means.

Subpart C—Prehearing Procedures; Motions; Interlocutory Appeals; Summary Decisions

4. Sections 3.21(b) and 3.23(a) are revised to conform with the proposed substantive and formal changes in §§ 3.31-3.38.

§ 3.21 Prehearing conferences.

(b) *Subpoenas.* Prehearing conferences may be convened for the purpose of accepting returns on subpoenas duces tecum issued pursuant to the provisions of § 3.31-12.

§ 3.23 Interlocutory appeals.

(a) *Appeals without a determination by the Administrative Law Judge.* The Commission may, in its discretion, entertain interlocutory appeals where a ruling of the Administrative Law Judge: (1) Requires the disclosure of documents within the possession, custody and control of the Secretary of the Commission or information within the knowledge of Commission personnel other than complaint counsel; (2) requires the appearance of other government officials or the disclosure of the records of another government agency; (3) suspends an attorney from participation in a particular proceeding pursuant to § 3.42(d); or (4) grants or denies an application for intervention pursuant to the provisions of § 3.14. Appeal from such a ruling may be sought by filing with the Commission an application for review, not to exceed fifteen (15) pages, within five (5) days after notice of the Administrative Law Judge's ruling. Answer thereto may be filed within five (5) days after service of the application for review. The application for review should specify the person or party taking the appeal; should designate the ruling or part thereof from which appeal is being taken; and should specify under which provisions hereof review is being sought. The Commission upon its own motion may enter an order staying the return date of an order for discovery pursuant to §§ 3.31-1 through 3.31-12 of these rules which will require the disclosure of documents within the possession, custody and control of the Secretary of the Commission or information within the knowledge of Commission personnel other than complaint counsel, or the appearance of other government officials or the disclosure of the records of another government agency, and such order may place the matter on the Commission's docket for review. Any order placing the matter on the Commission's docket for review will set forth the scope of the review and the issues which will be considered and will make provision for the filing of briefs if deemed appropriate by the Commission.

§ 3.32 [Redesignated]

5. Section 3.39 is proposed to be redesignated as § 3.32.

Subpart E—Hearings

6. Section 3.41(f) is revised to conform with the redesignation of § 3.39 as proposed § 3.32.

§ 3.41 General rules.

(f) Requests for an order requiring a witness to testify or provide other information and granting immunity under Title 18, Section 6002, of the United States Code, shall be disposed of in accordance with § 3.32.

By direction of the Commission dated March 11, 1975.

[SEAL] VIRGINIA M. HARDING,
Acting Secretary.

[FR Doc.75-8492 Filed 4-3-75; 8:45 am]

[16 CFR Part 4]

RULES OF PRACTICE AND PROCEDURE

Separation of Functions and Ex Parte Communications

Notice is hereby given that the Federal Trade Commission, pursuant to section 6 of the Federal Trade Commission Act, 38 Stat. 721 (15 U.S.C. 46) (1970) and 5 U.S.C. 552 (1970), 80 Stat. 383, as amended, 81 Stat. 54 (formerly section 3 of the Administrative Procedure Act) is proposing a revision of § 4.7 of its rules of practice and procedure, 16 CFR 4.7.

Under the proposal, present § 4.7 would be revised to separate and distinguish restrictions on ex parte communications between, on the one hand, Commission decisionmakers and staff investigators and prosecutors of an adjudicative proceeding or a factually related adjudicative proceeding, and between, on the other hand, Commission decisionmakers and persons outside the Commission. Proposed § 4.7(a) would concern the first type of communications and would in-

corporate language which conforms to the "separation of functions" provision of 5 U.S.C. 554(d) (formerly section 5 (c) of the Administrative Procedure Act). Proposed § 4.7(b) would focus exclusively on the second type of communications, would expand the prohibition to include any communication "about" an adjudicative proceeding, as distinguished from "the merits" of the proceeding, except for an ex parte communication authorized by law or the Commission's Rules or a request for information about the status of a proceeding, and would substitute the phrase "a member of a Commissioner's personal staff" for the present phrase "any employee involved in the decisional process in such a proceeding". Proposed § 4.7(c) would eliminate the requirement of present § 4.7 (c) that the Commission be informed of the substance of a prohibited ex parte communication, would provide that any such communication be placed on the public records of the Commission, but not considered as part of the record in the proceeding for purposes of decision unless introduced into evidence and would retain a discretionary right of the Commission to take such further action for a violation of the section as it may deem appropriate.

Section 4.7 would be revised to read as follows:

§ 4.7 Separation of functions and ex parte communications.

(a) No Commission employee or agent who has performed an investigative or prosecuting function for the Commission in connection with an adjudicative proceeding shall, in that or a factually related adjudicative proceeding, participate or advise in any decision therein of the Administrative Law Judge or of the Commission except as a witness or as counsel in public proceedings.

(b) No person not employed by the Commission shall communicate about an adjudicative proceeding to the Administrative Law Judge presiding therein, to a Commissioner or to a member of a Commissioner's personal staff except to the extent required for the disposition of ex parte matters as authorized by law or as authorized by the Commission's Rules to be disposed of on an ex parte basis. A request for information with respect to the status of an adjudicative proceeding shall not be deemed to be a communication prohibited by this subsection.

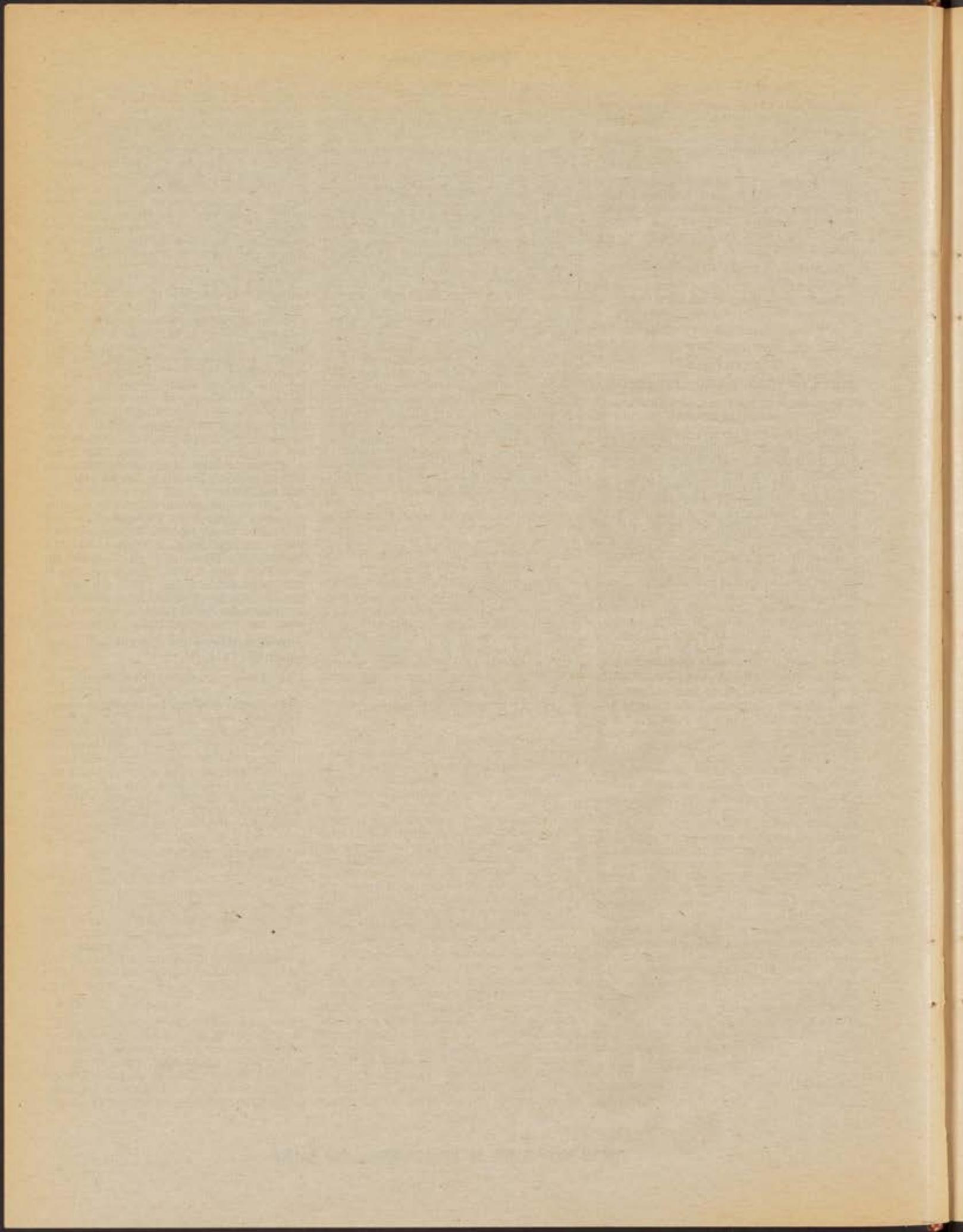
(c) If a communication is made in violation of paragraphs (a) or (b) of this section, the recipient thereof shall file a copy of the pertinent part of such communication, if written, or a summary of such communication, if oral, with the Secretary for inclusion in the docket binder of the case to which it pertains and it shall be made part of the public records of the Commission. However, such communications will not be considered by the Commission as part of the record for purposes of decision unless introduced into evidence. The Commission may take such further action as it may deem appropriate for violation of this section.

Written comments on the foregoing proposed revision of § 4.7 may be sent to the Secretary, Federal Trade Commission, Pennsylvania Avenue and 6th Street NW., Washington, D.C. 20580 on or before May 5, 1975. Such comments will be entered on the public records of the Commission and will be available for inspection in Room 130 at the above address during normal business hours.

By direction of the Commission dated March 11, 1975.

[SEAL] VIRGINIA M. HARDING,
Acting Secretary.

[FR Doc.75-8493 Filed 4-3-75; 8:45 am]



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PART III



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education



BASIC EDUCATIONAL OPPORTUNITY GRANT PROGRAM

Expected Family Contribution
For Academic Year 1975-1976

Title 45—Public Welfare

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

PART 190—BASIC EDUCATIONAL OPPORTUNITY GRANT PROGRAM

Expected Family Contribution for Academic Year 1975-1976

A notice of proposed rule making was published in the FEDERAL REGISTER on July 2, 1974 (39 FR 24481), to amend Subparts C and D of Part 190 of Title 45 of the Code of Federal Regulations dealing with the Family Contribution Schedules for the Basic Educational Opportunity Grant Program. Such amendments were to apply for academic year 1975-1976. The key provisions of these amendments were essentially as follows:

1. Subpart C set forth the method to be used in determining the expected family contribution for dependent students which is used to determine a student's grant under the Basic Educational Opportunity Grant Program. It established procedures for determining the expected family contribution from parental income and assets, including the allowances to be made against income and assets and the rates of contribution against income and assets after such allowances have been made, and the expected contribution from the effective income of the dependent student and from the dependent student's assets.

2. Subpart D set forth the methods to be used in determining the expected family contribution for independent students. It established the definition of the independent student and further set forth procedures for determining the expected family contribution from the effective income of the independent student, the contribution from the income of the independent student including allowances against such income and the rates of contribution to be used in determining the contribution from the income after the allowances have been made, and the rates to be used in determining the contribution from the assets of the independent student.

Interested parties were invited to submit written comments, suggestions, or objections with regard to the proposed Family Contribution Schedules. In addition, as required by section 411(a)(3)(A)(ii) of the Higher Education Act of 1965, as amended (20 U.S.C. 1070a(a)(3)(A)(ii)), the schedules were submitted to the President of the Senate and the Speaker of the House and hearings on these Schedules were held by the Senate Subcommittee on Education on October 3, 1974, and by the House Special Subcommittee on Education on September 30, 1974.

Comments from the public, as well as Congressional comments, centered around four main issues in the Schedules: the treatment of assets; the treatment of "effective income of the student;" the level of the family size offsets; and the treatment of independent students who leave their jobs to pursue postsecondary education.

During the first two years of Program operations, the treatment of assets in the family contribution schedules has raised considerable Congressional and public concern. During the first year of program operation, the 1973-1974 academic year, the amount of assets which were considered in the formula was that amount which remained after deductions for any debts against the assets and an asset reserve of \$7,500. This treatment was revised in 1974-75 to provide for an offset against the contribution from assets in those cases where allowable deductions from income exceeded the family's income. This revised treatment reduced the problems for families with a relatively high asset position and low annual incomes, such as farmers and small business owners.

Despite those changes however, concern was still expressed regarding those families who have the bulk of their assets in home equity. This is particularly true for many families with low and lower-middle incomes who by reason of a substantial home equity may not qualify for assistance under this program. To alleviate this situation, the asset reserve has been raised from the current \$7,500 to a \$10,000 level. Because the median home equity of all dependent applicants according to the latest program statistics on the 1974-75 Basic Grant applicants is \$10,535, raising the asset reserve to \$10,000 will, we believe, bring it more into line with general experience and expectations.

A second major concern was expressed regarding the treatment of effective income of the student which is defined by law to be any amount paid to or on behalf of the student under the Social Security Act which would not be paid if he were not a student and one-half of any amount of educational benefits paid through the Veterans Administration. While few objections were raised to the treatment of V.A. benefits, the treatment of social security benefits is of major concern, in that many families receiving social security benefits are dependent on these funds for family maintenance. For the lowest income families, social security benefits often represent their sole financial support.

In response to the concern expressed with regard to the treatment of effective income of the student, the Schedules were changed during the 1974-75 academic year to provide, in those cases where the allowable offsets against the total family income exceeded the amount of that income, a deduction from the effective income of the student to offset this negative amount. Although this changed treatment partially alleviated the problems affecting social security recipients, it did not remove all of the inequities for many student recipients. Consequently, for the 1975-76 academic year, the treatment of the effective income of the student is changed to include such income as regular family income for purposes of computing the family contribution. As such, the effective income of the student is subject to the

same treatment and assessment rates as the regular family income. In this context, it should be noted that the effective income of the student as specified in the legislation includes both social security benefits and benefits from the Veterans Administration. Therefore, any modification proposed to alleviate the problems affecting social security recipients must necessarily have the same impact on recipients of Veterans educational assistance.

In making adjustments in the treatment of the student's effective income, the social security income will be collected for the base year rather than the year subsequent to the base year, which has been the case in the past. This change has been made because under the new treatment of social security income it is not essential that the educational benefits for social security recipients be separately collected. Further, the social security payments for the total family rarely differ from one year to the next, regardless of whether a student is enrolled in school. In addition, this change will contribute to a simplification of instructions for the completion of the application form, as well as the reduction of the complexity of the form itself.

The comments on the family size offsets dealt with the proper rate of increase to be applied to current offsets in order to reflect rising costs. In order to establish a standard for determining the amount of subsistence expenses, the Basic Grant Program adopted during the initial year of operation the "Weighted Average Thresholds at the Low Income Level" published by the Bureau of Census as a reasonable approximation of family expenses. These expenses are based on the food cost of families of a given size and make certain assumptions about the additional expenses of shelter and other family needs. These base line data have been up-dated annually to accommodate the increases in the Consumer Price Index as published by the Department of Labor. For the 1975-76 academic year, the family size offsets used during the 1974-75 academic year have been increased by 11.9 percent to reflect the rise in cost of living expenses from November 1973 to October 1974. The percentage increase is taken from the published Department of Labor Consumer Price Index Statistics.

A fourth major concern dealt with the treatment of the independent student who was employed on a full-time basis in the base year but who left his job in order to pursue postsecondary education. For the 1974-75 academic year, the independent student's eligibility is calculated based on base year 1973 income data. The only provisions which would allow the independent student to file a Basic Grant application using estimated current year (1974) income data are: (1) The inability of the applicant to pursue normal income producing activities due to disability or natural disaster, (2) the separation or divorce of the applicant since the time the Basic Grant application was filed, and, (3) the

death of a spouse whose income was included in the calculation of the family contribution. Therefore, the independent applicant who was employed on a full-time basis and earned income in the base year has often been determined to be ineligible for Basic Grant assistance, even though the income earned during that time was no longer available.

In response to this concern, the regulations have been amended to include a provision which would permit independent student applicants who were not students in the base year, who were employed for at least 35 hours per week for a minimum of 30 weeks during the base year and who will not be comparably employed during the current year to file a Basic Grant application using estimated current year income data.

In order to improve the organization of the regulations, the criteria under which an applicant may use the estimated income of the tax year subsequent to the base year has been incorporated as part of the regulations governing the family contribution schedules. Specifically, that portion of § 190.16 dealing with dependent students has been incorporated into Subpart C as § 190.39, and that portion of § 190.16 dealing with independent students has been incorporated into Subpart D as § 190.48. Section 190.16 has been revised to cross reference this change.

It should further be noted that, in view of the pressing need to incorporate the provisions dealing with the use of estimated income for the independent student as part of the student application process for the 1975-76 academic year, and in view of the fact that the change for the independent student has already received Congressional review, it has been determined in accordance with 5 U.S.C. 553(b) that resort to proposed rule making procedures with respect to this provision would be impracticable and contrary to the public interest. Since the family contribution schedules are required to be submitted annually for Congressional approval and public comment, there will be additional opportunity to make further modifications if subsequent program experience and public comments warrant additional modifications.

The Family Contribution Schedules, as published, also contained some technical inaccuracies and omissions. These inaccuracies and omissions have been corrected in this publication of the regulations.

In light of the foregoing, Part 190 of Title 45 of the Code of Federal Regulations is amended by the revision of § 190.16 and of Subparts C and D as set forth below.

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

sion, subject to the provisions therein concerning Congressional action and adjournment.

(Catalog of Federal Domestic Assistance No. 13.539, Basic Educational Opportunity Grant Program)

Dated: February 26, 1975.

T. H. BELL,
Commissioner of Education.

Approved: March 31, 1975.

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

1. Section 190.16 of Title 45 of the Code of Federal Regulation is revised to read as follows:

§ 190.16 Extraordinary circumstances affecting the expected family contribution determination—cross reference.

The Commissioner will make adjustments to a student's expected family contribution because of extraordinary circumstances in accordance with § 190.39 for dependent students and § 190.48 for independent students.

(20 U.S.C. 1070a)

2. Subparts C and D of Part 190 of Title 45 of the Code of Federal Regulations are revised to read as follows:

Subpart C—Expected Family Contribution for Dependent Students

§ 190.31 Indicators of financial strength.

"Expected family contribution" with respect to each dependent student means the amount which the family of that student may reasonably be expected to contribute toward the cost of his education for an academic year. Each of the following elements of financial strength will be considered in determining the family contribution for dependent students:

(a) The amount of the effective income of the student.

(b) The amount of the effective income of the student's parent(s).

(c) The number of dependents of the student's parent(s).

(d) The number of dependents of the student's parent(s) who are in attendance, on at least a half-time basis, in a program of postsecondary education.

(e) The amount of assets of the student.

(f) The amount of assets of the student's parent(s).

(g) Unusual expenses of the student and the unusual expenses of the student's parent(s). Such unusual expenses shall be limited to medical and dental expenses and expenses arising from catastrophe.

(h) The additional expenses incurred in providing an income when two parents are employed or when a family is headed by a single parent.

(20 U.S.C. 1070a(a)(3)(B)(ii)).

§ 190.32 Special definitions.

For purposes of this subpart:

(a)(1) "Annual adjusted family income" for any base year means the sum

of the following: Adjusted gross income as defined in section 62 of the Internal Revenue Code of the student's parents, whether or not the parents file an income tax return, investment income of the student's parents upon which no Federal income tax is required to be paid such as interest on municipal and State bonds, other income of the parents upon which no Federal income tax is required to be paid such as child support payments, income of the parents received under income maintenance programs including welfare benefits, social security benefits paid to the student's parents except those educational benefits paid on account of the student or other members of the student's family, and Veteran's benefits paid to the student's parents except those educational benefits paid on account of the student or other members of the student's family under Chapter 35 of Title 38 of the United States Code.

(2) In the case of the student whose parents are divorced, or separated, only the income as described in subparagraph (1) of paragraph (a) of this section of the parent who provides more than one-half of the student's support for the base year shall be considered in determining the annual adjusted family income. If no parent provides more than one-half of the support of the student, only the income as described in subparagraph (1) of paragraph (a) of this section of the parent who provides the greater amount of that student's financial support in the base year shall be considered in determining the annual adjusted family income.

(3) In the case of the student whose parents are married, and not separated and file separate returns for Federal income tax purposes, the income as described in subparagraph (1) of paragraph (a) of this section of both parents shall be combined to determine the annual adjusted family income for that student.

(b) "Assets" means cash on hand including amounts in checking accounts, savings accounts and trusts, the current market value at the time of application of stocks, bonds, any other securities, real estate, home (if owned), income producing property, business equipment and business inventory which are held by the student's parents and by the student.

(c) "Base year" means the tax year for which information is requested by the Commissioner for the purpose of determining family income.

(d) "Dependent student" means any student who does not qualify as an independent student as defined in § 190.42 (a).

(e) "Effective income of the student" means any amount paid to, or on account of, the student for the base year under the Social Security Act which would not be paid if he were not a student, (i.e., under section 202(d) of title II of the Social Security Act, 42 U.S.C. 402(d)), and one-half of any amount to be paid the student for the academic year for which Basic Grant Assistance is re-

quested under chapter 34 of title 38, United States Code (Veterans Educational Assistance—38 U.S.C. 1651 et seq.) and chapter 35 of title 38, United States Code, War Orphans' and Widows' Education Assistance—38 U.S.C. 1700 et seq.).

(20 U.S.C. 1070a(a)(3)(B)(iv))

(f) "Effective family income" of a student's parents means the annual adjusted family income received for the base year minus the Federal income tax paid or payable with respect to such income during the base year.

(20 U.S.C. 1070a(a)(3)(B)(iii))

(g) "Employment expenses offset" means an allowance to meet expenses relating to employment where both parents are employed or where one parent qualifies as a surviving spouse or as head of a household under section 2 of the Internal Revenue Code.

(h) "Expenses arising from catastrophe" means those types and amounts of casualty losses which may be deducted under section 165(c)(3) of the Internal Revenue Code which were incurred during the base year by the student, the parents of the student and the parents' dependents.

(20 U.S.C. 1070a(a)(3)(B)(ii)(V))

(i) "Family size offset" means an allowance to meet subsistence expenses, including food, shelter, clothing, and other basic needs of a family. For purposes of this part the "Weighted Average Threshold at the Low Income Level," as developed by the Social Security Administration shall be used as a basis to determine the amount for the family size offset.

(j) "Federal income tax" means the tax on income paid to the U.S. Government under chapter 2 of the Internal Revenue Code and the tax on income paid to the Governments of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands under the laws applicable to those jurisdictions.

(20 U.S.C. 1070a(a)(3)(B)(iii))

(k) "Medical expenses" means those types of medical and dental expenses, except premiums for medical insurance, that may be deducted under section 213 of the Internal Revenue Code which were incurred during the base year by the student, the parents of the student and the parents' dependents.

(l) "Net assets" means the current market value of the assets included in paragraph (b) of this section, minus the outstanding liabilities (indebtedness) against such assets at the time of application.

(m) "Parent" means the mother or father of the student, unless any other person, except the student's spouse, provides more than one-half of the student's support and claims or is eligible to claim the student as an exemption for Federal income tax purposes for the base year, in which case such person shall be considered the parent.

(n) "Student's parents' dependents" means any of the following persons for whom the parents provide or will pro-

vide during the calendar year in which the student applies to have his expected family contribution determined more than one-half of support: (1) Any other children of the student's parents; (2) any other persons related to the student's parents by blood or marriage; or (3) any person living with the parents.

(20 U.S.C. 1070a(a)(3)(B) unless otherwise noted)

§ 190.33 The expected family contribution for dependent students from parents' and student's effective income.

The expected family contribution for dependent students from parents' and student's effective income for each grant shall be an amount determined in the following manner:

(a) Determine the effective family income of the student's parents.

(b) Add to the amount determined in paragraph (a) of this section the effective income of the student as defined in § 190.32(e).

(c) Determine discretionary income by deducting from the amount calculated in paragraph (b) of this section the following:

(1) *Family size offset.* A family size offset is the amount specified in the following table. Family size includes the student, the student's parents and the student's parents' dependents. If the parents are divorced or separated, family size shall include the student and any parent whose income is taken into account for the purpose of computing the annual adjusted family income and that parent's dependents.

FAMILY SIZE OFFSET

Family size	Dollar amount
2	3400
3	4100
4	5200
5	6150
6	6950
7	7700
8	8500
9	9300
10	10100
11	10850
12	11650

(2) *Unusual expenses.* The amount by which the sum of medical and dental expenses and losses resulting from catastrophes incurred in the base year and not compensated by insurance exceeds 20 percent of effective family income. Unusual expenses may be deducted if they were incurred by the student, the student's parents and/or the student's parents' dependents.

(3) *Employment expense offset.* An employment expense offset in an amount equal to 50 percent of the adjusted gross income earned in the base year by the parent earning the lesser income if both parents are employed, or 50 percent of the adjusted gross income earned in the base year of a parent qualifying as surviving spouse or as head of household as defined in section 2 of the Internal Revenue Code, but in no case shall such an offset exceed \$1,500. The expense may be claimed only if the income of both parents or the income of the surviving spouse

or head of household is taken into account for the purposes of computing the annual adjusted family income.

(d) To determine the expected family contribution from parental income the following rates shall be applied to discretionary income:

	(No contribution expected.)
\$0	20 percent of Discretionary Income.
\$1 to 4,999	\$1,000 plus 30 percent of Discretionary Income in excess of 5,000.
\$5,000 or more	

(20 U.S.C. 1070a(a)(3)(B).)

§ 190.34 [Reserved]

§ 190.35 Computation of standard expected contribution from parents' assets.

(a) Except as provided for in paragraph (b) of this section, the expected contribution from parental assets shall be an amount determined in the following manner:

(1) Determine the net assets owned by the parents.

(2) Deduct an asset reserve of \$10,000 from net assets as determined in subparagraph (1) of paragraph (a) of this section.

(3) The contribution from parental assets shall be an amount equal to 5 percent of the remainder obtained in subparagraph (2) of paragraph (a) of this section.

(b) (1) Where the calculations required by § 190.33(c) produce an amount of negative discretionary income as defined in subparagraph (2) of this paragraph, the expected contribution from parents' assets, calculated in subparagraph (3) of paragraph (a) of this section, shall be reduced by the amount of such negative discretionary income.

(2) The amount of negative discretionary income is the amount by which the sum of deductions for offsets and expenses set forth in § 190.33(c)(1) through § 190.33(c)(3) exceeds the amount of income determined in § 190.33(b).

(c) If the student's parents are divorced or separated only the assets of the parent whose income is taken into account for the purpose of computing annual adjusted family income shall be considered.

(20 U.S.C. 1070a(a)(3)(B).)

§ 190.36 Computation for expected contribution from parents' income, student's effective income, and parents' assets, adjusted for number of family members attending institutions of postsecondary education.

(a) For each grant the amount expected from parents' income and student's effective income as determined in § 190.33 shall be added to the amount expected from parents' assets as determined in § 190.35.

(b) For each grant the combined expectation calculated on the basis of the above formula shall be further adjusted in the following manner to take into consideration the number of family members who will be in attendance, on at least a half-time basis, in programs of

postsecondary education during the academic year for which basic grant assistance is required:

Number of family members attending institutions of postsecondary education	Expected contribution from combined contribution per student
1	100 percent of contribution from the amount determined in paragraph (a) of this section.
2	70 percent of contribution from the amount determined in paragraph (a) of this section.
3	50 percent of contribution from the amount determined in paragraph (a) of this section.
4 or more	40 percent of contribution from the amount determined in paragraph (a) of this section.

Family members include the student, the student's parents and the student's parents' dependents. When the student's parents are divorced or separated and are filing separate returns for Federal income tax purposes, family members shall include the student and any parent whose income is taken into account for the purpose of computing annual adjusted family income and that parents' dependents.

(20 U.S.C. 1070a(a) (3) (B))

§ 190.37 Computation of expected contribution from student's assets.

For each grant the contribution from the student's assets shall be an amount equal to 33 per centum of his net assets as defined in § 190.32(1).

(20 U.S.C. 1070a(a) (3) (B))

§ 190.38 Computation of the total expected family contribution.

For each grant the total expected family contribution shall be the sum of:

- (a) The expected contribution from discretionary income and parents' assets as determined in § 190.36, and
- (b) The expected contribution from the student's assets as determined in § 190.37.

(20 U.S.C. 1070a)

§ 190.39 Extraordinary circumstances affecting the expected family contribution determination for dependent students.

(a) An applicant may submit an application to the Commissioner, for determination of the applicant's expected family contribution, (or, if such an application has previously been submitted, may submit a new application) which shall use as the base year for this purpose the tax year subsequent to the base year established by the Commissioner if:

- (1) A parent whose income was included in the calculation of expected family contribution as determined in § 190.33 has died in the base year or the tax year subsequent to the base year, or
- (2) A parent whose income was included in the calculation of the expected family contribution as determined in § 190.33 has experienced loss of employ-

ment of at least ten (10) weeks during the tax year subsequent to the base year, or

(3) A parent whose income was included in the calculation of the expected family contribution as determined in § 190.33 has been unable to pursue normal income-producing activities for a period of at least ten (10) weeks during the tax year by reason of: (i) disability or, (ii) loss or damage to income-producing property as a result of natural disaster, or

(4) The parents of a dependent student applicant have become separated or divorced since the time the student submitted his application.

(b) An application submitted pursuant to paragraph (a) of this section shall include the annual adjusted family income and effective student income received for the newly established base year, i.e., the tax year subsequent to the original base year. If necessary, an estimate of the annual adjusted family income and the effective student income shall be provided for the remainder of such year.

(20 U.S.C. 1070a(a) (3) (B) (1) (V))

Subpart D—Expected Family Contribution for Independent Students

§ 190.41 Indicators of financial strength.

"Expected Family Contribution" with respect to each independent student means the amount which that student, and his or her spouse, if any, may reasonably be expected to contribute toward the cost of his or her education for an academic year. Each of the following elements of financial strength will be considered in determining the family contribution for independent students:

- (a) The amount of effective income of the independent student.
- (b) The amount of annual adjusted family income of the independent student and the independent student's spouse.
- (c) The number of persons whom the independent student can claim as an exemption.
- (d) The number of dependents of the independent student who in addition to the student will be in attendance, on at least a half-time basis, in a program of postsecondary education.
- (e) The amount of the assets of the independent student and his or her spouse.
- (f) The unusual expenses of the independent student, and his or their dependents. Such unusual expenses shall be limited to medical and dental expenses and expenses arising from catastrophic
- (g) The additional expenses incurred in providing an income where both the independent student and his spouse are employed or where the independent student qualifies as a surviving spouse or as head of a household under section 2 of the Internal Revenue Code.

(20 U.S.C. 1070a(a) (3) (C))

§ 190.42 Special definitions.

For the purposes of this subpart:

(a) "Independent Student" means a student who:

- (1) Has not and will not be claimed as an exemption for Federal income tax

(20 U.S.C. 1070a(a) (3) (C))

purposes by any person except his or her spouse for the calendar year(s) in which aid is received and the calendar year prior to the academic year for which aid is requested,

(2) Has not received and will not receive financial assistance of more than \$600 from his or her parent(s) in the calendar year(s) in which aid is received and the calendar year prior to the academic year for which aid is requested, and

(3) Has not lived or will not live for more than 2 consecutive weeks in the home of a parent during the calendar year in which aid is received and the calendar year prior to the academic year for which aid is requested.

(b) (1) "Annual Adjusted Family Income" for any base year means the sum of the following: Adjusted gross income as defined in section 62 of the Internal Revenue Code of the student and the student's spouse, whether or not the student or the student's spouse files an income tax return, investment income upon which no Federal income tax is required to be paid such as interest on municipal and State bonds, other income of the student and the student's spouse upon which no Federal income tax is required to be paid such as child support payments, income of the student and the student's spouse received under income maintenance programs including welfare benefits, social security benefits except those benefits paid to or on account of the student included in paragraph (f) of this section, and veteran's benefits except those veteran's benefits paid to the independent student under chapters 34 and 35 of title 38 of the United States Code.

(2) In the case of the student who is divorced, or is separated only the student's own income shall be considered in determining the annual adjusted family income.

(3) In the case where the student and his spouse are married and not separated but file separate returns for Federal income tax purposes, the income as described in paragraph (b)(1) of this section of both the applicant and spouse shall be combined to determine the annual adjusted family income for that student.

(c) "Assets" means cash on hand including amounts in checking accounts, savings accounts and trusts, the current market value at the time of application of stocks, bonds, and other securities, real estate, home (if owned), income producing property, business equipment and business inventory which are held by the independent student and/or his spouse.

(d) "Base year" means the tax year for which information is requested by the Commissioner for the purpose of determining family income.

(e) "Dependent" means the independent student's spouse and any of the following persons for whom the student or his spouse provides or will provide during the calendar year in which the student applies to have his expected family contribution determined more than one-half of support:

(1) Has not and will not be claimed as an exemption for Federal income tax

(2) Has not and will not be claimed as an exemption for Federal income tax

(3) Has not and will not be claimed as an exemption for Federal income tax

(4) Has not and will not be claimed as an exemption for Federal income tax

(5) Has not and will not be claimed as an exemption for Federal income tax

(6) Has not and will not be claimed as an exemption for Federal income tax

(1) Any children of the student or his spouse; (2) any other persons related to the student or his spouse by blood or marriage; or (3) any person living with the student and his spouse.

(f) The "effective income of the student" means any amount paid to, or on account of, the student for the base year under the Social Security Act which would not be paid if he were not a student; (i.e., under section 202(d) of title II of the Social Security Act, 42 U.S.C. 402(d)) and one-half of any amount to be paid the student for the academic year for which Basic Grant assistance is requested under chapter 34 of title 38, United States Code (Veterans Educational Assistance—38 U.S.C. 1651 et seq.) and chapter 35 of title 38, United States Code (War Orphans' and Widows' Education Assistance—38 U.S.C. 1700 et seq.). The amount of the effective income of the student is the amount to be received during the academic year for which basic grant assistance is requested.

(g) "Effective family income" means the annual adjusted family income received during the base year minus the Federal income tax paid or payable with respect to such income.

(h) "Employment expense offset" means an allowance to meet expenses relating to employment where both the independent student and his or her spouse are employed or where the independent student qualifies as a surviving spouse or as head of a household under section 2 of the Internal Revenue Code.

(i) "Expenses arising from catastrophe" means those types and amounts of casualty losses which may be deducted under section 165(c)(3) of the Internal Revenue Code which were incurred by the independent student and his dependents during the base year.

(j) "Family size offset" means an allowance to meet subsistence expenses, including food, shelter, clothing, and other basic needs of the independent student and his dependents. For purposes of this part the "Weighted Average Thresholds at the Low Income Level," as developed by the Social Security Administration, shall be used as a basis to determine the amount for the family size offset except in the case of a single independent student, where an amount estimated to be equal to living expenses during periods of nonenrollment shall be utilized.

(k) "Federal income tax" means the tax on income paid to the U.S. Government under chapter 2 of the Internal Revenue Code and the tax on income paid to the Governments of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands under the laws applicable to those jurisdictions.

(20 U.S.C. 1070a(a)(3)(B)(iii))

(l) "Medical expenses" means those types of medical and dental expenses, except premiums for medical insurance, that may be deducted under section 213

of the Internal Revenue Code, which were incurred by the independent student and his dependents during the base year.

(m) "Net assets" means the current market value at the time of application of the assets included in paragraph (c) of this section minus the outstanding liabilities (indebtedness) against such assets.

(20 U.S.C. 1070a(a)(3)(C))

§ 190.43 The expected family contribution for independent students from annual adjusted family income.

The expected family contribution of the independent student from annual adjusted family income shall be an amount determined in the following manner:

(a) Determine effective family income by subtracting from the annual adjusted family income the amount of Federal income tax paid or payable with respect to such income.

(b) Add to the amount determined in paragraph (a) of this section the effective income of the student as defined in § 190.42(f).

(c) Determine discretionary income by deducting from the amount calculated in paragraph (b) of this section the following:

(1) *Family size offset.* A family size offset is the amount specified in the following table. Family size includes the student and his dependents. If the student is divorced or separated, family size shall include any person whose income is taken into account for the purpose of computing the annual adjusted family income and his or her dependents.

FAMILY SIZE OFFSET

Family size	Dollar amount
2	3400
3	4100
4	5200
5	6150
6	6950
7	7700
8	8500
9	9300
10	10100
11	10850
12	11650

An offset of \$950 shall be made for the single independent student.

(2) *Unusual expenses.* The amount by which the sum of medical and dental expenses, and losses resulting from catastrophes incurred in the base year and not compensated by insurance, exceeds 20 percent of effective family income. Unusual expenses may be deducted if they were incurred by the independent student and his dependents during the base year.

(3) *Employment expense offset.* An employment expense offset in an amount equal to 50 percent of the adjusted gross income earned in the base year by either a married independent student or the student's spouse, whoever earns the lesser, or 50 percent of the adjusted gross income earned during the base year by an independent student qualifying as a

surviving spouse or as head of household as defined in section 2 of the Internal Revenue Code, but in no case shall such an offset exceed \$1,500.

(d) Determine the expected family contribution from the family income of the independent student and his or her spouse by applying the following rates to discretionary income:

(1) 75 percent of discretionary income for the single independent student with no dependents;

(2) 50 percent of discretionary income for the married independent student with no dependents other than spouse; and

(3) 40 percent of discretionary income for the independent student who has dependents other than spouse.

(20 U.S.C. 1070a(a)(3)(C))

§ 190.44 [Reserved]

§ 190.45 Computation of expected contribution from the assets of the independent student and his or her spouse.

(a) Except as provided for in paragraph (b) of this section, the expected contribution from the assets of the independent student and his or her spouse shall be determined in the following manner:

(1) Determine the total amount of net assets owned by the student and the student's spouse.

(2) The contribution from assets shall be an amount equal to 33 percent of the amount determined in subparagraph (1) of paragraph (a) of this section.

(b) (1) If the calculations required by § 190.43(c) produce an amount of negative discretionary income as defined in subparagraph (2) of this paragraph the expected contribution from the assets of the student and his spouse calculated in paragraph (a) of this section shall be reduced by the amount of such negative discretionary income.

(2) The amount of negative discretionary income is the amount by which the sum of deductions for offsets and expenses set forth in § 190.43(c) exceeds the amount of income determined in § 190.43(b).

§ 190.46 Computation for expected contribution from annual adjusted family income and assets adjusted for number of family members attending institutions of postsecondary education.

(a) For each grant the amount expected from family income as determined in § 190.43 shall be added to the amount expected from assets as determined in § 190.45.

(b) For each grant the combined expectation calculated on the basis of the above formula shall be further adjusted in the following manner to take into consideration the number of family members who will be in attendance, on at least a half-time basis, in programs of postsecondary education during the

academic year for which basic grant assistance is requested:

Number of family members attending institutions of postsecondary education	Expected contribution from combined contribution per student
1	100 percent of contribution from the amount determined in paragraph (a) of this section.
2	70 percent of contribution from the amount determined in paragraph (a) of this section.
3	50 percent of contribution from the amount determined in paragraph (a) of this section.
4 or more	40 percent of contribution from the amount determined in paragraph (a) of this section.

Family members shall include any person whose income is taken into account for the purpose of computing the annual adjusted family income and his or her dependents.

§ 190.47 Computation of the total expected family contribution.

For each grant the total expected family contribution shall be the expected contribution from discretionary income and assets, as determined in § 190.46.

§ 190.43 Extraordinary circumstances affecting the expected family contribution determination for the independent student.

(a) An applicant may submit an application to the Commissioner, for determination of the applicant's expected family contribution, (or, if such an application has previously been submitted, may submit a new application) which shall use as the base year for this purpose the tax year subsequent to the base year established by the Commissioner if:

(1) A spouse whose income was included in the calculation of expected family contribution as determined in § 190.43 has died in the base year or the tax year subsequent to the base year, or

(2) A spouse whose income was included in the calculation of the expected family contribution as determined in § 190.43 has experienced loss of employment of at least ten (10) weeks during the tax year subsequent to the base year, or

(3) An applicant or spouse whose income was included in the calculation of the expected family contribution as determined in § 190.43 has been unable to pursue normal income-producing activities for a period of at least 10 weeks during the tax year subsequent to the base year by reason of: (i) Disability or (ii) loss or damage to income-producing property as a result of natural disaster, or

(4) The applicant has become separated or divorced since the time he submitted his application, or

(5) The applicant was employed for at least 35 hours per week for a minimum of 30 weeks during the base year and will

not be comparably employed during the tax year subsequent to the base year.

(b) An application submitted pursuant to paragraph (a) of this section shall include the annual adjusted family income and effective student income received for the newly established base year, i.e., the tax year subsequent to the original base year. If necessary, an estimate of the annual adjusted family income and the effective student income shall be provided for the remainder of such year.

(20 U.S.C. 1070a(a) (3) (B) (i) (V))

APPENDIX

The following discussion is intended to provide additional explanation of the procedures for calculating the expected family contribution for dependent and independent students.

Also included is further explanation of §§ 190.39 and 190.46, extraordinary circumstances affecting the expected family contribution determination for dependent and independent students, which have been incorporated into the family contribution schedules to establish specific conditions under which an applicant may file an application using estimated income rather than base year income information.

EXPECTED FAMILY CONTRIBUTION FOR DEPENDENT STUDENTS, ACADEMIC YEAR 1975-76, SUMMARY OF CALCULATIONS

1. Parents' adjusted gross income in 1974	_____
a. Amount earned by father	_____
b. Amount earned by mother	_____
2. Total other family income in 1974	_____
3. One-half of Veterans Educational Benefits (to be received between July 1, 1975 and June 30, 1976)	_____
4. Annual Adjusted Income (lines 1+2+3)	_____
5. Parents' Federal Income Tax paid for 1974	_____
6. Effective family income in 1974	_____
7. Family size offset	_____
8. Unusual expenses	_____
9. Employment expense offset	_____
10. Total offsets against income (lines 7+8+9)	_____
11. Discretionary income (line 6 minus line 10)	_____
12. If line 11 is a positive amount, multiply discretionary income by applicable rate (\$1-\$4,999 @ 20%; \$5,000 or more, \$1,000+30% of amount in excess of \$5,000) to obtain standard contribution from income. If line 11 is a negative amount, enter 0	_____
13. Determine net assets of parents	_____
14. Subtract asset reserve	-\$10,000
15. Available parental assets (line 13 minus line 14)	_____
16. Multiply available parental assets by 0.05	_____
17. Enter line 16 as standard contribution from available parental assets. If line 16 is negative, enter 0	_____
18. If line 11 is a negative amount, enter that amount as a positive number; otherwise enter 0	_____

19. Subtract line 18 from line 17 to obtain contribution from parental assets. If negative number enter 0	_____
20. Add lines 12 and 19 to obtain contribution from family income and parental assets	_____
21. Multiply line 20 by multiple student rate to determine expected family contribution for each member in postsecondary education	_____
22. Determine net assets of student	_____
23. Multiply student's net assets by 0.33	_____
24. Student Eligibility Index equals sums of lines 21 and 23	_____

EXPLANATION OF CALCULATION¹

1. Parents' adjusted gross income in 1974 (line 1). All income which is available to the parents should be considered in the evaluation of parental ability to support the cost of postsecondary education. The most valid reference for parental income subject to Federal income tax is the adjusted gross income item in the family's Federal income tax return. This information is readily available to most families, and the information can be verified by referring to the IRS forms actually filed by the parents.

If it may be assumed that family income will be measured on an annual basis, which year of family income shall be used? Parents provide from their current income for the education of their children. However, if we attempted to use current year information, a parent would have to estimate the amount of income which he will receive during a year in which a child is a student since application for aid is made before the student enrolls for a particular year of study. A study by Orwig and Jones shows that income received during the tax year prior to the year in which the student is applying for aid is the best practical indicator of the income from which a student's actual expenses will be paid.² If estimates of the income received during the actual year of attendance are provided by parents, middle income families systematically underestimate their earnings, and lower income families systematically overestimate their earnings. The amount to be entered here, therefore, is from the previous year's Federal income tax form. In addition, item one requests that the income earned through employment by the father and mother be reported separately. This information is used to determine whether or not the family is eligible for the employment expense offset.

2. Total other family income in 1974 (line 2). Information on other family income must also be collected since this income does clearly contribute to family financial strength and may represent a considerable portion of the parental income of many Basic Grant recipients. Elements of other family income are: Income from tax exempt bonds, that portion of pensions on which no Federal income tax is required, welfare benefits, social security benefits (including those benefits paid to or on account of the student or other educational benefits paid to other members of the family), child support payments which are received for all children for whom the parents provide more than one-half support,

¹ Reference numbers are keyed to the line numbers in preceding summary.

² Orwig and Jones, "Can Financial Need Analysis Be Simplified?" The American College Testing Program, Iowa City, Iowa, 1970—p. 11.

income of families which didn't file income tax returns, that portion of capital gains on which no Federal income tax is required, etc.

3. *One-half of Veterans educational benefits (line 3).* One-half of that amount of veterans readjustment benefits, and/or war orphan's benefits paid to or on behalf of the applicant because he is a student, to be received between July 1, 1975 and June 30, 1976. The amount to be entered on line 3 is calculated as follows: Multiply the monthly amount of benefits times the number of months for which these payments are expected to be received between July 1, 1975 and June 30, 1976, and divide the results by two (2).

4. *Annual adjusted income in 1974 (line 4).* Annual adjusted income is the sum of parents' adjusted gross income (line 1) plus other family income (line 2) and one-half of Veterans educational benefits (line 3).

5. *Parents' Federal income tax paid for 1974 (line 5).* The legislation requires that a deduction be made, from annual adjusted income, for the amount of Federal income tax paid on income received during the base year.

6. *Effective family income in 1974 (line 6).* The result of subtracting Federal income tax paid (line 5) from the annual adjusted income (line 4) is effective family income and is the base for calculating expected contribution from parental income.

7. *Family size offset (line 7).* In addition to taxes, a family has basic subsistence expenses which must be met before any contribution from income can be expected. These expenses will vary depending on size of the family involved. For purposes of the basic grant program the "Weighted Average Thresholds At the Low Income Level," developed by the Social Security Administration and published by the Bureau of the Census, have been used as a reasonable approximation of basic family expenses.* These expenses are based on the food costs of a family of a given size, and make certain assumptions about the additional expenses of shelter and other family needs. The amounts determined in this manner are called "Family Size Offsets."

These base line data have been updated annually to accommodate the increase in the Consumer Price Index as published by the Department of Labor. For the 1975-76 academic year, the family size offsets used during the 1974-75 academic year have been increased by 11.9 percent to reflect the rise in cost of living expenses from November 1973 to October 1974, and then rounded to facilitate calculation. The percentage increase is taken from the latest published Department of Labor Consumer Price Index statistics.

FAMILY SIZE OFFSETS

Family size	DOLLAR AMOUNT
2	8400
3	4100
4	5200
5	6150
6	6950
7	7700
8	8500
9	9300
10	10100
11	10850
12	11650

8. *Unusual expenses (line 8).* The Basic Grant program is required by law to take

*From "Weighted Average Thresholds At the Low Income Level" in 1972 by size of family and sex of head, by farm-nonfarm residence; current population reports, consumer income, characteristics of the low-income population; 1972 series p. 60, No. 91; December 1973.

into consideration two kinds of unusual expenses, those arising from a "catastrophe" and "unusual medical expenses." It is proposed to use the Internal Revenue Service definitions of medical and dental expenses and casualty loss in determining "unusual expenses" for the Basic Grant program. The use of Internal Revenue Service definitions avoid the need for creating a new definition of expenses which would be used only by the Basic Grants program. However, some distinction must be made between expenses which may be itemized for income tax purposes, and those itemized expenses which are "unusual" as used for the Basic Grant legislation.

For purposes of the Basic Grant program, those items which may be included as unusual expenses are:

1. Those medical and dental expenses (not compensated by insurance or otherwise) which may be listed as "medicine and drugs" on line 2 of Schedule A, Form 1040 of the Internal Revenue Service and those expenses which may be listed as "Other Medical and Dental Expenses" on line 6 of Schedule A, Form 1040. The gross amount of all such medical, dental and drug expenses is to be used in the Basic Grant calculation.

2. Those casualty or theft loss(es) permitted by the Internal Revenue Service (Form 1040, Schedule A, line 29).

The amount of unusual expenses which may be deducted from effective family income (line 6 of this illustration) is that amount of unusual expenses (as defined above) in excess of 20 percent of effective family income. This exclusion is designed to confine claims for such expenses to those which are genuinely unusual.

9. *Employment expense of offset (line 9).* Constructing budgets which recognize expenses for families, due provision must be made for the expenses of the breadwinner which occur as a result of employment itself. Some expenses for clothing, transportation, and other items are attributable to occupational needs. When both parents work, additional employment expenses are incurred. Also, if a household is headed by a single parent, the costs associated with that employment are greater than for a comparable worker who has the economic advantage of a nonemployed spouse. Therefore in the determination of family contribution an "Employment Expense Offset" has been constructed to treat more equitably the income of the two parent family where both parents work, or the single parent household. It is recognized that both of these types of families will occur frequently in the lower income families where Basic Grant eligibility is greatest. The offset provides that 50 percent of the earnings of that parent with the lesser earnings, or 50 percent of the earnings of the single parent, will be protected from any contribution toward education. The maximum offset is \$1,500 and would thus assure that up to \$30 a week would be available for the additional expenses which these parents face.

10. *Total offsets against income (line 10).* The sum of line 7 (family size offset) plus line 8 (unusual expenses) plus line 9 (employment expense offset) is the total amount which can be deducted from effective family income (line 6) in order to determine discretionary parental income.

11. *Discretionary income (line 11).* The income which remains after allowance has been made for family living expenses, Federal income taxes, unusual expenses and the employment expense offset may be identified as discretionary income. This income is available for the purchases of goods and services which enhance the standard of living of the family including the cost of postsecondary education. This income may be a positive or negative amount. If the discretionary income is a positive amount, some contribution will

be expected in accordance with step 12. If the discretionary income is a negative amount, no contribution from income will be expected.

12. *Standard income contribution (line 12).* If line 11 is a positive amount a standard contribution from income can be determined. A contribution of 20 percent is expected from the first \$5000 of discretionary income. When discretionary income exceeds \$5000, the expected income contribution is \$1000 plus 30 percent of the amount in excess of \$5000. The contribution rates will generally be at the 20 percent level for most of the income range where Basic Grant eligibility will occur.

These contribution rates appear reasonable in terms of the several demands made on family income, especially in light of the fact that the cost of supporting the student for the academic year is included in the cost of education and does not have to be met from the general budget resources.

13. *Net assets of parents (line 13).* For purposes of Basic Grants, the following types of assets will be considered: Equity in farm, business, home, other real estate, stocks, bonds, other investments, savings accounts, etc. Since equity is being measured, debts against the stated assets will be deducted in evaluating the net worth of these assets.

14. *Asset reserve (line 14).* In order to determine the amount of parental assets which can be considered in determining a contribution for educational purposes, an asset reserve of \$10,000 is subtracted from the net assets of the parents. Since families accumulate assets for several purposes including retirement, future consumption, and the post-secondary education of their children, a portion of assets should be reserved from any contribution toward postsecondary education, and remaining assets be assessed at some rate less than 100 percent. This \$10,000 asset reserve would also allow for emergencies and retirement needs.

15. *Available parental assets (line 15).* Subtracting line 14 (asset reserve) from line 13 (net assets of parents) results in available parental assets. If this is a negative amount, enter zero since there is no provision in the formula for a treatment of negative assets.

16. *Asset assessment rate (line 16).* Once the available parental assets have been determined, a contribution rate of 5 percent will be assessed on the parents' net worth in excess of \$10,000. Because the value of assets grows, this rate of asset assessment will generally leave the family's asset position largely unimpaired.

A 5% rate is equal to or below current real estate and savings account appreciation rates, and therefore seems reasonable.

17. *Parental contribution from assets (line 17).* The result of multiplying the amount of net assets times the asset assessment rate represents the parental contribution from assets.

18. *Adjustment for negative discretionary income of the family (line 18).* In the event that the family has negative income, that is if the family's income is less than the sum of the various offsets against income, the support of basic family needs must be given priority over the support of post-secondary education. Therefore, the amount of the negative discretionary income of the family (as computed in line 11) is preserved to be subtracted from any contribution from parental assets as calculated above.

19. *Offset from parental assets contribution for negative discretionary income (line 19).* The total measure of available family resources in a particular year is the assessment of both income and assets of the family. This procedure takes into consideration the interdependent relationship between assets and income. In the event that there is a negative assessment of income (e.g. offsets allowed

(line 10) exceed total effective income (line 6), the amount of negative assessment should be taken into account when determining the total measure of available family resources. This can be accomplished by offsetting the negative income component (line 18) against the expected parental contribution from assets (line 17). The resulting amount (if positive) represents the expected parental contribution from assets for educational purposes.

20. (line 20). Adding line 12 (family income component) to line 19 (parental asset component) provides the parental income and asset components of the eligibility index.

21. Multiple student adjustment (line 21). Adding the family income contribution to the parental asset contribution and the other parental asset contribution results in the expected contribution from parents with one family member in postsecondary education. Some adjustments must then be made for those families in which more than one family member will be enrolled in postsecondary education for the academic year 1975-76.)

Since each student has an allowance for costs of attendance, the family's discretionary income is effectively increased when there is more than one family member in postsecondary education. In order to determine the appropriate percentages, the contributions expected from different family sizes were compared. These investigations indicated that 140 percent of the contribution for one student would be a reasonable assessment against the family with two students. Thus, each student would receive 70 percent of the contribution which the family would make if there were only one student in the family. Similarly, 150 percent of the single student contribution seemed adequate for the family with three children in postsecondary education; each student could expect 50 percent of the single student contribution. For families with four or more students, each family will be assessed 40 percent of the single student contribution for each child in postsecondary education.

The following table summarizes the treatment of families with different numbers of family members in postsecondary education:

Number of students	Contribution per student as a percent of standard contribution	Family contribution for all students as a percent of standard contribution
	Percent	Percent
1.....	100	100
2.....	70	140
3.....	50	150
4 or more.....	40	160+

22. Net assets of the student (line 22). The applicant's net assets would be defined in the same fashion as the assets of the parents. Debts against these assets would be deducted. Trust funds in the student's name would be included if the student is not legally restricted from having access to these funds.

23. Student asset assessment rate (line 23). In determining a fair treatment of student assets the theory of the major need analysis systems has been followed; i.e., that because the student himself is the direct beneficiary of postsecondary education, he should be expected to invest a greater portion of his resources in meeting his educational costs than should be expected from his parents.

For the Basic Grants program, one-third of the student's assets (recalculated each year) would be expected. This method is simple and provides a modest reserve for the student.

The result of multiplying the student's net assets (line 22) by the student asset assess-

ment rate (.33) is that amount expected from student assets for educational purposes.

24. Total family contribution (line 24).—The total expected family contribution for a dependent student is determined by adding line 21 plus 23. A resulting Student Eligibility Index of 1200 or less means a student is eligible for a Basic Grant on the basis of financial need. Of course, before a student can receive a grant, he or she must be enrolled in an eligible program of study offered by an eligible institution of postsecondary education.

EXPECTED FAMILY CONTRIBUTION FOR INDEPENDENT STUDENTS, ACADEMIC YEAR 1975-76
SUMMARY OF CALCULATIONS

1. Adjusted gross income of applicant (and spouse) in 1974.....
- a. Amount earned by applicant.....
- b. Amount earned by spouse.....
2. Total other family income in 1974.....
3. One-half of Veterans Educational Benefits (to be received between July 1, 1975 and June 30, 1976).....
4. Annual adjusted income (lines 1+2+3).....
5. Federal Income Tax Paid for 1974.....
6. Effective family income.....
7. Family size offset.....
8. Unusual Expenses.....
9. Employment expense offset.....
10. Total offsets against income (lines 7+8+9).....
11. Discretionary income (line 6 minus line 10).....
12. If line 11 is a positive amount, multiply discretionary income by applicable rate to obtain standard contribution from income. If line 11 is a negative amount enter 0.....
13. Determine net assets of applicant (and spouse).....
14. Multiply amount of assets of applicant (and spouse) entered in line 13 by 0.33 to obtain standard contribution from assets.....
15. If line 11 is a negative number, enter as a positive number; otherwise enter 0.....
16. Subtract line 15 from line 14 to obtain standard contribution from student assets. If negative number, enter 0.....
17. Add lines 12 and 16 to obtain standard contribution from income and assets.....
18. Multiply standard contribution by multiple student rate to determine expected family contribution for each member in postsecondary education.....
19. Student Eligibility Index equals line 18.....

EXPECTED FAMILY CONTRIBUTION FOR INDEPENDENT STUDENTS ACADEMIC YEAR 1975-76

Explanation of calculations.¹ For the purposes of the Basic Grants program, independent (self-supporting) student status may be claimed if the applicant:

- (1) Has not been and will not be claimed as an exemption for Federal income tax purposes by any person except his or her spouse for the calendar year(s) 1974, 1975, 1976, and

(2) Has not received and will not receive financial assistance of more than \$600 (in cash or kind) from his or her parent(s) in the calendar year(s) 1974, 1975, and 1976, and

(3) Has not lived or will not live for more than two consecutive weeks in the home of a parent during the calendar year(s) 1974, 1975, and 1976.

Once a student has been determined to meet all of these criteria and is defined as an independent student, his expected family contribution is calculated according to the process outlined below.

1. Adjusted gross income of applicant (and spouse) (line 1). All income which is available to the applicant (and spouse) should be considered in the evaluation of ability to support the cost of postsecondary education. The most valid reference for taxable income is the adjusted gross income item as reported on the Federal income return. This information is readily available and can be verified by referring to the IRS forms actually filed.

The decision as to which year's income is to be considered is a difficult one for independent students. Traditionally, a student's income may vary considerably from year to year. While it may be preferable to ask the student to estimate his earnings for the current year, recent studies have shown that estimated income is not a reliable base for determining student financial need. Since the Basic Grant system requires essentially no verification or intervention from financial aid officers, serious reservations exist to the categorical use of estimated income for all independent applicants. Therefore, it has been determined that the adjusted gross income to be considered is that amount entered on the previous year's Federal Income Tax Return. This also has the advantage of being consistent with the data collected for dependent students and assures that the eligibility index for all students is determined from the same base.

However, as a result of lengthy discussions and the experience gained during the first two years of program operation, the independent student may be permitted to report estimated income under special circumstances. Specifically, the independent student who applies for a Basic Grant for the 1975-76 academic year will be permitted to file using estimated 1975 income (rather than actual 1974 information) if that applicant was employed on a full-time basis during the base year and left that employment to enroll in postsecondary education.

In addition, item one requests that the income earned through employment by the applicant and his or her spouse be reported separately. This information is used to determine whether or not the family is eligible for the employment expense offset.

2. Total other income of applicant (and spouse) in 1974 (line 2). Information on other income (that income which is not included in 1974 Adjusted Gross Income) of the independent student must also be collected since this income does clearly contribute to financial strength and may represent a considerable portion of the income of many Basic Grant recipients. Elements of other income are: Income from tax exempt bonds, that portion of pensions on which no Federal income tax is required, that portion of capital gains on which no Federal income tax is required, welfare benefits, social security benefits, child support payments, veteran's disability, income of persons who did not file income tax returns, etc.

3. One-half of Veterans Educational Benefits (line 3). One-half of that amount of veterans readjustment benefits and/or Widow's War Orphan's benefits, paid to or on behalf of the applicant because he is a student, to be received between July 1, 1975 and June 30, 1976. The amount to be entered on line 3 is calculated as follows:

¹ Reference numbers are keyed to line items of preceding summary.

Multiply the monthly amount of these benefits times the number of months for which these payments are expected to be received between July 1, 1975 and June 30, 1976, and divide the result by two (2).

4. *Annual adjusted income of applicant (and spouse) (line 4).*—Annual adjusted income is the sum of adjusted gross income (line 1), and other family income (line 2) and one-half of veterans educational benefits (line 3).

5. *Federal income tax paid by applicant (and spouse) (line 5).* The legislation requires that a deduction be made, from annual adjusted income, for the amount of Federal income tax paid on income received during 1974.

6. *Effective family income (line 6).* The result of subtracting Federal income tax paid (line 5) from the annual adjusted family income (line 4) is effective family income.

7. *Family size offset (line 7).* In addition to taxes, there are basic subsistence expenses which must be met before any contribution from income can be expected. These expenses will vary depending on the size of the family involved. For the single independent student, this offset is \$950 which covers the student's summer living expenses. Using the same base for deriving family size offsets as is used for multiple member families (weighted average thresholds at the low-income level) and adjusting for an 11.9 percent increase in the cost of living, the family size offset for a single member family is \$2649 per year. Generally, a student is in school for approximately 65 percent of the year (two 16-week semesters plus a 2-week break between semesters). Since his expenses during this 34-week academic year are covered in his cost of attendance, the \$950 offset provides for his expenses during that period of time when he is not in school.

For married independent students and those with additional dependents, the family size offset is the same as that for the parent's of dependent students:

FAMILY SIZE OFFSETS

Family size	Dollar amount
2	3400
3	4100
4	5200
5	6150
6	6950
7	7700
8	8500
9	9300
10	10100
11	10850
12	11650

8. *Unusual expense (line 8).* The Basic Grants program is required by law to take into consideration at least two kinds of unusual expenses, those arising from a "catastrophe" and "unusual medical expenses." It is proposed to use the Internal Revenue Service definitions for medical and dental expenses and casualty loss(es) to constitute "unusual expenses" for the Basic Grants program. The use of Internal Revenue Service definitions avoids the need for creating a new definition of expenses which would be used only by the Basic Grants program. However, some distinction must be made between expenses which may be itemized for income tax purposes, and those itemized expenses which are "unusual" for Basic Grants.

For purposes of the Basic Grants program those items which may be included as unusual expenses are:

1. Those medical and dental expenses incurred during the base year (not compensated by insurance or otherwise) which may be listed as "medicine and drugs" on line 2 of Schedule A, Form 1040 of the Internal

Revenue Service and those expenses which may be listed as "Other Medical and Dental Expenses" on line 6 of Schedule A, Form 1040. The gross amount of all medical, dental and drug expenses may be listed.

2. In addition, those casualty or theft loss(es) incurred during the base year permitted by the Internal Revenue Service (Form 1040, Schedule A, line 29).

The amount of unusual expenses which may be deducted is that amount of unusual expenses (as defined above) in excess of 20 percent of the effective family income. This exclusion is designed to confine claims for such expenses to those which are genuinely unusual.

9. *Employment expense offset (line 9).* In constructing budgets which recognize minimum expenses for families, provision must be made for the expenses of the breadwinner which occur as a result of employment itself. Some expenses for clothing, transportation, food, and other items are attributable to occupational needs. When two persons work, additional employment expenses are incurred. Also, if a household is headed by a single person, the costs associated with that employment are greater than for a comparable worker who has the economic advantage of a nonemployed spouse. Therefore, in the determination of family contribution an "Employment Expense Offset" has been constructed to treat more equitably the income of the two-person family where both persons work during the base year, or the single person who heads a household during the base year. It is recognized that both of these types of families will occur frequently in the lower income families where Basic Grants eligibility is greatest. The offset provides that 50 percent of the earnings of that person with the lesser earnings, or 50 percent of the earnings of the single head of household, will be protected from any contribution toward education. The maximum offset would be \$1,500 and would thus assure that up to \$30 a week would be available for the additional expenses which these persons face.

10. *Total offsets from income (line 10).* The sum of line 7 (family size offset) plus line 8 (unusual expenses) plus line 9 (employment expense offset) is the total amount which can be deducted from effective family income (line 6) in order to determine discretionary income.

11. *Discretionary income (line 11).* The income which remains after adjustment has been made for family living expenses, Federal income taxes, unusual expenses and the employment expense offset may be identified as discretionary income. This income is available for the purchase of goods and services which enhance the standard of living of the family, including postsecondary education. This income may be a positive or negative amount. If the discretionary income is a positive amount, a contribution from income will be expected in accordance with step 12. If the discretionary income is a negative amount, no contribution from income will be expected.

12. *Standard income contribution (line 12).* If line 11 is a positive amount a standard contribution from income can be determined. Because of the direct benefits of postsecondary education received by the independent student, the expected contribution rate for such students from income has traditionally been much greater than the rate applied to the discretionary income of the parents of dependent students. In fact, the independent student has usually been expected to use all of his discretionary income for educational purposes.

In developing a system for the Basic Grants program, it was felt that a 100 percent contribution rate was excessive, especially for

independent students with family responsibilities.

The following income contribution schedule was developed to accommodate these responsibilities:

(a) 75 percent of discretionary income for the single independent student with no dependents;

(b) 50 percent of discretionary income for the married independent student with no dependents other than spouse;

(c) 40 percent of discretionary income for the married independent student who has dependents other than spouse.

13. *Net assets of applicant (and spouse) (line 13).* For purposes of Basic Grants, the following types of assets will be considered: Equity in farm, business, home, other real estate, stocks, bonds, other investments, savings accounts, etc. Since equity is being measured, debts against the stated assets will be deducted in evaluating the net worth of these assets.

14. *Asset contribution rate (line 14).* In determining a fair treatment of student assets, it has been assumed that since a student is the direct beneficiary of postsecondary education, he should be expected to invest a portion of his resources in meeting his educational costs. Therefore, one-third of the student's assets (recalculated each year) would be expected. This method is simple and provides a modest reserve for the student. The result of multiplying the student's net assets (line 13) by the student assets assessment rate is that amount expected from student assets for educational purposes.

15. *Adjustment for negative discretionary income of the applicant (and spouse) (line 15).* In the event that the family has negative income, that is if the family's income is less than the sum of the various offsets against income, the support of basic family needs must be given priority over the support of postsecondary education. Therefore, the amount of the negative discretionary income of the applicant (and spouse) (as computed in line 11) is preserved to be subtracted from any contribution from the student's assets as calculated above.

16. *Offset from applicant's (and spouse's) asset contribution for negative discretionary income (line 16).* The total measure of available family resources in a particular year is the assessment of both the income and assets of the applicant (and spouse). This procedure takes into consideration the interdependent relationship between assets and income. In the event that there is a negative assessment of income (e.g. offsets allowed (line 10) exceed total effective income (line 6)), the amount of negative assessment should be taken into account when determining the total measure of available family resources. This can be accomplished by offsetting the negative income component (line 15) against the independent student's assets (line 14). The resulting amount if positive, represents the applicant's (and spouse's) contribution from assets for educational purposes.

17. *Standard contribution from income and assets (line 17).* The amount of standard contribution from the applicant's and spouse's income (line 12) and the amount of contribution from the assets of the applicant and spouse (line 16) are added here to determine the amount of expected family contribution from income and assets for Basic Grants purposes.

18. *Multiple student adjustment (line 18).*—Adding the contribution from annual adjusted family income to the asset contribution results in the expected contribution for one family member in postsecondary education from family income and assets. Some adjustment must then be made for those families in which more than one family member

will be enrolled in postsecondary education for the academic year 1975-76.

The adjustments used for the dependent student may also be used for the independent student. The use of the same adjustments for both groups of students assures consistency of treatment, and implements the general principle that a family with more than one person in postsecondary education should contribute less per person than a family with only one member engaged in such study.

19. *Total family contribution (line 19).*—The total expected family contribution for an independent student equals the amount calculated on line 18. A resulting Student Eligibility Index of 1200 or less means a student is eligible for a Basic Grant on the basis of financial need. Of course, before a student can receive a grant, he or she must be enrolled in an eligible program of study offered by an eligible institution of postsecondary education.

(Subpart 1 of Part A of title IV of the Higher Education Act of 1965, as amended (20 U.S.C. 1070a))

Extraordinary circumstances affecting the expected family contribution determination for dependent and independent students §§ 190.39 and 190.48. For purposes of determining expected family contribution for the Basic Grant Program, it was determined that the most accurate indicator of annual adjusted family income is the amount reported on the Federal Income Tax Return for the year preceding the year for which aid is requested. However, it was recognized that extraordinary circumstances could oc-

cur which would substantially affect the expected family contribution which was calculated on the basis of the preceding year's income. Therefore, this regulation establishes the conditions under which an applicant may request a determination of expected family contribution which uses the current tax year as the base year and reflects these extraordinary circumstances. These conditions are listed below.

In the event of the death of the applicant's parent(s) or spouse, whose income was included in the determination of expected family contribution, the applicant may immediately request that his expected family contribution be calculated using the current tax year as the base year.

A different situation exists in those cases where the parent or spouse of the applicant whose income was included in the determination of his expected family contribution suffers a loss of employment.

A similar situation occurs when the applicant's parent or spouse whose income was included in the determination of expected family contribution is unable to pursue normal income-producing activities due to disability or loss or damage to income-producing property due to natural disaster.

For applicants who experience such situations as described above, there will be a requirement of a 10-week waiting period before the applicant can request a calculation of expected family contribution using the current tax year as the base year. This loss of employment or inability to pursue normal income-producing activities must be of at least 10 weeks in duration and must occur

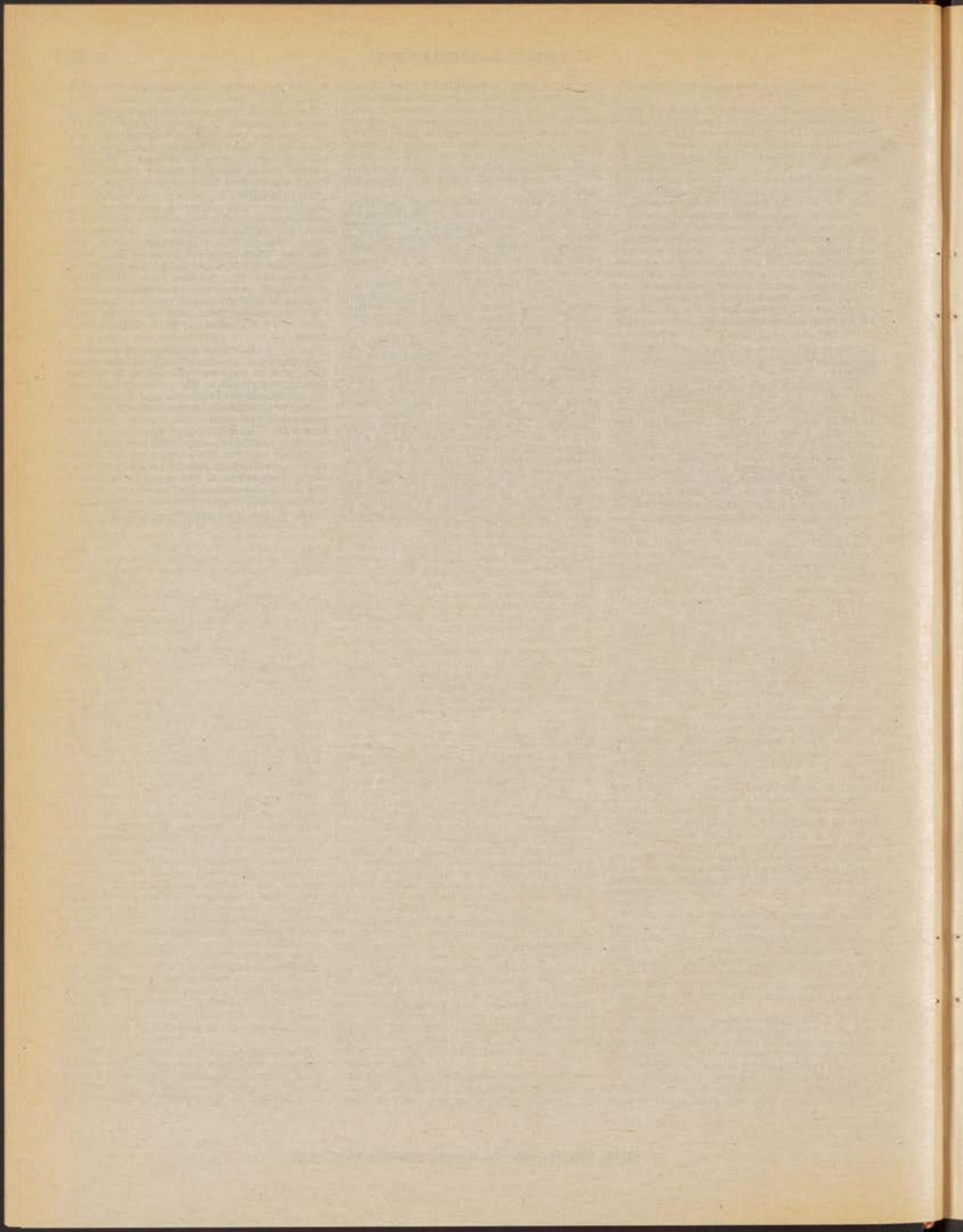
during the tax year subsequent to the base year.

Another situation occurs when the parents of an applicant, or the applicant himself, have become separated or divorced since the time the application was submitted. In such cases an applicant may request a determination of his expected family contribution using the current tax year as the base year.

An independent applicant may also file an application using estimated current year income data if he was employed on a full-time basis during the base year and is unable to pursue comparable employment during the tax year. Such employment must have been of at least 35 hours per week for a minimum of 30 weeks during the base year. This change is intended to alleviate problems of the independent student who by reason of his earnings during the base year has often been determined ineligible for Basic Grant assistance.

In all cases where a request is made to vary from the standard base year, the applicant will be required to submit a regular application providing all necessary information, indicating the amount of income received to the date of the request and an estimate of the amount of the income to be received for the remainder of that year as well as any other pertinent information the Commissioner may require. Along with this application, the student will be required to submit a Supplemental Form which indicates the conditions under which such recomputation of family contribution is requested.

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PART IV



DEPARTMENT OF LABOR

Employment Standards
Administration



MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination
Decisions; Index

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 April 4, 1975, 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.

NEW GENERAL WAGE DETERMINATION DECISIONS

New General Wage Determination Decision Nos. IL75-2052 and IL75-2055 for the State of Illinois.

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:

Alaska:		
AK75-5033	-----	Mar. 7, 1975
Arkansas:		
AR75-4058	-----	Feb. 28, 1975

California:		
CA75-5020, CA75-5021	-----	Feb. 14, 1975
CA75-5022, CA75-5023	-----	Feb. 28, 1975
Iowa:		
IA75-4034, IA75-4042	-----	Jan. 31, 1975
Kansas:		
KS75-4061, KS75-4062, KS75-4064, KS75-4065	-----	Mar. 14, 1975
Maryland:		
AK-2076	-----	Mar. 15, 1974
Michigan:		
AR-3150	-----	Oct. 11, 1974
Missouri:		
MO75-4059	-----	Feb. 28, 1975
New Mexico:		
AQ-18	-----	Aug. 10, 1975
NM75-4002	-----	Jan. 10, 1975
Ohio:		
AR-3034, AR-3035, AR-3036, AR-3037, AR-3038	-----	Aug. 23, 1974
AR-3172, AR-3173	-----	Nov. 22, 1974
Oklahoma:		
AR-88	-----	Dec. 13, 1974
AR-93	-----	Dec. 27, 1974
Pennsylvania:		
AQ-2043	-----	Feb. 22, 1974
AQ-2046	-----	Mar. 8, 1974
AQ-2070	-----	Mar. 15, 1974
AQ-2079, AQ-2084	-----	Mar. 29, 1974
AQ-2121	-----	May 24, 1974
AR-2033, AR-2034	-----	Sept. 27, 1974
AR-2036	-----	Sept. 20, 1974
AR-2037, AR-2038	-----	Aug. 30, 1974
AR-2039	-----	Sept. 27, 1974
AR-2045, AR-2046	-----	Oct. 18, 1974
AR-2092	-----	Nov. 29, 1974
AR-2094	-----	Dec. 13, 1974
AR-2099, AR-2098	-----	Dec. 27, 1974
PA75-3015	-----	Feb. 14, 1975
PA75-3017	-----	Feb. 21, 1975
PA75-3021	-----	Mar. 21, 1975
PA75-3023	-----	Mar. 14, 1975
Texas:		
TX75-4009	-----	Jan. 17, 1975
TX75-4022, TX75-4024	-----	Jan. 24, 1975
Virginia:		
AM-1874, AM-1875	-----	Aug. 20, 1971
AM-9320	-----	May 19, 1972
AP-406	-----	July 28, 1972
AP-805	-----	May 4, 1973
AQ-2020	-----	Oct. 5, 1973

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 number of the decisions being superseded:

Alabama:		
AQ-4060 (AL75-1043)	-----	Jan. 25, 1974
Arkansas:		
AR75-4019 (AR75-4073)	---	Jan. 17, 1975
Connecticut:		
AR-3098 (CT75-2057)	-----	Aug. 12, 1974
NY75-3010 (CT75-5045)	---	Jan. 24, 1975
Iowa:		
IA75-4045 (IA75-4074)	---	Jan. 31, 1975
Massachusetts:		
AQ-3032 (MA75-2054)	-----	Nov. 2, 1973
Missouri:		
AQ-94 (MO75-4075)	-----	May 3, 1974
Ohio:		
AR-3048 (OH75-2056)	---	Aug. 2, 1974
Oregon:		
AR-1016 (OR75-5042)	---	Aug. 16, 1974
Pennsylvania:		
AQ-2060 (PA75-3028), AQ-2058 (PA75-3029)	-----	Mar. 8, 1974
AQ-2060 (PA75-3030)	-----	Feb. 15, 1974
South Dakota:		
AR-1056 (SD75-5043)	-----	Dec. 20, 1974
AR-1027 (SD75-5044)	-----	Aug. 30, 1974

Signed at Washington, D.C., this 28th day of March 1975.

RAY J. DOLAN,
Assistant Administrator
Wage and Hour Division.

COUNTIES: Ford, Iroquois and
Kankakee

DATE: Date of Publication
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and
garden type apartments up to and including 4 stories).

DECISION NO. 1175-2052

ELECTRICIANS (Cont'd)
Kankakee County & Remainder of
Ford & Iroquois Counties

ELEVATOR CONSTRUCTORS:
Kankakee County:

Constructors
Helpers
Helpers (Prob.)

GLAZIERS:
Piper City & North thereof in
Ford County & Area East of
Cahoy in Kankakee County

Remainder of Kankakee County
Remainder of Ford County

IRONWORKERS:
Ford County
Iroquois & Kankakee Counties

LATERS:
Ford County

LEADWORKERS:
Ford County:

Brush
Paperhanging
Structural Steel

Iroquois & Kankakee Counties:
Brush & Roller
Spray

PLASTERERS:
Ford County

Iroquois & Kankakee Counties

PLUMBERS & STEAMFITTERS:
Ford County

Iroquois & Kankakee Counties

ROOFERS:
Ford County

Iroquois County
Kankakee County

NEW DECISION

STATE: Illinois

DECISION NUMBER: 1175-2052

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			App. %
		M & W	Profits	Vacation	
ASBESTOS WORKERS	\$10.36	.58	.67		.05
BOILERMAKERS: Kankakee County:	8.75	.40	.90	.42	.01
Boilermakers Helpers	8.65	.40	.90	.42	.01
Ford & Iroquois Counties:	8.55	.40	.65		.01
Boilermakers					
BRICKLAYERS; STONEMASONS; MARBLE SETTERS; TERRAZZO WORKERS & TILE SETTERS: Kankakee County:	9.80	.35			.02
Bricklayers; Stonemasons; Marble Setters; Tile & Terrazzo Workers	8.925	.30			
South of Roberts in Ford County:	9.10				
Bricklayers & Stonemasons	9.80	.35	.40		.02
Marble-Tile & Terrazzo Workers	8.70	.45			
Remainder of Ford County:	9.10				
Bricklayers & Stonemasons	9.80	.35	.40		.02
Marble-Tile & Terrazzo Workers	8.70	.45			
CARPENTERS: Ford County:	8.815	.30	.60		.08
Carpenters & Soft Floor Layers	9.165	.30	.60		.08
Millwrights & Piledrivermen	9.56	.35	.30		
Iroquois & Kankakee Counties: Carpenters; Millwrights; Soft Floor Layers & Piledrivermen	9.275	.30			.025
CEMENT MASONS: Ford County	8.95	.30			
Iroquois & Kankakee Counties	8.77	.30	15+.30		.25%
ELECTRICIANS: Twp. of Fountain Creek, Love Twp. & Prairie Green in Iroquois County	9.40	.30	15+.20		.4%
Area S. of Roberts Twp. in Ford County, Twp. of Artesia, Pigeon Grove & Loda in Iroquois County					

Basic
Hourly
Rates

M & W

Profits

Vacation

App. %

99.56

.35

.30

.02

.445

.29

35+.50

.02

.445

.29

35+.50

.02

.24

.30

.01

.40

.30

.03

8.70

.60

.08

9.70

.50

.03

8.64

.30

.01

9.25

.35

.01

DECISION NO. IL75-2032

SHEET METAL WORKERS:
 Ford County
 Iroquois & Kankakee Counties
SPRINKLER FITTERS
TRUCK DRIVERS:
 Kankakee County & Remainder of
 Iroquois County:
 2-3 Axle Trucks
 4-Axle Trucks
 5-Axle Trucks
 6-Axle Trucks
 Northern 1/2 of Ford County:
 2-3 Axle Trucks
 4-Axle Trucks
 5-Axle Trucks
 6-Axle Trucks

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS: (WHERE APPLICABLE)
 A-New Years Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

- a.-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 rate to vacation pay credit for employee who has worked in business less than 5 years.
- b.-Six Paid Holidays: A through F.
- c.-Nine Paid Holidays: A through F plus Washington's Birthday, Good Friday & Xmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, & the regular scheduled work immediately preceding and following the holiday.
- d.-Per Week Per Employee

DECISION NO. IL75-2032

LABORERS:
VALTAPPE COUNTY
 UNSKILLED
 SEMI-SKILLED
 SKILLED
FORD & IROQUOIS COUNTIES
 UNSKILLED
 SEMI-SKILLED
 SKILLED

LABORERS - KANKAKEE, FORD & IROQUOIS COUNTIES

UNSKILLED: Common laborers; carpenter tenders; tool cribmen; firemen or steamboiler tenders; flagmen, gravel bo men; dumpmen & spotters; form handlers; material patchers; ironworkers; unloading explosives; laying of sod; planting of trees; asphalt plant laborers; wrecking laborers; writer of scale tickets; fire stop laborers; fireproofing laborers; janitors; wrecking-demolition ballistics; salben & housework; driving of stakes; stringlines for all machinery

SEMI-SKILLED: Handling of materials treated with oil, creosote, asphalt or any foreign material, truck laborers; cement handlers; chloride handlers; the unloading and laborers w/steel workers 7 rebars; concrete workers (wet); tunnel helpers in free air; batch dumpers; mason & plasterer tenders & material wheelers; kettlemen & barmen; tank cleaners; plastic installers; scaffold workers; motorized buggies or motorized unit used for wet concrete or handling of building materials laborers w/surveying systems; all sewer workers plus depth; rod & chainmen with land surveyors; vibrator operators; mortar mixer operator; cement silica, clay, fly ash, lime & plaster; handlers (bulk or bag); cofferdam workers plus depth; (on concrete paving) placing, cutting & tying or reinforcing; deck hand; dredge hand & shore laborers; bankmen on floating plant; asphalt workers w/machine; asphalt maker; grade checker

SKILLED: Dynamite man or blasters; caissons workers plus depth; gunnite; mosaic man; leadmen on sewer work; welders; cutters; burners; torchmen; chain saw operator; jackhammer & drill operators; layout man; steel form setters (street & highway); air tamping hammerman; signal man on cranes, concrete saw operator; screeman on asphalt pavers; laborers tending concrete w/hot materials are used; multiple concrete dust-leadmen; curb asphalt machine operator; ready-mix scaleman; portable or temporary plant; laborers handling masterplate or similar materials; laser beam operator; coring machine operator

Basic Hourly Rates	Fringe Benefits Payments			App. Th.
	M & W	Pensions	Vacation	
\$ 7.42	.30	.20		.035
7.52	.30	.20		.035
7.82	.30	.20		.035
7.29	.30	.20		.035
7.49	.30	.20		.035
7.69	.30	.20		.035

Basic Hourly Rates	Fringe Benefits Payments			App. Th.
	M & W	Pensions	Vacation	
\$8.925	.375	.30		.02
8.35	.25	.25	.34	.01
9.40	.50	.70		.08
6.70	d12.50	d11.00		
6.90	d12.50	d11.00		
7.10	d12.50	d11.00		
7.25	d12.50	d11.00		
6.60	d15.00	d19.00		
6.75	d15.00	d19.00		
6.95	d15.00	d19.00		
7.15	d15.00	d19.00		

DECISION NO. 1173-2052

POWER EQUIPMENT OPERATORS: ILLINOIS & INDIANA COUNTIES

Basic Hourly Rates	Fringe Benefits Payments			App. Tc.
	H & W	Retiremen	Vacation	
\$ 8.575	.30	.50		.05
8.475	.30	.50		.05
8.30	.30	.50		.05
6.55	.30	.50		.05

- CLASS I
- CLASS II
- CLASS III
- CLASS IV

POWER EQUIPMENT OPERATORS: IOWA & MISSOURI COUNTIES

- CLASS I: Master Mechanic
- CLASS II: Utility Operator

CLASS III: Power cranes, Draglines, Electric overhead cranes, Shovels, Grapple, Mechanics, Repair and Maintenance of all equipment, Tractor highlift shovel, Forklifts, Tournamixer, 2 arms machine or 2 cup hoist, Cableways, Tower machines, Motor Patrol, Boom tractor, Boom or winch truck, Truck Crane, Tournapull, Tractor operating scoops, Bulldozer, Push Tractor, Finishing machine on Asphalt, Large rollers & rollers on asphalt, Gravel Machine & Brick surface, Ross carrier or similar machine, Asphalt Plant Engineer or Pug Mill, Two (2) air compressors, Estimating on paver operator, Farm tractor with 2 yard bucket and/or backhoe attachment, Trench machines cutting over 24" Dredging equipment, Central mix plant engineer, concrete spreader, Air compressors 200 cu. ft. or over, Standard or Dinky locomotives, Scooptrails, Euclid loader, Soil cement machine, Mixers 1/2 capacity or less, Trench Machine cutting 24" & under, Backfiller, Elevating machine, Power Blade, Asphalt Plant Engineer, Wall Drilling Machine, Paint Machine, Pipe Cleaning Machine, Pipe wrapping machine, Pipe Bending Machine, Apoco paver, Boring Machine, 6/0 winch, Head equipment, Greasers, Barber Green Loaders, Formless paver, Farm Tractor with less than half-yard bucket and other attachments except backhoe, Well Point System

CLASS IV: Power Sub-Grader, Bull Float, Form Grader, Finishing machine, Pavement breaker, Rock Crushers, One drum machine, air compressor less than 20 cu. ft. capacity, Concrete pump, Granite machine, Air Truggers, Truck crane drivers, House Elevators when used for temporary heat, Small rollers on earth, Engine tenders, Fireman on pain pots, Fireman, Wagon Drill, Flexaplane, Conveyor, 2 to 4 Water Pumps, Siphon & Palcosmeter, Switchman, Fireman on Asphalt plants, Distributor operator on trucks, Tampers, Power Broom, Post Hole Digger, Self Propelled Concrete Saw, Striping Machine (Motor Driven), Form Tasper, Seaman Tiller, Bulk Cement Plant Equipment Greaser

DECISION NO. 1173-2052

POWER EQUIPMENT OPERATORS: KANSAS COUNTY

Basic Hourly Rates	Fringe Benefits Payments			App. Tc.
	H & W	Retiremen	Vacation	
\$10.30	.50	.70	.20	.05
9.00	.50	.70	.20	.05
7.95	.50	.70	.20	.05
6.75	.50	.70	.20	.05

- CLASS I
- CLASS II
- CLASS III
- CLASS IV

POWER EQUIPMENT OPERATORS: KANSAS COUNTY

CLASS I: Asphalt plant, asphalt spreader, auto-grad, batch plant, Benoto (requires two engineers), boiler & throttle valve, calisson rigs, central redi-mix plant, combination backhoe front end-loader machine, compressor & throttle valve, concrete breaker (truck mounted), conveyor, concrete paver, concrete placer, concrete tower, cranes (all), derricks (all), grader, elevating, grouting machines, highlift shovels or front end-loader 2 1/2 yd. & over, hoists, one, two & three drum, hoists, two & three, drum, hoists, two Tagger one floor, Hydraulic boom trucks, locomotives (all), mechanic, motor patrol, pile driver & skip rig, post-hole digger, pre-stress machine, pump cretes dual ran (requiring frequent lubrication & water), pumpcrete; square cretes - screw types paver, Gyrum bulker & pump, rock drill (self-propelled), rock drill (truck mounted), scoopes - tractor drum, slip form paver, straddle boggy, tournapull, tractor with boom & side boom, trenching machines

CLASS II: Boilers, bulldozers, broom all power propelled, concrete mixer (2 bag & over), conveyor portable, forklift truck greaser engineer, highlift shovels or front endloaders under 2 1/2 yd., hoists, automatic, hoists, all elevators, hoists, Tagger single drum, rollers, all, steam generators, stone crushers, tractors, all, winch trucks with "4" frame

CLASS III: Air compressor - small 150 & under (1) to 5 not to exceed a total of 300 ft., Air compressor - large over 150, combination - small equipment op., generators under & over 50 KW, heaters, mechanical, pumps, over 3" (1 to 3 not to exceed a total of 300 ft.), pumps, well points, welding machines (2 through 5), winches, 4 small electric drill winches

CLASS IV: Oilers

DECISION NO. IL75-1052

TRUCK DRIVERS-S. E. CORNER OF
 ILLINOIS CO. & SOUTHERN 1/4 OF
 FORD COUNTY
 GROUP I
 GROUP II
 GROUP III

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	M & V	Pensions	Vacation	
8.10	.45	\$13.00		
8.50	.45	\$13.00		
8.70	.45	\$13.00		

TRUCK DRIVERS-S. E. CORNER OF ILLINOIS CO. & SOUTHERN 1/4 OF FORD COUNTY

GROUP I:

Drivers on 2 axle trucks hauling less than 9 tons, air compressor and welding machine including those pulled by separate units, truck driver helpers, warehouseman, mechanic helpers, greasers & tiremen, pick-up trucks when hauling materials, tools, or men to and from and on the jobs site; Fork lifts up to 6,000 lbs., capacity.

GROUP II:

2 or 3 axle trucks hauling more than 9 tons, but hauling less than 16 tons; 4-frame winch trucks, hydraulic trucks, or similar equipment when used for transportation purposes; Fork lifts over 6,000 lb. capacity; winch trucks; 4-axis combination units; ticket writers

GROUP III:

2-3 or 4 axle trucks hauling 16 ton or more, drivers on oil distributors, water pulls, mechanics & working foreman; 5-axis or more combination units; dispatchers.

FOOTNOTES:

a.-Per Week Per Employee.

STATE: Illinois
 DECISION NUMBER: 1175-2055
 DATE: Date of Publication
 DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

DECISION NO. 1175-2055

NEW DECISION

COUNTIES: Adams, Brown & Pike

DATE: Date of Publication

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			App. T.
		H & V	Pensions	Vacation	
ASBESTOS WORKERS	\$10.48	.45	.62		.01
BOILERMAKERS	9.15	.60	1.00		
BRICKLAYERS:					
Bricklayers; Stonemasons; Marble Setters; Terrazzo Workers; Tile Setters; Pointers; Caulkers & Cleaners	8.50		.20		
CARPENTERS:					
Adams County: Carpenters & Soft Floor Layers	7.60	.45	.25		
Millwrights & Piledriverman	7.85	.45	.25		
Brown & Pike Counties:					
Carpenters & Soft Floor Layers	7.25	.45	.25		.02
Millwrights	7.50	.45	.25		.02
Piledriverman	7.75	.45	.25		.02
CEMENT MASONS	7.00		.30		
ELECTRICIANS:					
Electricians	8.60	.30	.11		.21
Cable Splicers	8.95	.30	.11		.21
ELEVATOR CONSTRUCTORS:					
Constructors	8.535	.445	.29	3M+66b	.02
Helpers	7.07R	.445	.29	3M+66b	.02
Helpers (Prob.)	5.07R				
GLAZIERS	7.55	.25	.15		
IRONWORKERS:					
Brown County, Pike County & the Southeast corner of Adams County	8.90	.45	.60		.05
Remainder of Adams County	8.54	.40	.30		
LATHERS:					
Brown & Pike Counties	8.40			c	.01
LEADERS:					
PAINTERS:					
Adams & Brown Counties:		.35			
Brush	6.60				
Spray	7.60				
Pike County:					
Commercial	8.55	.35	.15		
Industrial	8.80	.35	.15		

PLASTERERS
 PLUMBERS & STEAMFITTERS:
 Adams & Brown Counties
 Pike County
 ROOFERS
 SHEET METAL WORKERS:
 Adams & Pike Counties
 Brown County
 SPRINKLER FITTERS

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAY: (WHERE APPLICABLE)

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 regular hourly rate to Vacation Pay Credit for employees 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.

b. Six paid holidays: A through F.

c. Nine paid holidays: A through F plus 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 immediately preceding and following the holiday.

DECISION NO. IL75-2055

POWER EQUIPMENT OPERATORS:

- CLASS I
- CLASS II
- CLASS III

POWER EQUIPMENT OPERATORS:

CLASS I - Asphalt screed man, layon concrete spreaders, asphalt pavers, asphalt rollers on bituminous concrete, atkey pickers, backfillers, crane type, backhoes, cableways, cherry pickers, chain shovels, C.H.E. & similar type autograde formless paver, autograde placer & finisher, concrete breakers, concrete plant operators, concrete pumps, cranes, derrick, derrick boats, draglines, earth auger boring machines, levating graders, engagers on dredge, gravel processing machines, high list or fork lists, hoist w/ two drums or two or more loadlines locomotives (all) mechanics, motor graders or auto patrols, operators or levelman on dredges, operators power boat, operators pug mill (asphalt plants), orange peels, overhead cranes, paving mixers, piledrivers, pipe wrapping & painting machines, push dozers, or push cats, rock crushers, rock carriers or similar machines, scoops, skimmer, 2 cu. yd. capacity & under, sheep foot roller (self propelled), shovels, skimmer scoops, test hole drilling machines, tower cranes, tower machines, tower mixers, track type and loaders, track type fork lifts or high lifts, track jacks & tamper, tractor, sidebooms, trenching machine, ditching machine, tunnelbuggers, wheel type end loaders, winch cat, scoops, all or tourmalin.

CLASS II - Asphalt boosters & heaters, asphalt distributors, asphalt plant fireman, oiler on 2 paving mixers when used in tandem boom or winch truck, building elevator, bull floats or floorplanes, concrete finishing machines, concrete saw, self propeller, concrete saws, self propeller, concrete spreader machines, gravel or stone spreader, power operated, head equipment greener, hoist automatic, hoist w/ drum & 1 load line, mid jacks, post holediggers, mechanical, road or street sweeper-self propelled, steam tiller, straw machine, vibratory compactor, well drill machines, scissor hoist.

CLASS III - Air compressors, air compressors, track or self-propelled, asphalt plant engineers, bulk cement batching plants, conveyors, concrete mixers (except plant, paver, tower) firemen, generators, greasers, helper on single paving mixer, light planters, mechanic helpers, mechanical heaters, rollers, power from graders, power sub-graders, pug mills, when used for other than asphalt operations, rollers (except bituminous concrete) tractors w/o power attachments regardless of size of type) truck crane oiler & driver 1 (man), water pumps, welding machines (one 300 amp. or over)* welding machines*

*COMBINATIONS OF ONE TO FIVE OF ANY AIR COMPRESSORS, CONVEYORS, WELDING MACHINES, WATER PUMPS, LIGHT PLANTS OR GENERATORS SHALL BE IN BATTERIES OR WITHIN 300 FT.

DECISION NO. IL75-2055

LABORERS:

- ADAMS COUNTY
- UNSKILLED
- SEMI-SKILLED
- SKILLED

BROWN & PIKE COUNTIES

- UNSKILLED
- SEMI-SKILLED
- SKILLED

LABORERS - ADAMS, BROWN & PIKE COUNTIES

UNSKILLED: All sewer workers plus depth pay, Asphalt Plant Laborers; Backmen on Floating Plant; Batch Dumpers; Carpenter Tenders; Cleaning Lumber; Cofferdam Workers plus depth pay; Deck Hand, Dredge Hand and Shore Laborer; Dismantlers; Drilling of Stakes, Stringlines for all machinery; Fencing Laborers; Firemen or Salamander Tenders; Fireproofing Laborers; Fire Shop Laborers; Flagmen; Form Handlers; Gravel Box Men, Hoppers - Spotters; Laborers w/hammering Systems; Landscapers; Laying of Sod; Material Checkers & Handlers; Pit Men; Plastic Installers; Planting of & Removal of Trees; Rip-Zap Men; Rod & Chalmers Scaffold Workers; Tool Cribmen; Track Laborers; Unloading Explosives; Unloading & Carrying Lath & Re-bars; Wrecking, Dismantling Buildings, Vailmen & House-movers; Working Laborers; Writer of Scale Tickets.

SEMI-SKILLED: Asphalt Workers w/machine; Asphalt Baker & Layers; Cement Handlers Cement Silos; Clay, Fly Ash, Lime & Plasters, Handlers (Bulk or Bag) Chaff Saw; Chloride Handlers; Concrete Workers (Hot) Grade Checker; Handling of materials treated w/ oil, creosote, asphalt and/or any foreign material harmful to skin or clothing; Kettle Tar Men; On Concrete Paving, Pacing, Cutting and Tying of Reinforcing; Signal Men on Crane; Tank Cleaners; Tunnel Helpers in free air.

SKILLED: Air Tamping Hammerman; Calisson Workers plus depth pay; Concrete Burning Machine Operator; Concrete Saw Operator; Coring Machine Operator; Gunmits Movable Man; Jackhammer & Drill Operators; Laborers handling Masterplate or similar materials; Laborers tending Masons w/hot material or where foreign materials are used; Laser Beam Operator; Layout Man and/or Tile Layer; Leichen on Sewer Work; Luteman; Mason Tenders; Mortar Mixer Operators; Motorized Buggies or Motorized Unit used for wet concrete or handling of Building Materials; Multiple Concrete Duct - Leadman; Plasterer Tenders; Ready Mix Scalmen; Portable or Temporary Plant; Screenman on Asphalt Pavers; Steel Form Setters-Street & Highway; Vibrator Operators; Welders, Cutters, Burners and Torchmen.

DECISION NO. IL75-2055

TRUCK DRIVERSGROUP I
GROUP II
GROUP III

Basic Hourly Rates	Fringe Benefits Payments			
	H & V	Pensions	Vacation	Acc. Tr.
8.10	.45	\$13.00		
8.50	.45	\$13.00		
8.70	.45	\$13.00		

TRUCK DRIVERSGROUP I:

Drivers on 2 axle trucks hauling less than 9 tons, air compressor and welding machine including those pulled by separate units, truck driver helpers, warehousemen, mechanic helpers, greasers & tiremen, pick-up trucks when hauling materials, tools, or men to and from and on the jobs site; Fork lifts up to 6,000 lbs., capacity.

GROUP II:

2 or 3 axle trucks hauling more than 9 ton, but hauling less than 16 tons; A-frame winch trucks, hydraulic trucks, or similar equipment when used for transportation purposes; Fork lifts over 6,000 lb. capacity; winch trucks; 4-axle combination units; ticket writers

GROUP III:

2-3 or 4 axle trucks hauling 16 ton or more, drivers on oil distributors, water pulls, mechanics & working foreman; 5-axle or more combination units; dispatchers.

FOOTNOTES:

a.-Per Week Per Employee.

DECISION NO. AR75-4058 - Mod. #2
 (40 FR 8704 - February 28, 1975)
 Pulaski County, Arkansas

Change:
 Laborers:
 Group I
 Group II
 Group III
 Group IV
 Group V
 Group VI
 Roofers

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Pensions	Vacation	
\$5.37	.15	.20		.04
5.62	.15	.20		.04
5.72	.15	.20		.04
5.77	.15	.20		.04
5.87	.15	.20		.04
6.02	.15	.20		.04
6.55		.05		

DECISION #AK75-5033 - Mod. #2
 (40 FR 10885 - March 7, 1975)
 Stateswide, Alaska

Change:
 Roofers
 Area I
 Area II and III
 Truck Drivers
 Group 1
 Group 2
 Group 3
 Group 4
 Group 5
 Group 6
 Group 7
 Group 8
 Group 9
 Group 10
 Group 11
 Group 12
 Group 13
 Group 14
 Group 15
 Group 16
 Group 17
 Group 18
 Group 19
 Group 20
 Group 21
 Group 22
 Group 23

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Pensions	Vacation	
\$12.30	.55	1.15		.10
12.00	.55	1.15		.10
10.92	.73	2.10		.10
10.98	.73	2.10		.10
10.45	.73	2.10		.10
11.30	.73	2.10		.10
11.70	.73	2.10		.10
12.01	.73	2.10		.10
12.30	.73	2.10		.10
12.61	.73	2.10		.10
12.92	.73	2.10		.10
13.23	.73	2.10		.10
13.54	.73	2.10		.10
13.85	.73	2.10		.10
14.15	.73	2.10		.10
11.44	.73	2.10		.10
10.17	.73	2.10		.10
10.60	.73	2.10		.10
11.28	.73	2.10		.10
11.54	.73	2.10		.10
11.81	.73	2.10		.10
12.08	.73	2.10		.10
12.25	.73	2.10		.10
11.22	.73	2.10		.10
10.34	.73	2.10		.10

DECISION #CA75-5023 - Mod. #1
 (40 FR 5707 - February 25, 1975)
 Imperial, Inyo, Kern, Los Angeles, Mono, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura Counties, California

Change:
 Boilermakers
 Bricklayers; Stonemasons
 Los Angeles County (Cities of Santa Monica, Malibu, Venice, Pasadena, South Pasadena, Arcadia, Monrovia and South of Rosecrans Blvd. including Long Beach); Orange County
 Los Angeles County (except Cities of Santa Monica, Malibu, Venice, Pasadena, South Pasadena, Arcadia, Monrovia and South Rosecrans Blvd. including Long Beach)
 Electricians
 Imperial County
 Electricians
 Cable Splicers
 Line Construction
 Ventura County
 Groundmen
 Linemen
 Cable Splicers
 Roofers
 Imperial County
 Sheet Metal Workers
 Los Angeles County (Remaining Portion)
 Power Equipment Operators
 Dredging
 (Hydraulic Suction Dredges)
 Leverman
 Watch Engineer; Welder
 Deckmate
 Winchman (stern winch on dredge)

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	M & W	Pension	Vacation	
\$9.95	.65	1.00	.50	.02
9.33	.70	.90		.07
9.33	.70	.90		.07
9.55	.50	134.80		
9.83	.50	134.80		
9.24	.70	134.55		.02
10.42	.70	134.55		.02
11.46	.70	134.55		.02
8.39	.40	.50	1.00	
10.63	.84	1.35		.02
9.78	.95	1.50	.30	.04
9.26	.95	1.50	.30	.04
8.84	.95	1.50	.30	.04
8.77	.95	1.50	.30	.04

DECISION #CA75-5020 - Mod. #2
 (40 FR 6916 - February 14, 1975)
 San Diego County, California

Change:
 Boilermakers
 Power Equipment Operators
 Dredging
 (Hydraulic Suction Dredges)
 Leverman
 Watch Engineer; Welder
 Deckmate
 Winchman (stern winch on dredge)
 Bargeman; Deckhand; Fireman - Oiler; Leveehand
 (Clamshell Dredges)
 Leverman
 Watch Engineer
 Deckmate
 Bargemate
 Bargeman; Deckhand; Fireman - Oiler

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	M & W	Pension	Vacation	
\$9.95	.65	1.00	.50	.02
9.78	.95	1.50	.30	.04
9.26	.95	1.50	.30	.04
8.84	.95	1.50	.30	.04
8.77	.95	1.50	.30	.04
8.29	.95	1.50	.30	.04
9.78	.95	1.50	.30	.04
9.26	.95	1.50	.30	.04
8.84	.95	1.50	.30	.04
8.77	.95	1.50	.30	.04
8.29	.95	1.50	.30	.04
9.95	.65	1.00	.50	.02

DECISION #CA-75-5021 - Mod. #2
 (40 FR 6922 - February 14, 1975)
 San Diego County, California

Change:
 Boilermakers

DECISION #CA75-5023 - Mod. #1
(40 FR 8717 - February 28, 1975)

Imperial, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura Counties, California

Change:
Boilermakers
Bricklayers; Stonemasons
Los Angeles County (Cities of Santa Monica, Malibu, Venice, Pasadena, South Pasadena, Arcadia, Moorovia and South of Rosecrans Blvd., including Long Beach); Orange County
Los Angeles County (except Cities of Santa Monica, Malibu, Venice, Pasadena, South Pasadena, Arcadia, Moorovia and South of Rosecrans Blvd., including Long Beach)
Electricians
Imperial County
Electricians
Cable Splicers
Roofers
Imperial County
Sheet Metal Workers
Kern, Los Angeles (North of line between Gorman and Big Pines)
Los Angeles County (Remaining Portion)

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Positions	Vacation	
89.95	.65	1.00	.50	.02
9.33	.70	.90		.07
9.33	.70	.90		.07
9.55	.50	15+.80		
9.83	.50	15+.80		
8.39	.40	.50	1.00	
9.47	.84	1.35		.02
10.63	.84	1.35		.02

DECISION NO. CA75-5022 (Cont'd)

Bargeman; Deckhand; Fireman - Oiler; Leveehand (Clanshell Dredges)
Leveehand
Watch Engineer
Deckmate
Bargemate
Bargeman; Deckhand; Fireman - Oiler
Sheet Metal Workers
Imyo, Kern, Los Angeles (North of line between Gorman and Big Pines) and Mono Counties

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Positions	Vacation	
\$8.29	.95	1.50	.30	.04
9.78	.95	1.50	.30	.04
9.26	.95	1.50	.30	.04
8.84	.95	1.50	.30	.04
8.77	.95	1.50	.30	.04
8.29	.95	1.50	.30	.04
9.47	.84	1.35		.02

MODIFICATIONS PAGE 8

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Pensions	Vacation	
\$10.02	.40	.70		.02
8.725	.40	.50	.25	
9.50	.40	134.50		.05
9.45	.445	.29	38444b	.02
70LJR	.445	.29	31444b	.02
9.10	.50			
9.65	.30			
8.80	.30	.60		.04
5.24	.30	.60		.04
5.69	.30	.60		.04
6.13	.30	.60		.04
6.58	.30	.60		.04
7.02	.30	.60		.04
7.47	.30	.60		.04
7.91	.30	.60		.04
9.905	.35	.50	.75	.02

DECISION #RS75-4061 - Mod. #1
(40 FR 12034 - March 14, 1975)
Leavenworth County, Kansas

Change:
ASBESTOS WORKERS
CEMENT MASONS (Building Construction)
ELECTRICIANS:
Zone 2 - Remainder of County
ELEVATOR CONSTRUCTORS
ELEVATOR CONSTRUCTORS' HELPERS
LATHERS
PLASTERERS
ROOFERS:
Roofers:
Helpers:
1st 6 mos.
2nd 6 mos.
3rd 6 mos.
4th 6 mos.
5th 6 mos.
6th 6 mos.
7th 6 mos.
SHEET METAL WORKERS

DECISION #RS75-4062 - Mod. #1
(40 FR 12036 - March 14, 1975)
Shawnee County, Kansas

Change:
ELECTRICIANS:
Electricians
Cable splicers
ROOFERS FLAT, SLATE & TILE;
DAMPROOFERS AND WATERPROOFERS
ROOFERS WORKING IN FITCH, TAR OR CREOSOTE, COAL

MODIFICATIONS PAGE 7

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Pensions	Vacation	
\$9.10				.02
\$7.94	.35	.50		.01

DECISION #IA75-4034--MOD. #4
(40-FR-4813--January 31, 1975)
Black Hawk County (City of Waterloo & abutting municipalities), Iowa

CHANGE:
Building Construction:
Ironworkers; Ornamental;
Reinforcing; Structural

DECISION #IA75-4042--MOD. #4
(40-FR-4843--January 31, 1975)
Pottawattamie County (City of Council Bluffs & the area within 3 miles from the city limits), Iowa

CHANGE:
Buildings Construction:
Drywall Tapers & Finishers

MODIFICATIONS PAGE 9

DECISION NO. 45-2076 - Mod. #1
(39 FR 10009 - March 17, 1974)
Frederick County, Maryland

CE/HS:
Bricklayers

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & V	Pensions	Vacation	
\$5.50				
\$ 9.31	.66	.95		.02
9.03	86	146	176	.07
5.50	.40	.30		.04
5.65	.40	.30		.04
7.85	.54	.40	.50	.01
7.97	.50	.40		.02
7.92	.50	.40		.02
10.00	.35	.25		.08
7.45	.40	.75		
9.69	.50	.70		
9.65				

DECISION #45-3150 - Mod. #2
(39 FR 36159 - October 11, 1974)
Alcona, Alpena, Montmorency,
Osceola & Presque Isle Counties,
Michigan

Changes:
Asbestos Workers
Ironworkers:
Structural and Ornamental
Laborers:
Laborers
Mortar Mixers, Vibrators;
Layers of Non-metallic pipe;
Plasters Tenders; Oulsson &
Sewer Workers
Lathers
Millwrights
Pile-drivers
Plumbers and Steamfitters:
Alpena, Montmorency and
Presque Isle Counties
Roofers
Sheet Metal Workers
Sprinkler Fitters

MODIFICATIONS PAGE 9

DECISION #8375-4064 - Mod. #1
(40 FR 12043 - March 14, 1975)
Shawnee County, Kansas

Changes:
BOARDS FLAT, SLATE AND TILE,
DAMPPOWERS AND WATERPROOFERS
ROOFERS WORKING IN PITCH, COAL,
TAR OR CREOSOTE

DECISION #8375-4065 - Mod. #1
(40 FR 12045 - March 14, 1975)
Sedgewick County, Kansas

Changes:
SHEET METAL WORKERS

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & V	Pensions	Vacation	
\$8.36	.30	.60		
9.21	.30	.60		
\$9.35	.35	.40		.01

DECISION NO. 8075-4059 - Mod. #1
(40 FR 8740 - February 29, 1975)
Cass, Clay, Jackson, Platte and
Ray Counties, Missouri; and
Johnson and Dyandotte Counties,
Kansas

Change:
ASBESTOS WORKERS
GENERAL HELPERS (Building Construc-
tion):
Cement Masons
Composition
ELEVATOR CONSTRUCTORS
ELEVATOR CONSTRUCTORS' HELPERS
ELEVATOR CONSTRUCTORS' HELPERS
(FUND.)

FOOTNOTES: a-Employer contributes 4% of basic hourly rate for over 5 years' service, and 2% of basic hourly rate for 6 months to 5 years as vacation Pay Credit; b-Paid Holidays: New Years' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day.

LATHERS
ROOFERS
Roofers
SHEET METAL WORKERS

DECISION NO. 40-18 - Mod. #3
(38 FR 21714 - August 10, 1973)
Statewide, New Mexico

Change:
Ironworkers, structural

Basic Hourly Rates	Fringe Benefits Payments			App. To.
	H & W	Pensions	Vacation	
\$10.02	.40	.70		.02
8.725	.40	.50	.25	
8.975	.40	.50	.25	
9.45	.445	.29	.37+tb	.02
70¢/hr	.445	.20	.37+tb	.02
50¢/hr				
8.80	.30	.60		.04
9.905	.35	.50	.75	.02
\$6.53	.35	.50		

DECISION NO. 8075-4002 - Mod. #5
(40 FR 2391 - January 10, 1975)
Statewide, New Mexico

CHANGE:

ELECTRICIANS:

Zone VII
Zone 7-A
Zone 7-B
Zone 7-C
Zone 7-D

CABLE SPlicERS:

Zone VI
Zone 6-A
Zone 6-B
Zone 6-C
Zone 6-D

SHEET METAL WORKERS:

Zone 2

SOFT FLOOR LAYERS:

Zone 1

ELECTRICIANS:

Zone V
Zone 5-A
Zone 5-B

CABLE SPlicERS:

Zone IV
Zone 4-A
Zone 4-B

Basic Hourly Rates	Fringe Benefits Payments			App. To.
	H & W	Pensions	Vacation	
\$8.10	.30	1%		.01
8.45	.30	1%		.01
8.60	.30	1%		.01
8.85	.30	1%		.01
8.45	.30	1%		.01
8.90	.30	1%		.01
8.95	.30	1%		.01
9.20	.30	1%		.01
7.90	.29	.25		.005
6.41	.24			.01
8.00	.25	1%		1/2%
8.30	.25	1%		1/2%
8.25	.25	1%		1/2%
8.55	.25	1%		1/2%

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	M & V	Pensions	Vacation	
\$10.39	.30	.85		.02
8.60	.35	.20		.02
8.90	.35	.20		.02
9.55	.29	%		.02
9.715	.445	.29	3/6-a-b	.02
6.80	.445	.29	3/6-a-b	.02
4.86				.05
10.42	.55	.80		.02
9.275	.60	.65		.05
9.21	.45	.51		.05
9.80	.50	.70		.08

RESOLUTION #AR-3036 - Mod. #2
(39 FR 30760 - August 23, 1974)
Franklin, Madison & Pickaway
Counties, Ohio

Change:
Asbestos Workers
Carpenters
Millwrights & Pile-drivers
Electricians - Pickaway Co.
the Townships of Bear Creek,
Perry, Pickaway, Salt Creek
and Wayne
Elevator Constructors
Elevator Constructors' helpers
Elevator Constructors' helpers
(Prob.)
Plumbers & Steamfitters
Boofers
Sheetmetal Workers
Sprinkler Fitter

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	M & V	Pensions	Vacation	
\$ 9.97	.35	.60		.01
8.45	.35	.35		.02
8.75	.35	.35		.02
9.715	.445	.29	3/6-a-b	.02
6.80	.445	.29	3/6-a-b	.02
4.86				.01
9.08		.25		
7.50		.25		
8.05		.25		
7.85		.25		
8.30		.25		
8.20		.25		
10.01	.35	.60		.04
9.80	.50	.70		.08
\$10.265	.445	.29	3/6-a-b	.02
7.185	.445	.29	3/6-a-b	.02
5.13				

RESOLUTION #AR-3034 - Mod. #1
(39 FR 30776 - August 23, 1974)
Clark County, Ohio

Change:
Asbestos Workers
Carpenters & Soft Floor Layers
Millwrights & Pile-drivers
Elevator Constructors
Elevator Constructors' helpers
Elevator Constructors' helpers
(Prob.)
Glassers
Painters, brush
Structural Steel
Siding Stages
Sandblasting
Spray
Plumbers & Steamfitters
Sprinkler Fitter

RESOLUTION #AR-3035 - Mod. #1
(39 FR 30778 - August 23, 1974)
Cuyahoga & Lake Counties, Ohio

Change:
Elevator Constructors
Elevator Constructors' helpers
Elevator Constructors' helpers
(Prob.)

MODIFICATIONS PAGE 16

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & V	Pensions	Vacation	
\$10.095	.45	.35		.01
9.75	.45	.55		.025
10.00	.60	76+.30		.56
9.62	.445	.29	36+e+b	.02
6.73	.445	.29	36+e+b	.02
4.81				
9.445	.55	1.05		.02
9.32	.65	.90		.05
8.20	.45	.55		.05
9.80	.50	.70		.08

RESOLUTION #AR-3038 - Mod. #1
(39 FR 30784 - August 23, 1974)
Hamilton & Clermont Counties, Ohio

Change:
Bricklayers
Carpenters
Electricians & Linemen
Elevator Constructors
Elevator Constructors' helper
Elevator Constructors' helper
(Prob.)
Ironworkers, reinforcing
Plumbers and Gasfitters
Resilient Floor Layers
Sprinkler Fitters

MODIFICATIONS PAGE 15

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & V	Pensions	Vacation	
\$ 9.97	.35	.60		.01
8.63	.45	.50	.37	.01
9.88	.45	76+.75		3 of 76
10.11	.45	76+.75		3 of 76
9.62	.445	.29	36+e+b	.02
6.73	.445	.29	36+e+b	.02
4.81				
9.08				.01
9.43	.40	.40		.02
9.83	.40	.40		.02
9.93	.40	.40		.02
9.68	.40	.40		.02
10.01	.35	.60		.04
10.11	.35	.70		.03
9.80	.40	.60		.12
9.80	.50	.70		.08

RESOLUTION #AR-3037 - Mod. #1
(39 FR 30782 - August 23, 1974)
Greene & Montgomery Counties,
Ohio

Change:
Asbestos Workers
Bricklayers & Stonemasons
Electricians, Communications
Installers and Linemen-Within
11 mile radius from 3rd and
Main Streets Dayton
Beyond the 11 mile radius
from 3rd and Main Streets,
Dayton
Elevator Constructors
Elevator Constructors' helpers
Elevator Constructors' helpers
(Prob.)
Glaziers
Painters:
Brush & Rollers
Structural Steel & Swing Stage
Spray and Sandblasting
Papehangling
Plumbers & Steamfitters:
Townships of Miami, Cedarville,
Ross, Jefferson, Caesar Creek,
New Jasper in Green County
Remainder of Green County and
all of Montgomery County
Sheetmetal Workers
Sprinkler fitters

RESOLUTION #AR-3172 - Mod. #1
(39 FR 41102 - November 22, 1974)
Erie, Huron, Ottawa & Sandusky Counties, Ohio

Basic Hourly Rates	Fringe Benefits Payments			App. Th.
	H & W	Pensions	Vacation	
\$10.58 11.10	.35 .30	.15 .50		.02 .01
5.70	.33	.25		.06
10.265 7.185	.445 .445	.29 .29	36 - 44 - 44 36 - 44 - 44	.02 .02
5.13				
10.42 7.29	.445 .445	.29 .29	36 - 44 - 44 36 - 44 - 44	.02 .02
5.21				
9.125	.50	.45		.01
10.25	.50	.55		.04
8.99 9.24	.50 .50	.40 .40		
9.54	.50	.40		
9.945 10.535 10.63 10.425	.45 .55 .25 .55	.80 .75 .25 .50		.005 .06 .005 .005

RESOLUTION #AR-3173 - Mod. #1
(39 FR 41105 - November 22, 1974)
Hancock County, Ohio

Basic Hourly Rates	Fringe Benefits Payments			App. Th.
	H & W	Pensions	Vacation	
\$10.58 11.10	.35 .50	.50 .60		.02 .01
10.25 10.42 7.29	.55 .495 .495	.50 .29 .29	b+o+36 b+o+36	.04 .02 .02
5.21				
11.16 11.41 10.25 10.40 10.535 10.425	.35 .35 .55 .55 .55 .55	.75 .75 .50 .75 .55 .60	a a f	f of 76 for 76 .04 .01 .06 .065

DECISION NO. AR-88 - Mod. #3
(39 FR 43454 - December 13, 1974)
Pittsburg County, Oklahoma

CHANGE:
BLACKLAYS-Stonemasons

DECISION NO. AR-93 - Mod. #2
(39 FR 44903 - December 27, 1974)
Wagoner County, Oklahoma

CHANGE:
CARPENTERS:
Carpenters
Millwrights-Piledrivers

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Retiremen	Vacation	
\$7.00	.30	.40		.05
\$7.60 8.10		.25 .25		.01 .01

Decision #AQ-2043 - Mod. # 5
(39 FR 7011 - February 22, 1974)
Venango County, Pennsylvania

Change:
Line Construction:
Lineman, dynamite man, heavy
equipment operator
Groundman, winch truck
driver
Groundman

Decision #AQ-2046 - Mod. #6
(39 FR 9338 -- March 8, 1974)
Elk County, Pennsylvania

Change:
Electricians
Line Construction:
Lineman, dynamite man, heavy
equipment operator
Groundman, winch truck driver
Groundman

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Retiremen	Vacation	
\$9.50	.20	1%		3/84
6.74 6.46	.20 .20	1% 1%		3/84 3/84
8.75	.45	1%+.25		1%
9.50 6.74 6.46	.20 .20 .20	1% 1% 1%		3/84 3/84 3/84

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Pensions	Variable	
8.15	1.00	.29	3% +c +d	.02
9.34	.445	.29	3% +c +d	.02
6.68	.445			
4.77				
10.82	.30	1%		3/8 of 1%
6.49	.30	1%		3/8 of 1%
7.57	.30	1%		3/8 of 1%
8.50				.01
9.18	.83	.50		.01

DECISION #AQ-2084 - Mod. #6
(39 FR 11808 - March 29, 1974)
Bedford County, Pennsylvania

Change:
Cement masons
Elevator constructors
Elevator constructors' helpers
Elevator constructors' helpers (Prob)
Line Construction:
Lineman
Groundman
Winch truck operator
Plasterers
Sheet metal workers

DECISION #AQ-2121 - Mod. #6
(39 FR 18398 - May 24, 1974)
Forest and McKean Counties, Pennsylvania

Change:
Electricians:
McKean County
Line Construction:
Lineman, dynamite man, heavy equipment operator
Groundman, winch truck driver
Groundman

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Pensions	Variable	
9.15	.30	1% + .35		.03
8.45				
9.50	.20	1%		3/8 of 1%
6.74	.20	1%		3/8 of 1%
6.46	.20	1%		3/8 of 1%
8.97	.55	.40		.04

DECISION #AQ-2070 - Mod. #4
(39 FR 10070 - March 15, 1974)
Sullivan County, Pennsylvania

Change:
Electricians:
Eastern part of County
Cement masons
Line Construction:
Lineman, dynamite man, heavy equipment operator
Groundman, winch truck driver
Groundman
Sheet metal workers

Decision #AQ-2079 - Mod. #6
(39 FR 11803 - March 29, 1974)
Lycoming County, Pennsylvania

Change:
Cement masons
Lathers
Line Construction:
Lineman, dynamite man, heavy equipment operator
Groundman, Winch truck driver
Groundman

DECISION #48-2036 - Mod. #3
(39 FR 33989-September 20, 1974)
Butler and Fayette Counties,
Pennsylvania

Change:
Bricklayers and Stonemasons:
Remainder of County
Electricians:
Fayette County
Ironworkers
Plasterers
Line Construction
Linemen
Groundman
Winch truck operator
Sheet Metal Workers

Basic Hourly Rates	M & W	Pensions	Vacation	App. Tr.
\$9.16	.45	.64		
10.10	.35	.20+1%	.60	.05
9.225	.785	.775		.03
8.94	.37	.70		
10.82	.30	1%		3/8 of 1%
6.49	.30	1%		3/8 of 1%
7.57	.30	1%		3/8 of 1%
9.18	.70	.90		.03

DECISION #48-2037 - Mod. #3
(39 FR 31859 - August 30, 1974)
Indiana County, Pennsylvania

Change:
Electricians
Elevator Constructors
Elevator Constructors' Helpers
Elevator Constructors' Helpers
(Prob.)
Line Construction
Linemen
Groundman
Winch truck operators
Ironworkers
Structural and Reinforcing
Plasterers

Basic Hourly Rates	M & W	Pensions	Vacation	App. Tr.
10.10	.35	.20+1%	.60	.05
9.34	.445	.29	3%+6	.02
6.68	.445	.29	3%+6	.02
4.77				
10.82	.30	1%		3/8 of 1%
6.49	.30	1%		3/8 of 1%
7.57	.30	1%		3/8 of 1%
9.225	.785	.775		.03
8.50				.01

DECISION #48-2033 - Mod. #2
(39 FR 35048-September 27, 1974)
Allegheny County, Pennsylvania

Change:
Electricians
Elevator Constructors
Elevator Constructors' Helpers
Elevator Constructors' Helpers
(Prob.)
Line Construction
Linemen
Groundman
Winch truck operator
Ironworkers
Structural and Reinforcing
Landscape laborer
Skilled landscape laborers
Plasterers
Painters (Commercial)
Brush
Paperhangers
Spray
Painters (Industrial)
Brush
Spray
Sheet Metal Workers

Basic Hourly Rates	M & W	Pensions	Vacation	App. Tr.
\$10.10	.35	1%+.20	.60	.05
9.34	.445	.29	3%+6	.02
6.68	.445	.29	3%+6	.02
4.77				
10.82	.30	1%		3/8 of 1%
6.49	.30	1%		3/8 of 1%
7.57	.30	1%		3/8 of 1%
9.225	.785	.775		.03
4.85	.30	.30		
5.00	.30	.30		
8.94	.37	.70		
9.05	.50	.20		
9.10	.50	.20		
9.55	.50	.20		
9.35	.50	.20		
9.85	.50	.20		
9.18	.70	.90		.03

DECISION #48-2034 - Mod. #3
(39 FR 35051-September 27, 1974)
Armstrong County, Pennsylvania

Change:
Elevator Constructors
Elevator Constructors' Helpers
Elevator Constructors' Helpers
(Prob.)
Electricians
Plasterers
Line Construction
Linemen
Groundman
Winch Truck operator

Basic Hourly Rates	M & W	Pensions	Vacation	App. Tr.
9.54	.445	.29	3%+6	.02
6.68	.445	.29	3%+6	.02
4.77				
10.10	.35	.20+1%	.60	.05
8.94	.37	.70		
10.82	.30	1%		3/8 of 1%
6.49	.30	1%		3/8 of 1%
7.57	.30	1%		3/8 of 1%

DECISION #AR-2038 - Mod. #3
(39 FR 31862 - August 30, 1974)
Westmoreland County,
Pennsylvania

Change:
Bricklayers and Stonemasons:
Scottsdale
Electricians
Elevator Constructors
Elevator Constructors' Helpers
Elevator Constructors' Helpers
(Prob.)
Ironworkers
Line Construction
Linemen
Groundman
Winch truck operator
Plasterers

Basic Hourly Rates	Fringe Benefits Payments			App. To
	H & W	Pensions	Vacation	
\$9.16	.45	.64		
10.10	.35	.20+1%	.60	.05
9.54	.445	.29	3%+4%	.02
6.68	.445	.29	3%+4%	.02
4.77				
9.225	.785	.775		.03
10.82	.30	1%		3/8 of 1%
6.49	.30	1%		3/8 of 1%
7.57	.30	1%		3/8 of 1%
8.94	.37	.70		
\$ 10.10	.35	.20 + 1%	.60	.05
9.54	.445	.29	3% + b + c	.02
6.68	.445	.29	3% + b + c	.02
4.77				
9.225	.785	.775		.03
10.82	.30	1%		3/8 of 1%
6.49	.30	1%		3/8 of 1%
7.57	.30	1%		

DECISION #AR-2039 - Mod. #3
(39 FR 35054 - Sept. 27, 1974)
Washington County, Pennsylvania

Change:
Electricians
Elevator Constructors
Elevator Constructors' helpers
Elevator Constructors' helpers
(Prob.)
Ironworkers:
Structural & Reinforcing
Line Construction:
Linemen
Groundman
Winch truck operator

Basic Hourly Rates	Fringe Benefits Payments			App. To
	H & W	Pensions	Vacation	
\$ 9.02	.45	.63		
9.50	.20	1%		3/8 of 1%
6.74	.20	1%		3/8 of 1%
6.46	.20	1%		3/8 of 1%
9.02	.45	.63		
9.85	8%	1% + .19	1.00	1-1/2%

DECISION #AR-2045 - Mod. #2
(39 FR 37345 - October 18, 1974)
Lawrence County, Pennsylvania
Change:
Bricklayers & Stonemasons
Line Construction:
Linemen
Groundman, winch truck driver
Groundman
Sheet metal workers
Electricians

Basic Hourly Rates	Fringe Benefits Payments			App. To
	M & W	Pensions	Vacation	
<p>DECISION #AR-2046 - Mod. #2 (39 FR 37349 - October 19, 1974) Mercer County, Pennsylvania</p>				
<p>Change:</p>				
\$ 10.24	.35	.50		.02
9.90	.35	1% + .45		.01
8.97	.40	.20		
9.37	.40	.85		.05
<p>Line Construction:</p>				
9.50	.20	1%		3/8 of 1%
6.74	.20	1%		3/8 of 1%
6.46	.20	1%		3/8 of 1%
8.865	.35	.40		.03
<p>DECISION #AR-2092 - Mod. #2 (39 FR 41701 - Nov. 29, 1974) Lackawanna, Wayne, and Wyoming Counties, Pennsylvania</p>				
<p>Change:</p>				
\$ 9.04	.445	.29	3% + a + b	.02
6.33	.445	.29	3% + a + b	.02
4.52				
9.50	.20	1%		3/8 of 1%
6.74	.20	1%		3/8 of 1%
6.46	.20	1%		3/8 of 1%

Basic Hourly Rates	Fringe Benefits Payments			App. To
	M & W	Pensions	Vacation	
<p>DECISION #AR-2094 - Mod. #1 (39 FR 43491 - Dec. 13, 1974) Erie County, Pennsylvania</p>				
<p>Change:</p>				
\$ 8.80	.30	.30		.02
9.12	.30	.25		.015
9.21	.445	.29	3% + b + c	.02
6.45	.445	.29	3% + b + c	.02
4.605				
<p>Line Construction:</p>				
9.50	.20	1%		3/8 of 1%
6.74	.20	1%		3/8 of 1%
6.46	.20	1%		3/8 of 1%
8.95	.30	.30		.02
8.95	.30	.30		.02
8.19	.30	.30		.02
9.18	.70	.80		.055
5.75	d	e	f	
<p>FOOTNOTES: d. Employer contributes \$69.94 per month to Health and Welfare fund. e. Employer contributes \$14.00 per week to a pension fund. f.</p>				

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	M & V	Pensions	Vacation	
Decision # PA75-3015 - Mod. #1 (40 FR 6974 - February 14, 1975) Northampton County, Pennsylvania <u>Change:</u> Sheet metal workers	9.18	.83	.50	.01
DECISION # PA75-3017 - Mod. #1 (40 FR 7854 - February 21, 1975) Schuylkill County, Pennsylvania <u>Change:</u> Roofers; composition; Examplars of County Line Construction: Linemen, heavy equipment operators Groundman, truck driver Groundman	\$ 9.15	.45	.25	d
DECISION # PA75-3021 - Mod. #1 (40 FR 12947 - March 21, 1975) Cameron, Clarion, Clearfield, Jefferson Counties, Pennsylvania <u>Change:</u> Plasterers Clearfield and Jefferson Ironworkers Clarion County	8.94 9.225	.37 .785	.70 .775	.03
DECISION # PA75-3023 - Mod. #1 (40 FR 12055 - March 14, 1975) Beaver County, Pennsylvania <u>Change:</u> Ironworkers: Structural & Ornamental	\$ 9.225	.785	.775	.03

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	M & V	Pensions	Vacation	
Decision # AR-2099 - Mod. #3 (39 FR 44931 - December 21, 1974) Adams & York Counties, Pennsylvania <u>Change:</u> Elevator Constructors Elevator Constructors helpers Elevator constructors helpers (Prob.) Line Construction: Linemen, cable splicer Winch truck op. Groundman Sheet metal workers	9.08 6.36 4.54 9.48 6.64 5.69 9.18	.445 .445 .29 .29 .30 .30 .30 .83	3/8+vb 3/8+vb 1/2 1/2 1/2 1/2 .50	.02 .02 3/8 of 1/2 3/8 of 1/2 3/8 of 1/2 3/8 of 1/2 .01
DECISION # AR-2098 - Mod. #1 (39 FR 44928 - Dec. 27, 1974) Crawford County, Pennsylvania <u>Change:</u> Bricklayers & Stonemasons Cement masons Electricians Line Construction: Linemen, dynamite man, heavy equipment operator Groundman-truck driver Groundman	\$ 9.38 9.38 9.80 9.50 6.74 6.46	.30 .30 .40 .20 .20 .20	1/2 1/2 1/2 1/2 1/2 1/2	1/2 of 1/2 3/8 of 1/2 3/8 of 1/2 3/8 of 1/2

MODIFICATIONS PAGE 32

Basic Hourly Rates	Fringe Benefits Payments			App. To
	H & V	Positions	Vacates	
\$8.00 8.25	.25 .25	11 11		1/71 1/71

DECISION #2775-4704 - Mod. #1
(40 FR 3931 - January 24, 1975)
El Paso County, Texas

Change:
Electricians:
Electricians
Cable splicers

MODIFICATIONS PAGE 31

Basic Hourly Rates	Fringe Benefits Payments			App. To
	H & V	Positions	Vacates	
\$9.03 9.93	4% 4%	5% 5%		7/71 7/71

DECISION #2775-4099 - Mod. #5
(40 FR 3168 - January 17, 1975)
Collin, Dallas, Denton, Ellis,
Grayson, Hood, Hunt, Johnson,
Kaufman, Palo Pinto, Rockwall,
Tarrant & Wise Counties, Texas

Change:
Electricians:
Zone 1:
Electricians
Cable splicers

DECISION #2775-4022 - Mod. #3
(40 FR 3927 - January 24, 1975)
Bell, Bosque, Coryell, Falls,
Hill & McLennan Counties, Texas

Change:
Building Construction:
Painters:
Zone 1:
Brush
Boiler pipes & steel,
structural steel, window
jacks, roofs, stage work,
smoke stack, water towers,
boatswain chair
Axes tools for dry walls
Spray work & self feeding
rollers
Steam cleaning, sandblast-
ing & hazardous work

DECISION NO. AM-0320 - Mod. #1
(37 FR 10667 - May 19, 1972)
Augusta County, Virginia

CHANGE:

Truck Drivers

DECISION NO. AF-106 - Mod. #1
(37 FR 15234 - July 28, 1972)
The counties of Clark, Frederick,
Rockingham, Shenandoah and
Warren, Virginia.

CHANGE:

Laborers

DECISION NO. AF-505 - Mod. #2
(36 FR 11279 - May 4, 1973)
The counties of Accomack,
Greensville, Isle of Wight, James
City, Nansemond, Northampton,
Southampton, Surry, Sussex and
York. The cities of Emporia,
Franklin, Suffolk and Williamsburg,
Virginia.

CHANGE:

Truck Drivers, single rear axle

Basic Hourly Rates	Fringe Benefits Payments			App. To
	H & V	Pensions	Vacation	
\$2.10				
2.10				
2.10				
2.10				
2.10				
2.10				
\$2.10				
2.10				
2.10				
2.10				
2.10				

DECISION NO. AM-1574 - Mod. #1
(36 FR 16342 - August 20, 1971)
The counties of Albemarle,
Culpeper, Fauquier, Fluvanna,
Louisa, Madison, Orange, Prince
William and Stafford,
Virginia.

CHANGE:

Ironworkers Reinforcing Helper
Laborers, Unskilled
Landscape Worker
Truck Drivers:
Heavy Duty 7 Cu. Yds. & Under
Single Rear Axle
Power Equipment Operators:
Tractor Utility

DECISION NO. AM-1875 - Mod. #2
(36 FR 16343 - August 20, 1971)
The counties of Alleghany,
Augusta, Bath, Clarke, Frederick,
Highland, Page, Rockbridge,
Shenandoah, Rockingham and Page,
Virginia.

CHANGE:

Guardrail Erector
Laborers, Unskilled
Landscape Worker
Powderman Helper
Sign Erector
Truck Drivers, Heavy Duty 7 Cu.
Yd. and under
Tractor Utility

MODIFICATIONS PAGE 35

DECISION NO. 42-2022 - Mod. #1
 (38 FR 27744 - October 3, 1973)
 The counties of Eland, Buchanan,
 McCracken, Grayson, Lee, Russell,
 Scott, Smyth, Throsvell,
 Washington, Wise and Wythe. The
 cities of Bristol and Norton,
 Virginia.

CHANGE:

Laborers, unskilled
 Truck Drivers, heavy duty 7 cu.
 yds. and under

Basic Hourly Rate	Fringe Benefits Payment			App. To
	M & H	Pensions	Variation	
\$2.10				
2.10				

SUPPLEMENTAL DECISION

STATE: Alabama
 COUNTY: See below
 DECISION NUMBER: AL75-104J
 DATE: Date of Publication
 SUPERSEDES DECISION NO. A9-1060 dated January 25, 1974 39 FE 3374
 DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

COUNTIES: Mobile, Baldwin,
 Conecuh, Washington,
 and Escambia

- Air Conditioning mechanic
- Bricklayers
- Carpenters
- Cement masons
- Dry wall hangers
- Dry wall finishers
- Dry wall Sanders
- Electricians
- Laborers:
- Unskilled
- Mason tender
- Painters
- Plumbers
- Roofers
- Sheet metal workers
- Soft floor layers
- Tile setters
- Truck drivers

POWER EQUIPMENT OPERATORS:

- Backhoe
- Bulldozers
- Excavators
- Asphalt spreader
- Roller
- Front end loaders

Basic Hourly Rates	Prize Benefits Payments		
	N & W	Yearbook	App. T.
4.85			
6.00			
4.00			
4.81			
4.50			
4.85			
2.25			
4.66			
2.10			
2.25			
5.00			
6.00			
6.45			
3.50			
4.00			
4.00			
2.76			
4.00			
4.00			
3.75			
4.25			
3.75			
4.50			

SUPPLEMENTS DECISION

STATE: Arkansas
 COUNTY: Union
 DECISION NO.: AR75-4073
 DATE: Date of Publication
 SUPPLIES Decision No. AR75-4019, dated January 17, 1975 in 40 FR 3090
 DESCRIPTION OF WORK: Building construction, (excluding single family homes and garden type apartments up to and including 4 stories)

DECISION NO. AR75-4073

	Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
		H & W	Retiremen	Vacation	
ASBESTOS WORKERS	\$8.45	.25	.30		.02
BOILERMAKERS	8.00	.50	.76		.02
BRICKLAYERS	7.10				
CARPENTERS	7.00	.25			.04
Millwrights & piledrivers	7.50	.25			.04
CEMENT MASONS	6.91	.15			.03
ELECTRICIANS					
Electrical contracts \$20,000 or less:					
Electricians	7.40		.15		1/4%
Cable splicers	7.70		.15		1/4%
Electrical contracts over \$20,000:					
Electricians	8.12		.15		1/4%
Cable splicers	8.42		.15		1/4%
IRONWORKERS	7.95	.30	.35		.04
LABORERS:					
Group I	5.37	.15	.20		.04
Group II	5.62	.15	.20		.04
Group III	5.72	.15	.20		.04
Group IV	5.77	.15	.20		.04
Group V	5.87	.15	.20		.04
Group VI	6.02	.15	.20		.04

LABORERS CLASSIFICATION DEFINITIONS

Group I - Construction laborers, concrete laborers, wrecking laborers, mechanic laborers, excavating laborers

Group II - Semi-skilled laborers; pipelayers, concrete and clay and mechanical tool; cement mixer, wet or dry, finishers and plasterers, mason tender, mortar mixer, asphalt raker and shovellers, concrete wood handlers, and chuck tenders

Group III - Air jack operators, shorers, bracers and cribbers (wood or steel) spademan, kenper and other pneumatic concrete placer operator

Group IV - Steel form setters, curb and gutters, grout and cement muckers

Group V - Swinging scaffold, wagon drill operator, burners

Group VI - Nozzlemans (gunite grout, cement and sandblaster)

	Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
		H & W	Retiremen	Vacation	
LINE CONSTRUCTION:					
Electrical contracts \$20,000 or less:					
Lineman	\$8.40		.15		1/4%
Operator	8.15		.15		1/4%
Truck driver (pickup & jeep)	7.30		.15		1/4%
Groundman	7.30		.15		1/4%
Electrical contracts over \$20,000.00:					
Lineman	9.12		.15		1/4%
Operator	8.87		.15		1/4%
Truck driver (pickup & jeep)	7.87		.15		1/4%
Groundman	7.87		.15		1/4%
PLASTERERS	7.40		.15		.02
8.42		.55			.05
PLUMBERS & PIPEFITTERS					
POWER EQUIPMENT OPERATORS:					
Group I	8.70	.25	.25		.25
Group II	7.86	.25	.25		.25
Group III	7.48	.25	.25		.25
Group IV	6.29	.25	.25		.25
Group V	5.80	.25	.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, floatings, tractor or truck types, all piledrivers, land or floatings, 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

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS (CONT'D)
 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 165 and larger and concrete spreaders, all boiler firemen high or low pressure, all asphalt spreaders, rollers and finishing machines, hydro truck cranes, multiple drum hoist, irrespective of motive power, all rotary, cable, tool, core drill or chain 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 - Oiler-driver motor cranes, single drum hoists, winches and air tuggers, irrespective of motive power, winch or A frame trucks, fork-lifts, jitneys, 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 105, pump-crete, 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 grader, siler, mechanic helper, asphalt distributor, chip spreader, form grader, and dump Euclid and like equipment, third assistant engineer (dredge), safety boat operator, oiler on dredge

	Basic Hourly Rates	Fringe Benefits Payments		
		H & V	Pension	Vacation
ROOFERS	\$6.55		.05	
SHEET METAL WORKERS	7.25	35+.40	.25	.05
SPRINKLER FITTERS	8.35	.50	.70	.08

WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.

SUPERSEDES DECISION

STATE: Connecticut
 COUNTY: New Haven
 DECISION NO.: C715-2057
 DATE: Date of Publication
 Supersedes Decision No. AB-1098, dated August 12, 1976 in 39 FR 29747
 DESCRIPTION OF WORK: Building construction, (excluding single family houses and garden type apartments up to and including 4-stories), heavy and highway construction.

5-CONS-1-2-3-M (1 of 4)

	Basic Hourly Rates	Fringe Benefits Payments			App. T.
		H & V	Pensions	Vacation	
BUILDING, HEAVY & HIGHWAY CONSTRUCTION	\$ 9.92 10.00	.60 .60	.53 10%		.01
Asbestos workers	9.40	.35+.15	.50		
Boilermakers	9.10	.50	.50		
Bricklayers, cement masons-finishers, Marble setters, plasterers, stonemasons, terrazzo workers, tile setters (Building Only): Devon to the Orange Town Line and the Indian River in Milford	9.15	.50	.50		
Ansonia-Derby	9.36	.35+.20	.55		
Beacon Falls-Middlebury-Milville-Naugatuck-Prospect-Waterbury-Meriden-Wolcott-Thomaston-Woodbury-Waterston	9.35	.35+.15	.50		
Remainder of County	8.50	.50	.50		
Bricklayers, cement masons-finishers, stonemasons (Heavy & Highway Only): Milford	8.45	.50	.50		
Remainder of County	8.80	.50	.50		
Carpenters, soft floor layers, millwrights, piledrivers (building only): Ansonia, Seymour, Derby, Orange Milford and that part of Orange from Orange Center Road West to Milford and the Oyster River	9.35	.50	.30		.05
Wallingford-Meriden	9.30	.50	.30		
Chester-Middlebury-Prospect-Southbury-Waterbury-Wolcott-Beacon Falls-Naugatuck-Bethany	9.35	.50	.30		.03
Remainder of County	9.05	.50	.30		
Carpenters, Pile-drivers (Heavy & Highway Only)	9.55	.57	14+.60		1/Boof 1/20 1/20 1/20 1/20
Electricians:	9.80	.63	14+.40		
Beacon Falls-Middlebury-Naugatuck-Prospect-Seymour-Southbury-Waterbury-Wolcott	9.25	.70			
Milford					
Remainder of County					

DECISION NO. C715-2057

(2 of 4)

	Basic Hourly Rates	Fringe Benefits Payments			App. T.
		H & V	Pensions	Vacation	
Elevator Constructors' helpers	\$ 8.60	.39	.26	2 1/2-4-4	.02
Elevator Constructors' helpers (Prob.)	6.02	.39	.26	2 1/2-4-4	.02
Glassiers (Wallingford)	4.30	.95	.465		
Glassiers	8.785	.52	.47		
Ironworkers: Structural, Ornamental & Reinforcing	10.05	.55	.74	k	.04
Beacon Falls-Bethany-Chester-Meriden-Middlebury-Naugatuck-Oxford-Prospect-Southbury-Waterbury-Wolcott	8.75	.25	.15		.01
Remainder of County	9.57	.50	.30		.01
Lead burners	9.25	.35		l	.01
Line Construction:					
Linemen	10.16	.40	1%	m	3/Boof 1%
Equipment operator	9.48	.40	1%	n	3/Boof 1%
Groundman, truck driver	7.32	.40	1%	n	3/Boof 1%
Marble setters' helpers; terrazzo workers' helpers, tile setters' helpers	8.00	.35	.15+.35		
Painters:					
Brush:					
Ansonia-Beacon Falls-Derby-Oxford-Seymour	8.50	.35	.55		.01
Milford (Remainder of Township)	8.20	.35	.40		.02
Chester-Cullford-Meriden-Meriden-Wallingford	7.90	.55	.30		.02
Milford (Up to Calf Street)	8.10	.35	.55		.02
Remainder of County	8.20	.35	.40		.02
Derby-Oxford-Seymour	9.00	.35	.55		.01
Eight & Tank: Ansonia-Beacon Falls-Prospect	9.50	.35	.55		.01
Structural Steel: Ansonia-Beacon Falls-Derby-Oxford-Seymour	12.00	.35	.55		.01
Spray: Ansonia-Beacon Falls-Derby-Oxford-Seymour	11.21	.55	.30		.02
Chester-Cullford-Meriden-Meriden-Wallingford	10.10	.35	.55		.02
Milford (up to Calf Street)	10.80	.35	.40		.02
Remainder of County					
Commercial & Industrial: Middlebury-Naugatuck-Prospect-Southbury-Waterbury-Wolcott	7.10	.35	.30		

DECISION NO. CITY-2057

Painters (Cont'd)

Bridges: (Entire County)
 Brush
 Spray
 Plumbers & Steamfitters:
 Milford
 Ansonia-Beacon Falls-Bethany-
 Naugatuck-Oxford-Prospect-
 Seymour
 Middlebury-Southbury-Waterbury-
 Wolcott-South Britain
 Cheshire-Meriden-Wallingford
 Remainder of County
 Roofers:
 Cheshire-Meriden-Prospect,
 Wallingford-Wolcott;
 Composition
 Slate and Tile
 Remainder of County
 Composition, Estlimen
 Sheet Metal Workers
 Sprinkler Fitters
 Watercofers:
 Cheshire-Meriden-Prospect-
 Wallingford-Wolcott
 Remainder of County

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; E-Thanksgiving
 Day; F-Christmas Day

5-COMB-1-2-3-M 3 of 4

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & V	Pensions	Vacation	
\$ 9.525	.35	.525		.01
13.025	.35	.525		.01
9.39	.55	.50	.38	.01
10.05	.55	.50	.46+2	.10
9.32	.55+.08	.50	.48+4	.08
10.05	.55	.50	2	.03
9.50	.55	.46+.50	5	.02
8.50	.425	.55	.40	
9.00	.425	.55	.40	
9.25	.80	.45		.05
9.20	.50	.51		.08
9.45	.50	.70		
8.50	.425	.55	.40	
9.25	.80	.45		

FOOTNOTES:

- a. Paid Holidays: D and Good Friday
- b. Paid Holidays: C and E
- c. Paid Holidays: A through F, plus Good Friday
- d. Paid Holidays: C, D and E
- e. Paid Holidays: B through D, plus Good Friday, provided the employee has been employed 1/4 consecutive days immediately prior to the holiday.
- f. Paid Holidays: E through F
- g. The last 4 regular working hours prior to Christmas shall be a paid holiday
- h. Employer contributes 1/4 basic hourly rate for 5 years or more of service or 2/8 basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit
- j. Paid Holidays: A through F
- k. Last 4 hours on Christmas Eve is a paid holiday, if employee has worked 5 consecutive days prior to Christmas Eve
- l. Paid Holidays: A through F, Washington's Birthday, Good Friday and Christmas Eve, provided the employee has worked 1/5 full days during the 120 calendar days prior to the Holiday, and the regular scheduled work days immediately preceding and following the Holiday
- m. Nine (9) Paid Holidays: A through F, Washington's Birthday and Good Friday, plus one (1) floating holiday per year, provided the employee has been employed for a period of 10 working days prior to the holiday and works the scheduled work days immediately preceding and following the holiday
- n. Paid Holidays: B through E providing the employee works the day before and the day after the holiday
- o. Paid Holidays: C and D providing the employee works the day before and the day after the holiday
- p. Paid Holidays: Last working day before Christmas Day; last working day before New Year's Day and Labor Day and Thanksgiving
- q. Paid Holidays: B and D and 1/2 day paid holiday the Friday after Thanksgiving and the last working day before Christmas.
- r. Paid Holiday: Labor Day
- s. 2 Paid Holidays: C and D and 1/2 day paid holiday the Friday after Thanksgiving

CVS-2057 P. 5

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CVS-2057 P. 5

Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments			
	H & M	Pensions	Vacation	App. Tr.		H & M	Pensions	Vacation	App. Tr.
6.90	.50	.40	.05	.05	\$3.97	.30	.50+4	b	
7.15	.50	.40	.05	.05	8.86	.30	.50+4	b	
7.40	.50	.40	.05	.05	8.76	.30	.50+4	b	
7.40	.50	.40	.05	.05	8.60	.30	.50+4	b	
6.90	.50	.40	.05	.05	8.49	.30	.50+4	b	
6.90	.50	.40	.05	.05	8.44	.30	.50+4	b	
7.15	.50	.40	.05	.05	8.39	.30	.50+4	b	
7.40	.50	.40	.05	.05	8.33	.30	.50+4	b	
7.65	.50	.40	.05	.05	8.31	.30	.50+4	b	
					8.21	.30	.50+4	b	
					8.23	.30	.50+4	b	
					8.12	.30	.50+4	b	
					8.18	.30	.50+4	b	

LABORERS: BUILDING, HEAVY AND HIGHWAY CONSTRUCTION

Laborers (Building):
 Laborers, carpenters tenders, wrecking laborers
 Jackhammer op., masons tenders, mortar mixer, pipe layers, plasterer tenders & power buggy
 Air track operators, wagon drill ops. and sandblasters
 Open Air Caisson, Cylindrical Work and Boring Crew
 Bottom man
 Top man
 Laborers (Heavy and Highway):
 Laborers
 Asphalt takers, admens, bracers, burners, concrete and power buggy operators, concrete saw op., chain saw op., fence and guard rail erectors, form setters, mortar mixers, pipelayers, rigging and drywall builders, stone spreaders, masons tenders, pneumatic drill operators, tool operators, wagon drill op., tree trimmers, tree toppers, mulchers, chippers, stumpers & all operations connected therewith
 Air track operators, block pavers, rammers, curb setters
 Powdermen and blasters

POWER EQUIPMENT OPERATORS BUILDING CONSTRUCTION

Reinforcing Structural Steel, Setting Stone, Derrick, Pile Driver, Seizing Engineer 2 drums and over
 Tower Crane, Dragline, Grapple, Rebarbing Scooper Loader and/or Joe, Lifting Engineer (all types of equipment where a drum and cable are used to hoist, pull, or drag material regardless of motive power or operation), Front End Loader - 7 cy. or over, Master Mechanic Shovel, Fork Lift - over 4 ft. lift
 Maintenance Engineer
 Vibratory Hammer, Front End Loader - 3 cy. up to 7 cy., Goleman Loader and Screening Plant or similar equipment, Welder, Joy Drill - limited to Joy Heavy Weight Champion or equivalent, Mucking Machine, Pumpcrete Machine, Tock Spring Machine, Post Hole Digger, Mail Sigger, Conveyors - regardless of motive power, High Pressure Portable Boiler, Central Mix Op., Combination Exc and Loader over 1/4 yd.
 Compressor Battery Operator
 Asphalt Spreader
 Bulldozer, Grader Operator, Scraper Pan Operator, Carry-All Operators
 Combination Hoe and Loader Machine, Concrete Mixer Op. - 5 bags or over, Front End Loader under 3 cy., Powerstone Spreader Op.
 Air and Steam Valve Operator
 Generator Op., Compressor Op., Pump and Well Point Op.
 Steam Jenny Op., Tack Lift Op. not over 4 ft.
 Mechanical Heater Operator
 Boiler Operator

DTTS-2051 P. 1

SW-COING-1-2

DTTS-2051 7. 8

Job Title	Basic Hourly Rates	Fringe Benefits Payments				Deductions
		M & V	Retiremen	Vacation	App. Tu.	
Dinky Machine Operator, Power Pavement Breaker Operator	\$8.02	.30	.50+a	b		
Fireman (High Pressure)	7.91	.30	.50+a	b		
Gilder	7.54	.30	.50+a	b		
Crane with boom, excluding jib, over 150 feet - .25 extra						
Crane with boom, excluding jib, over 200 feet - .50 extra						

POWER EQUIPMENT OPERATORS
BUILDING CONSTRUCTION (Cont'd):

PAID HOLIDAYS (Where applicable):
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day

Crane with 150 ft. boom-additional 25¢ per hour.
Crane with 200 ft. boom-additional 50¢ per hour.

PAID HOLIDAYS (Where applicable): A-New Year's Day; B-Memorial Day; C-Independence Day;
D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES: a. Employer contributes 20% per hour to Supplemental Unemployment Fund.
b. Seven (7) paid holidays: A thru F and Good Friday.

FOOTNOTES:
a. Employer contributes \$1.15 per hour to Supplemental Unemployment Fund.
b. Seven (7) paid holidays: A through F and Good Friday.

CLASSIFICATIONS: Class 1--Erecting and handling structural steel, front end loader (7 cubic yds. or over).
Class 2--Piledriver, power shovel and crane, dragline, gradall, trenching machine, lighter derrick, paver (concrete), derrick (stiff leg and guy), steel pile sheeting, hoisting loader (scoop), master mechanic.
Class 3--Drill (4oy heavy weight champion or equivalent), side boom, loader (Euclid), mucking machine, pumper, rock and earth boring machine, post and wall digger, hammer (vibratory), central mix operator, combination hoe & loader (over 1/2 yd.).
Class 4--Asphalt spreader.
Class 5--front end loader (3 yds. or over), grader, power stone spreader, combination hoe and loader.
Class 6--Asphalt roller, bulldozer, carryall, maintenance engineer, concrete mixer (5 bags and over), welder.
Class 7--front end loader (under 3 yds.), roller power chipper, fork lift, finishing machine, asphalt plant, power pavement breaker, dinky machine.
Class 8--Compressor, pump operator.
Class 9--Fireman, high pressure.
Class 10--Well point system.
Class 11--Compressor battery operator.
Class 12--Ciler.
Class 13--Batch plant, bulk cement plant.

DTDS-2057, P. 2 1-25-54 (REV.) 1-2-3-R

BUILDING, HEAVY & HIGHWAY CONSTRUCTION

Truck Drivers:

- Class 1
- Class 2
- Class 3
- Class 4
- Class 5
- Class 6

Basic Hourly Rates	Fringe Benefits Payments			
	M & V	Pensions	Vacation	Acc. Tr. Churns
6.57	a	b	c	
6.57	a	b	c	
6.77	a	b	c	
6.72	a	b	c	
6.52	a	b	c	
6.87	a	b	c	

Paid Holidays (where applicable): A-New Year's Day; B-Memorial Day; C-Declaration Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

- Footnotes: a. \$16.80 per week for employees employed over 16 hours and 42; per hour for employees employed less than 16 hours during the week.
- b. \$23.00 per week for employees employed over 16 hours and 57½; per hour for employees employed less than 16 hours during the week.
- c. Seven holidays: A through F, and Good Friday provided the employee has 31 calendar days service and is available for work the day preceding and following the holiday.

- Classifications: Class 1--Two axle trucks, Helpers.
 Class 2--Three axle trucks, Two axle ready mix.
 Class 3--Four axle trucks, Heavy duty trailer-up to 40 tons.
 Class 4--Three axle ready-mix.
 Class 5--Four axle ready-mix, Specialized earth moving equipment other than conventional type on-the-road trucks and semi-trailers (including Euclids).
 Class 6--Heavy duty trailer-40 tons and over.

SUPERSEDES DECISION

STATE: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania and Rhode Island
 DECISION NUMBER: C775-5045
 DATE: Date of Publication
 SUPERSEDES DECISION No. NY75-3010 dated 1-24-75 in 40 FR 3881
 DESCRIPTION OF WORK: All dredging on the Atlantic Coast from the Canadian border to the Southern border of the State of Maryland and tributary waters emptying into the Atlantic Ocean, the C & D Canal, Baltimore City and Baltimore County, Maryland, but excluding Boston Harbor and the Chesapeake Bay.

	Fringe Benefits Payments			
	Basic Hourly Rates	M & W	Pensions	Vacation
Dipper and Clamshell Dredges:				
Operator	8.38	.25	.25	5X + a
Craneman	8.08	.25	.25	5X + a
Deckhand; tug deckhand	6.22	.25	.25	5X + a
Engineer	8.30	.25	.25	5X + a
Fireman; oiler	6.45	.25	.25	5X + a
Maintenance engineer	7.92	.25	.25	5X + a
Mate	7.24	.25	.25	5X + a
Boorman; steerman	6.12	.25	.25	5X + a
Welder	7.76	.25	.25	5X + a
Hydraulic Dredges:				
Boiler; dredge carpenter; blacksmith; electrician; welder	7.76	.25	.25	5X + a
Derrick operator	8.08	.25	.25	5X + a
Deckhand; shoreman	6.12	.25	.25	5X + a
Engineer	8.08	.25	.25	5X + a
Fireman; oiler	6.45	.25	.25	5X + a
Leverman	8.19	.25	.25	5X + a
Maintenance engineer	7.92	.25	.25	5X + a
Spider barge operator	7.66	.25	.25	5X + a
Tug deckhand	6.22	.25	.25	5X + a
Mate	7.24	.25	.25	5X + a
Tug Boats:				
Tug engineer	7.31	.25	.25	5X + a
Tug deckhand	6.22	.25	.25	5X + a
Drill Boats:				
Engineers	9.01	.25	.25	b
Blasters	9.13	.25	.25	b
Firemen	8.66	.25	.25	b
Drillers, Welders or Machinists	9.02	.25	.25	b
Oilers	8.48	.25	.25	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; plus Washington's Birthday and Veteran's Day.				
b. 8 paid holidays, A through F plus Washington's Birthday and Veteran's Day; 6-1/2 days 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 one day's vacation with pay for each full 24 days of service in one calendar year.				

DECISION NO. 1.75-4074

**HEAVY & HIGHWAY CONSTRUCTION
POWER EQUIPMENT OPERATORS:**

- GROUP 1
- GROUP 2
- GROUP 3
- TRUCK DRIVERS

Basic Hourly Rates	Fringe Benefits Payments			App. Tc.
	H & W	Vacation	App. Tc.	
\$6.25	.31			
6.00				
5.15	.30	.10		
4.90	.30	.10		
4.65	.30	.10		
4.50	.30	.10		
4.40	.30	.10		

DECISION NO. 1.75-4074

HEAVY AND HIGHWAY CONSTRUCTION:

**CARPENTERS; PIPELINEWORK
CEMENT WORKERS
LABORERS:**

- GROUP 1
- GROUP 2
- GROUP 3
- GROUP 4
- GROUP 5

CLASSIFICATION DEFINITIONS

LABORERS

GROUP 1 - Sandblasters; Powderman & blaster; Pipelayer, sewer, water, telephone conduits, etc.; Sewer utility man; Granite mason; Diamond & core drills, powered by air, all work performed by laborers working from a bos'n chair, swinging stage, life belt, tag line or block & tackle; Drill op. of air track, wagon drills & similar drills.

GROUP 2 - Tree climber; Form setters; Bakers; Boxtenders; Asphalt curb machines; Potmen (not mechanical); Bull float, hand operated; Sealers; Timbermen; Underpinning & shoring; Caissons (over 12') Grade checker & cutting torches on demolition work.

GROUP 3 - Power buggyman; Concrete & paving sawman; Form liner, expansion joint assembler; Bottom man; Caulker & jointer & painter; Timber & chain-saw man; Mechanical grouter; Boring machine; Automatic concrete power curbing machines; Stresser or stretcherman on post-tension or pre-stressed concrete (on or off the job); Powderman helpers.

GROUP 4 - Form tender; Air, gas & electric tool op.; vibrator, barco hammer, paving breaker, spader, tamper, electric drills, hammer & jack hammer; Ties groundmen; Chuck tender; Drill helpers tool room men & checker; Sandblaster helpers; Concrete processing material & monitors; Cement finishers helpers.

GROUP 5 - Fence erectors; Handling & placing of metal mesh, dowel bars, reinforcing bars & chairs; Dumpmen & spotters; Carrying reinforcing rods; Corrugated culvert pipe; Concrete drainage pipe; Stake chaser, seeding, mulching & planting of trees, shrubs & flowers; Water boy; Common laborer; Rodmen; Tending to carpenters; Hot asphalt labor; Stringman on paving work.

**CLASSIFICATION DEFINITIONS
POWER EQUIPMENT OPERATORS**

GROUP 1 - Power Shovel, Crane, Backhoe and Dragline; Central Mix Plant Operator; Fridge Engineer; Dredge Tender; Paver or Spreader Operator; Hoisting Engineer (Steel Erection); Motor Patrol; Piledriver Machine; Concrete Mixer; Tow or Push Boat Operator; Master Mechanic; C.M.I. PAVER; C.M.I. Subgrader (or equivalent); Asphalt Plant; Front End-loader; Scraper; Bulldozer; Push cat; Tractor Pulling Scraper; Sideboom tractor; Groun or rotary Drill; Trenching Machine (Oleveland 80 or similar capacity); Asphalt Laydown; Asphalt Screed; Asphalt Heater-Planer Unit; Asphalt Roller; Self-Propelled Elevating Grader or similar machine; Spreader (Concrete); Horizontal Foring Machine; Mechanic-welders; Group Equipment Greaser; Concrete Pump; Self-Propelled Curb Machine.

GROUP 2 - Concrete Curb Breaker; Concrete Widening Machine; Taring Breaker; Barber-Greene, Falls Loader or similar machine; Tractor Pulling Ripper, Disc, Sheepfoot or Flat Roller; Self-Propelled Sheepfoot Roller; Self-Propelled Baller (other than asphalt); Distributor; Screening and Washing Plant; Self-Propelled Vibrating Compactor; Trenching Machine (other than above); Steel Paving Machine Conveyor; Finishing Machine (on concrete); Flap-lance; Roll Ploet; Form Grader.

GROUP 3 - Boiler; Mechanical Press; Oiler or Mechanics Helper or Group Greaser helper; Pave-type Tractor (pulling disc, barrow or roller); Welding Machine; Pump Operator (other than dr-ago); Boom and Winch Truck; Compressor; Tank Car Hauler (combination boiler and booster); Pumps on well points and deep wells for Deswatering; Truck Crane Combination Driver-Oiler; Concrete Curbing Machine; Safety Boat Operator; Hatch Plant (Dry).

Page 3

SUPERSEDES DECISION

STATE: Massachusetts
 DECISION NO.: NA75-1054
 SUPERSEDES DECISION NO. A0-3034, dated November 2, 1973 in 38 FR 30346.
 DESCRIPTION OF WORK: Residential construction commission of single family homes and garden type apartments up to and including 4 stories.

COUNTY: Hampden
 DATE: Date of Publication

	Final Grades Payments			
	Basic Hourly Rates	H & V	Penalties	App. To
Asbestos workers	\$9.50	.44	.45	.01
Bricklayers	9.55	.55	.55	.03
Carpenters; Soft floor layers	9.15	.35	.50	.02
Cement masons	6.60			
Drywall applicator	7.50			
Drywall finisher				
Electricians:				
Holyoke, Chester	8.76	.45	1 1/2 x .20	.01
Remainder of County	8.29	.48	1 1/2 x .15	a
Cleaners	7.41			
Ironworkers: structural, ornamental, & reinforcing	9.11	.55	1.40	.09
Laborers:				
Laborers	7.09	.50	.45	.05
Mason tenders	7.25	.50	.45	.05
Lathers	8.45	.45	.25	.01
Painters, brush	8.32	.50	.35	.03
Plasterers	9.35	.35	.55	.03
Plumbers	9.39	.57	.75	.01
Roofers	8.65	.39	.61	
Sheet metal workers	8.81	.75	.97	.02
Power Equipment Operators:				
Excavator	8.80	.45	.60	.05
Bulldozer	8.40	.45	.60	.05
Crane	8.80	.45	.60	.05
Grapple	8.80	.45	.60	.05
Grader	8.60	.45	.60	.05
Oiler	6.42	.45	.60	.05
Packer	8.40	.45	.60	.05
Roller	8.40	.45	.60	.05
Trenching machine	8.80	.45	.60	.05

PAID HOLIDAYS:
 A-New Year's Day; B-Memorial Day; C-Independence Day; P-Labor; P-Thanksgiving Day;
 P-Christmas Day.

FOOTNOTES:
 a. \$3.15 per man per week
 b. 8 paid holidays: A through F, Veterans' Day, & Columbus Day
 c. 1 paid holiday: Independence Day provided the employee has been employed 7 days prior to the holiday for the same employer.

SUPERSEDES DECISION

STATE: Missouri

COUNTIES: Franklin, Jefferson, Lincoln, St. Charles and Warren and St. Louis City and County

DECISION NO.: M075-4075

DATE: Date of Publication

Supersedes Decision No. 20-94, dated May 3, 1974, in 39 FR 15669. DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

DECISION NO. M075-4075

Zone 4 - Jefferson County:
Laborers
Powderman
Mason tenders, plaster tenders
Zone 5 - Franklin County:
Contracts \$100,000.00 or less:
General laborer
Mason tenders, plumber laborer,
plaster tenders

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	M & V	Pensions	Variable	
\$10.48	.45	.62	.65	.02
8.25	.52	.70		
9.26	.40	.30		
7.35	.30	.30		
8.66	.30	.30		
8.66	.30	.30		
8.40	.75	.60		
9.10	.75	.60		
9.10	.75	.60		
8.93	5%	15% ^a	15%	1%
9.24	.445	.29	35%+b	.02
70LJR	.445	.29	35%+b	.02
8.41	.42	.78	85% ^c	.01
8.075	.40	.75		.03
7.95	.40	.75		.03
8.45	.40	.75		.03
8.575	.40	.75		.03
6.775	.40	.60		
7.575	.50	.45		

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	M & V	Pensions	Variable	
6.65	.30	.30		
7.00	.30	.30		
6.95	.30	.30		
5.25	.40	.25		
5.45	.40	.25		
6.75	.40	.25		
6.95	.40	.25		
9.475	.325	.50		.01
8.79				
8.48				
7.50	.20			
8.625	.20			
8.83	.30	.30	.21	
10.33	.30	.30	.21	
4.35				
5.50				
8.80	2.775	.90		
9.18	2.775	.90		
9.36	2.775	.90		
9.25	.325	.50		.03
9.445	.90	.50	.80	
9.36	2.775	.90		

Zone 1 - Franklin, St. Charles, & Warren Counties:
Brush; paperhangers; drywall tapers
Spray, steel, sandblaster; pot tenders
Zone 2 - Jefferson County and St. Louis City and County:
Brush
Spray
Zone 3 - Lincoln County
Brush
Spray
PIPEFITTERS:
Zone 1 - Jobs within the boundaries of the City of St. Louis and St. Louis County
Zone 2 - Jobs within twenty miles beyond the boundary line of St. Louis County
Zone 3 - Jobs more than twenty miles beyond the boundary line of St. Louis County
PLASTERERS
PLUMBERS & PIPEFITTERS (Lincoln County)

ASBESTOS WORKERS
BRICKLAYERS & STONEMASONS
CARPENTERS:
Zone 1 - Franklin, Jefferson, St. Charles Counties and St. Louis City & County
Zone 2 - Warren County:
Contracts \$100,000.00 & under
Contracts over \$100,000.00
Zone 3 - Lincoln County
CEMENT MASONS:
Zone 1 - Franklin, Lincoln & Warren Counties:
Projects of less than \$100,000.00
Projects \$100,000.00 or over
Zone 2 - Jefferson, St. Charles Counties and St. Louis City & Co.
ELECTRICIANS
ELEVATOR CONSTRUCTORS
ELEVATOR CONSTRUCTORS' HELPERS
ELEVATOR CONSTRUCTORS' HELPERS (PROG.)
FOOTNOTES: a-Employer contributes 4% of basic hourly rate for over 5 years' service and 2% of basic hourly rate for 6 months to 5 years as vacation pay credit; b-Paid Holidays; New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Day.
GLAZIERS
FOOTNOTE: c-Paid Holidays; New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Friday After Thanksgiving Day, Christmas Day.
IRONWORKERS
LABORERS:
Zone 1 - 3 and 4 stories (St. Louis City and County):
General laborer
Wrecking
Plumber laborers
Dynamiter or powderman
Zone 2 - 2 stories and under (St. Louis City and County)
Zone 3 - Lincoln, Warren and St. Charles Counties

POWER EQUIPMENT OPERATORS CONTD.

Basic Monthly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Penalties	Vacation	
8.52	.35		.40	
7.97	.35		.40	
7.52	.35		.40	
9.32	.35		.40	
10.07	.35		.40	
10.52	.35		.40	
11.27	.35		.40	
9.02	.35		.40	
8.02	.35		.40	
8.52	.35		.40	

DECISION NO. 10735-4075

POWER EQUIPMENT OPERATORS:
ZONE 1 - St. Louis County:

- Group 1
- Group 2
- Group 3
- Group 4:
- (a)
- (b)
- (c)
- (d)
- (e)
- (f)
- (g)

CLASSIFICATION DEFINITIONS

POWER EQUIPMENT OPERATORS (ZONE 1)

Group 1 - Backhoe, cableway, crane, crawler or truck, crane, hydraulic-truck or crawler mounted-16 tons & over, crane, locomotive, derrick, steam, derrick car & derrick boat, dragline, dredge, gradall, crawler or tire mounted, locomotive, gas, steam & other powers, pile-driver, land or floating, scoop, skimmer, shovel, power compressor, anchor placing barge, asphalt spreader, atby force feed loader (self-propelled), backfilling machine, boat operator-push boat or tow boat (job site), boiler, high pressure breaking in period, boom truck placing or erecting, boring machine footing foundation, bullfloat, cherry picker, combination concrete hoist & mixer such as mixermobile, compressors, two, not more than 20 ft. apart, compressors, not more than five ft. apart, compressor-welder combination, concrete breaker (truck or tractor mounted), concrete pump, such as a pumpcrete machine, concrete spreader, conveyor, large (not self-propelled) hoisting or moving brick and concrete into, or into and on floor level, one or both, crane, hydraulic-boring (wagon drills and sky hand drills obtaining power from other sources) including concrete breakers, jackhammers and barco equipment-no engineer required), elevating grader, engine man, dredge, excavator or powerbelt machine, finishing machine, self-propelled oscillating screed, forklift, grader, road with power blade, highlight, hoist, concrete and brick (brick cages on concrete skips operating in or on tower, tower-mobile, or similar equipment), hoist stack, hydro-hammer, lad-a-vator, hoisting brick or concrete, loading machine (such as barber-grease), mechanic, on job site, mixer, paving, mixermobile, mucking machine, pipe cleaning machine, pipe wrapping machine, plant asphalt, plant, concrete producing or ready-mix job site, plant, heating-job site, plant mixing-job site, plant, power, generating-job site, pump, self-powered, over 2" (one operator will operate two), pumps, electric submersible, one through three, over 4", quad-track, roller, asphalt, top or subgrade, scoop tractor drawn, spreader box, sub-grader, tie tamper, tractor-crawler, or wheel type with or without power unit, power take-offs, and attachments regardless of size, trenching machine, tunnel boring machine, vibrating machine, automatic propelled, welding machines (gasoline or diesel) more than one but not over four (regardless of size), well drilling machine.

Group 2 - Air tugger w/plant air, boiler, for power or heating on construction projects, boiler, temporary, compressor, air-rod, compressor, air (mounted on truck), concrete saw, self-propelled, conveyor, large (not self-propelled) moving brick and concrete (distributing) on floor level, curb finishing machine, ditch paving machine, elevator (building construction or alteration) endless chain hoist, fireman, form grader, generator, one over 30 KW or any number developing over 30 KW; greaser, hoist, one drum regardless of size (except brick or concrete), lad-a-vator, other hoisting, manlift, mixer, asphalt, over 8 cu. ft. capacity, mixer, if two or more mixers of one bag capacity or less are used by one employer on job, an operator is required, mixer, with outside loader, 2 bag capacity or more, mixer, with side loader, regardless of size, not paver, oiler on dredge, oiler on truck crane, pug mill operator, pump, sump-self-powered, automatic controlled over 2" during use in connection with construction work, sweeper, street, welding machine, one over 400 amp.; winch operating from truck.

Group 3 - Boat operator-outboard motor (job site), conveyor (such as con-vay-it) regardless of how used, oiler, sweeper, floor

Group 4 - (a) Air pressure, oiler engineer, operating under ten pounds. (b) Air pressure, oiler engineer operating over ten pounds. (c) Air pressure engineer operating under ten pounds. (d) Air pressure engineer operating over ten pounds. (e) Crane-pile driving with leads, crane using rock socket tool, dragline-1 cu. yds. & over, shovel, power-7 cu. yds. and over, crane, climbing (such as ladders), derrick, diesel, gas, electric hoisting material and erecting steel-150' or more above ground, hoist, three or more drums, scoop, tandem, tractor, tandem crawler. (f) Hoister. (g) Mud jack (where mud jack is used in conjunction with an air compressor, operator).

Crane, with boom (including jib) over 100' from pin to pin (add 1c per foot to maximum of 75c) above basic rate for crane.

Work in tunnel or tunnel shaft, .25c above base rate.

Basic Monthly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Penalties	Vacation	
8.50	.35	.40		.02
8.30	.35	.40		.02
8.10	.35	.40		.02
7.50	.35	.40		.02
8.75	.35	.40		.02
9.25	.35	.40		.02
9.00	.35	.40		.02

POWER EQUIPMENT OPERATORS:

ZONE 2 - Franklin, Jefferson, Lincoln, St. Charles and Warren Counties:

- Group 1
- Group 2
- Group 3
- Group 4:
- (a)
- (b)
- (c)
- (d)

DECISION NO. 4075-4075 CLASSIFICATION DEFINITIONS

POWER EQUIPMENT OPERATORS (ZONE 2):
 Group 1 - Asphalt finishing machine & trench widening spreader, asphalt plant console operator, autograder, automatic slipform paver, backhoe, blade operator, all types, boat operator-tow, boiler-1, central mix concrete plant operator, clamshell operator, concrete mixer paver, crane operator, derrick, or derrick trucks, ditching machine, dozer operator, dragline operator, dredge booster pump, dredge engineman, dredge operator, drill cat with compressor mounted on cat, drilling or boring machine rotary self-propelled, highlander, hoisting engine-2 active drums, isachhammer wheel, locomotive operator-standard gauge, mechanics and welders, mucking machine, piledriver operator, piling crane operator, push cat operator, quad trac, scoop operator-all types; shovel operator sideboom cats, skimmer scoop operator, trenching machine operator, truck crane
 Group 2 - A-frame, asphalt hot-mix silo, asphalt plant fireman (drum or boiler), asphalt plant man, asphalt plant mixer operator, asphalt roller operator, backfiller operator, barber greene loader, boat operator (bridges & dams), chip spreader, compressor maintenance operator-2, concrete mixer operator-skip loader, concrete plant operator, concrete pump operator, crusher operator, dredge oiler, elevating grader operator, fork lift, grosser-fleet, hoisting engine-1; locomotive self-propelled, power shield, roofer, side discharge breaker, powerbroom-self-propelled, power shield, roofer, side discharge concrete spreader, slip form finishing machine, stumpcutter machine, throttle man, tractor operator (over 30 H.P.), welding machine maintenance operator-2; winch truck.
 Group 3 - Boiler-1; chip spreader (front man), charm drill operator, chief plane operator, compressor maintenance operator-1; concrete saw operator (self-propelled), conveyor operator, curb finishing machine, distributor operator, finishing machine operator, firman-rig, flex plane operator, float operator, form grader operator, generator-maintenance operator, light plant maintenance operator, maintenance operator, oiler driver, pegmill operator, pump maintenance operator (other than dredge), roller operator, other than high type asphalt, screening & washing plant operator, siphons & jets, sub-grading machine operator, spreader box operator, self-propelled (not asphalt); tank car heater operator (combination boiler & booster), tractor operator (50 H.P. or less), Ullmac, Ullric or similar spreaders, vibrating machine operator, not band, welding machine maintenance operator-1.
 Group 4 - (a)Oiler. (b)Clamshells, 3 yds. capacity or over; crane, rigs or piledrivers 100 ft. of boom or over (including jib), draglines, 3 yds. capacity or over, hoisting engine over 2 drums, shovels, 3 yds. capacity or over, (c)Crane, rigs or piledrivers 200 ft. or over. (d)Tandem scoop operator.
 Work in tunnel or tunnel shafts (not air shafts or coffer dams) of 25 ft. or more in length or depth 50c per hour above basic rate.

DECISION NO. 4075-4075

Basic Hourly Rates	M & W	Penalties	Vacation	App. Tr.
7.80	.27	.30		.03
5.60	.27	.30		.03
8.36	5%	7%	8%	.02
8.38	.50	.35	.50	.13
10.51	.50	.70		.07
9.55				
8.71	.325	.50		
6.98	.315	.40		
6.99	d	e	56g	
7.19	d	e	56g	
7.29	d	e	56g	

ROOFERS:

Composition; slate and tile
 Kettlemen
SHEET METAL WORKERS
 SOFT FLOOR LAYERS
 SPRINKLER FITTERS
TEGRAZZO WORKERS
TILE SETTERS
TILE SETTERS HELPERS
TRUCK DRIVERS:
 Truck or trailers of a water level capacity of 11.99 cu. yds. or less
 fork lift trucks, job site ambulances, pick-up trucks, flat bed trucks
 Truck or trailers of a water level capacity of 12.0 cu. yds. up to 22.0 cu. yds. including euclids, speedee & similar equipment of same capacity
 Truck or trailers of a water level capacity of 22.0 cu. yds & over including euclids, speedee & all floats, flat bed trailers & boom trucks & similar equipment of same capacity

FOOTNOTES: d-Employer contribution of \$12.50 per week; e-Employer contribution of \$12.00 per week; f-Paid Holidays; New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Friday After Thanksgiving Day, Christmas Day; g-Paid vacation of 3 days for 600 hours of service in any one contract year, 4 days paid vacation for 800 hours of service in any one contract year, 5 days paid vacation for 1,000 hours of service in any one contract year.
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.

DECISION NO. CE75-2056

BRICKLAYERS & STONEMASONS (CONT'D)

Basic Hourly Rates	Fringe Benefits Payments			App. T.
	H & V	Pensions	Vacation	
\$ 9.18				
8.90	.20			
9.39	.45	.25		.02
9.35	.45	.25		.02
8.77	.50	.45	1.00	
9.02	.50	.45	1.00	
10.35	.45	.15		
8.55	.25	.25	.25	.02
10.095	.45	.35		.01
9.885	.45	.35		
9.985	.45	.35		
9.40	.50	.35		.01
9.10				
8.00				
8.60	.45	.20		
9.30	.45	.25		

BRICKLAYERS & STONEMASONS:

ZONE 1 - ADAMS & SCIOTO Counties
 ZONE 2 - ALLEN, AUGLAIZE, WESCHER & VAN WERT Counties
 ZONE 3 - ASHLAND, CRAWFORD, HAMILTON, HUNTING, MARION, MORGAN, RICHMOND, & WADE Counties, and all of WINDSOR County except the townships of Crossford, Richland, Ridge & Tynahitee
 Bricklayers
 Sewer Bricklayers
 ZONE 4 - ASPENHOLM County
 Bricklayers
 Sewer Bricklayers
 ZONE 5 - BIRMGHAM County
 ZONE 6 - BRUNSWICK & WAGNER Counties and in JEFFERSON County, the Townships of Mt. Pleasant, & Warren and the City of Mallowville
 ZONE 7 - BROWN, CLEMMONT & HAMILTON Counties
 Bricklayers
 Stonemasons
 ZONE 8 - BUTLER & VASSEN Counties and in FERRIS County the townships of Dixon, Gratis, Iarval, Lender, & Somers
 ZONE 9 - CARROLL, STARK & TUSCARAWAS Counties; in MARSHALL County, the Township of Smith, and in COLUMBIANA County, the Townships of Butler, Hanover, Knox & West
 ZONE 10 - CHAMPAIGN, CLARK & LOGAN Counties
 ZONE 11 - CLINTON & HIGHLAND Cos.
 ZONE 12 - In COLUMBIANA County, the Townships of Center, Elk Run, Fairfield, Middletown, New Waterford, Perry, Salem & Unity
 ZONE 13 - In COLUMBIANA County, the Townships of E. Liverpool, Franklin, Madison, St. Clair, Washington, Wayne & Yellow Creek & in JEFFERSON County the Townships of Bush, Creek & Saline

Basic Hourly Rates	Fringe Benefits Payments			App. T.
	H & V	Pensions	Vacation	
\$ 8.90	.45			
\$10.10	.75	.65		.01
9.70				.05
9.85	.55			
9.20	.30	.45		.01
8.40	.30	.45		
9.90		.35	.30	.01
7.70				
9.30	.50	.45		.01
10.16	.40			
8.63	.45	.50	.37	.01
8.55	.45	.25	.25	
9.45	.50	.30		.01
9.45	.55	.25		.01

BRICKLAYERS & STONEMASONS (CONT'D)
 ZONE 14 - COSHOCTON County
 ZONE 15 - CUYAHOGA County and in MEDINA County all except the Townships of Chatham, Harrisville, Homer, Hitchfield and Spencer
 ZONE 16 - DASKE, MIAMI, & SEELEY Counties
 ZONE 17 - DEFIANCE, PAULINDING, PUTNAM & WILLIAMS Counties, in FULTON County, all except the Townships of Imboyr, Fulton & Swan Creek, and in HENRY County All except the Townships of Backo, Tomassous, Liberty, Marion, Monroe, Richfield, Washington and that part of Harrison outside City Limits of Napoleon
 ZONE 18 - DELAWARE, FRANKLIN, MADISON, PICKAWAY & UNION Counties
 Bricklayers
 Stonemasons
 ZONE 19 - ERIE & FURCH Counties and in OTTAWA County the Townships of Bass Island, Catawah Island, Danbury & Fortage
 ZONE 20 - FAIRFIELD County
 ZONE 21 - FAIRFAX, ROSS & PIKE Counties
 ZONE 22 - GALLIA & MORGAN Counties
 ZONE 23 - GARFIELD & LAKE Counties
 ZONE 24 - GREEN & MARYSWORTH Counties and the remainder of FRANKLIN County
 ZONE 25 - GREENSBORO County and in NOBLE County the Townships of Beaver, Buffalo, Marion, Seneca and Wayne
 ZONE 26 - HAINOCK & IN SENCOA County the Townships of Jackson, Loudin & Big Spring and in WOOD Co. the Townships of Bloom and Perry
 ZONE 27 - SANDUSKY and the remainder of OTTAWA County

DECISION NO. <u>0275-2096</u>	Basic Hourly Rates	Fringe Benefits Payments			App. To
		H & V	Proficians	Vacation	
CARPENTERS & FILEDRIVERS (CONT'D)	\$ 8.60	.35	.20		.02
	8.90	.35	.20		.02
ZONE 2 (CONT'D) UNION, VANWAZEE, & VIANDOT Cos., and the Eastern 1/2 of MADISON Co. Carpenters Fildrivers	8.15	.35	.35		.02
	8.75	.35	.35		.02
ZONE 2A - GRANGAHER, CLARK, & LOGAN Counties and the Western 1/2 of MADISON County Carpenters Fildrivers	9.41	.45	.40		.04
	10.30	.47	.80		.03
ZONE 3 - ASHLAND, CRAWFORD, ERLE, HURON, LOBAIN AND RICHLAND Counties Carpenters Fildrivers	9.41	.45	.40		.04
	10.25	.55	.50		.04
ZONE 4 - ASHTABULA, CUYAHOGA, GRAND & LAKE Counties Carpenters Fildrivers	10.90	.47	.60		.03
	10.30	.47	.80		.03
ZONE 5 - ATHENS County Carpenters Fildrivers	8.85	.30			.02
	8.90	.30			.02
ZONE 5A - BOCKING, VINUM & WASHINGTON Counties Carpenters Fildrivers	8.60	.30	.25		.02
	8.85	.30	.25		.02
ZONE 6 - BELMONT, COLINGLAW, HARRISON, JEFFERSON & NEWBURG Counties Carpenters Fildrivers	8.65	.40	.50		.01
	9.15	.40	.50		.01
ZONE 7 - BROWN, BUTLER, CLEMMONT, CLINTON, HAMILTON & WARREN Counties Carpenters Fildrivers	9.75	.45	.55		.05
	9.75	.45	.55		.05

DECISION NO. 0275-2096

CARPENTERS & FILEDRIVERS (CONT'D)

ZONE 2 (CONT'D)
UNION, VANWAZEE, & VIANDOT Cos.,
and the Eastern 1/2 of MADISON Co.
Carpenters
Fildrivers

ZONE 2A - GRANGAHER, CLARK, &
LOGAN Counties and the Western 1/2
of MADISON County
Carpenters
Fildrivers

ZONE 3 - ASHLAND, CRAWFORD, ERLE,
HURON, LOBAIN AND RICHLAND
Counties
Carpenters
Fildrivers

ZONE 4 - ASHTABULA, CUYAHOGA,
GRAND & LAKE Counties
Carpenters
Fildrivers

ZONE 5 - ATHENS County
Carpenters
Fildrivers

ZONE 5A - BOCKING, VINUM &
WASHINGTON Counties
Carpenters
Fildrivers

ZONE 6 - BELMONT, COLINGLAW,
HARRISON, JEFFERSON & NEWBURG
Counties
Carpenters
Fildrivers

ZONE 7 - BROWN, BUTLER, CLEMMONT,
CLINTON, HAMILTON & WARREN
Counties
Carpenters
Fildrivers

DECISION NO. <u>0275-2096</u>	Basic Hourly Rates	Fringe Benefits Payments			App. To
		H & V	Proficians	Vacation	
BRICKLAYERS & STUCCOERS (CONT'D)	\$ 9.15	.50	.30		.01
	9.45	.50	.30		.01
ZONE 22 - HARRISON County and the remainder of JEFFERSON County Sewer Bricklayers	8.58	.45			.02
	8.00	.20			.02
ZONE 30 - BOCKING & VINUM Cos. ZONE 31 - JACKSON & VINUM Cos. ZONE 32 - KNOX & LICKING Counties ZONE 33 - LAWRENCE County ZONE 34 - LOBAIN County and the remainder of WELLS County	8.75	.45	.50		.02
	9.00				.01
ZONE 35 - LUGAS County, the re- mainder of FULTON County and in WOOD County, the townships of Labs Perryburg and Boss	10.335	.55	.40		.01
	9.20	.45	.15		.02
ZONE 36 - HANCOCK County, exclud- ing Smith Township ZONE 37 - MORGAN & MISSOURI Cos. ZONE 38 - FORTALE County Bricklayers	8.50	.45	.55		.02
	9.84	.50	.40		.02
Sewer Bricklayers ZONE 39 - SUMMIT County Bricklayers	10.19	.50	.40		.02
	9.94	.50	.40		.02
Sewer Bricklayers ZONE 40 - THURGOOD County ZONE 41 - WASHINGTON County and the remainder of NOBLE County	10.19	.50	.40		.02
	9.15	.45	.20		.02
ZONE 42 - The remainder of WOOD and HENRI Counties CARPENTERS & FILEDRIVERS	8.26	.45			.03
	10.06	.55	.45		.01
ZONE 1 - ADAMS, FAYETTE, GALLIA, HIGHLAND, JACKSON, LAWRENCE, MELISS, PINE, BOSS, & SOUTHW COS. Carpenters Fildrivers	8.18	.40	.50		.03
	8.45	.40	.50		.03
ZONE 2 - ALLEN, AUGLAIE, COSHOOTON, DELAWARE, FAIRFIELD, FRANKLIN, GUSSENE, HARDIN, HOLMES, KNOX, LICKING, MARION, MERCER, MORGAN, MURKIN, MUSKINGUM, NOBLE, PERCY, PICKAWAY, PUTNAM	8.18	.40	.50		.03
	8.45	.40	.50		.03

DECISION NO. 0275-2096

BRICKLAYERS & STUCCOERS (CONT'D)

ZONE 22 - HARRISON County and the
remainder of JEFFERSON County
Sewer Bricklayers

ZONE 30 - BOCKING & VINUM Cos.
ZONE 31 - JACKSON & VINUM Cos.
ZONE 32 - KNOX & LICKING Counties
ZONE 33 - LAWRENCE County
ZONE 34 - LOBAIN County and the
remainder of WELLS County

ZONE 35 - LUGAS County, the re-
mainder of FULTON County and in
WOOD County, the townships of
Labs Perryburg and Boss

ZONE 36 - HANCOCK County, exclud-
ing Smith Township

ZONE 37 - MORGAN & MISSOURI Cos.
ZONE 38 - FORTALE County
Bricklayers

Sewer Bricklayers
ZONE 39 - SUMMIT County
Bricklayers

Sewer Bricklayers
ZONE 40 - THURGOOD County
ZONE 41 - WASHINGTON County and
the remainder of NOBLE County

ZONE 42 - The remainder of WOOD
and HENRI Counties

CARPENTERS & FILEDRIVERS

ZONE 1 - ADAMS, FAYETTE, GALLIA,
HIGHLAND, JACKSON, LAWRENCE,
MELISS, PINE, BOSS, & SOUTHW COS.
Carpenters
Fildrivers

ZONE 2 - ALLEN, AUGLAIE,
COSHOOTON, DELAWARE, FAIRFIELD,
FRANKLIN, GUSSENE, HARDIN,
HOLMES, KNOX, LICKING, MARION,
MERCER, MORGAN, MURKIN,
MUSKINGUM, NOBLE, PERCY,
PICKAWAY, PUTNAM

DECISION NO. DE175-2056

ELECTRICIANS	Basic Hourly Rates			Fringe Benefits Payments			App. T.
	N & W	Patients	Variable	N & W	Patients	Variable	
ZONE 1 - ADAMS & SUIOTO Counties, in JACKSON County all but Coal, Jackson, Liberty, Milton and Washington Townships, and in PIKE County the Townships of Camp Creek, Marion, Newton, Soloto, Surfiah and Union.	.30	7/8-.20	.37	.30	7/8-.20	.37	.04
ZONE 2 - ALLEN, ASHTABULA, HARDIN, LOGAN, MORGAN, SEELYE, & VAN WERT Counties, and in WINDSOR County West of Grass, Pitt, & Sycamore Townships	9.54	7/8-.37		.32	7/8-.37		.04
ZONE 3 - ASHLAND, CRAWFORD, MARION, MORGAN & RICHLAND Counties, the remainder of WINDSOR County, in EXETER County the North & including Clinton, Howard, Liberty, Monroe, and Union Townships, and in HENNING County the Townships of Greenwald, New Haven, Richmond and Ripley	9.70	7/8-.25		.33	7/8-.25		.7%
ZONE 4 - In ASHTABULA County, all but Colebrook, Orwell, Wayne, Williamsfield & Windsor Townships	10.45	7/8-.50		.45	7/8-.50		.2%
ZONE 5 - ARENS, WEIGS, MORGAN, RUBLE & WASHINGTON Counties and in VIRGIN County that portion East of Clinton, Elk and Swan Townships	8.55 8.80	7/8-.62 7/8-.17	1.02 .69	.30 .30	7/8-.62 7/8-.17		.04 .04
ZONE 6 - BELMONT County	10.00	7/8-.30		.60	7/8-.30		.5%
ZONE 7 - BERWICK, CLEVELAND & EMMINGHAM Counties	10.30	7/8-.30		.60	7/8-.30		.5%
Within 18 Mi. of Hamilton County Court House	10.40	7/8-.30		.60	7/8-.30		.5%
From 18 to 21 Miles	10.55	7/8-.30		.60	7/8-.30		.5%
From 21 to 25 Miles							.5%
Over 25 Miles							.5%

DECISION NO. DE175-2056

CARPENTERS & FILEDRIVERS (CONT'D)	Basic Hourly Rates			Fringe Benefits Payments			App. T.
	N & W	Patients	Variable	N & W	Patients	Variable	
ZONE 8 - CHEROKEE, STARK, TUSCARAWAS & VAINE Counties	8.62	.30		.40	.30		.02
Carpenters	9.05	.30		.40	.30		.02
Zone 9 - BAKER, GREEN, MIAMI, MONTGOMERY, FREEMAN & SEELYE Cos.	8.24	.45	.90	.45	.90		.03
Carpenters	8.24	.45	.90	.45	.90		.03
Zone 10 - DEFIANCE, HENRY PAULding, & WILLIAMS Counties	8.82	.50	.25	.50	.25		.04
Carpenters	10.25	.55	.50	.55	.50		.04
Zone 11 - FULTON, HANCOCK, LUGAS & WOOD Counties excluding the city of Portora in HANCOCK and WOOD Counties	10.25	.55	.50	.55	.50		.04
Carpenters	9.02	.40	.50	.40	.50		.02
Zone 12 - MARIETTA & TRUMBULL Cos.	9.76	.40	.50	.40	.50		.02
Carpenters	9.95	.40	.35	.40	.35		.02
Zone 13 - MEDINA, PORTAGE & STURGEON Counties	10.30	.47	.80	.47	.80		.03
Carpenters							
Zone 14 - OUYANGA, GRADGA, LAKE & LORAIN Counties	9.74	.49		.49			.02
CARPENT MASONS							
Zone 2 - ALLEN, ASHTABULA, COLLEMAN, DEFIANCE, ERLE, FULTON, HARDIN, HANCOCK, HENRY, HENRY, LEWIS, MARIETTA, MEDINA, OTTAWA, PAULding, PORTAGE, PORTMAN, SANDUSKY, SENeca, STARK, STURGEON, TRUMBULL, VAN WERT, WILLIAMS & WOOD Counties	8.69 8.74	.49 .49		.49 .49			.02 .02
Zone 3 - Remainder of Counties							

DECISION NO. 0875-2056

ELECTORALIANS (CONT'D)

Basic Monthly Rates	Fringe Benefits Payments			App. Tr.
	M & W	Pensions	Vacation	
\$ 9.33	.28	1/4+.60		.06
10.35	.18	1/4		.15
9.55	.29	1/4+.32	1.00	.02
8.90	.30	1/4		.04
8.90	.29	1/4		
10.80	.56	1/4+.68	8%	.26
9.90	.30	1/4+.10		.36
10.48	.40	1/4+.50		.36
9.40	.28	1/4+.33		.03
10.45	.42	1/4+.50		.15
10.26	.40	5%		.36

ZONE 15 - BELLEVILLE, FAIRFIELD, FRANKLIN, & UNION Counties, the remainder of MADISON County and PICKAWAY County excluding Deer Creek, Perry, Rickaway, Salt Creek, and Wayne Townships

ZONE 16 - ELIE County and the remainder of HURON County

ZONE 17 - PATASKIA, HIGHLAND, BOONING, & ROSS Counties and the remainder of JACKSON, PICKAWAY, PINE & VINTON Counties

ZONE 18 - GALLIA & LAWRENCE Cos.

ZONE 19 - CHESSNEY County

ZONE 20 - HARRISON & JEFFERSON Cos. and CAPERELL County South of Fox, Harrison, Rose & Washington Townships

ZONE 21 - BAINES & STARK Cos., the remainder of CARRROLL & TUSCARAWAS Counties, in COLINGIANA County Knox Township, in MARIETTA County Smith Townships, and WAYNE County South of Beagman, Chester Green and Wayne Townships

ZONE 22 - LAKE County and in GRADA County all but Auburn, Bainbridge, Chester, Middlefield, Parkman, Russell & Troy Townships

ZONE 23 - LICKING County and the remainder of KNOX County

ZONE 24 - The remainder of LOGAN County and in MEDINA County the Townships of Hitchfield, and Liverpool

ZONE 25 - MARIETTA County excluding Milton & Smith Townships, in THOMAS County the Townships of Hubbard & Liberty and COLINGIANA County the Townships of Butler, Fairfield, Perry, Salem & Unity

DECISION NO. 0875-2056

ELECTORALIANS (CONT'D)

Basic Monthly Rates	Fringe Benefits Payments			App. Tr.
	M & W	Pensions	Vacation	
10.10	.30	1/4+.50		.125%
\$10.45	.30	1/4+.50		.125%
10.65	.30	1/4+.50		.125%
8.85	.45	1/4+.35		.02
9.88	.45	1/4+.75		.5%
10.11	.45	1/4+.75		.5%
9.36	5%	1/4	8%	1%
9.30	.29	1/4	a	.5%
10.51	.50	1/4+.37		.02
10.75	.30	1/4+.55		.1%

ZONE 8 - BUTLER County & WARREN County excluding Clear Creek, Franklin and Wayne Townships Within City limits of Hamilton or Middleton

Outside city limits West of Interstate 75

Outside city limits East of Interstate 75

ZONE 9 - CAMPBELL & CLARK Cos. & In MADISON County the Townships of Paint, Pike, Somerford, Stokes and Union

ZONE 10 - CLINTON, BAKE, GREENE, MIAMI, MONTGOMERY & FISHEL Cos. and the remainder of WARREN Co. Within 11 Mi. radius of 3rd & Main Streets, Dayton Beyond 11 Mi. radius

ZONE 11 - COLUMBIANA County except the Townships of Butler, Fairfield, Knox, Perry, Salem & Unity

ZONE 12 - COSHOCTON County & in TUSCARAWAS County the South 1/2 including the Townships of Auburn, Clay, Rush and York

FOOTNOTES:

a. One paid holiday, Labor Day

ZONE 13 - CUYAHOGA County and in LOGAN County the Township of Columbus, and in GRADA County the Townships of Bainbridge, Chester and Russell

ZONE 14 - DEFIANCE, FULTON, HANCOCK, HENRY, LIOAS, OTTAWA, PAULDING, FORTMAN, SANDUSKY, SENSOA, WILLIAMS & WOOD Counties

DECISION NO. 0815-2056

ELECTRICIANS (CONT'D)

ZONE 26 - SUMMIT County, the remainder of MEDINA & WALES Counties and PORTAGE County excluding the townships of Charleston, Fairburg, Freedom, Elroy, Falgout, Paris & Winnebago
ZONE 27 - MORGAN, MISSOURI & FREEMAN Counties
ZONE 28 - The remainder of ASHTABULA, PORTAGE & TRUMBULL Counties, In CRAWFORD County the townships of Auburn, Middlefield, Fairman and Troy, and in WASHINGTON County the Township of Milton

IRONWORKERS

ZONE 1 - ADAMS, DECAT, CLEMONT & HAMILTON Counties and the South half of BUTLER & WARREN Counties Structural & Ornamental Reinforcing
ZONE 2 - ALLEN, ANGLAINE, CLENTON, DAVIS, GREENS, NERISS, MIAMI, MURPHY, FREBLE & SHELLEY Cos., the North half of BUTLER & WARREN Cos., the West two-thirds of CRAWFORD & LOGAN Cos., the West three-fourths of CLARK Co. and the West four-fifths of HIGHLAND Co.
 Dayton Metropolitan Area
 Remainder of Zone 2
ZONE 3 - ASHLAND, CARRIOL, CONEDOTON, BONES, RICHLAND, STARK, TUSCARAWAS & WALES Cos.
ZONE 4 - CUYAHOGA, HULL, GRANTA, BURGH, LAKS, LOCALIN, NERDIA, & SUMMIT Cos., and ASHTABULA Co. except the North-East Quarter, and PORTAGE Co. except the Ravenna Ordinance Depot

Basic Monthly Rates	Fringe Benefits Payments			App. Tr.
	M & V	Pensions	Vacation	
\$10.08	.37	1/4+.50		.26
9.05	.29	1/4		.02
10.40	.40	5/8		.76
9.95	.55	.55		.03
9.65	.55	1.05		.02
9.51	.55	.55		.02
9.66	.55	.65		.02
9.47	.50	.50		.02
9.17	.50	.60	1.00	.03

DECISION NO. 0815-2056

IRONWORKERS (CONT'D)

ZONE 5 - Remainder of ASHTABULA County
ZONE 6 - ATHENS, NEIDIG, WHEELER, KIRLE & WASHINGTON Cos.
ZONE 7 - BELMONT, CHERRY, HARRISON, JEFFERSON, & WARREN Cos.
ZONE 8 - COLUMBIANA, JARVIS & TRUMBULL Cos. and the Ravenna Ordinance Depot in PORTAGE Co.
ZONE 9 - CRAWFORD, FAIRBANKS, BLADIN, BRADING, JACKSON, KEYS, MASON, NERSON, WASHINGTON, FRENK, FINE, BOSS, VINTON & WINDYBLOT Cos. and the remainder of CRAWFORD, CLARK, HIGHLAND & LOGAN Cos.
ZONE 10 - DELAWARE, FAIRFIELD, LUCKING, MADISON
ZONE 11 - FRANKLIN County
ZONE 12 - DEFIANCE, FAULCON, FORTMAN, VAN WERT & WILLIAMS Cos.
ZONE 13 - FULTON, HANCOCK, HENRY, LEWIS, OTTAWA, SANDUSKY, SENECA, & WOOD Cos.
ZONE 14 - GALLIA, LAWRENCE, & SUIOTO Cos

LIQUOR:

ZONE 1 - ADAMS, ATHENS, GALLIA, LAWRENCE, NEIDIG, & SUIOTO Cos., JACKSON Co. except Voss, Jackson, Liberty, Milton & Washington Townships, FINE Cos., the Townships of Camp Creek, Marine, Newton, Scioto, Swain & Union, and that part of WYDOW Co. East of Clinton, Elk, & Swan Townships
ZONE 2 - ALLEN, ANGLAINE, HAZEN, LOGAN, NERISS, SHELLEY, VAN WERT & remainder of WYDOW County

Basic Monthly Rates	Fringe Benefits Payments			App. Tr.
	M & V	Pensions	Vacation	
\$ 9.15	.78	.69		.13
8.89	.55	.85		.01
8.95	.60	.50	5/8	.03
9.37	.40	.85		.05
9.50	.55	.98		.04
9.40	.55	.98		.04
9.85	.55	.98		.04
9.70	.55	.55		.01
10.32	.55	7/8		.04
10.01	.55	.55		.01
9.06	.30	1/4+.17	1.02	.04
9.54	.32	1/4+.37		.04

DECISION NO. OSTS-2056

Basic Hourly Rates	Fringe Benefits Payments		App. T.
	H & W	Vacation	
10.18	.10	14+.50	.25%
10.15	.13	14+.50	.1%
10.15	.30	7%	
8.55	.30	14+.62	.04
10.08	.37	14+.50	.2%
8.35			
9.35	.20	.20	
7.95	.50	.15	.01
7.70			
8.20	.20	.20	
8.15	.20	.20	
7.77	.25	.10	
8.05	.25	.10	
7.15			

LAINSON (CONT'D)
 ZONE 20 - LAKE Co. & GRADVA Co. except the Townships of Auburn, Bridgide, Chester, Middlefield, Parkman, Russell & Troy
 ZONE 21 - LEBLAN Co. & IN MEDINA Co. the Townships of Litchfield & Liverpool
 ZONE 22 - MARIENING & TRENHULL Cos. the remainder of ASTABULA Co., in COLUMBIANA Co. the Townships of Butler, Fairfield, Perry, Sales & Unity, in GEARL Co. the Townships of Auburn, Middlefield, Parkman, & Troy, and in PORTAGE Co. the Townships of Charleston, Edinburg, Freedom, Hiram, Nelson, Palmyra, Paris & Wincham
 ZONE 23 - MORGUE, NUBLE & WASHINGTON Counties
 ZONE 24 - SUMMIT Co. and the remainder of MEDINA, PORTAGE & WAYNE Cos.

PAINTERS
 ZONE 1 - ADAMS, HIGHLAND, JACKSON, PIKE & SUIOTO Counties
 Spray
 ZONE 2 - ALLEN, AVILAIZE, TESTLANE, HARDIN, WENGER, PAULMING, PUTMAN, SHELLEY, VAN WERT & WILLIAMS Counties
 ZONE 3 - ASHLAND, CRAWFORD, MARION WILSON, AND HIGHLAND Counties
 Brush
 Structural Steel
 Spray
 ZONE 4 - ASTABULA County
 Brush
 Spray
 ZONE 5 - ATHENS & BUCKING Counties

DECISION NO. OSTS-2056

Basic Hourly Rates	Fringe Benefits Payments		App. T.
	H & W	Vacation	
\$ 6.30	.20	.10	
9.55	.15	.15	
9.80	.15	.15	
7.94			
8.18			
7.97	.55	.30	.02
8.17	.55	.30	.02
8.69	.55	.30	.02
7.10	.10	.25	
7.65	.10	.25	
9.13	.10	.10	.02
9.83	.10	.10	.02
9.93	.10	.10	.02
4.85			
5.35			
9.62	.18	.39	.03
10.32	.18	.39	.03
9.15	.30	.15	
7.30	.10	.50	
7.80	.10	.50	

PALMERS (CONT'D)
 ZONE 6 - BELMONT, COLUMBIANA, HARRISON, JEFFERSON & MORGUE Counties
 ZONE 7 - BROWN, CLEVELAND & HAMILTON Counties
 Brush
 Spray
 ZONE 8 - BUTLER & WASHINGTON Counties
 Brush
 Spray
 ZONE 9 - CARROLL, BOONES, STARK, TUSCARAWAS AND WAYNE Counties
 Brush
 Spray
 ZONE 10 - CRAWFORD, CLARK AND LOCAL Counties
 Structural Steel
 Brush
 ZONE 11 - CLINTON, DAKE, GREENE, MIAMI, MONTGOMERY & PERRY Counties
 Brush
 Spray
 ZONE 12 - COLUMBIANA County
 Brush
 Spray
 ZONE 13 - CUYAHOGA, GEARL & LAKE Counties and PORTAGE and SUMMIT Counties North of the Ohio Turnpike
 Brush
 Structural Steel and Spray
 ZONE 14 - BELMONT, FAIRFIELD, FAIRVIEW, FRANKLIN, MADISON, PICKAWAY AND UNION Counties
 ZONE 15 - EMIE, HANCOCK, HUDON, SANDUSKY, SENeca AND WYANDOT Counties
 Brush
 Spray and Structural Steel

DECISION NO. CE75-2056

Basic Monthly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Pensions	Vacation	
\$ 9.12	.25	.30		.05
9.95	.35	.50		.05
10.105	.45	.80		.025
10.23	.55	.70		.02
10.12	.75	.70		.04
8.55	.35	.58	10%	.05
9.92	.65	.90		.06
9.90	.70	.975		.05
10.15	.45	.50		.01
9.61	.55	.65		.05
9.22	.35	.50		.05

PLUMBERS & STEAMFITTERS:

ZONE 1 - ADAMS, ATKINS, GALLIA, HIGHLAND, JACKSON, LAWRENCE, MELISS, FIFE, SULLOY, & VINTON Cos.
 ZONE 2 - ALLEN, AURELIUS, HARBEL, KROGER, & VAN VERT Cos.
 ZONE 3 - ASHLAND, KNOX, WARREN, & RICHLAND Cos.
 ZONE 4 - ASHTABULA, OTTIAROMA, GEANNA & LAKE Cos., MEDINA Co., K. of Gt. 18 & Smith Rd. & SUBBIT Co. N. of St. 303
 Plumbers
 Pipefitters
 ZONE 5 - BLENNETT Co. & MORGAN Co. North of St. 78
 ZONE 6 - BRONX, CHESTER, HAMILTON & WARREN Cos.
 Plumbers
 Steamfitters
 ZONE 7 - BUTLER Co. North Half
 ZONE 8 - BUTLER Co. South Half
 ZONE 9 - CASSIOL Co. & Stark Co. Canton & vicinity
FOOTNOTES:
 a. one paid holiday, Labor Day
 ZONE 10 - CHAMPAIGN, CLAY & LOGAN Cos., GEORGE Co. the Dye, Cedarville, Cessat Creek, New Jasper, Jefferson, and Ross, and MADISON Co. West of St. 38
 ZONE 11 - CLINTON, DAVIS, PATYER, HILAI, MANTONSKI, FIZOLE & SHELBY Counties and the remainder of GEORGE County
 ZONE 12 - COLUMBIANA & HAWKING Counties and in YERGEN County Bobbard and Liberty Townships, Youngstown Municipal Airport and the Filtration Plant of the Mahoning Valley Sanitary District

DECISION NO. CE75-2056

Basic Monthly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Pensions	Vacation	
\$ 8.99	.55	.40		
9.54	.55	.40		
9.24	.55	.40		
6.85				
8.00				
6.00				
6.50				
5.80				
6.50				
6.45				
9.05				
9.55				
9.05				
9.47	.40	.40		
10.17	.40	.40		
7.89	.55	.20		
8.39	.55	.20		
8.14	.55	.20		
8.53		.10		.01
7.00				
7.25				

PAINTERS (CONT'D)

ZONE 16 - FULTON, HENRY, IOWA, OTTAWA AND WOOD Counties
 Brush
 Spray
 Structural Steel
 ZONE 17 - GALLIA, LAWRENCE, MELISS, & VINTON Counties
 Brush
 Spray
 ZONE 18 - GREENE County
 Brush
 Structural Steel
 ZONE 19 - KNOX, LICKING, MORGAN, GUN & PERRY Counties
 Brush
 Structural Steel
 Bridge
 ZONE 20 - LOGAN County
 Brush
 Spray
 Structural Steel & Bridge
 ZONE 21 - MARIETTA & THOSSETT Counties and the Havana, Ordinance Depot in FORBES County
 Brush
 Spray
 ZONE 22 - MEDINA Co. & FORBES & SUMMIT Cos. South of the Ohio Turnpike excluding the Havana Ordinance Depot in FORBES Co.
 Brush
 Spray
 Structural Steel
 ZONE 23 - MORGAN, MUSLE & WASHINGTON Cos.
 ZONE 24 - ROSS County
 Brush
 Spray

RESOLUTION 0875-2075

Heavy and Highway Construction

LABORERS

- GROUP I
- GROUP II
- GROUP III
- GROUP IV
- GROUP V

RANGE BENEFITS FOR ALL ZONES AND ALL CLASSIFICATIONS

- \$.50 - Health & Welfare
- .30 - Pension
- .02 - Apprentice Training

CLASSIFICATION DEFINITIONS

LABORERS

GROUP I - Laborers (construction), plant laborers or yardmen, right-of-way laborers, landscape laborer, utility man or handyman, joint setter, flagman, carpenter helper, waterproofing laborer, slurry seal, seal coating, surface mastic or road mix laborer, riprap laborer and grouter, asphalt laborer, dump man (batch trucks), guardrail and fence installers, mesh handlers and placers, concrete curing applicator, scaffold erector.

GROUP II - Asphalt taker, concrete puddler, kettle man (pipeline), all machine driven tools, mason tender, mortar mixer, sheeting and shoring man, surface grinder man, power buggy or power wheelbarrow.

GROUP III - Form setter, bottom man, walder helper (pipeline), concrete saw man, cutting with burning torch, pipelayer, hand spiker (railroad), car painter (without air), underground man (working in sewer and waterline, repairing and reconditioning), tunnel laborer (without air) and caisson, cofferdam (below 25 feet deep), air track and wagon drill.

GROUP IV - Blaster, powder man, suckers, wrencher (mechanical joints and utility pipe-line), yarker, top loader.

GROUP V - Carb setter and cutter, miner without air, concrete crew in tunnels, utility pipeline tapper, gunnite nozzle man, waterline caulker.

ZONE DEFINITIONS

- Zone 1 - Cuyahoga, Geauga and Lake C counties
- Zone 2 - Ashland, Erie, Huron, Lorain, Lucas, Mahoning, Medina, Ottawa, Portage, Stark, Summit, Trumbull and Wood Counties.
- Zone 3 - Remainder of Counties.

RESOLUTION 0875-2075

ZONE 2

CLASS	Basic Hourly Rates		Fringe Benefits Payments	App. Tr.
	Basic Hourly Rates	App. Tr.		
CLASS A	\$ 9.75	\$ 9.04	.80	.11
CLASS B	9.68	8.92	.80	.11
CLASS C	8.61	7.88	.80	.11
CLASS D	8.11	7.45	.80	.11
CLASS E	7.43	6.85	.80	.11

ZONE 3

CLASS	Basic Hourly Rates		Fringe Benefits Payments	App. Tr.
	Basic Hourly Rates	App. Tr.		
CLASS A	\$ 9.75	\$ 9.04	.80	.11
CLASS B	9.68	8.92	.80	.11
CLASS C	8.61	7.88	.80	.11
CLASS D	8.11	7.45	.80	.11
CLASS E	7.43	6.85	.80	.11

CLASSIFICATION DEFINITIONS
POWER EQUIPMENT OPERATORS

CLASS A - Air compressor on steel erection, asphalt plant engineer (Cleveland District only), Boiler Op., compressor or generator when mounted on ris, Cableways, combination concrete mixer and tower, Concrete plants (over 4 yds. cap.), Concrete pumps, Cranes (all types inc. A frames, boom trucks, cherry pickers), Derricks, Draglines, Dredge (digger clam or suction), Elevation grader or scissor loader, Floating equipment (all types), Helicopter crew (hoist or winch), Hoes (all types), Hoisting engines (including shaft & tunnel work), Industrial type tractor, Jet engine type (30 or 50) diesel tractor, Locomotives (standard gauge), Maintenance Op. Class A, Mixer (paving single or double drum), Mucking mach., Multiple scraper, pile-driving mach. (all types), Power shovel, Quad 9 (double pusher), Refrigerating mach. (frezer operation), Rotary drill on caisson work, slip form paver, Tower derricks, Tree shredder, Trench mach. (over 24" wide), Truck mounted concrete pump, Tug boat, Tunnel mach., Mining mach., Wheel excavator.

CLASS B - Asphalt paver, Automatic subgrade mach., self propelled (CMI type), Boring mach. Op. (more than 48"), Bulldozers, Endloader, Kolan Loader (production type-dirt), Lead grease man, Maintenance Op. Class B (in Zone 2 Portage & Summit Cos.)

CLASS C - Power grader, Power scraper, Push cat, Trench mach. (36" wide & under)

CLASS D - Air compressor on tunnel work (low pressure), Asphalt plant engineer, Locomotive (narrow gauge), Concrete mixers (more than 1 bag cap.), Mixers (1 bag cap. - side loader), Power boiler over 15 lb. pressure, Pump Op. installing and operating well points, Pumps (4" & over discharge), Rollers (asphalt), Utility Op. (small equipment), Welding mach. & Generators.

CLASS E - Back fillers, Bar (joint & mesh installing mach.), Batch plant, Boring mach. Op. (48" or less), Bull floats, Burlap & curing mach., Compressors (portable, sewer, hvy. & hvy.), Concrete plant (4 yd. & under cap.), concrete saw (multiple), Conveyors (hvy.), Crubber, Deckhand, Drill highway (v/integral power), Farm type tractors w/acc. Finishing mach., Fireman (fighting equipment, all types), Fork lift (hvy.), Form trenchers, Hydro hammer, Hydro sealer, Pavement breaker, Plant mixers, Post driver, Post hole digger (power auger), Power brush burner, Power form handling Equip., Road widening trencher, Rollers (brick, grade, macadam), self propelled power spreader, self-propelled power subgrader, Steam fireman, Tractor (pulling sheeppoot roller or grader), Vibratory compactor (w/integral power).

CLASS E - Drum fireman (asphalt plant), Helpers, Inboard-outboard motor boat-launch, Oil heaters (asphalt plant), Oilers, Power driven heaters, Pumps (under 4" discharge), Signalmen, Tire repairman.

DECISION NO. 0875-2056

TRUCK DRIVERS

ZONE I CUYAHOGA, LAKE AND GEORGIA
COUNTIES

- CLASS I
- CLASS II
- CLASS III
- CLASS IV

Basic Monthly Rates	Fringe Benefits Payments		App. To
	M & V	Vacation	
\$6.25	\$15.00	\$15.00	b5c
6.40	\$15.00	\$15.00	b5d
6.63	\$15.00	\$15.00	b6c
6.75	\$15.00	\$15.00	b5c

CLASSIFICATION DEFINITIONS

TRUCK DRIVERS

- CLASS I - Straight and dump trucks (including asphalt), warehouseman, straight fuel trucks
- CLASS II - Semi fuel trucks, semi pole drivers (hauling steel pipe), semi tractor drivers
- CLASS III - Ready-mix, agitator or bulk concrete drivers, dry batch trucks
- CLASS IV - Euclids, darts, tank asphalt spreaders, low boys, carryalls, teamrocker, high-lifts, fork lifts, extra long trailers and semi-pole trailers (except when hauling steel pipe), double hook-up tractor trailers including team truck and and railroad sidings, semi-tractor and tri-axle trailer, tag along trailer, expandable trailer, loads or towing requiring road permits

ZONE 2 Remainder of State

- CLASS I
- CLASS II
- CLASS III
- CLASS IV
- CLASS V

\$5.67	\$16.00	\$6.00
6.72	\$16.00	\$6.00
6.77	\$16.00	\$6.00
6.87	\$16.00	\$6.00
7.14	\$16.00	\$6.00

CLASSIFICATION DEFINITIONS

TRUCK DRIVERS

- CLASS I - 4-wheel service trucks, 4 wheel dump trucks, batch trucks, off distributors, asphalt distributors
- CLASS II - Tandems
- CLASS III - Semi-tractor trucks, pole trailers, fuel trucks, asphalt-off sprayer man when operated from cab
- CLASS IV - All trucks five axle and over
- CLASS V - Euclid wagons, Euclid end-dumps, low boys, heavy duty equipment over 12 cu. yd. capacity when used exclusively for transportation, truck mechanics

FOOTNOTES

- a. Per week per employee.
- b. Seven paid holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and National Election Day.
- c. One week's vacation for 1 year of service, 2 weeks for 5 years of service, 3 weeks for 10 years of service and 4 weeks for 17 years of service

SUPERSEDES DECISION

STATE: Oregon

COUNTIES: Clackamas, Multnomah and Washington

DECISION NUMBER: OR75-3042

DATE: Date of Publication

SUPERSEDES DECISION No. AB-1016 dated August 16, 1974, in 39 FR 29910

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				App. T.
		M & W	Pensions	Vacation	App. T.	
BRICKLAYERS	\$ 9.42	.50	.55		.08	
CARPENTERS:						
Carpenter	7.79	.55	.65	.35	.03	
Drywall applicator	7.24	.55	.65	.35	.03	
CEMENT MASONS	7.14	.35	.35	.20	.03	
ELECTRICIANS	9.60	.45	11 + .40		.02	
LABORERS	6.55	.50	.65	.35	.07	
PAINTERS:						
Brush	7.77	.35	.45	.30	.03	
Drywall finishers	7.81	.40	.40	.50	.06	
PLUMBERS	9.37	.70	1.00		.08	
POWER EQUIPMENT OPERATORS:						
Asphalt roller	7.86	.55	.85	.35	.05	
Blade, finish	8.16	.55	.85	.35	.05	
Loader, 4 cu. yds., but less than 6 cu. yds.	8.56	.55	.85	.35	.05	
ROOFERS	9.05	.45	.75			
SHEET METAL WORKERS	8.27	.55	.41	.57	.04	
SOFT FLOOR LAYERS	7.735	.45	.45		.05	
TILE SETTERS	8.04	.35	.35		.25	

DECISION NO. PA75-3028

LABORERS

SUPERSIDES DECISION

STATE: Pennsylvania
 DECISION NO.: 75-PA-3028
 Supersides Decision No. A.Q.-2060,
 dated March 8, 1976, in 39 FR 3674.
 DESCRIPTION OF WORK: Heavy and Highway Construction.

LABORERS

Class 1: Construction Laborer (including tenders handling Sealmasters, I.F. gas heaters or similar, etc.), Air or electric Inspector Wrench, Air Taper Operator, Asphalt Tamper, Batchman (weigh), Blaster's Helper, Blower Man (walk or run), Breakman, Coffin Pan, Concrete Finisher, Puddler including Vibrator Operator, Drill Runner's Helper (includes drill mounted on truck, track or similar and Dover Drills (spots - clean-up and helps to maintain), Fence Construction, Gate Stripper and Mover, Hydro-Jet Blaster Nozzlemen, Manually moved Emulsion Sprayer, Radio set-wired traffic control operator (non-automatic), Rip Rap work, Scaffolds and runways (as per agreement of record), Sheetpilers and Shapers, Structural Concrete Top Surface, Walk Behind Street Sweeper, Welder's Helper (pipeline), Wood Chipper

Class 2: Asphalt, Batch and Concrete Plant Operator (manually operated), Asphalt Rakers, Burner, Caisson Men (open air), Carryable Pumps, Chain Saw Operator, Chipping Hammer or similar (air or otherwise), Combination Tamper and Vibrator, Concrete Buster (paving breaker), Gridding (concrete or steel), Curb Machine Operator (asphalt and concrete) (walk behind), Earth Drill, Fork Lift (walk behind), Form Setter (road form line man), Handyman, Highway Slab Reinforcement Placers (including joint and barbet setter), Hydraulic Pipe Pusher, Jack Hammer Operator, Liner Plates (tile or vitrified clay), Manually operated Diamond Head Core Drill, Mechanical Joint Sealer, Dope Pot, and Tar Kettle, Mortar Mixer (hand or machine), Pin Drivers or Puller (power-highway), Pipe layers, Plant set-up, Maintenance Man, Portable single unit Conveyor, Post Hole Auger (3 or 4 cycle) (hand operated), Power Fence Operator, Power Wheelbarrows and Buggies, Nail Porter, or similar, Screed Operator, Signal Man, Shacker, All Railroad Track Work: Adzing Machine, Ballast Packer, Bolting Machine, Power Jacks, Rail Drills, Railroad Brakemen, Rail Saws, Spike Drivers, Spike Pullers, Tamping Machine

Class 3: Cement Mortar Lining (or Funnel, Cement Mortar Mixer (pipe relining), Cement Saw Operator (walk behind), Form Setter (road form-lead man), Grout Machine Operator, Gunnite (nozzle and machine man), Paving Block Tamers, Wagon Drill (air track or similar) Operators, Walk Behind Power Rollers (1 or 2 barrel), Walk Behind Roller and Tamper, Walk Behind Ditching Machine (trencher or similar)

Class 4: Blacksmith, Blaster, Brick and Block Pavers (wood, belgian and asphalt), Curb Cutters and Setters, Manhole or Catch Basin Builder (brick, block, concrete or any prefabrication)

Class 5: Multi-plate Pipe (aligning and securing) Placing Wire Mesh on Open Projects, Reinforcing steel placers (bedding, aligning and securing), Welder, elevated roadway drainage

Class 6: Welder (pipeline)

Class 7: Tunnel and Shaft Work (Inside); Change House Attendant

Class 8: Buckers, Brakemen and all other labor (includes installation of utility lines), Signal Man, Drill Runner Helper

Class 9: Miners and Drillers (including lining, supporting and form workmen, setting of shields, miscellaneous equipment and jumbos)

Class 10: Caisson and Tunnel Men under pressure (0-18 pounds)

Class 11: Reinforcing steel placers (bending, aligning and securing)

BK-5-Lab-1-3-M

Basic Hourly Rates	Fringe Benefits Payments		App. Tr.
	M & W	Vacation	
\$6.51	7%	7%	
7.525	.4515	7%+ .4515	
8.79	5%	7%	
8.86	7%	7%	
6.68	.40	.40	
6.86	.40	.40	
7.15	.40	.40	
7.29	.40	.40	
7.60	.40	.40	
8.75	.40	.40	
6.68	.40	.40	
6.86	.40	.40	
7.15	.40	.40	
7.29	.40	.40	
7.60	.40	.40	

LABORERS
 (Heavy and Highway Construction)

- Class 1
- Class 2
- Class 3
- Class 4
- Class 5
- Class 6
- Class 7
- Class 8
- Class 9
- Class 10
- Class 11

- Carpenters
- Cement Masons
- Piledrivers
- Carpenter - Welder

JEFFERSON COUNTY

HEAVY AND HIGHWAY CONSTRUCTION

POWER EQUIPMENT OPERATORS:

PA-2-FED-2-3-1

Basic Hourly Rates	Fringe Benefits Payments			
	H & V	Pensions	Vacation	App. Yr.
\$8.88	.50	.50	.09	.09
8.62	.50	.50	.09	.09
6.26	.50	.50	.09	.09
5.81	.50	.50	.09	.09
5.66	.50	.50	.09	.09

- CLASS I
- CLASS II
- CLASS III
- CLASS IV
- CLASS V

HEAVY & HIGHWAY CONSTRUCTION - POWER EQUIPMENT OPERATORS:

CLASS I: Austin Western or Stellar (25 ton & over) Austin Western or Stellar (under 25 ton) Autograde (C.M.I. & similar) Sockfiller, Backhoe - 360 Swing, Cableway, Gaisson Drill (Similar to Hugh Williams) Central Mix Plant, Cooling Plant, Concrete Paving Mixer, Cranes, Cranes (Tower - Stationary-Climbing Tower Crane) Derrick, Hoist, Barge, Barge, Bridge Hydraulic (i) Leverman - i Oiler - Apprentice) Elevating Grader, Franki File Machine, Gradall (Remote control or otherwise) Grader (Power-Fine Grade) Guard Rail Post Driver (Track Mtd.) Guard Rail Post Driver (Skid Type) (Self Propelled - Arrow or similar) Helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) Lift (key and over) Hoists 2 Truss or more (in one unit) Local, Keating Squeeper, Lead Mechanic, Locomotive (Std. Gauge) Mix Mobile, Mix Mobile (with self loading Attachment) Mucking Machine (Tunnel) File Driver Machine, Pipe Extension Machine, Fraspitter Drill (self contained) Quad Mine, Refrigeration Plant (Soil stabilization) Scraper (Multi-tool) Shovel - Power, Slip Form Paver C.M.I. and similar Trenching Machine (under 30,000 lb.) Tunnel Machine (Mark XII Jarva or similar Whitley, Scrapers, and Dozer, D-8 or larger)

CLASS II: Asphalt Paving Machine (Spreader) Asphalt Plant Operator, Athey Loader, Auger (Tractor Mtd.) Auger (Truck Mtd.) Backhoe (Rear Fivotal Swing) (180 Swing) Boring Machine, Cable Placer or Layer, Compactor with blade, Concrete Patch Plant (Electronically Synchronized) Concrete Belt Placer (S.M.I. and Stellar) Concrete Mixer (over 1 cy.) Concrete Pump, Core Drill (truck or skid Mtd. - similar to Penn Drill) Dozer, Euclid Loader, Grader - Power, Grease Unit Operator (Head) Lift (under 4 cy.) Job Work Boar (Powered) Jumbo Operator, Locomotive (narrow gauge) Mechanic, Minor Equipment Operator (Accumulative four units) Racking Machine, Over-head Crane, Roller-power-asphalt, Boss Carrier, Scraper, Side Boom or tractor mounted boom, stone Crusher (Screening-Washing Plants) Stone Spreader (Self-propelled Track Mounted Drill (Devey or similar) Welder and Repairman, Well Point Pump Operator

CLASS III: Compactors/Boilers (Static or Vibratory) (Self-propelled) Minor Equipment Operator (Two to three units) Soil Stabilizer Machine, Tire Repairman Tube Finisher (C.M.I. or similar) Well Driller and Horizontal

CLASS IV: Ballast Regulator, Compressor, Concrete Finishing Machine and Spreader Concrete Mixer (i cy. and under with Skip Concrete Saw (Hidden or self-propelled) Conveyor, Curb Builder (Self-propelled) Elevator (Material Hauling only) Fork-lift (Hidden or self-propelled) Form line Machine, Generator, Crotch Pump, Heater (Mechanical) Hoist (single drum) Ladavator, Light Plant, Mulching Machine, Pave-ment Breaker (self-propelled or ridden) Personnel Boar (Powered) Pulverizer, Pumps, Seeding Machine, Spray Cure Machine (Power driven) Subgrader, Tilt Puller, Tire Tamper (Multi-head) Tractor-smaking and hauling, Tugger, Welding Machine (Gas or Diesel) Winch or Hydraulic Boom Truck (When hoisting and placing)

CLASS V: Deck Hand, Farm Tractor, Fireman on Boiler, Mechanic's Helpers, Oiler, Power Froom, Side Delivery Shoulder Spreader

TRUCK DRIVERS
(Heavy and Highway Construction)

Basic Monthly Rates	Fringe Benefits Payments			App. To.
	M & M	Pensions	Vacation	
\$6.40	7.3%	4.2%		
6.55	7.3%	4.2%		
6.64	7.3%	4.2%		
6.73	7.3%	4.2%		
6.71	7.3%	4.2%		
6.46	7.3%	4.2%		
6.50	7.3%	4.2%		

TRUCK DRIVERS

Class 1: Truck under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pickup and similar equipment, parts man and warehousemen)

Class 2: Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), flat bottom, scissors, and combination fuel and grease), Ready-mix Concrete trucks with towed or built-in attachments (10¢ per hour additional to respective size truck, Tar and asphalt distributing trucks (all liquid tank trucks, straight and semi, including water, sprinkler, oil trucks, etc.) Tandem-axle Ready-mixed Concrete trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)

Class 3: Tri-axle trucks, Heavy equipment whose capacity exceeds that for which state licenses are issued - specifically refers to units in excess of 8 feet width (such as euclid; end or belly dump, single twin-engined or tandem; Abbey wagon; Pay loader, Tournusagons, and similar equipment when not self-loaded rated under forty-five tons), (Tri-axle Ready-Mixed Concrete trucks (such as agitators, barrel, redi-mix concrete trucks, etc.), Tar and asphalt trailer trucks

Class 4: Heavy off-the-road equipment (rated at forty-five tons or over), bottom or belly-dump trucks

Class 5: Heavy duty trailer, such as low boy, Hi-boy, Pole trailer, A-Frames (when used for transporting materials), Dumpsters, Boss Carriers, Form trucks, Dual-purpose trucks (when load has been loaded or unloaded with truck, winch, loading, hauling and unloading), Mechanical tailgate trucks, Bucket self-loading trucks, Farm tractors (when pulling and hauling), Fork lift trucks (in storage areas and warehouses)

Class 6: Single-axle Ready-mixed Concrete trucks (such as agitators, barrel, redi-mix Concrete trucks, etc.)

Class 7: Trucks with dolly or trailer

REMAINING COUNTIES

TRUCK DRIVERS
(Heavy and Highway Construction)

PA-5-TU-2-A-3-A

Basic Monthly Rate	Frage Benefit Payments		
	H & V	Penalties	Vehicle / Apr. Fr.
\$6.15	7.3%	4.2%	
6.35	7.3%	4.2%	
6.55	7.3%	4.2%	
6.75	7.3%	4.2%	
6.95	7.3%	4.2%	
7.15	7.3%	4.2%	
7.35	7.3%	4.2%	

TRUCK DRIVERS

- Class 1: Truck under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pickup and similar equipment, parts man and warehousemen)
- Class 2: Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), flat bottom, scissors, and combination fuel and grasse). Ready-mix Concrete trucks with towed or built-in attachments (10¢ per hour additional to respective size truck, Tar and asphalt distributing trucks (all liquid tank trucks, straight and semi, including water, sprinkler, oil trucks, etc.) Tandem-axle Ready-mixed Concrete trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)
- Class 3: Tri-axle trucks, Heavy equipment whose capacity exceeds that for which state licenses are issued. Specifically refers to units in excess of 8 feet width (such as excavators, end or belly dump, single twin-engined or tandem: Abbey wagons: Pay loader, Tournawagons, and similar equipment when not self-loaded rated under forty-five tons). (Tri-axle Ready-Mixed Concrete trucks (such as agitators, barrel, redi-mix concrete trucks, etc.), Tar and asphalt trailer trucks
- Class 4: Heavy off-the-road equipment (rated at forty-five tons or over), bottom or belly-dump trucks
- Class 5: Heavy duty trailer, such as low boy, Hi-boy, Pole trailer, A-Frames (when used for transporting materials), Dumpsters, Ross Carriers, Form trucks, Dual-purpose trucks (when load has been loaded or unloaded with truck, winch, loading, hauling and unloading), Mechanical tailgate trucks, Bucket self-loading trucks, Farm tractors (when pulling and hauling), Fork lift trucks (in storage areas and warehouses)
- Class 6: Single-axle Ready-mixed Concrete trucks (such as agitators, barrel, redi-mix Concrete trucks, etc.)
- Class 7: Trucks with dolly or trailer

NOTICES

REMAINING COUNTIES

REMAINING COUNTIES

PA-5-FED-2-3-C

HEAVY & HIGHWAY CONSTRUCTION - POWER EQUIPMENT OPERATORS:

Basic Hourly Rates	Fringe Benefits Payments			
	M & V	Pensions	Vacation	App. Tr. Others
\$8.59	.50			.09
8.31	.50			.09
5.97	.50			.09
5.48	.50			.09
5.37	.50			.09

HEAVY AND HIGHWAY CONSTRUCTION
POWER EQUIPMENT OPERATORS:

- CLASS I
- CLASS II
- CLASS III
- CLASS IV
- CLASS V

CLASS I: Austin Western or Similar (25 ton & over) Austin Western or Similar (under 25 ton) Autograder (C.M.I. & similar) Backfiller, Backhoe - 360 Swing, Dabbney, Calson Drill (Similar to Hugh Williams) Central Mix Plant, Cooling Plant, Concrete Paving Mixer, Cranes (Tower - Stationary-Climbing Tower Crane) Derrick, Berrick, Boat, Dragline, Dredge, Frack Hydraulic (Leverman - 1 Oiler - Apprentice) Elevating Grader, Franki Pile Machine, Gracall (Remote control or otherwise) Grader (Power-Fine Grade) Guard Rail Post Driver (Truck Mtd.) Guard Rail Post Driver (Self-Propelled - Arrow or similar) Helicopter (over 150 lb. lift) Helicopter (under 150 lb. lift) Hiltit (4cy. and over) Hoists 2 Drums or more (in one unit) Mocal, Keoring Scooper, Lead Mechanic, Locomotive (std. Gauge) Mix Mobile, Mix Mobile (with self loading Attachment) Mucking Machine (Tunnel) Pile Driver Machine, Pipe Extrusion Machine, Pressplitter Drill (self contained) Quad Mine, Refrigration Plant (Soil stabilization) Scraper (Multi-bowl) Shovel - Power, Slip Form Paver C.M.I. and similar Trenching Machine (under 30,000 lb.) Tunnel Machine (Mark XII Jarva or similar Whitley, Scrapers, and Dozer, D-8 or larger

CLASS II: Asphalt Paving Machine (Spreader) Asphalt Plant Operator, Athey Loader, Auger (Tractor Mtd.) Auger (Truck Mtd.) Backhoe (Rear Pivotal Swing) (180 Swing) Boring Machine, Cable Placer or Layer, Compactor with blade, Concrete Batch Plant (Electronically Synchronized) Concrete Bolt Placer (S.M.I. and similar) Concrete Mixer (over 1 cy.) Concrete Pump, Core Drill (Truck or skid Mtd. - similar to Fern Drill) Dozer, Euclid Loader, Grader - Power, Grease Unit Operator (Head) Hiltit (under 4 cy.) Job Work Boar (Powered) Jumbo Operator, Locomotive (narrow gauge) Mechanic, Minor Equipment Operator (Accumulative four units) Mucking Machine, Over-Head Crane, Roller-POWER-asphalt, Boss Carrier, Scraper, Side Boom or tractor mounted boom, stone Crusher (Screening-Washing Plants) Stone Spreader (Self-propelled Truck Mounted Drill (Davey or similar) Welder and Repairman, Well Point Pump Operator

CLASS III: Compactors/rollers (Static or Vibratory) (Self-propelled) Minor Equipment Operator (Two to three units) Soil Stabilizer Machine, Tire Repairman Tube Finisher (C.M.I. or similar) Well Driller and Horizontal

CLASS IV: Ballast Regulator, Compressor, Concrete Finishing Machine and Spreader Concrete Mixer (1 cy. and under with Skip Concrete Saw (Hidden or self-propelled) Conveyor, Curb Builder (Self-propelled) Elevator (Material hauling only) Fork-lift (Hidden or self-propelled) Form line Machine, Generator, Crotch Pump, Heater (Mechanical) Hoist (single drum) Ladavator, Light Plant, Mulching Machine, Pave-ment Breaker (self-propelled or ridden) Personnel Boar (Powered) Pulveriser, Pumps, Seeding Machine, Spray Cure Machine (Power driven) Subgrader, Tile Puller, Tie Taper (Multi-head) Tractor-staking and hauling, Tugger, Welding Machine (Gas or Diesel) Winch or Hydraulic Boom Truck (When hoisting and placing) Power Broom, Side Delivery Shoulder Spreader

NOTICES

STATE: Pennsylvania
 COUNTY: Armstrong, Blair, Cameron, Centre, Clarion, Clearfield, Crawford, Forest, Greene, Indiana, McKean, Venango, Superseded Decision No. AQ-2058, dated March 8, 1974, in 39 FR 9410. & Warren

DESCRIPTION OF WORK: Heavy and Highway Construction.

DATE: Date of Publication PA-42-Sub-2-3-A

HEAVY & HIGHWAY CONSTRUCTION

Carpenters:
 Armstrong & Greene Counties
 Remaining Counties
Carpenter-Welders:
 Armstrong & Greene Counties
 Remaining Counties
 Cement Masons
 Piledrivers

LABORERS:
 (Heavy & Highway Construction)

- Class 1
- Class 2
- Class 3
- Class 4
- Class 5
- Class 6
- Class 7
- Class 8
- Class 9
- Class 10
- Class 11

Basic Hourly Rates	Fringe Benefits Payments			Apr. Th.
	M & V	Retire	Unempl. Ins.	
\$8.85	7%	7%	7%	
8.51	7%	7%	7%	
9.80	7%	7%	7%	
8.86	7%	7%	7%	
7.925	.75%	.75%	.75%	
8.79	5%	7%	7%	
6.76	.40	.40	.40	
6.98	.40	.40	.40	
7.29	.40	.40	.40	
7.41	.40	.40	.40	
7.60	.40	.40	.40	
8.75	.40	.40	.40	
6.74	.40	.40	.40	
6.98	.40	.40	.40	
7.29	.40	.40	.40	
7.41	.40	.40	.40	
7.60	.40	.40	.40	

LABORERS:

Class 1: Construction laborer (including tenders handling: Salesmen, L.P. gas heaters or similar, etc.), Air or electric impact wrench, Air Tamping Operator, Asphalt Tampers, Batchman (weigh), Blaster's Helper, Blower Man (bulk cement), Brakeman, Coffin Dam, Concrete Finisher, Fuddler including Vibrator Operator, Drill Runner's Helper (includes drill mounted on truck, track or similar and heavy drills (spots - clean-up and helps to maintain), Fence Construction, Form Stripper and Mover, Hydro-jet Blaster (water), Manually moved Emulsion Sprayer, Radio activated traffic control operator (non-automatic), Rip Rap work, Scaffolds and runways (as per agreement of record), Sheeters and Shores, Structural Concrete Top Surface, Walk Behind Street Sweeper, Welder's Helper (pipeline), Wood Chipper

Class 2: Asphalt, Batch and Concrete Plant Operator (casually operated), Asphalt Rabbers, Burner, Caisson Men (open air), Carryable Pumps, Chain Saw Operator, Chipping Hammer or similar (air or otherwise), Combination Taper and Vibrator, Concrete Buster (paving breaker), Cribbing (concrete or steel), Curb Machine Operator (asphalt and concrete) (walk behind), Earth Drill, Fork lift (walk behind), Form Setter (road forms line man), Handman, Highway Slab Reinforcement Placers (including joint and basket setter), Hydraulic Pipe Pusher, Jack Hammer Operator, Liner Plates (tile or vitrified clay), Manually operated Diamond Head Core Drill, Mechanical Joint Sealer, Dope Pot, and Tar Kettle, Mortar Mixer (hand or machine), Pin Drivers or Puller (power-highway), Pipe Layers, Plant set-up, Maintenance Man, Portable single unit Conveyor, Post Hole Auger (2 or 4 cycle) (hand operated), Power Fence Operator, Power Wheelbarrows and Buggies, Rail Porter, or similar, Screed Operator, Signal Man, Whacker, All Railroad Track Work, Mining Machine, Ballast Router, Bolting Machine, Tower Jacks, Rail Drill, Railroad Brakeman, Rail Saws, Spike Drivers, Spike Pullers, Tamping Machine

Class 3: Cement Mortar Lining Car Pusher, Cement Mortar Mixer (pipe relining), Cement Saw Operator (walk behind), Form Setter (road forms-lead sub), Grouth Machine Operator, Gunnite (mossie and machine man), Paving Block Rammer, Mason Drill (air track or similar) Operators, Walk Behind Power Rollers (1 or 2 barrel), Walk Behind Roller and Tamper, Walk Behind Ditching Machine (trencher or similar)

Class 4: Blacksmith, Blaster, Brick and Block Pavers (wood, belgain and asphalt), Curb Cutters and Setters, Manhole or Catch Basin Builder (brick, block, concrete or any prefabrication)

Class 5: Multi-plate Pipe (aligning and securing) Placing Wire Mesh on Gunite projects, Reinforcing steel placers (bending, aligning and securing), Welder, elevated roadway drainage

Class 6: Welder (pipeline)

Class 7: Tunnel and Shaft Work (inside); Change House Attendant

Class 8: Muckers, Brakemen and all other labor (includes installation of utility lines), Signal Man, Drill Runner Helper

Class 9: Miners and Drillers (including lining, supporting and form workmen, setting of shields, miscellaneous equipment and jumbos)

Class 10: Caisson and Tunnel Men under pressure (0-18 pounds)

Class 11: Reinforcing steel placers (bending, aligning and securing)

COUNTIES: Armstrong, Blair, Centre, Crawford, Greene, Indiana, McKean, Venango & Warren

HEAVY AND HIGHWAY CONSTRUCTION

POWER EQUIPMENT OPERATORS:

- CLASS I
- CLASS II
- CLASS III
- CLASS IV
- CLASS V

PA-2-FED-2-3-J

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
	M & W	Pensions	Vacation	App. Tr.		
\$8.88	.50	.50			.09	
8.62	.50	.50			.09	
6.26	.50	.50			.09	
5.81	.50	.50			.09	
5.66	.50	.50			.09	

COUNTIES: Armstrong, Blair, Centre, Crawford, Greene, Indiana, McKean, Venango & Warren

HEAVY & HIGHWAY CONSTRUCTION - POWER EQUIPMENT OPERATES:

CLASS I: Austin Western or Stillar (25 ton & over) Austin Western or Stillar (under 25 ton) Autograder (C.M.I. & similar) Backfiller, Backhoe - 360 Swing, Cableway, Caisson Drill (Similar to Hugh Williams) Central Mix Plant, Cooling Plant, Concrete Paving Mixer, Cranes (Tower - Stationary-Climbing Tower Crane) Derrick, Derrick, Boat, Dragline, Dredge, Dredge Hydraulic (Leverman - 1 Oiler - Apprentice) Elevating Grader, Franki Pile Machine, Gradall (Remote control or otherwise) Grader (Power-Pile Grade) Guard Rail Post Driver (Truck Mtd.) Guard Rail Post Driver (Skid Type) (Self Propelled - Arrow or Stillar) Helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) Hilti (4cy. and over) Hoists 2 Drums or more (in one unit) Kocal, Koering Scooper, Lead Mechanic, Locomotive (std. Gauge) Mix Mobile, Mix Mobile (with self loading Attachment) Mucking Machine (Tunnel) Pile Driver Machine, Pipe Extrusion Machine, Precipitator Drill (self contained) Quad Mine, Refrigeration Plant (Soil stabilization) Scraper (Multi-boat) Shovel - Power, Slip Form Paver C.M.I. and stillar Trenching Machine (under 30,000 lb.) Tunnel Machine (Mark XII Jarvis or similar) Whirley, Scrapers, and Dozer, D-8 or larger

CLASS II: Asphalt Paving Machine (Spreader) Asphalt Plant Operator, Athey Loader, Auger (Tractor Mtd.) Auger (Truck Mtd.) Backhoe (Near Pivotal Swing) (180 Swing) Boring Machine, Cable Placer or Layer, Compactor with blade, Concrete Batch Plant (Electronically Synchronized) Concrete Bolt Placer (C.M.I. and Stillar) Concrete Mixer (over 1 cy.) Concrete Pump, Core Drill (Truck or skid Mtd. - similar to Penn Drill) Dozer, Euclid Loader, Grader - Power Operator, Locomotive (narrow gauge) Mechanic, Minor Equipment Operator (Accumulative four units) Mucking Machine, Over-head Crane, Roller-power-asphalt, Boss Carrier, Scraper, Side Boom or tractor mounted boom, stone Crusher (Screening-Washing Plants) Stone Spreader (Self-propelled Truck mounted Drill (Davey or similar) Welder and Repairman, Well Point Pump Operator

CLASS III: Compactors/Rollers (Static or Vibratory) (Self-propelled) Minor Equipment Operator (Two to three units) Soil Stabilizer Machine, Fire Repairman Tube Finisher (C.M.I. or similar) Well Driller and Horizontal

CLASS IV: Ballast Regulator, Compressor, Concrete Finishing Machine and Spreader Concrete Mixer (1 cy. and under with Skip Concrete Saw (Hidden or self-propelled) Conveyor, Curb Builder (Self-propelled) Elevator (Material Hauling only) Fork-lift (Hidden or self-propelled) Form line Machine, Generator, Crotch Pump, Heater (Mechanical) Hoist (single drum) Ladavator, Light Plant, Mulching Machine, Pavement Breaker (self-propelled or ridden) Personnel Boar (Powered) Pulverizer, Pumps, Seeding Machine, Spray Cure Machine (Power driven) Subgrader, Tilt Puller, Tilt Teaser (Multi-head) Tractor-making and hauling, Tugger, Welding Machine (Gas or Diesel) Winch or Hydraulic Boom Truck (When hoisted and placing)

CLASS V: Deck Hand, Farm Tractor, Fireman on Boiler, Mechanic's Helpers, Oiler, Power Broor, Side Delivery Shoulder Spreader

COUNTIES: Armstrong, Blair, Centre, Crawford, Greene, Indiana, McKeen, Venango & Warren

TRUCK DRIVERS

(Heavy and Highway Construction)

PA-2-TD-23-C

Basic Hourly Rates	Fringe Benefits Payments			Apr. 1,
	H & V	Pensions	Vacation	
\$6.40	7.3%	4.2%		
6.55	7.3%	4.2%		
6.64	7.3%	4.2%		
6.73	7.3%	4.2%		
6.71	7.3%	4.2%		
6.46	7.3%	4.2%		
6.50	7.3%	4.2%		

- Class 1
- Class 2
- Class 3
- Class 4
- Class 5
- Class 6
- Class 7

COUNTIES: Armstrong, Blair, Centre, Crawford, Greene, Indiana, McKeen, Venango & Warren

TRUCK DRIVERS

Class 1: Truck under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pickup and similar equipment, parts man and warehouses)

Class 2: Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), flat bottom, scissors, and combination fuel and grease). Ready-mix Concrete trucks with towed or built-in attachments (10c per hour additional to respective size truck. Tar and asphalt distributing trucks (all liquid tank trucks, straight and semi, including water, sprinkler, oil trucks, etc.) Tandem-axle Ready-mixed Concrete trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)

Class 3: Tri-axle trucks, Heavy equipment whose capacity exceeds that for which state licenses are issued - specifically refers to units in excess of 8 feet width (such as euclids; end or belly dump, single twin-engined or tandem; Abbey wagon; Pay loader, Tournagons, and similar equipment when not self-loaded rated under forty-five tons). (Tri-axle Ready-Mixed Concrete trucks (such as agitators, barrel, redi-mix concrete trucks, etc.); Tar and asphalt trailer trucks

Class 4: Heavy off-the-road equipment (rated at forty-five tons or over), bottom or belly-dump trucks

Class 5: Heavy duty trailer, such as low boy, Hi-boy, Pole trailer, A-Frames (when used for transporting materials), Dumpsters, Ross Carriers, Form trucks, Dual-purpose trucks (when load has been loaded or unloaded with truck, winch, loading, hauling and unloading). Mechanical tailgate trucks, Bucket self-loading trucks, Farm tractors (when pulling and hauling), Fork lift trucks (in storage areas and warehouses)

Class 6: Single-axle Ready-mixed Concrete trucks (such as agitators, barrel, redi-mix Concrete trucks, etc.)

Class 7: Trucks with dolly or trailer

NOTICES

COUNTIES: Cameron, Clarion, Clearfield & Forest

HEAVY AND HIGHWAY CONSTRUCTION
POWER EQUIPMENT OPERATORS:

- CLASS I
- CLASS II
- CLASS III
- CLASS IV
- CLASS V

PA-5-FED-2-3-C

Basic Monthly Rates	Fringe Benefits Payments			
	H & V	Pensions	Vacation	App. Tr.
\$8.59	.50	.50	.09	.09
8.31	.50	.50	.09	.09
5.97	.50	.50	.09	.09
5.48	.50	.50	.09	.09
5.37	.50	.50	.09	.09

COUNTIES: Cameron, Clarion, Clearfield & Forest

HEAVY & HIGHWAY CONSTRUCTION - POWER EQUIPMENT OPERATORS:

CLASS I: Austin Western or Similar (25 ton & over) Austin Western or Similar (under 25 ton) Auto-grader (C.M.I. & similar) Backfiller, Backhoe - 360 Selag, Cableway, Gaisson Drill (Similar to Hugh Williams) Central Mix Plant, Cooling Plant, Concrete Paving Mixer, Cranes (Tower - Stationary-Climbing Tower Crane) Derrick, Derrick, Boat, Dragline, Dredge, Bridge Hydraulic (Leverman - 1 Oiler - Apprentice) Elevating Grader, Franki File Machine, Cressall (Solo's control or otherwise) Grader (Power-Fine Grade) Guard Rail Post Driver (Track Rd.) Guard Rail Post Driver (Skid Type) (Self Propelled - Arrow or similar) Helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) Hilllift (4cy. and over) Hoists 2 Drums or more (in one unit) Local, Keering Swooper, Lead Mechanic, Locomotive (std. Gauge) Mix Mobile, Mix Mobile (with self loading Attachment) Mucking Machine (Tunnel) Pile Driver Machine, Pipe Extrusion Machine, Preplitter Drill (self contained) Quasi Mine, Refrigeration Plant (Soil stabilization) Scraper (Multi-bowl) Shovel - Power, Slip Form Paver C.M.I. and similar Trenching Machine (under 30,000 lb.) Tunnel Machine (Mark XII Jarva or similar) Whirley, Scrapers, and Dozer, D-8 or Larger

CLASS II: Asphalt Paving Machine (Spreader) Asphalt Plant Operator, Atley Loader, Auger (Tractor Mt.) Auger (Truck Mt.) Backhoe (Rear Pivotal Swing) (180 Swing) Boiling Machine, Cable Payer or Layer, Compactor with blade, Concrete Patch Pinct (Electrically Synchronized) Concrete Belt Pincer (S.M.I. and Similar) Concrete Mixer (over 1 cy.) Concrete Pump, Core Drill (Truck or skid Mt. - similar to Penn Drill) Dozer, Euclid Loader, Grader - Power, Grease Unit Operator (Lead) Hilllift (under 4 cy.) Job Work Boar (Powered) Operator, Locomotive (narrow gauge) Mechanic, Minor Equipment Operator (Accumulative four units) Mucking Machine, Over-head Crane, Roller-power-asphalt, Ross Carrier, Scraper, Side Boon or tractor mounted boom, stone crusher (Screening-Washing Plants) Stone Spreader (Self-propelled Truck Mounted Drill (Davey or similar) Welder and Repairman, Well Point Pump Operator

CLASS III: Compactors/Rollers (Static or Vibratory) (Self-propelled) Minor Equipment Operator (Two to three units) Soil Stabilizer Machine, Tire Repairman Tube Finisher (C.M.I. or similar) Well Driller and Horizontal

CLASS IV: Ballast Regulator, Compressor, Concrete Finishing Machine and Spreader Concrete Mixer (1 cy. and under with Skip Concrete Sas (Slidem or self-propelled) Conveyor, Curb Baller (Self-propelled) Elevator (Material hauling only) Fork-lift (Slidem or self-propelled) Form line Machine, Generator, Crotch Pump, Heater (Mechanical) Hoist (single drum) Ladavator, Light Plant, Mulching Machine, Pavement Breaker (self-propelled or ridden) Personnel Boar (Powered) Pulverizer, Pumps, Seeding Machine, Spray Cure Machine (Power driven) Subgrader, Tile Puller, Tie Dancer (Multi-head) Tractor-ank and hauling, Tugger, Welding Machine (Gas or Diesel) Winch or Hydraulic Boom Truck (When hoisted and placing)

CLASS V: Deck Hand, Farm Tractor, Fireman on Boiler, Mechanic's Helpers, Oiler, Power Broon, Side Delivery Shoulder Spreader

COUNTIES: Cameron, Clarion, Clearfield & Forest

COUNTIES: Cameron, Clarion, Clearfield & Forest

TRUCK DRIVERS

PA-5-TD-2--3-A

Basic Hourly Rates	Fringe Benefits Payments			App. Tx.
	N & W	Pensions	Vehicle	
\$6.15	7.3%	4.2%		
6.35	7.3%	4.2%		
6.46	7.3%	4.2%		
6.55	7.3%	4.2%		
6.51	7.3%	4.2%		
6.20	7.3%	4.2%		
6.31	7.3%	4.2%		

TRUCK DRIVERS

(Heavy and Highway Construction)

- Class 1
- Class 2
- Class 3
- Class 4
- Class 5
- Class 6
- Class 7

Class 1: Truck under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pickup and similar equipment, parts man and warehousemen)

Class 2: Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), flat bottom, scissors, and combination fuel and grease), Ready-mix Concrete trucks with towed or built-in attachments (100 per hour additional to respective size trucks, Tar and asphalt distributing trucks (all liquid tank trucks, straight and semi, including water, sprinkler, oil trucks, etc.) Tandem-axle Ready-mixed Concrete trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)

Class 3: Tri-axle trucks. Heavy equipment whose capacity exceeds that for which state licenses are issued - specifically refers to units in excess of 8 feet width (such as euclids) and or belly dump, single twin-engine or tandems: Albee wagon: Pay loader, Tournasagons, and similar equipment when not self-loaded rated under forty-five tons), (Tri-axle Ready-Mixed Concrete trucks (such as agitators, barrel, radi-mix concrete trucks, etc.), Tar and asphalt trailer trucks

Class 4: Heavy off-the-road equipment (rated at forty-five tons or over), bottom or belly-dump trucks

Class 5: Heavy duty trailer, such as low boy, Hi-boy, Pole trailer, A-Frames (when used for transporting materials), Dumpsters, Hoss Carriers, Form trucks, Dual-purpose trucks (when load has been loaded or unloaded with truck, winch, loading, hauling and unloading), Mechanical tailgate trucks, Bucket self-loading trucks, Farm tractors (when pulling and hauling), Fork lift trucks (in storage areas and warehouses)

Class 6: Single-axle Ready-mixed Concrete trucks (such as agitators, barrel, redi-mix Concrete trucks, etc.)

Class 7: Trucks with dolly or trailer

NOTICES

LABELS

STATE: Pennsylvania
 DECISION NO.: 75-PA-3030
 DATE: Date of Publication
 SUPRESEAS Decision No. AQ-2062, dated February 15, 1974, 39 FR 6011.
 Description of work: Heavy & Highway Construction.

COUNTIES: Butler, Cambria, Erie, Fayette, Mercer, Washington, Westmoreland, Lawrence & Mercer
 Class 1: Construction Laborer (including tenders handling salamanders, L.P. gas heaters or similar, etc.), Air or electric impact wrench, Air Taper Operator, Asphalt Tamper, Batchman (weigh), Blaster's Helper, Blower Man (walk cement), Erskeman, Coffey Man, Concrete Finish, Puddler including vibrator operator, Drill Runner's Helper (includes drill mounted on truck, track or similar and Davey drills (sprits - clean-up and helps to maintain), Fence Construction, Form Stripper and Mover, Hydro-jet Blaster Nozzlemen, Manually moved Emulsion Sprayer, Radio actuated traffic control operator (non-automatic), Rip Rap work, Scaffolds and runways (as per agreement of record), Sheeters and Shorers, Structural Concrete Top Set-facer, Walk Behind Street Sweeper, Welder's Helper (pipeline), Wood Chipper

Class 2: Asphalt, Batch and Concrete Plant Operator (manually operated), Asphalt Bakers, Burner, Caisson Men (open air), Carryable Pumps, Chain Saw Operator, Chipping Hammer or similar (air or otherwise), Combination Tamper and Vibrator, Concrete Buster (paving breaker), Cribbing (concrete or steel), Carb Machine Operator (asphalt and concrete)(walk behind), Earth Drill, Fork lift (walk behind), Form Setter (road forms line man), Handyman, Highway Slab Reinforcement Placers (including joint and basket setter), Hydraulic Pipe Fitter, Jack Hammer Operator, Liner Plates (tile or vitrified clay), Manually operated Diamond Core Drill, Mechanical Joint Sealer, Dope Pot, and Tar Mottle, Mortar Mixer (hand or machine), Pin Drivers or Puller (power-highway), Pipe Layers, Plant set-up, Maintenance Men, Portable single unit Conveyor, Post Hole Auger (2 or 4 cycle)(hand operated), Power Fence Operator, Power Wheelbarrows and Buggies, Rail Porter, or similar, Screed Operator, Signal Man, Whacker, All Railroad Track Work: Adzing Machines, Ballast Hooter, Bolting Machine, Power Jacks, Rail Drills, Railroad Brakeman, Rail Saws, Spike Drivers, Spike Pullers, Tamping Machine

Class 3: Cement mortar lining (or Pucker, Cement Mortar Mixer (pipe relining), Cement Saw Operator (walk behind), Form Setter (road forms-line man), Grout Machine Operator, Groutite (nozzle and machine man), Paving Block Tamers, Wagon Drill (air track or similar) Operators, Walk Behind Power Rollers (1 or 2 barrel), Walk Behind Roller and Tamper, Walk Behind Ditching Machine (trencher or similar)

Class 4: Blacksmith, Blaster, Brick and Block Pavers (wood, belgain and asphalt), Curb Cutters and Setters, Manhole or Catch Basin Builder (brick, block, concrete or any prefabrication)

Class 5: Multi-plate Pipe (aligning and securing) Placing Wire Mesh on Conite projects, Reinforcing steel placers (bending, aligning and securing), Welder, elevated roadway drainage

Class 6: Welder (pipeline)

Class 7: Tunnel and Shaft Work (inside); Change House Attendant

Class 8: Muckers, Brakemen and all other labor (includes installation of utility lines), Signal Man, Drill Runner Helper

Class 9: Miners and Drillers (including lining, supporting and form workmen, setting of shields, miscellaneous equipment and jumbos)

Class 10: Caisson and Tunnel Men under pressure (0-18 pounds)

Class 11: Reinforcing steel placers (bending, aligning and securing)

PA-75-3030-2-3-A

	Basic Hourly Rate	Fringe Benefits Payments			App. To
		M & H	Retire	Vacation	
Heavy & Highway Construction:					
Carpenters (Counties)					
Butler, Washington, Westmoreland, Fayette, Erie, Lawrence, Mercer	\$8.85 8.51	7 1/2% 7 1/2%	7% 7%		
Cambria & Somerset					
Carpenter-welder (Counties)					
Butler, Washington, Westmoreland, Fayette, Erie, Lawrence & Mercer	9.20 8.86	7 1/2% 7 1/2%	7% 7%		
Cambria & Somerset	7.895	7 1/2%	7%		
Cement Masons	8.79	5 1/2%	5 1/2%		
Plumbers					
Ironworkers	6.985	.785	.775		
Butler, Fayette, Lawrence, Mercer, Washington & Westmoreland	4.85 5.00	.30 .30	.30 .30		
Landscape Laborers					
Skilled Landscape Laborer					
Cambria, Erie & Somerset	4.75	.30	.30		
Landscape Laborers	4.90	.30	.30		
Skilled Landscape Laborers					
Laborers					
Heavy & Highway Construction					
Class 1	6.91	.40	.40		
Class 2	7.10	.40	.40		
Class 3	7.41	.40	.40		
Class 4	7.53	.40	.40		
Class 5	7.60	.40	.40		
Class 6	8.75	.40	.40		
Class 7	6.91	.40	.40		
Class 8	7.15	.40	.40		
Class 9	7.41	.40	.40		
Class 10	7.53	.40	.40		
Class 11	7.60	.40	.40		

TRUCK DRIVERS
(Heavy and Highway Construction)

PA-2-TD-23-G

Basic Hourly Rates	Fringe Benefits Payments		App. To
	M & V	Vehicle	
\$6.60	7.3%	4.2%	
6.55	7.3%	4.2%	
6.64	7.3%	4.2%	
6.73	7.3%	4.2%	
6.71	7.3%	4.2%	
6.46	7.3%	4.2%	
6.50	7.3%	4.2%	

- Class 1
- Class 2
- Class 3
- Class 4
- Class 5
- Class 6
- Class 7

TRUCK DRIVERS

Class 1: Truck under 33,000 lbs. gross load category (including all types of trucks such as fuel, dump, flat bottom, pickup and similar equipment, parts man and warehousemen)

Class 2: Trucks over 33,000 lbs. gross load category (including all types of trucks such as fuel, dump (tandem), flat bottom, scissors, and combination fuel and grease), Ready-mix Concrete trucks with towed or built-in attachments (10c per hour additional to respective size truck, Tar and asphalt distributing trucks (all liquid tank trucks, straight and semi, including water, sprinkler, oil trucks, etc.) Tandem-axle Ready-mixed Concrete trucks (such as agitators, barrel, redi-mix concrete trucks, etc.)

Class 3: Tri-axle trucks, Heavy equipment whose capacity exceeds that for which state licenses are issued - specifically refers to units in excess of 8 feet width (such as euclids; end or belly dump, single twin-engined or tandem; Abbey wagon; Pay loader, Tourwagons, and similar equipment when not self-loaded rated under forty-five tons), (Tri-axle Ready-Mixed Concrete trucks (such as agitators, barrel, redi-mix concrete trucks, etc.), Tar and asphalt trailer trucks

Class 4: Heavy off-the-road equipment (rated at forty-five tons or over), bottom or belly-dump trucks

Class 5: Heavy duty trailer, such as low boy, Hi-boy, Pole trailer, A-Frames (when used for transporting materials), Dumpsters, Ross Carriers, Form trucks, Dual-purpose trucks (when load has been loaded or unloaded with truck, winch, loading, hauling and unloading), Mechanical tailgate trucks, Bucket self-loading trucks, Farm tractors (when pulling and hauling), Fork lift trucks (in storage areas and warehouses)

Class 6: Single-axle Ready-mixed Concrete trucks (such as agitators, barrel, redi-mix Concrete trucks, etc.)

Class 7: Trucks with dolly or trailer

HEAVY AND HIGHWAY CONSTRUCTION

POWER EQUIPMENT OPERATORS:

- CLASS I
- CLASS II
- CLASS III
- CLASS IV
- CLASS V

FA-2-FED-2-3-J

Basic Heavy Rates	Fringe Benefits Payments			
	H & W	Fees/Ins.	Vacation	App. T.
\$5.88	.50	.50		.09
8.62	.50	.50		.09
6.26	.50	.50		.09
5.81	.50	.50		.09
5.66	.50	.50		.09

HEAVY & HIGHWAY CONSTRUCTION - POWER EQUIPMENT OPERATORS:

CLASS I: Austin Western or Similar (25 ton & over) Austin Western or Similar (under 25 ton) Autograder (C.M.I. & similar) Backfiller, Backhoe - 360 Swing, Cableway, Gascon Drill (Similar to Hugh Williams) Central Mix Plant, Cooling Plant, Concrete Paving Mixer, Cranes (Tower - Stationary-Climbing Tower Crane) Derrick, Boat, Dragline, Dredge, Dredge Hydraulic (Leverman - 1 Oiler - Apprentice) Elevating Grader, Frankl Pile Machine, Grapple (Smoke control or otherwise) Grader (Power-Fine Grade) Guard Rail Post Driver (Truck Mtd.) Guard Rail Post Driver (Skid Type) (Self Propelled - Arrow or similar) Helicopter (over 1500 lb. lift) Helicopter (under 1500 lb. lift) Lift (Hy. and over) Hoists 2 Drums or more (in one unit) Mocal, Keating Scooper, Lead Mechanic, Locomotive (std. Gauge) Mix Mobile, Mix Mobile (with self loading Attachment) Mucking Machine (Tunnel) Pile Driver Machine, Pipe Extrusion Machine, Presslitter Drill (self contained) Quad Mine, Refrigration Plant (Soil stabilization) Scraper (Multi-bowl) Shovel - Power, Slip Form Paver C.M.I. and similar Trenching Machine (under 30,000 lb.) Tunnel Machine (Mark III Jarvis or similar Whitley, Scrapers, and Dozer, D.8 or larger

CLASS II: Asphalt Paving Machine (Spreader) Asphalt Plant Operator, Atkey Loader, Auger (Tractor Mtd.) Auger (Truck Mtd.) Backhoe (Rear Pivotal Swing) (180 Swing) Boring Machine, Cable Pacer or Layer, Compactor with blade, Concrete Mix. Plant (Electrically Synchronized) Concrete Salt Panner (S.M.I. and similar) Concrete Mixer (over 1 cy.) Concrete Pave, Core Drill (Truck or skid Mtd. - similar to Peon Drill) Dozer, Backld Loader, Grader - Power Grease Unit Operator (used) Hllift (under 4 cy.) Job Work Pcar (Powered) Jumbo Operator, Locomotive (narrow gauge) Mechanic, Minor Equipment Operator (Accumulative four units) Mucking Machine, Over-head Crane, Roller-power-asphalt, Ross Carrier, Scraper, Side Boom or tractor mounted boom, stone Crusher (Screening-Washing Plants) Stone Spreader (Self-propelled Truck Mounted Drill (Dewey or similar) Welder and Sepsitman, Well Point Pump Operator

CLASS III: Compactors/rollers (Static or Vibratory) (Self-propelled) Minor Equipment Operator (Two to three units) Soil Stabilizer Machine, Tire Repairman Tube Finisher (C.M.I. or similar) Well Driller and Horizontal

CLASS IV: Ballast Regulator, Compressor, Concrete Finishing Machine and Spreader Concrete Mixer (1 cy. and under with Skip Concrete Saw (Hidden or self-propelled) Conveyor, Curb Buldoer (Self-propelled) Elevator (Material Hauling only) Fork-lift (Hidden or self-propelled) Form line Machine, Generator, Crout Pump, Heater (Mechanical) Hoist (single drum) Ladavator, Light Plant, Mucking Machine, Pavement Breaker (self-propelled or ridden) Personnel Hoar (Powered) Pulverizer, Pumps, Seeding Machine, Spray Cure Machine (Power driven) Subgrader, Tlle Puller, Tle Tanser (Multi-head) Tractor-tracking and hauling, Tugger, Welding Machine (Gas or Diesel) Winch or Hydraulic Boom Truck (When hoist and placing)

CLASS V: Deck Hand, Fara Tractor, Fireman on Boiler, Mechanic's Helpers, Oiler, Power Broon, Side Delivery Soulder Spreader

DECISION NO. SD75-5043

COUNTY: Minnehaha

STATE: South Dakota
 COUNTY: Minnehaha
 DDATE: Date of Publication
 Decision No. AB-1036 dated December 20, 1974, in 39 FR 44190
 SUPERSEDES DECISION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories)

	Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
		H & V	Pensions	Vacation	
PLUMBERS; Steamfitters	8.365	.32	.15	.17	.03
SHEET METAL WORKERS	7.92	.50	.15	.35	.08
SPRINKLER FITTERS	7.85		.70		
WELDER: Receive rate prescribed for craft performing operation to which welding is incidental.					
FOOTNOTE: a. Employer contributes 4% of basic hourly rate for 5 years' service and 2% basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. b Paid Holidays: A through F.					
PAID HOLIDAYS: A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.					

	Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
		H & V	Pensions	Vacation	
ASBESTOS WORKERS	8.53	.35	.40		.02
BOILERMAKERS	8.35	.60	1.00	.50	.05
BRICKLAYERS; Stonemasons	7.50	.25	.30		.05
CARPENTERS: Carpenters, Piledrivermen	7.51		.20		.05
Millwrights	8.47		.20		.05
CEMENT MASONS	8.40				
ELECTRICIANS: 0 miles through 30 miles from Sioux Falls Post Office	8.17	.30	1%	6%	1 1/2%
Electricians Cable Splicers	8.99	.30	1%	6%	1 1/2%
Over 30 miles from Sioux Falls Post Office					
Electricians	8.77	.30	1%	6%	1 1/2%
Cable Splicers	9.59	.30	1%	6%	1 1/2%
ELEVATOR CONSTRUCTORS	9.18	.445	.29	35%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	7.01R	.445	.29	35%+a	.02
(PROB.)	5.01R				
GLAZIERS	5.79				
LABORERS: Laborers	4.35				
Mortar mixers, Faving breakers, Jack hammer operator	4.45				
Nozzlemann (gumite, sandblast and shotcrete)	4.60				.01
LATHERS	6.83				
PAINTERS: Brush	6.07				
Spray	6.57				
Tapets	6.32				
PLASTERERS	7.53				.01

SUPERSEDES DECISION

STATE: South Dakota
 COUNTY: Meade and Pennington
 DECISION NUMBER: SD75-5044
 DATE: Date of Publication
 SUPERSEDES Decision No. AS-1027 dated August 30, 1974, in 39 FR 3186
 DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories)

DECISION NO. SD75-5044

PLASTERERS
 FLUMBERS; Steamfitters
 SHEET METAL WORKERS
 SPRINKLER FITTERS
 RIGGERS; WELDERS: Receive rate prescribed for craft performing operation to which rigging or welding is incidental.

FOOTNOTE:
 a. Employer contributes 4% of basic hourly rate for 3 years' service and 2% of basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. 6 Paid Holidays: A through F.

PAID HOLIDAYS:
 A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day;
 E-Thanksgiving Day; F-Christmas Day.

*Bracket since 10/1/74
 10/1/74 - 10/1/75*

	Basic Hourly Rates	Fringe Benefits Payments %			App. Tr.
		H & V	Pensions	Vacation	
ASBESTOS WORKERS	\$8.53	.35	.40		.02
BOILERMAKERS	8.35	.60	1.00		
BRICKLAYERS; Stonemasons	7.60				
CARPENTERS: Carpenters, Acoustical and Drywall Applicators	7.71		.30		.05
Filedrivemen	8.21		.30		.05
Millwrights	7.96		.30		.05
CEMENT MASONS	6.175	.20			
ELECTRICIANS: Within 15 miles radius of Rapid City Post Office	7.85	.30	1%	6%	1%
Electricians	8.40	.30	1%	6%	1%
Cable Splicers					
Outside of 15 miles radius of Rapid City Post Office					
Electricians	8.25	.30	1%	6%	1%
Cable Splicers	8.80	.30	1%	6%	1%
ELEVATOR CONSTRUCTORS	9.18	.445	.29	3%+	.02
ELEVATOR CONSTRUCTORS' HELPFERS	7.01	.445	.29	3%+	.02
(PROB.)	5.01				
IRONWORKERS: Fence Erectors; Ornamental; Reinforcing; Sheeter; Structural	7.10	.40	.65		.10
LABORERS: Laborers	3.96	.20	.05		
Power Tool Operator or all Mechanical Air, Gas, Electrical Tools, including self-propelled Buggies, Wagon and Air Track Drills; Pipe Layer (non-metallic); Sandblasting; Mortar Mixer; Mason Tender; Plaster Tender	4.21	.20	.05		
Committe Nozlemen; Powdermen; Miner; Timberman	4.46	.20	.05		.005
PAINTERS: Brush	5.25				.005
Drywall Finishers and Tapers	5.40				
All painting over 30 ft.; Paint Mitt; Sandblasting; Spray Steel (structural); Swing Stage; Windowjack	5.75				.005

[FB Doc.75-8522 Filed 4-3-75;8:45 am]

INDEX TO GENERAL WAGE DETERMINATION DECISIONS AND MODIFICATIONS AS OF MARCH 7, 1975

There is set forth below an index to general wage determination decisions and modifications as published in the FEDERAL REGISTER pursuant to the Davis-Bacon and related Acts. The index lists general wage determination decisions

and modifications by State and county. An updated index is published on the first Friday of each month.

The index is published for the convenience of the public and the Department of Labor will endeavor to keep it accurate and up to date. In the event the data in the index and published general decisions do not coincide, the published general decisions shall control.

ALABAMA

STATEWIDE
Decision #68-4013 (D)
39 FR 27397 - 7/25/74
Decision #A0-4088 (Hw) (Excluding Airport Construction)
39 FR 10085 - 3/15/74
Mod. #1 - 40 FR 2373 - 1/10/75

AUTAUGA COUNTY
(D) - See Statewide
(Hw) - See Statewide
BALDWIN COUNTY
Decision #A0-4060 (R)
39 FR 3374 - 1/25/74
Mod. #1 - 40 FR 7773 - 2/21/75
(Hw) - See Statewide
BARBOUR COUNTY
(D) - See Statewide
(Hw) - See Statewide

BIBB COUNTY
(D) - See Statewide
(Hw) - See Statewide
BLOUNT COUNTY
(D) - See Statewide
(Hw) - See Statewide
Decision #M-448 (R)
36 FR 16359 - 8/20/71
Mod. #1 - 40 FR 7773 - 2/21/75
(D) - See Statewide
(Hw) - See Statewide

BULLOCK COUNTY
(D) - See Statewide
(Hw) - See Statewide
BUTLER COUNTY
(D) - See Statewide
(Hw) - See Statewide
CHAMBERS COUNTY
(D) - See Statewide
(Hw) - See Statewide
CHEROKEE COUNTY
(D) - See Statewide
(Hw) - See Statewide

CHILTON COUNTY
(D) - See Statewide
(Hw) - See Statewide
CROFTON COUNTY
(D) - See Statewide
(Hw) - See Statewide
CLARK COUNTY
(D) - See Statewide
(Hw) - See Statewide

CLAY COUNTY
(D) - See Statewide
(Hw) - See Statewide
CLEBURNE COUNTY
(D) - See Statewide
(Hw) - See Statewide
COFFEE COUNTY
(D) - See Statewide
(Hw) - See Statewide
COLBERT COUNTY
Decision #AL75-1022 (B)
40 FR 6912 - 2/14/75
Mod. #1 - 40 FR 8693 - 2/28/75
(D) - See Statewide
(Hw) - See Statewide
CONECUH COUNTY
(D) - See Statewide
(Hw) - See Statewide
COOSA COUNTY
(D) - See Statewide
(Hw) - See Statewide
COWART COUNTY
(D) - See Statewide
(Hw) - See Statewide
CRENSHAW COUNTY
(D) - See Statewide
(Hw) - See Statewide
CULLMAN COUNTY
(D) - See Statewide
(Hw) - See Statewide
DALE COUNTY
(D) - See Statewide
(Hw) - See Statewide
DALLAS COUNTY
(D) - See Statewide
(Hw) - See Statewide
DE KALB COUNTY
(D) - See Statewide
(Hw) - See Statewide
ELMORE COUNTY
(D) - See Statewide
(Hw) - See Statewide
ESCAMBIA COUNTY
(D) - See Statewide
(Hw) - See Statewide
ETOWAH COUNTY
(D) - See Statewide
(Hw) - See Statewide

ALABAMA (Cont'd.)

FAVETTE COUNTY
(D) - See Statewide
(Hw) - See Statewide
FRANKLIN COUNTY
(D) - See Statewide
(Hw) - See Statewide
GENEVA COUNTY
(D) - See Statewide
(Hw) - See Statewide
GREENE COUNTY
(D) - See Statewide
(Hw) - See Statewide
HALE COUNTY
(D) - See Statewide
(Hw) - See Statewide
HENRY COUNTY
(D) - See Statewide
(Hw) - See Statewide
HOUSTON COUNTY
(D) - See Statewide
(Hw) - See Statewide
JACKSON COUNTY
(D) - See Statewide
(Hw) - See Statewide
JEFFERSON COUNTY
Decision #AR-4043 (B)
39 FR 35918 - 10/4/74
Mod. #1 - 39 FR 41655 - 11/29/74
Mod. #2 - 39 FR 42804 - 12/6/74
Mod. #3 - 40 FR 2373 - 1/10/75
Mod. #4 - 40 FR 5899 - 2/14/75
(D) - See Statewide
(R) - See Blount County
(Hw) - See Statewide
LAMAR COUNTY
(D) - See Statewide
(Hw) - See Statewide
LAUDERDALE COUNTY
(D) - See Colbert County
(Hw) - See Statewide
LAWRENCE COUNTY
Decision #AL75-1027 (B)
40 FR 8701 - 2/26/75
(D) - See Statewide
(Hw) - See Statewide
LEE COUNTY
(D) - See Statewide
(Hw) - See Statewide
LINDSEY COUNTY
(D) - See Lawrence County
(Hw) - See Statewide

LOWNDES COUNTY
(D) - See Statewide
(Hw) - See Statewide
MACON COUNTY
(D) - See Statewide
(Hw) - See Statewide
MADISON COUNTY
Decision #AL75-1028 (B)
40 FR 8703 - 2/28/75
(D) - See Statewide
(Hw) - See Statewide
MARENGO COUNTY
(D) - See Statewide
(Hw) - See Statewide
MARSHALL COUNTY
(D) - See Statewide
(Hw) - See Statewide
MARSHALL COUNTY
(D) - See Statewide
(Hw) - See Statewide
MOBILE COUNTY
Decision #AL75-1023 (B)
40 FR 6913 - 2/14/75
(Hw) - See Statewide
(D) - See Statewide
(R) - See Baldwin County
MONROE COUNTY
(D) - See Statewide
(Hw) - See Statewide
MONTGOMERY COUNTY
Decision #AP-184 (B)
38 FR 11244 - 5/4/73
Mod. #1 - 38 FR 13103 - 5/18/73
Mod. #2 - 39 FR 24781 - 7/5/74
Mod. #3 - 39 FR 36709 - 10/11/74
Decision #A0-4082 (R)
39 FR 8100 - 3/1/74
Mod. #1 - 40 FR 7773 - 2/21/75
(D) - See Statewide
(Hw) - See Statewide
MORGAN COUNTY
(D) - See Lawrence County
(Hw) - See Statewide
PERRY COUNTY
(D) - See Statewide
(Hw) - See Statewide
PICKENS COUNTY
(D) - See Statewide
(Hw) - See Statewide

ALABAMA (Cont'd.)

ABBREVIATIONS
(B)—Building Construction.
(D)—Dredging Construction.
(F)—Flood Control Construction.
(H)—Heavy Construction.
(Hw)—Highway Construction.
(R)—Residential Construction.
Mod.—Modification.
(HEZ)—Heavy Engineering.

ALABAMA (Cont'd.)
LAWRENCE COUNTY
(D) - See Statewide
(Hw) - See Statewide
MORGAN COUNTY
(D) - See Lawrence County
(Hw) - See Statewide
PERRY COUNTY
(D) - See Statewide
(Hw) - See Statewide
PICKENS COUNTY
(D) - See Statewide
(Hw) - See Statewide

(LE)—Light Engineering.
(U)—Utility.
(S&W)—Sewer and Water.

Signed at Washington, D.C., this 28th day of March 1975.

RAY J. DOLAN,
Assistant Administrator
Wage and Hour Division.

ALABAMA (cont'd.)

LOWNDES COUNTY
(D) - See Statewide
(Hw) - See Statewide
MACON COUNTY
(D) - See Statewide
(Hw) - See Statewide
MADISON COUNTY
Decision #AL75-1028 (B)
40 FR 8703 - 2/28/75
(D) - See Statewide
(Hw) - See Statewide
MARENGO COUNTY
(D) - See Statewide
(Hw) - See Statewide
MARSHALL COUNTY
(D) - See Statewide
(Hw) - See Statewide
MARSHALL COUNTY
(D) - See Statewide
(Hw) - See Statewide
MOBILE COUNTY
Decision #AL75-1023 (B)
40 FR 6913 - 2/14/75
(Hw) - See Statewide
(D) - See Statewide
(R) - See Baldwin County
MONROE COUNTY
(D) - See Statewide
(Hw) - See Statewide
MONTGOMERY COUNTY
Decision #AP-184 (B)
38 FR 11244 - 5/4/73
Mod. #1 - 38 FR 13103 - 5/18/73
Mod. #2 - 39 FR 24781 - 7/5/74
Mod. #3 - 39 FR 36709 - 10/11/74
Decision #A0-4082 (R)
39 FR 8100 - 3/1/74
Mod. #1 - 40 FR 7773 - 2/21/75
(D) - See Statewide
(Hw) - See Statewide
MORGAN COUNTY
(D) - See Lawrence County
(Hw) - See Statewide
PERRY COUNTY
(D) - See Statewide
(Hw) - See Statewide
PICKENS COUNTY
(D) - See Statewide
(Hw) - See Statewide

NOTICES

ALABAMA (Cont'd)

PIKE COUNTY
(D) - See Statewide
(Hw) - See Statewide

RANDOLPH COUNTY
(D) - See Statewide
(Hw) - See Statewide

RUSSELL COUNTY
(D) - See Statewide
(Hw) - See Statewide

SAINTE CLAIR COUNTY
(D) - See Statewide
(Hw) - See Statewide

(R) - See Statewide

(R) - See Blount County

SHELBY COUNTY
(D) - See Statewide
(Hw) - See Statewide

(R) - See Blount County

SUMNER COUNTY
(D) - See Statewide
(Hw) - See Statewide

TALLADEGA COUNTY
(D) - See Statewide
(Hw) - See Statewide

(R) - See Blount County

TALLAPOOSA COUNTY
(D) - See Statewide
(Hw) - See Statewide

TUSCALOOSA COUNTY
Decision #A0-4125 (B)
39 FR 20911 - 6/14/74
Mod. #1 - 39 FR 33147 - 9/13/74
Mod. #2 - 39 FR 41655 - 11/29/74
Mod. #3 - 40 FR 2373 - 1/10/75
Mod. #4 - 40 FR 6899 - 2/14/75
(D) - See Statewide
(Hw) - See Statewide

WALKER COUNTY
(D) - See Statewide
(Hw) - See Statewide

WASHINGTON COUNTY
(D) - See Statewide
(Hw) - See Statewide

(R) - See Baldwin County

WILCOX COUNTY
(D) - See Statewide
(Hw) - See Statewide

WINSTON COUNTY
(D) - See Statewide
(Hw) - See Statewide

ALASKA

STATEWIDE
Decision #AK75-5033 (B,H,R,Hw,R)
40 FR 10885- 3/7/75

ARIZONA

STATEWIDE
Decision #AR-1008 (B,H,Hw)
39 FR 28773 - 8/9/74
Mod. #1 - 39 FR 33147 - 9/13/74
Mod. #2 - 39 FR 39903 - 10/4/74
Mod. #3 - 40 FR 2374 - 1/10/75
Mod. #4 - 40 FR 3081 - 1/17/75
Mod. #5 - 40 FR 6899 - 2/14/75

APACHE COUNTY
Decision #AZ75-5003 (R)
(Navajo and Hopi Indian
Reservations in Apache, Coconino and Navajo Cos.
40 FR 3868 - 1/24/75
(B,H,Hw) - See Statewide

COCHISE COUNTY
(B,H,Hw) - See Statewide

COCUINNO COUNTY
(B,H,Hw) - See Statewide

(R) - See Apache County

GILA COUNTY
(B,H,Hw) - See Statewide

GRAHAM COUNTY
(B,H,Hw) - See Statewide

GREENLEE COUNTY
(B,H,Hw) - See Statewide

MARICOPA COUNTY
(B,H,Hw) - See Statewide
Decision #AR-1009 (R)
39 FR 28781 - 8/9/74
Mod. #1 - 39 FR 31772 - 8/30/74
Mod. #2 - 39 FR 33148 - 9/13/74
Mod. #3 - 40 FR 2374 - 1/10/75
Mod. #4 - 40 FR 6899 - 2/14/75
Mod. #5 - 40 FR 7773 - 2/21/75

MOHAVE COUNTY
(B,H,Hw) - See Statewide

NAVAJO COUNTY
(B,H,Hw) - See Statewide
(R) - See Apache County

PIMA COUNTY
Decision #AR-1010 (R)
39 FR 28787 - 8/9/74
Mod. #1 - 39 FR 33148 - 9/13/74
Mod. #2 - 39 FR 2375 - 1/10/75
Mod. #3 - 40 FR 6900 - 2/14/75

PINAL COUNTY
(B,H,Hw) - See Statewide

SANTA CRUZ COUNTY
(B,H,Hw) - See Statewide

YAVAPAI COUNTY
(B,H,Hw) - See Statewide

YUMA COUNTY
(B,H,Hw) - See Statewide

STATEWIDE

Decision #AR-71 (Construction,
Alteration, and/or repair of
streets, highways, runways,
and Water & Sewer Utilities)
39 FR 40409 - 11/15/74
Decision #AR-4013 (D)
39 FR 27397 - 7/26/74

ARIZONA COUNTY

(H,Hw) - See Statewide
(D) - See Statewide
Decision #AR75-5032 (F)
40 FR 8707 - 2/28/75

ASHLEY COUNTY
(H,Hw) - See Statewide
(D) - See Statewide

BATER COUNTY
(F) - See Arkansas County

BENTON COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

BOONE COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

BRADLEY COUNTY
(H,Hw) - See Statewide
(D) - See Statewide

CALHOUN COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

CARROLL COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

CHICOT COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

ARKANSAS (CONT'D)

CLARK COUNTY
(H,Hw) (D) - See Statewide
(F) - See Arkansas County

CLAY COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

CLEGG COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

COLUMBIA COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

CONWAY COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

CRATER COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

CRAWFORD COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

CRITTENDEN COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

CROSS COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

DALLAS COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

DESSA COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd.)

DREW COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

FAULKNER COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

FRANKLIN COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

FULTON COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

GARLAND COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

GRANT COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

GREENE COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

HEMPSTEAD COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

HOT SPRING COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

HOWARD COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

INDEPENDENCE COUNTY
(H, Hw) (D) - See Statewide
(F) - See Arkansas County

IZARD COUNTY
(H, Hw) (D) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd.)

JACKSON COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

JEFFERSON COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

JOHNSON COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

LAFAYETTE COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

LAWRENCE COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

LEE COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

LINCOLN COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

LITTLE RIVER COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

LOGAN COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

LENOIRE COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

MADISON COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

MARION COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

ARKANSAS (Cont'd.)

MILLER COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

MISSISSIPPI COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

MONROE COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

NEWADA COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

NEWTON COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

OUACHITA COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

PERRY COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

PHILLIPS COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

PIKE COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

POINSETT COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

POLK COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

ARKANSAS (CONT'D)

POPE COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

PRAIRIE COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

PULASKI COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

RAVENDALE COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

ST. FRANCIS COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

SALLINE COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

SCOTT COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

SEARCY COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

SEBASTIAN COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

SEVIER COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

SHARP COUNTY
(H, Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

ARKANSAS (CONT'D.)

STONE COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
UNION COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
Decision #A875-4019 (B)
40 FR 3090 - 1/17/75
Mod. #1 - 40 FR 6900 - 2/14/75
VAN BUREN COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
WASHINGTON COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
WHITE COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
WOODRUFF COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County
YELL COUNTY
(H,Hw) - See Statewide
(D) - See Statewide
(F) - See Arkansas County

CALIFORNIA

ALAMEDA COUNTY
Decision #CA75-5015 (B,H,Hw,D)
40 FR 5989 - 2/7/75
Decision #5016 (B)
40 FR 6005 - 2/7/75
ALPINE COUNTY
(B,H,Hw,D) - See Alameda County
AMADOR COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
BUTTE COUNTY
(B,H,Hw,D) - Alameda County
CALAVERAS COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
COLUSA COUNTY
(B,H,Hw,D) - See Alameda County
CONTRA COSTA COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
DEL NORTE COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
ELDORADO COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
FRESNO COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
GLENN COUNTY
(B,H,Hw,D) - See Alameda County
HUMBOLDT COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
IMPERIAL COUNTY
Decision #CA75-5022 (B,D,H,Hw)
40 FR 8707 - 2/28/75
Decision #CA75-5023 (R)
40 FR 8717 - 2/28/75
INYO COUNTY
(B,H,Hw,D) - See Imperial County
KERN COUNTY
(B,H,Hw,D) - See Imperial County
(R) - See Imperial County

CALIFORNIA (Cont'd.)

KING COUNTY
(B,H,Hw,D) - See Alameda County
LAKE COUNTY
(B,H,Hw,D) - See Alameda County
LASSEN COUNTY
(B,H,Hw,D) - See Alameda County
LOS ANGELES COUNTY
(B,H,Hw,D) - See Imperial County
(R) - See Imperial County
MADERA COUNTY
(B,H,Hw,D) - See Alameda County
MARTIN COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
MARIPOSA COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
MENDOCINO COUNTY
(B,H,Hw,D) - See Alameda County
MERCED COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
MODOC COUNTY
(B,H,Hw,D) - See Alameda County
MODOC COUNTY
(B,H,Hw,D) - See Alameda County
MONTEZUMA COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
NAPA COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
NEVADA COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
ORANGE COUNTY
(B,H,Hw,D) - See Imperial County
(R) - See Imperial County
PLACER COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
PLUMAS COUNTY
(B,H,Hw,D) - See Alameda County
RIVERSIDE COUNTY
(B,H,Hw,D) - See Imperial County
(R) - See Imperial County
SACRAMENTO COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
SAN BENITO COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
SAN BERNARDINO COUNTY
(B,H,Hw,D) - See Imperial County
(R) - See Imperial County
SAN DIEGO COUNTY
Decision #CA75-5020 (B,H,Hw,D)
40 FR 6916 - 2/14/75
Mod. #1 - 40 FR 10871 - 3/7/75

CALIFORNIA (Cont'd.)

SAN DIEGO COUNTY (Cont'd.)
Decision #CA75-5021 (R)
40 FR 6922 - 2/14/75
Mod. #1 - 40 FR 10871 - 3/7/75
SAN FRANCISCO COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
SAN JUAQUIN COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
SAN LUIS OBISPO COUNTY
(B,H,Hw,D) - See Imperial County
(R) - See Imperial County
SAN MATEO COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
SANTA BARBARA COUNTY
(B,H,Hw,D) - See Imperial County
(R) - See Imperial County
SANTA CLARA COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
SHASTA COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
SIERRA COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
SISKIYOU COUNTY
(B,H,Hw,D) - See Alameda County
SOLANO COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
SONOMA COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
STANISLAUS COUNTY
(B,H,Hw,D) - See Alameda County
SUTTER COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
TEHAMA COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
TRINITY COUNTY
(B,H,Hw,D) - See Alameda County
TULARE COUNTY
(B,H,Hw,D) - See Alameda County
TUOLUMNE COUNTY
(B,H,Hw,D) - See Alameda County
(R) - See Alameda County
VENTURA COUNTY
(B,H,Hw,D) - See Imperial County
(R) - See Imperial County

CALIFORNIA (Cont'd)

YOLO COUNTY
(B, H, Hw, D) - See Alameda County
(R) - See Alameda County

YUBA COUNTY
(B, H, Hw, D) - See Alameda County
(R) - See Alameda County

COLORADO

STATEWIDE
Decision #88-1022 (Hw)
39 FR 30673 - 8/23/74
Mod. #1 - 34910 - 9/27/74
Mod. #2 - 39 FR 38800 - 11/1/74

ADAMS COUNTY
Decision #0075-5007 (B, H)
40 FR 4792 - 1/31/75
(Hw) - See Statewide
Decision #40-1099 (R)
39 FR 14123 - 4/19/74

ALAMOSA COUNTY
(Hw) - See Statewide

APPALACHE COUNTY
(Hw) - See Statewide
(B, H) - See Adams County
(R) - See Adams County

ARCHULETA COUNTY
(Hw) - See Statewide

BACA COUNTY
(Hw) - See Statewide

BENT COUNTY
(Hw) - See Statewide

BOULDER COUNTY
(Hw) - See Statewide
(B, H) - See Adams County

CHAFFEE COUNTY
(Hw) - See Statewide

CHEYENNE COUNTY
(Hw) - See Statewide

COLORADO (cont'd)

CLEAR CREEK
(B, H) - See Adams County
(Hw) - See Statewide

CONEJOS COUNTY
(Hw) - See Statewide

COSTILLA COUNTY
(Hw) - See Statewide

CROWLEY COUNTY
(Hw) - See Statewide

CUSTER COUNTY
(Hw) - See Statewide

DELTA COUNTY
Decision #0075-5030 (B, H)
40 FR 8730 - 2/28/75
(Hw) - See Statewide

DENVER COUNTY
(Hw) - See Statewide

(Hw) - See Statewide

(B, H) - See Adams County
(R) - See Adams County

DOLORES COUNTY
(Hw) - See Statewide

DOUGLAS COUNTY
(Hw) - See Statewide
(B, H) - See Adams County

EAGLE COUNTY
(Hw) - See Statewide

ELBERT COUNTY
(Hw) - See Statewide
(B, H) - See Adams County

EL PASO COUNTY
(Hw) - See Statewide
Decision #0075-5009 (B, H)
40 FR 3669 - 1/24/75

FREMONT COUNTY
(Hw) - See Statewide

GARFIELD COUNTY
(B, H) - See Delta County
(Hw) - See Statewide

GILPIN COUNTY
(B, H) - See Adams County
(Hw) - See Statewide

GRAND COUNTY
(B, H) - See Adams County
(Hw) - See Statewide

GUNNISON COUNTY
(B, H) - See Delta County
(Hw) - See Statewide

HINDSDALE COUNTY
(Hw) - See Statewide

HIERFORD COUNTY
(Hw) - See Statewide

JACKSON COUNTY
(Hw) - See Statewide

COLORADO (Cont'd)

JEFFERSON COUNTY
(Hw) - See Statewide
(B, H) - See Adams County
(R) - See Adams County

KIOWA COUNTY
(Hw) - See Statewide

KIT CARSON COUNTY
(Hw) - See Statewide

LAKE COUNTY
(B, H) - See Adams County
(Hw) - See Statewide

LA PLATA COUNTY
(Hw) - See Statewide

LARIMER COUNTY
(B, H) - See Adams County
(Hw) - See Statewide

LAS ANIMAS COUNTY
Decision #0075-5027 (B, H)
40 FR 8724 - 2/28/75
(Hw) - See Statewide

LIMCOLON COUNTY
(Hw) - See Statewide

LOGAN COUNTY
(Hw) - See Statewide

MESA COUNTY
(B, H) - See Delta County
(Hw) - See Statewide

MINERAL COUNTY
(Hw) - See Statewide

MOFFAT COUNTY
(Hw) - See Statewide

MONTEZUMA COUNTY
(Hw) - See Statewide

MONTEZUMA COUNTY
(Hw) - See Statewide

MONTEZUMA COUNTY
(B, H) - See Delta County
(Hw) - See Statewide

MORGAN COUNTY
(B, H) - See Adams County
(Hw) - See Statewide

OTERO COUNTY
(B, H) - See Las Animas County
(Hw) - See Statewide

OURAY COUNTY
(Hw) - See Statewide

PARK COUNTY
(B, H) - See Adams County
(Hw) - See Statewide

PHILLIPS COUNTY
(Hw) - See Statewide

PITKIN COUNTY
(B, H) - See Delta County
(Hw) - See Statewide

PROMERS COUNTY
(Hw) - See Statewide

PUEBLO COUNTY
(Hw) - See Statewide
(B, H) - See Las Animas County

COLORADO (Cont'd)

RIO BLANCO COUNTY
(Hw) - See Statewide

RIO GRANDE COUNTY
(Hw) - See Statewide

RODUTT COUNTY
(Hw) - See Statewide

SAGUACHE COUNTY
(Hw) - See Statewide

SAN JUAN COUNTY
(Hw) - See Statewide

SAN MIGUEL COUNTY
(Hw) - See Statewide

SEDMICK COUNTY
(Hw) - See Statewide

SUMMIT COUNTY
(B, H) - See Adams County
(Hw) - See Statewide

TELLER COUNTY
(Hw) - See Statewide

WASHINGTON COUNTY
(Hw) - See Statewide

WELD COUNTY
(B, H) - See Adams County
(Hw) - See Statewide

YUMA COUNTY
(Hw) - See Statewide

CONNECTICUT

FAIRFIELD COUNTY
 Decision #AR-3094 (B,H,Hw,R)
 39 FR 29730 - 8/16/74
 Mod. #1 - 39 FR 31773 - 8/30/74
 Mod. #2 - 39 FR 35904 - 10/4/74
 Mod. #3 - 39 FR 43458 - 12/13/74
 Mod. #4 - 39 FR 44153 - 12/20/74
 Decision #NY75-3010 (D)
 40 FR 3681 - 1/24/75

HARTFORD COUNTY
 Decision #AR-3095 (B,H,Hw)
 39 FR 29735 - 8/16/74
 Mod. #1 - 39 FR 31773 - 8/30/74
 Mod. #2 - 39 FR 35904 - 10/4/74
 Mod. #3 - 39 FR 41109 - 11/22/74
 Decision #AQ-3096 (R)
 39 FR 5961 - 2/15/74

LITCHFIELD COUNTY
 (D) - See Fairfield County
 Decision #AR-3096 (B,H,Hw,R)
 39 FR 29739 - 8/16/74
 Mod. #1 - 39 FR 31773 - 8/30/74
 Mod. #2 - 39 FR 35904 - 10/4/74
 Mod. #3 - 39 FR 41109 - 11/22/74

MIDDLESEX COUNTY
 Decision #AR-3097 (B,H,Hw)
 39-FR 29743 - 8/16/74
 Mod. #1 - 39 FR 31773 - 8/30/74
 Mod. #2 - 39 FR 35904 - 10/4/74
 Mod. #3 - 41109 - 11/22/74
 (D) - See Fairfield County

NEW HAVEN COUNTY
 Decision #AR-3098 (B,H,Hw)
 39 FR 29747 - 8/16/74
 Mod. #1 - 39 FR 31773 - 8/30/74
 Mod. #2 - 39 FR 35905 - 10/4/74
 (D) - See Fairfield County

NEW LONDON COUNTY
 Decision #AR-3099 (B,H,Hw,R)
 39 FR 29752 - 8/16/74
 Mod. #1 - 39 FR 31773 - 8/30/74
 Mod. #2 - 39 FR 35905 - 10/4/74
 Mod. #3 - 39 FR 41109 - 11/22/74
 (D) - See Fairfield County

TOLLAND COUNTY
 Decision #AR-3100 (B,H,Hw)
 39 FR 29756 - 8/16/74
 Mod. #1 - 39 FR 31773 - 8/30/74
 Mod. #2 - 39 FR 35905 - 10/4/74
 Mod. #3 - 39 FR 41109 - 11/22/74

WINDHAM COUNTY
 Decision #AR-3101 (B,H,Hw,R)
 39 FR 29760 - 8/16/74
 Mod. #1 - 39 FR 31773 - 8/30/74
 Mod. #2 - 39 FR 35906 - 10/4/74
 Mod. #3 - 39 FR 41109 - 11/22/74

FLORIDA

ALACHUA COUNTY
 Decision #AR-4026 (B)
 39 FR 31791 - 8/30/74
 Mod. #1 - 39 FR 38080 - 10/25/74
 Mod. #2 - 39 FR 40404 - 11/15/74
 Mod. #3 - 40 FR 77774 - 2/21/75
 Decision #AQ-4031 (Hw)
 38 FR 31052 - 11/9/73

BAKER COUNTY
 Decision #AQ-4004 (Hw)
 38 FR 22841 - 8/24/73

BAY COUNTY
 Decision #FL75-1012 (B)
 40 FR 4805 - 1/31/75
 Decision #AR-4013 (D)
 39 FR 27397 - 7/26/74
 Decision #AQ-4030 (Hw)
 38 FR 29727 - 10/26/73
 Mod. #1 - 38 FR 31098 - 11/9/73

BRADFORD COUNTY
 (Hw) - See Alachua County

BREVARD COUNTY (Cape Kennedy
 Kennedy Space Flight Center &
 Patrick AFB only)
 Decision #AQ-4121 (B,H,Hw)
 Hw 39 FR 20300 - 6/7/74
 Mod. #1 - 39 FR 38080 - 10/25/74
 Mod. #2 - 40 FR 8694 - 2/28/75
 Decision #AR-4068 (D)
 39 FR 44915 - 12/27/74
 (Remainder of County)

BROWARD COUNTY
 Decision #AQ-4003 (Hw)
 38 FR 22841 - 8/24/73
 Decision #FL75-1011 (B,H)
 40 FR 3886 - 1/24/75
 Mod. #1 - 40 FR 8694 - 2/28/75
 (D) - See Brevard County

CALHOUN COUNTY
 (Hw) - See Bay County

CHARLOTTE COUNTY
 Decision #AQ-4019 (Hw)
 38 FR 27703 - 10/5/73
 (D) - See Brevard County

CITRUS COUNTY
 Decision #AR-4000 (R)
 38 FR 24775 - 7/5/74
 Mod. #1 - 39 FR 36711 - 10/11/74
 Decision #AQ-4039 (Hw)
 38 FR 33203 - 11/30/73
 (D) - See Brevard County

CLAY COUNTY
 (Hw) - See Baker County

COLLIER COUNTY
 (D) - See Brevard County
 (Hw) - See Charlotte County

FLORIDA (cont'd)

COLUMBIA COUNTY
 (Hw) - See Alachua County

DADE COUNTY
 Decision #FL75-1018 (B)
 40 FR 6018 - 2/7/75
 Decision #AR-4050 (B)
 39 FR 38077 - 10/25/74
 Mod. #1 - 39 FR 40404 - 11/15/74
 (D) - See Brevard County
 (Hw) - See Broward County

DESOTO COUNTY
 Decision #AR-4065 (R)
 39 FR 43468 - 12/13/74
 Decision #AQ-4017 (Hw)
 38 FR 27718 - 10/5/73

DIXIE COUNTY
 (D) - See Brevard County
 (Hw) - See Alachua County

DUVAL COUNTY
 Decision #FL75-1016 (B)
 40 FR 4807 - 1/31/75
 (D) - See Brevard County
 (Hw) - See Baker County

ESCAMBIA COUNTY
 Decision #FL75-1021 (B)
 40 FR 7801 - 2/21/75
 Decision #AP-178 (R)
 38 FR 11259 - 5/4/73
 Mod. #1 - 39 FR 15604 - 5/3/74
 (D) - See Bay County
 Decision #FL75-1030 (Hw)
 40 FR 10891 - 3/7/75

FLAGLER COUNTY
 (D) - See Brevard County
 (Hw) - See Baker County

FRANKLIN COUNTY
 (D) - See Bay County
 (Hw) - See Bay County

GAUSSEEN COUNTY
 Decision #AP-179 (R)
 38 FR 11260 - 5/4/73
 Mod. #1 - 39 FR 15604 - 5/3/74
 (Hw) - See Bay County

GILCHRIST COUNTY
 (Hw) - See Alachua County

GLADES COUNTY
 (Hw) - See Charlotte County

GULF COUNTY
 (D) - See Bay County
 (Hw) - See Bay County

HAMILTON COUNTY
 (Hw) - See Alachua County

HARDEE COUNTY
 (R) - See Desoto County
 (Hw) - See Desoto County

HENDRY COUNTY
 (Hw) - See Charlotte County

FLORIDA (Cont'd.)

HERNANDO COUNTY
(Hw) - See Citrus County
(R) - See Citrus County
(D) - See Brevard County
HIGHLANDS COUNTY
(Hw) - See DeSoto County
(Hw) - See DeSoto County
HILLSBOROUGH COUNTY
Decision #FL75-1010 (B)
40 FR 3084 - 1/24/75
Decision #40-4018 (Hw)
38 FR 27703 - 10/5/73
(D) - See Brevard County
(R) - See Citrus County
HOLMES COUNTY
(Hw) - See Bay County
(Hw) - See Bay County
INDIAN RIVER COUNTY
(D) - See Brevard County
(Hw) - See Brevard Co. (Remainder of Co.)
JACKSON COUNTY
(Hw) - See Bay County
JEFFERSON COUNTY
(D) - See Bay County
(R) - See Gadsden County
(Hw) - See Bay County
LAFAYETTE COUNTY
(Hw) - See Alachua County
LAKE COUNTY
Decision #AR-4033 (R)
39 FR 33157 - 9/13/74
Mod. #1 - 39 FR 34910 - 9/27/74
Mod. #2 - 40 FR 7774 - 2/21/75
(Hw) - See Brevard Co. (Remainder of Co.)
LEE COUNTY
(D) - See Brevard County
(Hw) - See Charlotte County
LEON COUNTY
Decision #AR-4028 (B)
39 FR 31795 - 8/30/74
(Hw) - See Bay County
(R) - See Gadsden County
LEVY COUNTY
(D) - See Brevard County
(Hw) - See Citrus County
LIBERTY COUNTY
(Hw) - See Bay County
MADISON COUNTY
(R) - See Gadsden County
(Hw) - See Alachua County
MANATEE COUNTY
(D) - See Brevard County
(Hw) - See Hillsborough County
MARLON COUNTY
(Hw) - See Citrus County
MARTIN COUNTY
Decision #AQ-4092 (B)
39 FR 10953 - 3/22/74
Mod. #1 - 39 FR 17652 - 5/17/74
Mod. #2 - 39 FR 26558 - 7/19/74
(D) - See Brevard County
(Hw) - See Brevard County

FLORIDA (cont'd.)

MONROE COUNTY
(D) - See Brevard County
(Hw) - See Broward County
NASSAU COUNTY
(D) - See Brevard County
(Hw) - See Baker County
OKALOOSA COUNTY
(B) - See Escambia County
(D) - See Bay County
(Hw) - See Escambia County
Decision #AP-180 (R)
38 FR 11260 - 5/4/73
Mod. #1 - 39 FR 15604 - 5/3/74
OKECHOBEE COUNTY
(Hw) - See DeSoto County
ORANGE COUNTY
Decision #FL75-1009 (B)
40 FR 3882 - 1/24/75
(Hw) - See Brevard Co. (Remainder of Co.)
OSCEOLA COUNTY
(R) - See Lake County
(Hw) - See Brevard Co. (Remainder of Co.)
PALM BEACH COUNTY
(D) - See Brevard County
(B) - See Martin County
(Hw) - See Broward County
PASCO COUNTY
(D) - See Brevard County
(Hw) - See Hillsborough County
PINELLAS COUNTY
Decision #AQ-4100 (B)
39 FR 13425 - 4/12/74
Mod. #1 - 39 FR 26558 - 7/19/74
(D) - See Brevard County
(Hw) - See Hillsborough County
(R) - See Citrus County
POLK COUNTY
(Hw) - See DeSoto County
(R) - See DeSoto County
PUTNAM COUNTY
(D) - See Baker County
(Hw) - See Baker County
ST. LUCIE COUNTY
(D) - See Brevard County
(Hw) - See Broward County
SANTA ROSA COUNTY
(B) - See Escambia County
(D) - See Bay County
(Hw) - See Escambia County
(R) - See Okaloosa County

FLORIDA (Cont'd.)

SARASOTA COUNTY
(D) - See Brevard County
(Hw) - See Hillsborough County
SEMINOLE COUNTY
(Hw) - See Brevard Co. (Remainder of Co.)
(R) - See Lake County
SUMNER COUNTY
(Hw) - See Citrus County
(R) - See Citrus County
SUMNER COUNTY
(Hw) - See Alachua County
TAYLOR COUNTY
(D) - See Brevard County
(R) - See Gadsden County
(Hw) - See Alachua County
UNION COUNTY
(Hw) - See Alachua County
VOLUNIA COUNTY (Except Cape Kennedy, Kennedy Space Flight Center & Patrick Air Force Base only and including Melabar Radar Site)
Decision #AR-4001 (B)
39 FR 24776 - 7/5/74
Mod. #1 - 39 FR 26558 - 7/19/74
Mod. #2 - 39 FR 27391 - 7/26/74
Mod. #3 - 39 FR 31774 - 8/30/74
Mod. #4 - 40 FR 5972 - 2/7/75
(B,H,Hw) - See Brevard Co. (Cape Kennedy, Etc.)
(D) - See Brevard County
(Hw) - See Brevard County (Remainder of Co.)
WAKULLA COUNTY
(D) - See Bay County
(Hw) - See Bay County
WALTON COUNTY
(B) - See Escambia County
(D) - See Bay County
(Hw) - See Bay County
(R) - See Okaloosa County
WASHINGTON COUNTY
(Hw) - See Bay County

GEORGIA (Cont'd.)

BAKER COUNTY
Decision #AQ-4085 (R)
39 FR 10067 - 3/15/74
Mod. #1 - 40 FR 3083 - 1/17/75
(Hw) - See Statewide
BALDWIN COUNTY
(Hw) - See Statewide
BANKS COUNTY
(Hw) - See Statewide
BARROW COUNTY
Decision #AQ-4108 (R)
39 FR 14841 - 4/26/74
(Hw) - See Statewide
BARTOW COUNTY
(Hw) - See Statewide
BEN HILL COUNTY
(Hw) - See Statewide
BERKLEY COUNTY
(Hw) - See Statewide
BIBB COUNTY
(Hw) - See Statewide
BLECKLEY COUNTY
(Hw) - See Statewide
BRANTLEY COUNTY
(Hw) - See Statewide
BROOKS COUNTY
(Hw) - See Statewide
BROWN COUNTY
(Hw) - See Statewide
Decision #AQ-4085 (R)
40 FR 3094 - 1/17/75
Decision #AQ-4085 (R)
39 FR 3394 - 1/25/74
BULLOCH COUNTY
(R) - See Bryan County
(Hw) - See Statewide
BURKE COUNTY
Decision #AQ-4085 (R)
39 FR 9333 - 3/8/74
(Hw) - See Statewide
BUTTS COUNTY
(Hw) - See Statewide
CALHOUN COUNTY
(Hw) - See Statewide
(R) - See Baker County
CANNON COUNTY
(D) - See Bryan County
(Hw) - See Statewide
Candler County
(Hw) - See Statewide
CARROLL COUNTY
(Hw) - See Statewide
CATOOSA COUNTY
(Hw) - See Statewide
(Hw) - See Statewide

GEORGIA

STATEWIDE
Decision #AR-4038 (Hw)
39 FR 34984 - 9/27/74
Mod. #1 - 39 FR 36711 - 10/11/74
APPLING COUNTY
(Hw) - See Statewide
ATKINSON COUNTY
(Hw) - See Statewide
BACON COUNTY
(Hw) - See Statewide

GEORGIA (Cont'd.)

POLK COUNTY
(Hw) - See Statewide
PULASKI COUNTY
(Hw) - See Statewide
PUTNAM COUNTY
(Hw) - See Statewide
QUITMAN COUNTY
(Hw) - See Statewide
(R) - See Baker County
RABUN COUNTY
(Hw) - See Statewide
RANDOLPH COUNTY
(Hw) - See Statewide
(R) - See Baker County
RICHMOND COUNTY
Decision #6A75-1005 (B)
40 FR 3091 - 1/17/75
Mod. #1 - 40 FR 6500 - 2/14/75
(Hw) - See Statewide
(R) - See Burke County
ROCKDALE COUNTY
(Hw) - See Statewide
SCHLEY COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
SARVEN COUNTY
(Hw) - See Statewide
SERINGOLE COUNTY
(Hw) - See Statewide
(R) - See Baker County
SPALDING COUNTY
(Hw) - See Statewide
STEPHENS COUNTY
(Hw) - See Statewide
STEWART COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
SUMNER COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
TALBOT COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
TALMADGE COUNTY
(Hw) - See Statewide
(R) - See Burke County
TATTNALL COUNTY
(Hw) - See Statewide
(R) - See Statewide
TAYLOR COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
TELFAIR COUNTY
(Hw) - See Statewide
(R) - See Baker County
THOMAS COUNTY
(Hw) - See Statewide

GEORGIA (Cont'd.)

TIFT COUNTY
(Hw) - See Statewide
TOOMBS COUNTY
(Hw) - See Statewide
TOWNS COUNTY
(Hw) - See Statewide
TREUTLEN COUNTY
(Hw) - See Statewide
TROUP COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
TURNER COUNTY
(Hw) - See Statewide
TWIGGS COUNTY
(Hw) - See Statewide
UNION COUNTY
(Hw) - See Statewide
UPSON COUNTY
(Hw) - See Statewide
WALKER COUNTY
(Hw) - See Statewide
WALTON COUNTY
(Hw) - See Statewide
(R) - See Barron County
WADE COUNTY
Decision #6A75-1008 (B)
40 FR 3093 - 1/17/75
(R) - See Charlton County
(Hw) - See Statewide
WARREN COUNTY
(Hw) - See Statewide
(R) - See Burke County
WASHINGTON COUNTY
(Hw) - See Statewide
(R) - See Burke County
WAYNE COUNTY
(Hw) - See Statewide
WEBSTER COUNTY
(Hw) - See Statewide
(R) - See Chattahoochee County
WHEELER COUNTY
(Hw) - See Statewide
WHITE COUNTY
(Hw) - See Statewide
WHITEFIELD COUNTY
(Hw) - See Statewide
WILCOX COUNTY
(Hw) - See Statewide
WILKES COUNTY
(R) - See Burke County
(Hw) - See Statewide
WILKINSON COUNTY
(Hw) - See Statewide
WORTH COUNTY
(Hw) - See Statewide

GUAM

Decision #AR-1029 (B,H,Hw,R)
39 FR 32448 - 9/5/74

HAWAII

Decision #H175-5002 (B,H,R,Hw,D)
40 FR 38688 - 1/24/75

IDAHO

STATEWIDE
Decision #1075-5024 (B,H,Hw)
40 FR 7803 - 2/21/75
ADA COUNTY
Decision #AQ-1029 (R)
38 FR 24513 - 9/7/73
Mod. #1 - 38 FR 26543 - 9/21/73
(B,H,Hw) - See Statewide
ADAMS COUNTY
(B,H,Hw) - See Statewide
BAINBRIDGE COUNTY
(B,H,Hw) - See Statewide
BEAR LAKE COUNTY
(B,H,Hw) - See Statewide
BENEMAH COUNTY
(B,H,Hw) - See Statewide
BINGHAM COUNTY
(B,H,Hw) - See Statewide
BLAINE COUNTY
(B,H,Hw) - See Statewide
BOISE COUNTY
(B,H,Hw) - See Statewide
BONNER COUNTY
(B,H,Hw) - See Statewide
BONNEVILLE COUNTY
(B,H,Hw) - See Statewide
BOUNDARY COUNTY
(B,H,Hw) - See Statewide
BUTTE COUNTY
(B,H,Hw) - See Statewide
CAMAS COUNTY
(B,H,Hw) - See Statewide
CANYON COUNTY
(B,H,Hw) - See Statewide
CARIBOO COUNTY
(B,H,Hw) - See Statewide
CASSIA COUNTY
(B,H,Hw) - See Statewide
CLARK COUNTY
(B,H,Hw) - See Statewide
CLEARWATER COUNTY
(B,H,Hw) - See Statewide
CUSTER COUNTY
(B,H,Hw) - See Statewide
ELMORE COUNTY
(B,H,Hw) - See Statewide
FRANKLIN COUNTY
(B,H,Hw) - See Statewide

NOTICES

INDIANA (Cont'd)

FREMONT COUNTY (B, H, Hw) - See Statewide
 GEN COUNTY (B, H, Hw) - See Statewide
 GOODING COUNTY (B, H, Hw) - See Statewide
 IDAHO COUNTY (B, H, Hw) - See Statewide
 JEFFERSON COUNTY (B, H, Hw) - See Statewide
 JEROME COUNTY (B, H, Hw) - See Statewide
 KOOTENAI COUNTY (B, H, Hw) - See Statewide
 LATAH COUNTY (B, H, Hw) - See Statewide
 LENHI COUNTY (B, H, Hw) - See Statewide
 LEWIS COUNTY (B, H, Hw) - See Statewide
 LINCOLN COUNTY (B, H, Hw) - See Statewide
 MADISON COUNTY (B, H, Hw) - See Statewide
 MIMIDOKA COUNTY (B, H, Hw) - See Statewide
 NEZ PERCE COUNTY (B, H, Hw) - See Statewide
 ONEIDA COUNTY (B, H, Hw) - See Statewide
 OWYHEE COUNTY (B, H, Hw) - See Statewide
 PAYETTE COUNTY (B, H, Hw) - See Statewide
 POWER COUNTY (B, H, Hw) - See Statewide
 SAGHORE COUNTY (B, H, Hw) - See Statewide
 TETON COUNTY (B, H, Hw) - See Statewide
 TWIN FALLS COUNTY (B, H, Hw) - See Statewide
 VALLEY COUNTY (B, H, Hw) - See Statewide
 WASHINGTON COUNTY (B, H, Hw) - See Statewide

ILLINOIS

ADAMS COUNTY Decision #AR-3059 (H, Hw) 39 FR 28030 - 8/2/74 Mod. #1 - 40 FR 3861 - 1/24/75
 ALEXANDER COUNTY Decision #AR-3062 (H, Hw) 39 FR 28041 - 8/2/74 Mod. #1 - 40 FR 3862 - 1/24/75
 BOND COUNTY Decision #IL75-2036 (D) 40 FR 6023 - 2/7/75
 BROWN COUNTY Decision #IL75-2015 (H, Hw) 40 FR 6927 - 2/14/75
 BUREAU COUNTY Decision #AR-3055 (H, Hw) 39 FR 28014 - 8/2/74 Mod. #1 - 39 FR 33148 - 9/13/74 Mod. #2 - 39 FR 44904 - 12/27/74
 CALHOUN COUNTY Decision #AR-3056 (H, Hw) 39 FR 28018 - 8/2/74 Mod. #1 - 40 FR 925 - 1/3/75
 CASS COUNTY (H, Hw) - See Bond County
 CARROLL COUNTY (D) - See Alexander County
 CASS COUNTY (H, Hw) - See Bureau County
 CHAMPAIGN COUNTY (H, Hw) - See Adams County (D) - See Alexander County
 CHRISTIAN COUNTY Decision #AR-3170 (B) 39 FR 40421 - 1/15/74 Decision #AR-3058 (H, Hw) 39 FR 28027 - 8/2/74 Mod. #1 - 39 FR 3665 - 8/23/74 Mod. #2 - 40 FR 3084 - 1/17/75
 CLARK COUNTY (H, Hw) - See Champaign County
 CLAY COUNTY Decision #AR-3060 (H, Hw) 39 FR 28033 - 8/2/74 Mod. #1 - 40 FR 3661 - 1/24/75
 CLINTON COUNTY (H, Hw) - See Bond County
 COLES COUNTY (H, Hw) - See Champaign County
 COOK COUNTY Decision #AR-3064 (B, H, Hw, R) 39 FR 28500 - 8/9/74 Mod. #1 - 39 FR 42806 - 12/16/74

ILLINOIS

COOK COUNTY (Cont'd) Decision #AQ-3095 (D) 39 FR 5982 - 2/15/74 Mod. #1 - 39 FR 44161 - 12/20/74
 CRAWFORD COUNTY (H, Hw) - See Clay County
 CUMBERLAND COUNTY (H, Hw) - See Champaign County
 DEKALB COUNTY (H, Hw) - See Boone County
 DEWITT COUNTY (B) - See Christian County (H, Hw) - See Champaign County
 DOUGLAS COUNTY (H, Hw) - See Champaign County
 DU PAGE COUNTY Decision #AR-3168 (S, R) 39 FR 40424 - 11/15/74 (H, Hw) - See Boone County
 EDGAR COUNTY (H, Hw) - See Champaign County
 EDWARDS COUNTY (H, Hw) - See Clay County
 EFFINGHAM COUNTY (H, Hw) - See Clay County
 FAYETTE COUNTY (H, Hw) - See Clay County
 FORD COUNTY Decision #IL75-2001 (H, Hw) 40 FR 934 - 1/3/75
 FRANKLIN COUNTY (H, Hw) - See Alexander County
 FULTON COUNTY Decision #AQ-3057 (H, Hw) 39 FR 28022 - 8/2/74 Mod. #1 - 40 FR 3084 - 1/17/75
 GALLATIN COUNTY (H, Hw) - See Alexander County (D) - See Alexander County
 GREENE COUNTY (H, Hw) - See Bond County (D) - See Alexander County
 GRUNDY COUNTY (H, Hw) - See Ford County
 HAMILTON COUNTY (H, Hw) - See Clay County
 HANCOCK COUNTY (H, Hw) - See Fulton County
 HARRIS COUNTY (H, Hw) - See Alexander County (D) - See Alexander County
 HENDERSON COUNTY (H, Hw) - See Fulton County
 HENRY COUNTY (H, Hw) - See Bureau County
 IROQUOIS COUNTY (H, Hw) - See Ford County
 JACKSON COUNTY (D) - See Alexander County

ILLINOIS (Cont'd)

JASPER COUNTY (H, Hw) - See Clay County
 JEFFERSON COUNTY (H, Hw) - See Clay County
 JERSEY COUNTY (H, Hw) - See Bond County (D) - See Alexander County
 JOHNSON COUNTY (H, Hw) - See Bureau County
 KANE COUNTY (B, R) - See Du Page County (H, Hw) - See Boone County
 KANKAKEE COUNTY (H, Hw) - See Ford County
 KENDALL COUNTY (H, Hw) - See Boone County
 KNOX COUNTY (H, Hw) - See Fulton County
 LAKE COUNTY (B, R) - See Du Page County (D) - See Cook County
 LA SALLE COUNTY (H, Hw) - See Boone County (B) - See Bureau County (H, Hw) - See Ford County
 LAWRENCE COUNTY (H, Hw) - See Clay County
 LEE COUNTY (H, Hw) - See Bureau County
 LIVINGSTON COUNTY (B) - See Bureau County (H, Hw) - See Ford County
 LOGAN COUNTY (H, Hw) - See Adams County
 MCDONOUGH COUNTY (H, Hw) - See Fulton County
 MCHENRY COUNTY (H, Hw) - See Champaign County
 MCLEAN COUNTY (H, Hw) - See Ford County
 MACON COUNTY (B) - See Christian County (H, Hw) - See Champaign County
 MACAUPIN COUNTY (H, Hw) - See Bond County
 MADISON COUNTY Decision #IL75-2016 (B, R) 40 FR 6931 - 2/14/75 (H, Hw) - See Bond County

ILLINOIS (Cont'd)

MARION COUNTY (H,Hw) - See Clay County
 MARSHALL COUNTY (B) - See Bureau County
 (H,Hw) - See Ford County
 MASON COUNTY (H,Hw) - See Adams County
 MASSAC COUNTY (H,Hw) - See Alexander County
 MENDOTA COUNTY (H,Hw) - See Adams County
 MERGER COUNTY (H,Hw) - See Fulton County
 MONROE COUNTY (D) - See Bond County
 MONTGOMERY COUNTY (H,Hw) - See Bond County
 MORGAN COUNTY (H,Hw) - See Adams County
 (B) - See Alexander County
 MOULTRIE COUNTY (H,Hw) - See Champaign County
 OGLE COUNTY (H,Hw) - See Bureau County
 PEDRIA COUNTY Decision #48-3069 (B,R,D)
 39 FR 28813 - 8/9/74
 Mod. #1 - FR 42806 - 12/6/74
 (H,Hw) - See Fulton County
 PERRY COUNTY (H,Hw) - See Alexander County
 PIATT COUNTY (B) - See Christian County
 (H,Hw) - See Champaign County
 PIKE COUNTY (H,Hw) - See Adams County
 (D) - See Alexander County
 POPE COUNTY (H,Hw,D) - See Alexander County
 PULASKI COUNTY (H,Hw,D) - See Alexander County
 PITTMAN COUNTY (B) - See Bureau County
 (H,Hw) - See Ford County
 RANDOLPH COUNTY (H,Hw,D) - See Alexander County
 RICHLAND COUNTY (H,Hw) - See Clay County
 ROCK ISLAND COUNTY Decision #AR-3175 (B)
 39 FR 43469 - 12/13/74
 (H,Hw) - See Bureau County
 SAINT CLAIR COUNTY (B,R) - See Madison County
 (H,Hw) - See Bond County
 (D) - See Alexander County

ILLINOIS (Cont'd)

SALINE COUNTY (H,Hw) - See Alexander County
 SANGAMON COUNTY Decision #AR-3072 (B,R)
 39 FR 28822 - 8/9/74
 Mod. #1 - 39 FR 43459 - 12/13/74
 (H,Hw) - See Adams County
 SCHUYLER COUNTY (H,Hw) - See Adams County
 SCOTT COUNTY (H,Hw) - See Adams County
 (D) - See Alexander County
 SHELBY COUNTY (H,Hw) - See Christian County
 (B) - See Champaign County
 STARK COUNTY (H,Hw) - See Fulton County
 STEPHENSON COUNTY (H,Hw) - See Bureau County
 TAZEWELL COUNTY (B,R,D) - See Peoria County
 (H,Hw) - See Fulton County
 UNION COUNTY (H,Hw,D) - See Alexander County
 VERMILION COUNTY (H,Hw) - See Champaign County
 (B) - See Champaign County
 WABASH COUNTY (H,Hw) - See Clay County
 WARREN COUNTY (H,Hw) - See Fulton County
 WASHINGTON COUNTY (H,Hw) - See Bond County
 WAYNE COUNTY (H,Hw) - See Clay County
 WHITE COUNTY (H,Hw) - See Clay County
 WITTEWIDE COUNTY (H,Hw) - See Bureau County
 WILL COUNTY (B,R) - See Du Page County
 (H,Hw) - See Boone County
 WILLIAMSON COUNTY Decision #IL79-2043 (B)
 40 FR 8736 - 2/28/75
 (H,Hw) - See Alexander County
 WINNEBAGO COUNTY Decision #IL75-2044 (B)
 40 FR 10893 - 3/7/75
 (H,Hw) - See Bureau County
 WOODFORD COUNTY (H,Hw) - See Ford County

INDIANA

ADAMS COUNTY Decision #IN75-2037 (H,Hw)
 40 FR 7814 - 2/21/75
 ALLEN COUNTY Decision #IN75-2017 (B)
 40 FR 6024 - 2/7/75
 Mod. #1 - 40 FR 10871 - 3/7/75
 Decision #AQ-3000 (R)
 39 FR 22341 - 8/17/73
 (H,Hw) - See Adams County
 BARTHOLOMEW COUNTY Decision #IN75-2018 (B)
 40 FR 4809 - 1/31/75
 Mod. #1 - 40 FR 10871 - 3/7/75
 Decision #IN75-2046 (H,Hw)
 40 FR 7831 - 2/21/75
 BENTON COUNTY Decision #IN75-2019 (B)
 40 FR 6027 - 2/7/75
 Mod. #1 - 40 FR 10871 - 3/7/75
 Decision #IN75-2038 (H,Hw)
 40 FR 7820 - 2/21/75
 BLACKFORD COUNTY Decision #IN75-2039 (H,Hw)
 40 FR 7824 - 2/21/75
 BOONE COUNTY Decision #P-668 (R)
 38 FR 13247 - 5/18/74
 (H,Hw) - See Bartholomew County
 BROWN COUNTY (H,Hw) - See Bartholomew County
 CARROLL COUNTY (H,Hw) - See Benton County
 CASS COUNTY (H,Hw) - See Benton County
 CLARK COUNTY Decision #IL75-2036 (D)
 40 FR 6023 - 2/7/75
 (H,Hw) - See Bartholomew County
 CLAY COUNTY (H,Hw) - See Bartholomew County
 CLINTON COUNTY (H,Hw) - See Benton County
 CRAWFORD COUNTY (H,Hw) - See Bartholomew County
 (D) - See Clark County
 DAVIESS COUNTY (H,Hw) - See Bartholomew County
 DEARBORN COUNTY Decision #IN75-2020 (B)
 40 FR 4812 - 1/31/75
 Mod. #1 - 40 FR 10872 - 3/7/75
 (H,Hw) - See Bartholomew County

INDIANA (cont'd)

DECATUR COUNTY (H,Hw) - See Bartholomew County
 DEKALB COUNTY (H,Hw) - See Adams County
 Decision #IN75-2045 (B)
 40 FR 7828 - 2/21/75
 (H,Hw) - See Blackford County
 DUBOIS COUNTY (H,Hw) - See Bartholomew County
 ELKHART COUNTY (H,Hw) - See Adams County
 FAYETTE COUNTY (H,Hw) - See Blackford County
 FLOYD COUNTY (D) - See Clark County
 (H,Hw) - See Bartholomew County
 FOUNTAIN COUNTY (H,Hw) - See Bartholomew County
 FRANKLIN COUNTY (H,Hw) - See Bartholomew County
 FULTON COUNTY (H,Hw) - See Bartholomew County
 GIBSON COUNTY (H,Hw) - See Benton County
 GRANT COUNTY (H,Hw) - See Bartholomew County
 Decision #IN75-2022 (B)
 40 FR 6032 - 2/7/75
 Mod. #1 - 40 FR 10872 - 3/7/75
 (H,Hw) - See Blackford County
 GREENE COUNTY (H,Hw) - See Bartholomew County
 HAMILTON COUNTY (H,Hw) - See Blackford County
 (R) - See Boone County
 HANCOCK COUNTY (H,Hw) - See Blackford County
 (R) - See Boone County
 HARRISON COUNTY (D) - See Clark County
 (H,Hw) - See Bartholomew County
 HENRICKS COUNTY (H,Hw) - See Bartholomew County
 HENRY COUNTY (R) - See Boone County
 HOWARD COUNTY (H,Hw) - See Blackford County
 HUNTINGTON COUNTY (H,Hw) - See Benton County
 JACKSON COUNTY (H,Hw) - See Adams County
 JASPER COUNTY (H,Hw) - See Bartholomew County
 JAY COUNTY (H,Hw) - See Benton County
 (H,Hw) - See Blackford County

INDIANA (Cont'd.)

JEFFERSON COUNTY
(D) - See Clark County
(H, Hw) - See Bartholomew County

JENNINGS COUNTY
(H, Hw) - See Bartholomew County

JOHNSON COUNTY
(R) - See Boone County

KNOX COUNTY
(H, Hw) - See Bartholomew County
(H, Hw) - See Bartholomew County

KOSCIUSKO COUNTY
(H, Hw) - See Adams County

LAGRANGE COUNTY
(H, Hw) - See Adams County

LAKE COUNTY
Decision #IN75-2023 - (B, H, Hw)
40 FR 6035 - 2/7/75
Mod. #1 - 40 FR 10872 - 3/7/75
Decision #AQ-3095 (D)
39 FR 5982 - 2/15/74
Mod. #1 - 39 FR 44161 - 12/20/74

LAPORTE COUNTY
Decision #IN75-2024 (B, H, Hw)
40 FR 6039 - 2/7/75
Mod. #1 - 40 FR 10872 - 3/7/75
(D) - See Lake County

LAWRENCE COUNTY
(H, Hw) - See Bartholomew County

MADISON COUNTY
(H, Hw) - See Blackford County

MARION COUNTY
Decision #IN75-2025 (B)
40 FR 4815 - 1/31/75
Mod. #1 - 40 FR 10872 - 3/7/75
(R) - See Boone County
(H, Hw) - See Blackford County

MARSHALL COUNTY
(H, Hw) - See Adams County

MARTIN COUNTY
(H, Hw) - See Bartholomew County

MIAMI COUNTY
(H, Hw) - See Benton County

MONROE COUNTY
Decision #IN75-2026 (B)
40 FR 4817 - 1/31/75
Mod. #1 - 40 FR 10872 - 3/7/75
(H, Hw) - See Bartholomew County

MONTCOMERY COUNTY
(H, Hw) - See Bartholomew County

MORGAN COUNTY
(R) - See Boone County
(H, Hw) - See Bartholomew County

NEMTON COUNTY
(H, Hw) - See Benton County

NOBLE COUNTY
(H, Hw) - See Adams County

INDIANA (Cont'd.)

OHIO COUNTY
(D) - See Clark County
(H, Hw) - See Bartholomew County

ORANGE COUNTY
(H, Hw) - See Bartholomew County

OWEN COUNTY
(H, Hw) - See Bartholomew County

PARKE COUNTY
(H, Hw) - See Bartholomew County

PERRY COUNTY
(H, Hw) - See Bartholomew County
(D) - See Clark County

PIKE COUNTY
(H, Hw) - See Bartholomew County

PORTER COUNTY
Decision #IN75-2027 (B, H, Hw)
40 FR 6044 - 2/7/75
Mod. #1 - 40 FR 10873 - 3/7/75
(D) - See Lake County

POSEY COUNTY
(D) - See Clark County
(H, Hw) - See Bartholomew County

PULASKI COUNTY
(H, Hw) - See Benton County

PITMAN COUNTY
(H, Hw) - See Bartholomew County

RANDOLPH COUNTY
(H, Hw) - See Blackford County

RIPLEY COUNTY
(H, Hw) - See Bartholomew County

RUSH COUNTY
(H, Hw) - See Blackford County

SAINTE JOSEPH COUNTY
Decision #IN75-2028 (B, H, Hw)
40 FR 6049 - 2/7/75
Mod. #1 - 40 FR 10873 - 3/7/75

SCOTT COUNTY
(H, Hw) - See Bartholomew County

SHELBY COUNTY
(R) - See Boone County
(H, Hw) - See Blackford County

SPENCER COUNTY
(D) - See Clark County
(H, Hw) - See Bartholomew County

STARKE COUNTY
(H, Hw) - See Adams County

STUBEN COUNTY
(H, Hw) - See Adams County

SULLIVAN COUNTY
(H, Hw) - See Bartholomew County

SWITZERLAND COUNTY
(D) - See Clark County
(H, Hw) - See Bartholomew County

INDIANA (Cont'd.)

TIPPECANOE COUNTY
(B, H, Hw) - See Benton County

TIPTON COUNTY
(H, Hw) - See Benton County

UNION COUNTY
(H, Hw) - See Blackford County

VANDERBURGH COUNTY
Decision #IN75-2029 (B)
40 FR 4820 - 1/31/75
Mod. #1 - 40 FR 10873 - 3/7/75
(D) - See Clark County
(H, Hw) - See Bartholomew County

VERMILLION COUNTY
(H, Hw) - See Bartholomew County

VIGO COUNTY
Decision #IN75-2030 (B)
40 FR 6053 - 2/7/75
Mod. #1 - 40 FR 10873 - 3/7/75
(H, Hw) - See Bartholomew County

WABASH COUNTY
(H, Hw) - See Benton County

WARREN COUNTY
(D) - See Clark County

WARRICK COUNTY
(D) - See Clark County
(H, Hw) - See Bartholomew County

WASHINGTON COUNTY
(H, Hw) - See Bartholomew County

WAYNE COUNTY
(H, Hw) - See Blackford County

WELLS COUNTY
(H, Hw) - See Adams County

WHITE COUNTY
(H, Hw) - See Benton County

WHITLEY COUNTY
(H, Hw) - See Adams County

IOWA

ADAIR COUNTY
None

ADAMS COUNTY
None

ALLAMAKEE COUNTY
None

APPANOOSE COUNTY
Decision #A8-73 (Hw)
39 FR 38797 - 11/1/74
Mod. #1 - 40 FR 4786 - 1/31/75

AUDUBON COUNTY
None

BENTON COUNTY
Decision #A8-74 (Hw)
39 FR 38798 - 11/1/74

BLACK HAWK COUNTY
Decision #IA75-4034 (B, H, Hw) (City of Waterloo & abutting Municipalities)
40 FR 4823 - 1/31/75
Mod. #1 - 40 FR 6900 - 2/14/75

BOONE COUNTY
None

BREWER COUNTY
None

BUCHANAN COUNTY
None

BUENA VISTA COUNTY
None

BUTLER COUNTY
None

CALHOUN COUNTY
None

CARROLL COUNTY
Decision #AW-6712 (H, Hw)
37 FR 7429 - 4/14/72
Mod. #1 - 39 FR 40404 - 11/15/74

CASS COUNTY
(H, Hw) - See Carroll County

CEDAR COUNTY
None

CERRI GOROO COUNTY (MASON CITY)
Decision #IA75-4035 (B, H, Hw)
40 FR 4826 - 1/31/75
Mod. #1 - 40 FR 6901 - 2/14/75

CHEROKEE COUNTY
None

CHECKASAW COUNTY
None

CLARKE COUNTY
None

IOWA (Cont'd.)

CLAY COUNTY
(H,Hw) - See Carroll County

CLAYTON COUNTY
None

CLINTON COUNTY (City of Clinton and abutting municipalities)
Decision #IA75-4036 (B,H,Hw)
40 FR 4828 - 1/31/75
Mod. #1 - 40 FR 6900 - 2/14/75

CRAWFORD COUNTY
(H,Hw) - See Carroll County

DALLAS COUNTY
None

DAVIS COUNTY
(Hw) - See Appanoose County

DECATUR COUNTY
None

DELAWARE COUNTY
None

DES MOINES COUNTY (City of Burlington and Abutting Municipalities; and Burlington Ordinance Plant)
Decision #IA75-4037 (B,H,Hw)
40 FR 4831 - 1/31/75
Mod. #1 - 40 FR 6901 - 2/14/75

DICKINSON COUNTY
None

DUBUQUE COUNTY (City of Dubuque and abutting municipalities)
Decision #IA75-4038 (B,H,Hw)
40 FR 4834 - 1/31/75

EMMET COUNTY
None

FAYETTE COUNTY
None

FLOYD COUNTY
None

FRANKLIN COUNTY
None

FREMONT COUNTY
Decision #IE75-4054 (Channel Stabilization)
40 FR 8739 - 2/28/75

GREENE COUNTY
None

GRUNDY COUNTY
None

IOWA (Cont'd.)

GUTHRIE COUNTY
None

HAMILTON COUNTY
None

HAYCOCK COUNTY
None

HARDIN COUNTY
None

HARRISON COUNTY
(Chann. Stab.) - See Fremont Co.

HENRY COUNTY
None

HOWARD COUNTY
(H,Hw) - See Carroll County

HUMBOLDT COUNTY
None

IDA COUNTY
None

IOWA COUNTY
(Hw) - See Benton County

JACKSON COUNTY
None

JASPER COUNTY
None

JEFFERSON COUNTY
(Hw) - See Appanoose County

JOHNSON COUNTY (City of Iowa City and abutting municipalities)
Decision #IA75-4039 (B,H)
40 FR 4836 - 1/31/75
Mod. #1 - 40 FR 6902 - 2/14/75

JONES COUNTY
None

KEOKUK COUNTY
(Hw) - See Benton County

KOSSUTH COUNTY
None

LEE COUNTY
None

LINN COUNTY
Decision #IA75-4040 (B,H,Hw)
40 FR 4839 - 1/31/75
Mod. #1 - 40 FR 6902 - 2/14/75

IOWA (Cont'd.)

LOUISA COUNTY
None

LUCKS COUNTY
None

LYON COUNTY
None

MADISON COUNTY
None

MAHARSA COUNTY
(Hw) - See Benton County

MARION COUNTY
None

MARSHALL COUNTY
None

MILLS COUNTY
(Channel Stab.) - See Fremont Co.

MITCHELL COUNTY
None

MONROIA COUNTY
(H,Hw) - See Carroll County

MORRIS COUNTY
(Channel Stab.) - See Fremont Co.

MONTGOMERY COUNTY
None

MUSCATINE COUNTY
None

O'BRIEN COUNTY
(H,Hw) - See Carroll County

OSCEOLA COUNTY
(H,Hw) - See Carroll County

PAGE COUNTY
None

PALO ALTO COUNTY
None

PLYMOUTH COUNTY
None

POCAHONTAS COUNTY
None

POLK COUNTY
Decision #IA75-4041 (B,H,Hw)
40 FR 4841 - 1/31/75
Mod. #1 - 40 FR 6903 - 2/14/75

POTTAWATTAMIE COUNTY (City of Council Bluffs and the area within 3 miles from the City Limits)
Decision #IA75-4042 (B,H,Hw)
40 FR 4843 - 1/31/75
Mod. #1 - 40 FR 6903 - 2/14/75
(Chann. Stab.) - See Fremont County

IOWA (Cont'd.)

POMERIE COUNTY
(Hw) - See Benton County

RINGGOLD COUNTY
(H,Hw) - See Carroll County

SAC COUNTY
None

SCOTT COUNTY
Decision #IA75-4043 (B,H,Hw)
40 FR 4845 - 1/31/75
Mod. #1 - 40 FR 6903 - 2/14/75

SHELBY COUNTY
None

STOUX COUNTY
None

STORY COUNTY (City of Anes and abutting municipalities)
Decision #IA75-4044 (B,H,Hw)
40 FR 4848 - 1/31/75
Mod. #1 - 40 FR 6904 - 2/14/75

TAMA COUNTY
(Hw) - See Benton County

TAYLOR COUNTY
(H,Hw) - See Carroll County

UNION COUNTY
None

WARREN COUNTY
(Hw) - See Appanoose County

WARRELO COUNTY
(Hw) - See Appanoose County

WARREN COUNTY
None

WASHINGTON COUNTY
(Hw) - See Benton County

WAYNE COUNTY
None

WEBSTER COUNTY (City of Fort Dodge)
Decision #IA75-4045 (B,H,Hw)
40 FR 4850 - 1/31/75
Mod. #1 - 40 FR 6904 - 2/14/75

WINNEBAGO COUNTY
None

WINNEBIEK COUNTY
None

IOWA (Cont'd.)

WOODBURY COUNTY (City of Sioux City and abutting municipalities)
 Decision #1475-4046 (B)
 40 FR 4652 - 1/31/75
 Mod. #1 - 40 FR 6905 - 2/14/75
 (Chern. Stab.) - See Fremont Co.
 WORTH COUNTY
 None
 WRIGHT COUNTY
 None

KANSAS

ALLEN COUNTY
 Decision #KS75-4051 (Hw, M&S)
 40 FR 6056 - 2/7/75
 Mod. #1 - 40 FR 7775 - 2/21/75
 ANDERSON COUNTY
 (Hw, M&S) - See Allen County
 ATRIFISON COUNTY
 Decision #9075-4060 (D)
 40 FR 10898 - 3/7/75
 (Hw, M&S) - See Allen County
 BARBER COUNTY
 Decision #KS75-4053 (Hw, M&S)
 40 FR 6058 - 2/7/75
 Mod. #1 - 40 FR 7775 - 2/21/75
 BARTON COUNTY
 (Hw, M&S) - See Barber County
 BOURBON COUNTY
 (Hw, M&S) - See Allen County
 BROWN COUNTY
 (Hw, M&S) - See Allen County
 BUTLER COUNTY
 (Hw, M&S) - See Allen County
 CHASE COUNTY
 (Hw, M&S) - See Allen County
 CHAUTAQUA COUNTY
 (Hw, M&S) - See Allen County
 CHEROKEE COUNTY
 (Hw, M&S) - See Allen County
 CREYENNE COUNTY
 (Hw, M&S) - See Barber County
 CLARK COUNTY
 (Hw, M&S) - See Barber County

KANSAS (Cont'd.)

CLAY COUNTY
 (Hw, M&S) - See Allen County
 CLOUD COUNTY
 (Hw, M&S) - See Allen County
 COFFEY COUNTY
 (Hw, M&S) - See Allen County
 COMPACHE COUNTY
 (Hw, M&S) - See Barber County
 COMLEY COUNTY
 (Hw, M&S) - See Allen County
 CRAWFORD COUNTY
 (Hw, M&S) - See Allen County
 DECATUR COUNTY
 (Hw, M&S) - See Barber County
 DICKINSON COUNTY
 (Hw, M&S) - See Allen County
 DONTIPHAN COUNTY
 (D) - See Atchison County
 (Hw, M&S) - See Allen County
 DOUGLAS COUNTY
 Decision #AR-83 (Hw)
 39 FR 41666 - 11/29/74
 EDMARDS COUNTY
 (Hw, M&S) - See Barber County
 ELK COUNTY
 (Hw, M&S) - See Allen County
 ELLIS COUNTY
 (Hw, M&S) - See Barber County
 ELLSWORTH COUNTY
 (Hw, M&S) - See Barber County
 FINNEY COUNTY
 (Hw, M&S) - See Barber County
 FORD COUNTY
 (Hw, M&S) - See Barber County
 FRANKLIN COUNTY
 (Hw, M&S) - See Allen County
 GEARY COUNTY
 (Hw, M&S) - See Allen County
 Decision #AQ-88 (R)
 39 FR 11791 - 3/29/74
 GOVE COUNTY
 (Hw, M&S) - See Barber County
 GRAHAM COUNTY
 (Hw, M&S) - See Barber County
 GRANT COUNTY
 (Hw, M&S) - See Barber County
 GRAY COUNTY
 (Hw, M&S) - See Barber County
 GREELEY COUNTY
 (Hw, M&S) - See Barber County
 GREENWOOD COUNTY
 (Hw, M&S) - See Allen County

KANSAS (Cont'd.)

HAMILTON COUNTY
 (Hw, M&S) - See Barber County
 HARPER COUNTY
 (Hw, M&S) - See Allen County
 HARVEY COUNTY
 (Hw, M&S) - See Allen County
 HASKELL COUNTY
 (Hw, M&S) - See Barber County
 HODGEMAN COUNTY
 (Hw, M&S) - See Barber County
 JACKSON COUNTY
 (Hw, M&S) - See Allen County
 JEFFERSON COUNTY
 (Hw) - See Douglas County
 JEWELL COUNTY
 (Hw, M&S) - See Barber County
 JOHNSON COUNTY
 Decision #9075-4059 (B, H, Hw)
 40 FR 8740 - 2/28/75
 Decision #AQ-62 (R)
 38 FR 32388 - 11/23/73
 KEARNY COUNTY
 (Hw, M&S) - See Barber County
 KINGMAN COUNTY
 (Hw, M&S) - See Allen County
 KIDWA COUNTY
 (Hw, M&S) - See Barber County
 LABELLE COUNTY
 (Hw, M&S) - See Allen County
 LAKE COUNTY
 (Hw, M&S) - See Barber County
 LEAVENWORTH COUNTY
 Decision #AQ-36 (B)
 Mod. #1 - 38 FR 31754 - 11/16/73
 Mod. #2 - 39 FR 33911 - 9/20/74
 (Hw) - See Douglas County
 LINCOLN COUNTY
 (Hw, M&S) - See Barber County
 LINN COUNTY
 (Hw, M&S) - See Allen County
 LOGAN COUNTY
 (Hw, M&S) - See Barber County

KANSAS (Cont'd.)

LYON COUNTY
 (Hw, M&S) - See Allen County
 McPHERSON COUNTY
 (Hw, M&S) - See Allen County
 MARION COUNTY
 (Hw, M&S) - See Allen County
 MARSHALL COUNTY
 (Hw, M&S) - See Allen County
 MEADE COUNTY
 (Hw, M&S) - See Barber County
 MIAMI COUNTY
 (Hw) - See Douglas County
 MITCHELL COUNTY
 (Hw, M&S) - See Barber County
 MONTGOMERY COUNTY
 (Hw, M&S) - See Allen County
 MORRIS COUNTY
 (Hw, M&S) - See Allen County
 MORTON COUNTY
 (Hw, M&S) - See Barber County
 MEMPHIA COUNTY
 (Hw, M&S) - See Allen County
 NEOSHO COUNTY
 (Hw, M&S) - See Allen County
 NESS COUNTY
 (Hw, M&S) - See Barber County
 NORTON COUNTY
 (Hw, M&S) - See Barber County
 OSAGE COUNTY
 (Hw, M&S) - See Allen County
 OSSAGE COUNTY
 (Hw, M&S) - See Barber County
 OTTAWA COUNTY
 (Hw, M&S) - See Allen County
 PAWNEE COUNTY
 (Hw, M&S) - See Barber County
 PHILLIPS COUNTY
 (Hw, M&S) - See Barber County
 POTTAWATOMIE COUNTY
 (Hw, M&S) - See Allen County
 PRATT COUNTY
 (Hw, M&S) - See Barber County
 SAMLINS COUNTY
 (Hw, M&S) - See Barber County

KANSAS (Cont'd.)

RENO COUNTY
(Hw, M&S) - See Allen County

REPUBLIC COUNTY
(Hw, M&S) - See Allen County

RICE COUNTY
(Hw, M&S) - See Barber County

RILEY COUNTY
(Hw, M&S) - See Allen County
(R) - See Geary County

ROOKS COUNTY
(Hw, M&S) - See Barber County

RUSH COUNTY
(Hw, M&S) - See Barber County

RUSSELL COUNTY
(Hw, M&S) - See Barber County

SALINE COUNTY
(Hw, M&S) - See Allen County

SCOTT COUNTY
(Hw, M&S) - See Barber County

SEDMICK COUNTY
Decision #AP-533 (R)
38 FR 16573 - 6/22/73
Decision #AP-532 (B)
38 FR 13922 - 5/25/73
Mod. #1 - 35 FR 20166 - 7/27/73
Mod. #2 - 38 FR 27163 - 9/28/73
Decision #KS75-4052 (Hw, M&S)
40 FR 6057 - 2/7/75
Mod. #1 - 40 FR 7775 - 2/21/75

SQUARD COUNTY
(Hw, M&S) - See Barber County

SHAWNEE COUNTY
Decision #AQ-32 (B)
38 FR 27169 - 9/28/73
Mod. #1 - 39 FR 26559 - 7/19/74
Decision #AQ-33 (R)
38 FR 27172 - 9/28/74
(Hw) - See Douglas County

KANSAS (Cont'd.)

SHERIDAN COUNTY
(Hw, M&S) - See Barber County

SHERMAN COUNTY
(Hw, M&S) - See Barber County

SMITH COUNTY
(Hw, M&S) - See Barber County

STAFFORD COUNTY
(Hw, M&S) - See Barber County

STANTON COUNTY
(Hw, M&S) - See Barber County

STEVENS COUNTY
(Hw, M&S) - See Barber County

SUMNER COUNTY
(Hw, M&S) - See Allen County

THOMAS COUNTY
(Hw, M&S) - See Barber County

TREGO COUNTY
(Hw, M&S) - See Barber County

WABANSEE COUNTY
(Hw, M&S) - See Allen County

WELLACE COUNTY
(Hw, M&S) - See Barber County

WASHINGTON COUNTY
(Hw, M&S) - See Allen County

WICHITA COUNTY
(Hw, M&S) - See Barber County

WILSON COUNTY
(Hw, M&S) - See Allen County

WOODSON COUNTY
(Hw, M&S) - See Allen County

WYANDOTTE COUNTY
(B,H,Hw) - See Johnson County
(R) - See Johnson County
(D) - See Atchison County

KENTUCKY

ADAIR COUNTY
Decision #AR-4054 (H,Hw)
39 FR 39697 - 11/8/74
Mod. #1 - 39 FR 44907 - 12/27/74
Mod. #2 - 40 FR 3085 - 1/17/75

ALLEN COUNTY
Decision #AR-4053 (H,Hw)
39 FR 39694 - 11/8/74
Mod. #1 - 40 FR 3085 - 1/17/75

ANDERSON COUNTY
Decision #AR-4055 (H,Hw)
39 FR 39700 - 11/8/74
Mod. #1 - 40 FR 3086 - 1/17/75

BALLARD COUNTY
Decision #AR-4013 (D)
39 FR 27397 - 7/26/74
(H,Hw) - See Allen County

BARREN COUNTY
(H,Hw) - See Adair County

BATH COUNTY
(H,Hw) - See Anderson County
Decision #AQ-4066 (R)
39 FR 4305 - 2/7/74

BELL COUNTY
(H,Hw) - See Adair County
Decision #AQ-4126 (B)
39 FR 22359 - 6/21/74

BOONE COUNTY
Decision #AR-4056 (H,Hw)
39 FR 39703 - 11/8/74
Mod. #1 - 40 FR 3082 - 1/17/75
Mod. #2 - 40 FR 4786 - 1/31/75

Decision #AR-4034 (B)
39 FR 33158 - 9/13/74
Mod. #1 - 40 FR 10877 - 3/7/75

Decision #1L75-2036 (D)
40 FR 6023 - 2/7/75

BOURBON COUNTY
(Hw,H) - See Anderson County
(R) - See Bath County

BOYD COUNTY
Decision #AR-4047 (B)
39 FR 38824 - 11/7/74
Mod. #1 - 40 FR 10878 - 3/7/75
(H,Hw) - See Anderson County
(D) - See Boone County

BOYLE COUNTY
(H,Hw) - See Anderson County

BRACKEN COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County

BREATHITT COUNTY
(H,Hw) - See Adair County

KENTUCKY (Cont'd.)

BRECKINRIDGE COUNTY
Decision #AR-183 (R)
38 FR 11276 - 5/4/73
(H,Hw) - See Anderson County
(D) - See Boone County

BULLITT COUNTY
(D) - See Boone County

(H,Hw) - See Boone County

(H,Hw) - See Anderson County
(R) - See Breckinridge County

BUTLER COUNTY
(H,Hw) - See Allen County

CALDWELL COUNTY
(H,Hw) - See Allen County

CALLOWAY COUNTY
(H,Hw) - See Allen County

CAMPBELL COUNTY
(B,H,Hw,D) - See Boone County

CARLESLE COUNTY
(D) - See Ballard County

(H,Hw) - See Allen County

CARROLL COUNTY
(H,Hw) - See Anderson County
(D) - See Boone County

CARTER COUNTY
(H,Hw) - See Anderson County

CASEY COUNTY
(H,Hw) - See Adair County

CHRISTIAN COUNTY
(H,Hw) - See Allen County

CLARK COUNTY
(H,Hw) - See Anderson County
(R) - See Bath County

CLAY COUNTY
(H,Hw) - See Adair County

CLINTON COUNTY
(H,Hw) - See Adair County

CRITTENDEN COUNTY
(H,Hw) - See Allen County
(D) - See Boone County

CUMBERLAND COUNTY
(H,Hw) - See Adair County

DAVLESS COUNTY
Decision #AQ-4122 (B)
39 FR 20281 - 6/7/74
(H,Hw) - See Allen County
(D) - See Boone County

EDMONSON COUNTY
(H,Hw) - See Allen County

ELLIOTT COUNTY
(H,Hw) - See Anderson County

ESTILL COUNTY
(H,Hw) - See Adair County

KENTUCKY (Cont'd.)

FAYETTE COUNTY
Decision #AR-4018 (B)
39 FR 28636 - 8/9/74
Mod. #1 - 39 FR 32442 - 9/6/74
Mod. #2 - 39 FR 40406 - 11/15/74
Mod. #3 - 40 FR 10875 - 3/7/75
(H,HW) - See Anderson County
(R) - See Bath County

FLEMING COUNTY
(H,HW) - See Anderson County

FLOYD COUNTY
Decision #AR-4002 (B)
39 FR 24777 - 7/5/74
(H,HW) - See Adair County

FRANKLIN COUNTY
Decision #AQ-4101 (B)
39 FR 14113 - 4/19/74
Mod. #1 - 39 FR 36665 - 8/23/74
Mod. #2 - 39 FR 38803 - 11/1/74
Mod. #3 - 40 FR 10879 - 3/7/75
(H,HW) - See Anderson County

FULTON COUNTY
(D) - See Ballard County
(H,HW) - See Allen County

GALLATIN COUNTY
(H,HW) - See Anderson County
(D) - See Boone County

GARRARD COUNTY
(H,HW) - See Adair County

GRANT COUNTY
(H,HW) - See Anderson County

GRAVES COUNTY
(H,HW) - See Allen County

GRAYSON COUNTY
(H,HW) - See Anderson County

GREENE COUNTY
(H,HW) - See Adair County

GREENUP COUNTY
(D) - See Boone County

HANDCOCK COUNTY
(H,HW) - See Allen County
(D) - See Boone County

KENTUCKY (Cont'd.)

HARDIN COUNTY
(B) - See Jefferson County
(H,HW) - See Anderson County
(R) - See Breckinridge County
(D) - See Boone County

HARLAN COUNTY
(H,HW) - See Adair County

HARRISON COUNTY
(H,HW) - See Anderson County
(R) - See Bath County

HART COUNTY
(H,HW) - See Adair County

HENDERSON COUNTY
Decision #AR-4025 (B)
39 FR 31796 - 8/30/74
Mod. #1 - 40 FR 10877 - 3/7/75
(H,HW) - See Allen County
(D) - See Boone County

HENRY COUNTY
(H,HW) - See Anderson County

HICKMAN COUNTY
(D) - See Ballard County
(H,HW) - See Allen County

HOPKINS COUNTY
(H,HW) - See Allen County

JACKSON COUNTY
(H,HW) - See Adair County

JEFFERSON COUNTY
Decision #AR-4016 (B)
39 FR 28833 - 8/9/74
Mod. #1 - 39 FR 38803 - 11/1/74
Mod. #2 - 40 FR 10875 - 3/7/75
(D) - See Boone County
(R) - See Breckinridge County

JESSAMINE COUNTY
(H,HW) - See Anderson County
(R) - See Bath County

KENTUCKY (Cont'd.)

JOHNSON COUNTY
(H,HW) - See Anderson County

KENTON COUNTY
(B,H,HW,D) - See Boone County

KNOX COUNTY
(H,HW) - See Adair County

KNOX COUNTY
(H,HW) - See Adair County

LARUE COUNTY
(H,HW) - See Anderson County

LAUREL COUNTY
(H,HW) - See Adair County

LAWRENCE COUNTY
(H,HW) - See Johnson County

LEE COUNTY
(H,HW) - See Adair County

LESLIE COUNTY
(H,HW) - See Adair County

LETCHER COUNTY
(H,HW) - See Adair County

LEWIS COUNTY
(H,HW) - See Anderson County
(D) - See Boone County

LINCOLN COUNTY
(H,HW) - See Adair County

LIVINGSTON COUNTY
(H,HW) - See Allen County
(D) - See Boone County

LOGAN COUNTY
(H,HW) - See Allen County

LYON COUNTY
(H,HW) - See Allen County

MCCACKEN COUNTY
Decision #AR-4014 (B)
39 FR 28044 - 8/2/74
Mod. #1 - 39 FR 30665 - 8/23/74
Mod. #2 - 39 FR 40406 - 11/15/74
Mod. #3 - 40 FR 10874 - 3/7/75
(D) - See Boone County
(H,HW) - See Allen County

KENTUCKY (Cont'd.)

MCDEARY COUNTY
(H,HW) - See Adair County

MCLEAN COUNTY
(H,HW) - See Allen County

MADISON COUNTY
(H,HW) - See Anderson County
(R) - See Bath County

MADISON COUNTY
(H,HW) - See Adair County

MARION COUNTY
(H,HW) - See Anderson County
(R) - See Breckinridge County

MARSHALL COUNTY
(H,HW) - See Allen County

MARTIN COUNTY
(H,HW) - See Adair County

MASON COUNTY
(H,HW) - See Anderson County
(D) - See Boone County

MEADE COUNTY
(H,HW) - See Anderson County
(B) - See Jefferson County
(R) - See Breckinridge County
(D) - See Boone County

MEADE COUNTY
(H,HW) - See Adair County

MERCER COUNTY
(H,HW) - See Anderson County

METCALFE COUNTY
(H,HW) - See Adair County

MORGAN COUNTY
(H,HW) - See Adair County

MONTGOMERY COUNTY
(H,HW) - See Anderson County
(R) - See Bath County

MORGAN COUNTY
(H,HW) - See Anderson County

MURKIN COUNTY
(H,HW) - See Anderson County

MURKIN COUNTY
(H,HW) - See Allen County

LOUISIANA (Cont'd)

IBERVILLE PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
JACKSON COUNTY
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
JEFFERSON PARISH
Decision #48-3 (R)
39 FR 25777 - 7/12/74
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
JEFFERSON DAVIS PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
LAFAYETTE PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
LAFORCHE PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
LA SALLE PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
LINCOLN PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
LIVINGSTON PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
MADISON PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
MOREHOUSE PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
NATCHITOCHEES PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
ORLEANS PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
QUACHITTIA PARISH
(D) - See Statewide
(F) - See Acadia Parish
Decision #40-116 (R)
39 FR 22397 - 6/21/74
(B) (Hw) - See Statewide

LOUISIANA (Cont'd)

PLAQUEMINES PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
(R) - See Jefferson Parish
POINTE COUPEE PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
RAPIDES PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
RED RIVER PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
RICHLAND PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
SABINE PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
ST. BERNARD PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
ST. CHARLES PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
ST. HELENA PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
ST. JAMES PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
ST. JOHN THE BAPTIST PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
ST. LANDRY PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
ST. MARTIN PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
ST. MARY PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide

LOUISIANA (Cont'd)

ST. TAMMANY PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
TANGIPAHOA PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
TENSAS PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
TERREBOINE COUNTY
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
UNION PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
VERMILION COUNTY
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
VERNON PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
WASHINGTON PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
WEBSTER PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
WEST BATON ROUGE PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
WEST CARROLL PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
WEST FELICIANA PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide
MINN PARISH
(D) - See Statewide
(F) - See Acadia Parish
(B) (Hw) - See Statewide

MAINE

ANDROSCOGGIN COUNTY
None
AROSTOOK COUNTY
None
CUMBERLAND COUNTY
Decision #V775-3010 (D)
40 FR 3881 - 1/24/75
FRANKLIN COUNTY
None
HANCOCK COUNTY
(D) - See Cumberland County
KENNEBEC COUNTY
None
KNOX COUNTY
(D) - See Cumberland County
LINCOLN COUNTY
(D) - See Cumberland County
OXFORD COUNTY
None
PENOBSCOT COUNTY
None
PISCATAQUIS COUNTY
None
SAGadahoc COUNTY
(D) - See Cumberland County
SOMERSET COUNTY
None
MALDEN COUNTY
(D) - See Cumberland County
WASHINGTON COUNTY
(D) - See Cumberland County
YORK COUNTY
(D) - See Cumberland County

MARYLAND

ALLEGANY COUNTY
Decision #AR-2091 (B)
39 FR 41651 - 11/29/74
Mod. #1 - 40 FR 928 - 1/3/75

Decision #AR-2084 (H, Hw)
40 FR 41125 - 11/22/74

ANNE ARUNDEL COUNTY
Decision #RD75-3008 (D)
40 FR 3094 - 1/17/75

Decision #AR-2086 (B, H)
39 FR 41127 - 11/22/74
Mod. #1 - 40 FR 928 - 1/3/75

Decision #AR-2085 (Hw)
39 FR 41100 - 11/22/74

BALTIMORE CITY
Decision #AR-2053 (Hw)
39 FR 34905 - 9/27/74
Mod. #1 - 40 FR 928 - 1/3/75

Decision #AR-2093 (B, H)
39 FR 44162 - 12/20/74
Mod. #1 - 40 FR 928 - 1/3/75

Decision #AQ-2072 (R)
39 FR 8122 - 3/1/74

Decision #W75-3010 (D)
40 FR 3681 - 1/24/75

BALTIMORE COUNTY
Decision #AR-2052 (Hw)
39 FR 34904 - 9/27/74
(B, H) - See Baltimore County
(R) - See Baltimore County

CALVERT COUNTY
(D) - See Anne Arundel County
(Hw) - See Anne Arundel County

CAROLINE COUNTY
(Hw) - See Anne Arundel County

CARROLL COUNTY
(Hw) - See Anne Arundel County

CECIL COUNTY
(R) - See Baltimore City

CHARLES COUNTY
(Hw) - See Anne Arundel County
(D) - See Anne Arundel County

DORCHESTER COUNTY
(D) - See Anne Arundel County

FREDERICK COUNTY
Decision #AQ-2076 (R)
39 FR 10059 - 3/15/74
(Hw) - See Anne Arundel County

GARRETT COUNTY
(B, H, Hw) - See Allegany County
(B, H) - See Baltimore City

HARFORD COUNTY
(R) - See Baltimore City
(D) - See Anne Arundel County
(Hw) - See Anne Arundel County

HOWARD COUNTY
(B, H) - See Baltimore County
(Hw) - See Anne Arundel County
(R) - See Baltimore City

KENT COUNTY
(D) - See Anne Arundel County

MARYLAND (Cont'd.)

MONTGOMERY COUNTY
Decision #RD75-3003 (B)
40 FR 937 - 1/3/75
(Hw) - See Anne Arundel County

PRINCE GEORGES COUNTY
(B) - See Montgomery County
(Hw) - See Anne Arundel County
(D) - See Anne Arundel County

QUEEN ANNES COUNTY
(D) - See Anne Arundel County

ST. MARYS COUNTY
(Hw) - See Anne Arundel County
(D) - See Anne Arundel County

SOMERSET COUNTY
(D) - See Anne Arundel County

TALBOT COUNTY
(D) - See Anne Arundel County

WASHINGTON COUNTY
(Hw) - See Anne Arundel County

WICOMICO COUNTY
Decision #AQ-2075 (R)
39 FR 10068 - 3/15/74
Mod. #1 - 39 FR 14849 - 4/26/74

WORCESTER COUNTY
(D) - See Anne Arundel County
(D) - See Baltimore City
39 FR 27991 - 8/2/74

MASSACHUSETTS

BARNSTABLE COUNTY
Decision #W75-2002 (B, H, Hw, & Marine)
40 FR 3095 - 1/17/75
Mod. #1 - 40 FR 7776 - 2/21/75

Decision #W75-3010 (D)
40 FR 3681 - 1/24/75

BENSHIRE COUNTY
Decision #W75-2003 (B, H, Hw)
40 FR 3099 - 1/17/75
Mod. #1 - 40 FR 6908 - 2/21/75

BOSTON COUNTY
Decision #W75-2004 (B, H, Hw, R, & Marine)
40 FR 3103 - 1/17/75
Mod. #1 - 40 FR 7776 - 2/21/75
(D) - See Barnstable County

DUKES COUNTY
(D) - See Barnstable County

ESSEX COUNTY
Decision #W75-2005 (B, H, Hw, & Marine)
40 FR 3107 - 1/17/75
Mod. #1 - 40 FR 7777 - 2/21/75
(D) - See Barnstable County

FRANKLIN COUNTY
Decision #W75-2006 (B, H, Hw)
40 FR 3112 - 1/17/75
Mod. #1 - 40 FR 7777 - 2/21/75

HAMPDEN COUNTY
Decision #W75-2007 (B, H, Hw)
40 FR 3116 - 1/17/75
Mod. #1 - 40 FR 7778 - 2/21/75
Decision #AQ-3032 (R)
39 FR 30361 - 11/2/73
Mod. #1 - 38 FR 33205 - 11/30/73
Mod. #2 - 39 FR 4274 - 2/1/74

HAMPSHIRE COUNTY
Decision #W75-2008 (B, H, Hw)
40 FR 3121 - 1/17/75
Mod. #1 - 40 FR 7778 - 2/21/75

MIDDLESEX COUNTY
Decision #W75-2009 (B, H, Hw, R, & Marine)
40 FR 3125 - 1/17/75
Mod. #1 - 40 FR 6909 - 2/14/75
(D) - See Barnstable County

NANTUCKET COUNTY
(D) - See Barnstable County

NORFOLK COUNTY
Decision #W75-2010 (B, H, Hw, R)
40 FR 3129 - 1/17/75
Mod. #1 - 40 FR 7779 - 2/21/75
(D) - See Barnstable County

MASSACHUSETTS

PLYMOUTH COUNTY
Decision #W75-2011 (B, Hw, Hw, R)
40 FR 3133 - 1/17/75
Mod. #1 - 40 FR 7779 - 2/21/75

SUFFOLK COUNTY
Decision #W75-2012 (B, H, Hw, D, R, & Marine)
40 FR 3137 - 1/17/75
Mod. #1 - 40 FR 7780 - 2/21/75

WORCESTER COUNTY
Decision #W75-2013 (B, H, Hw, R)
40 FR 3141 - 1/17/75
Mod. #1 - 40 FR 7780 - 2/21/75

MICHIGAN

STATEWIDE
 Decision #AR-3141 (Hr, MS) - 11/22/74
 39 FR 30765 - 8/23/74
 Mod. #1 - 39 FR 41109 - 11/22/74
 Mod. #2 - 39 FR 41658 - 11/29/74
 Mod. #3 - 40 FR 10879 - 3/7/75

ALCONIA COUNTY
 Decision #AQ-3095 (D)
 39 FR 5962 - 2/15/74
 Mod. #1 - 39 FR 44161 - 12/20/74
 (Hr, MS) - See Statewide
 (B,H) - See Alpena County

ALGER COUNTY
 Decision #AR-3177 (B,H)
 39 FR 44164 - 12/20/74
 Mod. #1 - 40 FR 929 - 1/3/75
 Mod. #2 - 40 FR 8695 - 2/28/75
 (D) - See Alcona County
 (Hr, MS) - See Statewide

ALLEGAN COUNTY
 Decision #AR-3102 (B,H)
 39 FR 29784 - 8/16/74
 Mod. #1 - 39 FR 33152 - 9/13/74
 Mod. #2 - 39 FR 33911 - 9/20/74
 Mod. #3 - 39 FR 34920 - 9/27/74
 Mod. #4 - 40 FR 7781 - 2/21/75
 Decision #AW-398 (R)
 36 FR 15891 - 8/18/71
 (Hr, MS) - See Statewide
 (D) - See Alcona County

ALPENA COUNTY
 Decision #AR-3150 (B,H)
 39 FR 36759 - 10/11/74
 Mod. #1 - 40 FR 7795 - 2/21/75
 (Hr, MS) - See Statewide

ANTRIM COUNTY
 (D) - See Alcona County
 (Hr, MS) - See Statewide

ARENAC COUNTY
 (D) - See Alcona County
 (Hr, MS) - See Statewide

BARAGA COUNTY
 (B,H) - See Alger County

BARRY COUNTY
 (D) - See Alcona County
 (Hr, MS) - See Statewide

BAY COUNTY
 (D) - See Alcona County
 (Hr, MS) - See Statewide

BENZIE COUNTY
 (D) - See Alcona County
 (Hr, MS) - See Statewide

MICHIGAN (Cont'd.)

BERRIEN COUNTY
 Decision #AR-3164 (B,H)
 39 FR 37338 - 10/18/74
 Mod. #1 - 40 FR 7796 - 2/21/75
 Decision #AH-399 (R)
 36 FR 15892 - 8/18/71
 (D) - See Alcona County
 (Hr, MS) - See Statewide

BRANCH COUNTY
 Decision #AH-401 (R)
 36 FR 15894 - 8/18/71
 (Hr, MS) - See Statewide

CALHOUN COUNTY
 Decision #AR-3106 (B,H)
 39 FR 29797 - 8/16/74
 Mod. #1 - 39 FR 33154 - 9/13/74
 Mod. #2 - 39 FR 33912 - 9/20/74
 Mod. #3 - 39 FR 34922 - 9/27/74
 Mod. #4 - 40 FR 7782 - 2/21/75
 Decision #AW-400 (R)
 36 FR 15892 - 8/18/71
 (Hr, MS) - See Statewide

CASS COUNTY
 (R) - See Branch County

CHARLEVOIX COUNTY
 Decision #AR-3122 (B,H)
 39 FR 29850 - 8/16/74
 Mod. #1 - 39 FR 33155 - 9/13/74
 Mod. #2 - 39 FR 33916 - 9/20/74
 Mod. #3 - 39 FR 34922 - 9/27/74
 Mod. #4 - 40 FR 7793 - 2/21/75
 (D) - See Alcona County
 (Hr, MS) - See Statewide

CHEBOYGAN COUNTY
 (D) - See Alcona County
 (Hr, MS) - See Statewide

CHIPPENAW COUNTY
 (B,H) - See Alger County
 (D) - See Alcona County
 (Hr, MS) - See Statewide

CLARE COUNTY
 (Hr, MS) - See Statewide

CLINTON COUNTY
 (Hr, MS) - See Statewide

CRAMFORD COUNTY
 (Hr, MS) - See Statewide

MICHIGAN (Cont'd.)

DELTA COUNTY
 (D) - See Alcona County
 (Hr, MS) - See Statewide

DICKINSON COUNTY
 (Hr, MS) - See Statewide

EASTON COUNTY
 Decision #AW-8041 (R)
 36 FR 24027 - 12/17/71
 (Hr, MS) - See Statewide

EMMET COUNTY
 Decision #AR-3108 (B,H)
 39 FR 29803 - 8/16/74
 Mod. #1 - 39 FR 33155 - 9/13/74
 Mod. #2 - 39 FR 33912 - 9/20/74
 Mod. #3 - 39 FR 35908 - 10/4/74
 Mod. #4 - 40 FR 7783 - 2/21/75
 (D) - See Alcona County
 (Hr, MS) - See Statewide

GENEESEE COUNTY
 Decision #AR-3109 (B,H,R)
 39 FR 29807 - 8/16/74
 Mod. #1 - 39 FR 33912 - 9/20/74
 Mod. #2 - 39 FR 35908 - 10/4/74
 Mod. #3 - 40 FR 7784 - 2/21/75
 (Hr, MS) - See Statewide
 (H) - See Statewide

GLADWIN COUNTY
 (H) - See Statewide

GOSEBIC COUNTY
 (B,H) - See Alger County
 (D) - See Alcona County
 (Hr, MS) - See Statewide

GRAND TRAVERSE COUNTY
 Decision #AR-3111 (B,H)
 39 FR 29814 - 8/16/74
 Mod. #1 - 39 FR 33913 - 9/20/74
 Mod. #2 - 39 FR 35909 - 10/4/74
 Mod. #3 - 39 FR 41657 - 11/29/74
 Mod. #4 - 40 FR 7785 - 2/21/75
 (D) - See Alcona County
 (Hr, MS) - See Statewide

GRATIOT COUNTY
 (Hr, MS) - See Statewide

HILLSDALE COUNTY
 (Hr, MS) - See Statewide

Houghton County
 (B,H) - See Alger County
 (D) - See Alcona County
 (Hr, MS) - See Statewide

HURON COUNTY
 Decision #AR-3112 (B,H)
 39 FR 29817 - 8/16/74
 Mod. #1 - 39 FR 31774 - 8/30/74
 Mod. #2 - 39 FR 33913 - 9/20/74
 Mod. #3 - 39 FR 35910 - 10/4/74
 Mod. #4 - 40 FR 7786 - 2/21/75
 (D) - See Alcona County
 (Hr, MS) - See Statewide

INGHAM COUNTY
 Decision #AR-3113 (B,H)
 39 FR 29818 - 8/16/74
 Mod. #1 - 39 FR 33154 - 9/13/74
 Mod. #2 - 39 FR 35911 - 10/4/74
 Mod. #3 - 40 FR 7787 - 2/21/75
 (Hr, MS) - See Statewide

MICHIGAN (Cont'd.)

INGHAM COUNTY (Cont'd.)
 Mod. #2 - 39 FR 33914 - 9/20/74
 Mod. #3 - 39 FR 35910 - 10/4/74
 Mod. #4 - 40 FR 7787 - 2/21/75
 (Hr, MS) - See Statewide
 (R) - See Eaton County

IONIA COUNTY
 (Hr, MS) - See Statewide

IOSCO COUNTY
 (D) - See Alcona County
 (Hr, MS) - See Statewide

IRON COUNTY
 (Hr, MS) - See Statewide

ISABELLA COUNTY
 (Hr, MS) - See Statewide

JACKSON COUNTY
 (Hr, MS) - See Statewide

Kalamazoo County
 Decision #AR-3114 (B,H)
 39 FR 29823 - 8/16/74
 Mod. #1 - 39 FR 33914 - 9/20/74
 Mod. #2 - 39 FR 35910 - 10/4/74
 Mod. #3 - 40 FR 7788 - 2/21/75
 (Hr, MS) - See Statewide
 (R) - See Branch County

KALAMASKA COUNTY
 (Hr, MS) - See Statewide

KENT COUNTY
 Decision #AR-3054 (B,H)
 39 FR 25858 - 7/12/74
 Mod. #1 - 39 FR 33155 - 9/13/74
 Mod. #2 - 39 FR 34920 - 9/27/74
 Mod. #3 - 40 FR 3862 - 1/24/75
 Decision #AW-402 (R)
 36 FR 15895 - 8/18/71
 (Hr, MS) - See Statewide

KESENAW COUNTY
 (B,H) - See Alger County

LAKE COUNTY
 (Hr, MS) - See Statewide

LAPEER COUNTY
 (B,H,R) - See Genesee County
 (Hr, MS) - See Statewide

LEELANAU COUNTY
 (B,H) - See Grand Traverse County
 (Hr, MS) - See Statewide

LAWMEE COUNTY
 (Hr, MS) - See Statewide

LIVINGSTON COUNTY
 (Hr, MS) - See Statewide

LUCAS COUNTY
 (D) - See Alcona County

MACKINAC COUNTY
 (B,H) - See Alger County
 (Hr, MS) - See Statewide

MACOMB COUNTY
 Decision #AR-3121 (B,H,R)
 39 FR 29846 - 8/16/74
 Mod. #1 - 39 FR 33916 - 9/20/74
 Mod. #2 - 39 FR 35913 - 10/4/74
 Mod. #3 - 40 FR 7792 - 2/21/75
 (Hr, MS) - See Statewide

MICHIGAN (Cont'd.)

MANISTEE COUNTY
(D) - See Alcona County
(H, W, MS) - See Statewide

MARQUETTE COUNTY
Decision #48-3178 (R)
39 FR 44166 - 12/20/74
(D) - See Alcona County
(B, H) - Alger County
(H, W, MS) - See Statewide

MASON COUNTY
Decision #48-3116 (B, H)
39 FR 29830 - 8/16/74
Mod. #1 - 39 FR 33914 - 9/20/74
Mod. #2 - 39 FR 35911 - 10/4/74
Mod. #3 - 40 FR 7789 - 2/21/75
(D) - See Alcona County

MCCOSTA COUNTY
(H, W, MS) - See Statewide

MEKONGWEE COUNTY
(D) - See Alcona County
(H, W, MS) - See Statewide

MIDLAND COUNTY
(H, W, MS) - See Statewide

MISSAUKEE COUNTY
(H, W, MS) - See Statewide

MONROE COUNTY
(D) - See Alcona County
(H, W, MS) - See Statewide

MONTCALM COUNTY
(H, W, MS) - See Statewide

MONTMAGNY COUNTY
(H, W, MS) - See Statewide

MONTMORENCY COUNTY
(R) - See Kent County

MONTMORISSE COUNTY
(B, H) - See Alpena County
(H, W, MS) - See Statewide

MUSKOGON COUNTY
Decision #48-3117 (B, H)
39 FR 29833 - 8/16/74
Mod. #1 - 39 FR 33915 - 9/20/74
Mod. #2 - 39 FR 35912 - 10/4/74
Mod. #3 - 39 FR 36716 - 10/11/74
Mod. #4 - 40 FR 7790 - 2/21/75
Decision #48-403 (R)
36 FR 15896 - 8/18/71
(D) - See Alcona County
(H, W, MS) - See Statewide

NEWAYGO COUNTY
(H, W, MS) - See Statewide

OAKLAND COUNTY
(B, H, R) - See Macomb County
(D) - See Alcona County
(H, W, MS) - See Statewide

OCEANA COUNTY
(B, H, R) - See Muskegon County
(D) - See Alcona County
(H, W, MS) - See Statewide

OGEWA COUNTY
(H, W, MS) - See Statewide

ONTONAGON COUNTY
(B, H) - See Alger County
(D) - See Alcona County
(H, W, MS) - See Statewide

MICHIGAN (Cont'd.)

OSCEOLA COUNTY
(H, W, MS) - See Statewide

OSCODA COUNTY
(B, H) - See Alpena County
(H, W, MS) - See Statewide

OTSEGO COUNTY
(H, W, MS) - See Statewide

OTTAWA COUNTY
(H, W, MS) - See Statewide
(R) - See Allegan County

PRESQUE ISLE COUNTY
(D) - See Alpena County
(H, W, MS) - See Statewide

ROSCOMMON COUNTY
(H, W, MS) - See Statewide

SAGINAW COUNTY
Decision #48-3148 (B, H, R)
39 FR 36754 - 10/11/74
Mod. #1 - 40 FR 7794 - 2/21/75
(H, W, MS) - See Statewide

SAINT CLAIR COUNTY
Decision #48-3165 (B, H, R)
39 FR 37341 - 10/18/74
Mod. #1 - 39 FR 43464 - 12/13/74
Mod. #2 - 40 FR 7797 - 2/21/75
(H, W, MS) - See Statewide

SAINT JOSEPH COUNTY
(H, W, MS) - See Statewide
(R) - See Branch County

SANILAC COUNTY
(B, H) - See Saint Clair County
(D) - See Alcona County
(H, W, MS) - See Statewide

SCHOOLCRAFT COUNTY
(D) - See Alcona County
(H, W, MS) - See Statewide

SHIPIGON COUNTY
(H, W, MS) - See Statewide

SHUMLER COUNTY
(B, H, R) - See Genesee County
(H, W, MS) - See Statewide

TUSCULA COUNTY
(B, H) - See Saginaw County
(H, W, MS) - See Statewide

VAN BUREN COUNTY
(D) - See Alcona County
(H, W, MS) - See Statewide

WASHINGTON COUNTY
Decision #48-3120 (B, H, R)
39 FR 25843 - 8/16/74
Mod. #1 - 39 FR 33916 - 9/20/74
Mod. #2 - 39 FR 35913 - 10/4/74
Mod. #3 - 40 FR 7791 - 2/21/75

WAYNE COUNTY
(B, H, R) - See Macomb County
(D) - See Alcona County
(H, W, MS) - See Statewide

WEXFORD COUNTY
(H, W, MS) - See Statewide

MINNESOTA

AITKIN COUNTY
Decision #48-3053 (H, W)
39 FR 25873 - 7/12/74
Mod. #1 - 39 FR 31775 - 8/23/74
Mod. #2 - 39 FR 38805 - 11/1/74
Mod. #3 - 39 FR 44908 - 12/27/74

ANOKA COUNTY
Decision #48-3053 (B, R)
39 FR 39705 - 11/8/74
(H, W) - See Aitkin County

BECKER COUNTY
Decision #48-3104 (H, W)
39 FR 9369 - 3/8/74

BELTRAMI COUNTY
Decision #48-3147 (H, W)
39 FR 36704 - 10/11/74

BENTON COUNTY
(H, W) - See Aitkin County

BIG STONE COUNTY
Decision #48-3105 (H, W)
39 FR 9370 - 3/8/74

BLUE EARTH COUNTY
(H, W) - See Aitkin County

BROWN COUNTY
None

CARLTON COUNTY
(H, W) - See Aitkin County

CARVER COUNTY
(B, R) - See Anoka County
(H, W) - See Aitkin County

CASS COUNTY
(H, W) - See Becker County
(H, W) - See Aitkin County

CHIPPEWA COUNTY
(H, W) - See Big Stone County

CHISAGO COUNTY
(H, W) - See Aitkin County

CLAY COUNTY
(H, W) - See Becker County

CLEAR WATER COUNTY
(H, W) - See Beltrami County

COOK COUNTY
Decision #48-3095 (D)
39 FR 5982 - 2/15/74
(H, W) - See Aitkin County

COTTONWOOD COUNTY
Decision #48-3134 (H, W)
39 FR 935 - 3/8/74

CROW WING COUNTY
(H, W) - See Aitkin County

DAKOTA COUNTY
(B, R) - See Anoka County
(H, W) - See Aitkin County

MINNESOTA (Cont'd.)

DOODGE COUNTY
(H, W) - See Aitkin County

DOUGLAS COUNTY
(H, W) - See Big Stone County

FAIRBULT COUNTY
(H, W) - See Aitkin County

FILLMORE COUNTY
(H, W) - See Aitkin County

FREESBORO COUNTY
(H, W) - See Aitkin County

GOOCHUPE COUNTY
(H, W) - See Aitkin County

GRANT COUNTY
(H, W) - See Big Stone County

HENNEPIN COUNTY
(B, R) - See Anoka County
(H, W) - See Aitkin County

HOUSTON COUNTY
(H, W) - See Aitkin County

HUBBARD COUNTY
(H, W) - See Becker County

ISANTI COUNTY
(H, W) - See Aitkin County

ITASKA COUNTY
(H, W) - See Aitkin County

JACKSON COUNTY
(H, W) - See Aitkin County

KANABEC COUNTY
(H, W) - See Aitkin County

KANDIYUKI COUNTY
(H, W) - See Big Stone County

KITSON COUNTY
(H, W) - See Beltrami County

KOOCHICHING COUNTY
(H, W) - See Aitkin County

LAC QUI PARLE COUNTY
(H, W) - See Big Stone County

LAKE COUNTY
(H, W) - See Aitkin County
(D) - See Cook County

LAKE OF THE WOODS COUNTY
(H, W) - See Beltrami County

LE SUEUR COUNTY
(H, W) - See Aitkin County

LINCOLN COUNTY
(H, W) - See Cottonwood County

MINNESOTA (Cont'd.)

LYON COUNTY
(H, Hw) - See Cottonwood County

MELROD COUNTY
(H, Hw) - See Aitkin County

MAHONEN COUNTY
(H, Hw) - See Beltrami County

MARSHALL COUNTY
(H, Hw) - See Beltrami County

MARTIN COUNTY
(H, Hw) - See Aitkin County

MEeker COUNTY
(H, Hw) - See Aitkin County

MILLE LACS COUNTY
(H, Hw) - See Aitkin County

MORRISON COUNTY
(H, Hw) - See Aitkin County

MONER COUNTY
(H, Hw) - See Aitkin County

MURRAY COUNTY
(H, Hw) - See Cottonwood County

NICOLLET COUNTY
(H, Hw) - See Aitkin County

NOBLES COUNTY
(H, Hw) - See Aitkin County

NORMAN COUNTY
(H, Hw) - See Beltrami County

OLMSTEAD COUNTY
(H, Hw) - See Aitkin County

OTTER TAIL COUNTY
(H, Hw) - See Becker County

PENNINGTON COUNTY
(H, Hw) - See Beltrami County

PINE COUNTY
(H, Hw) - See Aitkin County

PIPESTONE COUNTY
(H, Hw) - See Cottonwood County

POLK COUNTY
(H, Hw) - See Beltrami County

POPE COUNTY
(B, R) - See Big Stone County

RANSEY COUNTY
(H, Hw) - See Anoka County

RED LAKE COUNTY
(H, Hw) - See Beltrami County

REDWOOD COUNTY
(H, Hw) - See Cottonwood County

RENVILLE COUNTY
None

RICE COUNTY
(H, Hw) - See Aitkin County

ROCK COUNTY
(H, Hw) - See Aitkin County

MINNESOTA (Cont'd.)

ROSEAU COUNTY
(H, Hw) - See Beltrami County

SAINT LOUIS COUNTY
(D) - See Cook County

(H, Hw) - See Aitkin County

Decision #8875-2042 (B, R)

40 FR 7837 - 2/21/75

SCOTT COUNTY
(H, Hw) - See Aitkin County

(B, R) - See Anoka County

SHERBURNE COUNTY
(H, Hw) - See Anoka County

SIBLEY COUNTY
(H, Hw) - See Aitkin County

STEARNS COUNTY
(H, Hw) - See Aitkin County

STEELE COUNTY
(H, Hw) - See Aitkin County

STEVENS COUNTY
(H, Hw) - See Big Stone County

SWIFT COUNTY
(H, Hw) - See Big Stone County

TODD COUNTY
(Hw) - See Becker County

TRaverse COUNTY
(H, Hw) - See Big Stone County

WABASHA COUNTY
(H, Hw) - See Aitkin County

WADENA COUNTY
(H, Hw) - See Becker County

WASECA COUNTY
(H, Hw) - See Aitkin County

WASHINGTON COUNTY
(B, R) - See Anoka County

(H, Hw) - See Aitkin County

WATONWAN COUNTY
None

WILKIN COUNTY
(H, Hw) - See Becker County

WINONA COUNTY
(H, Hw) - See Aitkin County

WRIGHT COUNTY
(H, Hw) - See Aitkin County

YELLOW MEDICINE COUNTY
(H, Hw) - See Cottonwood County

MISSISSIPPI

STATEWIDE
Decision #48-4013 (D)
39 FR 27397 - 7/26/74

Decision #875-5032 (F)
40 FR 8706 - 2/28/75

Decision #87-4066 (Hw, SUM)
39 FR 44167 - 12/20/74

Mod. #1 - 40 FR 3086 - 1/17/75
Mod. #2 - 40 FR 5977 - 2/11/75

ADAMS COUNTY
(D) - See Statewide
(F) - See Statewide

(Hw, MS) - See Statewide

ALCORN COUNTY
(Hw, MS) - See Statewide
(D) - See Statewide
(F) - See Statewide

AMITE COUNTY
(D) - See Statewide
(F) - See Statewide

(Hw, MS) - See Statewide

ATTALA COUNTY
(Hw, MS) - See Statewide
(D) - See Statewide
(F) - See Statewide

BENTON COUNTY
(D) - See Statewide
(F) - See Statewide

(Hw, MS) - See Statewide

BOLIVAR COUNTY
(Hw, MS) - See Statewide
(D) - See Statewide
(F) - See Statewide

CALHOUN COUNTY
(D) - See Statewide
(F) - See Statewide

(Hw, MS) - See Statewide

CARROLL COUNTY
(D) - See Statewide
(F) - See Statewide

(Hw, MS) - See Statewide

CHICKASAW COUNTY
(D) - See Statewide
(F) - See Statewide

(Hw, MS) - See Statewide

CHOCTAW COUNTY
(D) - See Statewide
(F) - See Statewide

(Hw, MS) - See Statewide

CLAIBORNE COUNTY
(D) - See Statewide
(F) - See Statewide

(Hw, MS) - See Statewide

CLARKE COUNTY
(D) - See Statewide
(F) - See Statewide

(Hw, MS) - See Statewide

MISSISSIPPI (cont'd.)

CLAY COUNTY
(Hw, MS) - See Statewide

COAHOMA COUNTY
Decision #87-4024 (R)
39 FR 31771 - 8/30/74

Mod. #1 - 40 FR 3086 - 1/17/75
(D) - See Statewide
(F) - See Statewide

(Hw, MS) - See Statewide

COPIAH COUNTY
Decision #89-4120 (B)
39 FR 20302 - 6/7/74

(D) - See Statewide
(F) - See Statewide

(Hw, MS) - See Statewide

COVINGTON COUNTY
(D) - See Statewide
(F) - See Statewide

(Hw, MS) - See Statewide

DE SOTO COUNTY
(D) - See Statewide
(F) - See Statewide

(Hw, MS) - See Statewide

FOREST COUNTY
Decision #875-1007 (R)
40 FR 3147 - 1/17/75

Decision #875-1020 (B)
40 FR 5965 - 2/7/75

Mod. #1 - 40 FR 7798 - 2/21/75
(D) - See Statewide
(F) - See Statewide

(Hw, MS) - See Statewide

FRANKLIN COUNTY
(D) - See Statewide
(F) - See Statewide

(Hw, MS) - See Statewide

GEORGE COUNTY
Decision #87-174 (B)
39 FR 10584 - 4/27/73

Mod. #1 - 39 FR 8102 - 3/1/74
(D, F, Hw, SUM) - See Statewide

GREENE COUNTY
(D) - See Statewide
(F) - See Statewide

(Hw, MS) - See Statewide

GRENADE COUNTY
(D) - See Statewide
(F) - See Statewide

(Hw, MS) - See Statewide

HANCOCK COUNTY
Decision #875-1013 (B, H, Hw, SUM)
40 FR 4854 - 1/31/75

(D, F) - See Statewide
(R) - See George County

HARRISON COUNTY
(B, H, Hw, SUM) - See Statewide
(R) - See George County
(D) - See Statewide
(F) - See Statewide

MISSISSIPPI (cont'd)

- HINDS COUNTY
Decision #AR-4030 (B)
39 FR 32454 - 9/6/74
Mod. #1 - 39 FR 38806 - 11/1/74
Mod. #2 - 39 FR 41658 - 11/29/74
(R) - See Copiah County
(D, F) - See Statewide
(HW, MS) - See Statewide
- HOLMES COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- HUMPHREYS COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- ISSAQUENA COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- ITAMAMBA COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- JACKSON COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- JASPER COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- JEFFERSON COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- JEFFERSON DAVIS COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- JONES COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- KEMPER COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- LAFAYETTE COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide

MISSISSIPPI (cont'd)

- LAMAR COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- LAUDERDALE COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- LAWRENCE COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- LEAKE COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- LEE COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- LEFLORE COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- LINCOLN COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- LOWNDES COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- MADISON COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- MARION COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- MARSHALL COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- MURFREESBORO COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- MONTGOMERY COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- MESHOBA COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- MEWING COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- MOULDER COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- MOULTRIE COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- MURKIN COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- MONTGOMERY COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide

MISSISSIPPI (cont'd)

- MESHUBA COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- MEWING COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- MOULDER COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- MOULTRIE COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- MURKIN COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- MONTGOMERY COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- MURFREESBORO COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- MURKIN COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- MONTGOMERY COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide

MISSISSIPPI (cont'd)

- SCOTT COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- SHARKEY COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- STIMPSON COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- SMITH COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- STONE COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- SUNFLOWER COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- TALLAHATCHIE COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- TATE COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- TIPPAH COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- TISHOMINGO COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- TUNICA COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide
- UNION COUNTY
(D) - See Statewide
(F) - See Statewide
(HW, MS) - See Statewide

MISSISSIPPI (Cont'd.)

MALTBALL COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw, MS) - See Statewide
MARSH COUNTY
Decision #A0-4112 (B)
39 FR 16978 - 5/10/74
(D) - See Statewide
(F) - See Statewide
(Hw, MS) - See Statewide
(R) - See Coahoma County
WASHINGTON COUNTY
Decision #AQ-4072 (B)
39 FR 5933 - 2/15/74
(D) - See Statewide
(F) - See Statewide
(R) - See Coahoma County
(Hw, MS) - See Statewide
WAYNE COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw, MS) - See Statewide
WEBSTER COUNTY
(Hw, MS) - See Statewide
(D) - See Statewide
(F) - See Statewide
WILKINSON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw, MS) - See Statewide
WINSTON COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw, MS) - See Statewide
YALOBUSSA COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw, MS) - See Statewide
YALOO COUNTY
(D) - See Statewide
(F) - See Statewide
(Hw, MS) - See Statewide
(R) - See Copiah County

MISSOURI

STATEWIDE
Decision #AR-79 (H, Hw)
39 FR 40449 - 11/15/74
Mod. #1 - 39 FR 42807 - 12/6/74
ADAIR COUNTY
(H, Hw) - See Statewide
ANDREW COUNTY
Decision #M075-4050 (D)
40 FR 10898 - 3/7/75
(H, Hw) - See Statewide
ATCHISON COUNTY
(D) - See Andrew County
AUDRAIN COUNTY
(H, Hw) - See Statewide
(H, Hw) - See Statewide
BARRY COUNTY
(Hw) - See Statewide
BARTON COUNTY
(H, Hw) - See Statewide
BATES COUNTY
(H, Hw) - See Statewide
BENTON COUNTY
(H, Hw) - See Statewide
BOLLINGER COUNTY
(H, Hw) - See Statewide
BOONE COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
BUCHANAN COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
BUTLER COUNTY
(Hw) - See Statewide
CALDWELL COUNTY
(H, Hw) - See Statewide
CALLAWAY COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
CAMDEN COUNTY
Decision #L75-2036 (D)
40 FR 6023 - 2/7/75
(H, Hw) - See Statewide
CARROLL COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
CARTER COUNTY
(Hw) - See Statewide

MISSOURI (Cont'd.)

CASS COUNTY
Decision #M075-4059 (B)
40 FR 8740 - 2/28/75
Decision #AQ-62 (R)
38 FR 32388 - 11/23/74
(H, Hw) - See Statewide
CEDAR COUNTY
(H, Hw) - See Statewide
CHARLTON COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
CHRISTIAN COUNTY
(Hw) - See Statewide
CLARK COUNTY
(H, Hw) - See Statewide
CLAY COUNTY
(B, R) - See Cass County
(D) - See Andrew County
(H, Hw) - See Statewide
CLINTON COUNTY
(H, Hw) - See Statewide
COLE COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
COOPER COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
CRAWFORD COUNTY
(H, Hw) - See Statewide
DADE COUNTY
(H, Hw) - See Statewide
DALLAS COUNTY
(H, Hw) - See Statewide
DAVIESS COUNTY
(H, Hw) - See Statewide
DE KALB COUNTY
(H, Hw) - See Statewide
DEKALB COUNTY
(Hw) - See Statewide
DOUGLAS COUNTY
(Hw) - See Statewide
DUNKLIN COUNTY
(Hw) - See Statewide
FRANKLIN COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
GASCONADE COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
GENESEE COUNTY
(H, Hw) - See Statewide
GREENE COUNTY
(H, Hw) - See Statewide

MISSOURI (CONT'D)

GRUNDY COUNTY
(H, Hw) - See Statewide
HARRISON COUNTY
(H, Hw) - See Statewide
HENRY COUNTY
(H, Hw) - See Statewide
HICKORY COUNTY
(H, Hw) - See Statewide
HOLT COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
HOWARD COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
HOWELL COUNTY
(Hw) - See Statewide
IRON COUNTY
(Hw) - See Statewide
JACKSON COUNTY
(B, R) - See Cass County
(D) - See Andrew County
(H, Hw) - See Statewide
JASPER COUNTY
None
JEFFERSON COUNTY
(D) - See Cape Girardeau County
(H, Hw) - See Statewide
JOHNSON COUNTY
(H, Hw) - See Statewide
KNOX COUNTY
(D) - See Andrew County
LACLEDE COUNTY
(H, Hw) - See Statewide
LAFAYETTE COUNTY
(D) - See Andrew County
(H, Hw) - See Statewide
LAWRENCE COUNTY
(H, Hw) - See Statewide
LEWIS COUNTY
(H, Hw) - See Statewide
LINCOLN COUNTY
(H, Hw) - See Statewide
LIVINGSTON COUNTY
(H, Hw) - See Statewide
LINN COUNTY
(H, Hw) - See Statewide
MC DONALD COUNTY
(H, Hw) - See Statewide
MADISON COUNTY
(H, Hw) - See Statewide
MADISON COUNTY
(H, Hw) - See Statewide
MAGIE COUNTY
(H, Hw) - See Statewide

MISSOURI (CONT'D)

MARION COUNTY (H, Hw) - See Statewide
 MERCER COUNTY (H, Hw) - See Statewide
 MILLER COUNTY (H, Hw) - See Statewide
 MISSISSIPPI COUNTY (H, Hw) - See Statewide
 (D) - See Cape Girardeau County
 (Hw) - See Statewide
 MONITEAU COUNTY (D) - See Andrew County
 (H, Hw) - See Statewide
 MONROE COUNTY (H, Hw) - See Statewide
 (H, Hw) - See Statewide
 MONTGOMERY COUNTY (D) - See Andrew County
 (H, Hw) - See Statewide
 MORRIS COUNTY (H, Hw) - See Statewide
 (H, Hw) - See Statewide
 NEW MADRID COUNTY (H, Hw) - See Statewide
 NEWTON COUNTY (H, Hw) - See Statewide
 NODAWAY COUNTY (H, Hw) - See Statewide
 OREGON COUNTY (H, Hw) - See Statewide
 (Hw) - See Statewide
 OSAGE COUNTY (D) - See Andrew County
 (H, Hw) - See Statewide
 OZARK COUNTY (Hw) - See Statewide
 (Hw) - See Statewide
 PENNSCOT COUNTY (Hw) - See Statewide
 PERRY COUNTY (D) - See Cape Girardeau County
 (H, Hw) - See Statewide
 PETTIS COUNTY (H, Hw) - See Statewide
 PHELPS COUNTY (H, Hw) - See Statewide
 PIKE COUNTY (H, Hw) - See Statewide
 PLATTE COUNTY (H, Hw) - See Statewide
 (D) - See Cass County
 (B, B, R) - See Cass County
 POLK COUNTY (H, Hw) - See Statewide

MISSOURI (CONT'D)

PULASKI COUNTY (Hw, H) - See Statewide
 PUTNAM COUNTY (H, Hw) - See Statewide
 RALLS COUNTY (H, Hw) - See Statewide
 RANDOLPH COUNTY (H, Hw) - See Statewide
 RAY COUNTY (H, Hw) - See Statewide
 (B, R) - See Cass County
 (H, Hw) - See Statewide
 (D) - See Andrew County
 REYNOLDS COUNTY (Hw) - See Statewide
 RIPLEY COUNTY (Hw) - See Statewide
 ST. CHARLES COUNTY Decision #A0-91 (B)
 39 FR 14157 - 4/19/74
 (D) - See Andrew County
 Decision #A0-94 (R)
 39 FR 15649 - 5/3/74
 (D) - See Cape Girardeau County
 (H, Hw) - See Statewide
 ST. CLAIR COUNTY (H, Hw) - See Statewide
 ST. FRANCOIS COUNTY (H, Hw) - See Statewide
 ST. LOUIS COUNTY (D) - See St. Charles County
 (D) - See Cape Girardeau County
 (D) - See Andrew County
 (H, Hw) - See Statewide
 (D) - See Cape Girardeau County
 SALINE COUNTY (D) - See Andrew County
 (H, Hw) - See Statewide
 SCHUYLER COUNTY (H, Hw) - See Statewide
 SCOTLAND COUNTY (H, Hw) - See Statewide
 SCOTT COUNTY (D) - See Cape Girardeau County
 (Hw) - See Statewide
 SHANNON COUNTY (Hw) - See Statewide
 SHELBY COUNTY (H, Hw) - See Statewide
 STOCKARD COUNTY (Hw) - See Statewide

MISSOURI (Cont'd)

STONE COUNTY (Hw) - See Statewide
 SULLIVAN COUNTY (H, Hw) - See Statewide
 TANEY COUNTY (Hw) - See Statewide
 TEXAS COUNTY (Hw) - See Statewide
 VERNON COUNTY (H, Hw) - See Statewide
 WARREN COUNTY (H, Hw) - See Statewide
 WASHINGTON COUNTY (H, Hw) - See Statewide
 WASHINGTON COUNTY (H, Hw) - See Statewide
 WAYNE COUNTY (Hw) - See Statewide
 WEBSTER COUNTY (Hw) - See Statewide
 WORTH COUNTY (H, Hw) - See Statewide
 WRIGHT COUNTY (Hw) - See Statewide

MONTANA

STATEWIDE Decision #RT75-5012 (B)
 40 FR 6059 - 2/17/75
 Mod. #1 - 40 FR 8695 - 2/28/75
 Mod. #2 - 40 FR 10880 - 3/7/75
 Decision #RT75-5017 (H, Hw)
 40 FR 6081 - 2/7/75
 Mod. #1 - 40 FR 8696 - 2/28/75
 Mod. #2 - 40 FR 10881 - 3/7/75
 BEAVERHEAD COUNTY
 BIG HORN COUNTY - See Statewide
 (B, H, Hw) - See Statewide
 BLAINE COUNTY (B, H, Hw) - See Statewide
 BROADWATER COUNTY (B, H, Hw) - See Statewide
 CARBON COUNTY (B, H, Hw) - See Statewide
 CARTER COUNTY (B, H, Hw) - See Statewide
 CASCADE COUNTY Decision #RT75-5029 (R)
 40 FR 7841 - 2/21/75
 Mod. #1 - 40 FR 10882 - 3/7/75
 (B, H, Hw) - See Statewide
 CHOUTEAU COUNTY (B, H, Hw) - See Statewide
 CUSTER COUNTY (B, H, Hw) - See Statewide
 DANIELS COUNTY (B, H, Hw) - See Statewide
 DAWSON COUNTY (B, H, Hw) - See Statewide
 DEER LODGE COUNTY (B, H, Hw) - See Statewide
 Decision #RT75-5019 (R)
 40 FR 6103 - 2/7/75
 Mod. #1 - 40 FR 8696 - 2/28/75
 Mod. #2 - 40 FR 10881 - 3/7/75
 FALLON COUNTY (B, H, Hw) - See Statewide
 FERGUS COUNTY (B, H, Hw) - See Statewide
 FLATHEAD COUNTY (B, H, Hw) - See Statewide
 GALLATIN COUNTY (R) - See Cascade County
 (R) - See Deer Lodge County
 GARFIELD COUNTY (B, H, Hw) - See Statewide
 GLACIER COUNTY (B, H, Hw) - See Statewide
 (B, H, Hw) - See Statewide

MONTANA (CONT'D)

GOLDEN VALLEY COUNTY (B, H, Hw) - See Statewide
 GRANITE COUNTY (B, H, Hw) - See Statewide
 HILL COUNTY (B, H, Hw) - See Statewide
 (B, H, Hw) - See Statewide
 (R) - See Cascade County
 JEFFERSON COUNTY (B, H, Hw) - See Statewide
 JUDITH BASIN COUNTY (B, H, Hw) - See Statewide
 LAKE COUNTY (B, H, Hw) - See Statewide
 (B, H, Hw) - See Statewide
 LEWIS & CLARK COUNTY (B, H, Hw) - See Statewide
 LIBERTY COUNTY (B, H, Hw) - See Statewide
 LINCOLN COUNTY (B, H, Hw) - See Statewide
 MC CORME COUNTY (B, H, Hw) - See Statewide
 MADISON COUNTY (B, H, Hw) - See Statewide
 MEAGER COUNTY (B, H, Hw) - See Statewide
 MINERAL COUNTY (B, H, Hw) - See Statewide
 MISSOULA COUNTY (B, H, Hw) - See Statewide
 MUSSELSHELL COUNTY (B, H, Hw) - See Statewide
 PARK COUNTY (B, H, Hw) - See Statewide
 PETROLEUM COUNTY (B, H, Hw) - See Statewide
 PHILLIPS COUNTY (B, H, Hw) - See Statewide
 PONDERA COUNTY (B, H, Hw) - See Statewide
 POWDER RIVER COUNTY (B, H, Hw) - See Statewide
 POWELL COUNTY (B, H, Hw) - See Statewide
 PRAIRIE COUNTY (B, H, Hw) - See Statewide
 RAVALLI COUNTY (B, H, Hw) - See Statewide

MONTANA (CONT'D)

RICHLAND COUNTY (B, H, Hw) - See Statewide
 ROOSEVELT COUNTY (B, H, Hw) - See Statewide
 ROSEBUD COUNTY (B, H, Hw) - See Statewide
 SANDERS COUNTY (B, H, Hw) - See Statewide
 (B, H, Hw) - See Statewide
 (R) - See Cascade County
 SHERIDAN COUNTY (B, H, Hw) - See Statewide
 SILVERSON COUNTY (R) - See Deerlodge County
 (B, H, Hw) - See Statewide
 STILLWATER COUNTY (B, H, Hw) - See Statewide
 SWEET GRASS COUNTY (B, H, Hw) - See Statewide
 TETON COUNTY (B, H, Hw) - See Statewide
 TOOLE COUNTY (B, H, Hw) - See Statewide
 TREASURE COUNTY (B, H, Hw) - See Statewide
 VALLEY COUNTY (B, H, Hw) - See Statewide
 (R) - See Cascade County
 WHEATLAND COUNTY (B, H, Hw) - See Statewide
 WIBAUX COUNTY (B, H, Hw) - See Statewide
 YELLOWSTONE COUNTY (B, H, Hw) - See Statewide

NEBRASKA

STATEWIDE (Except Douglas & Sarpy) Decision #AR-92 (H, Hw)
 39 FR 44917 - 12/27/74
 ADAMS COUNTY (B, Hw) - See Statewide
 ANTELOPE COUNTY (B, Hw) - See Statewide
 ARKANSO COUNTY (B, Hw) - See Statewide
 BANNER COUNTY (B, Hw) - See Statewide
 Decision #AQ-79 (3)
 39 FR 5933 - 2/13/74
 BLAINE COUNTY (B, Hw) - See Statewide
 BOONE COUNTY (B, Hw) - See Statewide
 BOX BUTTE COUNTY (B, Hw) - See Statewide
 (B, Hw) - See Banner County
 BOYD COUNTY Decision #NE75-4054 (Channel Stabilization)
 40 FR 8739 - 2/28/75 (H, Hw) - See Statewide
 BROWN COUNTY (H, Hw) - See Statewide
 BUFFALO COUNTY (H, Hw) - See Statewide
 BURR COUNTY (Chann. Stab.) - See Boyd County
 (H, Hw) - See Statewide
 BUTLER COUNTY (B, Hw) - See Statewide
 CASS COUNTY (Chann. Stab.) - See Boyd County
 Decision #100-488-59 (H, Hw)
 39 FR 36705 - 10/17/74
 Mod. #1 - 39 FR 36854 - 10/25/74
 Mod. #2 - 39 FR 36854 - 10/25/74
 Mod. #3 - 40 FR 7788 - 2/21/75
 CEDAR COUNTY (Decision #10-93 (B)
 39 FR 15533 - 5/3/74 (H, Hw) - See Statewide
 (Chann. Stab.) - See Boyd County
 CELESTE COUNTY (B, Hw) - See Statewide
 CHEYENNE COUNTY (B, Hw) - See Statewide
 (B) - See Banner County
 (B, Hw) - See Statewide
 CLAY COUNTY (B, Hw) - See Statewide
 COLFAX COUNTY (B, Hw) - See Statewide

NEBRASKA (Cont'd.)

CUMING COUNTY (B) - See Cedar County
 (H, Hw) - See Statewide
 CUSTER COUNTY (H, Hw) - See Statewide
 DAKOTA COUNTY (Chann. Stab.) - See Boyd County
 (H, Hw) - See Statewide
 DANES COUNTY (B) - See Banner County
 (H, Hw) - See Statewide
 DAWSON COUNTY (H, Hw) - See Statewide
 DEUEL COUNTY (B, Hw) - See Statewide
 (B) - See Banner County
 (H, Hw) - See Statewide
 DIXON COUNTY (Chann. Stab.) - See Boyd County
 (H, Hw) - See Statewide
 DODGE COUNTY (H, Hw) - See Statewide
 DOUGLAS COUNTY Decision #NE75-4055 (B)
 40 FR 8745 - 2/28/75
 Decision #94 (R)
 39 FR 44918 - 12/27/74
 Mod. #1 - 40 FR 3862 - 1/24/75
 Mod. #2 - 40 FR 6909 - 2/14/75
 Mod. #3 - 40 FR 8697 - 2/28/75
 (Chann. Stab.) - See Boyd County
 DUNDY COUNTY (H, Hw) - See Statewide
 FILLMORE COUNTY (H, Hw) - See Statewide
 FRANKLIN COUNTY (H, Hw) - See Statewide
 FRONTIER COUNTY (H, Hw) - See Statewide
 FURNAS COUNTY (H, Hw) - See Statewide
 GAGE COUNTY (H, Hw) - See Statewide
 GARDEN COUNTY (B) - See Banner County
 (H, Hw) - See Statewide
 GARFIELD COUNTY (H, Hw) - See Statewide
 GOSPER COUNTY (H, Hw) - See Statewide
 GRANT COUNTY (H, Hw) - See Statewide
 GREELEY COUNTY (H, Hw) - See Statewide

NEBRASKA (Cont'd.)

HULL COUNTY
Decision #A0-24 (B)
38 FR 24466 - 9/7/73
Mod. #1 - 38 FR 30330
(H,Hw) - See Statewide
HAMILTON COUNTY
(H,Hw) - See Statewide
HARLAN COUNTY
(H,Hw) - See Statewide
HAYES COUNTY
(H,Hw) - See Statewide
HITCHCOCK COUNTY
(H,Hw) - See Statewide
HOLT COUNTY
(H,Hw) - See Statewide
HOOKER COUNTY
(H,Hw) - See Statewide
HOWARD COUNTY
(H,Hw) - See Statewide
JEFFERSON COUNTY
(H,Hw) - See Statewide
JOHNSON COUNTY
(H,Hw) - See Statewide
KEARNEY COUNTY
(H,Hw) - See Statewide
KIEITH COUNTY
(H,Hw) - See Statewide
KEYAPPA COUNTY
(H,Hw) - See Statewide
KIMBALL COUNTY
(B) - See Banner County
(H,Hw) - See Statewide
KNOX COUNTY
(H,Hw) - See Statewide
(Chann. Stab.) - See Boyd County
LANCASTER COUNTY
Decision #AR-76 (B)
39 FR 40462 - 11/15/74
Mod. #1 - 40 FR 10882 - 3/7/75
Decision #AM-5140 (B)
38 FR 21736 - 11/12/71
(H,Hw) - See Statewide
LINCOLN COUNTY
(H,Hw) - See Statewide
LOSWAN COUNTY
(H,Hw) - See Statewide
LOOP COUNTY
(H,Hw) - See Statewide
MC PHERSON COUNTY
(H,Hw) - See Statewide
MADISON COUNTY
(H,Hw) - See Statewide
MERRICK COUNTY
(H,Hw) - See Statewide

NEBRASKA (Cont'd.)

MORRILL COUNTY
(B) - See Banner County
(H,Hw) - See Statewide
NAVICE COUNTY
(H,Hw) - See Statewide
NEMAHA COUNTY
Decision #W75-4060 (D)
40 FR 10886 - 3/7/75
(H,Hw) - See Statewide
(Chann. Stab.) - See Boyd County
NICKOLLS COUNTY
(H,Hw) - See Statewide
OTOE COUNTY
(Chann. Stab.) - See Boyd County
(H,Hw) - See Statewide
PAINEE COUNTY
(H,Hw) - See Statewide
PERKINS COUNTY
(H,Hw) - See Statewide
PHELPS COUNTY
(H,Hw) - See Statewide
PIERCE COUNTY
(B) - See Cedar County
(H,Hw) - See Statewide
PLATTE COUNTY
(H,Hw) - See Statewide
POLK COUNTY
(H,Hw) - See Statewide
RED WILLOW COUNTY
(H,Hw) - See Statewide
RICHARDSON COUNTY
(D) - See Nemaha County
(H,Hw) - See Statewide
ROCK COUNTY
(H,Hw) - See Statewide
SALINE COUNTY
(H,Hw) - See Statewide
SAPPEY COUNTY
(Chann. Stab.) - See Boyd County
(B,R) - See Douglas County
(H,Hw) - See Statewide
SAUNDERS COUNTY
(H,Hw) - See Statewide
(H,Hw) - See Cass County
SCOTT'S BLUFF COUNTY
(B) - See Banner County
(H,Hw) - See Statewide
SEWARD COUNTY
(H,Hw) - See Statewide
SHERIDAN COUNTY
(B) - See Banner County
(H,Hw) - See Statewide
SHERBURN COUNTY
(H,Hw) - See Statewide
SIOUX COUNTY
(B) - See Banner County
(H,Hw) - See Statewide

NEBRASKA (Cont'd.)

STANTON COUNTY
(B) - See Cedar County
(H,Hw) - See Statewide
THAYER COUNTY
(H,Hw) - See Statewide
THOMAS COUNTY
(H,Hw) - See Statewide
THURSTON COUNTY
(Chann. Stab.) - See Boyd County
(H,Hw) - See Statewide
WALLEY COUNTY
(H,Hw) - See Statewide
WASHINGTON COUNTY
(H,Hw) - See Douglas County
(Chann. Stab.) - See Boyd County
WAYNE COUNTY
(B) - See Cedar County
(H,Hw) - See Statewide
WEBSTER COUNTY
(H,Hw) - See Statewide
WHEELER COUNTY
(H,Hw) - See Statewide
YORK COUNTY
(H,Hw) - See Statewide

NEVADA
STATEWIDE (Excluding the Nevada Test Site & Tonopah Test Range)
Decision #AR-1057 (B,H,Hw)
39 FR 43473 - 12/13/74
CHURCHILL COUNTY
(B,H,Hw) - See Statewide
CLARK COUNTY
Decision #AR-1058 (R) (Excluding the Nevada Test Site)
39 FR 44168 - 12/20/74
(B,H,Hw) - See Statewide
Decision #W75-5005 (B,H,Hw) (Nevada Site including the Tonopah Test Range)
40 FR 3918 - 1/24/75
Mod. #1 - 40 FR 7799 - 2/21/75
DOUGLAS COUNTY
(B,H,Hw) - See Statewide
ELKO COUNTY
(B,H,Hw) - See Statewide
ESMERALDA COUNTY
(B,H,Hw) - See Statewide
EURICA COUNTY
(B,H,Hw) - See Statewide
HUMBOLDT COUNTY
(B,H,Hw) - See Statewide
LANDER COUNTY
(B,H,Hw) - See Statewide
LINCOLN COUNTY
(B,H,Hw) - See Statewide
LYON COUNTY
(B,H,Hw) - See Statewide
MINERAL COUNTY
(B,H,Hw) - See Statewide
MTE COUNTY
(B,H,Hw) - See Clark County (Nevada Test Site)
(B,H,Hw) - See Statewide
ORMSBY COUNTY
(B,H,Hw) - See Statewide
PERKINS COUNTY
(B,H,Hw) - See Statewide
STOREY COUNTY
(B,H,Hw) - See Statewide
WASHOE COUNTY
Decision #AR-1059 (R)
39 FR 44172 - 12/20/74
(B,H,Hw) - See Statewide
WHITE PINE COUNTY
(B,H,Hw) - See Statewide

NEW HAMPSHIRE

BELKNAP COUNTY
None

CARROLL COUNTY
None

CHESHIRE COUNTY
None

COOS COUNTY
None

GRAFTON COUNTY
None

HILLSBORO COUNTY
Decision #AR-3142 (B, H, HW, R & Marine)
39 FR 35021 - 9/27/74
Mod. #1 - 39 FR 36717 - 10/11/74
Mod. #2 - 40 FR 7799 - 2/21/75

MERRIMACK COUNTY
Decision #AR-3143 (B, H, HW, & Marine)
39 FR 35024 - 9/27/74
Mod. #1 - 39 FR 36717 - 10/11/74
Mod. #2 - 40 FR 7799 - 2/21/75

ROCKINGHAM COUNTY
Decision #NY75-3010 (D)
40 FR 3881 - 1/24/75

Decision #AR-3144 (B, H, HW, R & Marine)
39 FR 35027 - 9/27/74
Mod. #1 - 39 FR 36718 - 10/11/74
Mod. #2 - 40 FR 7799 - 2/21/75

STRAFFORD COUNTY
Decision #AR-3145 (B, H, HW, & Marine)
39 FR 35031 - 9/27/74
Mod. #1 - 39 FR 36718 - 10/11/74
Mod. #2 - 40 FR 7799 - 2/21/75

SULLIVAN COUNTY
None

NEW JERSEY

ATLANTIC COUNTY
Decision #AR-2077 (B, H, HW)
39 FR 40467 - 11/15/74
Mod. #1 - 39 FR 42612 - 12/16/74
Mod. #2 - 39 FR 43645 - 12/13/74
Mod. #3 - 40 FR 5990 - 2/7/75
Decision #NY75-3010 (D)
40 FR 3881 - 1/24/75

BERGEN COUNTY
Decision #AR-2078 (B, H, HW)
39 FR 40473 - 11/15/74
Mod. #1 - 39 FR 42611 - 12/16/74
Mod. #2 - 39 FR 44156 - 12/20/74
Mod. #3 - 40 FR 5981 - 2/7/75
(D) - See Atlantic County

BURLINGTON COUNTY
Decision #AR-2080 (B, H, HW)
39 FR 41130 - 11/22/74
Mod. #1 - 39 FR 43645 - 12/13/74
Mod. #2 - 39 FR 44156 - 12/20/74
Mod. #3 - 40 FR 5981 - 2/7/75
(D) - See Atlantic County

CAMDEN COUNTY
Decision #AR-2081 (B, H, HW)
39 FR 41139 - 11/22/74
Mod. #1 - 40 FR 5981 - 2/7/75
(D) - See Atlantic County

CAPE MAY COUNTY
(B, H, HW, D) - See Atlantic County

CUMBERLAND COUNTY
Decision #AR-2082 (B, H, HW)
39 FR 41146 - 11/22/74
Mod. #1 - 39 FR 43645 - 12/13/74
Mod. #2 - 39 FR 44156 - 12/20/74
Mod. #3 - 40 FR 5981 - 2/7/75
(D) - See Atlantic County

ESSEX COUNTY
Decision #AR-2083 (B, H, HW)
39 FR 41153 - 11/22/74
Mod. #1 - 40 FR 5982 - 2/7/75
(D) - See Atlantic County

GLOUCESTER COUNTY
(B, H, HW) - See Camden County
(D) - See Atlantic County

HUDSON COUNTY
Decision #AR-2087 (B, H, HW)
39 FR 41671 - 11/25/74
Mod. #1 - 40 FR 5982 - 2/7/75
(D) - See Atlantic County

HUNTERDON COUNTY
Decision #AR-2076 (B, H, HW)
39 FR 40393 - 11/15/74
Mod. #1 - 39 FR 42612 - 12/16/74
Mod. #2 - 40 FR 5980 - 2/7/75
(D) - See Atlantic County

MERCER COUNTY
Decision #AR-2089 (B, H, HW)
39 FR 41679 - 11/25/74
Mod. #1 - 39 FR 44157 - 12/20/74
Mod. #2 - 40 FR 5992 - 2/7/75
(D) - See Atlantic County

NEW JERSEY (Cont'd.)

MIDDLESEX COUNTY
Decision #AR-2040 (B, H, HW)
39 FR 33164 - 9/13/74
Mod. #1 - 39 FR 34923 - 9/27/74
Mod. #2 - 40 FR 5977 - 2/7/75
(D) - See Atlantic County

MONMOUTH COUNTY
Decision #AR-2089 (B, H, HW)
39 FR 41685 - 11/25/74
Mod. #1 - 40 FR 5983 - 2/7/75
(D) - See Atlantic County

MORRIS COUNTY
Decision #AR-2041 (B, H, HW)
39 FR 33172 - 9/13/74
Mod. #1 - 39 FR 34924 - 9/27/74
Mod. #2 - 39 FR 42810 - 12/16/74
Mod. #3 - 40 FR 5978 - 2/7/75
(D) - See Atlantic County

OCEAN COUNTY
Decision #AR-2090 (B, H, HW)
39 FR 41693 - 11/29/74
Mod. #1 - 40 FR 5983 - 2/7/75
(D) - See Atlantic County

PASSAIC COUNTY
Decision #AR-2042 (B, H, HW)
39 FR 33179 - 9/13/74
Mod. #1 - 39 FR 34924 - 9/27/74
Mod. #2 - 39 FR 41659 - 11/25/74
Mod. #3 - 39 FR 42811 - 12/16/74
Mod. #4 - 40 FR 5978 - 2/7/75
Mod. #5 - 40 FR 6697 - 2/28/75
(D) - See Atlantic County

SALEN COUNTY
Decision #AR-2073 (B, H, HW)
39 FR 40371 - 11/15/74
Mod. #1 - 40 FR 5979 - 2/7/75
(D) - See Atlantic County

SOMERSET COUNTY
Decision #AR-2043 (B, H, HW)
39 FR 32456 - 9/6/74
Mod. #1 - 39 FR 34925 - 9/27/74
Mod. #2 - 39 FR 42810 - 12/16/74
Mod. #3 - 40 FR 5979 - 2/7/75
(D) - See Atlantic County

SUSSEX COUNTY
Decision #AR-2075 (B, H, HW)
39 FR 40388 - 11/15/74
Mod. #1 - 40 FR 5980 - 2/7/75
(D) - See Atlantic County

UNION COUNTY
Decision #AR-2044 (B, H, HW)
39 FR 32464 - 9/6/74
Mod. #1 - 39 FR 34925 - 9/27/74
Mod. #2 - 39 FR 41659 - 11/25/74
Mod. #3 - 39 FR 42811 - 12/16/74
Mod. #4 - 40 FR 5979 - 2/7/75
(D) - See Atlantic County

WARREN COUNTY
Decision #AR-2074 (B, H, HW)
39 FR 40398 - 11/15/74
Mod. #1 - 39 FR 42611 - 12/16/74
Mod. #2 - 40 FR 5980 - 2/7/75
(D) - See Atlantic County

STATEWIDE

Decision #A0-18 (Streets, Highways, Utilities and Light Engineering Construction)
38 FR 21714 - 8/10/73
Mod. #1 - 38 FR 22853 - 8/24/73
Mod. #2 - 39 FR 32443 - 9/6/74
Decision #N075-4002 (Building, Including residential in McKinley, Santa Fe, San Juan & Bernalillo Cos.) and Heavy engineering construction.
40 FR 2391 - 1/10/75

Mod. #1 - 40 FR 3863 - 1/24/75
Mod. #2 - 40 FR 4786 - 1/31/75
Mod. #3 - 40 FR 8697 - 2/28/75

BERNALILLO COUNTY
(B, H, Hw, R) - See Statewide

CATRON COUNTY

(B, H, Hw) - See Statewide

CHARLES COUNTY

(B, H, Hw) - See Statewide

COLFAX COUNTY

(B, H, Hw) - See Statewide

CURRY COUNTY

(B, H, Hw) - See Statewide

DE BACA COUNTY

(B, H, Hw) - See Statewide

DONA ANA COUNTY

(B, H, Hw) - See Statewide

Decision #N075-4014 (R)

40 FR 3148 - 1/17/75

EDDY COUNTY

(B, H, Hw) - See Statewide

GRANT COUNTY

(B, H, Hw) - See Statewide

GUADALUPE COUNTY

(B, H, Hw) - See Statewide

HARDING COUNTY

(B, H, Hw) - See Statewide

HIDALGO COUNTY

(B, H, Hw) - See Statewide

LEA COUNTY

(B, H, Hw) - See Statewide

LINCOLN COUNTY

(B, H, Hw) - See Statewide

LOS ALAMOS COUNTY

(B, H, Hw) - See Statewide

LUNA COUNTY

(B, H, Hw) - See Statewide

McKINLEY COUNTY

(R) - See San Juan County

MORA COUNTY

(B, H, Hw, R) - See Statewide

(B, H, Hw) - See Statewide

OTERO COUNTY

(B, H, Hw) - See Statewide

QUAY COUNTY

(B, H, Hw) - See Statewide

RIO ARRIBA COUNTY

(B, H, Hw) - See Statewide

ROOSEVELT COUNTY

(B, H, Hw) - See Statewide

SANDOVAL COUNTY

(B, H, Hw) - See Statewide

SAN JUAN COUNTY

Decision #N075-5004 (Navajo Indian Reservation)(R)

40 FR 3921 - 1/24/75

(B, H, Hw, R) - See Statewide

SAN MIGUEL COUNTY

(B, H, Hw, R) - See Statewide

SANTE FE COUNTY

(B, H, Hw, R) - See Statewide

SIERRA COUNTY

(B, H, Hw) - See Statewide

SOCORRO COUNTY

(B, H, Hw) - See Statewide

TAGS COUNTY

(B, H, Hw) - See Statewide

TORRANCE COUNTY

(B, H, Hw) - See Statewide

UNION COUNTY

(B, H, Hw) - See Statewide

VALENCIA COUNTY

(B, H, Hw) - See Statewide

DUTCHESS COUNTY

Decision #AR-2072 (B, H, Hw)
39 FR 40480 - 11/15/74

Mod. #1 - 40 FR 3865 - 1/24/75

(D) - See Bronx County

EBLE COUNTY

Decision #AR-2096 (B, H, Hw)

39 FR 44178 - 12/20/74

(D) - See Cayuga County

ESSEX COUNTY

None

FRANKLIN COUNTY

(D) - See Cayuga County

FULTON COUNTY

None

GENESEE COUNTY

None

GREENE COUNTY

None

HAMILTON COUNTY

None

HERKIMER COUNTY

None

JEFFERSON COUNTY

Decision #AR-2059 (B, H, Hw)

39 FR 36773 - 10/11/74

Mod. #1-40 FR 3865 - 1/24/75

(D) - See Cayuga County

KINGS COUNTY

(D) - See Bronx County

LEWIS COUNTY

None

LIVINGSTON COUNTY

None

MADISON COUNTY

None

ALBANY COUNTY

Decision #AR-2064 (B, H, Hw)

39 FR 36799 - 10/11/74

Mod. #1 - 39 FR 38807 - 11/1/74

Mod. #2 - 40 FR 3864 - 1/24/75

ALLEGANY COUNTY

None

BRONX COUNTY

Decision #AR-2101 (B, H, Hw)

39 FR 44925 - 12/27/74

Mod. #1 - 40 FR 5984 - 2/17/75

Mod. #2 - 40 FR 7799 - 2/21/75

Decision #NY75-3016 (R)

40 FR 7652 - 2/21/75

Decision #NY75-3010 (U)

40 FR 3681 - 1/24/75

BROOME COUNTY

Decision #AR-2017 (B, H, Hw)

39 FR 29888 - 8/16/74

Mod. #1 - 39 FR 36718 - 10/11/74

Mod. #2 - 40 FR 3863 - 1/24/75

Mod. #3 - 40 FR 8697 - 2/28/75

CATARAUGUS COUNTY

None

CAYUGA COUNTY

Decision #A0-3095 (D)

39 FR 5982 - 2/15/74

Mod. #1 - 39 FR 44161 - 12/20/74

CHAUTAUGUS COUNTY

Decision #AR-2014 (B, H, Hw)

39 FR 28735 - 8/9/74

Mod. #1 - 40 FR 3863 - 1/24/75

(D) - See Cayuga County

CHEMUNG COUNTY

None

CHENANGO COUNTY

None

CLINTON COUNTY

None

COLUMBIA COUNTY

None

CORTLAND COUNTY

None

DELAWARE COUNTY

None

NOTICES

NEW YORK (Cont'd.)

MONROE COUNTY
 Decision #AR-2065 (B,H,Hw)
 39 FR 36803 - 10/11/74
 Mod. #1 - 40 FR 3864 - 1/24/75
 Mod. #2 - 40 FR 5984 - 2/7/75
 (D) - See Cayuga County
 MONTGOMERY COUNTY
 None
 NASSAU COUNTY
 Decision #NY75-3013 (B,H,Hw)
 40 FR 6939 - 2/14/75
 (D) - See Bronx County
 NEW YORK COUNTY
 (B,H,Hw,R,D) - See Bronx County
 NICHOLSON COUNTY
 Decision #NY75-3014 (B,H,Hw)
 40 FR 6944 - 2/14/75
 (D) - See Cayuga County
 ONIOTA COUNTY
 Decision #AR-2066 (B,H,Hw)
 39 FR 36808 - 10/11/74
 ONONDAGA COUNTY
 Decision #AR-2067 (B,H,Hw)
 39 FR 36814 - 10/11/74
 Mod. #1 - 40 FR 4791 - 1/31/75
 Mod. #2 - 40 FR 5984 - 2/7/75
 ONTARIO COUNTY
 None
 ORANGE COUNTY
 Decision #AR-2063 (B,H,Hw)
 39 FR 36792 - 10/11/74
 (D) - See Bronx County
 ORLEANS COUNTY
 (D) - See Cayuga County
 OSWEGO COUNTY
 (D) - See Cayuga County
 OTSEGO COUNTY
 None
 PUTNAM COUNTY
 None
 QUEENS COUNTY
 (B,H,Hw,R) - See Bronx County

NEW YORK (Cont'd.)

RENSSELAER COUNTY
 Decision #AR-2068 (B,H,Hw)
 39 FR 36818 - 10/11/74
 Mod. #1 - 39 FR 38808 - 11/1/74
 RICHMOND COUNTY
 (B,H,Hw,R,D) - See Bronx County
 ROCKLAND COUNTY
 (D) - See Bronx County
 ST LAWRENCE COUNTY
 (D) - See Cayuga County
 SARATOGA COUNTY
 Decision #AR-2097 (B,H,Hw)
 39 FR 46919 - 12/27/74
 SCHEMECTADY COUNTY
 Decision #AR-2011 (B,H,Hw)
 38 FR 27402 - 7/26/74
 Mod. #1 - 38 FR 21028 - 8/3/74
 SCHENECTADY COUNTY
 None
 SCHUYLER COUNTY
 None
 SENECA COUNTY
 None
 STEUBEN COUNTY
 Decision #AR-2069 (B,H,Hw)
 38 FR 36827 - 11/1/74
 SUFFOLK COUNTY
 Decision #NY75-3012 (B,H,Hw)
 40 FR 6934 - 2/14/75
 (D) - See Bronx County
 SULLIVAN COUNTY
 None
 TIOGA COUNTY
 None

NEW YORK (cont'd.)

TOMPKINS COUNTY
 None
 ULSTER COUNTY
 None
 WARREN COUNTY
 None
 WASHINGTON COUNTY
 None
 WAYNE COUNTY
 Decision #AQ-2128 (B,H,Hw)
 39 FR 24163 - 6/26/74
 (D) - See Cayuga County
 WESTCHESTER COUNTY
 Decision #AR-2021 (B,H,Hw)
 39 FR 33979 - 9/20/74
 Mod. #1 - 40 FR 10882 - 3/7/75
 (D) - See Bronx County
 WYOMING COUNTY
 None
 YATES COUNTY
 None

NORTH CAROLINA

STATEWIDE
 Decision #NC75-1015 (H,Hw)
 40 FR 4857 - 1/31/75
 Decision #NC75-1002 (Sewer & Water)
 40 FR 3149 - 1/17/75
 ALAMANCE COUNTY
 Decision #AQ-4078 (R)
 39 FR 7010 - 2/22/74
 (Sewer & Water, H,Hw) - See Statewide
 ALEXANDER COUNTY
 (Sewer & Water, H,Hw) - See Statewide
 ALLEGHANY COUNTY
 (Sewer & Water, H,Hw) - See Statewide
 ANSON COUNTY
 (Sewer & Water, H,Hw) - See Statewide
 ASHE COUNTY
 (Sewer & Water, H,Hw) - See Statewide
 AVERY COUNTY
 Decision #AR-4017 (B)
 39 FR 28739 - 8/9/74
 Mod. #1 - 39 FR 43466 - 12/13/74
 (Sewer & Water, H,Hw) - See Statewide

NORTH CAROLINA (Cont'd.)

BEAUFORT COUNTY
 Decision #D075-3008 (D)
 40 FR 3094 - 1/17/75
 (Sewer & Water, H,Hw) - See Statewide
 BERTIE COUNTY
 Decision #AQ-4079 (R)
 39 FR 7010 - 2/22/74
 Mod. #1 - 40 FR 3087 - 1/17/75
 (D) - See Beaufort County
 BLADEN COUNTY
 (Sewer & Water, H,Hw) - See Statewide
 BURLINGTON COUNTY
 (Sewer & Water, H,Hw) - See Statewide
 BUNCOMBE COUNTY
 (Sewer & Water, H,Hw) - See Statewide
 Decision #AR-4031 (R)
 39 FR 32441 - 9/6/74
 BUNCOMBE COUNTY
 Decision #AR-4005 (B)
 39 FR 24778 - 7/5/74
 Mod. #1 - 39 FR 43465 - 12/13/74
 Decision #NC75-1014 (R)
 40 FR 6111 - 2/7/75
 (Sewer & Water, H,Hw) - See Statewide
 BURKE COUNTY
 Decision #AQ-4105 (B)
 39 FR 14842 - 4/26/74
 Decision #AQ-4117 (R)
 39 FR 18397 - 5/24/74
 (Sewer & Water, H,Hw) - See Statewide
 CABARRUS COUNTY
 (Sewer & Water, H,Hw) - See Statewide
 CALDWELL COUNTY
 (Sewer & Water, H,Hw) - See Statewide
 CAMDEN COUNTY
 (Sewer & Water, H,Hw) - See Statewide
 CARTERET COUNTY
 Decision #AQ-4083 (R)
 39 FR 8101 - 3/7/74
 (D) - See Beaufort County
 CASHIEL COUNTY
 (Sewer & Water, H,Hw) - See Statewide
 CATAWBA COUNTY
 (Sewer & Water, H,Hw) - See Statewide
 CHATHAM COUNTY
 (R) - See Burke County
 (Sewer & Water, H,Hw) - See Statewide
 Decision #AR-4044 (R)
 39 FR 36022 - 10/11/74
 Mod. #1 - 40 FR 3087 - 1/17/75
 (Sewer & Water, H,Hw) - See Statewide
 CHEROKEE COUNTY
 (Sewer & Water, H,Hw) - See Statewide

CHowan County
(Sewer & Water, H, Hw) - See Statewide
(D) - See Beaufort County
(R) - See Bertie County

CLAY County
(Sewer & Water, H, Hw) - See Statewide

CLEVELAND County
(R) - See Burke County
(Sewer & Water, H, Hw) - See Statewide

COLUMBUS County
(Sewer & Water, H, Hw) - See Statewide

CRANEHURST County
(R) - See Carteret County
(Sewer & Water, H, Hw) - See Statewide
(D) - See Beaufort County

CUMBERLAND County
(R) - See Chatham County
(Sewer & Water, H, Hw) - See Statewide
(D) - See Beaufort County

CURRITUCK County
(Sewer & Water, H, Hw) - See Statewide
(D) - See Beaufort County

DARE County
(D) - See Beaufort County

DARROW County
(Sewer & Water, H, Hw) - See Statewide
(D) - See Beaufort County

DAVIDSON County
(Sewer & Water, H, Hw) - See Statewide

DAVIE County
(Sewer & Water, H, Hw) - See Statewide

DUPLIN County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Bertie County

DURHAM County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Carteret County

EDGEcombe County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Bertie County

FORSYTH County
Decision #A8-4019 (R)
39 FR 29702 - 8/16/74

FRANKLIN County
(Sewer & Water, H, Hw) - See Statewide
(Sewer & Water, H, Hw) - See Statewide
(R) - See Bertie County

GASTON County
(Sewer & Water, H, Hw) - See Statewide

GATES County
(Sewer & Water, H, Hw) - See Statewide
(D) - See Beaufort County

GRAHAM County
(Sewer & Water, H, Hw) - See Statewide

GRANVILLE County
(Sewer & Water, H, Hw) - See Statewide

GREENE County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Carteret County

GUILFORD County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Alamance County

HALIFAX County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Bertie County

HARNETT County
(R) - See Chatham County
(Sewer & Water, H, Hw) - See Statewide

HAYWOOD County
(R) - See Buncombe County
(R) - See Cumberland County
(Sewer & Water, H, Hw) - See Statewide

HENDERSON County
(R) - See Buncombe County
(Sewer & Water, H, Hw) - See Statewide

HERFORD County
(Sewer & Water, H, Hw) - See Statewide
(D) - See Beaufort County
(R) - See Bertie County

Hoke County
(R) - See Chatham County
(Sewer & Water, H, Hw) - See Statewide

HYDE County
(Sewer & Water, H, Hw) - See Statewide
(D) - See Beaufort County

IREDELL County
(Sewer & Water, H, Hw) - See Statewide

JACKSON County
(R) - See Buncombe County
(Sewer & Water, H, Hw) - See Statewide

JOHNSON County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Carteret County

JONES County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Carteret County

LEE County
(R) - See Chatham County
(Sewer & Water, H, Hw) - See Statewide

LENOIR County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Carteret County

LENOIR County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Carteret County

LINDSEY County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Burke County

MCDOWELL County
(R) - See Buncombe County
(Sewer & Water, H, Hw) - See Statewide

MADISON County
(Sewer & Water, H, Hw) - See Statewide

MADISON County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Buncombe County
(Sewer & Water, H, Hw) - See Statewide

MARTIN County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Bertie County

MECKLENBURG County
Decision #A8-16 (B)
38 FR 5753 - 3/2/73
Mod. #1 - 38 FR 7166 - 3/16/73
Mod. #2 - 38 FR 31770 - 1/16/73

MICHAEL County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Avery County

MONTGOMERY County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Chatham County

MOORE County
(Sewer & Water, H, Hw) - See Statewide

MOSH County
(Sewer & Water, H, Hw) - See Statewide

NEW HANOVER County
(R) - See Brunswick County
(D) - See Beaufort County
(Sewer & Water, H, Hw) - See Statewide

NORTHAMPTON County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Bertie County

ONSLow County
Decision #A8-4048 (B)
39 FR 38078 - 10/25/74

ORANGE County
(Sewer & Water, H, Hw) - See Statewide

PAMLICO County
(D) - See Beaufort County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Carteret County

PASQUOTANK County
(D) - See Beaufort County
(Sewer & Water, H, Hw) - See Statewide

PENDER County
(R) - See Brunswick County
(D) - See Beaufort County
(R) - See Brunswick County

PERQUIMANS County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Beaufort County

PERSONS County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Bertie County

PITT County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Bertie County

POLK County
(R) - See Burke County
(Sewer & Water, H, Hw) - See Statewide

RANDOLPH County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Alamance County

RICHMOND County
(Sewer & Water, H, Hw) - See Statewide

ROBEESON County
(Sewer & Water, H, Hw) - See Statewide

ROCKINGHAM County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Alamance County

ROMAN County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Burke County

RUTHERFORD County
(R) - See Burke County
(Sewer & Water, H, Hw) - See Statewide

SAMPSON County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Chatham County

SCOTLAND County
(Sewer & Water, H, Hw) - See Statewide

STANLY County
(Sewer & Water, H, Hw) - See Statewide

STOKES County
(Sewer & Water, H, Hw) - See Statewide

SURRY County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Forsyth County

SWAIN County
(Sewer & Water, H, Hw) - See Statewide

TRANSYLVANIA County
Decision #A8-4042 (B)
39 FR 34906 - 9/27/74

TYRRELL County
(R) - See Buncombe County
(Sewer & Water, H, Hw) - See Statewide

UNION County
(D) - See Beaufort County
(Sewer & Water, H, Hw) - See Statewide

VANCE County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Bertie County

WAKE County
Decision #A8-4032 (B)
38 FR 31093 - 11/9/73
Mod. #1 - 39 FR 5066 - 2/18/74

WAGNER County
(Sewer & Water, H, Hw) - See Statewide

WASHINGTON County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Beaufort County

WATAUGA County
(B) - See Avery County
(Sewer & Water, H, Hw) - See Statewide

WAYNE County
(Sewer & Water, H, Hw) - See Statewide
(R) - See Carteret County

WILKES County
Decision #A8-4063 (B)
38 FR 42803 - 12/6/74
Mod. #1 - 40 FR 3087 - 1/17/75
Mod. #2 - 40 FR 5984 - 2/17/75

WILSON County
(Sewer & Water, H, Hw) - See Statewide
(Sewer & Water, H, Hw) - See Statewide

YADKIN County
(Sewer & Water, H, Hw) - See Statewide

YANCEY County
(Sewer & Water, H, Hw) - See Statewide

NORTH DAKOTA

STATEWIDE

Decision #AR-1053 (Hw)
39 FR 42823 - 12/16/74

ADAMS COUNTY

(Hw) - See Statewide

BARNES COUNTY

(Hw) - See Statewide

BENSON COUNTY

(Hw) - See Statewide

BILLINGS COUNTY

(Hw) - See Statewide

BOTTINEAU COUNTY

(Hw) - See Statewide

BOWMAN COUNTY

(Hw) - See Statewide

BURKE COUNTY

(Hw) - See Statewide

BURLEIGH COUNTY

(Hw) - See Statewide

Decision #ND75-5031 (B)
40 FR 8747 - 2/28/75

CASS COUNTY

(Hw) - See Statewide

(B) - See Burleigh County

CAVALIER COUNTY

(Hw) - See Statewide

DICKEY COUNTY

(Hw) - See Statewide

DIVIDE COUNTY

(Hw) - See Statewide

DUNK COUNTY

(Hw) - See Statewide

EDDY COUNTY

(Hw) - See Statewide

ENKONS COUNTY

(Hw) - See Statewide

FOSTER COUNTY

(Hw) - See Statewide

GOLDEN VALLEY COUNTY

(Hw) - See Statewide

NORTH DAKOTA (Cont'd)

GRAND FORKS COUNTY

(Hw) - See Statewide

(B) - See Burleigh County

GRANT COUNTY

(Hw) - See Statewide

GRIESES COUNTY

(Hw) - See Statewide

HETTINGER COUNTY

(Hw) - See Statewide

KIDDER COUNTY

(Hw) - See Statewide

LABOURE COUNTY

(Hw) - See Statewide

LOGAN COUNTY

(Hw) - See Statewide

MCHEERY COUNTY

(Hw) - See Statewide

MCINTOSH COUNTY

(Hw) - See Statewide

MCKENZIE COUNTY

(Hw) - See Statewide

MCLEAN COUNTY

(Hw) - See Statewide

MERCER COUNTY

(Hw) - See Statewide

MORTON COUNTY

(Hw) - See Statewide

(B) - See Burleigh County

MOUNTRAIL COUNTY

(Hw) - See Statewide

NELSON COUNTY

(Hw) - See Statewide

OLIVER COUNTY

(Hw) - See Statewide

PENNINGTON COUNTY

(Hw) - See Statewide

RANSOM COUNTY

(Hw) - See Statewide

RENVILLE COUNTY

(Hw) - See Statewide

RICHLAND COUNTY

(Hw) - See Statewide

(B) - See Burleigh County

NORTH DAKOTA (Cont'd)

ROLETTE COUNTY

(Hw) - See Statewide

SARGENT COUNTY

(Hw) - See Statewide

SHERIDAN COUNTY

(Hw) - See Statewide

SIOUX COUNTY

(Hw) - See Statewide

SLOPE COUNTY

(Hw) - See Statewide

STARK COUNTY

(Hw) - See Statewide

STEELE COUNTY

(Hw) - See Statewide

(B) - See Burleigh County

STUTSMAN COUNTY

(Hw) - See Statewide

TOWNER COUNTY

(Hw) - See Statewide

TRAILL COUNTY

(Hw) - See Statewide

WALSH COUNTY

(Hw) - See Statewide

WARD COUNTY

(B) - See Burleigh County

WELLS COUNTY

(Hw) - See Statewide

WILLIAMS COUNTY

(Hw) - See Statewide

OHIO

STATEWIDE

Decision #AR-3048 (H, Hw)
39 FR 27992 - 8/2/74

Mod. #1 - 39 FR 29722 - 8/16/74

Mod. #2 - 39 FR 34927 - 9/27/74

Mod. #3 - 39 FR 37330 - 10/18/74

Mod. #4 - 39 FR 40406 - 11/15/74

Mod. #5 - 40 FR 4787 - 1/31/75

ADAMS COUNTY

Decision #IL75-2036 (D)
40 FR 6023 - 2/7/75

(H, Hw) - See Statewide

ALLEN COUNTY

Decision #DH75-2034 (B)
40 FR 5987 - 2/7/75

(H, Hw) - See Statewide

ASHLAND COUNTY

(H, Hw) - See Statewide

ASHTABULA COUNTY

Decision #AR-3169 (B, R)
39 FR 40401 - 11/15/74

Decision #AQ-3095 (D)
39 FR 5982 - 2/7/75

Mod. #1 - 39 FR 44161 - 12/20/74

(H, Hw) - See Statewide

ATHENS COUNTY

(D) - See Adams County

(H, Hw) - See Statewide

AUSLAIZE COUNTY

(B) - See Allen County

(H, Hw) - See Statewide

BELMONT COUNTY

(H, Hw) - See Statewide

BROWN COUNTY

(D) - See Adams County

(H, Hw) - See Statewide

BUTLER COUNTY

Decision #AR-3033 (B)
39 FR 30774 - 8/23/74

Decision #AP-683 (R)
38 FR 14049 - 5/25/73

(H, Hw) - See Statewide

CARROLL COUNTY

(H, Hw) - See Statewide

CHAMPAIN COUNTY

(H, Hw) - See Statewide

CLARK COUNTY

Decision #AP-3034 (B)
39 FR 30776 - 8/23/74

Decision #AP-684 (R)
38 FR 14049 - 5/25/73

(H, Hw) - See Statewide

CLEMMONT COUNTY

Decision #AM-685 (R)
38 FR 14050 - 5/25/73

(B) - See Hamilton County

(D) - See Adams County

(H, Hw) - See Statewide

OHIO (Cont'd)

CLINTON COUNTY (H, Hw) - See Statewide
 COLUMBIANA COUNTY (H, Hw) - See Statewide
 COSHOCTON COUNTY (H, Hw) - See Statewide
 CRAWFORD COUNTY (H, Hw) - See Statewide
 CUYAHOGA COUNTY (H, Hw) - See Statewide
 Decision #AR-3035 (B, R) 39 FR 30778 - 8/23/74
 (H, Hw) - See Statewide
 DARKE COUNTY (H, Hw) - See Statewide
 DEFIANCE COUNTY (H, Hw) - See Statewide
 DELAWARE COUNTY (H, Hw) - See Statewide
 Decision #M-420 (B) 36 FR 15963 - 8/18/71
 Mod. #1 - 38 FR 4530 - 2/16/73
 (H, Hw) - See Statewide
 ERIE COUNTY (H, Hw) - See Statewide
 Decision #AR-3172 (B) 39 FR 41102 - 11/22/74
 (D) - See Ashtabula County
 FAIRFIELD COUNTY (H, Hw) - See Statewide
 (R) - See Delaware County
 FAYETTE COUNTY (H, Hw) - See Statewide
 (H, Hw) - See Statewide
 FRANKLIN COUNTY (H, Hw) - See Statewide
 Decision #AR-3036 (B) 36 FR 3780 - 8/23/74
 Mod. #1 - 38 FR 4530 - 2/16/73
 (D) - See Delaware County
 (H, Hw) - See Statewide
 FULTON COUNTY (H, Hw) - See Statewide
 (B) - See Lucas County
 (H, Hw) - See Statewide
 GALLIA COUNTY (H, Hw) - See Statewide
 (D) - See Adams County
 (H, Hw) - See Statewide
 BEAUGA COUNTY (H, Hw) - See Statewide
 GREENE COUNTY (H, Hw) - See Statewide
 Decision #AR-3037 (B) 39 FR 30782 - 8/23/74
 Decision #M-422 (R) 36 FR 15965 - 8/18/71
 Mod. #1 - 37 FR 8619 - 4/28/72
 (H, Hw) - See Statewide
 GUERNSEY COUNTY (H, Hw) - See Statewide
 HAMILTON COUNTY (H, Hw) - See Statewide
 Decision #AR-3038 (B) 39 FR 30784 - 8/23/74
 (D) - See Adams County
 (R) - See Clermont County
 (H, Hw) - See Statewide

OHIO (Cont'd)

HANCOCK COUNTY (H, Hw) - See Statewide
 Decision #AR-3173 (B) 39 FR 41105 - 11/22/74
 (H, Hw) - See Statewide
 HARDIN COUNTY (H, Hw) - See Statewide
 HARRISON COUNTY (H, Hw) - See Statewide
 HENRY COUNTY (H, Hw) - See Statewide
 (H, Hw) - See Statewide
 HIGHLAND COUNTY (H, Hw) - See Statewide
 HOCKING COUNTY (H, Hw) - See Statewide
 HOLMES COUNTY (H, Hw) - See Statewide
 HURON COUNTY (H, Hw) - See Statewide
 (B) - See Erie County
 (H, Hw) - See Statewide
 JACKSON COUNTY (H, Hw) - See Statewide
 JEFFERSON COUNTY (H, Hw) - See Statewide
 (H, Hw) - See Statewide
 KNOX COUNTY (H, Hw) - See Statewide
 LAKE COUNTY (H, Hw) - See Statewide
 (B, R) - See Cuyahoga County
 (D) - See Ashtabula County
 (B, H, Hw) - See Statewide
 LAWRENCE COUNTY (H, Hw) - See Statewide
 (D) - See Adams County
 (H, Hw) - See Statewide
 LICKING COUNTY (H, Hw) - See Statewide
 Decision #AR-3039 (B) 39 FR 30786 - 8/23/74
 (H, Hw) - See Statewide
 (R) - See Delaware County
 LOGAN COUNTY (H, Hw) - See Statewide
 LOGAN COUNTY (H, Hw) - See Statewide
 LOHAIN COUNTY (H, Hw) - See Statewide
 Decision #AR-3040 (B, R) 39 FR 30663 - 8/23/74
 (D) - See Ashtabula County
 (H, Hw) - See Statewide
 LUCAS COUNTY (H, Hw) - See Statewide
 Decision #AR-3041 (B) 39 FR 30788 - 8/23/74
 Mod. #1 - 39 FR 38810 - 11/11/74
 (D) - See Ashtabula County
 (H, Hw) - See Statewide
 MADISON COUNTY (H, Hw) - See Statewide
 (B) - See Franklin County
 (R) - See Delaware County
 (H, Hw) - See Statewide

OHIO (Cont'd)

MAHON COUNTY (H, Hw) - See Statewide
 Mod. #1 - 40 FR 7759 - 2/21/75
 (H, Hw) - See Statewide
 MARION COUNTY (H, Hw) - See Statewide
 MEDINA COUNTY (H, Hw) - See Statewide
 (H, Hw) - See Statewide
 MEigs COUNTY (H, Hw) - See Statewide
 (D) - See Adams County
 (H, Hw) - See Statewide
 MERCER COUNTY (H, Hw) - See Statewide
 (B) - See Allen County
 (H, Hw) - See Statewide
 MIAMI COUNTY (H, Hw) - See Statewide
 (R) - See Greene County
 (H, Hw) - See Statewide
 MONROE COUNTY (H, Hw) - See Statewide
 (D) - See Adams County
 (H, Hw) - See Statewide
 MONTGOMERY COUNTY (H, Hw) - See Statewide
 (B) - See Greene County
 (R) - See Greene County
 (H, Hw) - See Statewide
 MORGAN COUNTY (H, Hw) - See Statewide
 (H, Hw) - See Statewide
 MORROW COUNTY (H, Hw) - See Statewide
 MUSKINGHAM COUNTY (H, Hw) - See Statewide
 Decision #AR-3043 (B) 39 FR 30792 - 8/23/74
 (H, Hw) - See Statewide
 NOBLE COUNTY (H, Hw) - See Statewide
 OTTAWA COUNTY (H, Hw) - See Statewide
 (R) - See Erie County
 (D) - See Ashtabula County
 (H, Hw) - See Statewide
 PAULding COUNTY (H, Hw) - See Statewide
 FERRY COUNTY (H, Hw) - See Statewide
 PICKAWAY COUNTY (H, Hw) - See Statewide
 (B) - See Franklin County
 (R) - See Delaware County
 (H, Hw) - See Statewide
 PIKE COUNTY (H, Hw) - See Statewide
 Decision #AR-3175 (B) 39 FR 43451 - 12/13/74
 Mod. #1 - 40 FR 3087 - 1/17/75
 Mod. #2 - 40 FR 5985 - 2/7/75
 (H, Hw) - See Statewide
 PORTAGE COUNTY (H, Hw) - See Statewide
 Decision #AR-3044 (B, R) 39 FR 30794 - 8/23/74
 (H, Hw) - See Statewide

OHIO (Cont'd)

PREBLE COUNTY (H, Hw) - See Statewide
 (R) - See Greene County
 (H, Hw) - See Statewide
 PUTNAM COUNTY (H, Hw) - See Statewide
 RICHLAND COUNTY (H, Hw) - See Statewide
 ROSS COUNTY (H, Hw) - See Statewide
 (B) - See Pike County
 (H, Hw) - See Statewide
 SANDUSKY COUNTY (H, Hw) - See Statewide
 (R) - See Erie County
 (D) - See Ashtabula County
 (H, Hw) - See Statewide
 SCIOTO COUNTY (H, Hw) - See Statewide
 (B) - See Pike County
 (D) - See Adams County
 (H, Hw) - See Statewide
 SENECA COUNTY (H, Hw) - See Statewide
 SHELBY COUNTY (H, Hw) - See Statewide
 (H, Hw) - See Statewide
 STACK COUNTY (H, Hw) - See Statewide
 Decision #AR-3045 (B, R) 39 FR 30796 - 8/23/74
 (H, Hw) - See Statewide
 SUMMIT COUNTY (H, Hw) - See Statewide
 Decision #AR-3046 (B, R) 39 FR 30798 - 8/23/74
 Mod. #1 - 39 FR 34927 - 9/27/74
 (H, Hw) - See Statewide
 TRUMBULL COUNTY (H, Hw) - See Statewide
 Decision #AR-3047 (B, R) 39 FR 30800 - 8/23/74
 (H, Hw) - See Statewide
 TUSCARORAS COUNTY (H, Hw) - See Statewide
 UNION COUNTY (H, Hw) - See Statewide
 VAN MERT COUNTY (H, Hw) - See Statewide
 (B) - See Allen County
 (H, Hw) - See Statewide
 Vinton County (H, Hw) - See Statewide
 WAGNER COUNTY (H, Hw) - See Statewide
 (R) - See Butler County
 (H, Hw) - See Statewide
 WASHINGTON COUNTY (H, Hw) - See Statewide
 (D) - See Adams County
 (H, Hw) - See Statewide
 WAYNE COUNTY (H, Hw) - See Statewide
 WILLIAMS COUNTY (H, Hw) - See Statewide
 WOOD COUNTY (H, Hw) - See Statewide
 WYANDOT COUNTY (H, Hw) - See Statewide

OKLAHOMA

STATEWIDE (Except the City of Muskogee)

Decision #AQ-124 (Constr., alteration, and/or repair of streets, highways, runways, erosion control structures, well drilling, and water and sewer utilities)

39 FR 24194 - 6/28/74

ADAIR COUNTY

Decision #OK75-4057 (B,H,Hw)

40 FR 10897 - 1/7/75

ALFALFA COUNTY

(H,Hw) - See Statewide

ATOKA COUNTY

(H,Hw) - See Statewide

BEAVER COUNTY

(H,Hw) - See Statewide

BECKHAM COUNTY

(H,Hw) - See Statewide

BLAINE COUNTY

(H,Hw) - See Statewide

BRYAN COUNTY

(H,Hw) - See Statewide

Decision #OK75-4016 (R)

40 FR 3151 - 1/17/75

CADDO COUNTY

(H,Hw) - See Statewide

CANADIAN COUNTY

(H,Hw) - See Statewide

Decision #OK75-4049 (B)

40 FR 6112 - 2/17/75

Decision #OK75-4055 - 2/21/75

40 FR 6100 - 2/17/75

Decision #OK75-4056 - 2/21/75

40 FR 6100 - 2/17/75

Decision #OK75-4057 - 2/21/75

40 FR 6100 - 2/17/75

Decision #OK75-4058 - 2/21/75

40 FR 6100 - 2/17/75

CARTER COUNTY

(H,Hw) - See Statewide

CHEROKEE COUNTY

(B) - See Muskogee County

(H,Hw) - See Statewide

CHOCTAW COUNTY

(H,Hw) - See Statewide

CIMARRON COUNTY

(H,Hw) - See Statewide

CLEVELAND COUNTY

(H,Hw) - See Statewide

(R) - See Oklahoma County

(B) - See Oklahoma County

COAL COUNTY

(H,Hw) - See Statewide

COMBEE COUNTY

(H,Hw) - See Statewide

Decision #OK75-4017 (R)

40 FR 3152 - 1/17/75

Decision #AR-80 (B)

39 FR 41107 - 11/22/74

Mod. #1 - 39 FR 44157 - 12/20/74

Mod. #2 - 40 FR 3866 - 1/24/75

COTTON COUNTY

(H,Hw) - See Statewide

CRAG COUNTY

(H,Hw) - See Statewide

OKLAHOMA (Cont'd.)

CREEK COUNTY

(H,Hw) - See Tulsa County

(B) - See Statewide

CUSTER COUNTY

(H,Hw) - See Statewide

DELAWARE COUNTY

(H,Hw) - See Statewide

DENVER COUNTY

(H,Hw) - See Statewide

ELLIS COUNTY

(H,Hw) - See Statewide

GARFIELD COUNTY

(H,Hw) - See Statewide

Decision #AR-85 (B)

39 FR 42801 - 12/6/74

Mod. #1 - 40 FR 6905 - 2/14/75

(H,Hw) - See Statewide

GARVIN COUNTY

(H,Hw) - See Statewide

GRADY COUNTY

(H,Hw) - See Statewide

GRANT COUNTY

(H,Hw) - See Statewide

GREER COUNTY

(H,Hw) - See Statewide

HARMON COUNTY

(H,Hw) - See Statewide

HARPER COUNTY

(H,Hw) - See Statewide

HASKELL COUNTY

(H,Hw) - See Statewide

HUGHES COUNTY

(H,Hw) - See Statewide

JACKSON COUNTY

(H,Hw) - See Statewide

JEFFERSON COUNTY

(H,Hw) - See Statewide

JOHNSTON COUNTY

(H,Hw) - See Statewide

KAY COUNTY

(H,Hw) - See Statewide

(B) - See Statewide

KINGFISHER COUNTY

(H,Hw) - See Statewide

KIDWA COUNTY

(H,Hw) - See Statewide

LATIMER COUNTY

(H,Hw) - See Statewide

LEFLORE COUNTY

(H,Hw) - See Statewide

LINCOLN COUNTY

(H,Hw) - See Statewide

(R) - See Statewide

(B) - See Oklahoma County

LOGAN COUNTY

(H,Hw) - See Statewide

LOVE COUNTY

(H,Hw) - See Statewide

MCCLAIN COUNTY

(B) - See Oklahoma County

(H,Hw) - See Statewide

MCCURTAIN COUNTY

(H,Hw) - See Statewide

OKLAHOMA (cont'd.)

MCINTOSH COUNTY

Decision #AR-89 (B)

39 FR 43456 - 12/13/74

Mod. #1 - 40 FR 6906 - 2/14/75

(H,Hw) - See Statewide

MAJOR COUNTY

(H,Hw) - See Statewide

MARSHALL COUNTY

(H,Hw) - See Statewide

MAVES COUNTY

(H,Hw) - See Statewide

MURRAY COUNTY

(H,Hw) - See Statewide

MUSKOGEE COUNTY

(H,Hw) - See Statewide

(B) - See Adair County

NOBLE COUNTY

(H,Hw) - See Statewide

NOWATA COUNTY

(H,Hw) - See Statewide

OKFUSKEE COUNTY

(H,Hw) - See Statewide

OKLAHOMA COUNTY

Decision #OK75-4049 (B)

40 FR 6112 - 2/17/75

Mod. #1 - 40 FR 7799 - 2/21/75

Decision #AP-304 (R)

37 FR 15789 - 8/4/72

Mod. #1 - 37 FR 28799 - 12/28/72

Mod. #2 - 38 FR 4078 - 2/5/73

OKMULGEE COUNTY

(H,Hw) - See Statewide

OSAGE COUNTY

(H,Hw) - See Statewide

(R) - See Tulsa County

OTTAWA COUNTY

(H,Hw) - See Statewide

PANHANDLE COUNTY

(H,Hw) - See Statewide

PAVINE COUNTY

(H,Hw) - See Statewide

PITTSBURG COUNTY

Decision #AR-88 (B)

39 FR 43454 - 12/13/74

Mod. #1 - 40 FR 2381 - 1/10/75

Mod. #2 - 40 FR 6906 - 2/14/75

(H,Hw) - See Statewide

PONTOTOC COUNTY

(H,Hw) - See Statewide

POTTAWATOMIE COUNTY

(H,Hw) - See Statewide

(B,R) - See Oklahoma County

PUSHMATAHA COUNTY

(H,Hw) - See Statewide

ROGER WELLS COUNTY

(H,Hw) - See Statewide

OKLAHOMA (Cont'd.)

ROGERS COUNTY

(H,Hw) - See Statewide

SEMINOLE COUNTY

(B) - See Oklahoma County

(H,Hw) - See Statewide

SEQUOIA COUNTY

(H,Hw) - See Statewide

STEPHENS COUNTY

(H,Hw) - See Statewide

TEXAS COUNTY

(H,Hw) - See Statewide

TILLMAN COUNTY

(H,Hw) - See Statewide

TULSA COUNTY

Decision #OK75-4050 (B)

40 FR 6115 - 2/17/75

Mod. #1 - 40 FR 7800 - 2/21/75

Mod. #2 - 40 FR 10882 - 3/7/75

(H,Hw) - See Statewide

Decision #OK75-4015 (R)

40 FR 3150 - 1/17/75

WAGONER COUNTY

Decision #AR-93 (B)

39 FR 44903 - 12/27/74

Mod. #1 - 40 FR 5985 - 2/7/75

(H,Hw) - See Statewide

WASHINGTON COUNTY

(H,Hw) - See Statewide

OKLAHOMA (Cont'd.)

WASHINGTON COUNTY

(H,Hw) - See Statewide

WASHINGTON COUNTY

(H,Hw

OREGON (Cont'd.)

OREGON

STATEWIDE
 Decision #0075-5014 (B, H, Hw, D)
 40 FR 6117 - 2/7/75

BAKER COUNTY (B, H, Hw, D) - See Statewide

BENTON COUNTY (B, H, Hw, D) - See Statewide

CLACKAMAS COUNTY (B, H, Hw, D) - See Statewide

Decision #AR-1016 (R)
 39 FR 29310 - 8/16/74

CLATSOP COUNTY (B, H, Hw, D) - See Statewide

COLUMBIA COUNTY (B, H, Hw, D) - See Statewide

COOS COUNTY (B, H, Hw, D) - See Statewide

CROOK COUNTY (B, H, Hw, D) - See Statewide

CURRY COUNTY (B, H, Hw, D) - See Statewide

DESHUTES COUNTY (B, H, Hw, D) - See Statewide

DOUGLAS COUNTY (B, H, Hw, D) - See Statewide

GILLIAM COUNTY (B, H, Hw, D) - See Statewide

GRANT COUNTY (B, H, Hw, D) - See Statewide

HARNEY COUNTY (H, Hw, B, D) - See Statewide

HOOVER COUNTY (B, H, Hw, D) - See Statewide

HOOD RIVER COUNTY (H, Hw, B, D) - See Statewide

JACKSON COUNTY (H, Hw, B, D) - See Statewide

JEFFERSON COUNTY (B, H, Hw, D) - See Statewide

JOSEPHINE COUNTY (B, H, Hw, D) - See Statewide

KLAMATH COUNTY (B, H, Hw, D) - See Statewide

LAKE COUNTY (B, H, Hw, D) - See Statewide

LANE COUNTY (B, H, Hw, D) - See Statewide

Decision #AR-1015 (R)
 39 FR 29702 - 8/16/74

LINCOLN COUNTY (B, H, Hw, D) - See Statewide

LINN COUNTY (B, H, Hw, D) - See Statewide

(B, H, Hw, D) - See Statewide

(R) - See Lane County

MALHEUR COUNTY (B, H, Hw, D) - See Statewide

MAZON COUNTY (R) - See Lane County

MORROW COUNTY (B, H, Hw, D) - See Statewide

MULTNOMAH COUNTY (B, H, Hw, D) - See Statewide

POLK COUNTY (B, H, Hw, D) - See Statewide

SHERMAN COUNTY (B, H, Hw, D) - See Statewide

TILLAMOOK COUNTY (B, H, Hw, D) - See Statewide

UMATILLA COUNTY (B, H, Hw, D) - See Statewide

UNION COUNTY (B, H, Hw, D) - See Statewide

WALLOWA COUNTY (B, H, Hw, D) - See Statewide

WASCO COUNTY (B, H, Hw, D) - See Statewide

WASHINGTON COUNTY (B, H, Hw, D) - See Statewide

(R) - See Clackamas County

WHEELER COUNTY (B, H, Hw, D) - See Statewide

YAMHILL COUNTY (B, H, Hw, D) - See Statewide

PENNSYLVANIA

PENNSYLVANIA (Cont'd.)

ADAMS COUNTY
 Decision #AR-2029 (H, Hw)
 39 FR 31853 - 8/30/74
 Mod. #1 - 39 FR 41660 - 11/29/74
 Mod. #2 - 39 FR 43466 - 12/13/74
 Decision #AR-2099 (B)
 39 FR 44931 - 12/27/74
 Mod. #1 - 40 FR 4790 - 1/31/75
 Mod. #2 - 40 FR 5986 - 2/7/75

ALLEGHENY COUNTY
 Decision #AR-2033 (B)
 39 FR 35048 - 9/27/74
 Mod. #1 - 39 FR 44157 - 12/20/74
 Decision #AQ-2049 (R)
 39 FR 5043 - 2/8/74

(H, Hw) - See Beaver County

ARMSTRONG COUNTY
 Decision #AQ-2058 (H, Hw)
 39 FR 9410 - 3/8/74
 Mod. #1 - 39 FR 2337 - 6/21/74
 Mod. #2 - 39 FR 3916 - 9/20/74
 Decision #AR-2034 (B)
 39 FR 35051 - 9/27/74
 Mod. #1 - 39 FR 44157 - 12/20/74
 Mod. #2 - 40 FR 4789 - 1/31/75

BEAVER COUNTY
 Decision #AQ-2059 (H, Hw)
 39 FR 6004 - 2/15/74
 Mod. #1 - 39 FR 22370 - 6/21/74
 Mod. #2 - 39 FR 26562 - 7/19/74
 Mod. #3 - 39 FR 28008 - 8/2/74
 Mod. #4 - 39 FR 33918 - 9/20/74
 Decision #AR-2035 (B)
 39 FR 40487 - 11/15/74
 Mod. #1 - 39 FR 44912 - 12/27/74

BEDFORD COUNTY
 Decision #AQ-2060 (H, Hw)
 39 FR 9410 - 3/8/74
 Mod. #1 - 39 FR 22372 - 6/21/74
 Mod. #2 - 39 FR 33918 - 9/20/74
 Decision #AQ-2094 (B)
 39 FR 11808 - 3/29/74
 Mod. #1 - 39 FR 13411 - 4/12/74
 Mod. #2 - 39 FR 20919 - 6/14/74
 Mod. #3 - 39 FR 28008 - 8/2/74
 Mod. #4 - 39 FR 37332 - 10/18/74
 Mod. #5 - 39 FR 44158 - 12/20/74

BERKS COUNTY
 Decision #AR-2027 (B)
 39 FR 31850 - 8/30/74
 Mod. #1 - 39 FR 44911 - 12/27/74
 Mod. #2 - 40 FR 5986 - 2/7/75

BLAIR COUNTY
 Decision #AQ-2083 (B)
 39 FR 12578 - 4/5/74
 Mod. #1 - 39 FR 20919 - 6/14/74
 Mod. #2 - 39 FR 28008 - 8/2/74
 Mod. #3 - 39 FR 29725 - 8/16/74
 Mod. #4 - 39 FR 37332 - 10/18/74
 Mod. #5 - 39 FR 44158 - 12/20/74

BLAIR COUNTY (Cont'd.)
 (H, Hw) - See Armstrong County

BRADFORD COUNTY (H, Hw) - See Adams County

BUCKS COUNTY
 Decision #PA75-3011 (B)
 40 FR 4781 - 1/31/75
 Decision #AR-2006 (R)
 39 FR 25905 - 7/12/74
 Mod. #1 - 39 FR 28012 - 8/2/74
 Mod. #2 - 39 FR 38814 - 11/1/74
 Decision #AR-2028 (H, Hw)
 39 FR 33984 - 9/20/74

BUTLER COUNTY
 Decision #AR-2036 (B)
 39 FR 33988 - 9/20/74
 Mod. #1 - 39 FR 41111 - 11/22/74
 Mod. #2 - 39 FR 44912 - 12/21/74
 Decision #AQ-2062 (H, Hw)
 39 FR 6011 - 2/15/74
 Mod. #1 - 39 FR 14121 - 4/19/74
 Mod. #2 - 39 FR 22373 - 6/21/74
 Mod. #3 - 39 FR 33918 - 9/20/74

CAMBERIA COUNTY
 Decision #AQ-2081 (B)
 39 FR 11805 - 3/29/74
 Mod. #1 - 39 FR 20919 - 6/14/74
 Mod. #2 - 39 FR 28008 - 8/2/74
 Mod. #3 - 39 FR 37331 - 10/18/74
 Mod. #4 - 39 FR 44158 - 12/20/74
 Mod. #5 - 40 FR 4790 - 1/31/75

CAMERON COUNTY (H, Hw) - See Butler County

CARBON COUNTY (H, Hw) - See Bedford County

CENTRE COUNTY (H, Hw) - See Adams County

Decision #AQ-2061 (H, Hw)
 39 FR 6008 - 2/15/74
 Mod. #1 - 39 FR 9357 - 3/8/74
 Mod. #2 - 39 FR 14121 - 4/19/74
 Mod. #3 - 39 FR 22373 - 6/21/74
 Mod. #4 - 39 FR 33918 - 9/20/74

CHESTER COUNTY (H, Hw, R) - See Bucks County

Decision #AR-2003 (B)
 39 FR 25895 - 7/12/74
 Mod. #1 - 39 FR 28012 - 8/2/74
 Mod. #2 - 39 FR 38813 - 11/1/74

CLARION COUNTY (H, Hw) - See Bedford County

CLEARFIELD COUNTY (H, Hw) - See Centre County

CLINTON COUNTY (H, Hw) - See Bedford County

COLUMBIA COUNTY (H, Hw) - See Adams County

CRAMFORD COUNTY
 Decision #AR-2098 (B)
 39 FR 44928 - 12/27/74

(H, Hw) - See Armstrong County

PENNSYLVANIA (Cont'd.)

CUMBERLAND COUNTY
 Decision #AR-2009 (B)
 39 FR 26619 - 8/13/74
 Mod. #1 - 39 FR 52475 - 8/16/74
 Mod. #2 - 39 FR 52475 - 8/16/74
 Mod. #3 - 40 FR 4789 - 1/31/75
 Mod. #4 - 40 FR 5283 - 2/17/75
 (H,Hw) - See Adams County

DAUPHIN COUNTY
 (H,Hw) - See Adams County

DELAWARE COUNTY
 (B) - See Cumberland County

Decision #AR-2002 (B)
 39 FR 25892 - 7/12/74
 Mod. #1 - 39 FR 28012 - 8/2/74
 Mod. #2 - 39 FR 38813 - 11/1/74
 Mod. #3 - 40 FR 10082 - 3/7/75
 (R,H,Hw) - See Bucks County

ELK COUNTY
 Decision #AR-2045 (B)
 39 FR 9338 - 3/6/74
 Mod. #1 - 39 FR 18408 - 5/24/74
 Mod. #2 - 39 FR 20919 - 6/14/74
 Mod. #3 - 39 FR 28008 - 8/2/74
 Mod. #4 - 39 FR 37332 - 10/18/74
 Mod. #5 - 39 FR 44158 - 12/20/74
 (H,Hw) - See Bedford County

ERIE COUNTY
 Decision #AR-2094 (B)
 39 FR 43491 - 12/13/74
 (H,Hw) - See Butler County

FAYETTE COUNTY
 (B) - See Butler County

FOREST COUNTY
 (H,Hw) - See Butler County

Decision #AO-2121 (B)
 39 FR 18398 - 5/24/74
 Mod. #1 - 39 FR 20920 - 6/14/74
 Mod. #2 - 39 FR 28008 - 8/2/74
 Mod. #3 - 39 FR 37332 - 10/18/74
 Mod. #4 - 39 FR 38812 - 11/1/74
 Mod. #5 - 39 FR 44911 - 12/27/74
 (H,Hw) - See Bedford County

FRANKLIN COUNTY
 Decision #AR-2001 (B)
 39 FR 24803 - 7/5/74
 Mod. #1 - 39 FR 26562 - 7/19/74
 Mod. #2 - 39 FR 28010 - 8/2/74
 Mod. #3 - 39 FR 40406 - 11/15/74
 Mod. #4 - 39 FR 44157 - 12/20/74
 (H,Hw) - See Bedford County

FULTON COUNTY
 (H,Hw) - See Bedford County

GREENE COUNTY
 (H,Hw) - See Bedford County

HUNTINGDON COUNTY
 (H,Hw) - See Centre County

INDIANA COUNTY
 (H,Hw) - See Bedford County

Decision #AR-2037 (B)
 39 FR 31658 - 8/30/74
 Mod. #1 - 39 FR 44512 - 12/27/74
 Mod. #2 - 40 FR 4789 - 1/31/75
 (H,Hw) - See Armstrong County

JEFFERSON COUNTY
 (H,Hw) - See Centre County

PENNSYLVANIA (Cont'd.)

JUNIATA COUNTY
 (H,Hw) - See Adams County

LACKAWANNA COUNTY
 (B) - See Cumberland County

Decision #AR-2052 (B)
 39 FR 41701 - 11/29/74
 Mod. #1 - 40 FR 5582 - 2/7/75
 (H,Hw) - See Adams County

LANCASTER COUNTY
 Decision #AR-2030 (B)
 39 FR 31857 - 8/30/74
 Mod. #1 - 39 FR 42476 - 11/15/74
 Mod. #2 - 39 FR 44912 - 12/27/74
 Mod. #3 - 40 FR 4789 - 1/31/75
 Mod. #4 - 40 FR 5286 - 2/17/75
 (H,Hw) - See Adams County

LAWRENCE COUNTY
 Decision #AR-2045 (B)
 39 FR 37345 - 10/18/74
 Mod. #1 - 39 FR 44913 - 12/27/74
 (H,Hw) - See Butler County

LEBANON COUNTY
 Decision #AO-2080 (B)
 39 FR 12571 - 4/5/74
 Mod. #1 - 39 FR 24785 - 7/5/74
 Mod. #2 - 39 FR 26564 - 7/19/74
 Mod. #3 - 39 FR 37331 - 10/18/74
 Mod. #4 - 39 FR 44209 - 11/15/74
 Mod. #5 - 40 FR 4789 - 1/31/75
 Mod. #6 - 40 FR 5286 - 2/17/75

LEHIGH COUNTY
 Decision #PA75-3019 (B)
 40 FR 8755 - 2/28/75
 (H,Hw) - See Adams County

LUZERNE COUNTY
 Decision #PA75-3018 (B)
 40 FR 7856 - 2/21/75
 (H,Hw) - See Adams County

LYCOMING COUNTY
 (H,Hw) - See Adams County

Decision #AQ-2079 (B)
 39 FR 11803 - 3/29/74
 Mod. #1 - 39 FR 30667 - 8/23/74
 Mod. #2 - 39 FR 40407 - 11/15/74
 (H,Hw) - See Adams County

MCKEAN COUNTY
 (H,Hw) - See Adams County

MERCER COUNTY
 (H,Hw) - See Adams County

Decision #AR-2045 (B)
 39 FR 37345 - 10/18/74
 Mod. #1 - 39 FR 44913 - 12/27/74
 (H,Hw) - See Butler County

MIDDLEBURY COUNTY
 (H,Hw) - See Bedford County

MONROE COUNTY
 (H,Hw) - See Bedford County

MONTGOMERY COUNTY
 Decision #AR-2004 (B)
 39 FR 25898 - 7/12/74
 Mod. #1 - 39 FR 28012 - 8/2/74
 Mod. #2 - 39 FR 37332 - 10/18/74
 Mod. #3 - 39 FR 38813 - 11/1/74
 Mod. #4 - 39 FR 44158 - 12/20/74
 (H,Hw) - See Bucks County

MUNSTER COUNTY
 (H,Hw) - See Adams County

NORTHAMPTON COUNTY
 Decision #PA75-3015 (B)
 40 FR 6947 - 2/14/75
 Mod. #1 - 40 FR 8658 - 2/28/75

PENNSYLVANIA (Cont'd.)

NORTHBERLAND COUNTY
 Decision #AR-2095 (B)
 39 FR 43494 - 12/13/74
 (H,Hw) - See Adams County

PERRY COUNTY
 (H,Hw) - See Adams County

PHILADELPHIA COUNTY
 Decision #AR-2005 (B)
 39 FR 25902 - 7/12/74
 Mod. #1 - 39 FR 28012 - 8/2/74
 Mod. #2 - 39 FR 38814 - 11/1/74
 Decision #NY75-3010 (B)
 40 FR 3881 - 1/24/75

PIKE COUNTY
 (H,Hw,R) - See Bucks County

POTTER COUNTY
 (H,Hw) - See Adams County

SCHUYLKILL COUNTY
 Decision #PA75-3017 (B)
 40 FR 7854 - 2/21/75
 (H,Hw) - See Adams County

SNYDER COUNTY
 (H,Hw) - See Adams County

SOMERSET COUNTY
 (H,Hw) - See Adams County

SULLY COUNTY
 (H,Hw) - See Butler County

Decision #AQ-2070 (B)
 39 FR 10070 - 3/15/74
 Mod. #1 - 39 FR 26562 - 7/19/74
 Mod. #2 - 39 FR 44911 - 12/27/74
 Mod. #3 - 40 FR 4789 - 1/31/75
 (H,Hw) - See Adams County

SUSQUEHANNA COUNTY
 (H,Hw) - See Lackawanna County

TIOGA COUNTY
 (H,Hw) - See Adams County

UNION COUNTY
 (H,Hw) - See Adams County

YEMANINGO COUNTY
 Decision #AQ-2043 (B)
 39 FR 7011 - 2/22/74
 Mod. #1 - 39 FR 18408 - 5/24/74
 Mod. #2 - 39 FR 20919 - 6/14/74
 Mod. #3 - 39 FR 28008 - 8/2/74
 Mod. #4 - 39 FR 41110 - 11/22/74
 (H,Hw) - See Armstrong County

WARREN COUNTY
 Decision #AQ-2085 (B)
 39 FR 14115 - 4/19/74
 Mod. #1 - 39 FR 20920 - 6/14/74
 Mod. #2 - 39 FR 28008 - 8/2/74
 Mod. #3 - 39 FR 37332 - 10/18/74
 Mod. #4 - 39 FR 38811 - 11/1/74
 Mod. #5 - 39 FR 44911 - 12/27/74
 (H,Hw) - See Armstrong county

PENNSYLVANIA (Cont'd.)

WASHINGTON COUNTY
 Decision #AR-2039 (B)
 39 FR 35054 - 44912 - 9/27/74
 Mod. #1 - 39 FR 44912 - 12/27/74
 (H,Hw) - See Butler County

WAYNE COUNTY
 (B) - See Lackawanna County

WESTMORELAND COUNTY
 Decision #AR-2038 (B)
 39 FR 31862 - 8/30/74
 Mod. #1 - 39 FR 44913 - 12/27/74
 Mod. #2 - 40 FR 4790 - 1/31/75
 (H,Hw) - See Butler County

WYOMING COUNTY
 (B) - See Lackawanna County

YORK COUNTY
 (B,H,Hw) - See Adams County
 (B) - See Adams County

YORK COUNTY
 (B,H,Hw) - See Adams Co. (Excluding
 New Cumberland Depot)
 (B) - See Cumberland County (New
 Cumberland Depot)
 (H,Hw) - See Adams County (New
 Cumberland Depot)

PUERTO RICO

Decision #AR-2016 (R)
 39 FR 28859 - 8/9/74
 Decision #AQ-2052 (B)
 39 FR 5161 - 2/8/74
 Decision #AQ-2019 (H,Hw)
 38 FR 24847 - 9/14/73
 Mod. #1 - 39 FR 27395 - 7/26/74

RHODE ISLAND

Decision #NY75-3010 (D)
 40 FR 3881 - 1/24/75

BRISTOL COUNTY
 Decision #R175-2031 (B,H,Hw,R & Marine)
 40 FR 6128 - 2/7/75
 (D) - See Statewide

KENT COUNTY
 (B,H,Hw, & Marine) - See Bristol County
 (D) - See Statewide

NEWPORT COUNTY
 Decision #R175-2032 (B,H,Hw,R & Marine)
 40 FR 6132 - 2/7/75
 (D) - See Statewide

PROVIDENCE COUNTY
 (B,H,Hw, R & Marine) - See Bristol Co.
 (D) - See Statewide

WASHINGTON COUNTY
 Decision #R175-2033 (B,H,Hw,R & Marine)
 40 FR 6124 - 2/7/75
 (D) - See Statewide

SOUTH CAROLINA

STATEWIDE

- Decision SC75-1003 (H,HW)
40 FR 3153 - 1/17/75
- Decision #P-157 (Sewer & Water)
38 FR 4619 - 2/16/73
- ABBEVILLE COUNTY
Decision #AR-4003 (B)
39 FR 26554 - 7/19/74
(Sewer & Water, H,HW) - See Statewide
- AIKEN COUNTY
Decision #SC75-1029 (R)
40 FR 10500 - 3/7/75
(Sewer & Water, H,HW) - See Statewide
- ALLENDALE COUNTY
Decision #AR-4006 (R)
39 FR 24780 - 7/5/74
(Sewer & Water, H,HW) - See Statewide
- ANDERSON COUNTY
Decision #SC75-1004 (R)
40 FR 3154 - 1/17/75
(Sewer & Water, H,HW) - See Statewide
- BANBERG COUNTY
(R)-See Allendale County
(Sewer & Water, H,HW) - See Statewide
- BARNWELL COUNTY
(R) - See Aiken County
(Sewer & Water, H,HW) - See Statewide
- BEAUFORT COUNTY
Decision #SC75-1026 (B)
40 FR 8652 - 2/28/75
Decision #D075-3008 (B)
40 FR 3094 - 1/17/75
(Sewer & Water, H,HW) - See Statewide
- BERKELEY COUNTY
(D) - See Beaufort County
(Sewer & Water, H,HW) - See Statewide
- Decision #SC75-1021 (R)
40 FR 7859 - 2/21/75
Decision #AR-4045 (B)
39 FR 37327 - 10/18/74
Mod. #1 - 39 FR 41662 - 11/29/74
Mod. #2 - 40 FR 3087 - 1/17/75
Mod. #3 - 40 FR 4790 - 1/31/75
- CALHOUN COUNTY
(R) - See Allendale County
(Sewer & Water, H,HW) - See Statewide
- CHARLESTON COUNTY
(B) - See Berkeley County
(D) - See Beaufort County
(Sewer & Water, H,HW) - See Statewide
(R) - See Berkeley County
- CHEROKEE COUNTY
Decision #SC75-1017 (R)
40 FR 4765 - 1/31/75
(B) - See Abbeville County
(Sewer & Water, H,HW) - See Statewide
- CHESTER COUNTY
Decision #AR-4009 (B)
39 FR 25778 - 7/12/74
(Sewer & Water, H,HW) - See Statewide

SOUTH CAROLINA (Cont'd.)

- CHESTERFIELD COUNTY
(Sewer & Water, H,HW) - See Statewide
- CLARENDON COUNTY
Decision #AR-4052 (R)
40 FR 39671 - 11/8/74
(Sewer & Water, H,HW) - See Statewide
- COLLETON COUNTY
(U) - See Beaufort County
(Sewer & Water, H,HW) - See Statewide
- Decision #AR-4052 (R)
39 FR 39671 - 11/8/74
- DARLINGTON COUNTY
(R) - See Clarendon County
(Sewer & Water, H,HW) - See Statewide
- DELLON COUNTY
(R) - See Clarendon County
(Sewer & Water, H,HW) - See Statewide
- DORCHESTER COUNTY
(R) - See Berkeley County
(Sewer & Water, H,HW) - See Statewide
- EDGEFIELD COUNTY
(R) - See Aiken County
(Sewer & Water, H,HW) - See Statewide
- FAIRFIELD COUNTY
(B) - See Chester County
(Sewer & Water, H,HW) - See Statewide
- FLORENCE COUNTY
(R) - See Clarendon County
(Sewer & Water, H,HW) - See Statewide
- GEORGETOWN COUNTY
(D) - See Beaufort County
(Sewer & Water, H,HW) - See Statewide
- GREENVILLE COUNTY
(R) - See Anderson County
(Sewer & Water, H,HW) - See Statewide
- GREENWOOD COUNTY
(Sewer & Water, H,HW) - See Statewide
- HAMPTON COUNTY
(Sewer & Water, H,HW) - See Statewide
- HOBBS COUNTY
(D) - See Beaufort County
(Sewer & Water, H,HW) - See Statewide
- (D) - See Beaufort County
(Sewer & Water, H,HW) - See Statewide
- JASPER COUNTY
(D) - See Beaufort County
(Sewer & Water, H,HW) - See Statewide
- KERSHAW COUNTY
(Sewer & Water, H,HW) - See Statewide
- LANCASTER COUNTY
(B) - See Chester County
(Sewer & Water, H,HW) - See Statewide
- LAURENS COUNTY
(B) - See Abbeville County
(Sewer & Water, H,HW) - See Statewide
- LEE COUNTY
(R) - See Clarendon County
(Sewer & Water, H,HW) - See Statewide

SOUTH CAROLINA (Cont'd.)

- LEXINGTON COUNTY
Decision #AR-4049 (R)
39 FR 38078 - 10/25/74
Decision #AR-4004 (B)
39 FR 24779 - 7/5/74
Mod. #1 - 39 FR 43466 - 12/13/74
(Sewer & Water, H,HW) - See Statewide
- MCCORMICK COUNTY
(Sewer & Water, H,HW) - See Statewide
- MARLBORO COUNTY
(R) - See Clarendon County
(Sewer & Water, H,HW) - See Statewide
- MARLBORO COUNTY
(R) - See Clarendon County
(Sewer & Water, H,HW) - See Statewide
- MECKLENBURG COUNTY
(B) - See Abbeville County
(Sewer & Water, H,HW) - See Statewide
- OCONEE COUNTY
(R) - See Anderson County
(Sewer & Water, H,HW) - See Statewide
- ORANGETHURST COUNTY
(Sewer & Water, H,HW) - See Statewide
- PICKENS COUNTY
(R) - See Anderson County
(Sewer & Water, H,HW) - See Statewide
- RICHLAND COUNTY
(Sewer & Water, H,HW) - See Statewide
- (R) - See Lexington County
- SALUDA COUNTY
(Sewer & Water, H,HW) - See Statewide
- SPARTANBURG COUNTY
(R) - See Cherokee County
(Sewer & Water, H,HW) - See Statewide
- SUMTER COUNTY
Decision #AQ-4097 (B)
39 FR 12581 - 4/5/74
(Sewer & Water, H,HW) - See Statewide
- UNION COUNTY
(R) - See Cherokee County
(Sewer & Water, H,HW) - See Statewide
- WILLIAMSBURG COUNTY
(R) - See Clarendon County
(Sewer & Water, H,HW) - See Statewide
- YORK COUNTY
(Sewer & Water, H,HW) - See Statewide

SOUTH DAKOTA

STATEWIDE
Decision #SD75-5013 (H, Hw)
40 FR 4858 - 1/31/75

AUROKA COUNTY
(H, Hw) - See Statewide

BEADLE COUNTY
(H, Hw) - See Statewide

BENNETT COUNTY
(H, Hw) - See Statewide

BOW HOME COUNTY
(H, Hw) - See Statewide

BROOKINGS COUNTY
(H, Hw) - See Statewide

BROWN COUNTY
(H, Hw) - See Statewide

BRULE COUNTY
(H, Hw) - See Statewide

BUFFALO COUNTY
(H, Hw) - See Statewide

BUTTE COUNTY
(H, Hw) - See Statewide

CAMPBELL COUNTY
(H, Hw) - See Statewide

CHARLES MIX COUNTY
(H, Hw) - See Statewide

CLARK COUNTY
(H, Hw) - See Statewide

CLAY COUNTY
(H, Hw) - See Statewide

CODDINGTON COUNTY
(H, Hw) - See Statewide

CORSON COUNTY
(H, Hw) - See Statewide

CUSTER COUNTY
(H, Hw) - See Statewide

DAVISON COUNTY
(H, Hw) - See Statewide

DAY COUNTY
(H, Hw) - See Statewide

DEUEL COUNTY
(H, Hw) - See Statewide

DEWEY COUNTY
(H, Hw) - See Statewide

DOUGLAS COUNTY
(H, Hw) - See Statewide

EDMONDS COUNTY
(H, Hw) - See Statewide

FALL RIVER COUNTY
(H, Hw) - See Statewide

FAULK COUNTY
(H, Hw) - See Statewide

GRANT COUNTY
(H, Hw) - See Statewide

GREGORY COUNTY
(H, Hw) - See Statewide

HANCON COUNTY
(H, Hw) - See Statewide

SOUTH DAKOTA (CONT'D.)

HAMLIN COUNTY
(H, Hw) - See Statewide

HAND COUNTY
(H, Hw) - See Statewide

HANSON COUNTY
(H, Hw) - See Statewide

HARDING COUNTY
(H, Hw) - See Statewide

HUGHES COUNTY
(H, Hw) - See Statewide

HUTCHINSON COUNTY
(H, Hw) - See Statewide

HYDE COUNTY
(H, Hw) - See Statewide

JACKSON COUNTY
(H, Hw) - See Statewide

JERAULD COUNTY
(H, Hw) - See Statewide

JONES COUNTY
(H, Hw) - See Statewide

KINGSBURY COUNTY
(H, Hw) - See Statewide

LAKE COUNTY
(H, Hw) - See Statewide

LAWRENCE COUNTY
(H, Hw) - See Statewide

LINCOLN COUNTY
(H, Hw) - See Statewide

LYMAN COUNTY
(H, Hw) - See Statewide

MARSHALL COUNTY
(H, Hw) - See Statewide

MC COOK COUNTY
(H, Hw) - See Statewide

MC PHERSON COUNTY
(H, Hw) - See Statewide

MEADE COUNTY
Decision #AQ-1027 (B)
39 FR 31856 - 8/30/74
(H, Hw) - See Statewide

MELLETTE COUNTY
(H, Hw) - See Statewide

MINER COUNTY
(H, Hw) - See Statewide

MINNEHAHA COUNTY
Decision #AR-1056 (B)
39 FR 44190 - 12/20/74
Decision #AQ-1091 (R)
39 FR 8146 - 3/1/74
Mod. #1 - 39 FR 14856 - 4/26/74
(H, Hw) - See Statewide

MOODY COUNTY
(H, Hw) - See Statewide

PENNINGTON COUNTY
(H, Hw) - See Statewide

PERKINS COUNTY
(H, Hw) - See Statewide

SOUTH DAKOTA (Cont'd.)

POTTER COUNTY
(H, Hw) - See Statewide

ROBERTS COUNTY
(H, Hw) - See Statewide

SANGRE COUNTY
(H, Hw) - See Statewide

SPAWSON COUNTY
(H, Hw) - See Statewide

SPINK COUNTY
(H, Hw) - See Statewide

STANLEY COUNTY
(H, Hw) - See Statewide

SULLY COUNTY
(H, Hw) - See Statewide

TODD COUNTY
(H, Hw) - See Statewide

TRIPP COUNTY
(H, Hw) - See Statewide

TURNER COUNTY
(H, Hw) - See Statewide

UNION COUNTY
(H, Hw) - See Statewide

WALKMOUTH COUNTY
(H, Hw) - See Statewide

WASHBAUGH COUNTY
(H, Hw) - See Statewide

YANKTON COUNTY
(H, Hw) - See Statewide

ZIEBACH COUNTY
(H, Hw) - See Statewide

TENNESSEE (Cont'd)

MARSHALL COUNTY
(F) - See Statewide
(Hw) - See Statewide
(R) - See Cheatham County
MAURY COUNTY
(F) - See Statewide
(Hw) - See Statewide
(R) - See Cheatham County
MEigs COUNTY
(F) - See Statewide
(Hw) - See Statewide
MONROE COUNTY
(F) - See Statewide
(Hw) - See Statewide
MONTGOMERY COUNTY
(F) - See Statewide
(Hw) - See Statewide
MOORE COUNTY
(F) - See Statewide
(Hw) - See Statewide
MORGAN COUNTY
(F) - See Statewide
(Hw) - See Statewide
OBION COUNTY
(R) - See Lake County
(D) - See Carroll County
(F) - See Statewide
(Hw) - See Statewide
OVERTON COUNTY
(F) - See Statewide
(Hw) - See Statewide
PERRY COUNTY
(F) - See Statewide
(Hw) - See Statewide
PICKETT COUNTY
(F) - See Statewide
(Hw) - See Statewide
POLK COUNTY
(F) - See Statewide
(Hw) - See Statewide
PUTNAM COUNTY
(F) - See Statewide
(Hw) - See Statewide
RREA COUNTY
(F) - See Statewide
(Hw) - See Statewide
ROWNE COUNTY
(B) - See Anderson Co. (Oak Ridge and Atomic Energy Commission)
(F) - See Statewide
(Hw) - See Statewide
ROBERTSON COUNTY
(F) - See Statewide
(Hw) - See Statewide
(R) - See Cheatham County

TENNESSEE (Cont'd)

RUTHERFORD COUNTY
Decision #40-4114 (B)
39 FR 16980 - 5/10/74
Mod. #1 - 39 FR 28013 - 8/2/74
Mod. #2 - 39 FR 29726 - 8/16/74
Mod. #3 - 39 FR 31782 - 8/30/74
Mod. #4 - 40 FR 3088 - 1/17/75
(F) - See Statewide
(Hw) - See Statewide
(R) - See Cheatham County
SCOTT COUNTY
(F) - See Statewide
(Hw) - See Statewide
SEQUOAH COUNTY
(F) - See Statewide
(Hw) - See Statewide
SEVIER COUNTY
(F) - See Statewide
(Hw) - See Statewide
SHELBY COUNTY
Decision #1175-1006 (B,H, & Utility)
40 FR 3155 - 1/17/75
Mod. #1 - 40 FR 6911 - 2/14/75
Decision #4P-152 (R)
38 FR 4176 - 2/9/73
(D) - See Carroll County
(F) - See Statewide
(Hw) - See Statewide
SMITH COUNTY
(F) - See Statewide
(Hw) - See Statewide
STENART COUNTY
(F) - See Statewide
(Hw) - See Statewide
SULLIVAN COUNTY
Decision #AM-8523 (B)
37 FR 12013 - 6/16/72
Mod. #1 - 37 FR 23065 - 10/27/72
Mod. #2 - 39 FR 11815 - 3/29/74
Mod. #3 - 39 FR 17655 - 5/17/74
(F) - See Statewide
(Hw) - See Statewide
(R) - See Carter County
SUMNER COUNTY
(Hw) - See Statewide
(F) - See Statewide
(R) - See Cheatham County
TIPTON COUNTY
(D) - See Carroll County
(F) - See Statewide
(Hw) - See Statewide
TROUSDALE COUNTY
(F) - See Statewide
(Hw) - See Statewide
(R) - See Cheatham County

TENNESSEE (cont'd)

UNICOI COUNTY
(F) - See Statewide
(Hw) - See Statewide
UNION COUNTY
(F) - See Statewide
(Hw) - See Statewide
VAN BUREN COUNTY
(F) - See Statewide
(Hw) - See Statewide
WAGNER COUNTY
(F) - See Statewide
(Hw) - See Statewide
WASHINGTON COUNTY
Decision #AP-100 (B)
37 FR 13419 - 7/7/72
Mod. #1 - 37 FR 17316 - 8/25/72
Mod. #2 - 37 FR 22708 - 10/20/72
(R) - See Carter County
(F) - See Statewide
(Hw) - See Statewide
WAYNE COUNTY
(F) - See Statewide
(Hw) - See Statewide
WEAVER COUNTY
(D) - See Carroll County
(F) - See Statewide
(Hw) - See Statewide
WHITE COUNTY
(F) - See Statewide
(Hw) - See Statewide
WILLIAMSON COUNTY
(F) - See Statewide
(Hw) - See Statewide
(R) - See Cheatham County
WELSON COUNTY
(F) - See Statewide
(Hw) - See Statewide
(R) - See Cheatham County

TEXAS (Cont'd.)

FALLS COUNTY
(B) - See Bell County
(H, Hw) - See Statewide

FANNIN COUNTY
(H, Hw) - See Statewide

FAYETTE COUNTY
(H, Hw) - See Statewide
(R) - See Bastrop County

FISHER COUNTY
(H, Hw) - See Statewide

FLOYD COUNTY
(R) - See Bailey County
(H, Hw) - See Statewide

FOARD COUNTY
(H, Hw) - See Statewide

FORT BEND COUNTY
(R) - See Brazoria County
(H, Hw) - See Statewide

FRANKLIN COUNTY
(H, Hw) - See Statewide

FREESTONE COUNTY
(H, Hw) - See Statewide

FRILO COUNTY
(H, Hw) - See Statewide

GALINES COUNTY
(H, Hw) - See Statewide

GALVESTON COUNTY
Decision #TX75-4025 (B)
40 FR 3933 - 1/24/75
Mod. #1 - 40 FR 5988 - 2/17/75
Mod. #2 - 40 FR 7800 - 2/21/75
Mod. #3 - 40 FR 8699 - 2/28/75
(R) - See Brazoria County
(D) - See Aransas County
(H, Hw) - See Statewide

GARZA COUNTY
(R) - See Bailey County
(H, Hw) - See Statewide

GILLESPIE COUNTY
(H, Hw) - See Statewide

GLASSCOCK COUNTY
(H, Hw) - See Statewide

GOLIAD COUNTY
(H, Hw) - See Statewide

GONZALES COUNTY
(H, Hw) - See Statewide

GRAY COUNTY
(R, B) - See Armstrong County
(H, Hw) - See Statewide

GRAYSON COUNTY
(B) - See Collin County
(H, Hw) - See Statewide

GREGG COUNTY
Decision #TX75-4026 (B)
40 FR 3935 - 1/24/75
(H, Hw) See Statewide

TEXAS (Cont'd.)

GRIMES COUNTY
(H, Hw) - See Statewide

GUADALUPE COUNTY
(H, Hw) - See Statewide

HALE COUNTY
(R) - See Bailey County
(H, Hw) - See Statewide

HALL COUNTY
(H, Hw) - See Statewide

HAMILTON COUNTY
(H, Hw) - See Statewide

HANSFORD COUNTY
(R, B) - See Armstrong County
(H, Hw) - See Statewide

HARDEN COUNTY
(H, Hw) - See Statewide

HARDIN COUNTY
(H, Hw) - See Statewide

HARRIS COUNTY
(B) - See Galveston County
(R) - See Brazoria County
(D) - See Aransas County
(H, Hw) - See Statewide

HARRISON COUNTY
Decision #AR-82 (B)
39 FR 41652 - 11/29/74
Mod. #1 - 40 FR 3867 - 1/24/75
Mod. #2 - 40 FR 8698 - 2/28/75
(H, Hw) - See Statewide

HARTLEY COUNTY
(R, B) - See Armstrong County
(H, Hw) - See Statewide

HASKELL COUNTY
(H, Hw) - See Statewide

HAYS COUNTY
(H, Hw) - See Statewide
(R) - See Bastrop County

HEMPHILL COUNTY
(R, B) - See Armstrong County
(H, Hw) - See Statewide

HENDERSON COUNTY
(H, Hw) - See Statewide

HIDALGO COUNTY
(R, B) - See Cameron County
(H, Hw) - See Statewide

HILL COUNTY
(B) - See Bell County
(H, Hw) - See Statewide

HOCKLEY COUNTY
(R) - See Bailey County
(H, Hw) - See Statewide

HOOD COUNTY
(B) - See Collin County
Decision #TX75-4011 (R)
40 FR 3173 - 1/17/75
(H, Hw) - See Statewide *

TEXAS (Cont'd.)

HOPKINS COUNTY
(H, Hw) - See Statewide

HOUSTON COUNTY
(H, Hw) - See Statewide

HOWARD COUNTY
Decision #TX75-4027 (B, R)
40 FR 3935 - 1/24/75
Mod. #1 - 40 FR 5988 - 2/17/75
(H, Hw) - See Statewide

HUDSPETH COUNTY
(H, Hw) - See Statewide

HUNT COUNTY
(R)(B) - See Collin County
(H, Hw) - See Statewide

HUTCHINSON COUNTY
(R)(B) - See Armstrong County
(H, Hw) - See Statewide

IRION COUNTY
(H, Hw) - See Statewide

JACK COUNTY
(H, Hw) - See Statewide

JACKSON COUNTY
(D) - See Aransas County
(H, Hw) - See Statewide

JASPER COUNTY
(H, Hw) - See Statewide

JEFF DAVIS COUNTY
(H, Hw) - See Statewide

JEFFERSON COUNTY
Decision #TX75-4012 (B, R)
40 FR 3175 - 1/17/75
Mod. #1 - 40 FR 7800 - 2/21/75
Mod. #2 - 40 FR 8698 - 2/28/75
(D) - See Aransas County
(Hw) - See Statewide

JIM HOGG COUNTY
(H, Hw) - See Statewide
(B, R) - See Dimmit County

JIM WELLS COUNTY
(H, Hw) - See Statewide

JOHNSON COUNTY
(B) - See Collin County
(H, Hw) - See Statewide
(R) - See Hood County

JONES COUNTY
(H, Hw) - See Statewide

KARNES COUNTY
(H, Hw) - See Statewide

TEXAS (Cont'd.)

KAUFMAN COUNTY
(BBB) - See Collin County
(H, Hw) - See Statewide

KENDALL COUNTY
(H, Hw) - See Statewide

KENEDY COUNTY
(H, Hw) - See Statewide
(D) - See Aransas County

KENT COUNTY
(H, Hw) - See Statewide

KEPP COUNTY
(H, Hw) - See Statewide

KEMBLE COUNTY
(H, Hw) - See Statewide

KING COUNTY
(H, Hw) - See Statewide

KINNEY COUNTY
(H, Hw) - See Statewide

KLEBERG COUNTY
Decision #TX75-4028 (B)
40 FR 3938 - 1/24/75
Mod. #1 - 40 FR 8699 - 2/28/75
(D) - See Aransas County
(H, Hw) - See Statewide
(R) - See Bee County

KNOX COUNTY
(H, Hw) - See Statewide

LAMB COUNTY
(H, Hw) - See Statewide

LAMB COUNTY
(R) - See Bailey County
(H, Hw) - See Statewide

LAMPASAS COUNTY
(H, Hw) - See Statewide

LA SALLE COUNTY
(B, R) - See Dimmit County
(H, Hw) - See Statewide

LAVACA COUNTY
(H, Hw) - See Statewide

LEE COUNTY
(H, Hw) - See Statewide
(R) - See Bastrop County

TEXAS (Cont'd)

LEON COUNTY
(H, Hw) - See Statewide

LIBERTY COUNTY
(H, Hw) - See Statewide

LIMESTONE COUNTY
(H, Hw) - See Statewide

LIPSCOMB COUNTY
(H, Hw) - See Statewide

(B, R) - See Statewide

(B, R) - See Armstrong County

LIVE OAK COUNTY
(H, Hw) - See Statewide

LLANO COUNTY
(H, Hw) - See Statewide

LOWING COUNTY
(H, Hw) - See Statewide

(R) - See Crane County

LUBBOCK COUNTY
(R) - See Bailey County

(H, Hw) - See Statewide

Decision #TX73-4025 (B)
40 FR 3940 - 1/24/75

Mod. #1 - 40 FR 8699 - 2/28/75

LYNN COUNTY
(R) - See Bailey County

(H, Hw) - See Statewide

McCULLOCH COUNTY
(H, Hw) - See Statewide

McLENNAN COUNTY
(B) - See Bell County

(H, Hw) - See Statewide

McMULLEN COUNTY
(H, Hw) - See Statewide

MADISON COUNTY
(H, Hw) - See Statewide

MARION COUNTY
(H, Hw) - See Statewide

MARTIN COUNTY
(H, Hw) - See Statewide

TEXAS (Cont'd)

MASON COUNTY
(H, Hw) - See Statewide

MATAGORDA COUNTY
(R) - See Brazoria County

(H, Hw) - See Statewide

(D) - See Aransas County

MAVERICK COUNTY
(B, R) - See Dimitt County

(H, Hw) - See Statewide

MEDINA COUNTY
(H, Hw) - See Statewide

MENARD COUNTY
(H, Hw) - See Statewide

MIDLAND COUNTY
(H, Hw) - See Statewide

(R) - See Crane County

MILAM COUNTY
(H, Hw) - See Statewide

MILLS COUNTY
(H, Hw) - See Statewide

MITCHELL COUNTY
(H, Hw) - See Statewide

MONTAGUE COUNTY
(H, Hw) - See Statewide

MONTGOMERY COUNTY
(R) - See Brazoria County

(H, Hw) - See Statewide

MOORE COUNTY
(R)(B) - See Armstrong County

MORRIS COUNTY
(H, Hw) - See Statewide

MOTLEY COUNTY
(H, Hw) - See Statewide

MACDOUGHER COUNTY
(H, Hw) - See Statewide

NAVARRO COUNTY
(H, Hw) - See Statewide

TEXAS (Cont'd)

NEWTON COUNTY
(H, Hw) - See Statewide

NOLAN COUNTY
(H, Hw) - See Statewide

NUECES COUNTY
(B) - See Kleberg County

(D) - See Aransas County

(H, Hw) - See Statewide

(R) - See Bee County

OCHILTREE COUNTY
(R)(B) - See Armstrong County

(H, Hw) - See Statewide

OLDHAM COUNTY
(R)(B) - See Armstrong County

(H, Hw) - See Statewide

ORANGE COUNTY
(R)(B) - See Jefferson County

(H, Hw) - See Statewide

PALO PINTO COUNTY
(B) - See Collin County

(H, Hw) - See Statewide

(R) - See Hood County

PANOLA COUNTY
(H, Hw) - See Statewide

PARKER COUNTY
(H, Hw) - See Statewide

(R) - See Hood County

PARTNER COUNTY
(H, Hw) - See Statewide

PECOS COUNTY
(H, Hw) - See Statewide

(R) - See Crane County

POLK COUNTY
(H, Hw) - See Statewide

POTTER COUNTY
(H, Hw) - See Statewide

(B)(R) - See Armstrong County

PRESIDIO COUNTY
(H, Hw) - See Statewide

RALIN COUNTY
(H, Hw) - See Statewide

RANDALL COUNTY
(H, Hw) - See Statewide

(B)(R) - See Armstrong County

REAGAN COUNTY
(H, Hw) - See Statewide

REAL COUNTY
(H, Hw) - See Statewide

RED RIVER COUNTY
(H, Hw) - See Statewide

TEXAS (Cont'd)

REEVES COUNTY
(H, Hw) - See Statewide

(R) - See Crane County

REFUGIO COUNTY
(D) - See Aransas County

(H, Hw) - See Statewide

ROBERTS COUNTY
(H, Hw) - See Statewide

(B)(R) - See Armstrong County

ROBERTSON COUNTY
(H, Hw) - See Statewide

ROCKWALL COUNTY
(R)(B) - See Collin County

(H, Hw) - See Statewide

RUNNELS COUNTY
(H, Hw) - See Statewide

RUSK COUNTY
(H, Hw) - See Statewide

SABINE COUNTY
(H, Hw) - See Statewide

(H, Hw) - See Statewide

SAN AUGUSTINE COUNTY
(H, Hw) - See Statewide

SAN JACINTO COUNTY
(H, Hw) - See Statewide

SAN PATRICIO COUNTY
(R) - See Bee County

(D) - See Aransas County

(H, Hw) - See Statewide

SAN SABA COUNTY
(H, Hw) - See Statewide

SCHLEICHER COUNTY
(H, Hw) - See Statewide

SCURRY COUNTY
(H, Hw) - See Statewide

SMACKELFORD COUNTY
(H, Hw) - See Statewide

SHELBY COUNTY
(H, Hw) - See Statewide

SHERMAN COUNTY
(B)(R) - See Armstrong County

SMITH COUNTY
(H, Hw) - See Statewide

SOMERWELL COUNTY
(H, Hw) - See Statewide

STARR COUNTY
(H, Hw) - See Statewide

(B)(R) - See Cameron County

STEPHENS COUNTY
(H, Hw) - See Statewide

TEXAS (Cont'd)

STERLING COUNTY
(H, Hw) - See Statewide

STONEWALL COUNTY
(H, Hw) - See Statewide

SUTTON COUNTY
(H, Hw) - See Statewide

SMITH COUNTY
(H, Hw) - See Statewide

TARRANT COUNTY
(B) - See Collin County

(H, Hw) - See Statewide

Decision #AQ-117 (R)
39 FR 22400 - 6/21/74

TAYLOR COUNTY
Decision #TX75-4030 (B)
40 FR 3941 - 1/24/75

Mod. #1 - 40 FR 8699 - 2/28/75

TERRELL COUNTY
(H, Hw) - See Statewide

TERRY COUNTY
(H, Hw) - See Statewide

(B) - See Bailey County

THROCKMORTON COUNTY
(H, Hw) - See Statewide

TITUS COUNTY
(H, Hw) - See Statewide

TOM GREEN COUNTY
Decision #TX75-4046 (B)
40 FR 5971 - 2/7/75

Mod. #1 - 40 FR 10883 - 3/7/75

TRAVIS COUNTY
Decision #TX75-4031 (B)
40 FR 3942 - 1/24/75

Mod. #1 - 40 FR 8700 - 2/28/75

(R) - See Bastrop County

TRINITY COUNTY
(H, Hw) - See Statewide

TYLER COUNTY
(H, Hw) - See Statewide

UPSHUR COUNTY
(H, Hw) - See Statewide

UPTON COUNTY
(H, Hw) - See Statewide

(R) - See Crane County

UVALDE COUNTY
(H, Hw) - See Statewide

VAL VERDE COUNTY
(H, Hw) - See Statewide

VAN ZANDT COUNTY
(H, Hw) - See Statewide

VICTORIA COUNTY
(H, Hw) - See Statewide

(D) - See Aransas County

WALKER COUNTY
(H, Hw) - See Statewide

(R) - See Brazoria County

UTAH

STATEWIDE
Decision #UT75-5025 (B, H, Hw)
40 FR 7860 - 2/21/75

BEAVER COUNTY
(B, H, Hw) - See Statewide

BOX ELDER COUNTY
(B, H, Hw) - See Statewide

CACHE COUNTY
(B, H, Hw) - See Statewide

CARBON COUNTY
(B, H, Hw) - See Statewide

DAGGETT COUNTY
(B, H, Hw) - See Statewide

DAVIS COUNTY
(B, H, Hw) - See Statewide

Duchesne County
(B, H, Hw) - See Statewide

EMERY COUNTY
(B, H, Hw) - See Statewide

GARFIELD COUNTY
(B, H, Hw) - See Statewide

GRAND COUNTY
(B, H, Hw) - See Statewide

IRON COUNTY
(B, H, Hw) - See Statewide

JUAB COUNTY
(B, H, Hw) - See Statewide

KANE COUNTY
(B, H, Hw) - See Statewide

MILLARD COUNTY
(B, H, Hw) - See Statewide

MORGAN COUNTY
(B, H, Hw) - See Statewide

PIUTE COUNTY
(B, H, Hw) - See Statewide

RICH COUNTY
(B, H, Hw) - See Statewide

SALT LAKE COUNTY
(B, H, Hw) - See Statewide

SAN JUAN COUNTY
(B, H, Hw) - See Statewide

SANPETE COUNTY
(B, H, Hw) - See Statewide

SEVIER COUNTY
(B, H, Hw) - See Statewide

SUMMIT COUNTY
(B, H, Hw) - See Statewide

TOOELE COUNTY
(B, H, Hw) - See Statewide

UNITAH COUNTY
(B, H, Hw) - See Statewide

UTAH COUNTY
(B, H, Hw) - See Statewide

WASATCH COUNTY
(B, H, Hw) - See Statewide

WASHINGTON COUNTY
(B, H, Hw) - See Statewide

UTAH (Cont'd)

MAYNE COUNTY
(B, H, Hw) - See Statewide

WEBER COUNTY
(B, H, Hw) - See Statewide

YEMPORT
Statewide (Except Rutland County)
Decision #AQ-3184 (Hw)
39 FR 24203 - 6/28/74

Mod. #1 - 39 FR 27397 - 7/26/74

ADDISON COUNTY
(Hw) - See Statewide

BENNINGTON COUNTY
(Hw) - See Statewide

CALEDONIA COUNTY
(Hw) - See Statewide

CHITTENDEN COUNTY
(Hw) - See Statewide

ESSEX COUNTY
(Hw) - See Statewide

FRANKLIN COUNTY
(Hw) - See Statewide

GRAND ISLE COUNTY
(Hw) - See Statewide

LANOUILLE COUNTY
(Hw) - See Statewide

ORANGE COUNTY
(Hw) - See Statewide

ORLEANS COUNTY
(Hw) - See Statewide

RUTLAND COUNTY
None

WASHINGTON COUNTY
(Hw) - See Statewide

WINDHAM COUNTY
(Hw) - See Statewide

WINDSOR COUNTY
(Hw) - See Statewide

TEXAS (Cont'd.)

MALLER COUNTY
(H, Hw) - See Statewide

MAGO COUNTY
(H, Hw) - See Statewide

(R) - See Crane County

WASHINGTON COUNTY
(H, Hw) - See Statewide

WEBB COUNTY
(B, R) - See Dimmit County

(H, Hw) - See Statewide

WARTON COUNTY
(H, Hw) - See Statewide

WHEELER COUNTY
(R) (B) - See Armstrong County

(H, Hw) - See Statewide

NICHITA COUNTY
Decision #TX75-4013 (R)
40 FR 3177 - 1/17/75

Decision #TX75-4056 (B)
40 FR 8755 - 2/28/75

(H, Hw) - See Statewide

MILBARGER COUNTY
(H, Hw) - See Statewide

MILLADY COUNTY
(R) (B) - See Cameron County

(H, Hw) - See Statewide

(D) - See Aransas County

MILLINSON COUNTY
(H, Hw) - See Statewide

(R) - See Bastrop County

MILSON COUNTY
(H, Hw) - See Statewide

MINCKLER COUNTY
(H, Hw) - See Statewide

MISE COUNTY
(R) - See Crane County

(B) - See Collin County

(H, Hw) - See Statewide

(R) - See Hood County

MOOD COUNTY
(H, Hw) - See Statewide

YOAKUM COUNTY
(R) - See Bailey County

(H, Hw) - See Statewide

YOUNG COUNTY
(H, Hw) - See Statewide

ZAPATA COUNTY
(B, R) - See Dimmit County

(H, Hw) - See Statewide

ZAVALA COUNTY
(B, R) - See Dimmit County

(H, Hw) - See Statewide

VIRGINIA

VIRGINIA (Cont'd)

ACCOMACK COUNTY
Decision #AP-805 (Hw)
38 FR 11279 - 5/4/73
Mod. #1 - 38 FR 13127 - 5/18/73
Decision #1875-3008 (D)
40 FR 3094 - 1/17/75

ALBERMARLE COUNTY
Decision #AM-1874 (Hw)
38 FR 16342 - 8/20/71

ALEXANDRIA CITY
Decision #VA75-3003 (B)
40 FR 937 - 1/3/75

ALLEGANY COUNTY
Decision #AM-1875 (Hw)
38 FR 16343 - 8/20/71
Mod. #1 - 37 FR 5169 - 3/10/72

AMELIA COUNTY
Decision #AR-2032 (Hw) -
39 FR 31871 - 8/30/74

AMHERST COUNTY
Decision #AQ-2032 (Hw)
38 FR 32259 - 1/30/73

APPOMATTOX COUNTY
(Hw) - See Amherst County

ARLINGTON COUNTY
(B) - See Alexandria City
(D) - See Accomack County

AGUSTA COUNTY
Decision #AM-9320 (R)
37 FR 10267 - 5/19/72
(Hw) - See Allegheny County

BATH COUNTY
(Hw) - See Allegheny County

BEDFORD CITY
(Hw) - See Bedford County

BEDFORD COUNTY
Decision #AQ-2021 (Hw)
38 FR 27744 - 10/5/73

BLAND COUNTY
Decision #AQ-2020 (Hw)
38 FR 27744 - 10/5/73

BOTETOURN COUNTY
(Hw) - See Bedford County

VIRGINIA (Cont'd)

CULPEPER COUNTY
(Hw) - See Albemarle County

CUMBERLAND COUNTY
(Hw) - See Amherst County

DANVILLE CITY
(Hw) - See Amherst County

DICKENSON COUNTY
(Hw) - See Bland County

DUMFRIES COUNTY
(Hw) - See Amelia County

EMPORIA CITY
(Hw) - See Accomack County

ESSEX COUNTY
(Hw) - See Caroline County
(D) - See Accomack County

FAIRFAX COUNTY
(B) - See Alexandria City
(D) - See Accomack County

FAIRFAX CITY
(B) - See Alexandria City

FALLS CHURCH CITY
(B) - See Alexandria City

FAUQUIER COUNTY
(Hw) - See Albemarle County

FLOYD COUNTY
(Hw) - See Bedford County

FLUYANNA COUNTY
(Hw) - See Albemarle County

FORT MONROE CITY
(B, H, MAS) - See York County

FRANKLIN CITY
(Hw) - See Chesapeake City

FRANKLIN COUNTY
(Hw) - See Bedford County

FREDERICK COUNTY
(R) - See Clarke County
(Hw) - See Allegheny County

VIRGINIA (Cont'd)

FREDERICKSBURG CITY
(Hw) - See Caroline County

GALAX CITY
(Hw) - See Bedford County

GILES COUNTY
(Hw) - See Bedford County

GLOUCESTER COUNTY
(D) - See Accomack County

GOCHLAND COUNTY
(Hw) - See Amelia County

GRAYSON COUNTY
(Hw) - See Bland County

GREENE COUNTY
(Hw) - See Albemarle County

GREENSVILLE COUNTY
(Hw) - See Accomack County

HALIFAX COUNTY
(Hw) - See Amherst County

HAMPTON CITY
Decision #AQ-2103 (R)
38 FR 14119 - 4/19/74
Mod. #1 - 15612 - 5/3/74
(B, H, MAS) - See York County
(Hw) - See Chesapeake City
(D) - See Accomack County

HANOVER COUNTY
(Hw) - See Amelia County

HARRISONBURG CITY
(Hw) - See Allegheny County

HENRICO COUNTY
Decision #VA75-3006 (B)
40 FR 946 - 1/3/75
(Hw) - See Amelia County

NOTICES

VIRGINIA (Cont'd.)

HENRY COUNTY
(HW) - See Bedford County
HIGHLAND COUNTY
(HW) - See Allegheny County
HOPWELL CITY
(HW) - See Amelia County
ISLE OF WIGHT COUNTY
(HW) - See Accomack County
(D) - See Accomack County
JAMES CITY COUNTY
Decision #AP-407 (R)
37 FR 15235 - 7/28/72
(HW) - See Accomack County
(D) - See Accomack County
KING AND QUEEN COUNTY
(HW) - See Caroline County
KING GEORGE COUNTY
(HW) - See Caroline County
(D) - See Accomack County
KING WILLIAM COUNTY
(HW) - See Caroline County
LANCASTER COUNTY
(HW) - See Caroline County
(D) - See Accomack County
LEE COUNTY
(HW) - See Bland County
LOUDOUN COUNTY
(HW) - See Albemarle County
LOUISA COUNTY
(HW) - See Albemarle County
LUNEBURG COUNTY
(HW) - See Amelia County
LYNCHBURG CITY
(HW) - See Amherst County
MADISON COUNTY
(HW) - See Albemarle County
MARTINSVILLE CITY
(HW) - See Bedford County

VIRGINIA (Cont'd.)

MATHEWS COUNTY
(HW) - See Caroline County
(D) - See Accomack County
MECKLENBURG COUNTY
(HW) - See Amelia County
MIDDLESEX COUNTY
(HW) - See Caroline County
(D) - See Accomack County
MONTGOMERY COUNTY
(HW) - See Bedford County
MANSEWIND COUNTY
(HW) - See Accomack County
(D) - See Accomack County
NELSON COUNTY
(HW) - See Amherst County
NEW KENT COUNTY
(HW) - See Amelia County
NEWPORT NEWS CITY
(B,H,MSS) - See York County
(HW) - See Chesapeake City
(D) - See Accomack County
(R) - See Hampton City
NORFOLK CITY
(HW,B) - See Chesapeake City
(D) - See Accomack County
NORTHAMPTON COUNTY
(HW) - See Accomack County
(D) - See Accomack County
NORTON CITY
(HW) - See Bland County
NORTHUMBERLAND COUNTY
(HW) - See Caroline County
(D) - See Accomack County
NOTTOWAY COUNTY
(HW) - See Amelia County
ORANGE COUNTY
(HW) - See Albemarle County

VIRGINIA (cont'd.)

PAGE COUNTY
(HW) - See Allegheny County
PATRICK COUNTY
(HW) - See Bedford County
PETERSBURG CITY
(HW) - See Amelia County
PITTSYLVANIA COUNTY
(HW) - See Amherst County
PORTSMOUTH CITY
(HW,B) - See Chesapeake City
(D) - See Accomack County
POMHATAN COUNTY
(HW) - See Amelia County
PRINCE EDWARD COUNTY
(HW) - See Amherst County
PRINCE GEORGE COUNTY
(HW) - See Amelia County
PRINCE WILLIAM COUNTY
(HW) - See Albemarle County
(D) - See Accomack County
PULASKI COUNTY
(HW) - See Bedford County
RADFORD CITY
(HW) - See Bedford County
RAPPAHANNOCK COUNTY
(HW) - See Albemarle County
RICHMOND CITY
(B) - See Henrico County
(HW) - See Amelia County
RICHMOND COUNTY
(HW) - See Caroline County
ROANOKE CITY
(HW) - See Bedford County
ROANOK COUNTY
(HW) - See Bedford County
ROCKBRIDGE COUNTY
(HW) - See Allegheny County
ROCKINGHAM COUNTY
(R) - See Clarke County
(HW) - See Allegheny County
RUSSELL COUNTY
(HW) - See Bland County
SALER CITY
(HW) - See Bedford County
SCOTT COUNTY
(HW) - See Bland County
SHENANDOAH COUNTY
(HW) - See Allegheny County
(B) - See Clarke County
SMYTH COUNTY
(HW) - See Bland County
SOUTHAMPTON COUNTY
(HW) - See Accomack County

VIRGINIA (cont'd.)

SOUTH BOSTON CITY
(HW) - See Amherst County
SPOTSYLVANIA COUNTY
(HW) - See Caroline County
STAUNTON CITY
(HW) - See Allegheny County
STAFFORD COUNTY
(HW) - See Caroline County
(D) - See Accomack County
SUFFOLK CITY
(HW) - See Accomack County
SURREY COUNTY
(HW) - See Accomack County
(D) - See Accomack County
SUSSEX COUNTY
(HW) - See Accomack County
TAZEWELL COUNTY
(HW) - See Bland County
VIRGINIA BEACH CITY
Decision #AH-9321 (R)
37 FR 10266 - 5/19/72
(HW,B) - See Chesapeake City
(D) - See Accomack County
WARREN COUNTY
(R) - See Clarke County
(HW) - See Allegheny County
WASHINGTON COUNTY
(HW) - See Bland County
WAYNESBORO CITY
(HW) - See Allegheny County
WESTMORELAND COUNTY
(HW) - See Caroline County
(D) - See Accomack County
WILLIAMSBURG CITY
(HW) - See Accomack County
WINCHESTER CITY
(HW) - See Allegheny County
WISE COUNTY
(HW) - See Bland County
WYTHE COUNTY
(HW) - See Bland County
YORK COUNTY
Decision #VA75-3004 (B,H,S&M)
40 FR 941 - 1/3/75
(R) - See James City
(HW) - See Accomack County
(D) - See Accomack County

WASHINGTON

STATEMIDE
 Decision #W475-5025 (B,H,Hw,D)
 40 FR 7868 - 2/21/75

ADAMS COUNTY
 (B,H,Hw,D) - See Statewide

ASOTTIN COUNTY
 (B,H,Hw,D) - See Statewide

BENTON COUNTY
 (B,H,Hw,D) - See Statewide

CHELAN COUNTY
 (B,H,Hw,D) - See Statewide

CLALLAM COUNTY
 Decision #48-1030 (R)
 39 FR 34017 - 9/20/74
 Mod. #1 - 40 FR 929 - 1/3/75
 (H,Hw,B,D) - See Statewide

CLARK COUNTY
 (B,H,Hw,D) - See Statewide

COLUMBIA COUNTY
 (B,H,Hw,D) - See Statewide

COWLITZ COUNTY
 (B,H,Hw,D) - See Statewide

DOUGLAS COUNTY
 (B,H,Hw,D) - See Statewide

FERRY COUNTY
 (B,H,Hw,D) - See Statewide

FRANKLIN COUNTY
 (B,H,Hw,D) - See Statewide

GARFIELD COUNTY
 (B,H,Hw,D) - See Statewide

GRANT COUNTY
 (B,H,Hw,D) - See Statewide

GRAYS HARBOR COUNTY
 (B,H,Hw,D) - See Statewide

ISLAND COUNTY
 (B,H,Hw,D) - See Statewide

JEFFERSON COUNTY
 (B,H,Hw,D) - See Statewide

KING COUNTY
 (R) - See Clallam County

KITSAPEL COUNTY
 (B,H,Hw,D) - See Statewide

KITTITAS COUNTY
 (R) - See Clallam County

KLICKEITAT COUNTY
 (B,H,Hw,D) - See Statewide

LEWIS COUNTY
 (B,H,Hw,D) - See Statewide

LINCOLN COUNTY
 (B,H,Hw,D) - See Statewide

MASSON COUNTY
 (B,H,Hw,D) - See Statewide

OKANOGAN COUNTY
 (B,H,Hw,D) - See Statewide

PACIFIC COUNTY
 (B,H,Hw,D) - See Statewide

PEND OREILLE COUNTY
 (R) - See Clallam County

PIERCE COUNTY
 (B,H,Hw,D) - See Statewide

SAN JUAN COUNTY
 (B,H,Hw,D) - See Statewide

SKAGIT COUNTY
 (B,H,Hw,D) - See Statewide

SKANAWA COUNTY
 (B,H,Hw,D) - See Statewide

SNOWBUSH COUNTY
 (R) - See Clallam County

SPOKANE COUNTY
 (B,H,Hw,D) - See Statewide

STEVENS COUNTY
 (B,H,Hw,D) - See Statewide

THURSTON COUNTY
 (B,H,Hw,D) - See Statewide

WASHLAKUM COUNTY
 (B,H,Hw,D) - See Statewide

WALLA WALLA COUNTY
 (B,H,Hw,D) - See Statewide

WHATCOM COUNTY
 (B,H,Hw,D) - See Statewide

WHITMAN COUNTY
 (B,H,Hw,D) - See Statewide

YAKIMA COUNTY
 Decision #A9-1109 (R)
 39 FR 18416 - 5/24/74
 (B,H,Hw,D) - See Statewide

WASHINGTON, D. C.

WASHINGTON, D. C.
 Decision #DC75-3002 (B,Hw,MS)
 40 FR 948 - 1/3/75
 Decision #DC75-3006 (D)
 40 FR 3094 - 1/17/75

WEST VIRGINIA

STATEMIDE
 Decision #W75-3009 (H,Hw)
 40 FR 4883 - 1/31/75
 Mod. #1 - 40 FR 10883 - 3/7/75

BARBOUR COUNTY
 Decision #W75-3007 (B)
 40 FR 6136 - 2/17/75
 Mod. #1 - 40 FR 8700 - 2/28/75
 Mod. #2 - 40 FR 10883 - 3/7/75
 (H,Hw) - See Statewide

BERKELEY COUNTY
 (H,Hw) - See Statewide

BOONE COUNTY
 (B) - See Barbour County

BRAXTON COUNTY
 (H,Hw) - See Statewide

BROOKE COUNTY
 (H,Hw) - See Statewide

CABELL COUNTY
 (H,Hw) - See Statewide

Decision #175-2036 (D)
 40 FR 6023 - 2/17/75
 (H,Hw) - See Statewide

CALHOUN COUNTY
 (B) - See Barbour County

CLAY COUNTY
 (H,Hw) - See Statewide

COOK COUNTY
 (H,Hw) - See Statewide

COOKSBURG COUNTY
 (B) - See Barbour County

FAYETTE COUNTY
 (B) - See Barbour County

GILMER COUNTY
 (H,Hw) - See Statewide

HARRISON COUNTY
 (B) - See Barbour County

HAWKINS COUNTY
 (H,Hw) - See Statewide

HENDRICK COUNTY
 (H,Hw) - See Statewide

HAMPSHIRE COUNTY
 (H,Hw) - See Statewide

HANCOCK COUNTY
 (B) - See Barbour County

HARDY COUNTY
 (H,Hw) - See Statewide

HARRISON COUNTY
 (H,Hw) - See Statewide

JACKSON COUNTY
 (D) - See Cabell County

(H,Hw) - See Statewide

(B) - See Barbour County

WEST VIRGINIA (Cont'd)

JEFFERSON COUNTY
 (H,Hw) - See Statewide

KANAWHA COUNTY
 (B) - See Barbour County

(H,Hw) - See Statewide

Decision #AR-2058 (R)
 39 FR 35948 - 10/4/74
 Mod. #1 - 39 FR 44913 - 12/27/74
 (H,Hw) - See Statewide

LEWIS COUNTY
 (B) - See Barbour County

LINCOLN COUNTY
 (H,Hw) - See Statewide

LOGAN COUNTY
 (H,Hw) - See Statewide

MC DONELL COUNTY
 (H,Hw) - See Statewide

MARION COUNTY
 (H,Hw) - See Statewide

MARSHALL COUNTY
 (B) - See Barbour County

(H,Hw) - See Statewide

(B) - See Barbour County

MASON COUNTY
 (H,Hw) - See Statewide

(B) - See Barbour County

(H,Hw) - See Statewide

MERCER COUNTY
 (D) - See Cabell County

MINERAL COUNTY
 (H,Hw) - See Statewide

MINGO COUNTY
 (H,Hw) - See Statewide

MONROGALIA COUNTY
 (H,Hw) - See Statewide

(B) - See Barbour County

MONROE COUNTY
 (H,Hw) - See Statewide

MORGAN COUNTY
 (H,Hw) - See Statewide

NICHOLAS COUNTY
 (H,Hw) - See Statewide

OHIO COUNTY
 (B) - See Barbour County

(H,Hw) - See Statewide

PENDLETON COUNTY
 (H,Hw) - See Statewide

PLEASANT COUNTY
 (D) - See Cabell County

(H,Hw) - See Statewide

(B) - See Barbour County

WISCONSIN

STATEWIDE
Decision #175-2047 (Hw)
40 FR 8757 - 2/28/75

ADAMS COUNTY
(Hw) - See Statewide

ASHLAND COUNTY
Decision #40-3095 (D)
39 FR 5982 - 2/15/74
Mod. #1 - 39 FR 44161 - 12/20/74

(Hw) - See Statewide
Decision #AR-3151 (B, R)
39 FR 36705 - 10/11/74

BARRON COUNTY
(B) - See Polk County

BAYFIELD COUNTY
(Hw) - See Statewide

(D) - See Ashland County
(B, R) - See Ashland County

BROWN COUNTY
Decision #AR-3153 (B)
39 FR 36825 - 10/11/74

(D) - See Ashland County
(Hw) - See Statewide

BUFFALO COUNTY
(Hw) - See Statewide

BURNETT COUNTY
(Hw) - See Statewide

CALUMET COUNTY
(Hw) - See Statewide

CHIPPENAW COUNTY
(Hw) - See Statewide
(B, R) - See Eau Claire County

CLARK COUNTY
(Hw) - See Statewide

COLUMBIA COUNTY
(Hw) - See Statewide

CRAWFORD COUNTY
(Hw) - See Statewide

DANE COUNTY
Decision #AR-3155 (B, R)
39 FR 36829 - 10/11/74

DOUGLASS COUNTY
(D) - See Ashland County

DOOR COUNTY
(Hw) - See Statewide

DODD COUNTY
(B, R) (D) - See Ashland County
(Hw) - See Statewide

DOWD COUNTY
(B) - See Polk County
(Hw) - See Statewide

EAU CLAIRE COUNTY
Decision #AR-3154 (B, R)
39 FR 36827 - 10/11/74

(Hw) - See Statewide

WISCONSIN (Cont'd.)

FLORENCE COUNTY
(Hw) - See Statewide

FOND DU LAC COUNTY
(Hw) - See Statewide

FOREST COUNTY
(Hw) - See Statewide

GRANT COUNTY
(Hw) - See Statewide

GREEN COUNTY
(B) - See Rock County

(Hw) - See Statewide
GREEN LAKE COUNTY
(Hw) - See Statewide

(Hw) - See Statewide
(B) - See Winnebago County

IOWA COUNTY
(B) - See Dane County

IRON COUNTY
(Hw) - See Statewide

(D) - See Ashland County
(Hw) - See Statewide

JACKSON COUNTY
(Hw) - See Statewide

JEFFERSON COUNTY
(Hw) - See Statewide

JUNEAU COUNTY
(Hw) - See Statewide

Decision #AR-3158 (B)
39 FR 36835 - 10/11/74

KENOSHA COUNTY
(Hw) - See Statewide

Decision #AR-3159 (B, R)
39 FR 36837 - 10/11/74
Mod. #1 - 39 FR 41662 - 11/29/74

KENAUBEE COUNTY
(D) - See Ashland County
(Hw) - See Statewide

LA CROSSE COUNTY
Decision #AR-3160 (B, R)
39 FR 36839 - 10/11/74

(Hw) - See Statewide
LA FAYETTE COUNTY
(Hw) - See Statewide

(B) - See Marathon County
(Hw) - See Statewide

LINCOLN COUNTY
(B) - See Marathon County

(Hw) - See Statewide
MILWAUKEE COUNTY
Decision #AR-3161 (B)
39 FR 36840 - 10/11/74

(Hw) - See Statewide
MARINETTE COUNTY
(D) - See Ashland County

MARQUETTE COUNTY
(B) - See Winnebago County
(Hw) - See Statewide

MEMPHIS COUNTY
(Hw) - See Statewide

WISCONSIN (Cont'd.)

MILWAUKEE COUNTY
Decision #AR-3162 (B, R)
39 FR 36843 - 10/11/74

(Hw) - See Statewide

MONROE COUNTY
(Hw) - See Statewide

OCROFT COUNTY
(Hw) - See Statewide

(D) - See Ashland County
(Hw) - See Statewide

ONEIDA COUNTY
(Hw) - See Statewide

OUTAGAMIE COUNTY
(Hw) - See Statewide

OZAUKEE COUNTY
(B, R) - See Milwaukee County
(D) - See Ashland County
(Hw) - See Statewide

PEPIN COUNTY
(B, R) - See Eau Claire County
(Hw) - See Statewide

PIERCE COUNTY
(Hw) - See Statewide

POLK COUNTY
Decision #AR-3162 (B)
39 FR 36823 - 10/11/74

(Hw) - See Statewide

PORTAGE COUNTY
(Hw) - See Statewide

PRICE COUNTY
(Hw) - See Statewide

RACINE COUNTY
Decision #AR-3163 (B, R)
39 FR 36845 - 10/11/74

(D) - See Ashland County
(Hw) - See Statewide

RICHLAND COUNTY
(Hw) - See Statewide

ROCK COUNTY
Decision #AR-3156 (B)
39 FR 36831 - 10/11/74

(Hw) - See Statewide

RUSK COUNTY
(Hw) - See Statewide

SAJUNT CROIX COUNTY
(B) - See Polk County
(Hw) - See Statewide

SAUK COUNTY
(B) - See Dane County
(Hw) - See Statewide

SAWYER COUNTY
(Hw) - See Statewide

SHAWANO COUNTY
(Hw) - See Statewide

SHEBOYGAN COUNTY
(D) - See Ashland County

TAYLOR COUNTY
(Hw) - See Statewide

TREMPEALEAU COUNTY
(Hw) - See Statewide

WISCONSIN (Cont'd.)

VERNON COUNTY
(Hw) - See Statewide

VILLAS COUNTY
(Hw) - See Statewide

WALKER COUNTY
(Hw) - See Statewide

WASHINGTON COUNTY
(B, R) - See Milwaukee County
(Hw) - See Statewide

WAUKESHA COUNTY
(B, R) - See Milwaukee County
(Hw) - See Statewide

WAUPACA COUNTY
(B) - See Winnebago County
(H, Hw, WS) - See Statewide

WAUSAU COUNTY
(B) - See Winnebago County
(Hw) - See Statewide

WINNEBAGO COUNTY
Decision #AR-3157 (B)
39 FR 36833 - 10/11/74

(Hw) - See Statewide
WOOD COUNTY
(Hw) - See Statewide

WYOMING

STATEWIDE
 Decision #W75-5011 (hw)
 40 FR 4879 - 1/31/75

ALBANY COUNTY
 (hw) - See Statewide

BIG HORN COUNTY
 (hw) - See Statewide

CAMPBELL COUNTY
 (hw) - See Statewide

CARBON COUNTY
 (hw) - See Statewide

CONVERSE COUNTY
 (hw) - See Statewide

Decision #W75-5028 (B,H)
 40 FR 7887 - 2/21/75

CROOK COUNTY
 (hw) - See Statewide

FREMONT COUNTY
 (hw) - See Statewide

GOSHEN COUNTY
 (B,H) - See Converse County

HOT SPRINGS COUNTY
 (hw) - See Statewide

JOHNSON COUNTY
 (hw) - See Statewide

LARAMIE COUNTY
 (B,H) - See Converse County

LINCOLN COUNTY
 (hw) - See Statewide

NATRONA COUNTY
 (hw) - See Statewide

NIGBAGA COUNTY
 (B,H) - See Converse County

PARK COUNTY
 (hw) - See Statewide

PLATTE COUNTY
 (B,H) - See Converse County

SHERIDAN COUNTY
 (hw) - See Statewide

SUBLETTE COUNTY
 (hw) - See Statewide

SWEETWATER COUNTY
 (hw) - See Statewide

TEYON COUNTY
 (hw) - See Statewide

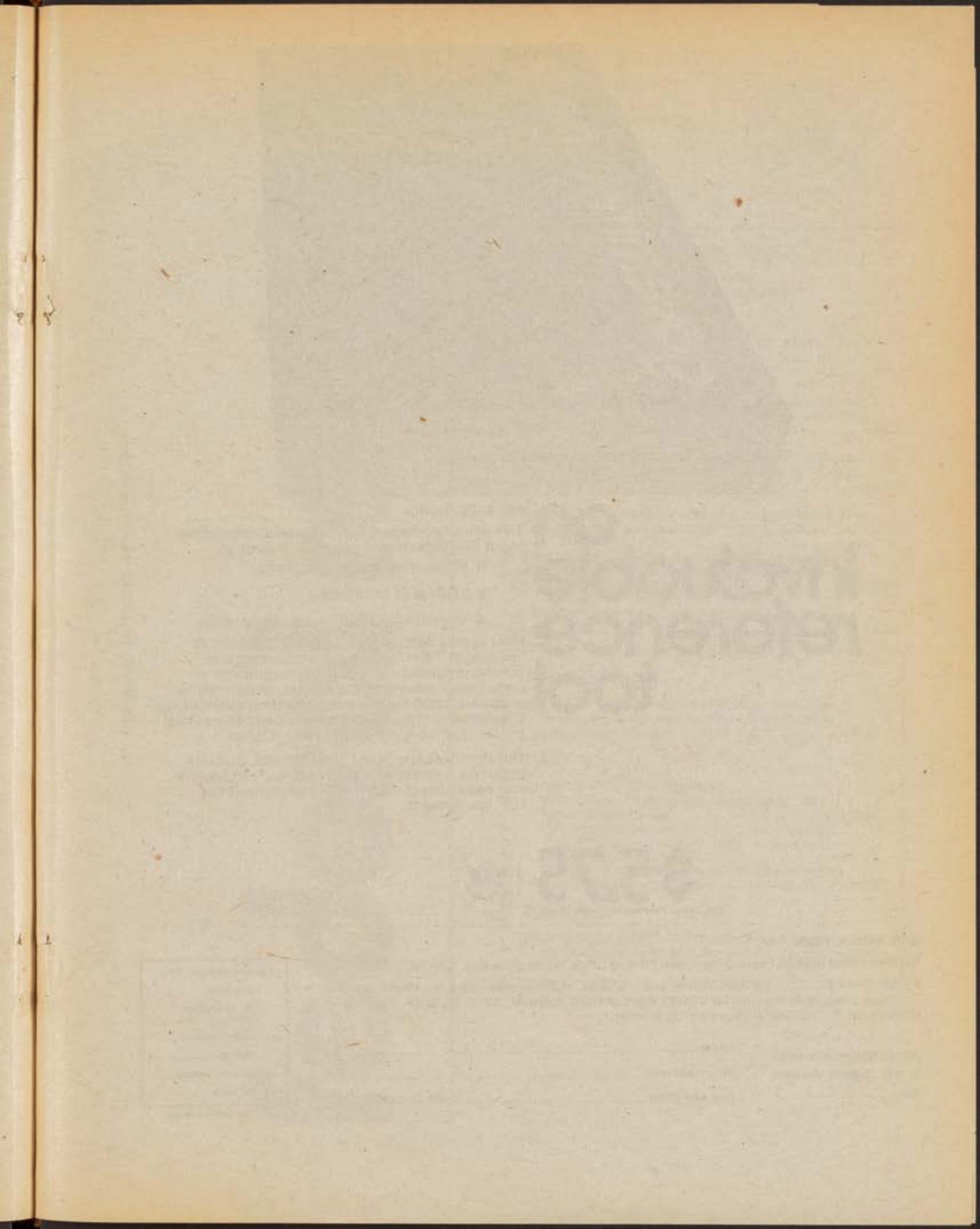
UINTA COUNTY
 (hw) - See Statewide

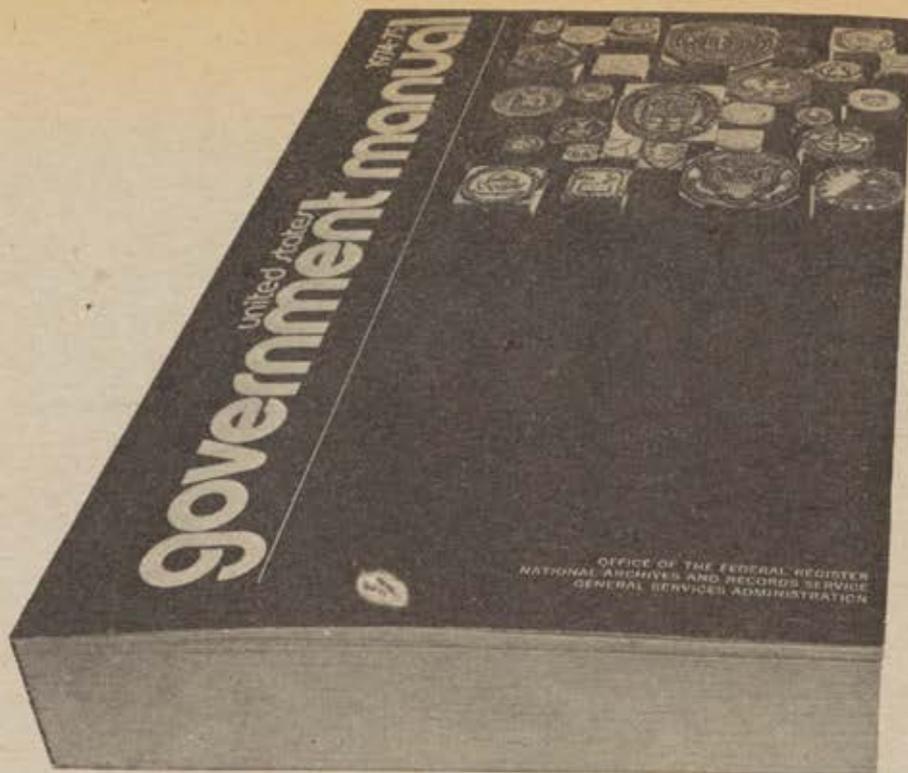
WASHAKIE COUNTY
 (hw) - See Statewide

WESTON COUNTY
 (hw) - See Statewide

YELLOWSTONE NATIONAL PARK
 (hw) - See Statewide

[FR Doc.75-8523 Filed 4-3-75;8:45 am]





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