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

Daily List of Public Laws

NOTE: No acts approved by the President were received by the Office of the Federal Register for inclusion in today's LIST OF PUBLIC LAWS.

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STATE OF NEW YORK
IN SENATE
January 10, 1907.

NAME	RESIDENCE	EDUCATION	PROFESSION
ALBION B. KENT	Albany	Yale University	Lawyer
ALBION B. KENT	Albany	Yale University	Lawyer
ALBION B. KENT	Albany	Yale University	Lawyer
ALBION B. KENT	Albany	Yale University	Lawyer
ALBION B. KENT	Albany	Yale University	Lawyer
ALBION B. KENT	Albany	Yale University	Lawyer
ALBION B. KENT	Albany	Yale University	Lawyer
ALBION B. KENT	Albany	Yale University	Lawyer
ALBION B. KENT	Albany	Yale University	Lawyer
ALBION B. KENT	Albany	Yale University	Lawyer

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 XI—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; MISCELLANEOUS COMMODITIES), DEPARTMENT OF AGRICULTURE

PART 1207—POTATO RESEARCH AND PROMOTION PLAN

Increase in Expenses

Notice was published in the March 31, 1975, issue of the FEDERAL REGISTER (40 FR 14326) regarding a proposed increase in expenses of \$156,500 recommended by the National Potato Promotion Board for its fiscal period ending June 30, 1975. The Potato Board was established pursuant to the Potato Research and Promotion Act (7 U.S.C. 2611-2627).

The notice afforded interested persons an opportunity to file written comments not later than April 14, 1975. None was filed.

Due to heavy demand from consumers, the current stock of potato cookbooks was nearly depleted by the end of March. The Administrative Committee voted to budget an additional \$80,000 to print 500,000 more. Also, the Executive Committee at its March 7-8 meeting in Denver and the Administrative Committee in a telephone vote completed March 18 recommended that an additional \$76,500 be provided for the radio advertising portion of the potato value campaign to continue for two more weeks.

This increase will result in Potato Board expenses of \$2,332,437 for the fiscal period ending June 30, 1975.

After consideration of all relevant matter, including the proposal set forth in the notice, it is hereby found that the increase in expenses will tend to effectuate the declared policy of the act.

It is hereby found that good cause exists for not postponing the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) funds need to be expended for these two projects shortly; (2) the increases were recommended by the National Potato Promotion Board and (3) information regarding this increase in expenses was published in the FEDERAL REGISTER on March 31, 1975.

The amendment is as follows:

Revise § 1207.403(a) (39 FR 22941; 40 FR 11860) as follows:

§ 1207.403 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred during the fiscal period ending June 30, 1975, by the Na-

tional Potato Promotion Board for its maintenance and functioning and for such purposes as the Secretary determines to be appropriate will amount to \$2,332,437.

(Title III of Pub. L. 91-670; 84 Stat. 2041; 7 U.S.C. 2611-2627)

Dated: April 16, 1975.

JOHN C. BLUM,
Associate Administrator.

[FR Doc. 75-10433 Filed 4-21-75; 8:45 am]

Title 8—Aliens and Nationality

CHAPTER I—IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE

MISCELLANEOUS AMENDMENTS TO CHAPTER

Pursuant to section 552 of Title 5 of the United States Code (80 Stat. 383) as amended by Pub. L. 93-502 (88 Stat. 1561) and the authority contained in section 103 of the Immigration and Nationality Act (66 Stat. 173; 8 U.S.C. 1103), 28 CFR 0.15(b) and 8 CFR 2.1, miscellaneous amendments, as set forth herein, are prescribed in parts 100, 103, 238, and 316 of Chapter 1 of Title 8 of the Code of Federal Regulations.

In § 100.4(c)(2) of Part 100 Ports of entry in District No. 8—Detroit, Michigan is being updated to eliminate the St. Clair, Michigan Immigration Inspection Station as it no longer exists, as the result of an Urban Renewal Program, the site has been converted into a waterfront park.

In Part 103, § 103.10(b)(2) is amended by adding a new second sentence as follows: "They shall also have authority, in the exercise of discretion, to waive the exemption of a record from disclosure under 5 U.S.C. 552(b)(3) in that it is within the purview of section 264(b) of the Act, 8 U.S.C. 1304(b)." The purpose of this amendment is to redelegate to the same officials who are empowered to deny Freedom of Information Act requests, so that they will be free to exercise discretion and direct disclosure when they deem it appropriate under section 264(b) of the Act, 8 U.S.C. 1304(b), which provides:

All registration and fingerprint records made under the provisions of this title shall be confidential, and shall be made available only to such persons or agencies as may be designated by the Attorney General.

When a Freedom of Information request is denied under 5 U.S.C. 552(b)(6) because disclosure would constitute a clearly unwarranted invasion of personal privacy, it is Service policy also to invoke,

wherever appropriate, section 552(b)(3) where the material is specifically exempted from disclosure by statute.

In Part 238, § 238.4 is amended by deleting from the listing of transportation lines, for preinspection outside the United States, "at Bermuda" the following transportation line: "Atlanta Skylarks Air Travel Club", which was listed in error in that this was a single flight approval and not subject to listing in 8 CFR 238.4.

In Part 316, § 316a.2 is amended by adding in alphabetical sequence the following institution of research: "Tulane University Graduate School". After an appropriate investigation, interview and review of documentation it has been determined that the Tulane University Graduate School is recognized as an American institution of research within the purview of § 316a.2.

In light of the foregoing, the following amendments to Chapter 1 of Title 8 of the Code of Federal Regulations are hereby prescribed:

PART 100—STATEMENT OF ORGANIZATION

§ 100.4 [Amended]

Section 100.4(c)(2) is amended by deleting the Inspection Station at St. Clair, Michigan, from District No. 8, Class A, as it no longer exists.

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

§ 103.10(b)(2) is being amended to redelegate to the same officials who are empowered to deny Freedom of Information Act requests, the exercise of discretion and direct disclosure when they deem it appropriate under section 264(b) of the Act—[8 U.S.C. 1304(b)]. As amended, § 103.10(b) reads in pertinent part as follows:

§ 103.10 Requests for records.

(b) Authority to grant and deny requests.

(2) Denials. The Associate Commissioner, Management, regional commissioners, and district directors have authority to deny a request. They shall also have authority, in the exercise of discretion, to waive the exemption of a record from disclosure under 5 U.S.C. 552(b)(3) in that it is within the purview of section 264(b) of the Act, 8 U.S.C. 1304(b).

**PART 238—CONTRACTS WITH
TRANSPORTATION LINES**

§ 238.4 [Amended]

§ 238.4 is being amended to delete therefrom the following transportation line: "Atlanta Skylarks Air Travel Club".

**PART 316a—RESIDENCE, PHYSICAL
PRESENCE AND ABSENCE**

§ 316a.2 [Amended]

§ 316a.2 is being amended by adding in alphabetical sequence the following institution of research: "Tulane University Graduate School".

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1109)

Compliance with the provisions of section 553 of Title 5 of the United States Code (80 Stat. 383) as to notice of proposed rule making and delayed effective date is unnecessary in this instance and would serve no useful purpose because the amendment to § 104.4(c)(2) relates to a station no longer in existence; the amendment to § 103.10(b)(2) relates to agency management and organization; the amendment to § 238.4 deletes from the list of preinspection transportation lines one which had been listed in error; and the amendment to § 316a.2 adds another school as an American institution of research, recognized for naturalization purposes.

Effective date. The amendments made in this order shall become effective on April 22, 1975.

Dated: April 15, 1975.

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

[FR Doc. 75-10476 Filed 4-21-75; 8:45 am]

Title 12—Banks and Banking

**CHAPTER VI—FARM CREDIT
ADMINISTRATION**

Miscellaneous Amendments to Chapter

The Farm Credit Administration, by its Federal Farm Credit Board, took final action on amendments to its regulations and authorized their issuance effective April 9, 1975. These amendments would (1) clarify computation of compensation of district board members, (2) require minutes to be kept of meetings of the Governing Body of Farmbank Services, (3) clarify the applicability to Farmbank Services of regulations issued for Farm Credit institutions, (4) revise rural home lending program requirements and limitations, (5) clarify limitations on maximum loans, (6) clarify what may be security for Federal land bank loans, (7) clarify what may be security for production credit association loans, (8) restate criteria to be included in loan servicing policies, (9) restate requirements for insurance on shipments of valuables, (10) delete regulation dealing with reports of insured shipments of valuables, (11) authorize retirees of Farm Credit institutions to purchase Farm Credit Investment Bonds, and (12) restate coordination policies for rural home lending.

By a notice published in the FEDERAL REGISTER on February 18, 1975, interested persons were afforded the opportunity to file written comments or suggestions on the proposed amendments except (1) and (11) not later than March 17, 1975. Proposed amendments (1) and (11) were not included because they are not applicable to the public at large. All comments were considered prior to the final action on the proposed amendments by the Federal Farm Credit Board. Copies of all communications received are available for examination by interested persons in the Office of Director, Information Division, Office of Administration, Farm Credit Administration.

Chapter VI of Title 12 of the Code of Federal Regulations is amended by revising § 611.1020, adding § 611.1055 and § 611.1150, revising § 613.3040, paragraphs (a) and (b) of § 614.4180, paragraph (a) of § 614.4230, § 614.4250, deleting Subpart L heading, §§ 614.4370, 614.4380, 614.4390, 614.4400, 614.4410, 614.4420, and 614.4430, revising paragraph (d) of § 614.4510, paragraph (a) of § 615.5120, and § 615.5500, deleting § 615.5510, and revising § 616.6030. These amendments are as follows:

PART 611—ORGANIZATION

1. Section 611.1020 is revised as follows:

§ 611.1020 Compensation of district board members.

Directors may be compensated for attendance at board meetings and special assignments, including reasonable travel time from and to their residences. Such compensation shall not exceed \$90 per day plus reasonable travel, subsistence, and other related expenses incurred in connection with such meetings and assignments. Compensation at the regular per diem rate for normal travel time to and from board meetings and special assignments, when the distance and meeting or special assignment schedule involved require travel on any portion of the day prior to or following the meeting or special assignment date, may be allowed on a full-day basis, or on a part of a full-day basis in increments of half-days, as authorized in a policy established by the board. Travel time in excess of one full day may be permitted under unusual conditions if provided for in the policy of the board.

2. Section 611.1055 is added to read as follows:

§ 611.1055 Minutes of Governing Body of Farmbank Services.

The Governing Body of Farmbank Services shall keep full and accurate minutes of its meetings. Two copies of the minutes of the Governing Body shall be sent to the Farm Credit Administration within 2 weeks after the meetings.

3. Section 611.1150 is added to read as follows:

§ 611.1150 Farmbank Services.

All applicable regulations published and issued for the banks and associa-

tions of the Farm Credit System shall be observed by Farmbank Services.

**PART 613—ELIGIBILITY AND SCOPE
OF FINANCING**

4. Section 613.3040 is revised as follows:

§ 613.3040 Rural residents.

(a) *Definitions.* A rural resident is a person residing in a rural area who meets the eligibility requirements enumerated below.

(b) *Eligibility.* Eligibility requirements for the rural home lending program are as follows:

(1) The applicant shall become an owner-occupant of the rural residence being financed. He shall not have loans under this program on more than one rural residence at any one time and no loan shall be made to purchase or construct a rural residence for the express purpose of rental or resale.

(2) For the purposes of nonfarm home lending only, a rural area is open country which may include rural subdivisions or any city or village with a population not exceeding 2,500 persons. A rural area does not include cities, subdivisions or villages associated with a larger population center. The intent is to avoid lending in concentrated, high density, residential areas or villages which are a part of an urbanizing area surrounding or immediately adjoining an urban area of a larger population center. Rural areas may include open areas which are undeveloped for housing and still devoted to agricultural use within other political boundaries, including "towns" exceeding 2,500 persons, designated by the district board and approved by the Farm Credit Administration.

(3) Within rural areas, eligible properties include individual sites as well as sites in rural subdivisions whose design shall encourage orderly development. The bank shall establish appropriate policies subject to approval of the district board for eligible subdivisions.

(4) A rural residence is a single-family, moderate-priced dwelling used as a permanent, year-round home, with appropriate appurtenances and an appropriate site. Rural residences may include conventional housing, modular housing, or mobile homes which are related to a specific real estate site. A moderate-priced dwelling is adequate but not in excess of the living standards of persons in the middle range of income, and not inconsistent with the general quality and standards of housing existing in, or planned for, that area of the Farm Credit district. Due to the wide variations in housing costs, income levels, and area standards for housing, the value level which constitutes moderate-priced housing will vary between localities.

(c) *Scope of financing.* Loans may be made to owner-occupants of rural residences for the purposes of buying, building, remodeling, improving, repairing and refinancing existing indebtedness on such residences. The total amount of credit that may be extended by Farm Credit

institutions for eligible purposes shall not exceed 85 percent of the appraised value of the rural residence security.

(d) *Program limitations.* The rural home lending program shall be operated within the following limitations:

(1) Rural home lending in a district may be implemented only with the approval of the district board. Implementation at the association level is within the discretion of the association board. Upon implementation, such loan service shall be made available to all eligible persons.

(2) No Federal land bank may at any time have outstanding rural residence loans in an amount exceeding 15 percent of the total of all loans outstanding. No production credit association may have outstanding rural residence loans in an amount exceeding 15 percent of its total loans outstanding at the end of the preceding fiscal year, without prior approval by the Federal intermediate credit bank of the district, nor shall the aggregate of such loans exceed 15 percent of the outstanding loans of all associations in the district at the end of the bank's preceding fiscal year.

(3) Whenever any Federal land bank association or production credit association exceeds 15 percent of its total loan volume in rural residence loans, the respective bank board shall require the bank to make periodic reviews to assure that farmers' credit needs are being adequately served in accordance with the objectives of the Act.

(4) Should circumstances arise which curtail loan funds for the System, agricultural loans shall receive priority to the exclusion of rural home loans.

(e) *Identification.* All loans made under the rural home lending program shall be separately identified.

(1) In making such identification, a rural residence is a property which does not have the capacity to produce farm products for sale on a sustained basis, or if it has that capacity is not intended to be used in that manner.

(2) Housing loans for homes used in farming operations or immediate family needs to farmers and ranchers may be identified as farm loans if the borrower's agricultural operation represents more than 50 percent of his total business. Such loans are not subject to the area and price limitation of § 613.3040(b) or the 15 percent limitation of § 613.3040(d).

PART 614—LOAN POLICIES AND OPERATIONS

5. Section 614.4180 (a) and (b) are revised to read as follows:

§ 614.4180 Federal land banks.

(a) Loans may be made for not less than 5 years nor more than 40 years. The basis of approval shall set out the terms and conditions under which a loan is approved. When necessary to assure proper understanding, provide needed controls, and protect the lender, a formal written loan agreement shall be developed between the borrower and the bank.

(b) The outstanding loan balance on any loan shall not at any time during the life of the loan exceed 85 percent of the appraised value established by the most recent appraisal report on the primary real estate security. This shall not, however, prohibit protecting the security position by advancing taxes, advancing insurance premiums, rescheduling loan payments, granting partial releases, or other loan servicing actions when the loan, subsequent to the action, will be at least as well secured as it was prior to the action.

6. Section 614.4230(a) is revised as follows:

§ 614.4230 Federal land banks.

(a) Primary security for a Federal land bank loan shall consist of a first lien on interest in real estate. In the case of nonfarm rural home loans, the primary security shall be a first lien on the rural residence being financed. The real estate interest must be mortgageable interest under deeds or leases which reasonably may be considered adequate to afford the security of a first lien upon the rights and interest on which the loan is predicated. Collateral closely aligned with, an integral part of, and normally sold with real estate may be included in the appraised value of the security upon which a loan is based. Appraised value shall be determined within approved standards and shall include in the evaluation either farmlands, eligible farm-related businesses, or eligible rural residences, whichever is appropriate for the type of loan being made.

7. Section 614.4250 is revised to read as follows:

§ 614.4250 Production credit associations.

(a) Both secured and unsecured loans may be made in accordance with procedures prescribed by the bank. Normally, primary security taken will consist of first liens on personal property and crops. While it is not intended that associations will ordinarily make first lien real estate mortgage loans to farmers, real estate or other security may be taken when deemed necessary for the protection of the association in making short- and intermediate-term loans for eligible purposes.

(b) The primary security for nonfarm rural home loans shall be a first lien on the rural residence being constructed, purchased, or refinanced. Loans for repairs and improvements usually will be secured by a real estate lien or such other security as is determined to be necessary to protect the lender. The outstanding loan balance on any nonfarm rural home loan shall not at any time during the life of the loan exceed 85 percent of the appraised value established by the most recent appraisal report on the primary real estate security. This shall not, however, prohibit protecting the security position by advancing taxes, advancing insurance premiums, rescheduling loan payments,

granting partial releases, or other loan servicing actions when the loan, subsequent to the action, will be at least as well secured as it was prior to the action.

(c) Before taking a real estate mortgage, the association shall consider whether all or a portion of the credit needs might be met more satisfactorily by a real estate mortgage loan such as may be obtained through a Federal land bank association in accordance with district board policies established under § 616.6020 of this chapter.

(d) Recovery value shall be the basis for measuring the collateral worth of nonreal estate security. The value of interest in real estate which constitutes primary security shall be the appraised value as determined within approved appraisal standards.

Subpart L—[Reserved]

§§ 614.4370, 614.4380, 614.4390, 614.4400, 614.4410, 614.4420, 614.4430 [Reserved]

8. Subpart L consisting of §§ 614.4370 et seq. is reserved.

9. Section 614.4510(d) (1) is revised as follows:

§ 614.4510 General.

(d) In the development of the bank and association policies and procedures, the following criteria shall be included:

(1) *Term loans.* The objective shall be to provide borrowers with prompt and efficient service with respect to justifiable actions in such areas as personal liability, partial release of security, insurance requirements or adjustments, loan division or transfers, conditional payments, extensions, deferments or reamortizations. Procedures shall provide for adequate inspections, reanalysis, reappraisal, controls on payment of insurance and taxes (and for payment when necessary), and prompt exercise of legal options to preserve the lender's collateral position or guard against loss. The policy shall provide a means of forbearance for cases when the borrower is cooperative, making an honest effort to meet the conditions of the loan contract, and is capable of working out of the debt burden. Loan servicing policies for rural home loans shall recognize the inherent differences between agricultural and rural home lending.

PART 615—FUNDING AND FISCAL AFFAIRS

10. Section 615.5120(a) is revised as follows:

§ 615.5120 Purchase eligibility requirement.

(a) *Limitations.* Eligibility to purchase Farm Credit Investment Bonds shall be limited to members and employees of the Farm Credit banks and associations, except any bank officers, directors, and employees who are involved in setting the term or rate, to retired employees who are beneficiaries of a pension or retirement program of the Farm

Credit banks or associations, and to employees and retired employees of the Farm Credit Administration except officials precluded by regulations. A member of a Farm Credit association or a bank for cooperatives need not be an active borrower to be eligible. A member of any Farm Credit institution may purchase investment bonds from any of the institutions in the district which offer the purchase program. Patrons, members, employees, or stockholders of other financing institutions discounting loans with the Federal Intermediate Credit Bank or of any legal entity which is a borrower from any Farm Credit institution as such are ineligible as they are not members of a Farm Credit institution. Stock or participation certificates shall not be sold merely to qualify a party for the purchase of Farm Credit Investment Bonds. For purposes of this section "member" means a stockholder or participation certificate holder who acquired stock or participation certificates to obtain a loan, to purchase stock for investment or to qualify for other services of the association or bank. A person who assumes a loan is not a member unless he becomes a stockholder or participation certificate holder in connection with that loan. Employee means a regular full-time employee of a Farm Credit bank or association or the Farm Credit Administration. Retired employee means a retiree who is a direct beneficiary of a pension or retirement program of a Farm Credit bank or association or the Farm Credit Administration under civil service retirement.

11. Section 615.5500 is revised as follows:

§ 615.5500 Shipment of valuables.

Shipments of valuables including fully executed, uncanceled coupon bonds and uncanceled registered bonds which have been endorsed in such a manner or are accompanied by such detached powers of attorney or assignments as to require no further action before their negotiation by any holder could be accomplished, by the Federal land banks, the Federal land bank associations, the Federal intermediate credit banks, banks for cooperatives, and the production credit associations, when made to or by the assured or to or by others for the account of the assured, shall be covered by an insurance policy entitled open registered mail and express policy No. FCA 125. Details for implementing coverage under the open registered mail and express policy shall be issued by the Farm Credit Administration in the form of a letter of instruction.

§ 615.5510 [Deleted]

12. Section 615.5510 is deleted.

PART 616—COORDINATION

13. Section 616.6030 is revised to read as follows:

§ 616.6030 Rural home lending.

Coordination policies relative to rural home lending shall define the appro-

appropriate lending authorities and relationships.

(a) Federal land banks should finance the purchase or construction of rural residences where the owner requires long-term financing. Production credit association lending, while not excluding the purchase or construction of conventional homes, should emphasize remodeling and repair of permanent homes and financing mobile homes where the owner needs intermediate-term financing.

(b) The same appraisal standards, forms and procedures shall be used by both Federal land bank associations and production credit associations.

(c) Uniform procedures regarding the closing of rural home loans shall be prescribed by the supervising banks.

(Secs. 5.9, 5.18, 5.26, 85 Stat. 619, 621, 624)

W. M. HARDING,
Governor,

Farm Credit Administration.

[FR Doc. 75-10472 Filed 4-21-75; 8:45 am]

Title 16—Commercial Practices

CHAPTER II—CONSUMER PRODUCT SAFETY COMMISSION

SUBCHAPTER C—FEDERAL HAZARDOUS SUBSTANCE ACT REGULATIONS

PART 1500—HAZARDOUS SUBSTANCES AND ARTICLES; ADMINISTRATION AND ENFORCEMENT REGULATIONS

Test Methods for Simulating Use and Abuse of Toys, Games, and Other Articles Intended for Use by Children; Corrections

Correction

In FR Doc. 75-9334, appearing at page 16191, in the issue for Thursday, April 10, 1975, on page 16192, in paragraph k., correcting § 1500.51(f) (1) (ii) the second line should read "'(4.55 kilograms)' to read '(4.55 kilo-)'."

Title 20—Employees' Benefits

CHAPTER III—SOCIAL SECURITY ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

[Regs. No. 5, further amended]

PART 405—FEDERAL HEALTH INSURANCE FOR THE AGED AND DISABLED (1965.....)

Interim Period Qualification and Exception Criteria To Be Applied to Services of Facilities Providing Treatment for End-Stage Renal Disease

On October 4, 1974, there was published in the FEDERAL REGISTER (39 FR 35814) a notice of proposed rule making with proposed amendments to Subparts A and B, Regulations No. 5, regarding implementation of section 299I of Public Law 92-603 entitled "Chronic Renal Disease Considered to Constitute Disability". The notice included: (1) A republication, as proposed regulations, of certain provisions of the regulations published on June 29, 1973 (38 FR 17210), which set forth requirements under which facilities qualify under the End-Stage Renal Disease Program; and (2) an initial publication in the FEDERAL REGISTER of an

Appendix to Subpart B, containing interim period exception criteria and guidelines, which are for use in evaluating certain requests under the interim regulations.

The publication of the notice of proposed rule making did not affect the applicability of the regulations which were published on June 29, 1973, which will continue in full force and effect as republished below. Neither this document nor the previous Notice of proposed rule making affect §§ 405.104, 405.402(g), or 405.502(e) of the interim regulations published on June 29, 1973. If amendments are made in such sections, they will be published under the Notice of Proposed Rule Making procedure.

In addition, attention is invited to the fact that the regulations published below remain "interim" regulations, designed to apply to the initial implementing stage of the End-Stage Renal Disease Program, and will be replaced by long-term regulations to be published in Subpart U after publication as Notice of Proposed Rule Making. Such publication is expected to be issued in the near future and will include a 30-day comment period.

The October 4, 1974, notice of proposed rule making gave interested persons until November 4, 1974, to submit written comments or suggestions thereon. Comments and suggestions received as a result of that notice of proposed rule making have been reviewed, and it has been concluded that, for purposes of the interim period, the regulations as published in proposed form are appropriate. However, the comments will be considered in the development of the long-term regulations discussed above. Only editorial changes and corrections in the October 4, 1974, proposal have been made in this amendment. The comments received included suggestions and recommendations that would appear in some instances to require a legislative amendment to be effectuated or would be more properly addressed in other subparts of Regulations No. 5 or concerned the need for a more detailed definition of certain terms, which would be restudied in the preparation of long-term regulations and additional operating instructions. The comments referred to payment for home dialysis helpers, earlier beneficiary entitlement, a longer period of post-transplant entitlement, the adequacy of certification and appeals procedures and reimbursement principles, the role of State and local planning agencies, the educational and certification requirements for facility personnel, and the need for more specific criteria for measuring such factors as "substantial increase in services".

(Sections 226(g), 1102, 1861(b), 1861(s), 1862, 1871, 86 Stat. 1464, 49 Stat. 647, as amended, 79 Stat. 325, 79 Stat. 831, 42 U.S.C. 426(g), 1392, 1395x(b), 1395x(s), 1395y, 1395hh.)

Effective date. Since these amendments repromulgate existing interim regulations without substantial change, and republish (in the Appendix to Subpart B), existing criteria and guidelines which

have previously been published in another format, delaying the effective date of these amendments would serve no purpose. Accordingly, there is good cause to publish these amendments concurrently with their effective date. Therefore, these amendments shall be effective April 22, 1975.

(Catalog of Federal Domestic Assistance Program No. 13.800, Health Insurance for the Aged—Hospital Insurance; No. 13.801, Health Insurance for the Aged—Supplementary Medical Insurance.)

Dated: April 4, 1975.

J. B. CARDWELL,
Commissioner of Social Security.

Approved: April 11, 1975.

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

Part 405 of Chapter III of Title 20 of the Code of Federal Regulations is amended as follows:

1. Section 405.116 is amended by revising paragraph (g) to read as follows:

§ 405.116 Inpatient hospital services; defined.

(g) *Services in connection with kidney transplantation.* With respect to services rendered in connection with kidney transplantation, for an interim period beginning July 1, 1973, for services rendered on and after that date, and until additional regulations setting forth qualification requirements of long-term applicability are promulgated and applied, coverage is limited to services rendered in certain participating hospitals. These are hospitals which on June 1, 1973, have been providing the services and have not substantially increased such services, or which have, in the opinion of the Secretary, demonstrated the need for and appropriateness of their assumption of or increase in the provision of such services, in an effective and economical system of end-stage renal disease treatment. (For interim period exception criteria and guidelines, see the Appendix to Subpart B.)

2. Section 405.231 is amended by revising paragraphs (g) and (h) to read as follows:

§ 405.231 Medical and other health services; included items and services.

(g) Rental or, effective January 1, 1968, the purchase of durable medical equipment, including iron lungs, oxygen tents, hospital beds, renal dialysis systems, and wheelchairs used in the patient's home. For purposes of this paragraph, the term "home" does not include an institution which meets the requirements of section 1861(e)(1) or 1861(j)(1) of the Act; with respect to dialysis facilities which render home training and provide equipment, supplies, and back-up services to patients who dialyze in the home, coverage shall be limited to services of those dialysis facilities described in paragraph (h) of this section.

(h) Prosthetic devices (other than dental) which replace all or part of an internal body organ, including replacement of such devices (with respect to items furnished on or after October 30, 1972, such devices include colostomy bags and supplies directly related to colostomy care). With respect to renal dialysis facilities, during an interim period beginning July 1, 1973, for facility dialysis services rendered on and after that date and until regulations setting forth requirements for these facilities are promulgated and applied, coverage is limited to the services of those facilities which on June 1, 1973, have been providing the services and which have not substantially increased such services or which have, in the opinion of the Secretary, demonstrated the need for and appropriateness of their assumption of or increase in the provision of such services, in an effective and economical system of end-stage renal disease treatment, and which also meet one of the following requirements:

(1) The facility is part of a participating hospital; or

(2) It is a free-standing facility which meets the following conditions—

(i) Meets State or local licensure requirements, if any.

(ii) Is a facility in which treatment is under the general supervision of a physician, who need not be a full-time supervisor.

(iii) Has an affiliation, e.g., has an agreement for back-up care, etc., with a participating hospital, and

(iv) Agrees that no charge will be made for a covered dialysis service provided by the facility that is in excess of the charge determined under the health insurance program to be the reasonable charge of that facility and agrees to bill the program and not the patient for amounts reimbursable under the program. (For interim period exception criteria and guidelines, see the Appendix to this Subpart B.)

3. An Appendix to Subpart B is added to read as follows:

APPENDIX

I. Requests for exception to allow the provision of transplant services.

II. Requests for exception to allow the provision of chronic maintenance dialysis services.

III. Definitions.

APPENDIX

GUIDELINES AND DEFINITIONS FOR THE END-STAGE RENAL DISEASE (ESRD) * PROGRAM

(Terms defined in section III are indicated by asterisk)

I. Facilities wishing to provide renal transplant services must be in substantial compliance with the following criteria and guidelines. A. *The facility is participating in the Medicare program.* The facility is a hospital which meets all the requirements of section 1861(e) of the Social Security Act, and has entered into an agreement to participate in the Medicare program.

B. *The facility can reasonably be expected to perform a sufficient number of transplants per year and otherwise demonstrates a capacity to perform with high quality.* (Perform ance of 25 or more transplants per year has

been shown to be positively correlated with adequate economies of scale and favorable patient and graft outcome. While such performance is not required during the interim period, similar performance may be a requirement of the long-range program.)

1. *The facility is expected to perform a sufficient number of transplants.* Compliance with this criterion requires the following:

a. The hospital has a sufficient number of beds to meet the intensive and acute care requirements of its End-Stage Renal Disease (ESRD) patients.

b. The hospital has an adequate number of qualified personnel to meet the requirements of its ESRD patients.

c. The hospital provides inpatient acute (back-up) dialysis* services to support the transplant program.

d. The hospital offers both living related donor (LRD)* and cadaver donor (CD) transplant* services.

e. The unsatisfied demand for services in the area and the availability of suitable donor organs is such that there is a likelihood that a reasonable scale of operations (at least 15 transplants) can be expected to be attained within one year.

2. *The facility demonstrates a capacity to perform with high quality.* Compliance with this criterion requires:

a. *Minimal personnel requirements.* (1) A licensed physician is responsible for directing, planning, organizing, and conducting transplant services, and devotes sufficient time to carry out these responsibilities. This physician is board certified in surgery (by any American Medical Association or American Osteopathic Association surgical specialty board), in internal medicine (by the American Board of Internal Medicine or the American Osteopathic Board of Internal Medicine) or, if the facility is a children's hospital, in pediatrics (by the American Board of Pediatrics or the American College of Osteopathic Pediatricians). In addition this physician has:

(a) A minimum of one year's formal training in a teaching institution in ESRD patient care and transplant immunology, or

(b) A minimum of two year's experience in delivering ESRD care.

(2) The surgeons performing the transplants are board certified (by any American Medical Association or American Osteopathic Association surgical specialty board), and have:

(a) A minimum of one year's formal training in a teaching institution in renal transplanting, or

(b) Two years' experience performing renal transplant.

(3) If pediatric transplant services (for children under age 14) are offered as part of a general program, children's care shall be under a pediatrician with qualifications as outlined in (1) above.

(4) There is at least one registered nurse responsible for ESRD nursing care on a full-time basis with:

(a) A minimum of six months' training in a teaching institution providing dialysis and transplant patient care, or

(b) A minimum of two years' experience in caring for dialysis and transplant patients.

(5) The nursing service also meets the requirement of § 405.1024 of the Health Insurance Regulations.

(6) A qualified dietician (preferably meets the A.D.A.'s standards for qualification) provides diet management and counseling to meet ESRD patient needs.

(7) The facility provides a social worker, directly* or under arrangement,* to meet the social service and counseling needs of ESRD patients.

(8) The medical staff of the hospital has the following specialties:

(a) Cardiology, endocrinology, hematology, neurology, infectious disease, orthopedics, pathology, psychiatry, and urology.

b. *Minimal service requirements.* (1) The hospital provides on the premises,* either directly* or under arrangement*:

- (a) Inhalation therapy;
- (b) Angiography;
- (c) Nuclear medicine;
- (d) Emergency (24 hours a day) laboratory services of C.B.C., platelet count, ABO blood cross matching, blood gases, blood pH, serum calcium, serum potassium, BUN, creatinine, serum glucose, prothrombin time, spinal fluid exam, urine sediment, and urine glucose.

(2) The hospital provides, either directly or under arrangement with another facility:

- (a) Immunofluorescence and electron microscopy;
- (b) Unusual pathogen cultures: fungal cultures, tissue cultures, and TB cultures;
- (c) Outpatient services for the evaluation, care, and follow-up of transplant and ESRD patients.

(3) The following services are provided under arrangement with another facility or, if they are not reasonably available elsewhere, are added to the applicant facility's capability:

- (a) Tissue typing and immunology testing.
- (b) Cadaver kidney preservation using perfusion equipment.*

(4) If the hospital is not approved to provide Regular (Chronic) Maintenance Dialysis* under Medicare, it has an agreement* with a facility which has such approval, to provide:

- (a) Regular (chronic) maintenance dialysis; and

(b) If a facility providing such services is reasonably available in the community:

- (i) Self-dialysis training program* including a procedure for the evaluation of home conditions to assess and place the patient in home dialysis.
- (ii) Self-dialysis* in an outpatient facility for patients who cannot perform self-dialysis at home.
- (iii) Limited care dialysis* in an outpatient facility for patients who cannot perform self-dialysis.

c. *The facility makes a needed contribution to access of care in an area.* Exception to facilities will only be granted when:

1. There is evidence to document that there are ESRD patients acceptable for transplantation.

2. These patients cannot reasonably be expected to receive appropriate therapy from another transplant facility, and

3. There are no other applicants better qualified to meet the needs of such patients.

d. *The facility contributes to a coordinated system of care by its arrangements for cooperation with other facilities in the area offering the same or other modalities of care for ESRD patients so that patients should be placed in the appropriate site and receive the appropriate service.* This criterion will require an analysis of other services available in the applicant's area. Determinants will include:

1. The hospital makes the ESRD services it is approved to provide available to the ESRD patients of other facilities in the area that do not provide those services.

2. If the services indicated in B.2.b.(2), and (3), and B.2.b.(4)(b), are reasonably available in other facilities in the area in a manner that can be reimbursed by the Medicare program, the hospital carries out arrangements and agreements, as indicated in those sections, for these services for its ESRD patients.

3. The hospital cooperates and participates in a recipient registry.*

4. The hospital cooperates and participates in an organ procurement* and preservation* program, if such exist, and the development of an organ procurement program, if none exists.

5. The hospital carries out agreements with cooperating institutions for timely transfer of medical data on the ESRD patients.

E. *The costs of performance are not expected to exceed the reasonable costs of like or comparable services in the community.*

F. *The capital expenditures for the facility's transplant services have not been disapproved in accordance with section 1122 of Title XI of the Social Security Act.*

II. Facilities wishing to provide chronic maintenance dialysis services must be in substantial compliance with the following criteria and guidelines. A. *Hospital-operated facilities.* 1. *If the facility is hospital-operated, the hospital is participating in the Medicare program.* The hospital meets all the requirements of section 1861(e) of the Social Security Act, and has entered into an agreement to participate in the Medicare program.

2. *The facility is expected to meet an acceptable utilization rate and otherwise demonstrate a capacity to perform at high quality.*

a. *Expected to meet an acceptable utilization rate* means the facility has a minimum of two maintenance dialysis stations, and operates each maintenance dialysis station a minimum of 5 dialysis sessions per week.

b. *Demonstrates a capacity to perform at high quality means:*

(1) *Minimal personnel requirements.* The hospital and its dialysis facility has an adequate number of personnel to meet the requirements of its ESRD patients; minimal requirements are:

(a) A licensed physician is responsible for planning, organizing, conducting, and directing ESRD services, and devotes sufficient time to carry out these responsibilities. This physician is board certified or board eligible in internal medicine (by the American Board of Internal Medicine or the American Osteopathic Board of Internal Medicine) and has:

(i) A minimum of one year's formal training in a teaching institution in ESRD patient care, or

(ii) A minimum of two years' experience delivering ESRD care.

(b) The surgeons performing the vascular access procedures (cannula/fistula placement and revisions) are board certified (by any American Medical Association or American Osteopathic Association surgical specialty board) and have:

(i) A minimum of one year's formal training at a teaching institution in vascular surgery, or

(ii) Two years' experience performing vascular access procedures.

(c) There is at least one R.N. responsible for ESRD nursing care on a full-time basis with a minimum of:

(i) Six months' training in a teaching institution providing dialysis and ESRD patient care, or

(ii) Two years' experience in caring for dialysis and ESRD patients.

(d) The nursing service also meets the requirements of § 405.1024(c) of this part.

(e) A qualified dietician (one who preferably meets the A.D.A.'s standards for qualifications) provides diet management and counseling to meet ESRD patient needs.

(f) The facility provides a social worker, directly* or under arrangement,* to meet the social service and counseling needs of ESRD patients.

(g) The facility is capable of providing timely specialty evaluation and consultation

for its ESRD patients in cardiology, endocrinology, hematology, neurology, orthopedics, pathology, pediatrics (if children with ESRD are cared for), psychiatry, and in urology.

(2) *Minimal service requirements.* (a) The hospital provides on its premises,* either directly* or under arrangement*:

- (i) Inpatient acute (back-up) dialysis to support the ESRD patient needs;
- (ii) Inhalation therapy;
- (iii) Emergency (24 hours a day) laboratory services of C.B.C., platelet count, ABO blood cross matching, blood gases, blood pH, serum calcium, serum potassium, BUN, serum glucose, prothrombin time, spinal fluid exam, urine sediment, and urine glucose.

(b) The hospital provides directly* limited-care dialysis in an outpatient facility for patients who cannot perform self-dialysis.

(c) The hospital provides, either directly,* or under arrangement* with another facility, for the following:

- (i) Angiography;
- (ii) Nuclear medicine;
- (iii) Immunofluorescence and electron microscopy;
- (iv) Unusual pathogen cultures, fungal cultures, tissue cultures, and TB cultures;
- (v) Outpatient services for the evaluation, care, and follow-up of ESRD patients, including cannula and fistula care, and home-dialysis support services*.

(d) The hospital provides either directly* or by an agreement* with another facility:

- (i) Self-dialysis training program including a procedure for the evaluation of home conditions to assess and place the patient at home;
- (ii) Self-dialysis in an outpatient facility for patients who cannot perform self-dialysis at home;

(e) The hospital provides by an agreement* with a facility already certified to provide the service under Medicare:

- (i) Evaluation of its patients for transplantation. (The transplantation facility is responsible for tissue typing and immunology testing, and prospective patient registration for transplantation.);
- (ii) Transplantation.

3. *The facility makes a needed contribution to access of care.* This means that an exception to dialysis facilities will only be granted when:

a. There is evidence to document that there are ESRD patients acceptable for therapy.

b. These patients cannot reasonably be expected to receive appropriate therapy from another facility, and

c. There are no other applicants better qualified to meet the needs of these patients.

4. *The facility makes a positive contribution to the total system of care of ESRD by working in cooperation with other sites and modalities of care.* The use of this criterion will require an analysis of other services available in the applicant's area. Determinants will include:

a. The hospital makes the ESRD services, it is approved to provide available and accepts ESRD patients referred from other facilities in the area that do not provide those services.

b. If the services indicated in II.A.2.b.(2)(d) are reasonably available in other Medicare approved facilities in the area, the hospital carries out agreements with cooperating institutions for these services, and the services indicated in II.A.2.b.(2)(e) for its patients.

c. The hospital cooperates and participates in a recipient registry.

d. The hospital cooperates and participates in an organ procurement and preservation program, if such exist.

e. The hospital carries out agreements with cooperating institutions for timely transfer of medical data on the ESRD patients.

5. The facility has arrangements for a patient review mechanism to assure that all patients are screened for the appropriateness of their treatment modality—including suitability for transplant and home dialysis. Prior to the establishment of Medical Review Boards, the facility refers each of its patients to appropriate facilities for transplant and self-dialysis training evaluation. A formal recommendation shall be made to the referring facility as to the most appropriate mode of therapy. When the recommended mode of therapy differs from the current mode of therapy, and the patient desires the recommended therapy, the referring facility shall provide such, directly or by agreement. Patients will be re-evaluated on an annual basis, except when the patient specifically requests a change in mode of therapy, in which case such re-evaluation should be carried out within six months from the time of such request (if the six month limit comes before the annual re-evaluation date).

6. The cost of the service offered by the facility is not expected to exceed the reasonable cost or charges for like or comparable services in the community.

7. Capital expenditures for this service have not been disapproved in accordance with section 1122 of Title XI of the Social Security Act.

B. Free-Standing Facilities.—1. Free-standing facilities must:

a. Meet State or local licensure requirements, if any.

b. Be a facility in which treatment is under the general supervision of a physician (who need not be a full-time supervisor). The supervisory physician is a licensed physician responsible for planning, organizing, conducting, and directing the facility's ESRD services, and devotes sufficient time to carry out these responsibilities. This physician is board certified or board eligible in internal medicine (by the American Board of Internal Medicine or the American Osteopathic Board of Internal Medicine) and has a minimum of one year's formal training in ESRD patient care, or a minimum of two years' experience in delivering ESRD care.

c. Have an affiliation, e.g., has arrangements for back-up care, etc., with a participating hospital. The participating hospital with which the free-standing facility has its arrangements and agreements* is approved to deliver ESRD services under the Medicare program.

d. Agree that no charge will be made for covered dialysis service provided by the facility that is in excess of the charge determined to be the reasonable charge of that facility. The facility agrees to bill the program and not the patient for amounts reimbursable under the program.

2. Free-standing facilities are expected to meet an acceptable utilization rate and otherwise demonstrate a capacity to perform at high quality.

a. Free-standing facilities are expected to meet an acceptable utilization rate. The facility has a minimum of two maintenance dialysis stations, and operates each maintenance dialysis station a minimum of 5 dialysis sessions per week.

b. Free-standing facilities must demonstrate a capacity to perform at high quality. (1) The facility has an adequate number of qualified personnel to meet the requirements of its ESRD patients; minimal requirements are:

(a) Treatment is under the general supervision of a physician as set out in II.B.1.b.

(b) There is at least one full-time registered nurse with:

(1) A minimum of six months' training in a teaching institution providing dialysis and ESRD patient care, or

(2) A minimum of two years' experience in dialysis and ESRD patient care.

(c) The facility provides through its affiliation with a participating hospital, in a timely fashion, any necessary vascular access procedures by a qualified surgeon (as defined in II.A.2.b.(1)(b)); diet management and counseling by a qualified dietician (as in II.A.2.b.(1)(e)); social services and counseling by a social worker (as in II.A.2.b.(1)(f)); and specialty evaluation and consultation for its ESRD patients in cardiology, endocrinology, hematology, neurology, orthopedics, pathology, pediatrics (if children with ESRD are cared for), psychiatry and in urology (as in II.A.2.b.(1)(g)).

(2) Service requirements the free-standing facility provides directly are limited care dialysis services.

(3) The facility provides, directly or by agreement through its affiliated hospital: (a) self-care dialysis, and (b) self-dialysis training.

(4) The facility provides, under arrangement, or by agreement with its affiliated hospital, all those services indicated in II.A.2.b.(2).

3. The facility makes a needed contribution to access of care. Exception for free-standing dialysis facilities will only be granted when:

a. There is evidence to document that there are ESRD patients acceptable for therapy.

b. These patients cannot reasonably be expected to receive appropriate therapy from another facility, and

c. There are no other applicants better qualified to meet the needs of these patients.

4. The facility makes a positive contribution to the total system of care of ESRD by working in cooperation with other sites and modalities of care. a. The facility makes available the dialysis services it is approved to provide, and accepts ESRD patient referred from other facilities in the area that do not provide such services.

b. The facility carries out the agreements with its affiliated hospital for those services for its patients which it does not provide.

c. It cooperates and participates in recipient registries.

d. It carries out agreements with cooperating institutions for timely transfer of medical data on the ESRD patients.

5. The facility has arrangements for a patient review mechanism to assure that all patients are screened for the appropriateness of their treatment modality—including suitability for transplant and home dialysis. Prior to the establishment of Medical Review Boards, the facility shall refer each of its patients to appropriate facilities for transplant and self-dialysis training evaluation. A formal recommendation shall be made to the referring facility as to the most appropriate mode of therapy. When the recommended mode of therapy differs from the current mode of therapy, and the patient desires the recommended therapy, the referring facility shall provide such (directly or through its agreements) as outlined above. Patients will be re-evaluated on an annual basis, except when the patient specifically requests a change in mode of therapy, in which case such re-evaluation should be carried out within six months from the time of such request (if the six month limit comes before the annual re-evaluation date).

6. The charge for the service is related to the cost of the service and does not exceed the reasonable costs or charges for like or comparable services in the community.

7. Capital expenditures for this service

have not been disapproved in accordance with section 1122 of Title XI of the Social Security Act.

Notice: Attention is invited, as applicable, to the requirements of Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352; 78 Stat. 252; 42 U.S.C. 2000d-2000d-4) which provides that no person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance (sec. 42 U.S.C. 2000d), and to the implementing regulation issued by the Secretary of Health, Education, and Welfare with the approval of the President (Part 80 of 45 CFR Subtitle A).

III. Definitions. A. A number of terms used in the guidelines text have specific meanings which are different from their use in common language. Some definition is necessary to prevent confusion and permit maximum comprehension of the intent of these guidelines. Some of these terms have specific meaning in relation to the medical care of renal disease; other terms have a specific meaning in the terminology of the Social Security Administration.

B. The following definitions are intended as an aid in understanding the terms involved and do not replace regulations pertaining to the same terms.

1. End stage renal disease (ESRD). Although much of what has been written about Section 2991 of Pub. L. 92-603 refers to coverage of care for chronic renal disease, the law in effect provides coverage only for patients with end stage renal disease (ESRD). This scope of coverage is implicit because the law states that there is coverage for a patient who "is medically determined to have chronic renal disease and who requires hemodialysis or renal transplantation for such disease." End stage renal disease is that stage of renal impairment which cannot be favorably influenced by conservative management alone, and requires dialysis and/or kidney transplantation to maintain life or health. Therefore, the term end stage renal disease (ESRD) in reference to section 2991 of Pub. L. 92-603 is more appropriate than the term chronic renal disease (CRD).

2. Dialysis. A process by which waste products are removed from the body by diffusion from one fluid compartment to another across a semipermeable membrane. There are two types of dialysis in common clinical usage: hemodialysis—where blood is passed through an artificial kidney machine and the waste products diffuse across a man-made membrane into a bath solution known as dialysate after which the cleansed blood is returned to the patient's body; and, peritoneal dialysis—where the waste products pass from the patient's body, through the peritoneal membrane into the peritoneal (abdominal) cavity where the bath solution (dialysate) is introduced and removed periodically. While there are processes, such as hemoperfusion and diafiltration which may become a substitute for, or replace, dialysis in the future, their limited usage in this country today does not merit their separate definition or consideration in these guidelines.

3. Regular (chronic) maintenance dialysis. The usual periodic dialysis treatments which are given to a patient who has end stage renal disease in order to sustain life and ameliorate uremic symptoms. Currently, such treatments are usually given two or three times a week.

4. Back-up hospital, back-up dialysis. A back-up hospital is a hospital which is approved to deliver ESRD services under the Medicare program and has an arrangement or agreement to make these services available to referred home dialysis patients and/or patients from specific free-standing dialysis

facilities for all the ordinary and specialized medical and surgical consultation services which are not available in the home or at the free-standing dialysis facility, and are required for the care of ESRD patients. The number of back-up dialysis stations must be appropriate for the number of patients for which the back-up hospital has accepted responsibility.

Back-up dialysis is dialysis given to a patient under special circumstances, in a situation other than the patient's usual dialysis environment. Although back-up dialysis required by home dialysis patients for non-medical reasons (i.e., mechanical problems or the absence of helper) may be performed in a freestanding facility, back-up for significant medical problems is performed by a back-up hospital which must be capable of providing the necessary nephrological, medical and surgical expertise, and the appropriate equipment and personnel to care for the patient in the event of his hospitalization.

5. *Acute dialysis.* Dialysis given to patients on an intensive care, inpatient basis. Acute dialysis may be given to patients with ESRD during periods of acute illness (acute, back-up dialysis); it may be given to patients without ESRD who require dialysis for certain conditions, such as, acute renal failure and certain drug ingestions.

6. *Self-dialysis.* Regular maintenance dialysis performed by a trained patient at home or within an outpatient facility. In the case of home dialysis, the patient performs dialysis at home with the assistance of a trained partner. In the case of "self-care" dialysis in an outpatient facility, the patient performs dialysis in a facility removed from the home with the assistance of a trained partner or a health professional. In both cases, professional supervision and performance of the dialysis is limited.

7. *Limited care dialysis.* Regular maintenance dialysis on an outpatient basis in a facility where the actual dialysis procedure is performed by health professionals.

8. *Self-dialysis training.* The education or training of a patient to permit the patient to perform dialysis on himself (herself).

9. *Self-dialysis training program.* A program which assesses a patient's ability to learn to perform dialysis. Such a program includes an assessment of the patient's home and family conditions to determine if the patient can perform self-dialysis in the home. If a patient is judged educable in self-dialysis, such a program would also train the patient to perform self-dialysis.

10. *Organ procurement.* The identification of a prospective donor and the surgical removal of a donor kidney.

11. *Organ preservation.* The maintenance of a kidney after it has been removed from the donor and until it has been transplanted into a recipient. Organ preservation is an integral part of kidney transplantation and may be accomplished by special solutions and cooling of the kidney, or by perfusion of the kidney using special equipment.

12. *Tissue typing and immunology testing.* Laboratory procedures used to determine the degree of compatibility between a donor organ and a potential recipient of a kidney transplant. They include: (1) identification of tissue "types" (HLA); (2) performance of a cross match for cytotoxic antibodies; and (3) certain specialized tests of immunologic reactions such as mixed lymphocyte cultures and cell mediated lympholysis.

13. *Living related donor transplantation.* A transplant where the organ is donated and removed from a living, blood relative of the patient and transplanted into the patient. Nonrelated living donor transplantation is currently not practiced in this country.

14. *Cadaver donor transplantation.* Transplantation where the donated organ is taken from an individual who has been pronounced dead according to medical criteria. The organ is removed from the donor and transplanted into the recipient.

15. *Cannula.* A surgically prepared, exposed connection between an artery and a vein. The exposed connection between artery and vein is made with a special type of plastic tubing.

16. *Fistula.* A surgically prepared unexposed connection made directly between an artery and vein to permit repeated and ready access to the blood stream. Dialysis access to the blood stream is obtained with large hollow needles; creation of a fistula is an alternative to surgical insertion of a cannula.

17. *"Directly provides" or "provides directly."* This term means that the hospital (or facility) provides the service through its own staff and employees, or through individuals who are under contract with the facility to provide such services.

18. *"Under arrangement."* This term means that the hospital (or facility) arranges for another facility to provide the services but assumes responsibility for such services and bills the Medicare program for the services. Pursuant to section 1861(w) of the Act (42 U.S.C. 1395x(w)) receipt of payment for such covered services on behalf of an entitled individual discharges the liability of such individual or any other person to pay for such services.

19. *"By an agreement" or "has an agreement."* This term means that the hospital (or facility) has an agreement whereby another facility undertakes to provide services to patients who become the patients of the other facility (for those services provided), and the other facility bills the Medicare program for their services furnished.

20. *"Provides on the premises."* This term means that the hospital provides the service on its own premises or on premises that are contiguous with or immediately in proximity to its own.

21. *Home dialysis support services.* The services of professional care, consultation, provision of supplies, back-up, and equipment repair that home dialysis patients require.

22. *Recipient registry.* A prospective listing of patients (including certain medical data on these patients) who are awaiting a cadaver donor transplant.

[FR Doc.75-10428 Filed 4-21-75;8:45 am]

Title 24—Housing and Urban Development

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

SUBCHAPTER A—GENERAL

[Docket No. R-75-328]

PART 200—INTRODUCTION

Multifamily Previous Participation Review and Clearance Procedures; Exceptions for Fire Safety Equipment

Section 200.210 published at 39 FR 29351 on August 15, 1974, is being amended to except § 232.500 et seq. published at 39 FR 28966 on August 12, 1974, from the Multifamily Previous Participation Review and Clearance procedures. The section 232(i) program (Pub. L. 93-204), which is implemented by § 232.500 et seq.,

provides insurance for loans to purchase and install fire safety equipment for existing nursing homes and intermediate care facilities. An application for participation in this program must be processed both by the Department of Housing and Urban Development and the Department of Health, Education, and Welfare. This amendment will alleviate some of the time required in processing an application. Since the loans are for existing facilities and will generally involve small amounts, it is believed that the abuses which the Multifamily Previous Participation Review and Clearance procedure was designed to correct will not exist in this program.

As this amendment is favorable to proposed borrowers and would reduce the processing time on applications for loans to protect our nation's elderly citizens housed in nursing homes and intermediate care facilities from the dangers of fire, advance notice and public procedure are not necessary and good cause exists for making this amendment effective on publication.

Accordingly, § 200.210 is revised as follows:

§ 200.210 Applicability of procedure.

The Previous Participation Review and Clearance procedure set forth in §§ 200.-211 through 200.218 is applicable to every project to be financed with a mortgage insured under the National Housing Act and with respect to every purchase of a project subject to a mortgage insured under the National Housing Act, except those projects insured under section 232 (i) of said Act. The procedure does not apply to any other Department programs in which a previous participation certificate may be required.

(Sec. 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

Effective date. This amendment will be effective April 22, 1975.

DAVID M. DE WILDE,
Acting Assistant Secretary for
Housing Production and
Mortgage Credit, Federal
Housing Commissioner.

[FR Doc.75-10434 Filed 4-21-75;8:45 am]

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-554]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

The purpose of this notice is to list those communities wherein the sale of flood insurance is authorized under the National Flood Insurance Program (42 U.S.C. 4001-4128).

Insurance policies can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for

the state (addresses are published at 39 FR 26186-93). A list of servicing companies is also available from the Federal Insurance Administration, HUD, 451 Seventh Street SW., Washington, D.C. 20410.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 3, 1974, as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special hazards that is located within any community currently participating in the National Flood Insurance Program.

Until July 1, 1975, the statutory requirement for the purchase of flood insurance does not apply until and unless

the community enters the program and the special flood hazards have been identified. However, on July 1, 1975, or one year after the identification of the community as flood prone, whichever is later, the requirement will apply to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition or construction in these areas unless the community has entered the program and flood insurance has been purchased.

The Federal Insurance Administrator finds that delayed effective dates would be contrary to the public interest. Therefore notice and public procedure under § 5 U.S.C. 553(b) are impracticable, unnecessary, and contrary to the public interest.

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence new entries to the table. In each entry, a complete chronology of effective dates appears for each listed community. The date that appears in the fourth column of the table is provided in order to designate the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. These dates serve notice only for the purposes of granting relief, and not for the application of sanctions, within the meaning of 5 U.S.C. 551. The entry reads as follows:

§ 1914.4 List of eligible communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Arizona	Santa Cruz	Nogales, city of	Apr. 14, 1975. Emergency	May 24, 1974		
Arkansas	Lawrence	Hoxie, city of	do	May 10, 1974		
Do	Little River	Ashdown, city of	do	Apr. 5, 1974		
Do	Nevada	Prescott, city of	do	Nov. 16, 1973		
Do	Crawford	Rudy, town of	do	Dec. 30, 1974		
Do	Benton	Siloam Springs, city of	do	May 10, 1974		
Do	Columbia	Taylor, city of	do	Mar. 22, 1974		
California	Plumas	Portola, city of	do	Feb. 7, 1975		
Connecticut	Hartford	Burlington, town of	do	June 19, 1974		
Do	New London	Sprague, town of	do	May 10, 1974		
Florida	Dixie	Unincorporated areas	do	do		
Idaho	Ada	Boise, city of	do	June 21, 1974		
Illinois	Cook	Streamwood, village of	do	Apr. 12, 1974		
Do	Bureau	Walnut, village of	do	Feb. 9, 1974		
Indiana	Motroc	Elllettsville, town of	do	June 14, 1974		
Do	Spencer	Grandview, town of	do	Jan. 23, 1974		
Do	Henry	New Castle, city of	do	Nov. 23, 1973		
Do	Posey	New Harmony, town of	do	Feb. 1, 1974		
Do	Wells	Ossian, town of	do	May 31, 1974		
Do	Shelby	Shelbyville, city of	do	Dec. 17, 1973		
Iowa	Page	Clarinda, city of	do	June 28, 1974		
Do	Hardin	Eldora, city of	do	do		
Kansas	Johnson	Merriam, city of	do	June 7, 1974		
Do	McPherson	Moundridge, city of	do	Mar. 8, 1974		
Louisiana	Tangipahoa Parish	Hammond, city of	do	do		
Maine	Washington	Danforth, town of	do	Aug. 9, 1974		
Do	Cumberland	Falmouth, town of	do	Mar. 29, 1974		
Do	Somerset	Skowhegan, town of	do	Oct. 18, 1974		
Maryland	St. Marys	Leonardtown, town of	do	July 19, 1974		
Michigan	Wayne	Canton, township of	do	June 28, 1974		
Minnesota	Hennepin	Hassan, township of	do	do		
Missouri	New Madrid	Howardville, city of	do	May 17, 1974		
Do	do	Matthews, city of	do	do		
Do	Mississippi	Unincorporated areas	do	do		
Do	Lawrence	Mt. Vernon, city of	do	May 24, 1974		
New Jersey	Monmouth	Holmdel, township of	do	Feb. 1, 1974		
Do	Mercer	Pennington, borough of	do	Aug. 24, 1973		
Do	Ocean	Pine Beach, borough of	do	June 28, 1974		
Do	Middlesex	Plainboro, township of	do	May 31, 1974		
Do	Burlington	Washington, township of	do	July 26, 1974		
New York	Eric	Angola, village of	do	Dec. 6, 1974		
Do	Monroe	Mendon, town of	do	Apr. 12, 1974		
Ohio	Lorain	Amherst, city of	do	Mar. 15, 1974		
Tennessee	Lauderdale	Unincorporated areas	do	do		
Do	Giles	Pulaski, city of	do	May 24, 1974		
Wisconsin	Kenosha	Kenosha, city of	do	Dec. 28, 1973		
Do	Langlade	Unincorporated areas	do	do		

(National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.

Issued: April 8, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc. 75-10303 Filed 4-21-75; 8:45 am]

[Docket No. FI-557]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

The purpose of this notice is to list those communities wherein the sale of flood insurance is authorized under the National Flood Insurance Program (42 U.S.C. 4001-4128).

Insurance policies can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for the state (addresses are published at 39 F.R. 26186-93). A list of servicing companies is also available from the Federal Insurance Administration, HUD, 451 Seventh Street SW., Washington, D.C. 20410.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Fed-

eral or Federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special hazards that is located within any community currently participating in the National Flood Insurance Program.

Until July 1, 1975, the statutory requirement for the purchase of flood insurance does not apply until and unless the community enters the program and the special flood hazards have been identified. However, on July 1, 1975, or one year after the identification of the community as flood prone, whichever is later, the requirement will apply to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition or construction in these areas unless the community has entered the program and flood insurance has been purchased.

The Federal Insurance Administrator finds that delayed effective dates would

be contrary to the public interest. Therefore notice and public procedure under 5 U.S.C. 553(b) are impracticable, unnecessary, and contrary to the public interest.

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence new entries to the table. In each entry, a complete chronology of effective dates appears for each listed community. The date that appears in the fourth column of the table is provided in order to designate the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. These dates serve notice only for the purposes of granting relief, and not for the application of sanctions, within the meaning of 5 U.S.C. 551. The entry reads as follows:

§ 1914.4 List of eligible communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Illinois	DuPage	Oakbrook Terrace, city of	April 15, 1975, Emergency	Mar. 29, 1974		
Iowa	Des Moines	Burlington, city of	do	May 17, 1974		
Kansas	Geary	Junction City, city of	do	Feb. 1, 1974		
Kentucky	Meadow	Brandenburg, city of	do			
Massachusetts	Plymouth	Lakeville, town of	do	Sept. 6, 1974		
Minnesota	Marshall	Alyvardo, city of	do	Aug. 2, 1974		
Mississippi	Sunflower	Doddsville, town of	do	Nov. 8, 1974		
Missouri	Groves	Unincorporated areas	do			
Nebraska	Cass	Cedar Creek, village of	do			
New Jersey	Essex	Glen Ridge, borough of	do	July 6, 1973		
Do	Camden	Mt. Ephraim, borough of	do	June 21, 1974		
Do	Monmouth	Neptune City, borough of	do	June 28, 1974		
New York	Orange	Cornwall, town of	do	Mar. 29, 1974		
Do	Westchester	Croton-on-Hudson, village of	do	May 10, 1974		
Do	Onondaga	Vernon, town of	do	Mar. 8, 1974		
Do	Essex	Ticonderoga, town of	do	Oct. 25, 1974		
Do	Herkimer	Winfield, town of	do	Mar. 1, 1974		
North Carolina	Moore	Southern Pines, town of	do	Apr. 25, 1975		
Ohio	Warren	Mason, city of	do	June 14, 1974		
Do	Hamilton and Clermont	Hamilton and Clermont, village of	do	Feb. 8, 1974		
Do	Muskingham	Zanesville, city of	do	May 3, 1974		
Oregon	Umatilla	Febo, city of	do	Sept. 13, 1974		
Texas	Hays	Kyle, city of	do	May 2, 1975		
Do	Tarrant	Panthero, town of	do			
Wisconsin	Linden	Linden, village of	do	Aug. 30, 1974		
Do	Dane	Stoughton, city of	do	Dec. 17, 1973		
Do	Monroe	Sparta, city of	do	Jan. 9, 1974		
Wyoming	Campbell	Gillette, city of	do	June 28, 1974		

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.

Issued: April 8, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-10302 Filed 4-21-75;8:45 am]

[Docket No. FI-560]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

The purpose of this notice is to list those communities wherein the sale of flood insurance is authorized under the National Flood Insurance Program (42 U.S.C. 4001-4128).

Insurance policies can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for

the state (addresses are published at 39 FR 26186-93). A list of servicing companies is also available from the Federal Insurance Administration, HUD, 451 Seventh Street SW., Washington, D.C. 20410.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special hazards that is located within any community currently partici-

pating in the National Flood Insurance Program.

Until July 1, 1975, the statutory requirement for the purchase of flood insurance does not apply until and unless the community enters the program and the special flood hazards have been identified. However, on July 1, 1975, or one year after the identification of the community as flood prone, whichever is later, the requirement will apply to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition or construc-

tion in these areas unless the community has entered the program and flood insurance has been purchased.

The Federal Insurance Administrator finds that delayed effective dates would be contrary to the public interest. Therefore notice and public procedure under 5 U.S.C. 553(b) are impracticable, unnecessary, and contrary to the public interest.

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence new entries to the table. In each entry, a complete chronology of effective dates appears for each listed community. The date that appears in the fourth column of the table is provided in order to designate the effective date of the authori-

zation of the sale of flood insurance in the area under the emergency or the regular flood insurance program. These dates serve notice only for the purposes of granting relief, and not for the application of sanctions, within the meaning of 5 U.S.C. 551. The entry reads as follows:

§ 1914.4 List of eligible communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Illinois	Rock Island	Cordova, village of	Apr. 18, 1975	do	do	do
Do.	Will	Symerton, village of	Apr. 18, 1975. Emergency	do	do	do
Indiana	Stenben	Angola, village of	do	do	do	do
Do.	Porter	Burns Harbor, town of	do	do	do	do
Do.	Martin	Loogootee, city of	do	do	do	do
Kansas	Ness	Ness, city of	do	do	do	do
Louisiana	Tangipahoa	Unincorporated areas	do	do	do	do
Maine	Knox	Vinalhaven, town of	do	do	do	do
Maryland	Garrett	Oakland, town of	do	do	do	do
Massachusetts	Worcester	Hardwick, town of	do	do	do	do
Minnesota	Washington	Oakdale, village of	do	do	do	do
Missouri	St. Charles	Wentzville, city of	do	do	do	do
Nebraska	Dodge	Unincorporated areas	do	do	do	do
Do.	Antelope	Elgin, village of	do	do	do	do
New Hampshire	Grafton	Lisbon, town of	do	do	do	do
New Jersey	Hudson	Kearny, town of	do	do	do	do
New Mexico	Taos	Red River, town of	do	do	do	do
New York	Sullivan	Cocheton, town of	do	do	do	do
Do.	Herkimer	Middleville, village of	Apr. 18, 1975	do	do	do
Do.	Onondaga	Minea, village of	Apr. 18, 1975. Emergency	do	do	do
Do.	Niagara	Lewiston, village of	do	do	do	do
Do.	Dutchess	Wappingers Falls, village of	do	do	do	do
North Carolina	Alamance	Burlington, city of	do	do	do	do
Ohio	Washington	Belpre, city of	do	do	do	do
Do.	do	Matamoras, village of	do	do	do	do
Oklahoma	Lincoln	Chandler, city of	do	do	do	do
South Carolina	Berkeley	Goose Creek, city of	do	do	do	do
Texas	Yoakum	Plains, city of	do	do	do	do
Utah	Davis	Kaysville, city of	do	do	do	do
West Virginia	Tucker	Davis, town of	do	do	do	do
Do.	Grant	Petersburg, town of	do	do	do	do
Do.	Kanawha	Pratt, town of	do	do	do	do
Do.	Marion	Rivesville, town of	do	do	do	do
Do.	do	do	Apr. 18, 1975	do	do	do
Do.	Pleasants	St. Mary's, city of	Apr. 18, 1975. Emergency	do	do	do
Do.	Monongalia	Star City, town of	do	do	do	do
Do.	Taylor	Fleming, town of	do	do	do	do

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2690, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.

Issued: April 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-10386 Filed 4-21-75;8:45 am]

Title 33—Navigation and Navigable Waters
CHAPTER I—COAST GUARD,
DEPARTMENT OF TRANSPORTATION

[CGD 75-090]

PART 117—DRAWBRIDGE OPERATION
REGULATIONS

Doctors Inlet, Fla.

This amendment changes the regulations for the U.S. Route 17 highway drawbridge across Doctors Inlet near Orange, Florida because this bridge has been removed.

§ 117.431b [Revoked]

Accordingly, Part 117 of Title 33 of the Code of Federal Regulations is amended by revoking § 117.431b.

(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 1.05-1 (c) (4)).

Effective date. This revision shall become effective on April 21, 1975.

Dated: April 14, 1975.

R. I. PRICE,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Marine Environment and Systems.

[FR Doc.75-10467 Filed 4-21-75;8:45 am]

[CGD 74-99]

PART 117—DRAWBRIDGE OPERATION
REGULATIONS

Steinhatchee River, Fla.

This amendment changes the regulations for the State Road 358 drawbridge across the Steinhatchee River between Steinhatchee and Jena, Florida to require that the draw open on signal if at least 3 hours notice is given. This amendment was circulated as a public notice

dated April 29, 1974 by the Commander, Seventh Coast Guard District and was published in the Federal Register as a notice of proposed rulemaking (CGD 74-99) on April 26, 1974 (39 FR 14725). Eight replies were received. Three had no objection or did not oppose this change. Five objected on the grounds that future commercial navigation will require frequent openings of the draw. However, there were only 27 openings in 1974 and 28 in 1973 which indicates the regulations, as proposed, will meet the present needs of navigation. If commercial vessel development does take place, these regulations may be amended to reflect this change.

Accordingly, Part 117 of Title 33 of the Code of Federal Regulations is amended by:

1. Redesignating § 117.245(i) (6-a), (6-b) and (6-c) to § 117.245(i) (6-b), (6-c) and (6-d).

2. Adding a new § 117.245(i) (6-a) to read as follows:

§ 117.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.

(i) * * *

(6-a) Steinhatchee River, State Road 358, Steinhatchee, Fla. The draw shall open on signal if at least three hours notice is given to the Florida State Highway Patrol in Cross City, Florida.

(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 1.05-1(c) (4)).

Effective date. This revision shall become effective on May 26, 1975.

Dated: April 17, 1975.

R. I. PRICE,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Marine Environment and Systems.

[FR Doc.75-10468 Filed 4-21-75; 8:45 am]

[CGD 5-75-01R]

PART 127—SECURITY ZONES

Hampton Roads, James River, Newport News, Va.; Establishment

This amendment to the Coast Guard's Security Zone Regulations establishes the waters of the James River in the area of the Newport News Shipbuilding and Drydock Company, Newport News, Virginia as a Security Zone. This security zone is established to prevent interference with the launching of the submarine USS Baton Rouge at the Newport News Shipbuilding and Drydock Company, Newport News, Virginia.

This amendment is issued without publication of a notice of proposed rulemaking; and this amendment is effective in less than 30 days from the date of publication, because this security zone involves a military function of the United States.

In consideration of the foregoing, Part 127 of Title 33 of the Code of Federal Regulations is amended by adding § 127.501 to read as follows:

§ 127.501 Hampton Roads—James River—Newport News, Virginia.

The waters within the following boundary is a security zone: A line beginning at position 36°58'48" N, 76°26'26" W to James River Buoy No. 1 at 36°57'53" N, 76°26'42" W thence to a point at position 36°59'07" N, 76°27'57" W thence to a point on shore at position 36°59'35" N, 76°26'55" W thence to the beginning point.

(40 Stat. 220, as amended, (sec. 1, 63 Stat. 503), sec. 6(b), 80 Stat. 937; 50 U.S.C. 191,

(14 U.S.C. 91; 49 U.S.C. 1655(b)); E.O. 10173, E.O. 10277, E.O. 10352, E.O. 11249; 3 CFR, 1949-1953 Comp. 356, 778, 873, 3 CFR, 1964-1965 Comp. 349, 33 CFR Part 6, 49 CFR 1.46(b)).

Effective date: This amendment is effective from 0930Q to 1200Q 26 April 1975.

G. N. WOOD,
Captain, United States Coast
Guard, Hampton Roads, Cap-
tain of the Port.

[FR Doc.75-10469 Filed 4-21-75; 8:45 am]

Title 46—Shipping

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 74-118]

PART 32—SPECIAL EQUIPMENT, MACHINERY, AND HULL REQUIREMENTS

PART 111—ELECTRICAL SYSTEM: GENERAL REQUIREMENTS

Tank Vessel Electrical Installation; Clarification

The purpose of these amendments is to clarify the safety requirements for electrical installations located in hazardous areas on tank ships. A notice of proposed rulemaking was published in the FEDERAL REGISTER on August 26, 1974 (39 FR 30845), proposing adoption of these amendments.

A total of six written communications related to the proposed amendments were received containing nine comments. The comments and their effect on the amendments are summarized as follows:

Two comments indicated that the date after which these amendments were to apply, July 1, 1972, was retroactive. The date has been changed to make the amendments effective May 22, 1975, rather than July 1, 1972.

Two comments questioned whether the amendments would be applicable to tank barges. The amendments by their terms apply only to tank ships and, therefore, do not apply to tank barges.

Two comments pointed out that the amendments could be misinterpreted to require explosion proof equipment in enclosed spaces located within the "cargo deck space" but having no weather openings in the "cargo deck space." The amendments have been changed to correct this by adding the phrase "in the weather" to the first sentence of the amendments.

One comment indicated that enclosed spaces having openings near cargo tank vents and ullage openings are at least as hazardous as enclosed spaces having openings in the cargo area. The amendments have been changed to include these and similar spaces by specifically including them in the amendments.

One comment indicated that tank ships designed for low overhead clearance could not comply with the proposed amendments. Such tank ships can comply with these amendments by proper location of deckhouses and their openings.

One comment did not address the specifics of the proposed rule.

In addition to these changes, an error in citation of the amendments was discovered as is corrected by changing the citation in Part 32 from § 32.45-1(f) (4) (i) to 32.45-1(f) (4-a) and by changing the citation in Part 111 from 111.85-10 (c) (5) (i) to 111.85-10(c) (6).

In consideration of the foregoing, Parts 32 and 111 of Title 46 of the Code of Federal Regulations are amended as follows under the authority of 46 U.S.C. 375, 391a, 416; 49 U.S.C. 1655 (b); 49 CFR 1.46(b):

1. Section 32.45-1(i) is revoked and reserved, and a new § 32.45-1(f) (4-a) is added to read as follows:

§ 32.45-1 Requirements for tank vessels the construction or conversion of which is contracted for on or after November 19, 1955—TB/ALL.

(f) * * *

(4-a) *Additional requirements.* In addition to the requirements of paragraph (f) (4) of this section, electrical equipment on each tank ship that is contracted for after May 22, 1975, must be explosion proof if it is located in the weather in the cargo deck space, in enclosed spaces having an opening or access located within the cargo deck space, or in enclosed spaces having an opening or access located within three meters (approx. 10 feet) of a cargo tank vent outlet, a cargo tank ullage opening, a cargo pipe flange, a cargo valve, a cargo pumproom entrance, or a cargo pumproom ventilation opening. For the purpose of this paragraph (f) (4) the term "cargo deck space" means the volume bounded by the open deck over the cargo tank block (including all ballast tanks within the cargo tank block), extending to the full width of the vessel, plus three meters (approx. 10 feet) fore and aft of the cargo tank block and up to a height of 2.4 meters (approx. 8 feet) above the deck.

(i) [Reserved]

2. Section 111.85-10(c) (5) (i) is revoked and a new § 111.85-10(c) (6) is added to read as follows:

§ 111.85-10 Special requirements for tank vessels contracted for on or after November 19, 1955—TB/ALL.

(c) * * *

(5) * * *

(i) [Revoked]

(6) *Additional requirements.* In addition to the requirements of paragraph (c) (5) of this section, electrical equipment on each tank ship that is contracted for after May 22, 1975, must be explosion proof if it is located in the weather in the cargo deck space, in enclosed spaces having an opening or access located within the cargo deck space, or in enclosed spaces having an opening or access located within three meters (approx. 10 feet) of a cargo tank vent outlet, a cargo tank ullage opening, a cargo pipe flange, a cargo valve, a cargo pumproom entrance, or a cargo pumproom ventilation opening. For the purpose of this paragraph, the term "cargo deck space"

means the volume bounded by the open deck over the cargo tank block (including all ballast tanks within the cargo tank block), extending to the full width of the vessel, plus three meters (approx. 10 feet) fore and aft of the cargo tank block and up to a height of 2.4 meters (approx. 8 feet) above the deck.

Effective date. These amendments shall become effective May 22, 1975.

Dated: April 16, 1975.

O. W. SILER,
Admiral, U.S. Coast Guard
Commandant.

[FR Doc.75-10466 Filed 4-21-75; 8:45 am]

Title 47—Telecommunication
CHAPTER I—FEDERAL
COMMUNICATIONS COMMISSION
[Docket No. 20111; FCC 75-257]

PART 97—RADIO AMATEUR RADIO SERVICE

Amateur Radio Service; Authorization of Commemorative Stations

1. A Notice of Proposed Rule Making in the above-captioned matter was released on July 24, 1974, and was duly published in the FEDERAL REGISTER, 39 FR 27590, on July 30, 1974. The dates for filing comments and replies have passed.

2. Nine separate comments to this proceeding were filed.

3. In its Notice of Proposed Rule Making, the Commission proposed the establishment of a separate commemorative or "special event" station license under which amateur operators may operate for an abbreviated period in connection with a celebration shown to be unique, distinct and of general interest to either a segment of the general public or to amateur radio operators for the purpose of enhancing the public recognition toward the Amateur Radio Service. Under past practices there has been a lack of uniformity in the application of § 97.51 (a) (4) of the Rules relating to specific call signs for a special event because the provision contained no specific criteria. Under the redefined criteria a separate "special event" station license would be created. Considerably more applicants would be able to establish their eligibility for such a license and obtain a specific call to be used solely in connection with the particular event. The proposed terminology "commemorative" call sign is being changed to "special event" because we believe it more nearly reflects both past and present events contemplated by most amateurs.

4. This proposal was unconditionally supported by two respondents, conditionally endorsed by six respondents and opposed by one. Clifton Evans, K6BX, filed comments both in his individual capacity and as a representative of International Amateur Radio Society (IRAS). The following matters were raised by those who conditionally endorsed the proposal:

ESTABLISHMENT OF FORMAL CLASS OF AMATEUR STATION

5. The rules adopted herein establish the "special event" station license as a formal class of amateur license. In his opposing comment respondent Paul Schuett states that the present policy of establishing "special event" station in the Amateur Radio Service "does need some revision" but that authorization for such station should continue in its present form as a "Special Temporary Authority." Mr. Schuett suggests that requiring formal application is a waste of the Commission's resources, time, and supplies.

6. The amended rule provides for letter requests for "special event" station licenses. No formal application is required. The Commission anticipates that the redefined criteria will enable perfunctory application processing. Thus, case-by-case evaluation and letter writing often found necessary under former rules will be eliminated.

AMATEUR EXTRA OR ADVANCED CLASS LICENSE ONLY TO BE ELIGIBLE FOR SPECIAL EVENT STATION LICENSE

7. Two respondents would relax the requirement that only Amateur Extra or Advanced Class licensees would be eligible to apply for a special event call sign. One comment states that the provision severely limits the number of licensed operators that can apply for a special event station license and should also include General Class (not Conditional) licenses. He indicates that including General Class licensees would generate more interest among amateur operators and as a result more special event calls would be issued. Also, it would make the public more aware of the services amateur operators can perform for the public.

8. We are, in effect, creating new amateur privileges. It is our policy, consistent with our incentive licensing program, to award these new privileges to higher class licensees who have by their status demonstrated greater commitment to the service. Also, by this provision it would simplify dual station identification that would otherwise be required when a control operator operated within his operator's class of license but which exceeded those of the station licensee (e.g. General Class).

9. The American Radio Relay League (ARRL) views the 30 day limit imposed by the proposed rule as being unnecessary since the celebration of the type envisioned by the rule generally runs between one to ten days. Further, it states that a celebration beyond the 30 days would automatically provide a basis of extraordinary circumstances requiring an extension of the license period.

10. The 30 day provision is designed to make it abundantly clear that the special event station is not another permanent type amateur station. It is intended as a short term station to highlight an event or celebration and not to be construed as being available for an event of an enduring nature. The 30 day period

is based upon our past experience and would satisfy most requests.

FEES AND SPECIFIC CALL SIGN

11. Some of the comments objected to a special fee for a distinctive call sign in addition to the standard application filing fee.

12. We believe that the workload generated for these special privileges and licenses issued to applicants warrants a special fee consistent with the Commission's general fee policy (See the Commission's Report and Order in Docket 19658, 40 FR 3844, January 24, 1975). Distinctive call signs lend prestige and highlight the importance with which the event is considered. There is considerable value to the recipient. Consequently, it does not appear unreasonable to establish a special fee for a specific call sign. It may ultimately be possible to utilize a block of call signs for a celebration or event of great popularity. However, this will depend upon the disposition of Docket 20282 and the resultant call sign system to be adopted for the restructured Amateur Radio Service.

CONTESTS

13. Two respondents argue that special event call signs should not be prohibited from use in contests.

14. It is emphasized that these call signs will be issued solely for a special event and are not to be used for amateur contests. Contests are entirely too frequent to warrant consideration in this context. A special event station call sign is intended to be used at the location of, in connection with and for the short duration of a celebration which is unique, distinct and of significance to the general public or Amateur Radio operators, for the purpose of bringing public notice to the Amateur Radio Service.

THIRD PARTY OPERATION

15. One of the comments was concerned with use of Amateur Radio by non amateurs or non amateur organizations to further their commercial interests. To the extent that there is concern that improper use may be made by amateurs on behalf of organizations (third party communications) licensees are reminded that third party traffic consisting of the regular business or commercial affairs of any party is specifically prohibited (§ 97.114). As stated in the Order of September 27, 1974, specific violations of the Commission's rules, if observed, should be clearly detailed and brought to the Commission's attention for possible enforcement action.

16. In view of the foregoing, we find that the amendments to Part 97, set forth in the attached Appendix are in the public interest, convenience and necessity. The authority for such amendments is contained in §§ 4(f) and 303 of the Communications Act of 1934, as amended, and Title V of the Independent Offices Appropriations Act of 1952. The application requirement contained in § 97.41(f) was approved by the U.S.

General Accounting Office on April 14, 1975.

17. Accordingly, it is ordered, That effective May 27, 1975, Part 97, of the Commission's Rules is amended as set forth in the attachment. It is further ordered, That this proceeding is terminated.

(Secs. 4, 303, 48 Stat., as amended, 1006, 1082; 47 U.S.C. 154, 303)

Adopted: March 4, 1975.

Released: April 17, 1975.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] VINCENT J. MULLINS,
Secretary.

Part 97 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

1. Section 97.3(i) is amended to add a new definition "Special Event Station" immediately after "Repeater station" to read as follows:

§ 97.3 Definitions.

(i) * * *

Special Event Station. Station licensed at a specific land location for operation related to the celebration of an event, past or present, which is unique, distinct, and of general interest to either the public or to amateur radio operators, for the purpose of bringing public notice to the Amateur Radio Service.

2. Section 97.40(c) is revised to read as follows:

§ 97.40 Station license required.

(c) An amateur radio operator may be issued one or more additional sta-

tion licenses, each for a different land location, except that repeater station, control station, auxiliary link station, and special event station licenses may be issued to an amateur radio operator for land locations where another station license had been issued to the applicant.

3. Sections 97.41 (a) and (g) are revised and § 97.41(f) is added to read as follows:

§ 97.41 Application for station license.

(a) Each application for a club or military recreation station license in the Amateur Radio Service shall be made on the FCC Form 610-B. Each application for any other amateur radio license, except a special event station, shall be made on the FCC Form 610.

(f) An application by letter to the Amateur and Citizens Division, Federal Communications Commission, Washington, D.C. 20554, may be made by an Advanced Class or Amateur Extra Class licensee for a license to operate one special event station for the period of the celebration, but not to exceed 30 days unless extraordinary circumstances are shown. The application shall contain the following:

(1) The name, mailing address, photocopy of amateur operator license, and signature of applicant.

(2) The name and description of the celebration, its significance to the public or to amateur radio operators, and the justification for the proposed special event station.

(3) The location of the proposed station.

(4) The dates the station will be operated, and justification.

(5) Specific call sign requested, if desired.

(g) One application and all papers incorporated therein and made a part thereof shall be submitted for each amateur station license. If the application is only for a station license, other than a special event station, it shall be filed directly with the Commission at its Gettysburg, Pennsylvania office. If the application also contains application for any class of amateur operator license, it shall be filed in accordance with the provisions of § 97.11.

4. Section 97.51(a)(4) is revised to read as follows:

§ 97.51 Assignment of call signs.

(a) * * *

(4) A specific unassigned call sign may be temporarily assigned to a special event station.

5. In § 97.95 the headnote is revised and paragraph (a)(1) is revised to read as follows:

§ 97.95 Operation away from the authorized fixed operation station location.

(a) * * *

(1) When there is no change in the authorized fixed operation station location, an amateur radio station other than a military recreation, auxiliary link, or special event station, may be operated under its station license anywhere in the United States, its territories or possessions, as a portable or mobile operation, subject to § 97.61.

[FR Doc.75-10458 Filed 4-21-75;8:45 am]

proposed rules

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

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 17]

ENDANGERED AND THREATENED WILDLIFE

Proposed Threatened Status for Two Species of Butterflies

Background. The United States Fish and Wildlife Service has evidence that the following species of insects are threatened species as defined by the Endangered Species Act of 1973 (16 USC 1531-43; 87 Stat. 884): Schaus Swallowtail (*Papilio aristodemus ponceanus*); and the United States population of the Bahama Swallowtail (*Papilio andraemon bonhotel*).

Section 4(a) of the Endangered Species Act of 1973 states that the Secretary of the Interior may determine a species to be an endangered species, or a threatened species, because of any of five factors. These factors, and their application to the Schaus Swallowtail and the Bahama Swallowtail, are as follows:

1. *The present or threatened destruction, modification or curtailment of its habitat or range.*—Schaus Swallowtail. The original range of this butterfly in the United States was from South Miami south through the offshore islands and larger keys to Lower Matecumbe Key, including Elliot Key, Sands Key, Key Largo, Lower Matecumbe Key, Old Rhodes Key, Totten Key, and possibly Lignum Vitae and Adams Keys. The occurrence of the butterfly is dependent on the native Torchwood (*Amyris elemifera*), its caterpillar food plant.

The South Miami population has been extinct for many years, and the Key Largo population is now strongly reduced due to commercial development there.

Bahama Swallowtail. This butterfly occurs in the Bahama Islands and in extreme South Florida. In Florida it may have occurred in the South Miami area where it is now extinct. In 1972 a colony of the butterfly was discovered on Elliot Key within the confines of Biscayne National Monument. Its required habitat is similar to that of the Schaus Swallowtail except that its caterpillar food plant is Key Lime (*Citrus aurantifolia*) and Sour Orange (*Citrus aurantium*).

2. *Overutilization for commercial sporting, scientific, or educational purposes.*—Schaus Swallowtail. There are reports that single specimens of this butterfly have been sold to amateur butterfly collectors for as much as \$150. There are also reports that some zealous collectors have thoroughly searched its food plant for caterpillars so that specimens might be procured. Intensive searching of food plants for caterpillars is believed to be the most serious threat to all populations on keys in Biscayne National Monument. A proposed ferry service to these islands would allow amateur collectors ready access to these populations. Taking of the adult butterflies, however, is not considered as serious a threat, and no exportation to foreign countries is known.

Bahama Swallowtail. These butterflies are highly desired by collectors and their commercial value is considerable.

3. *Disease or predation.*—Schaus Swallowtail. Not applicable. Bahama Swallowtail. Not applicable.

4. *The inadequacy of existing regulatory mechanisms.*—Schaus Swallowtail. Although this species is Federally protected within Biscayne National Monument, it is not protected in other portions of its range.

Bahama Swallowtail. Not applicable. (The species occurs only in Biscayne National Monument, where it is Federally protected.)

5. *Other natural or man-made factors affecting its continued existence.*—Schaus Swallowtail. In the past, hurricanes have been reported, at least temporarily, to have eliminated some populations of this species.

The areas from which the butterfly was eliminated were subsequently recolonized from adjoining populations. The smaller the range of this species becomes, however, the greater the risk that a single natural event (hurricane or freeze) could cause the species to become extinct.

Bahama Swallowtail. Although there are no previous reports of this species having been affected detrimentally by hurricanes, the potential does exist. The small range of the species makes it highly vulnerable to natural calamity.

These species are proposed as "Threatened" species rather than as "Endangered" species because major portions of their range are within Biscayne National Monument where they are protected by Federal law.

All prohibitions of section 9(a) of the Endangered Species Act of 1973 shall apply, with the exception of the following permitted act:

(1) The taking of adult Schaus Swallowtail (*Papilio aristodemus ponceanus*) on Key Largo for non-commercial purposes in compliance with State laws and regulations.

Supporting data for the above statements and proposals are on file with the Fish and Wildlife Service, Washington, D.C. The Governor of the State of Florida has been notified with respect to this proposed rulemaking and requested to submit comments and recommendations. All interested persons are invited to submit written comments, suggestions, objections, and factual information concerning this proposal to the "Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036." All comments received on or before July 21, 1975, will be considered.

Dated: April 17, 1975.

LYNN A. GREENWALT,
Director,
Fish and Wildlife Service.

Accordingly, it is hereby proposed to amend Part 17, Title 50 of the Code of Federal Regulations, as follows:

Amend § 17.32 by adding the following:

§ 17.32 Threatened wildlife list.

Common name	Scientific name	Range	Portion of range over which threatened
(a) Mammals.....	•••	•••	•••
(b) Birds.....	•••	•••	•••
(c) Insects.....			
(1) Schaus.....	<i>Papilio aristodemus ponceanus</i>	Biscayne National Monument, Dade County, Key Largo, Lower Matecumbe Key, Monroe County, Florida.	Entire range.
(2) Bahama.....	<i>Papilio andraemon bonhotel</i>	Bahama Islands and Biscayne National Monument, Dade County, Florida.	Do.

(1) *Prohibitions.* All the prohibitions listed in section 9(a)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1538 (a)(1)) shall apply to the Schaus Swallowtail and the Bahama Swallowtail, *Provided*, That adult Schaus Swallowtails (*Papilio aristodemus ponceanus*) may be taken on Key Largo, if the taking is not in the course of a commercial activity, and if the taking is in accordance with State and local law.

[FR Doc. 75-10475 Filed 4-21-75; 8:45 am]

Geological Survey

[30 CFR Parts 250, 251]

OUTER CONTINENTAL SHELF

Oil, Gas and Sulphur Operations; Geological and Geophysical Explorations

Notice is hereby given that, pursuant to the authority vested in the Secretary of the Interior by the Outer Continental Shelf Lands Act of August 7, 1953 (67 Stat. 462; 43 U.S.C. 1331-1343), it is proposed to amend 30 CFR 250.97 and to add Part 251 to Title 30, Code of Federal Regulations.

The purpose of the amendment of 30 CFR 250.97 is to specify a definite time when geological and geophysical interpretations, maps and data pertaining to leased lands will be made available for public inspection. The purpose of Part 251 is to prescribe policies, procedures, and requirements for conducting geological and geophysical explorations of the Outer Continental Shelf.

It is also proposed that when Part 251 is adopted, all existing authorizations to conduct geological and geophysical explorations of the Outer Continental Shelf be revoked as follows:

(1) Notice dated September 17, 1953, Outer Continental Shelf, Geological and Geophysical Explorations (Texas) (18 FR 5667 and footnote 1).

(2) Notice dated March 23, 1954, Outer Continental Shelf, Geological and Geophysical Explorations (Louisiana) (19 FR 1730).

(3) Notice dated March 31, 1955, Outer Continental Shelf, Geological and Geophysical Explorations (California) (20 FR 2023).

(4) Notice dated March 27, 1956, Outer Continental Shelf, Geological and Geophysical Exploration (Florida) (21 FR 2129).

(5) Notice dated August 25, 1958, Outer Continental Shelf, Geological and Geophysical Explorations (Alabama) (23 FR 6760).

(6) Notice dated August 5, 1960, Outer Continental Shelf, Geological and Geophysical Explorations (Georgia) (25 FR 7811).

(7) Notice dated September 6, 1960, Outer Continental Shelf, Geological and Geophysical Explorations (Atlantic Coast Area) (25 FR 8759).

(8) Notice dated July 28, 1961, Outer Continental Shelf, Geological and Geophysical Explorations (Pacific Coast Area off Oregon and Washington) (26 FR 6874).

(9) Notice dated March 7, 1964, Outer Continental Shelf, Geological and Geophysical Exploration (Alaska) (29 FR 3369).

(10) Memorandum dated May 14, 1965, from the Director, Geological Survey to the Secretary of the Interior, approved by the Secretary of the Interior on May 20, 1965, authorizing the Area Oil and Gas Supervisor, Gulf of Mexico Area, to approve core drilling on the Continental Slope of the Gulf of Mexico.

(11) Memorandum dated February 16, 1967, from the Director, Geological Survey, to the Secretary of the Interior, approved by the Secretary of the Interior on March 1, 1967, authorizing the Area Oil and Gas Supervisor, Eastern Area, to approve core drilling on the Continental Slope of the Atlantic Ocean.

(12) Notice dated December 11, 1974, Outer Continental Shelf Geological and Geophysical Exploration (39 FR 43562).

These proposed regulations also incorporate the subject matter of draft amendments of 30 CFR 250.38(g), 250.70, 250.71, 250.72, 250.73, and 250.74 appearing in a notice published in the FEDERAL REGISTER on May 16, 1974 (39 FR 17446-17447) pertaining to geological and geophysical data submission and disclosure. On the basis of public hearings held on July 15 and 16, 1974, and comments received, certain changes are incorporated in these proposed regulations.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested parties may submit written comments, suggestions, or objections with respect to the proposed regulations to the Director, U.S. Geological Survey, National Center, Reston, Virginia 22092, on or before June 6, 1975.

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), the Department has prepared a draft Environmental Impact Statement on the proposed 30 CFR Part 251. The availability of the statement is being officially announced simultaneously with the publication of this notice. Comments thereon are being invited and will be considered in the preparation of a final Environmental Impact Statement to be published prior to any final decision on the issuance of the proposed regulations.

Dated: April 16, 1975.

ROYSTON C. HUGHES,
Assistant Secretary of the Interior.

PART 250—OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF

Part 250 of Title 30 of the Code of Federal Regulations is amended as set forth below:

Section 250.97 is amended to read as follows:

§ 250.97 Public inspection of records.

(a) Geophysical interpretations, maps and data and geological interpretations

and maps which are submitted pursuant to the requirements of this part shall not be available for public inspection without the consent of the lessee so long as the lease remains in effect, or for a period of 10 years following issuance of the lease, whichever is less, unless the Supervisor determines that earlier release of such information is necessary for the proper development of the field or area.

(b) Geological data which are submitted pursuant to the requirements of this part shall be made available for public inspection within a period of 6 months after the date of submission pursuant to the requirements of this part except that the Supervisor may extend the time for release up to a total of one year after the date of submission.

Part 251 is added to Chapter II of Title 30 of the Code of Federal Regulations to read as follows:

PART 251—GEOLOGICAL AND GEOPHYSICAL EXPLORATION OF THE OUTER CONTINENTAL SHELF

GENERAL PROVISIONS

Sec.	
251.1	Purpose.
251.2	Authority and scope.
251.3	Definitions.
251.4	Requirements for conducting geological and geophysical explorations of the Outer Continental Shelf.
251.5	Responsibilities.

CONDITIONS FOR ISSUANCE OF PERMITS

251.10	Applications.
251.11	General conditions of permits.
251.12	General obligations of permittee.
251.13	Core or test drilling.
251.14	Reports.
251.15	Public availability of records.

CANCELLATION, PENALTIES AND APPEALS

251.20	Revocation and cancellation.
251.21	Penalties.
251.22	Appeals.

AUTHORITY: Sec. 11, Outer Continental Shelf Lands Act of August 7, 1953 (67 Stat. 462, 469; 43 U.S.C. 1331, 1340).

GENERAL PROVISIONS

§ 251.1 Purpose.

The purpose of the regulations in this part is to prescribe policies, procedures, and requirements for geological and geophysical exploration for mineral resources and scientific research of the Outer Continental Shelf.

§ 251.2 Authority and scope.

(a) The regulations in this part are issued pursuant to Section 11 of the Outer Continental Shelf Lands Act of August 7, 1953 (67 Stat. 462, 469, 43 U.S.C. 1331, 1340).

(b) It is the policy of the Department to encourage geological and geophysical explorations of the Outer Continental Shelf.

(c) Authorization by the Department to engage in such activities conveys no right to a lease and constitutes no commitment by the Government to offer the area covered by the authorization for leasing.

(d) The regulations in this part shall not apply to geological and geophysical explorations conducted on a lease in the Outer Continental Shelf of the United States by or on behalf of the lessee. Those explorations shall be governed by the regulations in Part 250 of this chapter.

(e) The regulations of this part are applicable to permits issued prior to publication of this part, but if there is direct conflict between the express terms of such a permit and these regulations the terms of the permit shall control.

§ 251.3 Definitions.

When used in this part, the following definitions shall apply:

(a) *Director*. The Director of the Geological Survey, United States Department of the Interior.

(b) *Supervisor*. A representative of the Secretary, or any subordinate of such representative acting under his direction, subject to the direction and supervisory authority of the Director, the Chief, Conservation Division, Geological Survey, and the appropriate Conservation Manager, Conservation Division, Geological Survey, authorized and empowered to regulate operations and to perform other duties prescribed in the regulations in this part.

(c) *Person*. A natural person, an association, a State, a political subdivision of a State, or a private, public or municipal corporation.

(d) *Geological explorations for mineral resources*. Operations which utilize geological and geochemical techniques, including core and test drilling and various bottom sampling methods, to produce information concerning the Outer Continental Shelf. The term does not include explorations for scientific research.

(e) *Geophysical explorations for mineral resources*. Operations which utilize geophysical techniques, including gravity, magnetic and various seismic methods, to produce information concerning the Outer Continental Shelf. The term does not include explorations for scientific research.

(f) *Geological and geophysical explorations for scientific research*. Any investigation conducted for scientific research purposes involving the gathering and analysis of geological or geophysical data of the Outer Continental Shelf, the results of which will be made available to the public.

(g) *Deep stratigraphic test*. Drilling of more than 50 feet (15.2 meters) of consolidated rock or a total of 300 feet (91.4 meters).

(h) *Permit*. The contract or agreement, approved for a specified period of time, under which the permittee acquires the right to conduct (1) geological or geophysical explorations for mineral resources of the Outer Continental Shelf; or (2) scientific research of the Outer Continental Shelf which involves the use of solid or liquid explosives or the penetration of more than 50 feet (15.2 meters) or consolidated rock or a total of 300 feet (91.4 meters) under the con-

ditions at the locations specified in the permit.

(i) *Outer Continental Shelf*. All submerged lands which lie seaward and outside the area of lands beneath navigable waters as defined in the Submerged Lands Act (67 Stat. 29; 43 U.S.C. §§ 1301-1315) and of which the subsoil and seabed appertain to the United States and are subject to its jurisdiction and control.

(j) *OCS Order*. A formal numbered order issued by the Supervisor with the prior approval of the Chief, Conservation Division, Geological Survey, that implements the regulations contained in this part or 30 CFR Part 250 of this Chapter and applies to operations in an area or a major portion thereof.

§ 251.4 Requirements for conducting geological and geophysical explorations of the Outer Continental Shelf.

(a) Any person wishing to conduct geological or geophysical explorations for mineral resources of the Outer Continental Shelf must obtain a permit for such exploration from the Supervisor.

(b) Any person desiring to conduct explorations for scientific research on the Outer Continental Shelf is not required to obtain a permit from the Supervisor unless such explorations involve the use of solid or liquid explosives or the penetration of more than 50 feet (15.2 meters) of consolidated rock or a total of 300 feet (91.4 meters).

(c) Agencies of the United States using Federal employees and federally-owned facilities are not required to obtain a permit to conduct geological or geophysical explorations of the Outer Continental Shelf.

(d) Persons conducting scientific research not requiring a permit and agencies of the United States shall, prior to commencing such explorations, file with the Supervisor a notice to the Director which includes:

(1) Identification of the person or agency which will conduct the proposed exploration;

(2) Type of exploration and manner in which it will be conducted;

(3) Location on the Outer Continental Shelf where the exploration will be conducted;

(4) Dates on which the exploration is to be commenced and completed;

(5) The proposed timing and manner in which the results of the exploration will be released to the public or made available through publication; and

(6) A statement that the data and the processed information derived therefrom will not be sold or withheld for exclusive use.

(e) The Director shall be notified immediately, through the Supervisor, of any adverse effects of the exploration on the environment, aquatic life, or other uses of the area in which the exploration was conducted.

§ 251.5 Responsibilities.

Subject to the authority of the Secretary of the Interior, the regulations

in this part shall be administered by the Director, through the Chief, Conservation Division of the Geological Survey and the Supervisor.

(a) The Supervisor shall receive and act on applications to conduct geological or geophysical exploration of the Outer Continental Shelf. Permits for exploration involving the use of solid or liquid explosives or for penetration of more than 50 feet (15.2 meters) of consolidated rock or a total of 300 feet (91.4 meters) shall be approved only under conditions established by the Director.

(b) The Supervisor shall not issue any permit until he has found that such exploration will not interfere with or endanger operations under any lease maintained or granted pursuant to the Outer Continental Shelf Lands Act and that such exploration will not be unduly harmful to aquatic life in the area, result in pollution, create hazardous or unsafe conditions, unreasonably interfere with other uses of the area, or disturb any site, structure, or object of historical or archaeological significance.

(c) The Supervisor shall not approve an application if the applicant has demonstrated an unwillingness to conduct exploration activities in accordance with the terms and conditions of the permit and applicable OCS orders, regulations, and laws.

(d) The Supervisor may, subject to the approval of the Chief, Conservation Division, Geological Survey, issue OCS orders implementing the requirements of the regulations of this part when such implementations apply to an entire area or a major portion thereof.

(e) The Supervisor may issue written or oral orders to govern operations under a specific permit. The Supervisor shall confirm oral orders in writing as promptly as possible.

(f) When any person intending to conduct scientific research for which a permit is not required or any agency of the United States has notified the Supervisor of its desire to conduct explorations of the Outer Continental Shelf, the Supervisor shall inform the person or agency of precautions which the Director considers necessary to assure that the exploration will not interfere with or endanger operations under a lease, cause undue harm to aquatic life, cause pollution, create hazardous or unsafe conditions, unreasonably interfere with other uses of the area, or disturb any site, structure, or object of historical or archaeological significance.

(g) The Supervisor may consult with any Federal or State agency possessing expertise which he deems useful in formulating permit stipulations and conditions.

(h) The Supervisor is authorized to cooperate with State authorities and to utilize state inspection services for the protection of aquatic life and other values when such services are available.

(i) The Supervisor shall advise the appropriate officials of other bureaus and offices of the Department and other Federal and State agencies of the nature and

location of exploratory activities conducted pursuant to this part which may affect their respective programs and interests.

(j) The Supervisor or his representative may order, either in writing or orally with written confirmation, the suspension of any operation conducted pursuant to a permit issued in accordance with the regulations of this part when in his judgment such operation threatens immediate, serious, and irreparable harm or damage to life, including aquatic life, property, cultural resources, any valuable mineral deposits, or the environment. Such suspension of operations under the permit shall continue until the permittee is notified in writing by the Supervisor that operations may resume.

CONDITIONS FOR ISSUANCE OF PERMITS

§ 251.10 Applications.

(a) Applications for permits to conduct geological or geophysical exploration of the Outer Continental Shelf shall be on a form approved by the Director, Geological Survey. All applications shall include:

(1) Identification of persons or agencies participating in the proposed exploration;

(2) Type of exploration and manner in which it will be conducted;

(3) Location where the exploration will be conducted;

(4) Purpose of conducting such exploration;

(5) Dates on which the exploration will be commenced and completed; and

(6) Such other information as the Supervisor may request of the applicant.

(b) Applications to conduct geological or geophysical explorations of the Outer Continental Shelf must be filed in duplicate with the Supervisor as follows:

(1) For geophysical explorations which do not involve the use of explosives, at least 10 working days before the work for which the permit is sought is scheduled to begin;

(2) For geological explorations (excluding deep stratigraphic tests) or geophysical explorations involving the use of explosives, at least 30 working days before the work for which the permit is sought is scheduled to begin; and

(3) For deep stratigraphic tests, at least 90 working days before the work for which the permit is sought is scheduled to begin.

(c) Application filing locations:

(1) Applications to conduct geological and geophysical explorations for oil, gas, and sulphur shall be filed in the following Geological Survey offices:

(i) For areas off the Atlantic Coast—the Area Oil and Gas Supervisor, Eastern Area, Washington, D.C.

(ii) For areas in the Gulf of Mexico—the Area Oil and Gas Supervisor, Gulf of Mexico Area, Metairie, Louisiana.

(iii) For areas off the coast of the States of California, Oregon, and Washington—the Area Oil and Gas Supervisor, Pacific Area, Los Angeles, California.

(iv) For areas off the State of Alaska—

the Area Oil and Gas Supervisor, Alaska Area, Anchorage, Alaska.

(2) Applications to conduct geological or geophysical exploration for minerals other than oil, gas, and sulphur shall be filed in the following Geological Survey offices:

(i) For areas off the Atlantic Coast and in the Gulf of Mexico—the Area Mining Supervisor, Eastern Area, Washington, D.C.

(ii) For areas off the States of Alaska, California, Oregon, and Washington—the Area Mining Supervisor, Alaska—Pacific Area, Menlo Park, California.

(3) Applications to conduct scientific research on the Outer Continental Shelf which requires a permit shall be filed with the Area Oil and Gas Supervisor as indicated in paragraph (c)(1) of this section.

§ 251.11 General conditions of permits.

(a) Separate permits for geological and for geophysical explorations will be issued.

(b) Each permit shall authorize the exploration as described in the application, except to the extent that the description is modified by the terms of the permit; and will notify the permittee that it must comply with the terms and conditions of the permit, OCS orders, other orders of the Supervisor, the regulations in this part, and other applicable laws and regulations. Geological and geophysical exploration permits shall be subject to such terms and conditions as the Supervisor deems necessary including, but not limited to, terms and conditions to assure that operations will not:

(1) Interfere with or endanger operations under any lease maintained or granted pursuant to the Outer Continental Shelf Lands Act;

(2) Cause undue harm to aquatic life;

(3) Cause pollution;

(4) Create hazardous or unsafe conditions;

(5) Unreasonably interfere with or harm other uses of the area; or

(6) Disturb any site, structure, or object of historical or archaeological significance.

(c) The permit shall provide for the means by which data will be submitted to Geological Survey.

(d) The permittee shall notify appropriate agencies including the Coast Guard, the Corps of Engineers and other Federal and State agencies designated by the Supervisor prior to commencing explorations.

§ 251.12 General obligations of permittee.

(a) A permittee shall conduct explorations only in compliance with the terms and conditions of the permit, the orders of the Supervisor, the regulations in this part, and all other applicable laws and regulations, and in a manner which will not interfere with or endanger operations under any lease, or unduly harm aquatic life, result in pollution, create hazardous or unsafe conditions, unreasonably interfere with other uses

of the area, or disturb any site, structure, or object of historical or archaeological significance.

(b) Upon the direction of the Supervisor, a permittee authorized to conduct geological or geophysical explorations shall utilize the services of an advisor or consultant qualified to observe and advise and who will observe operations conducted pursuant to the permit and advise the permittee and the Supervisor of any adverse effects of the operations upon the environment, aquatic life, and other uses of the area. The cost of obtaining any non-Federal advisor or consultant shall be paid by the permittee. The permittee shall, on request of the Supervisor, furnish quarters and transportation at no cost, for a Federal representative to inspect operations.

§ 251.13 Core or test drilling.

(a) Permits authorizing geological exploration by means of shallow coring or drilling may be issued by the Supervisor.

(1) Prior to issuing a permit, the Supervisor may require that high resolution seismic data including bathymetric, side-scan sonar and magnetometer data be gathered across any proposed drilling location so as to determine shallow structural detail in the vicinity of the proposed test.

(2) In order to minimize duplicative geological exploration involving penetration of the seabed of the Outer Continental Shelf, the Supervisor may require an applicant to afford all interested persons an opportunity to participate in the program on a cost-sharing basis. The penalty for late participation in such a program shall not be more than 50 percent of the cost to each of original participants. If required to provide for group participation, the applicant shall:

(i) Publish a summary statement of the proposed program in a manner approved by the Supervisor;

(ii) Allow reasonable time, but not less than 30 days from the date of publication, for other persons to consider participation in the program;

(iii) Forward a copy of the published notice(s) to the Supervisor;

(iv) Compute the direct costs to a participant in a geological exploration program by dividing the total costs of the program by the number of participants. Such figure shall be revised when additional (including late) participants join the group; and

(v) Furnish the Supervisor with a complete list of all participants under the permit prior to commencing operations and, on a timely basis, a list of all late participants.

(3) The permittee shall conduct such exploration in a manner which prevents blowouts, prevents release of fluids from stratum into the sea, and prevents communication between separate fluid-bearing strata of oil, gas, or water. The permittee shall utilize appropriate protective measures and devices specified by the Supervisor.

(b) Permits authorizing geological exploration by means of deep stratigraphic drilling on the Outer Continental Shelf may be issued by the Supervisor only after the Director has approved the drilling plan.

(1) An application to conduct deep stratigraphic drilling shall be accompanied by a drilling plan which shall include:

(i) A description of the drilling rig proposed for use showing the design and major features thereof, including features intended to prevent or control pollution;

(ii) The location of each deep stratigraphic test to be drilled including surface and projected bottom hole location for directionally drilled tests;

(iii) An oil spill contingency plan and a description of all equipment and materials available to the permittee for use in containment and recovery of an oil spill, with a description of the capabilities of such equipment under different sea and weather conditions;

(iv) High resolution seismic data including bathymetric, side-scan sonar and magnetometer data collected across any proposed drilling location so as to permit determination of shallow structural detail in the vicinity of the proposed well, and for stratigraphic wells proposed to depths greater than 1,000 feet (304.8 metres) below the mudline, common depth point seismic data from the area of the proposed test location and interpretations therefrom; and

(v) Such other pertinent information and data as the Director or Supervisor may request.

(2) Before any modification may be made in an approved drilling plan, the proposed modification must be approved by the Director. Any relocation of drill-site exceeding 300 feet (91.4 metres) or redrill of the hole shall have prior approval of the Supervisor.

(3) In order to minimize duplicative geological exploration involving penetration of the seabed of the Outer Continental Shelf, the Supervisor shall require an applicant for a permit to perform deep stratigraphic drilling to afford all interested persons an opportunity to participate in the program on a cost-sharing basis with a penalty for late participation of not more than 100 percent of the cost to each original participant. To provide for group participation, the applicant shall:

(i) Publish a summary statement of the proposed program in a manner approved by the Supervisor;

(ii) Allow reasonable time, but not less than 30 days from the date of publication, for other persons to consider participation in the program;

(iii) Forward a copy of the published notice(s) to the Supervisor;

(iv) Compute the direct cost to a participant in a geological exploration program by dividing the total cost of the program by the number of participants. Such figure shall be revised when additional (including late) participants join the group; and

(v) Furnish the Supervisor with a complete list of all participants under the permit prior to commencing operations and submit, on a timely basis, a list of all late participants.

(c) (1) Prior to any coring or drilling activity, the permittee will conduct studies sufficient to determine the possible existence of any sites, structures, or objects of historical or archaeological significance that may be affected by such an operation, and shall report the findings of the studies to the Supervisor. If any study indicates the possible presence of a cultural resource, a full explanation will be included in the report and the Supervisor shall take appropriate action.

(2) The permittee shall take no action that may result in its disturbance without the prior approval of the Supervisor, but if any cultural resource is accidentally discovered, the permittee shall immediately report the finding to the Supervisor and make every reasonable effort to preserve and protect the cultural resource from damage until the Supervisor has given directions as to its disposition.

(d) All Outer Continental Shelf Regulations relating to drilling operations in Part 250 of this chapter and all OCS Orders relating to the drilling and abandonment of wells apply as appropriate to permits to drill, issued pursuant to this part. Departures from the requirements of OCS Orders shall be permitted as provided for in § 250.12(b) of this chapter.

(e) Bonds. Before a permit authorizing coring or drilling will be issued, the applicant shall furnish to the Bureau of Land Management a corporate security bond of not less than \$100,000 conditioned on compliance with the terms of the permit, unless he already maintains with or furnishes to the Bureau of Land Management a bond in the sum of \$300,000 conditioned on compliance with the terms of exploration permits issued to him on the Outer Continental Shelf in (1) Gulf of Mexico, (2) along the Pacific Coast, (3) along the Atlantic Coast, or (4) other area of operations, as may be appropriate. The bond furnished or maintained by the applicant will be on a form approved by the Supervisor.

§ 251.14 Reports.

(a) The Director shall be notified immediately, through the Supervisor, of any adverse effects of the exploration on the environment, aquatic life or other uses of the Area in which the exploration was conducted or on any site, structure, or object of historical or archaeological significance.

(b) The permittee shall send interim reports which include a daily log of operations to the Supervisor on a weekly basis.

(c) The permittee shall submit a final report to the Supervisor within 30 days after the completion of any exploration activity. The final report shall contain the following:

(1) A description of the work performed;

(2) Charts, maps, or plats depicting the areas in which the exploration was conducted and specifically identifying the lines over which geophysical traverses were run or the specific locations at which geological explorations were conducted, including a reference sufficient to identify the data produced during each such operation;

(3) The dates on which the exploration was performed;

(4) A report of any adverse effects of the exploration on the environment, aquatic life, any lease operations in the area, or other uses of the area in which the exploration was conducted, or on any site, structure or object of historical or archaeological significance.

(5) The data required to be submitted in paragraphs (d) and (e) of this section; and

(6) Such other information as may be specified by the Supervisor.

(d) In addition to the reports required in paragraphs (a), (b), (c) of this section, upon request by the Supervisor, the following geological data and processed information acquired under geological exploration permit shall be submitted to the Supervisor within 30 days after request. The time for submitting processed data may be extended by the Supervisor if the permittee shows that additional time is necessary to complete data processing.

(1) Accurate and complete records of all geological and geochemical data resulting from each drilling operation;

(2) Paleontological reports identifying microscopic fossils by depth (not resulting age interpretations based upon such identification) unless washed samples are maintained by the permittee for paleontological determination and are made available for inspection by the Geological Survey;

(3) Copies of logs or charts of electrical, radioactive, sonic, and other well logging operations;

(4) Analyses of core or bottom samples or a representative cut or split of the core or bottom sample;

(5) Detailed descriptions of any hydrocarbon shows or hazardous conditions encountered during operations, including near losses of well control, abnormal geopressures, and losses of circulation; and

(6) Such other geological and geochemical data and processed information obtained under the permit as may be specified by the Supervisor.

(e) In addition to the reports required in paragraphs (a), (b), and (c) of this section, upon request by the Supervisor, the following geophysical data and processed information acquired under a geophysical exploration permit shall be submitted to the Supervisor within 30 days after request. The time for submitting processed data may be extended by the Supervisor if the permittee shows that additional time is necessary to complete data processing.

(1) Accurate and complete records of each geophysical survey conducted under the exploration permit, including

final location maps of all survey stations; and

(2) All common depth point and high resolution seismic data developed under an exploration permit including the processed information derived therefrom with extraneous signals and interference removed, in a format and quality suitable for interpretative evaluation, reflecting state-of-the-art processing techniques; and other data including, but not limited to, shallow and deep subbottom profiles, bathymetry, side-scan sonar, magnetometer, and bottom profiles; gravity and magnetic; and data from special studies such as from refraction surveys, velocity surveys and domal configuration studies.

§ 251.15 Public availability of records.

Geological and geophysical data, including processed information relating to submerged lands on the Outer Continental Shelf collected pursuant to a permit issued after the publication of these regulations and required to be submitted to the Supervisor under this part, shall be made available for public inspection by the Supervisor as follows:

(a) Geophysical data including processed information—ten years after issuance of a permit to conduct exploration.

(b) Geological data and processed information:

(1) Immediate release through public notice of the discovery during drilling operations of oil shows and environmental hazards on unleased lands when these shows or hazards are judged to be significant by the Director.

(2) Ten years after issuance of the permit to conduct exploration except for deep stratigraphic drilling.

(3) Five years after the date of completion of a test well or 60 calendar days after the issuance of the first Federal lease within 50 geographic miles of the drill site, whichever is earliest, for deep stratigraphic drilling.

CANCELLATION, PENALTIES AND APPEALS

§ 251.20 Revocation and cancellation.

The Supervisor is authorized to suspend or revoke a permit under which the operation is being conducted, or is proposed to be conducted, which in his judgment threatens immediate, serious, or irreparable harm or damage to life, including aquatic life, to property, to cultural resources, to valuable mineral deposits, or to the environment, or for non-compliance with applicable laws, regulations, the terms and conditions of the permit, OCS Orders, or any other written order or rule, including orders for submitting reports, well records or logs, and analyses in a timely manner.

§ 251.21 Penalties.

Any person who conducts geological and geophysical exploration of the Outer Continental Shelf without a permit issued under this part or who, having obtained a permit, fails to comply with the terms of the permit will be sub-

ject to any civil or criminal remedies which the Secretary chooses to pursue.

§ 251.22 Appeals.

Orders or decisions issued under the regulations in this part may be appealed as provided in Part 290 of this chapter.

[PR Doc.75-10499 Filed 4-21-75; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[33 CFR Part 175]

[CGD 74-159]

NONAPPROVED LIFESAVING DEVICES ON WHITE WATER CANOES AND KAYAKS

Proposed Revocation of Exception; Comment Period Extension

In the February 4, 1975 issue of the *FEDERAL REGISTER* (40 FR 5167), the Coast Guard published a Notice of Proposed Rulemaking proposing to revoke the exception in 33 CFR 175.17 from Personal Flotation Device (PFD) requirements presently allowed for operators of white water canoes and kayaks. The notice provided that all written comments received before April 17, 1975 would be considered before action would be taken on the proposal.

The purpose of this notice is to extend the comment period to May 31, 1975 in order to give the public additional time to submit written data, views, and arguments concerning the notice.

All communications received before May 31, 1975 will be considered before action is taken on the proposed revocation.

(Sec. 5 of the Federal Boat Safety Act of 1971 (46 U.S.C. 1454); 49 CFR 1.46(o)(1))

Dated: April 16, 1975.

A. F. FUGARO,
Captain, U.S. Coast Guard,
Acting Chief, Office of Boating Safety.

[PR Doc.75-10470 Filed 4-21-75; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 450]

[PRL 361-7]

EFFLUENT GUIDELINES AND STANDARDS

Pretreatment Standards for Oil and Grease; Request for Public Comments

During the past several months EPA has proposed pretreatment standards for existing sources which discharge into publicly owned treatment works and promulgated pretreatment standards for new sources which discharge into publicly owned treatment works, pursuant to section 307 (b) and (c) of the Federal Water Pollution Control Act, 33 U.S.C. section 1317.

Internal review of these regulations by EPA has led to the conclusion that addi-

tional consideration should be given to the question of the proper pretreatment standard for the discharge of oil and grease for all industrial categories. The Agency has compiled additional data concerning this question. This data is summarized and analyzed in a document entitled "Treatability of Oil and Grease."

These data appear to indicate that no pretreatment limitation should be placed on the discharge of oil and grease of an animal or vegetable origin where such wastes are essentially free from petroleum or mineral based oil and greases. On the other hand, where the oil and grease is known to be derived from petroleum or mineral sources or where the source is unknown a pretreatment standard limitation of 100 mg/l on oil and grease appears to be most appropriate. The Agency is presently considering inclusion of these limitations in pretreatment standards for all industrial categories. However before doing so, the Agency desires to hear the views of publicly owned treatment plant operators, industrial users and all other interested parties.

Information concerning the data which supports the above conclusions and pertinent definitions and methodology are contained in the above mentioned document. Copies of this document are available through the Office of Public Affairs, Environmental Protection Agency, Washington D.C. 20460, Attention: Ms. Ruth Brown, A-107.

Interested persons may submit written comments in triplicate to Ms. Ruth Brown, Office of Public Affairs, at the above address. Comments on all aspects of this request for public participation are solicited. In the event comments are in the nature of criticisms as to the adequacy of data which is available, or which may be relied upon by the Agency, comments should identify and, if possible, provide any additional data which may be available and should indicate why such data is essential to the development of the regulations.

In the event comments address the approach taken by the Agency in establishing pretreatment standards for existing sources, EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of section 307(b) of the Act.

A copy of all public comments will be available for inspection and copying at the EPA Freedom of Information Center, Room 204, West Tower, Waterside Mall, 401 M Street SW., Washington, D.C. 20460. The EPA information regulation, 40 CFR 2, provides that a reasonable fee may be charged for copying.

All comments received on or before May 22, 1974, will be considered.

Date: April 15, 1975.

RUSSELL E. TRAIN,
Administrator.

[PR Doc.75-10478 Filed 4-21-75; 8:45 am]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF STATE

[Public Notice CM-5/37]

NORTHWEST ATLANTIC FISHERIES ADVISORY COMMITTEE

Closed Meeting

In accordance with section 10(d) of the Federal Advisory Committee Act, notice is given that the Northwest Atlantic Fisheries Advisory Committee to the U.S. Commissioners to the International Commission for the Northwest Atlantic Fisheries (ICNAF), will hold a meeting at 10:00 a.m. on Thursday, May 15, 1975, in room 1900 of the J. F. Kennedy Federal Office Building in Boston, Massachusetts. The meeting will not be open to the public.

The meeting will be devoted to discussions on and development of the U.S. negotiating position for the Annual Meeting of ICNAF, to be held in Edinburgh, Scotland in June. Pursuant to section 4 of the Northwest Atlantic Fisheries Act of 1950, which provides that "the Advisory Committee * * * shall be given full opportunity to examine and to be heard on all proposed programs of investigation, reports, and recommendations of the United States Commissioners, * * * the members of the Advisory Committee will examine the possible positions to be taken by the U.S. Commissioners. This discussion will necessarily involve discussion of classified national security information related to the Law of the Sea, the premature disclosure of which would adversely affect the ability of the U.S. negotiators at the Annual Meeting to achieve U.S. fisheries and foreign policy objectives. As it has been determined that the meeting will involve discussion of matters exempt from public disclosure under 5 U.S.C. 552(b)(1) and that the public interest requires that such discussions be withheld from disclosure, the meeting will not be open to the public.

Dated: April 14, 1975.

WILLIAM L. SULLIVAN, JR.,
Coordinator of Oceans
and Fisheries Affairs.

[FR Doc. 75-10426 Filed 4-21-75; 8:45 am]

DEPARTMENT OF THE TREASURY

Customs Service

LEATHER PRODUCTS FROM ARGENTINA

Amendment of Notice of Receipt of Countervailing Duty Petitions

On January 15, 1975, a "Notice of Receipt of Countervailing Duty Petitions" was published in the FEDERAL REGISTER (40 FR 2718). The notice announced that

petitions had been received, including, among others, a petition alleging that certain payments, bestowals, rebates or refunds granted by the Government of Argentina upon the manufacture, production, or exportation of leather products constitute the payment or bestowal of a bounty or grant, directly or indirectly, within the meaning of section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303).

Subsequent to the publication of the above mentioned notice in the FEDERAL REGISTER, the petitioner advised that for the purposes of the petition the term leather products was intended to mean leather footwear. Merchandise of the latter type is included in an ongoing investigation of non-rubber footwear from Argentina, in which a "Notice of Preliminary Countervailing Duty Determination" was published in the FEDERAL REGISTER on February 18, 1975 (40 FR 6993).

For this reason, the above mentioned notice of receipt of countervailing duty petitions is hereby amended by deleting therefrom the words "Leather Products" under the heading "Commodity" and the word "Argentina" under the heading "Country."

Any information received in connection with leather products will be incorporated with the non-rubber footwear investigation. Any parties involved in the leather products petition will be considered as interested parties in the non-rubber footwear investigation.

This notice is published pursuant to section 303 of the Tariff Act of 1930, as amended (19 U.S.C. 1303).

[SEAL] VERNON D. ACREE,
Commissioner of Customs.

Approved: April 16, 1975.

DAVID R. MACDONALD,
Assistant Secretary
of the Treasury.

[FR Doc. 75-10344 Filed 4-21-75; 8:45 am]

Office of the Secretary

ADVISORY COMMITTEE ON REFORM OF THE INTERNATIONAL MONETARY SYSTEM

Notice of Meeting

Notice is hereby given that the Advisory Committee on Reform of the International Monetary System will meet at the Treasury Department in Washington, D.C., on May 6, 1975.

The meeting is called for consideration of the basic issues involved in and related to the current international negotiations for the reform of the international monetary system, for the pur-

pose of obtaining the full and frank opinions of the participants on matters which are presently the subject of sensitive international negotiations.

Consequently, a determination as required by section 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463) has been made that this meeting is for the purpose of considering matters falling within the exemptions to public disclosure set forth in 5 U.S.C. 552(b)(1) and (5), and that the public interest requires such meeting be closed to public participation.

Dated: April 17, 1975.

[SEAL] STEPHEN S. GARDNER,
Acting Secretary
of the Treasury.

[FR Doc. 75-10690 Filed 4-21-75; 11:33 am]

DEPARTMENT OF DEFENSE

Office of the Secretary

DEFENSE SCIENCE BOARD TASK FORCE ON TECHNOLOGY BASE STRATEGY

Task Force Meeting

A task force of the Defense Science Board on "Technology Base Strategy" will meet on 15 and 16 May 1975 at 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 guidance on the allocation of technology base resources and identification of technology targets of opportunity which hold promise of high payoff within the next decade. The morning session of 15 May will be open, and will be devoted to administrative matters as well as an overview of study objectives.

In accordance with section 10(d) of Appendix I, Title 5, United States Code, it has been determined that all sessions, except the morning session of 15 May 1975, of this Defense Science Board task force meeting concern matters listed in section 552(b) of Title 5 of the United States Code, and specifically subparagraph (1) thereof, and that the public interest requires that the afternoon session on 15 May 1975 and the sessions on 16 May 1975 be closed to the public.

Persons wishing to attend the open session of this meeting should provide notice, either by mail or phone, by 12 May 1975 to:

Dr. Paul W. Peterson, Executive Secretary
DSB Task Force on Technology Base Strategy

OSD—DD(R&AT)
Room 3E114, The Pentagon
Washington, D.C. 20301
Tel. No. (202) 697-7369

It should be noted that a reasonable quantity of seating for observers will be available, and will be allocated in the order that notices are received.

APRIL 17, 1975.

MAURICE W. ROCHE,
Director, Correspondence and
Directives, OASD (Comptroller).

[FR Doc.75-10429 Filed 4-21-75;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM 25044]

NEW MEXICO

Airport Lease

APRIL 15, 1975.

Notice is hereby given that pursuant to the Act of May 24, 1928 (49 U.S.C. 211-214) the Eddy County Board of County Commissioners has applied for an airport lease for the following described land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO
T. 24 S., R. 25 E.,
Sec. 35, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

The purpose of this notice is to inform the public that subject to prior existing rights, the filing of this application segregates the described land from all other forms of use or disposal under the public land laws.

Interested persons desiring to express their views should promptly send their name and address to the Chief, Branch of Lands and Minerals Operations, Division of Technical Services, Bureau of Land Management, PO Box 1449, Santa Fe, NM 87501.

FRED E. PADILLA,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc.75-10421 Filed 4-21-75;8:45 am]

Fish and Wildlife Service

FRESHWATER SPONGES

Review of Status

On October 21, 1974, the Department of the Interior received a petition from Ronald R. Cowden, Professor and Chairman, Department of Anatomy, the Albany Medical College of Union University, Albany, New York, seeking inter alia, a Departmental review of the status of 7 freshwater sponges for the purposes of determining whether these species should be listed pursuant to Section 4 of the Endangered Species Act of 1973, as Endangered or Threatened species.

As required by section 4(c)(2) of the Act, notice is hereby given of the Department's determination that substantial evidence has been presented by the petition to warrant a review of the status of these species to determine whether they should be proposed for listing as either Endangered or Threatened species.

Scientific name	Common name	Where found
<i>Anheteromyces bicrps</i>	Muscular sponge.	Michigan.
<i>Corsomyces carolinensis</i>	Carolina sponge.	South Carolina.
<i>Dosilia palmieri</i>	Oklawaha sponge.	Florida and Mexico.
<i>Ephydatia subtilis</i>	Kissimmee sponge.	Florida.
<i>Heteromyces longistylis</i>	Pennsylvania sponge.	Pennsylvania.
<i>Spongilla hetero-sclerita</i>	Onida sponge.	New York.
<i>Spongilla spongiosa</i> ...	Spongy sponge.	South Carolina.

The Department is seeking the views of the Governors of the States of Michigan, Florida, New York, Pennsylvania and South Carolina on the issues presented by the petition.

All other interested parties are hereby invited to submit any factual information which is germane to this review of the status of these species. Such information should be sent to: Director, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240. These views and recommendations together with the evidence presented and available to the Secretary and that provided with the petition of Dr. Cowden will be reviewed to determine whether sufficient evidence is available to support the action requested by the petition.

LYNN A. GREENWALT,
Director,
Fish and Wildlife Service.

APRIL 17, 1974.

[FR Doc.75-10431 Filed 4-21-75;8:45 am]

ENDANGERED AND THREATENED SPECIES

Notice on Critical Habitat Areas

In implementing their responsibilities under the Endangered Species Act of 1973 providing for the protection and conservation of Endangered and Threatened species, the U.S. Fish and Wildlife Service and the National Marine Fisheries Service will be proposing areas to be designated by rulemaking to be "critical habitat" for such species. Except in emergency situations, Governors of States, territories, and possessions will be notified at least 90 days prior to the final rulemaking designating areas within their respective State, territory, or possession as "critical habitat" for Endangered and/or Threatened species.

It is expected that the following concepts and information will be useful to Federal, State, and local government agencies and interested private organizations and individuals in the gathering of information, participation in upcoming public and private meetings, and suggestions for proposing the designation of any habitat as "critical habitat."

One of the purposes of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), as stated in section 2 (16 U.S.C. 1531), is " * * * to provide a means whereby the ecosystems upon which Endangered species and Threatened species depend may be conserved."

Section 7 (16 U.S.C. 1536) of the Act states as follows:

The Secretary shall review other programs administered by him and utilize such programs in furtherance of the purposes of this Act. All other Federal departments and agencies shall, in consultation with and with the assistance of the Secretary, utilize their authorities in furtherance of the purposes of this Act by carrying out programs for the conservation of endangered species and threatened species listed pursuant to section 4 of this Act and by taking such action necessary to insure that actions authorized, funded, or carried out by them do not jeopardize the continued existence of such endangered species and threatened species or result in the destruction or modification of habitat of such species which is determined by the Secretary, after consultation as appropriate with the affected States, to be critical.

(The term Secretary as used above means the Secretary of Commerce and/or the Secretary of the Interior.)

Conservation of the earth's resources can maintain ecosystems within which, it is hoped, all species of fauna and flora can coexist and thereby benefit. The role that natural and man-made factors play in affecting interrelationships between fauna and flora and the ecosystems upon which they depend needs to be recognized. For the continued viability of any species, suitable habitat is not only important but essential to life itself. The term "habitat" could be considered to consist of a spatial environment in which a species lives and all elements of that environment including, but not limited to, land and water area, physical structure and topography, flora, fauna, climate, human activity, and the quality and chemical content of soil, water, and air. "Critical habitat" for any Endangered or Threatened species could be the entire habitat or any portion thereof, if, and only if, any constituent element is necessary to the normal needs or survival of that species. The following vital needs are relevant in determining "critical habitat" for a given species:

- (1) Space for normal growth, movements, or territorial behavior;
- (2) Nutritional requirements, such as food, water, minerals;
- (3) Sites for breeding, reproduction, or rearing of offspring;
- (4) Cover or shelter; or
- (5) Other biological, physical, or behavioral requirements.

The Endangered Species Act of 1973 is intended to prevent the further decline, and to bring about the restoration, of Endangered and Threatened species and of the habitat upon which such species depend. The Act recognizes in section 4 (16 U.S.C. 1533) that the present or threatened destruction, modification, or curtailment of a species' habitat may endanger or threaten that species with extinction. The administration and management of critical habitats provide an important means for protecting species already determined to be Endangered or Threatened and restoring such species to a point at which they are no longer Endangered or Threatened. In order to carry out the intent of the Endangered Species Act of 1973 and to

meet the biological needs of the animals and plants involved, the Fish and Wildlife Service and the National Marine Fisheries Service believe it both necessary and desirable, whenever and wherever possible, to designate "critical habitats." Federal conservation actions involving "critical habitats" may include the development of regulations, land and water acquisition, leasing arrangements, Federal/State cooperation in implementing the Act, and other administrative, research, and management plans and activities.

Actions by a Federal agency which result in the destruction or modification of habitat considered "critical habitat" for a given Endangered or Threatened species would not conform with section 7 of the Endangered Species Act of 1973, if such an action might be expected to result in a reduction in the numbers or distribution of that species of sufficient magnitude to place the species in further jeopardy, or restrict the potential and reasonable expansion or recovery of that species. It must be emphasized that, because the primary intention of the Fish and Wildlife Service and the National Marine Fisheries Service under that Act is to protect, maintain, and restore presently Endangered and Threatened species, application of the term "critical habitat" may not be restricted to the habitat necessary for a minimum viable population.

It is emphasized further that certain actions may not be detrimental to "critical habitat." There may be many kinds of actions which can be carried out within the "critical habitat" of a species that would not be expected to result in such reduction in the numbers or distribution or otherwise adversely affect such species.

The Fish and Wildlife Service and the National Marine Fisheries Service would appreciate receiving information from any Federal, State, or private agency, organization, and/or individuals concerned with Endangered and Threatened species of fauna and flora, including maps, that would assist in delineating the "critical habitat" of those species appearing on the official list of Endangered or Threatened species (50 CFR 17.11, 17.12, or 17.32). Concerned parties also may choose to provide information on the specific kinds of actions that could be permitted and those that should be prohibited within the area so delineated as "critical habitat." Copies of such information should be sent to both the Director, Fish and Wildlife Service, Washington, D.C. 20240, and the Director, National Marine Fisheries Service, Washington, D.C. 20235.

As sufficient information on "critical habitat" is gathered for each of the species now listed, the Fish and Wildlife Service and/or the National Marine Fisheries Service will publish a proposed rulemaking in the FEDERAL REGISTER. This rulemaking will identify spatial environments, including geographical boundaries where possible, considered to be "critical habitat" for the Endangered and/or Threatened species in question.

Such identification will permit all Federal agencies to evaluate, prior to final rulemaking, their programs for compliance with section 7 (16 U.S.C. 1536): To avoid actions authorized, funded, or carried out by them from destroying or adversely modifying any such "critical habitat" and to enable such agencies to seek the consultation and assistance of the Secretary in utilizing their authorities to further the purposes of the Act. At least 60 days will be allowed for comments, alternative recommendations, etc., before publication of a final rulemaking on any specific designation of "critical habitat." As indicated above, Governors of States, territories, and possessions wherein "critical habitat" is to be designated normally will be given at least 90 days notification.

In the future, where deemed appropriate by the Secretary, as new candidate species for the Endangered or Threatened classification are proposed in the FEDERAL REGISTER, each such proposal will contain a proposed designation of "critical habitat" for that species.

LYNN A. GREENWALT,
Director,
Fish and Wildlife Service.

APRIL 15, 1975.

JACK W. GEHRINGER,
Acting Director,
National Marine Fisheries Service.

APRIL 15, 1975.

[FR Doc.75-10437 Filed 4-21-75;8:45 am]

Office of the Secretary

PROPOSED RIO GRANDE WILD AND SCENIC RIVER

[Int. Des 75-29]

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act, the Bureau of Outdoor Recreation has prepared a draft environmental statement for the proposed Rio Grande Wild and Scenic River, Texas.

The environmental statement considers the probable impact of establishing the Rio Grande as a component of the National Wild and Scenic Rivers System.

Comments are invited and should be submitted to the Regional Director, Bureau of Outdoor Recreation, South Central Regional Office, 5000 Marble NE, Albuquerque, New Mexico, 87110, within 45 days. Copies of the draft statement are available for inspection at the following locations:

Bureau of Outdoor Recreation
Department of the Interior
Washington, D.C. 20240
Telephone: (202) 343-5575

Regional Director
Bureau of Outdoor Recreation
South Central Regional Office
5000 Marble NE
Albuquerque, New Mexico 87110
Telephone: (505) 766-3725

Office of the Governor
Division of Planning Coordination
Sam Houston State Office Building
Austin, Texas 78701

Brewster County Courthouse
Alpine, Texas 79830
Terrell County Courthouse
Sanderson, Texas 79848

Single copies are available to the public and may be obtained by writing to The Regional Director, Bureau of Outdoor Recreation, South Central Regional Office, 5000 Marble NE, Albuquerque, New Mexico 87110.

Dated: April 16, 1975.

STANLEY D. DOREMUS,
Deputy Assistant
Secretary of the Interior.

[FR Doc.75-10422 Filed 4-21-75;8:45 am]

JULIAN R. HAYDEN

Statement of Financial Interests

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following statement for publication in the FEDERAL REGISTER:

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on March 21, 1975, as Director, Area 12, Defense Electric Power Administration, an officer or director: None.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

See attached—list includes stocks owned and stocks owned in fiduciary capacity in which I have no beneficial interest but the beneficiaries are my children.

American Can
Bank of America
Borg Warner
Central Telephone & Utilities
Century Shares Trust
Champion International
Cinn. Gas & Electric
Colorado National Bankshares, Inc.
Combustion Engineering
Continental Oil Co.
Dayton Hudson Corp.
Denver Real Estate Inv. Assoc.
Dividend Shares
Entex
Exxon
General Motors
Great Western United
Gulf Oil
Gulf & Western Industries, Inc.
Highway Aircraft Corp.
Idaho Power
Ideal Basic Industries
Illinois Power Co.
Kansas City Power & Light Co.
Mass. Electric Co.
Mass. Investors Trust
Meredith Corp.
Minnesota Mining & Mfg. Co.
Mobile Oil
Montana Power Co.
Monsanto
Morse Shoe
Mountain States Telephone
Ohio Edison
Oklahoma Gas & Electric
Oklahoma Natural Gas
Pacific Gas & Electric
Pennzoil Company
Public Service Co., of Colo.
Selected American Shares
Seven Up
Sierra Pacific Power Co.

Southern California Edison
Southern Company
Southwestern Public Service
Square D
Standard Oil of California
Standard Oil of Ohio
Tenneco
Texas Utilities Co.
Union Pacific
United Bank of Colorado
United Gas Pipe Line Co.
United States Steel
Utah Power & Light Co.
Western Plastics Corp.

(3) Names of any partnerships in which I am associated, or had been associated within 60 days preceding my appointment: None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment: None.

JULIAN R. HAYDEN.

APRIL 1, 1975.

[FR Doc.75-10423 Filed 4-21-75; 8:45 am]

GREGORY P. PREKEGES

Statement of Financial Interests

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following statement for publication in the FEDERAL REGISTER:

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on March 21, 1975, as Deputy Director, Area B, Defense Electric Power Administration, an officer or director: None.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

The Washington Water Power Co.
American Electric Power Co.
Public Service Company of New Mexico
U.S. Industries
Alco Standard
Western Gear
Blismark Mining
American Investors Fund
Dreyfus Leverage Fund

(3) Names of any partnerships in which I am associated, or had been associated within 60 days preceding my appointment: None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment: None.

GREGORY PREKEGES.

APRIL 10, 1975.

[FR Doc.75-10424 Filed 4-21-75; 8:45 am]

[INT DES 75-30]

GEOLOGICAL AND GEOPHYSICAL EXPLORATIONS OF THE OUTER CONTINENTAL SHELF

Availability of Draft Environmental Impact Statement on Proposed Regulations

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a Draft Environmental Impact Statement on the Proposed Regulations for Geological and Geophysical Explorations of the Outer Continental Shelf (30

CFR Part 251). The draft statement assesses the environmental impact of the proposed regulations concerning geological and geophysical explorations of the Outer Continental Shelf. The proposed regulations prescribe policies, procedures and requirements for the conduct of geological and geophysical exploration. They also specify a definite time when geological and geophysical interpretations, maps and data will be made available for public inspection.

The Draft Environmental Impact Statement is available for public review at the following locations: U.S. Geological Survey, Public Inquiries Office, 341 National Center, Reston, Virginia 22092; U.S. Department of Interior, Office of Communications, Rm. 7222, 18th and C Streets NW., Washington, D.C. 20240; Regional Conservation Manager, U.S. Geological Survey, 336 Imperial Office Building, 3301 North Causeway Blvd., Metairie, Louisiana 70011; Regional Conservation Manager, U.S. Geological Survey, Suite 316, 1825 K Street NW., Washington, D.C. 20006; Regional Conservation Manager, U.S. Geological Survey, 345 Middlefield Road, Menlo Park, California 94025; Area Oil and Gas Supervisor, Conservation Division, U.S. Geological Survey, 218 E-Street, P.O. Box 259, Anchorage, Alaska 99501; Area Oil and Gas Supervisor, Conservation Division, U.S. Geological Survey, 7744 Federal Building, 300 North Los Angeles Street, Los Angeles, California 90012.

Single copies of the Draft Environmental Impact Statement can be obtained from: Chief, Conservation Division, U.S. Geological Survey, 600 National Center, Reston, Virginia 22092.

The Department will accept written comments on the Draft Environmental Impact Statement on the Proposed Regulations for Geological and Geophysical Explorations of the Outer Continental Shelf on or before June 6, 1975, and will consider any comments received in preparing the final environmental statement on this proposal. Written comments should be addressed to Director, United States Geological Survey, National Center, Mailstop 108, Reston, Virginia 22092.

The Department has deferred a decision on the need for public hearings on the Draft Environmental Impact Statement at this time. If sufficient interest in holding such hearings becomes evident, the Department will consider the matter further.

Dated: April 16, 1975.

ROYSTON C. HUGHES,
Secretary of the Interior.

[FR Doc.75-10498 Filed 4-21-75; 8:45 am]

DEPARTMENT OF AGRICULTURE

Forest Service

OTTAWA NATIONAL FOREST MULTIPLE USE ADVISORY COMMITTEE

Meeting

The Ottawa National Forest Multiple Use Advisory Committee will meet 1 p.m.

thru 5 p.m. (c.d.t.), May 15, 1975 and 8:30 a.m. thru noon (c.d.t.), May 16, 1975 at Lake Aire Motel, one mile west of Bergland, Michigan on M-38. The purpose of this meeting is to discuss forest management.

The meeting will be open to the public. Persons who wish to attend should notify the Forest Supervisor, Ottawa National Forest, Ironwood, Michigan 49938, Phone Number: (906) 932-1330. Written statements may be filed with the committee before or after the meeting.

The committee has established the following rules for public participation: Public participation will be limited to a period designated for open discussion. To the extent time permits, interested persons may be permitted by the committee chairman to present oral statements at the meeting.

M. K. LAURITSEN,
Forest Supervisor.

APRIL 14, 1975.

[FR Doc.75-10412 Filed 4-21-75; 8:45 am]

PAYETTE NATIONAL FOREST, WARREN PLANNING UNIT

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for the Warren Planning Unit, Payette National Forest, Idaho. The Forest Service report number is USDA-PS-FES (Adm) RA-75-10.

The environmental statement identifies and evaluates the probable effects of the land use plan for the Warren Planning Unit on the Payette National Forest in south-central Idaho. The purpose of the plan is to allocate National Forest lands within the unit to specific resource uses and activities; resolve conflicts between competing uses, provide protection for sensitive environmental factors, and to maintain desirable social-economic relationships by providing for use of the resources within the planning unit. The plan provides for minimization of adverse effects. Minor adverse effects from some development activities will be temporary stream sedimentation, displacement of wildlife populations, and short periods of air pollution. All resource activities will be monitored so that tolerable levels of sedimentation will not be exceeded in the South Fork Salmon River.

Recreation opportunities will be slightly increased. A total of 35,500 acres has been designated as new wilderness study areas and an additional 126,000 acres will remain unroaded. About 132,000 acres presently undeveloped may be developed. The plan provides for a low to high level of consumption resource uses with significant areas remaining undeveloped with options for future management remaining open.

This draft environmental statement was transmitted to CEQ on April 15, 1975.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service
South Agriculture Bldg., Room 3230
12th St. and Independence Ave., S.W.
Washington, D.C. 20250

Regional Planning Office
USDA, Forest Service
Federal Building, Room 4403
Ogden, Utah 84401
Forest Supervisor
Payette National Forest
Forest Service Building
P.O. Box 1026
McCall, Idaho 83638

A limited number of single copies are available upon request to Forest Supervisor William B. Sendt, Payette National Forest, Forest Service Building, P.O. Box 1026, McCall, Idaho 83638.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ Guidelines.

Dated: April 15, 1975.

P. M. REES,
Regional Planner.

[FR Doc.75-10413 Filed 4-21-75;8:45 am]

**Soil Conservation Service
CASTON-MOUNTAIN CREEK
WATERSHED, OKLA.**

Availability of Negative Declaration

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; § 1500.6(e) of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973); and § 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19651) issued on June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the remaining work in the Caston-Mountain Creek Watershed Project, LeFlore County, Oklahoma.

The environmental assessment of the federal action indicates that this portion of the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the action. As a result of these findings, Mr. Hampton Burns, State Conservationist, Soil Conservation Service, USDA Building, Farm Road and Brumley Street, Stillwater, Oklahoma, has determined that the preparation and review of an environmental impact statement is not needed for this action.

The project concerns a plan for watershed protection and flood prevention. The remaining works of improvement include conservation land treatment, one single-purpose floodwater retarding structure, and a dike, 0.2 mile in length.

The environmental assessment file is available for inspection during regular working hours at the following location:

Soil Conservation Service
USDA Building
Farm Road and Brumley Street
Stillwater, Oklahoma 74074

Requests for single copies of the negative declaration should be sent to the above address.

No administrative action on implementation of the proposal will be taken until May 7, 1975.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

Dated: April 14, 1975.

WILLIAM B. DAVEY,
Deputy Administrator for Water
Resources, Soil Conservation
Service.

[FR Doc.75-10418 Filed 4-21-75;8:45 am]

**FLAT ROCK CREEK WATERSHED,
ARKANSAS**

**Availability of Final Environmental Impact
Statement**

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973); and Part 650 of the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974); the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental impact statement (EIS) for the Flat Rock Creek Watershed Project, Crawford County, Arkansas, USDA-SCS-EIS-WS-(ADM)-74-7-(F)-AR.

The EIS concerns a plan for watershed protection, flood prevention, and recreation. The planned works of improvement include conservation land treatment measures, one floodwater retarding structure, one multiple-purpose structure for flood prevention and recreation, and 7.4 miles of channel work in a flood plain which is about 86 percent cropland and grassland. The channel work will consist of 3.2 miles of enlargement and realignment and 1.0 mile of clearing and debris removal on a previously modified ephemeral channel. In addition, about 3.2 miles of clearing and debris removal will be undertaken on an unmodified intermittent channel.

The final EIS has been filed with the Council on Environmental Quality.

A limited supply is available at the following location to fill single copy requests:

Soil Conservation Service, USDA, Post Office Box 2323, Little Rock, Arkansas 72203

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

Dated: April 15, 1975.

WILLIAM B. DAVEY,
Deputy Administrator for Water Resources,
Soil Conservation Service.

[FR Doc.75-10415 Filed 4-21-75;8:45 am]

**LYE CREEK DRAIN WATERSHED
PROJECT, INDIANA**

**Availability of Final Environmental Impact
Statement**

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973); and Part 650 of

the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974); the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental impact statement (EIS) for the Lye Creek Drain Watershed Project, Montgomery County, Indiana, USDA-SCS-EIS-WS-(ADM)-75-1-(F)-IN.

The environmental statement concerns a plan for watershed protection, flood prevention, and drainage. The planned works of improvement include conservation land treatment, supplemented by channel work. Structural measures will consist of 11.3 miles of multiple-purpose flood prevention and drainage channel work. The work will be for deepening and enlargement for 10.2 miles and debris removal only for 1.1 miles. All work will be performed on intermittent, manmade or modified channels. Floodwater damages will be reduced by 84 percent with the installation of the proposed measures; 3,320 acres will benefit from joint floodwater-drainage relief in a flatland watershed that is 94 percent agricultural cropland and grassland.

The final EIS has been filed with the Council on Environmental Quality.

A limited supply is available at the following location to fill single copy requests:

Soil Conservation Service, USDA,
5610 Crawfordsville Road, Suite 2200
Indianapolis, Indiana 46224

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

Dated: April 14, 1975.

WILLIAM B. DAVEY,
Deputy Administrator for Water
Resources, Soil Conservation
Service.

[FR Doc.75-10415 Filed 4-21-75;8:45 am]

**NORMAN-POLK WATERSHED PROJECT,
MINNESOTA**

**Availability of Final Environmental Impact
Statement**

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973), and Part 650 of the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974), the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental impact statement (EIS) for the Norman-Polk Watershed Project, Norman and Polk Counties, Minnesota, USDA-SCS-EIS-WS-(ADM)-75-1-(F)-MN.

The EIS concerns a plan for watershed protection, flood prevention, and drainage. The planned works of improvement provide for conservation land treatment, 6 grade stabilization structures, and 28.2 miles of multiple-purpose channel work. The channel work will involve enlargement of 22.5 miles of previously constructed channels, enlargement of 3.9 miles of existing field ditches, 0.3 mile of new channel work and 1.5 miles of

channel stabilization. Of the 27.9 miles of work proposed on existing channels, 6.4 miles will involve those with intermittent flow and 21.5 miles with only ephemeral flow. The channel work will provide damage reduction in a flatland watershed that is 93 percent agricultural cropland and pastureland.

The final EIS has been filed with the Council on Environmental Quality.

A limited supply is available at the following location to fill single copy requests:

Soil Conservation Service, USDA
200 Federal Building & U.S. Courthouse
316 North Robert Street
St. Paul, Minnesota 55101

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

Dated: April 14, 1975.

WILLIAM B. DAVEY,
Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.75-10414 Filed 4-21-75;8:45 am]

THREE-MILE AND SULFUR DRAW WATERSHED PROJECT, TEXAS

Availability of Draft Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973); and Part 650 of the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974); the Soil Conservation Service, U.S. Department of Agriculture, has prepared a draft environmental impact statement for the Three-Mile and Sulfur Draw Watershed Project, Culberson and Hudspeth Counties, Texas, USDA-SCS-EIS-WS-(ADM)-75-4-(D)-TX.

The environmental impact statement concerns a plan for watershed protection and flood prevention. The planned works of improvement include conservation land treatment, supplemented by two single purpose floodwater retarding structures and 10.4 miles of floodwater diversion. Protection from the 100-year flood event will be provided for flood prone areas of Van Horn, Texas. Rangeland and intensively cultivated and irrigated cropland will also be protected from flooding and associated damages.

A limited supply of copies is available at the following location to fill single copy requests:

Soil Conservation Service, USDA, First National Bank Building, Temple, Texas 76501

Copies of the draft environmental impact statement have been sent for comment to various federal, state, and local agencies as outlined in the Council on Environmental Quality Guidelines. Comments are also invited from others having knowledge of or special expertise on environmental impacts.

Comments concerning the proposed action or requests for additional information should be addressed to Edward E. Thomas, State Conservationist, Soil Con-

servations Service, P.O. Box 648, Temple, Texas 76501.

Comments must be received on or before June 13, 1975, in order to be considered in the preparation of the final environmental impact statement.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

Dated: April 15, 1975.

WILLIAM B. DAVEY,
Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.75-10417 Filed 4-21-75;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

EVANSTON HOSPITAL, ET AL.

Consolidated Decision on Applications for Duty-Free Entry of Accessories for Foreign Instruments

The following is a consolidated decision on applications for duty-free entry of accessories for foreign instruments pursuant to section 6(c) of the Educational Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.). (See especially § 701.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 75-00292-00-46040. Applicant: Evanston Hospital, 2650 Ridge Avenue, Evanston, IL 60201. Article: Universal Camera, Manufacturer: Siemens AG, West Germany. Intended use of article: The article is intended to be used for investigation of tissue changes in various human diseases and experimental animals, e.g., kidney, lung, and tumors. In addition, the article will be used in the training of pathology residents. Application received by Commissioner of Customs: December 31, 1974. Advice submitted by the Department of Health, Education, and Welfare on: March 25, 1975.

Docket number: 75-00294-00-46040. Applicant: University of California, Lawrence Berkeley Laboratory, East End of Hearst Avenue, Berkeley, California 94720. Article: Field Emission Gun. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used to provide a necessary and essential improvement in both intensity and coherence of illumination for an existing electron microscope being used for the following: (1) Investigation of the loss of resolution and the loss of image quality and due to processes of radiation damage that occur in the electron beam, for biological specimens (sic), (2) High resolution microscopy of single atoms, and (3) Routine biological electron microscopy of thin sectioned

material, negatively stained material, etc. Application received by Commissioner of Customs: December 31, 1974. Advice submitted by the Department of Health, Education, and Welfare on: March 25, 1975.

Comments: No comments have been received with respect to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for the purposes for which the articles are intended to be used, is being manufactured in the United States. Reasons: The applications relate to compatible accessories for instruments that have been previously imported for the use of the applicant institutions. The articles are being manufactured by the manufacturers which produced the instruments with which they are intended to be used. We are advised by the Department of Health, Education, and Welfare in the respectively cited memoranda that the accessories are pertinent to the applicants' intended uses and that it knows of no comparable domestic articles. The Department of Commerce knows of no similar accessories manufactured in the United States which are interchangeable with or can be readily adapted to the instruments with which the foreign articles are intended to be used.

A. H. STUART,
Director, Special Import Programs Division.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

[FR Doc.75-10465 Filed 4-21-75;8:45 am]

NATIONAL INSTITUTES OF HEALTH, ET AL.

Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before May 12, 1975.

Amended regulations issued under cited Act, as published in the March 18, 1975 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

DOCKET NUMBER: 75-00441-33-46040. APPLICANT: National Institutes

of Health, 9000 Rockville Pike, Bethesda, Maryland 20014. **ARTICLE:** Electron Microscope, Model EM 201C. **MANUFACTURER:** Philips Electronic Instruments NVD, The Netherlands. **INTENDED USE OF ARTICLE:** The article is intended to be used for various biological research projects involving thyroid gland and its tumors, in particular, the study of cytology of the thyroid epithelial cell. **APPLICATION RECEIVED BY COMMISSIONER OF CUSTOMS:** March 24, 1975.

DOCKET NUMBER: 75-00442-00-77040. **APPLICANT:** U.S. Department of Agriculture, USDA-APHIS, Administrative Services, Room 624-A, Federal Center Building, Hyattsville, Maryland 20782. **ARTICLE:** WF 955 Multiple Peak Monitor System for Mass Spectrometer. **MANUFACTURER:** AEI Scientific Apparatus Ltd., United Kingdom. **INTENDED USE OF ARTICLE:** The article is intended to be used to enable one to "sit" on a small number of peaks for the purpose of monitoring the magnitude of these peaks only. **APPLICATION RECEIVED BY COMMISSIONER OF CUSTOMS:** March 24, 1975.

DOCKET NUMBER: 75-0443-65-46040. **APPLICANT:** University of Illinois, Urbana-Champaign Campus, Purchasing Division, 223 Administration Building, Urbana, Illinois 61801. **ARTICLE:** Electron Microscope, Model H-500. **MANUFACTURER:** Hitachi, Japan. **INTENDED USE OF ARTICLE:** The article is intended to be used for high resolution transmission electron diffraction studies of metallic materials which include the following: substructure of martensitic phases, pretransformation lattice instabilities, lattice resolution analysis of close packed long period stacking structures, formation and reversion of thermoelastic martensites in thin foils, crystal structure analysis by means of electron imaging and diffraction, and studies of dislocation arrays in interphase interfaces. **APPLICATION RECEIVED BY COMMISSIONER OF CUSTOMS:** March 24, 1975.

DOCKET NUMBER: 75-00444-33-46040. **APPLICANT:** Institute of Pathology, University Hospitals of Cleveland, 2085 Adelbert Road, Cleveland, Ohio 44106. **ARTICLE:** Electron Microscope, Model EM 201C. **MANUFACTURER:** Philips Electronic Instruments NVD, The Netherlands. **INTENDED USE OF ARTICLE:** The article is intended to be used primarily for research involving specimens obtained during operations and autopsies. The article will also be used for studies of material which may not be human but are connected with clinical situations as follows:

- (1) Study of endometrioid papillary serous cystadenocarcinoma of the ovary,
- (2) Study of mixed carcinoma of the endometrium.
- (3) Electron microscopic evaluation of early invasive breast carcinoma.
- (4) Erythrocyte changes induced by malaria infection.

In addition, the article is intended to be used in the course, Introduction of Electron Microscopy, Ultrastructural As-

pects of Pathology, and Renal Pathology which will be open to physicians, resident physicians, postdoctoral fellows, graduate students, undergraduate medical students and undergraduate science majors who are interested in electron microscopy. Application received by Commissioner of Customs: March 24, 1975.

DOCKET NUMBER: 75-00445-01-07500. **Applicant:** Baylor College of Medicine, 1200 Moursund Avenue, Houston, Texas 77025. **Article:** LKB Batch Microcalorimeter. **Manufacturer:** LKB Produkter AB, Sweden. **Intended use of article:** The article is intended to be used in a study aimed at determining the enthalpy of binding of various phospholipids, triglycerides, cholesterol and cholesteryl esters with pure, single component apolipoproteins of high and very low density lipoprotein either singly or in various combinations. Ultimately, the hope is to identify the important lipid-binding regions of the protein by microcalorimetric studies on natural and synthetic fragments of the native proteins. The information obtained from these experiments would provide a quantitative test of recent theories on the molecular basis of lipid binding by apolipoproteins. Application received by Commissioner of Customs: March 24, 1975.

DOCKET NUMBER: 75-00446-33-43400. **Applicant:** University of Miami, Coral Gables, Florida 33124. **Article:** Stereotaxic Micromanipulator. **Manufacturer:** La Precision Cinematographique, France. **Intended use of article:** The article is intended to be used to carry a very fine microelectrode with a tip of about 1 micron and to place this electrode precisely into single brain cells in experimental animals such as goldfish or frogs. This research aims to discover the basic cellular mechanisms of the function of the brain and of the development of the brain. Application received by Commissioner of Customs: March 24, 1975.

DOCKET NUMBER: 75-00447-33-46040. **Applicant:** Ramapo College, Ramapo Valley Road, P.O. Box 542, Mahwah, New Jersey 07430. **Article:** Electron Microscope, Model JEM 100S. **Manufacturer:** JEOL Ltd., Japan. **Intended use of article:** The article is intended to be used for the study of ultrastructure of biological material, characteristics of air and water pollution and the detection and characterization of waterborne viruses. The article will also be used in courses to provide students with sound introduction to the theory and practice of specimen preparation, electron microscope operation, dark room procedures, and familiarize students with available techniques applicable to their particular study and the application of these techniques to solving particular problems. Application received by Commissioner of Customs: March 24, 1975.

DOCKET NUMBER: 75-00448-35-46040. **APPLICANT:** University of Illinois at Medical Center, College of Dentistry, Dept. of Oral Pathology, 808 S. Wood Street, Chicago, IL 60612. **ARTICLE:** Electron Microscope, Model EM 301 with accessories. **MANUFACTURER:**

Philips Electronic Instruments NVD, the Netherlands. **INTENDED USE OF ARTICLE:** The article is intended to be used in studies of oral mucosa, especially gingivitis and bacterial plaque attached, and mineralizing segments of bone and tooth. The fine structure of normal oral mucosa is being compared in respect of organelles and enzyme distribution with mucosa from animals on a diet deficient in zinc. The fine structural localization of cyclic nucleotides is being determined by electron histochemistry in normal rabbit mucosa, along with the nature of the earliest stages of mineralization in normal and abnormal teeth and bones. In addition, the article is to be used to educate at an undergraduate and postgraduate/graduate level the students and faculty of the Departments of Oral Pathology. **APPLICATION RECEIVED BY COMMISSIONER OF CUSTOMS:** March 24, 1975.

DOCKET NUMBER: 75-00449-00-46040. **APPLICANT:** Battelle Memorial Institute, Pacific Northwest Laboratory, P.O. Box 999, Richland, WA 99352. **ARTICLE:** High Angle Specimen Tilting Device, Model HK-5. **MANUFACTURER:** Hitachi Co., Japan. **INTENDED USE OF ARTICLE:** The article is an accessory to an existing electron microscope of the same manufacture needed to provide high angle tilting of the specimen during the course of observation in the microscope. Studies on the material imperfections in materials produced by radiation are to be conducted. A wide variety of metallic materials, including, but not limited to, molybdenum, niobium, vanadium, nickel, iron and iron base alloys, aluminum, and stainless steel will be analyzed. **APPLICATION RECEIVED BY COMMISSIONER OF CUSTOMS:** March 24, 1975.

A. H. STUART,
Director, Special Import
Programs Division.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

[FR Doc.10463 Filed 4-21-75; 8:45 am]

UNIVERSITY OF CALIFORNIA, 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 scientific articles pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 FR 12253 et seq., 15 CFR 701.1974).

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.

DECISION: Applications denied. Applicants have failed to establish that instruments or apparatus of equivalent

scientific value to the foreign articles, for such purposes as the foreign articles are intended to be used, are not being manufactured in the United States.

REASONS: Section 301.8 of the regulations provides in pertinent part:

The applicant shall on or before the 20th day following the date of such notice, inform the Deputy Assistant Secretary whether it intends to resubmit another application for the same article for the same intended purposes to which the denied application relates. The applicant shall then resubmit the new application on or before the 90th day following the date of the notice of denial without prejudice to resubmission, unless an extension of time is granted by the Deputy Assistant Secretary in writing prior to the expiration of the 90 day period. * * * If the applicant fails, within the applicable time periods specified above, to either (a) inform the Deputy Assistant Secretary whether it intends to resubmit another application for the same article to which the denial without prejudice to resubmission relates, or (b) resubmit the new application, the prior denial without prejudice to resubmission shall have the effect of a final decision by the Deputy Assistant Secretary on the application within the context of § 301.11.

The meaning of the subsection is that should an applicant either fail to notify the Deputy Assistant Secretary of its intent to resubmit another application for the same article to which the denial without prejudice relates within the 20 day period, or fails to resubmit a new application within the 90 day period, the prior denial without prejudice to resubmission will have the effect of a final denial of the application.

None of the applicants to which this consolidated decision relates has satisfied the requirements set forth above, therefore, the prior denials without prejudice have the effect of a final decision denying their respective applications.

Section 301.8 further provides:

* * * the Deputy Assistant Secretary shall transmit a summary of the prior denial without prejudice to resubmission to the FEDERAL REGISTER for publication, to the Commissioner of Customs, and to the applicant.

Each of the prior denials without prejudice to resubmission to which this consolidated decision relates was based on the failure of the respective applicants to submit the required documentation, including a completely executed application form, in sufficient detail to allow the issue of "scientific equivalency" to be determined by the Deputy Assistant Secretary.

DOCKET NUMBER: 72-00409-01-77040. APPLICANT: University of California, Space Sciences Laboratory, Berkeley, California 94720. ARTICLE: Mass Spectrometer, Model MAT 311. DATE OF DENIAL WITHOUT PREJUDICE TO RESUBMISSION: December 19, 1974.

DOCKET NUMBER: 74-00350-33-41700. APPLICANT: Duke University Medical Center, Durham, North Carolina 27706. ARTICLE: Surgical Laser, Medilase 791. DATE OF DENIAL WITHOUT PREJUDICE TO RESUBMISSION: December 2, 1974.

DOCKET NUMBER: 74-00445-33-41700. APPLICANT: Baylor University Medical Center, 712 N. Washington, Suite 207, Dallas, Texas 75246. ARTICLE: Medilase (Sharplan) 791 Co, Surgical Laser. DATE OF DENIAL WITHOUT PREJUDICE TO RESUBMISSION: December 2, 1974.

DOCKET NUMBER: 75-00073-33-46070. APPLICANT: University of Florida, College of Dentistry, Box 202 MSB, J. Hillis Miller Health Ctr., Gainesville, Fla. 32610. ARTICLE: Scanning Electron Microscope, Model NOVASCAN 30. DATE OF DENIAL WITHOUT PREJUDICE TO RESUBMISSION: December 19, 1974.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director, Special Import
Programs Division.

[FR Doc. 75-10464 Filed 4-21-75; 8:45 am]

National Oceanic and Atmospheric Administration

ENDANGERED AND THREATENED SPECIES

Notice on Critical Habitat Areas

CROSS REFERENCE: For a document issued jointly by the National Marine Fisheries Service of the National Oceanic and Atmospheric Administration, Department of Commerce, and the Fish and Wildlife Service, Department of the Interior, on critical habitat areas for endangered and threatened species, see FR doc. 75-10437 *supra*.

LAFAYETTE PARK ZONE

Issuance of Permit for Marine Mammals

On February 26, 1975, notice was published in the FEDERAL REGISTER (40 FR 8239), that an application had been filed with the National Marine Fisheries Service by Lafayette Park Zoo, 3500 Granby Street, Norfolk, Virginia 23508 for a permit to take one (1) California sea lion (*Zalophus californianus*) for public display.

Notice is hereby given that, on April 15, 1975, and as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), the National Marine Fisheries Service issued a permit authorizing Lafayette Park Zoo to take one beached and stranded sea lion which had been placed in temporary custody of Lafayette Park Zoo by local officials, subject to certain conditions set forth therein. The Permit is available for review by interested persons in the Office of the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, and the Regional Director, National Marine Fisheries Service, Northeast Region, Federal Building, 14 Elm Street, Gloucester, Massachusetts 01930.

Dated: April 15, 1975.

WALTER KIRKNESS,
Acting Director, National
Marine Fisheries Service.

[FR Doc. 75-10450 Filed 4-21-75; 8:45 am]

NAVAL UNDERSEA CENTER

Modification of Permit

Notice is hereby given that, pursuant to the provisions of Sections 216.33 (d) and (e) of the Regulations Governing the Taking and Importing of Marine Mammals (39 FR 1851, January 15, 1974), the Scientific Research Permit issued to the Naval Undersea Center, Biosystems Research Department, on March 5, 1974, as modified on July 8, 1974 (39 FR 24932), on August 2, 1974 (39 FR 27933), and on February 26, 1975 (40 FR 8240), is further modified, by means of Modification No. 5, in the following manner:

The marine mammals authorized to be taken and maintained in captivity may, alternatively, be taken from other areas in which such marine mammals are found and subsequently imported.

This modification is effective April 22, 1975.

The Permit as modified is available for review in the Office of the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, and in the Office of the Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731.

Dated: April 17, 1975.

JACK W. GEHRINGER,
Acting Director, National
Marine Fisheries Service.

[FR Doc. 75-10448 Filed 4-21-75; 8:45 am]

OCEAN WORLD, INC.

Receipt of Applications for Public Display Permits

Notice is hereby given that the following applicant has applied in due form for a permit to take marine mammals for public display as authorized by the Marine Mammal Protection Act of 1972 and the Regulations Governing the Taking and Importing of Marine Mammals.

Ocean World, Inc., 1701 S.E. 17th Street, Fort Lauderdale, Florida 33316, to take two (2) Atlantic bottlenosed dolphins (*Tursiops truncatus*), and two female California sea lions (*Zalophus californianus*) for the purpose of public display.

The bottlenosed dolphins will be captured in the Gulf of Mexico, off the west coast of Florida, by a professional collector using a seine net.

The sea lions will be collected by a professional collector in the area of the Channel Islands, California.

The dolphins will be maintained and displayed in a 220,000 gallons salt water tank, 50 feet in diameter and 16 feet deep.

The sea lions will be maintained in two salt water pools which have the following dimensions:

1. Circular pool, 23 feet in diameter and approximately 3 feet deep, with an 8 feet in diameter sunning pad. In addition to one of the female sea lions requested, one male sea lion will occupy this pool;

2. Square pool, 6 feet long by 6 feet wide and approximately 3 feet deep, with a 6 feet by 6 feet apron pad for sunning. The other female sea lion will be kept in this pool.

Ocean World, Inc. is a profit organization. The facility hosts 250,000 visitors annually, in addition to 12,000 children and others in educational programs.

The staff at Ocean World, Inc. has had considerable experience in oceanarium maintenance techniques and animal handling and has contributed significantly to further development of such techniques.

The arrangements and facilities for transporting and maintaining the marine mammals requested in the above application have been inspected by a licensed veterinarian, who has certified that such arrangements and facilities are adequate to provide for the well-being of the marine mammals involved.

Documents submitted in connection with the above applications are available for review at the following locations:

Office of the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, the Office of the Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731, and the Office of the Regional Director, National Marine Fisheries Service, Southeast Region, Duval Building, 9450 Gandy Boulevard, St. Petersburg, Florida 33702.

Concurrent with the publication of this notice in the FEDERAL REGISTER, the Secretary of Commerce is sending copies of the application to the Marine Mammal Commission and the Committee of Scientific Advisors.

Written views or data, or requests for a public hearing on this application should be submitted to the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235 on or before May 22, 1975. The holding of such hearing is at the discretion of the Director.

All statements and opinions contained in this notice in support of this application are summaries based upon information supplied by the Applicant and, therefore, do not necessarily reflect the views of the National Marine Fisheries Service.

Dated: April 16, 1975.

ROBERT F. HUTTON,
Associate Director for Resource
Management, National Marine
Fisheries Service.

[FR Doc. 75-10452 Filed 4-21-75; 8:45 am]

SHIPWRECK, INC.

Issuance of Permit for Marine Mammals

On November 4, 1974, notice was published in the FEDERAL REGISTER (39 FR 38920) that an application had been filed with the National Marine Fisheries Service by Shipwreck, Incorporated, 1938 Buhne Drive, Eureka, California 95501 for a permit to take three (3) Pacific

harbor seals (*Phoca vitulina richardii*) for the purpose of public display.

Notice is hereby given that, on April 9, 1975, and as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), the National Marine Fisheries Service issued a Permit for the above mentioned taking to Shipwreck, Inc., subject to certain conditions set forth therein. The Permit is available for review by interested persons in the Office of the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, and the Office of the Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731.

Dated: April 9, 1975.

WALTER KIRKNESS,
Acting Director, National
Marine Fisheries Service.

[FR Doc. 75-10449 Filed 4-21-75; 8:45 am]

SOUTH AFRICA

Fish Import Certification

Regulations established in accordance with the Marine Mammal Protection Act of 1972, 16 U.S.C. 1361-1407, (published in 39 FR 32117 on September 5, 1974, as amended) provided that a nation may make certification regarding vessels fishing under its flag in order to permit importation into the United States of certain of its fish and fishing products.

The Director, NMFS, has received and accepted certification from the Government of South Africa that vessels fishing under its flag are fishing in conformance with U.S. regulations regarding the taking of marine mammals incidental to commercial fishing operations.

Copies of certifications are on file and available for review in the Office of the Director, National Marine Fisheries Service, Washington, D.C. 20235.

Dated: April 14, 1975.

ROBERT F. HUTTON,
Acting Director, National
Marine Fisheries Service.

[FR Doc. 75-10463 Filed 4-21-75; 8:45 am]

SAN DIEGO ZOOLOGICAL GARDEN

Issuance of Permit To Take and Import Marine Mammals

On February 26, 1975, notice was published in the FEDERAL REGISTER (40 FR 8241) that an application had been filed with the National Marine Fisheries Service by the San Diego Zoological Garden, P.O. Box 551, San Diego, California 92112 for a permit to take and import four (4) southern sea lions (*Otaria byronia*) for the purpose of public display.

Notice is hereby given that, on April 14, 1975, and as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), the National Marine Fisheries Service issued a permit to the San Diego Zoological Garden, subject to certain conditions set forth therein.

The Permit is available for review by interested persons in the Office of the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, Office of the Regional Director, National Marine Fisheries Service, Southeast Region, Duval Building, 9450 Gandy Boulevard, St. Petersburg, Florida 33702, and in the Office of the Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731.

Dated: April 14, 1975.

WALTER KIRKNESS,
Acting Director, National
Marine Fisheries Service.

[FR Doc. 75-10451 Filed 4-21-75; 8:45 am]

DEPARTMENT OF INTERIOR

Office of the Secretary

EMERGENCY ADVISORY COMMITTEE FOR NATURAL GAS

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is hereby given of the following meeting:

The Emergency Advisory Committee for Natural Gas will meet at 9 a.m. on May 8, 1975 at the O'Hare Hilton at O'Hare International Airport, Chicago, Illinois. The purpose of this meeting is to establish the procedures and the data acquisition system to be used to carry out a study of impacts of natural gas curtailments requested by the Department of the Interior.

Further information with respect to this meeting may be obtained from Ben Tafoya, Office of the Assistant Secretary-Energy and Minerals, Department of the Interior, Washington, D.C., telephone number 343-8226.

Dated: April 16, 1975.

JACK W. CARLSON,
Assistant Secretary of the Interior.

[FR Doc. 75-10474 Filed 4-21-75; 8:45 am]

DEPARTMENT OF COMMERCE

Office of the Secretary

[Dept. Org. Order 20-11]

APPEALS BOARD

Authority and Organization

This order, effective March 28, 1975, supersedes the material appearing at 32 FR 10825 of July 22, 1967.

SECTION 1. Purpose. This order prescribes the authority and functions of the Appeals Board for the Department of Commerce.

Sec. 2. General. The Appeals Board for the Department of Commerce, initially established on August 18, 1953, by Department Order 106 of that date, and which serves as an impartial body to consider certain appeals from the public, is continued within the Office of the Assistant Secretary for Administration. It shall be composed of a chairman and other members as may be designated by

the Assistant Secretary for Administration and approved by the Secretary.

Sec. 3. Authority and functions. .01 The Appeals Board is authorized to consider and decide appeals by contractors from decisions made by contracting officers under contracts which provide for such an appeal to the Secretary.

.02. The Appeals Board is also authorized to consider and decide appeals by persons affected by:

a. Any order, regulation or administrative action issued pursuant to the authority delegated to the Secretary of Commerce under the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 et seq.), and the authority of the Secretary of Commerce under section 402 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 512);

b. Any denial or probation order, civil penalty or other administrative sanction of the Domestic and International Business Administration's Bureau of East-West Trade in connection with its authority for the administration of export controls under the Export Administration Act of 1969, as amended (50 U.S.C. App. 2401 et seq.); and

c. Other administrative actions taken pursuant to law and referred to the Board by appropriate authority.

.03 Decisions by the Appeals Board on appeals arising under paragraphs .01 and .02 of this section shall be final within the Department.

.04 No member may act for the Appeals Board or participate in a decision on appeal if he has otherwise been directly involved in the administration of the contract, regulation, or other subject matter of the appeal.

.05 The Chairman of the Appeals Board is authorized to issue rules governing the handling of appeals.

Savings provision. .01 All outstanding delegations, regulations, orders and other actions issued by or relating to the Appeals Board shall remain in effect until amended or revoked by proper authority.

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

[FR Doc.75-10484 Filed 4-21-75; 8:45 am]

[Dept. Org. Order 10-4; Amdt. 2]

**ASSISTANT SECRETARY FOR
ECONOMIC DEVELOPMENT**

Authority and Organization

This order, effective April 8, 1975, further amends the material appearing at 35 FR 5970 of April 10, 1970; and 40 FR 12532 of March 19, 1975.

Department Organization Order 10-4, dated April 1, 1970, is hereby further amended as follows:

1. **Sec. 4. Delegation of authority.** Add new subparagraph .01d. to read as follows:

d. 41. CFR Part 101-43, Public Contracts and Property Management, for the acquisition, use and eventual disposition of excess personal property obtained by

the Administration and furnished to the Administration's project grantees and cost reimbursement type contractors.

2. **Sec. 5. General Functions.** Reletter existing n as o and add new paragraph n to read as follows:

n. Establish the Administration's policy and procedures for fulfilling requirements for an excess personal property program, including requirements of EDA grantees.

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

[FR Doc.75-10482 Filed 4-21-75; 8:45 am]

[Dept. Org. Order 15-2]

OFFICE OF CONGRESSIONAL AFFAIRS

Authority and Organization

This order, effective April 9, 1975, supersedes the material appearing at 31 FR 6749 of May 5, 1966.

SECTION 1. Purpose. The purpose of this order is to describe the functions of the Office of Congressional Affairs.

Sec. 2. General. The Office of Congressional Affairs (the "Office") is hereby continued as a Departmental office in the Office of the Secretary. The Office shall be headed by an Assistant to the Secretary for Congressional Affairs who shall report and be responsible to the Secretary of Commerce.

Sec. 3. Functions and responsibilities.

.01 The Office of Congressional Affairs shall coordinate departmental activities pertaining to Congressional relations and serve as the channel for the exchange of information with Members of Congress. More specifically, the Office shall:

a. Serve as the focal point within the Department for handling Congressional relations, and advise the Secretary on such matters; and

b. Be primarily responsible for the handling of Congressional mail and telephone or other forms of inquiries or requests for information or assistance or reports from Members of Congress or their staffs, except as excluded in paragraph .03 of this section.

.02 All such inquiries or requests from Congress shall be reported to the Assistant to the Secretary for Congressional Affairs in accordance with the provisions of Department Administrative Order 213-2.

.03 Nothing herein shall be deemed to affect either the responsibility of the Office of the General Counsel for the preparation of and furnishing to the Congress of the Department's legislative program and for furnishing reports to the Congress on any proposed legislation; or the responsibility of the Office of the Assistant Secretary for Administration for the presentation to the Congress of budget estimates and direct liaison with appropriations committees and their staffs.

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

[FR Doc.75-10483 Filed 4-21-75; 8:45 am]

[Dept. Org. Order 30-5B]

OFFICE OF TELECOMMUNICATIONS

Authority and Organization

This order, effective March 24, 1975, supersedes the material appearing at 37 FR 15182 of July 26, 1972.

SECTION 1. Purpose. .01 This order prescribes the organization and assignment of functions within the Office of Telecommunications, Department Organization Order 30-5A prescribes the scope of authority of the Director of the Office of Telecommunications and the functions of the Office.

.02 This revision abolishes the former Associate Director for Other Agency Programs and International Activities, transferring certain of his functions to the Institute for Telecommunication Sciences (section 6). It also changes the name of the Frequency Management Support Division to the Spectrum Management Support Division (section 4).

Sec. 2. Organization structure. The organization structure and line of authority of the Office of Telecommunications shall be as depicted in the attached organization chart. A copy of the organization chart is attached to the original of this document on file in the Office of the Federal Register.

Sec. 3. Office of the Director. .01 The Director, as the head of the Office of Telecommunications, shall direct and be responsible for all operations of the organization.

.02 The Deputy Director shall assist the Director in directing the Office and perform the functions of the Director during his absence.

.03 The Assistant Director for Program Development and Evaluation shall initiate and maintain a formal program planning and evaluation system for the Office of Telecommunications, including such functions as: supervise planning and development of future programs for all elements of the Office; establish management, evaluation, report, and control standards and procedures for all elements; evaluate past performance of all elements; review current performance of all elements; and coordinate the management of all program activities which involve more than one line division.

.04 The Administrative Officer shall:

a. Provide analysis and assistance for the Director toward developing or improving the management systems of the Office, and

b. Be the principal assistant and advisor to the Director on administrative management and support functions, including: procurement, accounting, budgeting, personnel services, property management, security, emergency planning and civil defense, office services (such as mail, messenger, communications, and duplicating) and office management (such as records and forms management).

Sec. 4. Spectrum Management Support Division. The Spectrum Management Support Division shall provide centralized technical and administrative support

for coordination of Federal frequency uses and assignments and such other services and administrative functions, including the maintenance of necessary files and data bases, responsive to the needs of the Director of the Office of Telecommunications Policy in the Executive Office of the President, in the performance of his responsibilities for the management of the radio spectrum.

Sec. 5. Telecommunications Analysis Division. The Telecommunications Analysis Division shall:

a. Conduct technical and economic research and analysis of a long-term, continuing nature to provide information and alternatives for the resolution of policy questions, including studies leading to the more efficient allocation and utilization of telecommunications resources;

b. Provide forecasts of technological developments affecting telecommunications and estimate their significance; and

c. Provide advisory services in telecommunications to agencies of Federal, State and local governments.

Sec. 6. Institute for Telecommunication Sciences. The Institute for Telecommunication Sciences shall provide the scientific, engineering, and technological competence necessary to the functions of the Office of Telecommunications. As such, it shall:

a. Serve as the central Federal agency for research on the transmission of radio waves;

b. Acquire, analyze, synthesize, and disseminate data and perform research in general on the description and prediction of electromagnetic wave propagation, on the nature of electromagnetic noise and interference, and on methods for the more efficient use of the electromagnetic spectrum for telecommunication purposes;

c. Prepare and issue predictions of electromagnetic wave propagation conditions and warnings of disturbances in those conditions;

d. Conduct research and analysis on radio propagation, radio systems characteristics, and operating techniques affecting the utilization of the radio spectrum in coordination with specialized, related research and analysis performed by other Federal agencies in their areas of responsibility;

e. Conduct research, engineering, and analysis in the general field of telecommunications science in support of other Government agencies as required;

f. Develop methods of measurement of system performance and standards of practice for telecommunication systems; and

g. Conduct the planning, coordination, and review of the activities of the Office of Telecommunications in the field of international telecommunications, particularly those related to the International Telecommunications Union, and provide for the representation of the Office of Telecommunication in these matters.

Sec. 7. Policy Support Division. The Policy Support Division shall: a. Provide economic and policy studies in sup-

port of the Office of Telecommunications Policy; and

b. Perform such other analysis as is required to support Office of Telecommunications Policy.

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

[FR Doc.75-10485 Filed 4-21-75; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Center for Disease Control

BENDIX CORP. COAL MINE DUST PERSONAL SAMPLER UNITS

Revocation of Certificates of Approval

Pursuant to notice published in the FEDERAL REGISTER (40 FR 12825), a public hearing was held by the National Institute for Occupational Safety and Health (NIOSH) on April 1, 1975, to receive relevant evidence concerning whether certificates of approval TC-74-012, TC-74-016, and TC-74-017, issued to the Bendix Corporation for its coal mine dust personal sampler units should be revoked for cause under 30 CFR 74.11.

The evidence introduced by the Government, which was stipulated to by Bendix, showed that substantial numbers of capsules, which are made from Tenite polypropylene and used in the Bendix cassettes, lose weight over a period of time and/or when submitted to increased temperatures, as when stored, with the result that determinations of dust concentrations using Bendix cassettes will be considerably less than the true concentrations.

While stipulating to the Government's evidence, Bendix contended that under the circumstances, revocation under 30 CFR 74.11 is unwarranted and unauthorized in that (1) there has been no culpability shown on the part of Bendix, (2) there were no specific requirements applicable to capsules for shelf life or heat resistance, and (3) the company is not responsible for failure of others to use the cassettes within a reasonable time and to properly store them.

With respect to these contentions, it is enough to note that section 202(a) of the Federal Coal Mine Health and Safety Act (30 U.S.C. 842(a)) requires, and Part 74 was adopted to insure, that accurate dust samples of the coal mine atmosphere are taken. These samples are essential to determining compliance with the respirable dust standard for underground mines, which is to maintain the average concentration to which each coal miner is exposed at or below 2.0 milligrams of respirable dust per cubic meter of air. In view of the stipulation of Bendix that the accuracy of samples obtained by its units is not predictable, the company's contention that revocation is unwarranted and unauthorized is rejected, and I find that under 30 CFR 74.11 cause exists on the stated grounds for the revocation of the certificates of approval.

Accordingly, notice is given that certificates of approval, numbers TC-74-012, TC-74-016, and TC-74-017, issued for the Bendix Corporation coal mine dust personal sampler units are hereby revoked, effective on April 22, 1975.

Dated: April 17, 1975.

JOHN F. FINKLEA,
Director, National Institute
for Occupational Safety and
Health.

[FR Doc.75-10531 Filed 4-21-75; 8:45 am]

Office of Education

FOLLOW THROUGH PROGRAM

Applications for Technical Assistance; Extension of Closing Date

Notice is hereby given that the U.S. Commissioner of Education has extended the March 10, 1975 closing date for receipt of applications for grants and contracts for technical assistance to Follow Through program under section 553(a)(3) of the Community Services Act of 1974 (42 U.S.C. 2929(b)), which was previously published in the FEDERAL REGISTER at 40 FR 6217 on February 10, 1975 to April 30, 1975.

A. Applications sent by mail. An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue, S.W., Washington, D.C. 20202, Attention: 13.433. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than April 25, 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 either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.)

B. Hand delivered application. An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, S.W., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

C. Program information and forms. Information and applications may be obtained from the Division of Follow Through, Bureau of School Systems, U.S. Office of Education, Room 3636, 7th and D Streets, S.W., Washington, D.C. 20202.

D. Applicable regulations. Regulations for the Follow Through program were

published as Notice of Proposed Rule Making, March 5, 1974 (39 FR 8341). A permanent final regulation, to be published and to be effective before the end of the current fiscal year, will govern the Follow Through program. Other regulations applicable to this program are contained in the Office of Education general provisions regulations (45 CFR Part 100a).

(Catalog of Federal Domestic Assistance, No. 13.433 Follow Through)

Dated: April 17, 1975.

T. H. BELL,
U.S. Commissioner of Education.
[FR Doc. 75-10621 Filed 4-21-75; 8:45 am]

Office of the Assistant Secretary for Health
NATIONAL COMMISSION FOR THE PROTECTION OF HUMAN SUBJECTS OF BIOMEDICAL AND BEHAVIORAL RESEARCH

Meeting

Notice is hereby given that the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research will meet on May 9 and 10, 1975, in Conference Room 6, C Wing, Building 31, National Institutes of Health, 5000 Rockville Pike, Bethesda, Maryland 20014. The meeting will convene at 9 a.m. each day and will be open to the public, subject to the limitations of available space.

The agenda will include discussion of issues identified in the legislative mandate to the Commission under Pub. L. 93-348 and planning of studies to be undertaken by the Commission.

Requests for information should be directed to Ms. Anne Ballard (301-496-7776), Room 125, Westwood Building, 5333 Westbard Avenue, Bethesda, Maryland 20016.

Dated: April 16, 1975.

MICHAEL S. YESLEY,
Acting Executive Director, National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research.

[FR Doc. 75-10473 Filed 4-21-75; 8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Interstate Land Sales Registration

[Docket No. N-75-289]

CANYON CREST

Notice of Hearing

In the matter of Canyon Crest, OILSR No. O-2782-04-544, Docket No. Y-560.

Pursuant to 15 U.S.C. 1706(e) and 24 CFR 1720.165(b), Notice is hereby given that: 1. The Irvine Company, Albert J. Auer, Vice President, its officers and agents hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. Law 90-448) (15 U.S.C. 1701 et seq.), received an Order

of Suspension issued February 3, 1975, which was sent to the developer pursuant to 15 U.S.C. 1706(e) and 24 CFR 1710.45(b)(2) informing the developer of his failure to comply with the request of the Secretary for documents concerning Canyon Crest located in Orange County, California.

2. The Respondent filed an Answer received February 21, 1975, in response to the Suspension Order.

3. In said Answer the Respondent requested a hearing on the Suspension Order.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(e) and 24 CFR 1720.165(b), it is hereby ordered, That a public hearing for the purpose of taking evidence on the propriety of the Suspension Order will be held before Judge James W. Mast, in Room 7146, Department of HUD, 451 7th Street SW., Washington, D.C., on May 6, 1975 at 10 a.m.

The following time and procedure is applicable to such hearings:

All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C. 20410, on or before April 29, 1975.

6. The Respondent is hereby notified that failure to appear at the above scheduled hearing shall be deemed a default, and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to be true, and the Suspension Order shall be continued in effect.

This notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

By the Secretary.

Dated: March 28, 1975.

JAMES W. MAST,
Administrative Law Judge.

[FR Doc. 75-10496 Filed 4-21-75; 8:45 am]

[Docket No. N-75-290]

LAKE LUCIE GARDENS

Notice of Hearing

In the matter of Lake Lucie Gardens, Docket No. Y-920 OILSR No. O-1693-09-503.

Pursuant to 15 U.S.C. 1706(d) and 24 CFR 1720.160(d), Notice is hereby given that: 1. Lake Lucie Estates, Inc., Frederick T. Hyman, President, its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. Law 90-448) (15 U.S.C. 1701 et seq.), received a Notice of Proceedings and Opportunity for Hearing issued February 27, 1975, which was sent to the developer pursuant to 15 U.S.C. 1706(d), 24 CFR 1710.45(b)(1) and 1720.125 informing the developer of information obtained by the Office of Interstate Land Sales Registration alleging that the Statement of Record and Property Report for Lake Lucie Gardens, located in St. Lucie County, Florida, contain untrue statements of material fact or omit to state material facts required to be stated therein as neces-

sary to make the statements therein not misleading.

2. The Respondent filed an Answer received March 17, 1975 in response to the Notice of Proceedings and Opportunity for Hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Proceedings and Opportunity for Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(d), it is hereby ordered, That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Judge James W. Mast, in Room 7146, Department of HUD, 451 7th Street SW., Washington, D.C., on May 12, 1975, at 10 a.m.

The following time and procedure is applicable to such hearing:

All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C., 20410 on or before May 5, 1975.

6. The Respondent is hereby notified that failure to appear at the above scheduled hearing shall be deemed a default and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to be true, and an order Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45(b)(1).

This notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

By the Secretary.

Dated: April 7, 1975.

JAMES W. MAST,
Administrative Law Judge.

[FR Doc. 75-10497 Filed 4-21-75; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 75-096]

NATIONAL BOATING SAFETY ADVISORY COUNCIL

Open Meeting

This is to give notice in accordance with section 10(a) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. 1) of October 6, 1972 that the National Boating Safety Advisory Council (the Council) will conduct an open meeting on Thursday and Friday, 29-30 May 1975 at the Sheraton-Crest Inn, 111 East First Street, Austin, Texas. The meeting is scheduled to begin at 9 a.m. each day.

The agenda for the Eleventh meeting of the National Boating Safety Advisory Council is as follows:

1. Review of action taken at the tenth meeting of the Council.
2. Discussion and vote on minor amendments to miscellaneous boating construction Standards.
3. Discussion, live demonstration on the effects of proposed Level Flotation Standards,

status report by the Level Flotation Subcommittee and vote for proposed Level Flotation Standards.

4. Vote on proposed changes to labeling requirements for Personal Flotation Devices.

5. Report on research conducted on the problems of effectively ventilating certain types of gasoline powered boats.

6. Vote on proposed regulations to require a persons capacity (in terms of number of persons) to be displayed in addition to persons capacity in pounds on mono-hull boats less than 20 feet in length.

7. Status report on research being conducted concerning navigation lights for recreational boats.

8. Vote on amendment to previously approved Certification of Compliance Regulation.

9. Observation of boat building techniques at the Glastron Boat Company.

10. Presentation on difficulties encountered when titling boats in certain States due to Hull Identification Number Regulation.

11. Explanation of categories of "Designated Associated Equipment" for purpose of Defect Notification under authority of the Federal Boat Safety Act of 1971.

12. Proposal to discontinue display of Visual Storm Signals (Small Craft Warnings, etc.) at certain areas.

13. Explanation of proposed revision of the Numbering and Accident and Casualty Reporting Systems Regulations and vote on concurrence.

14. Member items.

15. Chairman's session.

16. Suggestions for date, place, and thrust of next meeting.

The National Boating Safety Advisory Council was established in 1971 pursuant to section 33 of the Federal Boat Safety Act of 1971 (Pub. L. 92-75, 46 U.S.C. 1451 et seq.). The Coast Guard is required to consult with the Council in determining the need for, and in prescribing, regulations and standards for boats and associated equipment. In addition, the Coast Guard is required to consult with the Council on any other major boating safety matters related to the Act.

Any member of the public who wishes to do so may file a written statement with the Council before or after the meeting, or may present an oral statement with advance notice to the Chairman.

Interested persons may seek additional information or the summary minutes of the meeting by writing to:

Captain David E. Metz, USCG
U.S. Coast Guard (G-BR/TRPT)
Washington, D.C. 20590

or by calling (202) 426-4176.

Dated: April 14, 1975.

JOHN F. THOMPSON,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Boating Safety.

[FR Doc.75-10471 Filed 4-18-75; 8:45 am]

Federal Aviation Administration
AVIATION SAFETY REPORTING
PROGRAM
Establishment

The Federal Aviation Administration (FAA) has established a voluntary program designed to stimulate the free and

unrestricted flow of information concerning deficiencies and discrepancies in the aviation system. This is a positive program intended to ensure the safest possible system by identifying and correcting unsafe conditions before they lead to accidents. The primary objective of the program is to obtain information to evaluate and enhance the safety and efficiency of the present system.

The FAA is convinced that an unrestricted flow of information from those people who use the system on a regular basis is one of the primary ways of monitoring its performance. To ensure receipt of this information, the program provides for the waiver of certain disciplinary actions against persons, including pilots and air traffic controllers, who file timely written reports concerning potentially unsafe incidents which occur after April 30, 1975. To be considered timely, reports must be delivered or post-marked within five days of the incident unless that period is extended for good cause. Reporting forms are being developed and will be available at FAA facilities.

The FAA continues to encourage the reporting of any information which a person believes discloses an unsafe condition in the National Air Transportation System. This program, however, will initially apply to that part of the System involving the safety of aircraft operations, including departure, en route, approach and landing operations and procedures, air traffic control procedures, pilot/controller communications, the aircraft movement area of the airport, and near mid-air collisions. Pilots, air traffic controllers, and all other members of the aviation community and the general public are asked to file written reports of any discrepancy or deficiency noted in these areas.

Violation reporting may be discouraged because of a fear of FAA disciplinary action against others involved in that violation. Accordingly, if any person involved in a violation of Federal Aviation Regulations or FAA directives covered by this program files a timely report of that violation to the FAA, the Administrator will waive the taking of disciplinary action against any person involved in that violation except with respect to reckless operations, criminal offenses, gross negligence, willful misconduct, and accidents.

The report should give the date, time, location, persons and aircraft involved (if applicable), nature of the event, and all pertinent details. It should be submitted to FAA Headquarters, Regional Offices, or Air Traffic, Flight Standards or Airports Facilities.

Previous experience under an FAA near mid-air collision reporting program indicated that the willingness of persons to submit a report depends to a large degree on the FAA's ability to preserve the anonymity of persons filing reports and persons named in those reports. The FAA will do so upon written request to the fullest extent permitted by law.

The program will be constantly monitored to determine its effectiveness and will be clarified, modified, or expanded as necessary. All interested persons are invited to submit comments or suggestions on the program. Submissions should be addressed to the Associate Administrator for Safety, Federal Aviation Administration, Washington, D.C. 20591. In addition, the aviation community will be invited to participate on a continuing basis. Periodic meetings will be scheduled with interested aviation groups who use the system to obtain their views on the effectiveness of the program and changes needed to accomplish its purpose.

This program applies to incidents which occur after April 30, 1975, and is adopted under the authority of sections 305, 307(c), 312(c), 313(a), 601(a), 701(a) and 1104 of the Federal Aviation Act of 1958 (49 U.S.C. 1346, 1348(c), 1353(c), 1354(a), 1321(a), 1441(a), and 1504), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C. on April 18, 1975.

JAMES E. DOW,
Acting Administrator.

[FR Doc.75-10593 Filed 4-21-75; 8:45 am]

National Highway Traffic Safety
Administration

[Docket No. EX 75-8; Notice No. 2]

KOEHRING CO.

Petition for Temporary Exemption From
Federal Motor Vehicle Safety Standard

The National Highway Traffic Safety Administration has decided to grant Koehring Company an exemption until June 1, 1975 from Motor Vehicle Safety Standard No. 121, Air Brake Systems, 49 CFR 571.121, on grounds of substantial economic hardship.

Notice of Koehring's petition for temporary exemption was published on February 13, 1975 (40 FR 6702) and an opportunity afforded for comment.

In 1974 Koehring manufactured 362 vehicles that are considered "motor vehicles" under the National Traffic and Motor Vehicle Safety Act of 1966. These are trucks, primarily hydraulic excavators and crane carriers manufactured by its Bantam Division. The company requested an exemption until December 1, 1976. It "has been aggressively seeking suppliers for the axles required to meet FMVSS-121 without success since the fall of 1973." The cause of the delay was alleged to be the concentrated effort of suppliers on high volume items rather than on specialized low-production equipment. The company believes that axles for its hydraulic excavators will be delivered by September 1, 1975, and for its 18-ton cranes a year later. The exemption period requested would allow Koehring also to conduct customary testing after initial delivery of the axles to insure that production models fully conform and that no defects exist. Denial of the exemption would cause the

company substantial economic hardship in that it would have to cease production of the vehicles concerned until conforming parts were available. In the interim the demand for such specialized vehicles might be met by the company's competition. The denial would also result in a lay-off of Koehring workers causing "great hardship on the Bantam Division employees and on the small community of Waverly, Iowa where Bantam Division is located".

Two comments were received in response to the notice. The Mayor of Waverly, Iowa, supported the petition. Oshkosh Truck Corporation opposed it. Oshkosh stated that it "has not experienced difficulties in preparing for compliance with Standard No. 121." It has offered to supply Koehring Company with specialized equipment necessary to comply with the standard and accordingly recommended that Koehring's petition be denied. It argued that an exemption "would lead to gross inequities which would severely penalize those truck manufacturers who have invested considerable development funds and are prepared to meet the law as it becomes effective."

Koehring, though its volume is limited, is a corporation with considerable financial resources. Its net income in 1973 exceeded \$10,000,000. In 1972, Public Law 92-548 expanded the eligibility for application on hardship grounds, from an annual production of not more than 500 motor vehicles to not more than 10,000, a 20-fold increase. This constituted a recognition that there might in the future be occasions where manufacturers of moderate production would also suffer hardships in meeting the Federal standards. Such manufacturers would suffer economic disruption and uncertainty in the event of a shutdown of facilities during the period before conforming vehicles could be produced. The denial of the exemption would evidently also affect the economic well-being of the community of Waverly, Iowa. Therefore, the Administrator has decided to grant Koehring an exemption, but because of the apparent ability of Oshkosh to supply it with complying parts, to restrict the exemption period to the period before June 1, 1975.

For the reasons discussed above, NHTSA finds that a temporary exemption is consistent with the public interest and the objectives of the Traffic Safety Act. Koehring Company is hereby granted NHTSA Temporary Exemption No. 75-8 from Motor Vehicle Safety Standard No. 121, Air Brake Systems, 49 CFR 571.121, expiring June 1, 1975.

(Sec. 3, Pub. L. 92-548, 86 Stat. 1159 (15 U.S.C. 1410); delegation of authority at 49 CFR 1.51)

Issued on April 17, 1975.

JAMES B. GREGORY,
Administrator.

[FR Doc. 75-10620 Filed 4-21-75; 8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-389]

FLORIDA POWER & LIGHT CO. (ST. LUCIE NUCLEAR POWER PLANT, UNIT 2)

Availability of Partial Initial Decision of the Atomic Safety and Licensing Board

Pursuant to the National Environmental Policy Act of 1969 and the Commission's regulations in 10 CFR Part 51, notice is hereby given that a Partial Initial Decision dated March 4, 1975, by the Atomic Safety and Licensing Board in the above-captioned proceeding relating to environmental and site suitability matters is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C. and the Indian River Junior College Library, 3209 Virginia Avenue, Ft. Pierce, Florida.

The Partial Initial Decision is also being made available at the Bureau of Intergovernmental Relations, 725 S. Bronough Street, Tallahassee, Florida and the South Florida Regional Planning Council, 1515 NW. 167th Street, Miami, Florida.

Based on the record developed in the public hearing in the above-captioned matter, the Partial Initial Decision (at p. 96-97) modifies the Final Environmental Statement prepared by the Commission's staff relating to construction of the St. Lucie Nuclear Power Plant, Unit 2 to (1) correct population data (p. 59, ¶80); (2) include testimony related to alternate ultimate heat sink methods (p. 87, ¶117), and (3) include testimony related to not listing of isotopes of less than 5×10^{-6} Ci/yr due to negligible biological effects. (p. 11, ¶17.)

Pursuant to the provisions of 10 CFR Part 51, the Final Environmental Statement is deemed modified to the extent that the Findings and Conclusions contained in the Partial Initial Decision differ from those contained in the Final Environmental Statement. As required by 10 CFR Part 51, a copy of the Partial Initial Decision, which modified the Final Environmental Statement, has been transmitted to the Council on Environmental Quality, the Environmental Protection Agency, and other interested agencies and persons.

Single copies of the Partial Initial Decision and the Final Environmental Statement may be obtained by request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Rockville, Maryland this 16th day of April, 1975.

For the Nuclear Regulatory Commission.

WM. H. REGAN, JR.,
Chief, Environmental Projects
Branch 4, Division of Reactor
Licensing.

[FR Doc. 75-10435 Filed 4-21-75; 8:45 am]

[Docket No. STN 50-531]

GENERAL ELECTRIC CO.

Receipt of a Standard Safety Analysis Report

General Electric Co. has filed with the Nuclear Regulatory Commission (the Commission) the 251 General Electric Standard Safety Analysis Report (GESSAR 251), which was docketed on February 14, 1975. The GESSAR 251 application was filed in response to Option 1 (Reference System) of the Commission's standardization policy for nuclear power plants issued on March 5, 1973, and pursuant to Appendix 0 to 10 CFR Part 50.

GESSAR 251 was tendered on September 3, 1974. Following an acceptance review for completeness, it was concluded on October 18, 1974, that GESSAR 251 was not sufficiently complete for the staff to initiate a detailed review. Additional information was submitted by letters dated December 13, 1974, and January 31, 1975, and GESSAR 251 was found to be acceptable for docketing. Docket No. STN 50-531 has been assigned to GESSAR 251 and should be referenced in any correspondence relating thereto.

Under the "Reference System" option, an entire facility design or major fractions of it can be identified as a standard design to be used in multiple applications. GESSAR 251 describes and analyzes a standard nuclear steam supply system (NSSS) for a boiling water reactor (BWR) using a 251 inch inside diameter reactor vessel and at a design power rating of 3800 megawatts thermal.

GESSAR 251 is similar to the GESSAR 238 NSSS except for size. The General Electric Company previously filed GESSAR 238 on April 30, 1973. The GESSAR 238 application covered a broader scope of supply than GESSAR 251. That application contained the safety information for a nuclear island which included an NSSS with a rating of 3579 megawatts thermal.

When its review of GESSAR 251 is complete, the Commission's Division of Reactor Licensing (staff) will publish a Safety Evaluation Report (SER) documenting the results of the review. Moreover, GESSAR 251 will be referred to the Advisory Committee on Reactor Safeguards (ACRS) for its review and a report thereon. Copies of the SER and the ACRS report will be made available to the public. A notice relating to the availability of these documents will be published in the FEDERAL REGISTER.

All interested persons who desire to submit written comments for consideration by the staff and ACRS during their review of GESSAR 251 should send them to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section by June 23, 1975.

A copy of GESSAR 251 is available for public inspection at the Commission's Public Document Room, 1717 H Street.

NW., Washington, D.C. 20555. When available, the SER and the ACRS report will also be made available for public inspection at the above location.

Dated at Bethesda, Maryland this 16th day of April 1975.

For the Nuclear Regulatory Commission.

SPOTTSWOOD B. BURWELL,
Acting Chief, Light Water Reactors Projects Branch 2-1,
Division of Reactor Licensing.

[FR Doc.75-10436 Filed 4-21-75; 8:45 am]

[Docket No. 50-321]

GEORGIA POWER CO. AND OGLETHORPE ELECTRIC MEMBERSHIP CORP.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 10 to Facility Operating License No. DPR-57 issued to Georgia Power Co. and Oglethorpe Electric Membership Corp. which revised Technical Specifications for operation of the Edwin I. Hatch Nuclear Plant, Unit 1, located in Appling County, Georgia. The amendment is effective as of its date of issuance.

The amendment permits modification to the Technical Specifications to allow an increase in the maximum average planar linear heat generation.

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 required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Notice of proposed Issuance of Amendment to Facility Operating License in connection with this action was published in the FEDERAL REGISTER on March 17, 1975 (40 FR 12163). 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 January 28, 1975, (2) Amendment No. 10 to License No. DPR-57, with Change No. 10, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Appling County Public Library, Parker Street, Baxley, Georgia 31513.

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, April 17, 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors
Branch No. 3, Division of
Reactor Licensing.

[FR Doc.75-10446 Filed 4-21-75; 8:45 am]

CIVIL AERONAUTICS BOARD

[Docket 27698; Order 75-4-66]

INCREASED JOINT FREIGHT RATES BETWEEN UNITED STATES AND CANADA

Correction

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 3rd day of April 1975.

Ordering paragraph 3 on page 2 of Order 75-4-66¹ should read as follows: "3. This order shall be submitted to the President¹ and shall become effective April 15, 1975."

Dated: April 17, 1975.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-10481 Filed 4-21-75; 8:45 am]

[Docket No. 27155]

KIMBERLIN AIR FREIGHT CORP.

Enforcement Proceeding; Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled matter is assigned to be held on May 20, 1975, at 10 a.m. (local time) in Room 503, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Administrative Law Judge Arthur S. Present.

Dated at Washington, D.C., April 17, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.75-10480 Filed 4-21-75; 8:45 am]

[Docket 27564; Docket 27416; Order 75-4-60]

ALLEGHENY AIRLINES, INC. ET AL.

Discount and Excursion Fares

Correction

In FR Doc. 75-9910, appearing at page 17068, in the issue for Wednesday, April 16, 1975, make the following changes:

1. A first paragraph, which was inadvertently omitted, should be added to read:

"Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of April, 1975."

2. On page 17068, in the third column, paragraph 3, and the following paragraph should read as follows:

"3. Copies of this order be served upon all parties in Dockets 27564 and 27416.

"This order will be published in the FEDERAL REGISTER."

¹ Published at 40 FR (17195), April 17, 1975.

[Docket 27727; Order 75-4-57]

PROPOSED INCREASED JOINT FREIGHT RATES

**Order of Suspension and Investigation
Correction**

In FR Doc. 75-9913, appearing at page 17069, in the issue for Wednesday, April 16, 1975, a first paragraph, which was inadvertently omitted, should be added to read:

"Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of April, 1975."

[Docket 22859; Order 75-4-58]

PROPOSED INCREASED JOINT FREIGHT RATES

**Domestic Air Freight Rate Investigation;
Order of Suspension**

Correction

In FR Doc. 75-9912, appearing at page 17069, in the issue for Wednesday, April 16, 1975, a first paragraph, which was inadvertently omitted, should be added to read:

"Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of April, 1975."

COMMISSION ON CIVIL RIGHTS

COLORADO 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 Colorado State Advisory Committee (SAC) to this Commission will convene at 4 p.m. on May 9, 1975, at the Federal Building, Room 2330, 1961 Stout, Denver 80202.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Mountain States Regional Office of the Commission, Room 216, 1726 Champa Street, Denver, Colorado 80202.

The purpose of this meeting is to review activities related to the medical/legal access project and prepare for the public conference on the subject scheduled for May 10th.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C. April 16, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee
Management Officer.

[FR Doc.75-10438 Filed 4-21-75; 8:45 am]

CONNECTICUT 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 Connecticut State Advisory Committee (SAC) to

this Commission will convene at 7:30 p.m., on May 20, 1975, at the Holiday Inn, 900 E Main Street, Meriden, Connecticut 06450.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Northeastern Regional Office of the Commission, Room 1639, 26 Federal Plaza, New York, New York 10007.

The purpose of this meeting is to discuss current projects and rechartering of Advisory Committee.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., April 17, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee
Management Officer.

[FR Doc.75-10439 Filed 4-21-75; 8:45 am]

MAINE 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 Maine State Advisory Committee (SAC) to this Commission will convene at 7:30 p.m. on June 4, 1975, at Maine Teachers Association, 35 Community Drive, Augusta, Maine.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Northeastern Regional Office of the Commission, Room 1639, 26 Federal Plaza, New York, New York 10007.

The purpose of this meeting is to discuss Franco American Project.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C. April 18, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee
Management Officer.

[FR Doc.75-10440 Filed 4-21-75; 8:46 am]

NEW YORK 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 New York State Advisory Committee (SAC) to this Commission will convene at 4:30 p.m., on May 15, 1975, at the Federal Building, 26 Federal Plaza, New York, New York 10007.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Northeastern Regional Office of the Commission, Room 1639, 26 Federal Plaza, New York, New York 10007.

The purpose of this meeting is to discuss public employment subcommittee. To follow-up on Poughkeepsie hearing and discuss plans for future.

This meeting will be conducted pur-

suant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., April 17, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee,
Management Officer.

[FR Doc.75-10441 Filed 4-21-75; 8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

SWIMMING POOL SLIDES

Acceptance of Offer To Develop Safety Standard; Summary of Terms of Acceptance

Correction

In FR Doc. 75-1881 appearing at page 3331, in the issue for Tuesday, January 21, 1975, the development period deadline for a recommended standard was computed in error. On page 3332, in the second column, third full paragraph, the first sentence should read as follows:

"The Consumer Product Safety Act specifies in section 7(b) (15 U.S.C. 2056 (b)) that the period in which a recommended standard is to be developed shall end 150 days after publication in the FEDERAL REGISTER of a notice inviting any person to submit an offer to develop a proposed standard which in this case is March 23, 1975."

ENVIRONMENTAL PROTECTION AGENCY

[FRL 359-8]

STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES OF AIR POLLUTION

Opacity Provisions; Request for Public Comment

The opacity standards of performance for new stationary sources of air pollution have been the subject of litigation in *Portland Cement Assn. v. Ruckelshaus*, 486 F. 2d 375 (C.A.D.C. 1973), and *National Asphalt Pavement Assn., et al. v. EPA*, No. 74-1332 and No. 74-1388 (C.A.D.C.). In response to the remand in the Portland case, EPA promulgated changes to 40 CFR 60.11 and to Reference Method 9 of Appendix A on November 12, 1974 (39 FR 39872). In connection with the National Asphalt Pavement Assn. (NAPA) case, after having made these amendments and submitted the response to the Portland remand, EPA undertook a reevaluation of the opacity standard of performance for new asphalt concrete plants, 40 CFR 60.92(a)(2), and determined that the standard should remain in effect without amendment. A report, dated November 1974, reflecting the Agency's reevaluation was made available for public reading on January 3, 1975 (40 FR 831).

At the time both of these actions were taken, the Agency determined that it had valid and legally sufficient reasons for not requesting public comment. In response to briefs filed by petitioners in

the NAPA case, however, EPA is, by this notice requesting public comment on those actions.

Specifically, all interested persons are invited to submit their written comments on the amendments to 40 CFR 60.11 and to Reference Method 9 of Appendix A, which were published on November 12, 1974 (39 FR 39872). Comments are also solicited with respect to the report entitled "Reevaluation of Opacity Standard of Performance for New Asphalt Concrete Plants," which is published in full below. The report here published has been updated to reflect the completion of a study which was discussed as incomplete at the time of preparation of the report and to correct a minor calculation error. In all other respects, this report is identical to that made available pursuant to the January 3, 1975, notice.

All interested persons are invited to submit their comments to the Emission Standards and Engineering Division, Environmental Protection Agency, Research Triangle Park, N.C. 27711, Attention: Mr. Don R. Goodwin. In order to be adequately considered, all comments should be received by the Agency not later than 45 days after the date of this notice. Comments received will be available for public inspection during normal working hours at the Office of Public Affairs, 401 M Street, S.W., Washington, D.C. 20460.

The standards and regulations to which this comment period applies will remain in effect during this evaluation.

REEVALUATION OF OPACITY STANDARD OF PERFORMANCE FOR ASPHALT CONCRETE PLANTS

This report discusses the opacity standard applicable to new asphalt concrete plants [40 CFR 60.92(a)(2)]. On June 29, 1973, the U.S. Court of Appeals for the District of Columbia Circuit remanded to EPA the new source performance standards for portland cement plants (40 CFR 60.62) promulgated by EPA under section 111 of the Clean Air Act (42 U.S.C. 1857c-6) (*Portland Cement Association v. Ruckelshaus*, 486 F.2d 375). One of the issues remanded was the use of opacity standards. On November 12, 1974, EPA responded to the remand (39 FR 39872). Copies of the remand responses are available from the Emission Standards and Engineering Division, Environmental Protection Agency, Research Triangle Park, N.C. 27711, Attention: Mr. Don R. Goodwin.

In the response EPA considered the use of opacity standards and concluded that they are a reliable, inexpensive and useful means of ensuring that control equipment is properly maintained and operated at times when performance tests are not being conducted. EPA also made certain changes to the general provisions and test method for opacity to minimize or eliminate the possibility that a plant which can meet the mass emission or concentration standard applicable to the source and is properly maintained and operated would be in

violation of the applicable opacity standard. EPA is now reevaluating all opacity standards proposed or promulgated under section 111 of the Clean Air Act to determine whether, in view of the conclusions and decisions reached in the Portland Cement remand response, any opacity standard should be revised. This report discusses the results of this reevaluation with respect to the opacity standard for asphalt concrete plants.

The principle revisions to the regulations (40 CFR Part 60, Standards of Performance for New Stationary Sources) which apply to all opacity standards therein are: (a) Revisions were made to Method 9 (the opacity test method) to base compliance on the averaged results of one or more sets of 24 consecutive observations; (b) Method 9 now defines the maximum error associated with each set of opacity observations; and (c) § 60.11(e) was added to provide a generally applicable mechanism for any owner/operator to petition the Administrator to obtain a higher opacity standard for any facility that demonstrates compliance with the mass emission standard concurrent with failure to attain the promulgated opacity standard.

The revision to Method 9 to extend the time over which opacity observations are made (six minutes) was included to require sufficient observations to ensure acceptable accuracy within the maximum average error referenced in Method 9. The use of sets (the average of 24 observations, each taken at 15 second intervals) of opacity data will preclude a single high reading from being cited as a violation. Section 60.11(e) provides accommodation for those source owners and operators who install unusually large diameter stacks or whose source particulate emissions have unusually small mean particle diameters which could cause the opacity of the emissions to be greater than is typical for most other plants in the source category. This provision allows the promulgated opacity standard to be based on typical parameters for well-controlled new installations rather than on the most extreme set of conditions. This provision alone would ensure that no owner of an affected facility would be prejudiced if the facility were not able to meet the current promulgated opacity standard while meeting the mass emission standard. However, EPA is reevaluating the promulgated opacity standard applicable to asphalt concrete plants to determine whether it should be revised upward or downward to minimize the need for petitions by owners or operators for revised opacity standards for their facilities or to avoid an unduly lax standard. EPA has concluded that although the promulgated opacity standard could be made more stringent, such increased stringency could result in the need for some specific opacity standards for specific facilities. Accordingly the standard has not been revised. Bases for this conclusion are presented below.

As discussed in Volume III of the Background Information for New Source Performance Standards (EPA 450/2-74-003), the opacity observations used in the development of the standard were obtained at three asphalt concrete

plants.¹ These plants used high efficiency equipment for control of stack emissions, two plants were equipped with baghouses and a third plant was equipped with a venturi scrubber. Visible emissions observations were made for a total of 15 hours at the three plants. No visible stack emissions were observed at any of these facilities. The summary of these observations is shown by the first three entries in Table 1. Included in Table 1 for comparison are the results of an extensive evaluation of the functional relationship (Figure 1) between mass emissions and opacity using EPA Method 5 to determine the mass emissions and a transmissometer to measure opacity.² These data show that the former three facilities, which had mass emissions below the mass standard, had no visible emissions and that the latter facility when operated with mass emissions near the mass standard (90 mg/dscm), would have an average opacity of only six percent.

The opacity standard applicable to asphalt concrete plants has been established at a level (less than 20 percent) such that, taking into account all of the variations in particle size, shape, and stack size encountered by asphalt concrete plants, violation of the opacity standard is indicative of a violation of the mass standard. In fact the data in Figure 1 show that for the facility tested, the mass standard would be exceeded by a factor of four before the facility would be in danger of violating the opacity standard for asphalt concrete plants. This facility had a typical size stack. For facilities with stack diameters larger than 1.4 meters, the factor would be decreased.

The transmissometer data, discussed above, were obtained in a study to develop a functional opacity-mass relationship at an asphalt concrete plant. These data were obtained by installing an in-stack transmissometer to monitor opacity of the source while making concurrent mass measurements. Mass emissions were purposely varied by controlled alterations of the collection device.³ The results of that study are shown in Figure 1. The mass mean diameter (50 percent of the mass associated with particles of this diameter or smaller) of the particles emitted was five to six microns. These data show that the opacity of an asphalt concrete plant's emissions are related to the mass concentration of the emissions and that greater average opacities are closely associated with increased mass emissions (Figure 1). The potential effects upon opacity of variations in particle size, shape, and stack size are discussed below.

While the theory of light scattering predicts variation in the amount of light extinction by a cloud of monodisperse (same size) particles as a function of the particle size, and the light scattering pattern for a nonspherical shaped particle varies significantly with the particle shape, light scattering theory also predicts that for a cloud of polydisperse (different size) particles and for irregular, randomly oriented particles there is an averaging out of these effects.^{4,5}

Particle shape has a significant effect on the angular scattering patterns for a

single particle. However, particle shape has negligible effect on the cumulative angular scattering patterns of a group of irregular particles due to the averaging effects of random particle motion and orientation in space; i.e., the extinction of visible light by randomly oriented nonspherical particles is nearly the same as that for spherical particles of equal volume and similar size distribution, thereby eliminating the effect of particle shape.^{6,7} This averaging effect leaves mean particle size as the principle particle related variable affecting the mass-opacity relationship. Particle size variations and their relatively small effect upon opacity of emissions from asphalt concrete plants are evaluated and discussed below.

The entrained particulate matter in uncontrolled gas streams from asphalt concrete plant dryers ranges up to 100 microns in particle diameter with about 70 percent of the mass associated with particles less than 74 microns diameter and 20 percent associated with particles of less than five microns diameter.^{8,9} Collectors of over 99.9 percent efficiency are necessary to attain the mass emission standard (concentrations below 90 mg/dscm or 0.04 gr/dscf). Control devices with 99.9+ percent efficiency will remove all but the finest particles, hence particulate matter in emissions to the atmosphere will be finer than that of the size distribution entering the control device with some variation in the degree of fineness due to the characteristics of the type control device in use.

The exhaust gases from typical high efficiency control devices contain few particles greater than 40 microns diameter and the majority of the particles are between 0.1 to 10 microns diameter.⁸ The size distribution of the particulate matter emitted by a well-controlled asphalt concrete plant was measured at one plant and projected from inlet particle size distributions of 20 other plants using typical size-efficiency curves (relationships between collection efficiency and particle size) developed for typical control devices used by asphalt concrete plants.^{3,8} The results of these evaluations show that the mass mean diameter of particulate matter from a baghouse control device was measured as five to six microns and from either baghouse or venturi scrubber control devices was calculated to be one to two microns diameter.^{3,7} Thus the maximum variation in mean particle size of emissions that is measured or projected to occur at asphalt concrete plants is within a narrow range (one to six microns) regardless of the type control device used to achieve the mass standard (90 mg/dscm).

Maximum scattering of visible light is acknowledged to be generally caused by particles within the size range of 0.2 to 2 microns diameter.¹⁰ In Figure 23 of a report by Conner and Hodgkinson, this effect is shown.⁹ For asphalt concrete plants (refractive index, m , is approximately 1.4 to 1.6) it is apparent from the figure that the light scattering intensity stabilizes at a particle diameter of about one micron in visible light.⁹ Therefore a stable relationship between

See footnotes at end of document.

light scattering (opacity) and mass emissions will exist for all emissions from asphalt concrete plants where the mean particle size is not less than one micron diameter.

These data and calculations indicate that the mass mean diameter of particles emitted by asphalt concrete plants equipped with baghouses or venturi scrubbers varies only within a narrow range (one to six microns) and this range is outside the region (<1 micron diameter) of maximum light scattering for asphalt concrete plants. Figure 21 of "Optical Properties and Visual Effects of Smoke-Stack Plumes" shows that in the range of the mass standard the effect of the above variation in particle diameter represents about a ± 6 percent variation of opacity.² The effect upon opacity of emissions of this magnitude is accommodated by the tolerance allowed by establishment of the opacity standard at a level well above the equivalent mass standard (Figure 1). The data in Table 1 and Figure 1 show that facilities emitting pollutants at levels in conformance with the mass standard have been observed to have 0 to 6 percent opacity; much less than the opacity limitation (<20 percent) established by EPA. An additional six percent opacity due to the maximum light obscuration effect of atypically small particles at asphalt concrete plants would not be sufficient (12 percent opacity) to exceed the allowable limit. Therefore, variations in opacity attributable to variations in mass mean particle diameter (or variations in particle shape which would affect mass mean diameter) are not sufficiently large to result in violation of the opacity standard for asphalt concrete plants in compliance with the mass emission standard, even for atypical situations.

Variations in particle size and shape alone do not adversely affect the ability of the plant to comply with the opacity standard. Variations in stack sizes used by asphalt concrete plants were also investigated by EPA. Stack diameter affects opacity directly because it governs the path length through which the light is attenuated before it reaches the observer viewing the plume. The larger the diameter of the stack, and therefore of the plume, the more light will be attenuated as it passes through the plume, and the greater will be the opacity of the plume.

Review of available test reports found that stack diameters on asphalt concrete plants ranged from 0.457 m (18 inches) to 3.30 m (130 inches) diameter. Stack diameters of 3.0 meters and greater had a 14 percent frequency of occurrence. Transmissometer data for asphalt concrete plants show that when emissions are controlled to 90 mg/dscm, the average opacity of emissions in a 1.372 meter path length is six percent.³ The average opacity of these emissions in a 3.3 meter diameter stack would be 14 percent. Based on these data it is concluded that the opacity standard should not be changed.

For these reasons we believe that particle size, shape, and stack size considerations do not justify adjusting the opacity standard for asphalt concrete plants. The opacity standard should not

be increased because the data support the conclusion that asphalt concrete plants which achieve the mass emission standard will also achieve the current opacity standard. Nor should the opacity standard be reduced (typical plants will have 0-6 percent opacity) due to the opacity levels which may be encountered at plants with large diameter stacks or atypically small mass mean diameters. Under the promulgated standard, very few (if any) special standards will be required under § 60.11(e) of the revised regulations. However, this provision will account for any extreme circumstances where opacity may fall outside the projected bounds defined by our investigations. No owner or operator of such an atypical facility will be prejudiced as he will be afforded means of relief by petitioning the Administrator for reestablishment of applicable opacity standards in accordance with § 60.11(e).

Primary sources of emissions at asphalt concrete plants include the dryer, aggregate elevators, hot aggregate screens, the mixer, storage bins, and equipment for handling the dust collected by baghouses. The emissions from each of these sources are ducted to a control device for removing the particulate matter prior to venting the gaseous effluent to the atmosphere, usually through a stack. In order to ensure that total particulate emissions to the atmosphere are minimized consistent with " * * * application of the best system of emission reduction * * * " as required under section 111 of the Clean Air Act, EPA believes that it is necessary to require that attention be given to efficiently ducting emissions to the control device; otherwise, particulate emissions escaping the duct system would not be collected. Emissions which escape the ducting system and directly enter the atmosphere without the benefit of any particulate removal are commonly referred to as "fugitive emissions."

Hence standards regulating fugitive emissions are of primary importance in providing effective control of emissions from an asphalt concrete plant. The mass standard applicable to a control device would be meaningless if significant quantities of emissions were allowed to by-pass the particulate removal system. The only effective method of regulating fugitive emissions is by opacity standards since there is currently no feasible way to measure mass emissions that are not constrained within a specific area. EPA has investigated the efficiency of ducting systems at three asphalt concrete plants (Table 2). Fugitive emissions were observed at several points (but not all points) in two of the plants visited and no visible fugitive emissions were observed at any point in the third plant. The fugitive emissions observed at Facility A and Facility D (Table 2) were intermittent and often occurred during periods of operation (start-up, shutdown, or malfunction) specifically excluded from consideration by EPA regulations (38 FR 28566). Each of these plants had several items of equipment that had effective fugitive emission controls (no visible emissions) consistent with the degree of control demonstrated by all equipment

within the third plant (Facility H). The maximum single observation of opacity (Table 2) was 20 percent and the maximum average opacity for any six minute period was 10 percent. Under provisions of the current regulations, compliance with opacity standards will be based on six minute averages. Even though these data indicate that a slightly more restrictive opacity standard could be applied to asphalt concrete plants, EPA believes that the current limit (<20 percent opacity) is adequate to ensure that the facility owner or operator gives proper consideration to design, operation, and maintenance of effective fugitive emission ducting arrangements.

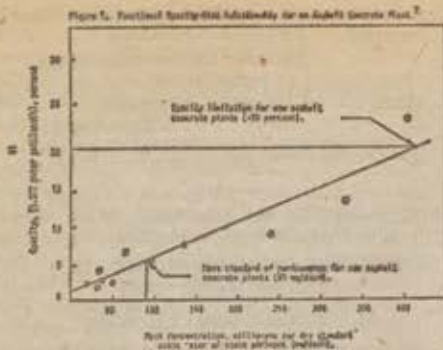
Some questions have arisen as to the validity of using an observer to determine opacity of emissions and the means of determining opacity for plumes containing condensed water vapor. EPA believes that these questions have been adequately answered in the response to remand in *Portland Cement Association v. Ruckelshaus*.

Some confusion also arose in regard to observations of two EPA observers at Facility A. Their observations during a shutdown period did not appear to agree (one observer recorded 0-20 percent opacity and the second recorded 25 percent opacity for what appears to be the same two minute period).⁴

Upon further evaluation of these data, it was determined that the time-keeping equipment of the two observers were not synchronized and that the observations recorded as occurring at the same moment were in fact approximately one to two minutes apart.⁵ EPA has reevaluated these data and has determined that the proper adjustments for this time difference cannot be ascertained.⁶ However, emissions during a shutdown period are known to be highly variable and generally not predictable for many facilities, and at this specific facility one observer who observed emissions every 15 seconds in accordance with Method 9 did record variations of 0-20 percent opacity during this two-minute period. The second observer at the facility did not record observations in accordance with Method 9 (15 second intervals) but did make a few observations at irregular intervals. During the two-minute period in question, the second observer appears to have made one observation of 25 percent opacity.⁷ Therefore, these observations are not necessarily contradictory since it is possible that the second observer's 25 percent observation was made concurrent with the first observer's 20 percent observation, in which case the observed opacities would be in close agreement. However, the inaccuracies in recorded times preclude valid comparisons of these data.

Valid conclusions with regard to the accuracy of Method 9 can only be based upon data developed by a test program under controlled conditions where the circumstances of the tests are planned or at least known. Such a program was conducted by EPA and was extensively discussed in the Portland remand response.

See footnotes at end of document.



Facility	Fugitive emission source	Average ¹ opacity (24 observations)	Maximum ¹ opacity (single observations)
A	Burner end of dryer...	1.25	10
	Hot aggregate screens...	10	20
D	Burner end of dryer...	0	0
	Hot aggregate screens...	0	0
	Baghouse on dust silo...	10	10
H	Burner end of dryer...	0	0
	Hot aggregate screens...	0	0

¹ Based on observations made according to method 9 requirement of reading at 15-sec. intervals. All other observations were omitted.

TABLE 1.—Opacity and mass emissions for asphalt concrete plants

Facility	Control device	Effluent concentration at time of stack test (gr/ft ³ (date of test))	Stack diameter	6-min average opacity (date of observations)	Maximum single observation opacity (date of observations)
A	Baghouse	0.007 (Nov. 15 to 17, 1971)	0.74 by 0.74 m (2 ft 5 in by 2 ft 5 in)	0 (Sept. 7, 1973)	0 (Sept. 7, 1973)
D	do	0.0375 (Oct. 20, 1971)	1.17 m (3 ft 10 in)	0 (Sept. 11, 1973)	0 (Sept. 11, 1973)
H	Venturi scrubber (ΔP=19 in.)	0.0315 (Nov. 4 to 5, 1971)	1.75 m (5 ft 9 in)	0 (Sept. 20, 1973)	0 (Sept. 20, 1973)
Asphalt plant No. 1	Baghouse	0.04	1.372 m (4 ft 6 in)	0 ¹	

¹ Based on transmissometer data concurrent with the reference method 5 period of particulate matter sampling. The averaging period was approximately 1 hr.

REFERENCES

- ¹ Background Information for Proposed New Source Performance Standards: Asphalt Concrete Plants * * * Sewage Treatment Plants, Volume 3, Promulgated Standards, EPA-450/2-74-003 (APTD-1352C), February 1974.
- ² Reisman, E., Gerber, W. D., and N. D. Potter. In-Stack Transmissometer Measurement of Particulate Opacity and Mass Concentration. EPA-650/2-74-120. November 1974, p. 7 and pp. 84-85.
- ³ Conner, W. D., and J. B. Hodgkinson. Optical Properties and Visual Effects of Smoke-Stack Plumes. U.S. Department of Health, Education and Welfare, Cincinnati, Ohio. PHS Publication No. 999-AP-30. 1967.
- ⁴ Ensor, D. S., and M. J. Pilat. Calculation of Smoke Plume Opacity from Particulate Air Pollutant Properties. JAPCA. 21(8):495-501. 1971.
- ⁵ Air Pollution Control Guidelines for Hot Mix Asphalt Plants. A study conducted by the American Air Filter Company, Inc. for the Kentucky Asphalt Association. Undated.
- ⁶ Particulate Pollutant System Study, Volume II—Fine Particle Emissions. Midwest Research Institute. Contract No. CPA 22-69-104. APTD-0744, August 1971, p. 98.
- ⁷ Meyer, J. S., Memorandum to Jack R. Farmer, Subject: Projected Particle Size Distribution for Asphalt Concrete Plants, November 13, 1974.
- ⁸ Meyer, J. S., Memorandum to Jack R. Farmer, Subject: Refractive Index of Particulate Matter from Asphalt Concrete Plants, November 18, 1974.
- ⁹ Trenholm, A. R., Memorandum to James C. Berry, Subject: Trip to Gather Visible Emission Data on an Asphalt Batch Plant, September 27, 1973.
- ¹⁰ Meyer, J. S., Memorandum to Jack R. Farmer, Subject: Review of Fugitive Emission Observations at Two Asphalt Concrete Plants, November 14, 1974.

Dated: April 14, 1975.

ROGER STELOW,
Assistant Administrator
for Air and Waste Management.

[FR Doc.75-10267 Filed 4-31-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 20376]

AMERICAN TELEPHONE AND TELEGRAPH CO.

Charges for Interstate Telephone Service; Correction

The following erratum should be noted in the Commission's Order released March 6, 1975, FCC 75-253, published at 40 FR 12844, establishing the above-captioned docket:

Paragraph 31, lines 4-5, delete "of the release of this Order.", and replace with "of the date of publication in the FEDERAL REGISTER;"

[SEAL] WALTER R. HINCHEMAN,
Chief, Common Carrier Bureau.

[FR Doc.75-10450 Filed 4-21-75;8:45 am]

[Docket Nos. 20425 and 20429; File Nos. BPCT-4663 and 681; FCC 75-391]

CAMELLIA CITY TELECASTERS, INC. AND CAMELLIA CITY TELECASTERS, INC.

Applications; Hearing

1. The Commission has here under consideration (a) the application (BRCT-681) of Camellia City Telecasters, Inc., (Camellia) for renewal of license of television broadcast station KTXL, channel 40, Sacramento, California; (b) the results of a field of investigation by the Commission's staff into allegations that Camellia submitted a false document to the Commission during the course of another proceeding and that Camellia's president had in his possession and failed to disclose to the Commission information contradicting the document alleged to be false; and (c) its Order (FCC 74-849, 48 FCC 2d 995), released August 16,

1974, designating for hearing on various issues including misrepresentation to the Commission the application of Camellia for construction permit for changes in the facilities of Station KTXL-TV (BPCT-4663, Docket No. 20125).

2. In its Order designating the construction permit application of Camellia for hearing, the Commission stated:

If proven, these allegations would cast serious doubts upon Camellia's qualifications to continue to be a licensee of the Commission. Thus, on the basis of the staff investigation, the Commission is of the opinion that this application must be designated for hearing, for reasons set forth below. Furthermore, because it appears unlikely that we will be able to resolve these allegations before we are called to act upon Camellia's next license renewal application,¹ that application will be consolidated with this application by a subsequent order for consideration in the hearing ordered herein. (Footnote omitted).

3. Accordingly, it is ordered, That pursuant to Section 309(e) of the Communications Act of 1934, as amended, the above-captioned application of Camellia City Telecasters, Inc., for renewal of station license, is designated for hearing and consolidated with the current hearing proceeding in Docket No. 20125 upon the issues specified therein.

4. It is further ordered, That the Broadcast Bureau proceed with the initial presentation of evidence with respect to Issues (1) and (3). Camellia City Telecasters, Inc., shall proceed with the initial presentation of evidence with respect to Issue (2). The burden of proof with respect to Issues (1) through (6) is on Camellia City Telecasters, Inc.

Adopted: April 1, 1975.

Released: April 15, 1975.

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

[FR Doc.75-10460 Filed 4-31-75;8:45 am]

EMPIRE BROADCASTING CORP. ET AL.

Notice of Applications, Hearing, and Apparent Liability

[Docket Nos. 20424 etc.; File Nos. BR-1017 etc.]

In re applications of Empire Broadcasting Corporation (KXXL), Bozeman, Montana, Docket No. 20424, File No. BR-1017, for renewal of license; Empire Broadcasting Corporation (KXXL), Bozeman, Montana, Docket No. 20425, File No. BR-13854, for a license to cover changes. Cleo Barkley, et al. (Transfers) and Gary Petersen, et al. (Transfers), Docket No. 20426, File No. BTC-7649, for transfer of control of Empire Broadcasting Corporation, Licensee of Stations KXXL, Bozeman, KFLN, Baker, and KWYS, West Yellowstone, Montana. Kaff Broadcasting Company (Assignor) and Empire Broadcasting Corporation (Assignee), Docket No. 20427, File Nos. BAL-8318 and BALH-2084, for

assignment of license of Station KAFF and KAFF-FM, Flagstaff, Arizona.

1. The Commission has before it for consideration (a) the captioned applications and (b) its inquiries into the operation by Empire Broadcasting Corporation (Empire) of Radio Station KXXL, Bozeman, Montana.

2. Information before the Commission raises serious questions as to whether the captioned applicant possesses the requisite qualifications to be or to remain a licensee of the captioned stations. In view of these questions, the Commission is unable to find that a grant of the renewal application, the application for a license to cover changes, the application for transfer of control, or the applications for assignment of license of KAFF and KAFF-FM to Empire would serve the public interest, convenience and necessity, and must, therefore, designate the applications for hearing.

3. Accordingly, it is ordered, That the captioned applications for renewal, assignment, and transfer are designated for hearing in a consolidated proceeding pursuant to section 309(e) of the Communications Act of 1934, as amended, and it is further ordered, That the application for a license to cover changes authorized by a construction permit (BP-19,475) is designated for hearing in the same consolidated proceeding pursuant to section 319(c) of the Communications Act, at a time and place specified in a subsequent Order, upon the following issues:

(a) To determine whether, and, if so, the extent to which the applicant engaged in fraudulent billing practices or failed to exercise reasonable diligence to see that its agents and/or employees did not engage in fraudulent billing practices in the operation of Station KXXL, in violation of § 73.1205 of the Commission's rules; and

(b) To determine whether, in the light of evidence adduced under the foregoing issue, Empire possesses the requisite qualifications to be, or to remain a licensee of the Commission, to hold a license to cover changes in the KXXL technical facilities, to be granted the application for transfer of control of Empire, to be granted assignment of the licenses of KAFF and KAFF-FM, Flagstaff, Arizona, and whether a grant of any of the captioned applications would serve the public interest, convenience and necessity.

4. It is further ordered, That if it is determined that the hearing record does not warrant an order denying the captioned application for renewal, it shall also be determined whether the applicant has willfully violated Section 73.1205 of the Commission's Rules,¹ and, if so, whether an Order of Forfeiture pursuant to Section 503(b) of the Communications Act of 1934, as amended, in the amount of \$10,000 or some lesser amount should be issued for violations which occurred within one year preceding the issuance of the Bill of Particulars in this matter.

5. It is further ordered, That this document constitutes a Notice of Apparent

¹ See Bill of Particulars for specific dates and details of each alleged violation.

Liability for forfeiture for violations of the Commission's Rules set out in the preceding paragraph. The Commission has determined that, in every case designated for hearing involving revocation or denial of renewal of license for alleged violations which also come within the purview of Section 503(b) of the Act, it shall, as a matter of course, include this forfeiture notice so as to maintain the fullest possible flexibility of action. Since the procedure is thus a routine or standard one, we stress that inclusion of this Notice is not to be taken as in any way indicating what the initial or final disposition of the case should be; that judgment is, of course, to be made on the facts of each case.

6. It is further ordered, That the Chief of the Broadcast Bureau is directed to serve upon the captioned applicants within thirty (30) days of the release of this Order, a Bill of Particulars with respect to issue (a).

7. It is further ordered, That the Broadcast Bureau proceed with the initial presentation of the evidence with respect to issue (a), and Empire, pursuant to Section 309(e) of the Act, then proceed with its evidence and have the burden of establishing that it possesses the requisite qualifications to be and to remain a licensee of Station KXXL, and that a grant of the foregoing application, the application for transfer of control of Empire, and the applications for assignment of license of KAFF and KAFF-FM would serve the public interest, convenience, and necessity. It is further ordered, That with respect to the application for a license to cover changes in the KXXL facilities authorized by a construction permit (BP-19,475), the Broadcast Bureau, pursuant to Section 319(c) of the Act, shall have the burden of proceeding with the presentation of the evidence, if any, and the burden of proving that there are causes or circumstances, if any, arising or first coming to the knowledge of the Commission since the granting of the construction permit, which would in the judgment of the Commission make the operation of such station against the public interest.

8. It is further ordered, That to avail itself of the opportunity to be heard, the applicant, pursuant to Section 1.221 (c) of the Commission's Rules, in person or by attorney, shall, within twenty (20) days of the mailing of this Order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

9. It is further ordered, That the applicant herein, pursuant to section 311 (a) (2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, shall give notice of the hearing within the time and in the manner prescribed in such rule and shall advise the Commission thereof as required by § 1.594 (g) of the rules.

10. It is further ordered, That the Secretary of the Commission send a copy of this Order by Certified Mail—Return Receipt Requested to Empire Broadcast-

ing Corporation and KAFF Broadcasting Company.

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

[FR Doc. 75-10461 Filed 4-21-75; 8:45 am]

[PCC 75-252; Docket Nos. 20224, 20225; File Nos. 7334-C2-P-72, 5053-C2-P-72]

**HOUSTON MOBILFONE, INC. AND
ELECTRODYNE, INC.**

Applications; Stay of Hearing

In the matter of Houston Mobilfone, Inc., Willis, Texas, Docket No. 20224; File No. 7334-C2-P-72, and Electrodyne, Inc., Conroe, Texas, Docket No. 20225; File No. 5053-C2-P-72, for construction permits to establish new facilities in the Domestic Public Land Mobile Radio Service (39 FR 41765).

1. Before the Commission for consideration is a request for a stay filed on February 13, 1975,¹ and a request for urgent action filed on March 20, 1975 by Houston Mobilfone, Inc. An opposition to the request for stay was filed on February 24, 1975, by Electrodyne, Inc.

2. Houston Mobilfone requests that the hearing in this proceeding, presently scheduled to commence on April 22, 1975, and all procedural dates scheduled in connection therewith, be stayed pending the Commission's disposition of a petition for reconsideration and other relief filed by Houston Mobilfone on December 26, 1974. Oppositions to the petition for reconsideration were filed on December 31, 1974, by Electrodyne, Inc., and on January 10, 1975, by the Chief of the Common Carrier Bureau. In addition, Electrodyne, Inc. filed a request for a declaratory ruling on December 31, 1974 and responsive pleadings have been filed to this request.

3. The parties have raised a number of issues in their several pleadings which we believe should be considered and resolved before the commencement of the hearing in this proceeding and additional time is needed by the Commission to review the pleadings filed. A stay of the hearing will therefore be directed pending further order of the Commission. Our action in staying the hearing, however, should not be construed as any indication of our ultimate disposition of the requests now under consideration.

4. Accordingly, it is ordered, That the hearing in this proceeding and all procedural dates established in connection therewith are stayed pending further order of the Commission.

Adopted: March 25, 1975.

Released: April, 1975.

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

[FR Doc. 75-10462 Filed 4-21-75; 8:45 am]

¹ An Errata was filed on March 19, 1975.

* Commissioner Hooks absent.

**FEDERAL ENERGY
ADMINISTRATION**
**ALLOCATION OF PETROLEUM IMPORTS
FROM CANADA**

**Notice of Hearing and Request for
Comments**

In light of the announcement by the Canadian Government of its intention to phase out exports of crude oil and other refinery feedstocks to the United States, the Federal Energy Administration is considering the adoption of a regulation under the authority of the Emergency Petroleum Allocation Act of 1973 for a program to allocate exports of crude oil and other refinery feedstocks from Canada among domestic refiners.

Background. Presently the United States does not impose any quantitative restriction or allocation requirements on imports of crude oil from Canada. Nevertheless, since Canada utilizes the fee-exempt licenses issued under the United States Mandatory Oil Import Program as a basis for issuing export licenses, United States refiners which have fee-exempt licenses under the program are entitled to import Canadian crude oil in relative proportion to their historic Canadian imports. This system has proven adequate as long as exports of Canadian crude were sufficient to meet demands from United States refiners who have historically run Canadian crude. However, in view of Canada's announced intention to phase out crude oil exports to the United States, FEA believes that a new program, administered by FEA, may be necessary for allocating available Canadian imports. Any such allocation would only be an interim solution to the problem of supplying feedstock to refiners if Canada carries out its announced intention to phase out exports to the United States completely by 1983.

Subject of Written Comments and Public Hearing. In order to evaluate adequately the formulation of a program for the allocation of Canadian crude oil, FEA desires, through a public hearing and submission of written comments, to obtain public and industry views concerning the necessity for and provisions of an appropriate allocation program. Among the issues FEA would like persons commenting or presenting statements to address are the following:

1. The present degree of dependence of individual refiners and other industrial establishments on crude oil and other refinery feedstocks imported from Canada, and the current availability, if any, of alternative feedstock and energy sources.

2. Projected future dependence on Canadian imports, and the plans of such refiners to meet their requirements if Canadian crude becomes unavailable, including estimation of lead times for the completion of alternative supply systems, such as pipelines, deep-water terminal facilities, railroad spurs, and other means of transportation.

3. Costs and practicability of reducing Canadian dependence by various means.

4. Analysis of the markets served by the refiners involved, including access of consumers to alternative supply or energy sources.

Comments on these and other relevant issues will enable FEA to develop an adequate data base for possible development of an allocation system.

Interested persons are invited to participate by submitting data, views, or arguments with respect to the subject matter set forth in this notice to Executive Communications, Room 3309, Federal Energy Administration, Box CT, Washington, D.C. 20461.

Comments should be identified on the outside of the envelope and on documents submitted to FEA Executive Communications with the designation "Allocation of Canadian Imports." Fifteen copies should be submitted. All comments received by Thursday, May 8, and all relevant information, will be considered by the Federal Energy Administration. Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing, one copy only. The FEA reserves the right to determine the confidential status of the information or data and to treat it according to that determination.

The public hearing will be held at 9:30 a.m. on Wednesday, May 14, 1975, and will be continued, if necessary on Thursday, May 15, in Room 2105, 2000 M Street NW., Washington, D.C.

Any person who has an interest in the subject matter or who is a representative of a group or class of persons that has an interest, may make a written request for an opportunity to make oral presentation. Such a request should be directed to Executive Communications, FEA, and must be received before 4:30 p.m., Tuesday, May 6, 1975.

Such a request may be hand delivered to Room 3309, Federal Building, 12th & Pennsylvania Avenue NW., Washington, D.C., between the hours of 8 a.m., and 4:30 p.m., Monday through Friday. The person making the request should be prepared to describe the interest concerned; if appropriate, to state why he is a proper representative of a group or class of persons that has such an interest; and to give a concise summary of the proposed oral presentation and a phone number where he may be contacted through May 12, 1975. Each person selected to be heard will be so notified by the FEA before 4:30 p.m., e.d.t., May 9, 1975, and must submit 100 copies of his statement to Allocations Regulations Development Office, FEA, Room 2214, 2000 M Street NW., Washington, D.C. before 4:30 p.m., e.d.t., on Tuesday, May 13.

The FEA reserves the right to select the persons to be heard at these hearings, to schedule their respective presentations and to establish the procedures governing the conduct of the hearings. The length of each presentation may be limited, based on the number of persons requesting to be heard.

An FEA official will be designated to preside at the hearings. These will not be judicial or evidentiary-type hearings. Questions may be asked only by those

conducting the hearings, and there will be no cross-examination of persons presenting statements. Any decision made by the FEA with respect to the subject matter of the hearings will be based on all information available to the FEA. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he so desires, to make a rebuttal statement. The rebuttal statements will be given in the order in which the initial statements were made and will be subject to time limitations.

Any interested persons may submit questions, to be asked of any person making a statement at the hearings, to Executive Communications, FEA, before 4:30 p.m., e.d.t., May 13, 1975. Any person who wishes to ask a question at the hearings may submit the question, in writing, to the presiding officer. The FEA or the presiding officer, if the question is submitted at the hearings, will determine whether the question is relevant, and whether the time limitations permit it to be presented for answer.

Any further procedural rules needed for the proper conduct of the hearings will be announced by the presiding officer.

A transcript of the hearings will be made and the entire record of the hearings, including the transcript, will be retained by the FEA and made available for inspection at the Administrator's Reception Area, Room 3400, Federal Building, 12th & Pennsylvania Avenue NW., Washington, D.C., between the hours of 8 a.m. and 4:30 p.m., Monday through Friday. Any person may purchase a copy of the transcript from the reporter.

Issued in Washington, D.C. April 18, 1975.

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

[FR Doc. 75-10581 Filed 4-18-75; 3:29 pm]

FEDERAL POWER COMMISSION

[Docket No. RP74-94-3]

ARKANSAS LOUISIANA GAS CO.

Petition for the Transfer of Natural Gas

APRIL 15, 1975.

Take notice that on April 4, 1975, the City of Winfield, Kansas, Electric Department (Petitioner), c/o City Manager, The City of Winfield, Kansas, P.O. Box 646, Winfield, Kansas 67156, filed in Docket No. RP74-94-3 a petition for the transfer of natural gas from a less efficient electric generating plant to a more efficient electric generating plant, all as more fully set forth in the petition, which is on file with the Commission and open to public inspection.

Petitioner requests the Commission to order Arkansas Louisiana Gas Company (Arkla) to transfer deliveries of gas from Petitioner's less efficient Plant No. 1 (Old Plant) at West 14th Street, to the more efficient Plant No. 2 (New Plant) at East 12th Street, in order to save over 1,000 Mcf of gas per day during summertime high electric demands. Petitioner states

that it is requesting this relief with the understanding that it will not alter the priority 4 curtailment status of each power plant.

Petitioner relates the following facts:

(1) Petitioner has two generating plants, as hereinbefore described.

(2) Both plants are served by Arkla through one pipeline, which goes to the edge of the city and at this point is divided and goes to each plant.

(3) Each plant has a priority rating of 4 pursuant to § 2.78 of the Commission's general policy and interpretations (18 CFR 2.78).

(4) The priority status of the plants allows 3,000 Mcf per day of gas to each plant.

(5) Plant No. 1 is quite old with low efficiency producing approximately 172,000 kw of electricity from the 3,000 Mcf allocated to it.

(6) With the same amount of gas at Plant No. 2 approximately 296,000 kw of electric power can be produced.

(7) If Arkla were ordered to transfer deliveries of gas to Plant No. 2 from Plant No. 1, Petitioner could realize a savings of approximately 1,000 Mcf of gas per day.

Petitioner states that at no time would the gas consumption exceed the allotted amount to both plants, with Petitioner having the option to use the gas in the most efficient way. Petitioner further states that Arkla has been contacted several times and will not authorize the transfer of gas.

Petitioner asserts that the citizens of Winfield are aware of the energy conservation programs and that the City's electric demands have decreased in the past year.

Petitioner states that it has an electric interconnection with Kansas Gas and Electric Company and whenever possible purchases coal fired electric generation from Kansas Gas and Electric Company for the purpose of further conserving natural gas. Petitioner alleges that the transfer of gas would help its conservation program.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said petition should on or before April 28, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing

therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10399 Filed 4-21-75;8:45 am]

[Docket No. CS69-46, et al.]

TEXAS CRUDE OIL CO., ET AL.

Applications for "Small Producer" Certificates¹

APRIL 15, 1975.

Take notice that each of the Applicants listed herein has filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before May 9, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where 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 Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

¹ This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No.	Date filed	Applicant
CS69-46.....	Jan. 24, 1975	Texas Crude Oil Co., 2220 Houston Natural Gas Bldg., 1200 Travis, Houston, Tex. 77002.
C875-544....	Mar. 20, 1975	General Crude Oil Co., P.O. Box 2252, Houston, Tex. 77001.
C875-376....	Mar. 20, 1975	W. R. W. Enterprises, 562 South Post Rd., Indianapolis, Ind. 46229.
C875-377.....	do.....	Michael T. Gottlieb, 280 Sierra Dr., Hillsborough, Calif. 94010.
C875-378.....	do.....	Paul M. Candelaria, 103 West 31st St., Farmington, N. Mex. 87401.
C875-379....	Mar. 21, 1975	Benson-Montin-Greer Drilling Corp., 221 Petroleum Center Bldg., Farmington, N. Mex. 87401.
C875-380....	Mar. 13, 1975	Bobcat Oil Co., 450 Denver Club Bldg., Denver, Colo. 80202.
C875-381....	Mar. 24, 1975	EMC Energies, Inc., 835 First National Bank Bldg., Casper, Wyo. 82901.
C875-382....	Mar. 27, 1975	Dunoon Miller, P.O. Box 728, Boulder City, Nev. 89005.
C875-384....	Mar. 28, 1975	Louisiana Crude Oil & Gas Co., Inc., 922 Richards Bldg., New Orleans, La. 70112.
C875-386....	Mar. 31, 1975	William C. Wood, Rural Delivery No. 1, Kittanning, Pa. 16201.
C875-386.....	do.....	William O. McCoy, P.O. Box 1352, Roswell, N. Mex. 88201.
C875-387.....	do.....	Donald R. Candelaria, 517 East Zia, Aztec, N. Mex. 87410.
C875-388.....	do.....	Great Plains Corp., P.O. Box 665, Emporia, Kans. 66801.

¹ Petition to amend to include Applicant's participants and co-owners under Applicant's small producer certificate.

² The application states that on Feb. 11, 1975, General Crude Oil Co., the predecessor in interest to Applicant, was merged by IP Petroleum, Inc., a wholly owned subsidiary of International Paper Co., and IP Petroleum, Inc., as the surviving corporation in the merger, changed its name to General Crude Oil Co. (Applicant herein). As a result of the merger, Applicant states, it has succeeded to all of the rights, privileges and interests in and to all of the properties and other interests of the former General Crude Oil Co.

[FR Doc.75-10304 Filed 4-21-75;8:45 am]

[Docket Nos. E-8855 and E-9037]

BOSTON EDISON CO.

Postponement of Hearing

APRIL 15, 1975.

On April 14, 1975, Staff Counsel filed a motion to extend the hearing date fixed by order issued July 12, 1974, as most recently modified by notice issued April 2, 1975, in the above designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the hearing date in the above matter is postponed until April 24, 1975; at 10 a.m., e.d.t.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10401 Filed 4-21-75;8:45 am]

[Docket No. CP74-62]

COLORADO INTERSTATE GAS CO.
Proposed Changes in FPC Gas Tariff

APRIL 16, 1975.

Take notice that Colorado Interstate Gas Company, a division of Colorado Interstate Corporation (CIG), on March 31, 1975, tendered for filing proposed changes in its FPC Gas Tariff, Second Revised Volume No. 2. CIG states that the purpose of this filing is to make certain revisions to Initial Rate Schedule X-43 consisting of Original Sheet Nos. 262A and 262B. The purpose of these revisions is to expand the "dedicated area". There is no rate or charge associated with the proposed revisions.

Copies of the filing were served upon all parties involved in the exchange.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 2, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
 Secretary.

[FR Doc.75-10402 Filed 4-21-75;8:45 am]

[Docket No. CP74-62]

COLORADO INTERSTATE GAS CO.
Amendment to Application

APRIL 14, 1975.

Take notice that on March 31, 1975, Colorado Interstate Gas Company, a division of Colorado Interstate Corporation (Applicant), P.O. Box 1087, Colorado Springs, Colorado 80944, filed in Docket No. CP74-62 an amendment to its application pending in said docket for a certificate of public convenience and necessity pursuant to Section 7(c) of the Natural Gas Act by requesting authorization to expand the capacity of its Spearhead Ranch meter station, all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

Applicant states that on September 4, 1973, it filed an application in the instant docket requesting authority to operate its Spearhead Ranch meter station and certain existing transmission facilities necessary to effectuate a gas exchange arrangement with Mountain Fuel Supply Company (Mountain Fuel).¹

¹ Applicant states that it originally constructed the meter station allegedly pursuant to certain emergency provisions of the Natural Gas Act in order to measure volumes of natural gas it expected to receive from acreage controlled by Mountain Fuel in the Spearhead Ranch area of eastern Wyoming.

Applicant indicates that it received temporary authority to make this exchange and to operate the meter station on July 10, 1974.

By this filing Applicant requests additional authorization to expand the Spearhead Ranch meter station in order to measure at this facility additional volumes of natural gas Applicant now expects to receive.

Applicant states that the measurement capacity of the Spearhead meter station was designed for an initial average daily production from the Spearhead Ranch area of approximately 8,000 Mcf of gas per day with the capability to measure a maximum of 16,000 Mcf of gas per day. The application states that even though Applicant had anticipated additional production from this area in the near future as a result of Mountain Fuel's exploration plans, the design volume is below what Applicant now expects to receive for measurement at this location. Applicant states the proposed expansion of its meter station is required to measure the additional volumes of gas it has been able to contract for in the Bear Creek Field which were not anticipated in the original design of the Spearhead Ranch meter station.²

Any person desiring to be heard or to make any protest with reference to said amendment should on or before May 1, 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. Persons who have heretofore filed protests, petitions to intervene, or notices of intervention need not file again.

KENNETH F. PLUMB,
 Secretary.

[FR Doc.75-10403 Filed 4-21-75;8:45 am]

[Docket No. E-9367]

COMMONWEALTH EDISON CO.
Filing of Tariff Changes

APRIL 16, 1975.

Take notice that on April 8, 1975, Commonwealth Edison Company (ComEd) tendered for filing proposed charges in the following tariff sheets:

3rd Revised Sheet No. 1A, superseding 2nd Revised Sheet No. 1A
 2nd Revised Sheet No. 1B, superseding 1st Revised Sheet No. 1B.

² Applicant states it has filed an application on February 20, 1975, in Docket No. CP75-240 for authorization to sell and exchange natural gas from the Bear Creek area.

1st Revised Sheet No. 91, cancelling Original Sheet No. 91
 2nd Revised Sheet No. 110, superseding 1st Revised Sheet No. 110
 2nd Revised Sheet No. 112, superseding 1st Revised Sheet No. 112
 2nd Revised Sheet No. 110, superseding 1st Revised Sheet No. 113
 2nd Revised Sheet No. 114, cancelling 1st Revised Sheet No. 114
 2nd Revised Sheet No. 115, cancelling 1st Revised Sheet No. 115
 1st Revised Sheet No. 117, superseding Original Sheet No. 117
 1st Revised Sheet No. 118, superseding Original Sheet No. 118
 1st Revised Sheet No. 119, superseding Original Sheet No. 119
 11th Revised Sheet No. 199, superseding 10th Revised Sheet No. 199

The filing consists of a revised Electric Service Contract between the Village of Winnetka, Illinois and the Company, and a revision of the part of Rate 78 of the Company's FPC Electric Tariff dealing with service to partial requirements customers. Third Revised Sheet No. 1A and 2nd Revised Sheet No. 1B include the proposed revisions in Rate 78. Second Revised Sheets Nos. 110, 112, 113, 114, and 115, and 1st Revised Sheet Nos. 117, 118, and 119 constitute the electric service contract. Also included in the filing is a cancellation of a letter agreement between the Company and the City of Rock Falls.

ComEd states that no change in the charges of Rate 78 are included. ComEd further states that because of the standby characteristic of a portion of the electric supply to the Village of Winnetka, it is not possible to forecast the total annual revenue to be received by ComEd. ComEd does estimate revenue to be derived from the firm component of the supply to be about \$985,000.

ConEd requests an effective date of June 1, 1975 and state that copies of its filing has been served on the City of Rockelle and the Village of Winnetka.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure. All such petitions or protests should be filed on or before April 30, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
 Secretary.

[FR Doc.75-10404 Filed 4-21-75;8:45 am]

[Docket No. CP70-196]

DISTRIGAS CORP.**Extension of Time**

APRIL 15, 1975.

On April 8, 1975, DISTRIGAS Corporation filed a motion to extend the time for fil-

ing evidence fixed by order issued February 28, 1975, in the above-designated matter.

Upon consideration, notice is hereby given that the date for filing updated evidence as required by the above order is extended to and including May 14, 1975. All other procedural dates shall be fixed by the Presiding Administrative Law Judge.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 75-10405 Filed 4-21-75; 8:45 am]

[Docket Nos. RP69-6, et al.]

EL PASO NATURAL GAS CO.

Payment of Refunds

APRIL 16, 1975.

Take notice that by letter dated March 17, 1975, El Paso Natural Gas Company ("El Paso") tendered for filing a Report of Refunds Made on March 3, 1975, to its Southern Division System jurisdictional and non-jurisdictional keyed customers. El Paso states that such refunds were made in compliance with the Commission's letter order issued February 3, 1975, in the captioned dockets and in accordance with the Stipulation and Agreement dated as of May 31, 1973, approved by Commission order issued February 14, 1974, at Docket Nos. RP69-6, et al.

El Paso further states that the refunds made, aggregating \$61,737,711.98, encompass \$50,523,679.23 principal refunds, plus interest thereon of \$11,214,032.75, computed through March 3, 1975, at the interest rates specified by the Commission in each of the docketed proceedings, in conformity with the Stipulation and Agreement dated May 31, 1973, at Docket Nos. RP69-6, et al.

El Paso states that copies of the filing were served on all of El Paso's affected Southern Division System customers and all parties of record to the proceedings at Docket Nos. RP69-6, RP69-20, RP70-11, RP71-13, RP72-150, and RP72-155 and interested state regulatory commissions.

Any person desiring to be heard or to make any protest with reference to this filing should, on or before April 23, 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 of 1.10) and the Regulations Under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by the Commission 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. Copies of this filing

are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 75-10406 Filed 4-21-75; 8:45 am]

[Docket No. CI75-585]

GAS PRODUCING ENTERPRISES, INC.

Application

APRIL 16, 1975.

Take notice that on April 2, 1975, Gas Producing Enterprises, Inc. (Applicant), Five Greenway Plaza East, Houston, Texas 77046, filed in Docket No. CI75-585 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale of natural gas in interstate commerce to Colorado Interstate Gas Company, a division of Colorado Interstate Corporation (CIG), from the Natural Buttes Unit, Uintah County, Utah, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

Applicant states that it has been selling gas from the Natural Buttes Unit in intrastate commerce to Mountain Fuel Supply Company (Mountain Fuel) and that the applicable gas sales contract covering this sale permits the withdrawing of undeveloped acreage on January 1, 1975. Based on this right and other considerations, Applicant states, Applicant, Mountain Fuel and CIG have entered into a joint agreement under which CIG will purchase all of the gas from Applicant at the wellhead, CIG will gather the gas and deliver it to Mountain Fuel, who will transport the gas and deliver all or a portion of the gas to CIG at an agreeable point on CIG's transmission system in Wyoming.

The gas sales agreement between Applicant and CIG provides for the sale of gas from existing wells at two different rates in accordance with two lists of wells that were previously contracted to Mountain Fuel. The price from initial delivery until January 1, 1976, in 19.0122 cents per Mcf for one list of wells and 32.9076 cents per Mcf for the other list of wells. The price for each group of wells escalates 0.9750 cent per Mcf on January 1 of each year until December 31, 1981. Beginning January 1, 1982, according to Applicant, the gas produced by both sets of wells is priced in accordance with the contract provisions for pricing new gas.

The gas purchase agreement further provides that the price to be paid for new gas from the subject acreage shall be the nationwide rate prescribed by § 2.56a of the Commission's General Policy and Interpretations (18 CFR 2.56a). Applicant estimates sales volumes under the requested authorization at 167,500 Mcf per month.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 6, 1975, file with the Federal Power Com-

mission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 75-10407 Filed 4-21-75; 8:45 am]

[Project No. 2467]

PACIFIC GAS AND ELECTRIC CO.

Application for Approval of Revised Exhibits K and R

APRIL 16, 1975.

Public notice is hereby given that application was filed on December 14, 1970, superseded on April 3, 1972, and supplemented on February 20 and March 28, 1975, under the Federal Power Act (16 U.S.C. 791a-825r) by Pacific Gas and Electric Company, Applicant (correspondence to: Mr. W. M. Gallavan, Vice President, Rates and Valuation, Pacific Gas and Electric Company, 77 Beale Street, San Francisco, California 94106), for Commission approval of Exhibits K and R for the constructed Merced Falls Project No. 2467 on the Merced River in Merced and Mariposa Counties, California.

Applicant's revised Exhibit R, filed pursuant to Article 39 of the license for Merced Falls Project, consists of two drawings and a recreational use plan. Exhibit R designates .52 acre of project land, affording approximately 100 feet of reservoir shoreline, as suitable for recreational use. This area, referred to as the "Rivers Edge" site, provides fishing access for day use and is inside the protective boom guarding the dam spillway and intake. Applicant proposes to develop

the site by the addition of a parking area, sanitary facilities, drinking water, and landscaping.

The revised Exhibit K, filed pursuant to Article 2 of the proposed license, is a drawing showing a decrease in the project area. A portion of submerged acreage was given up due to the construction of the McSwain Development of Project 2179 approximately one mile upstream from Merced Falls dam.

Any person desiring to be heard or to make protest with reference to said application should on or before May 27, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10408 Filed 4-21-75; 8:45 am]

[Docket No. CI75-584]

PHILLIPS PETROLEUM CO.

Application

APRIL 16, 1975.

Take notice that on April 2, 1975, Phillips Petroleum Company (Applicant), Bartlesville, Oklahoma 74004, filed in Docket No. CI75-584 an application for a certificate of public convenience and necessity pursuant to Section 7(c) of the Natural Gas Act authorizing Applicant to exchange natural gas with Panhandle Eastern Pipe Line Company (Panhandle) in Colorado and Texas, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

The application states that Applicant and Panhandle have entered into a gas exchange agreement dated November 5, 1974, pursuant to which Panhandle will deliver raw gas to Applicant at its Weld Plant and at the wellhead of certain wells in Weld County, Colorado, and Applicant will redeliver thermally equivalent volumes to Panhandle on Panhandle's pipeline in Moore and Hemphill Counties, Texas.

Applicant further states that Applicant and Panhandle will establish a gas exchange account consisting of a tabulation of the thermally equivalent volumes delivered, and that any imbalance in the account during any month will, insofar as feasible, be balanced during the next succeeding month.

According to the application, Panhandle will pay Applicant 8½ cents per Mcf for gathering and compressing low pressure casinghead volumes and Appli-

cant will pay Panhandle's average gas purchase cost for shrinkage attributable to raw gas volumes delivered by Panhandle to Applicant at the Weld County, Colorado, delivery points.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 6, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10409 Filed 4-21-75; 8:45 am]

[Docket Nos. RP73-64, PGA75-3A]

SOUTHERN NATURAL GAS CO.

Proposed Changes in FPC Gas Tariff

APRIL 16, 1975.

Take notice that Southern Natural Gas Company (Southern) on April 11, 1975, tendered for filing proposed changes in its FPC Gas Tariff, Sixth Revised Volume No. 1, to be effective March 1, 1975. Southern states that such filing is pursuant to and in compliance with Ordering Paragraph (A) of the Commission's order of March 31, 1975 accepting in part Southern's proposed Purchased Gas Adjustment (PGA) increase previously filed on February 21, 1975.

The Commission's order of March 31, 1975 permitted the PGA increase filed February 21, 1975 to become effective March 1, 1975 "subject to the condition that Southern redistribute the production costs associated with the qualified production to the base cost of purchased gas for the purposes of its purchased gas cost adjustment." The Commission further stated that "within 15 days of the

issuance of this order, Southern shall file the recomputation of its base cost of purchased gas and appropriate revisions to its tariff sheet consistent with its revised base cost of purchased gas."

Southern's instant filing complies with the Commission's aforementioned order, according to Southern, and results in a .613¢ per Mcf decrease in Southern's commodity and one-part rates to be effective March 1, 1975, of which .194¢ per Mcf is attributable to the Current Adjustment and .437¢ per Mcf is attributable to the Surcharge Adjustment.

Consistent with the intent of the Commission's order, Southern is incorporating changes in its PGA clause to include company-owned production qualifying for the national rate pursuant to the Commission's orders in Docket No. R-389-B.

Copies of the filing are being served upon the company's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 2, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10410 Filed 4-21-75; 8:45 am]

TEXAS EASTERN TRANSMISSION CORP.

[Docket Nos. RP74-41, PGA 75-7]

Proposed Changes in FPC Gas Tariff

APRIL 14, 1975.

Take notice that Texas Eastern Transmission Corporation (Texas Eastern) on March 31, 1975 tendered for filing proposed changes in its FPC Gas Tariff, Fourth Revised Volume No. 1, the following sheets:

Tenth Revised Sheet No. 14
Tenth Revised Sheet No. 14A
Tenth Revised Sheet No. 14B
Tenth Revised Sheet No. 14C
Tenth Revised Sheet No. 14D

Texas Eastern states that these sheets are issued pursuant to the purchased gas cost adjustment provision contained in section 23 of the General Terms and Conditions of Texas Eastern's FPC Gas Tariff, Fourth Revised Volume No. 1 and that the change in Texas Eastern rates proposed by this filing reflects a change in the cost of gas purchased from one of Texas Eastern's pipeline suppliers, United Gas Pipe Line Company. The proposed effective date of the above tariff sheets is May 20, 1975.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8, 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 9, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10411 Filed 4-21-75;8:45 am]

GENERAL SERVICES ADMINISTRATION

COMMISSION ON GOVERNMENT PROCUREMENT; RECOMMENDATION

Executive Branch Position

Notice is hereby given of the executive branch position with respect to Commission on Government Procurement Recommendation J-1.

This recommendation calls for the establishment of a program for developing the technical and formal changes needed to organize and consolidate the procurement statutes to the extent appropriate in Title 41, United States Code.

The executive branch has accepted this recommendation. In adopting this recommendation, the OFPP acknowledges the magnitude and complexity of the implementing action involved. It further understands that carrying out this undertaking will have to be considered in relation to other priorities, requirements, and available resources.

Dated at Washington, D.C. on April 14, 1975.

R. E. ZECHMAN,
Associate Administrator for
Federal Management Policy.

[FR Doc.75-10420 Filed 4-21-75;8:45 am]

CONTRACT ADMINISTRATION DISPUTES

Legal and Administrative Remedies; Opportunity for Comment

The purpose of this notice is to make known an interagency task group proposal on Recommendations G-3, G-7, and G-8 of the Commission on Government Procurement, and to offer an opportunity for private sector comment on these recommendations and others in this series, as appropriate. Since executive branch agency comments have already been solicited and received, response from these sources is not required. Interested persons in the private sector may submit their comments to the General Services Administration (AMC), Washington, DC 20405. To be given consideration, comments must be received on or before May 26, 1975.

Background. The Office of Management and Budget (OMB), in memoranda to Heads of Executive Departments & Agencies, dated December 7, 1972, and March 14, 1973, established and outlined plans for the coordination of executive branch efforts in response to the Commission on Government Procurement (COGP) Report. Interagency task groups made up of assigned lead and participating agencies were formed to examine and recommend executive branch positions on each of the 149 COGP recommendations. Direction of executive branch efforts on COGP matters is a function delegated to the General Services Administration by Executive Order 11717 on May 9, 1973.

The subject COGP Recommendations read as follows:

G-3: Retain multiple agency boards; establish minimum standards for personnel and caseload; and grant the boards subpoena and discovery powers.

G-7: Grant both the Government and contractors judicial review of adverse agency boards of contract appeals decisions.

G-8: Establish uniform and relatively short time periods within which parties may seek judicial review of adverse decisions of administrative forums.

Task Group Proposal for an Executive Branch Position. The interagency task group favored acceptance of these recommendations. In the case of G-3, the task group advocates the multiple Board of Contract Appeals (BCA) system, with establishment or retention of BCAs dependent on the necessary caseload. It is vital, the task group feels, for the BCAs to be full time Boards with full time members in order to operate in a completely objective fashion and free from demands and pressures imposed by other work. Board members should always be attorneys in good standing admitted to practice before the highest court of any state or the District of Columbia. To support its recommendation for granting BCAs subpoena and discovery power, the task group cites the Report of the Commission on Government Procurement, which states:

The quality of board records would improve if the boards were given discovery and subpoena powers. This would ensure that the tools to make complete and accurate findings are available and would minimize the need for a court to supplement the board record on review.

Legislation would be required to grant BCAs the powers recommended by the Commission on Government Procurement.

The task group majority favored adoption of Recommendation G-7. They recognized the history of impartiality of past BCA decisions, but felt that "simple justice" demanded that the government have the same right of appeal as that of the contractor. To forestall excessive government appeals, the task group recommended that any appeal require the joint concurrence of the procuring agency head and the Justice Department. Legislation to modify the Wunderlich Act, eliminating the prohibition of gov-

ernment appeal, is needed to implement Recommendation G-7.

The task group unanimously advocated acceptance of Recommendation G-3. They proposed legislation amending the U.S. Code to reduce the time in which a decision of administrative boards could be appealed. Currently the statutes permit appeals within six years; the task group proposed reduction to ninety-days. A shortened appeal period would (1) eliminate long-term storage of records; (2) preserve witnesses' recollections; and (3) provide a speedy adjudication for all parties concerned.

Solicitation of Official Agency Views. The task group reports for these and other recommendations in the G-1 to G-12 series were distributed to obtain official views of executive branch departments and agencies. A total of nineteen (19) agencies responded to the solicitation. An overwhelming majority of agencies concurred in the task group position to adopt G-3 and G-7. Agencies unanimously favored adoption of G-8.

Publication of this notice is to invite private sector comments and does not imply executive branch acceptance of the proposed positions. Responses received from interested parties regarding this notice of opportunity for comment will be given careful consideration in the formulation of an executive branch position.

Dated at Washington, D.C. on April 14, 1975.

R. E. ZECHMAN,
Associate Administrator for
Federal Management Policy.

[FR Doc.75-10419 Filed 4-21-75;8:45 am]

NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN

NOTICE OF MEETING

Notice is hereby given, pursuant to Pub. L. 92-463, that the next meeting of the National Advisory Council on the Education of Disadvantaged Children will be held on May 10, 1975 from 9:00 a.m.-2:00 p.m. The meeting will be held at Pace University, Board of Trustees Room, New York, New York.

The National Advisory Council on the Education of Disadvantaged Children is established under section 148 of the Elementary and Secondary Act (20 U.S.C. 2411) to advise the President and the Congress on the effectiveness of compensatory education to improve the educational attainment of disadvantaged children.

The agenda of the meeting includes remarks by the Chairman, status report on NIE Study, Committee assignments, discussion of 1976 plan, and discussion by two specialists in early childhood education.

Because of limited space, all persons wishing to attend should call for reservations by April 30, 1975, Area Code 202/382-6945.

Records shall be kept of all Council proceedings and shall be available for

public inspection at the Office of the National Advisory Council on the Education of Disadvantaged Children, located at 425 Thirteenth Street NW, Suite 1012, Washington, D.C.

Signed at Washington, D.C. on April 17, 1975.

ROBERTA LOVENHEIM,
Executive Director.

[FR Doc.75-10430 Filed 4-21-75;8:45 am]

**NATIONAL SCIENCE FOUNDATION
ADVISORY COMMITTEE FOR SCIENCE
EDUCATION**

Open Meeting

The Advisory Committee for Science Education will hold an open meeting on May 9 and 10, 1975, at 9 a.m. in room 543 at 1800 G Street, NW., Washington, D.C.

The purpose of the Committee is to provide advice and recommendations concerning the impact of all Foundation activities (including research, scientific information; international programs; as well as, specifically, "education" programs) relating to education in the sciences in U.S. schools, colleges and universities. This Committee functions in accordance with the Federal Advisory Committee Act (P. Law 92-463).

The agenda for this meeting will consist of a review of pre-college course development and implementation activities.

Individuals who plan to attend this meeting should inform Mrs. Frances O. Watts, Staff Assistant, Assistant Directorate for Education, Rm. 600-W National Science Foundation, Washington, D.C. 20550, telephone 202/282-7930, by close of business on April 30, 1975. Persons requiring further information concerning this Committee should contact Mrs. Frances Watts at the above address. Summary minutes of this meeting may be obtained from the Committee Management Coordination Staff, Management Analysis Office, Rm. 248, 1800 G Street, NW., Washington, D.C. 20550.

FRED K. MURAKAMI,
Committee Management Officer.

APRIL 17, 1975.

[FR Doc.75-10442 Filed 4-21-75;8:45 am]

**OFFICE OF MANAGEMENT AND
BUDGET**

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on April 16, 1975 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be

collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

Requests for extension which appear to raise no significant issues are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529), or from the reviewer listed.

NEW FORMS

VETERANS ADMINISTRATION

Alcoholism Treatment and Rehabilitation Program follow-up, VA 10-11(57), VA 10-12(57), VA FL 10-12, other (see SP-83), veterans, Reese, B. F., 395-5630.

U.S. INTERNATIONAL TRADE COMMISSION

Welt Work Shoes of Leather Producers' Questionnaire, single-time, producers of welt work shoes, Evinger, S. K., 395-3648.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration, Evaluation of Prospective Reimbursement in Upstate New York, SSA 3136, single-time, hospitals under reimbursement plan, Human Resources Division, Dick Eisinger, 395-3532. Office of Education, Application for Bilingual Education Fellowship, OE 4561-2, annually, institutions of higher education, Caywood, D. P., 395-3443.

EXTENSIONS

RAILROAD RETIREMENT BOARD

Continuing Disability Report, G-254, on occasion, Marsha Traynham, 395-4529.

**NATIONAL FOUNDATION ON THE ARTS
AND HUMANITIES**

Summer Seminar Stipends for College Teachers—Application Instructions, annually, college professors, Marsha Traynham, 395-4529.

PHILLIP D. LARSEN,

Budget and Management Officer.

[FR Doc.75-10551 Filed 4-21-75;8:45 am]

**SECURITIES AND EXCHANGE
COMMISSION**

**CHICAGO BOARD OPTIONS EXCHANGE,
INC.**

**Nondisapproval of Amendments to Option
Plan**

Notice is hereby given of the following Commission actions:

1. On March 12, 1975 the Commission considered and did not disapprove proposed amendments to the Option Plan of the Chicago Board Options Exchange, Inc. ("CBOE") pursuant to Securities Exchange Act Rule 9B-1 (17 C.F.R. 240-9b-1). The CBOE had proposed amendments to its Rule 14.5 concerning intramember commission rates for floor brokerage, and a new Rule 6.25 prohibiting reciprocal arrangements among members for the handling of floor brokerage.

The amendments to Rule 14.5 and new Rule 6.25 were originally published at 40

FR 6244 (February 10, 1975) and the delay of the effective date for implementation of the rules was published at 40 FR 11821 (March 13, 1975).

The amendment to Rule 14.5 provides for the elimination of fixed minimum commissions on orders executed on the floor of the Exchange by Floor Brokers. The amendments also provide for the continued regulation by the Exchange of commission rates by Board Brokers in the form of a schedule of standard commission rates from which departures could be permitted under certain circumstances. Any such departure would have to be non-discriminatory among customers, filed with the Floor Procedure Committee at least thirty days prior to its effectiveness and not disapproved by the committee as being unreasonable or discriminatory and continuously displayed at the post. No rate increase will be granted which will cause a Board Broker's rate on any transaction to exceed the minimum levels applicable prior to the rule change and the CBOE will maintain a full record of all the factors entering into the decision under the new rule to approve or disapprove a requested rate increase or decrease.

Rule 6.25 prohibits two or more member organizations, each of which does a public or correspondent business and has its own floor broker or brokers on the floor of the Exchange, from entering into any kind of a pooling arrangement whereby orders managed on the floor by one of such firms would be executed by the floor broker or brokers of another of such firms.

In its response to CBOE's filing the Commission stated that its determination does not imply that such changes, to the extent that they, directly or indirectly, lead to the fixing of any floor brokerage commission rate, may be maintained in effect after May 1, 1976.

CBOE had also withdrawn its previously filed amendments to Rules 14.5 and 14.6 noticed at 39 FR 40203 and 39 FR 43333, respectively.

2. On April 3, 1975 the Commission considered and did not disapprove corrections to the amendments to Rule 14.5. Those corrections were published at 40 FR 16254. (April 10, 1975). The corrections to the amendments to CBOE Rule 14.5 make minor changes in three price categories of the schedule of commission rates for Board Brokers. The substance of the schedule as initially proposed is not changed.

All interested persons are invited to submit their views and comments on the proposed corrections to CBOE's plan either before or after they have become effective. Written statements of views and comments should be addressed to the Secretary, Securities and Exchange Commission, 500 North Capitol Street, NW., Washington, D.C. 20549. Reference should be made to file number 10-54. The proposed corrections are, and all such comments will be, available for public inspection at the Public Reference Room of the Securities and Exchange Commis-

sion at 1100 L Street, NW., Washington, D.C.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

APRIL 14, 1975.

[PR Doc.75-10457 Filed 4-21-75; 8:45 am]

[File No. 500-1]

EQUITY FUNDING CORPORATION OF AMERICA

Suspension of Trading

APRIL 16, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, warrants to purchase the stock, 9½ percent debentures due 1990, 5½ percent convertible subordinated debentures due 1991, and all other securities of Equity Funding Corporation of America 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 April 17, 1975 through April 26, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[PR Doc.75-10454 Filed 4-21-75; 8:45 am]

[Rel. No. 18939; 70-5057]

MONONGAHELA POWER CO. ET AL.

Proposed Lease of Railroad Cars to Subsidiaries

APRIL 16, 1975.

Notice of proposed lease of railroad cars and sublease of undivided interests in those cars to other subsidiary utility companies; proposed assumption of debt portion of financing of railroad cars and request for exception from competitive bidding in connection therewith.

In the matter of Monongahela Power Co., 1310 Fairmont Avenue, Fairmount, West Virginia 26554; The Potomac Edison Co., Downsville Pike, Hagerstown, Maryland 21740; West Penn Power Co., 800 Cabin Hill Drive, Greensburg, Pennsylvania 15601.

Notice is hereby given that Monongahela Power Co. ("Monongahela"), The Potomac Edison Co. ("PE") and West Penn Power Co. ("West Penn"), electric utility subsidiary companies of Allegheny Power System, Inc., a registered holding company, have filed an application-declaration, and an amendment thereto, with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6, 7, 9(a) and 12 of the Act and rules 50 and 87 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the applica-

tion-declaration, as amended, which is summarized below, for a complete statement of the proposed transactions.

West Penn and the Continental Illinois National Bank and Trust Company of Chicago ("lessor") have entered into a purchase agreement ("purchase agreement") with Thrall Car Manufacturing Co. and Bethlehem Steel Corp. for the construction and delivery of 212 railroad cars ("cars"). Of the cars, 106 are to be hopper cars and 106 are to be gondola cars, all of said cars to be used for the transportation of coal, as further described below.

It is stated that the total purchase price of the cars shall not exceed \$6,180,000, said purchase price to be financed under a finance agreement ("finance agreement") described further below. Under terms of the purchase agreement, Lessor will be the owner of the cars and will lease the cars to West Penn under a Lease of Railroad Equipment ("lease"). Pursuant to the lease, West Penn will lease the cars for an initial 15-year period commencing June 17, 1975, plus an interim period prior to that date, at a rental to be paid in 31 installments. The first rental payment shall cover the interim period and the rental payments thereafter will be on a semi-annual basis.

Under terms of the finance agreement, the lessor has agreed to act as owner-trustee for certain lenders and equity participants who have agreed to finance the purchase of the cars. The finance agreement provides, among other things, that West Penn may be required to purchase the cars if a favorable ruling from the Internal Revenue Service ("ruling") relating to certain tax aspects of the transactions is not received by August 31, 1975. In such event, West Penn will purchase the equity participants' interests in the cars for an amount equal to those participants' investments in the cars, plus interest thereon at an annual rate equal to the prime commercial (or comparable) rate of Manufacturers Hanover Trust Co., plus 2 percent. In such event, West Penn will also assume the debt portion of the financing of the cars, in the maximum amount of \$4,455,792, for 15 years at an annual interest rate of 9½ percent per annum. West Penn requests an exception from the competitive bidding requirements of rule 50 in the event of its assumption of this debt.

The lease provides that rentals during the interim period will be at a daily rate of 0.0254866 percent of the purchase price of the cars then subject to the lease. Rental payments thereafter will be an amount equal to 3.20938 percent of the purchase price for the cars then subject to the lease for the next 10 semi-annual installments, 5.74689 percent for the following 10 semi-annual installments and 8.21235 percent for the following 10 semi-annual installments. This rent is computed on the assumption that (1) the interest rate on the debt portion of the financing of the cars is 9½ percent and (2) the investment tax credit accruing to the equity participants in the financing is 10 percent. On the basis of these assumptions it is stated that the effective

cost of the lease to West Penn is approximately 6 percent of the purchase price of the cars per year. The lease provides that if the aforesaid interest rate and/or investment tax credit are greater or less than the assumed percentages, the rental payments will be adjusted accordingly.

The lease further provides that West Penn has the right to renew the lease for up to 3 additional 5 year terms at a fair market rental or to purchase all of the cars then subject to the lease at a fair market value at the end of any lease term. West Penn may, after June 17, 1985, terminate the lease on a good faith determination that all the cars then subject to the lease shall have become obsolete or economically unserviceable to West Penn's operations.

It is stated that the cars are being obtained to transport low sulfur coal to the Harrison generating station at Shinnston, West Virginia, which station is owned 50 percent by West Penn, and 25 percent each by Monongahela and PE. It is proposed that Monongahela and PE each sub-lease an undivided 25 percent interest in the cars from West Penn so that each will pay West Penn 25 percent of the cost of leasing the cars. It is stated that this arrangement will assure division of the cost of leasing the cars among the companies on the same basis as their ownership in the Harrison station, of the energy generated by the station and the companies' respective obligations to pay the costs of operating the station.

It is stated that the West Virginia Public Service Commission, the Virginia State Corporation Commission and the Pennsylvania Public Utility Commission have jurisdiction over various aspects of the proposed transactions, that the lease and a security agreement will be filed with the United States Interstate Commerce Commission and that no other state or federal commission, other than this Commission, has jurisdiction over the proposed transactions. Fees and expenses to be incurred in connection with the proposed transactions will be supplied by amendment.

Notice is further given that any interested person may, not later than May 9, 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 application-declaration, as amended, which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended, or as it may be further amended, may be

granted and permitted to become effective as provided in rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 75-10455 Filed 4-21-75; 8:45 am]

[File No. 300-1]

ZENITH DEVELOPMENT CORP.

Suspension of Trading

APRIL 16, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Zenith Development 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 April 17, 1975 through April 26, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 75-10456 Filed 4-21-75; 8:45 am]

SMALL BUSINESS ADMINISTRATION

[License No. 06/10-0107]

MID-SOUTH CAPITAL CORP.

Surrender of License To Operate as Small Business Investment Company

Notice is hereby given that Mid-South Capital Corporation (Mid-South), 1125 Polk Street, Mansfield, Louisiana 71052, pursuant to the provisions of § 107.105 of the regulations governing small business investment companies (13 CFR 107.105 (1975)), has voluntarily surrendered its license to operate as a small business investment company (SBIC).

Mid-South was incorporated under the laws of the State of Louisiana to operate solely as an SBIC under the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 et seq.), (Act) and it was issued license number 06/10-0107 by the Small Business Administration on April 16, 1962.

Under the authority vested by the Act and the Regulations promulgated thereunder, surrender of the license of Mid-South is hereby accepted and accord-

ingly, it is no longer licensed to operate as an SBIC.

Dated: April 10, 1975.

JAMES THOMAS PHELAN,
Deputy Associate Administrator
for Investment.

[FR Doc. 75-10425 Filed 4-21-75; 8:45 am]

INTERSTATE COMMERCE COMMISSION

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

APRIL 16, 1975.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination rules (49 CFR Part 1065), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before May 2, 1975. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 21170 (Sub-No. E1), filed June 13, 1974. Applicant: BOS LINES, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Gene R. Prohushi (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, and meat by-products, and articles distributed by meat packinghouses, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), restricted to such commodities as are dealt in by retail, wholesale, and chain grocery stores; (a) from points in that part of Missouri west of a line beginning at the Missouri-Kansas State line extending along U.S. Highway 71 to junction U.S. Highway 59, thence along U.S. Highway 59 to the Iowa-Missouri State line to points in that part of Illinois north of a line beginning at the Illinois-Wisconsin State line extending along U.S. Highway 12 to junction Illinois Highway 60, thence along Illinois Highway 60 to junction Illinois Highway 176, thence along Illinois Highway 176 to Lake Michigan (except points within the Chicago, Ill., commercial zone, as defined by the Commission); (b) from points in that part of Kansas on or bounded by a

line beginning at Kansas Highway 4 at Eskridge extending along Kansas Highway 4 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction U.S. Highway 54, thence along U.S. Highway 54 to junction Kansas Highway 99, thence along Kansas Highway 99 to junction Kansas Highway 4, and point of origin, to points in that part of Illinois north of a line beginning at the Illinois-Iowa State line extending along Illinois Highway 164 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction U.S. Highway 150, thence along U.S. Highway 150 to junction Illinois Highway 29, thence along Illinois Highway 29 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction Illinois Highway 115, thence along Illinois Highway 115 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Illinois-Indiana State line (except Chicago, Ill., and points in the commercial zone thereof, as defined by the Commission, and except Rock Island, Moline, and East Moline, Ill.).

(c) from points in that part of Kansas on or bounded by a line beginning at U.S. Highway 70 at Junction City extending along U.S. Highway 70 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction U.S. Highway 35, thence along U.S. Highway 35 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction U.S. Highway 70 to point of origin, to points in that part of Illinois north of a line beginning at the Iowa-Illinois State line extending along U.S. Highway 34 to junction Illinois Highway 116, thence along Illinois Highway 116 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Illinois-Indiana State line (except Chicago, Ill., and points in the commercial zone thereof, as defined by the Commission, and except Rock Island, Moline, and East Moline, Ill.); (d) from points in that part of Kansas on or bounded by a line beginning at Kansas Highway 99 to junction U.S. Highway 54, thence along U.S. Highway 54 to junction U.S. Highway 169, thence along U.S. Highway 169 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction U.S. Highway 56, thence along U.S. Highway 56 to junction Kansas Highway 31, thence along Kansas Highway 31 to junction Kansas Highway 99, and point of origin, to points in that part of Illinois north of a line beginning at the Iowa-Illinois State line extending along U.S. Highway 52 to junction Illinois Highway 64, thence along Illinois Highway 64 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Illinois Highway 38, thence along Illinois Highway 38 to junction U.S. Highway 294, thence along U.S. Highway 294 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Illinois-Indiana State line (except Chicago, Ill., and points in the commercial zone thereof, as defined by the Commission).

(e) From points in that part of Kansas on or bounded by a line beginning

at the Kansas-Oklahoma State line extending along U.S. Highway 81 to junction U.S. Highway 35, thence along U.S. Highway 35 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Kansas-Oklahoma State line, thence along the Kansas-Oklahoma State line to point of origin, to points in that part of Illinois north of a line beginning at the Illinois-Iowa State line extending along U.S. Highway 6 to junction Illinois Highway 23, thence along Illinois Highway 23 to junction Illinois Highway 18, thence along Illinois Highway 18 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Illinois-Indiana State line (except Chicago, Ill., and points in the commercial zone thereof, as defined by the Commission, and except Rock Island, Moline, and East Moline, Ill.); (f) from points in that part of Kansas on or bounded by a line beginning at the Kansas-Nebraska State line extending along U.S. Highway 81 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Kansas-Nebraska State line, thence along the Kansas-Nebraska State line to junction U.S. Highway 81 and point of origin, points in that part of Illinois north of a line beginning at the Illinois-Iowa State line extending along U.S. Highway 136 to junction U.S. Highway 74, thence along U.S. Highway 74 to the Illinois-Indiana State line (except Chicago, Ill., and points in the commercial zone thereof, as defined by the Commission, and except Rock Island, Moline, and East Moline, Ill.);

(g) From points in that part of Kansas on or bounded by a line beginning at the Kansas-Oklahoma State line extending along U.S. Highway 77 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Kansas-Oklahoma State line, thence along the Kansas-Oklahoma State line to point of origin, to points in that portion of Illinois north of a line beginning at the Illinois-Iowa State line extending along U.S. Highway 80 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction Illinois Highway 1, thence along Illinois Highway 1 to junction Illinois Highway 114, thence along Illinois Highway 114 to the Illinois-Indiana State line (except Chicago, Ill., and points in the commercial zone thereof, as defined by the Commission, and except Rock Island, Moline, and East Moline, Ill.). The purpose of this filing is to eliminate the gateways of those points in Iowa within the commercial zone of Omaha, Nebr., as defined by the Commission.

No. MC 29886 (Sub-No. E39) (Correction), filed May 10, 1974, published in the FEDERAL REGISTER March 24, 1975. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 W. Sample Street, South Bend, Ind. 46627. Appli-

cant's representative: Charles Pieroni (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Commodities* which, because of size or weight, require the use of special equipment or special handling, and self-propelled articles each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith; (1) between points in Michigan, on the one hand, and, on the other, points in New Jersey, Connecticut, points in Pennsylvania (except those in Erie, Crawford, Mercer, Lawrence, Beaver, Washington, Greene, Fayette, Allegheny, Butler, Venango, Warren, Forest, Clarion, Armstrong, Westmoreland, Somerset, Cambria, Indiana, Jefferson, Elk, McKean, Cameron, and Clearfield Counties, Pa.), and points in New York (except Niagara Falls, Cattaraugus, and Chautauqua Counties, N.Y.) (those points in Michigan on, south, and west of a line beginning at Lake Michigan and extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., to Business Interstate Highway 96, thence along Business Interstate Highway 96 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line)*; (2) between those points in Michigan north and west of a line beginning at the Michigan-Ohio State line and extending along U.S. Highway 127 to junction Michigan Highway 78, thence along Michigan Highway 78 to junction Interstate Highway 75 to Saginaw Bay, on the one hand, and, on the other, points in New York and Pennsylvania (those points in Michigan on and south of a line beginning at Lake Michigan and extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., to junction Business Interstate Highway 96, thence along Business Interstate Highway 96 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line)*;

(3) Between points in Michigan, on the one hand, and, on the other, points in Maine, Massachusetts, Vermont, New Hampshire, and Rhode Island (those points in Michigan on, south, and west of a line beginning at Lake Michigan and extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., to Business Interstate Highway 96, thence along Business Interstate Highway 96 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line)*; and (4) between points in Indiana and Illinois and those points in Ohio north of U.S. Highway 30, on the one hand, and, on the other, points in New York, Maine, Massachusetts, Connecticut, Rhode Island, Vermont, New Hampshire, and New Jersey (those points in New York on and west of a line beginning at Rochester, N.Y., and extending along U.S. Highway 15 to junction New York Highway 245, thence along New York Highway 245 to junction New York Highway 39, thence along New York Highway 39 to junction U.S. Highway 219, thence along U.S.

Highway 219 to the New York-Pennsylvania State line)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this correction is to omit the restrictions in (1) and (3) above.

No. MC 29886 (Sub-No. E68), filed May 16, 1974. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 SW. Sample St., South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Steam shovels, cranes, crawler-type shovels and cranes, straddle trucks, fork trucks and self-propelled building, construction, and moving machinery*, from those points in Ohio on and north of U.S. Highway 30 to points in Oklahoma, Texas, Louisiana, and those in Arkansas on and west of U.S. Highway 65, and from points in Ohio to points in Iowa (except those in Muscatine, Scott, Louisa, Des Moines, Lee, Henry, Washington, Keokuk, Jefferson, Van Buren, Wapello, Davis, Appanoose, Monroe, Lucas, Wayne, Decatur, Clarke, Ringgold, Taylor, Page, and Fremont Counties, Iowa), Nebraska (except those in Gage, Otoe, Johnson, Nemaha, Pawnee, and Richardson Counties, Nebr.), and those in Kansas on and west of a line beginning at the Nebraska-Kansas State line and extending along Kansas Highway 14 to junction U.S. Highway 156, thence along U.S. Highway 156 to junction U.S. Highway 56, thence along U.S. Highway 56 to junction U.S. Highway 54, thence along U.S. Highway 54 to the Kansas-Oklahoma State line; and

(2) *Steam shovels, cranes, crawler-type shovels and cranes, straddle trucks, fork trucks, and self-propelled building, construction, and moving machinery* which, because of size or weight, require the use of special equipment or special handling, from those points in Wisconsin on and north of U.S. Highway 10 to those points in Kentucky on and east of a line beginning at the Kentucky-Indiana State line and extending along U.S. Highway 431 to junction Western Kentucky Parkway, thence along Western Kentucky Parkway to junction U.S. Highway 41, thence along U.S. Highway 41 to the Kentucky-Tennessee State line, and from points in Wisconsin to those points in Kentucky on and east of a line beginning at the Kentucky-Ohio State line and extending along Interstate Highway 75 to junction U.S. Highway 68, thence along U.S. Highway 68 to junction Kentucky Highway 55, thence along Kentucky Highway 55 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Kentucky-Tennessee State line, and those points in Tennessee on and east of a line beginning at the Kentucky-Tennessee State line and extending along U.S. Highway 31E to junction U.S. Highway 431, thence along U.S. Highway 431 to junction U.S. Highway 43, thence along U.S. Highway 43 to the Tennessee-Alabama State line. The purpose of this filing is to eliminate the gateway of Benton Harbor, Mich.

No. MC 51146 (Sub-No. E11), filed May 8, 1974. Applicant: SCHNEIDER TRANSPORT, P.O. Box 2298, Green Bay, Wis. 54306. Applicant's representative: D. F. Martin (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such new furniture* as is manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper products, from points in North Carolina, to all points in Washington, Oregon, Idaho, Montana, Wyoming (except points on, south, and east of a line beginning at the Nebraska-Wyoming State line and extending along U.S. Highway 20 to junction Wyoming Highway 789, thence along Wyoming Highway 789 to junction Wyoming Highway 28, thence along Wyoming Highway 28 to junction U.S. Highway 187, thence along U.S. Highway 187 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Wyoming-Utah State line), Utah (except points on, south, and east of a line beginning at the Wyoming-Utah State line and extending along U.S. Highway 189 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Utah-Nevada State line), Nevada (except points south of U.S. Highway 50), and California (except points on and south of a line beginning at the Nevada-California State line and extending along U.S. Highway 50 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction California Highway 17, thence along California Highway 17 to the Pacific Ocean at Santa Cruz, Calif.) (Green Bay, Wis.)*.

(2) *New furniture*, from points in North Carolina, to points in North Dakota, Minnesota (except points south of Minnesota Highway 19), South Dakota (except points on and south of a line beginning at the Minnesota-South Dakota State line and extending along U.S. Highway 14 to junction U.S. Highway 16, thence along U.S. Highway 16 to the South Dakota-Wyoming State line) (Menominee, Mich.)*; (3) *Such new furniture* as manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper products, from Rocky Mount, Va., to points in Washington, Oregon, Nevada, Idaho, Montana, Wyoming, Colorado (except point on and south of a line extending from the Nebraska-Colorado State line and extending along Colorado Highway 113 to junction U.S. Highway 138, thence along U.S. Highway 138 to junction U.S. Highway 6, thence along U.S. Highway 6 to the Colorado-Utah State line), Utah (except points on and south of a line beginning at the Colorado-Utah State line and extending along Interstate Highway 70 to junction Utah Highway 26, thence along Utah Highway 26 to junction U.S. Highway 91, thence along U.S. Highway 91 to the Utah-Arizona State line), Nevada (except points south of Interstate Highway 15), and California (except points on and south of a line beginning at the Ne-

vada-California State line and extending along U.S. Highway 66 to junction Interstate Highway 15, thence along Interstate Highway 15 to the Pacific Ocean at San Diego, Calif.) (Green Bay, Wis.)*.

(4) *Such new furniture* as is manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper products, from Altavista, Va., to points in Washington, Oregon, Idaho, Montana, Wyoming, Colorado (except points on and south of a line beginning at the Nebraska-Colorado State line and extending along Colorado Highway 113 to junction U.S. Highway 138, thence along U.S. Highway 138 to junction U.S. Highway 6, thence along U.S. Highway 6 to the Colorado-Utah State line), Utah (except points on and south of a line beginning at the Colorado-Utah State line and extending along U.S. Highway 6 to junction U.S. Highway 91, thence along U.S. Highway 91 to the Utah-Arizona State line), Nevada (except points south of U.S. Highway 91), and California (except points on, south, and east of a line beginning at the Nevada-California State line and extending along Interstate Highway 15 to junction Interstate Highway 10, thence along Interstate Highway 10 to junction California Highway 111, thence along California Highway 111 to the United States-Canada International Boundary line) (Green Bay, Wis.)*; (5) *New furniture*, from Altavista, Va., to points in North Dakota, Minnesota (except points south of U.S. Highway 16), and South Dakota (except points on, south, and east of a line beginning at the Minnesota-South Dakota State line and extending along U.S. Highway 16 to junction South Dakota Highway 47, thence along South Dakota Highway 47 to the South Dakota-Nebraska State line) (Menominee, Mich.)*.

(6) *New furniture*, from Rocky Mount, Va., to points in North Dakota, Minnesota (except points on and south of a line beginning at the Wisconsin-Minnesota State line and extending along U.S. Highway 16 to junction Minnesota Highway 4, thence along Minnesota Highway 4 to the Minnesota-Iowa State line), and South Dakota (except points on, south, and east of a line beginning at the Minnesota-South Dakota State line and extending along U.S. Highway 16 to junction South Dakota Highway 47, thence along South Dakota Highway 47 to the South Dakota-Nebraska State line) (Menominee, Mich.)*; (7) *Such charcoal and charcoal briquets* as are manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper products, from Memphis, Tenn., to points in Washington, points in Montana on and north of U.S. Highway 10, points in Idaho on and north of U.S. Highway 12, points in Oregon on and west of a line beginning at the Washington-Oregon State line and extending along Interstate Highway 5 to junction Oregon Highway 42, thence along Oregon Highway 42 to the Pacific Ocean at Bandon, Ore.) (Green Bay, Wis.)*; (8) *Canned goods*,

from Hoopston, Ill., to points in Ohio, Kentucky, Tennessee, Wisconsin, Iowa (except points on, south, and east of a line beginning at the Illinois-Iowa State line and extending along U.S. Highway 34 to junction U.S. Highway 63, thence along U.S. Highway 63 to the Iowa-Missouri State line), and Missouri (except points on, north, and east of a line beginning at the Iowa-Missouri State line and extending along U.S. Highway 63 to the junction of Missouri Highway 32, thence along Missouri Highway 32 to the Missouri-Illinois State line) (Fowler, Ind.)*.

(9) *Canned goods*, from Hoopston, Ill., to points in Alabama (Fowler, Ind., and Milford, Ill.)*; (10) *Equipment and supplies* utilized by food business houses that are canning or pickle factories or condenseries (except commodities in bulk), between Chicago, Ill., on the one hand, and, on the other, points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, North Dakota, the Upper Peninsula of Michigan, Wisconsin (except points south of a line beginning at the Minnesota-South Dakota State line and extending along U.S. Highway 41 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction Wisconsin Highway 13, thence along Wisconsin Highway 13 to junction Wisconsin Highway 64, thence along Wisconsin Highway 64 to the Wisconsin-Minnesota State line), Minnesota (except points on, south, and east of a line beginning at the Wisconsin-Minnesota State line and extending along U.S. Highway 12 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 14, thence along U.S. Highway 14 to the Minnesota-South Dakota State line), South Dakota (except points on, south, and east of a line beginning at the Minnesota-South Dakota State line and extending along U.S. Highway 14 to junction South Dakota Highway 37, thence along South Dakota Highway 37 to the junction of U.S. Highway 16, thence along U.S. Highway 16 to the South Dakota-Wyoming State line), Wyoming (except points on, south, and east of a line beginning at the Nebraska-Wyoming State line and extending along U.S. Highway 20 to junction Wyoming Highway 220, thence along Wyoming Highway 220 to junction Wyoming Highway 789, thence along Wyoming Highway 789 to the Wyoming-Colorado State line), Colorado (except points on and east of a line beginning at the Wyoming-Colorado State line and extending along Colorado Highway 789, to junction U.S. Highway 550, thence along U.S. Highway 550 to the Colorado-New Mexico State line), and New Mexico (except points east of U.S. Highway 285) (Ashwaubenon, Wis.)*.

(11) *Equipment and supplies* utilized by food business houses such as canning or pickle factory or condensery (except commodities in bulk), between points in Illinois on and east of a line beginning at the Wisconsin-Illinois State line and extending along U.S. Highway 51 to junction Illinois Highway 17, thence

along Illinois Highway 17 to the Illinois-Indiana State line, on the one hand, and, on the other, points in Washington, Oregon, Montana, the Upper Peninsula of Michigan (except points east of the eastern boundaries of Alger and Schoolcraft Counties, Mich.), Wisconsin (except points on and west of a line beginning at the Michigan-Wisconsin State line and extending along U.S. Highway 51 to junction Wisconsin Highway 47, thence along Wisconsin Highway 47 to junction Wisconsin Highway 29, thence along Wisconsin Highway 29 to Green Bay, Wis.), Minnesota (except points on, south, and east of a line beginning at the United States-Canada International Boundary line and extending along U.S. Highway 71 to junction Minnesota Highway 34, thence along Minnesota Highway 34 to junction U.S. Highway 10, thence along U.S. Highway 10 to the Minnesota-North Dakota State line), North Dakota (except points on, south, and east of a line beginning at the Minnesota-North Dakota State line and extending along U.S. Highway 10 to junction U.S. Highway 281, thence along U.S. Highway 281 to the North Dakota-South Dakota State line), South Dakota (except points on, south, and east of a line beginning at the North Dakota-South Dakota State line and extending along U.S. Highway 281 to junction U.S. Highway 212, thence along U.S. Highway 212 to the South Dakota-Wyoming State line), Wyoming (except points on and south of a line beginning at the South Dakota-Wyoming State line and extending along U.S. Highway 14 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Wyoming-Montana State line), Idaho (except points on, south, and east of a line beginning at the Montana-Idaho State line and extending along U.S. Highway 191 to junction U.S. Highway 30N, thence along U.S. Highway 30N to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 93, thence along U.S. Highway 93 to the Idaho-Nevada State line), Nevada (except points south of Interstate Highway 15), and California (except points on and east of a line beginning at the Nevada-California State line and extending along Interstate Highway 15 to junction Interstate Highway 10, thence along Interstate Highway 10 to junction California Highway 111, thence along California Highway 111 to the United States-Mexico International Boundary line) (Ashwaubena, Wis.)*.

(12) (a) (1) *Paper and paper products* (except drums, pails, and cans), and (a) (2) *Cellulose products* produced or distributed by manufacturers or converters of paper and paper products (except drums, pails, and cans and commodities in bulk, and tank or hopper-type vehicles, from points in Minnesota on, east, and north of a line beginning at the United States-Canada International Boundary line and extending along U.S. Highway 71 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Minnesota-Wisconsin State line including all points on the designated high-

ways, to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, and Louisiana (except points on, north, and west of a line beginning at the Minnesota-Louisiana State line and extending along U.S. Highway 80 to junction U.S. Highway 165, thence along U.S. Highway 165 to junction U.S. Highway 90, thence along U.S. Highway 90 to the Louisiana-Texas State line), and the District of Columbia; (b) *Materials and supplies* used in the manufacture and distribution of the products authorized in (a) (1) and (a) (2) above, except commodities in bulk, in tank or hopper-type vehicles, from the destination area specified above to the origin area specified above (Mosinee, Wis.)*.

(13) (a) *Paper and paper products* (except commodities in bulk), from Minneapolis and St. Paul, Minn., to points in California, Washington (except points on and east of a line beginning at the United States-Canada International Boundary line extending along U.S. Highway 97 to junction Washington Highway 17, thence along Washington Highway 17 to junction U.S. Highway 395, thence along U.S. Highway 395 to the Washington-Oregon State line), Oregon (except points on and east of a line beginning at the Washington-Oregon State line and extending along U.S. Highway 395 to junction Interstate Highway 80N, thence along Interstate Highway 80N to the Oregon-Idaho State line), Nevada (except points on, north, and east of a line beginning at the Oregon-Nevada State line and extending along U.S. Highway 95 to junction Interstate Highway 40, thence along Interstate Highway 40 to junction U.S. Highway 93, thence along U.S. Highway 93 to the Nevada-Arizona State line), and Arizona (except points north of U.S. Highway 66); (b) *Materials and supplies* used in the manufacture of paper and paper products (except commodities in bulk and commodities which because of size or weight require the use of special equipment), from the destination area specified above to the origin area specified above (Marshfield, Wis.)*; (14) (a) *Paper and paper products* (except commodities in bulk), from Grand Rapids, Cloquet, and St. Cloud, Minn., to points in California (except points on and north of a line beginning at the Pacific Ocean at Noyo, Calif., and extending along California Highway 20 to junction Interstate Highway 80, thence along Interstate Highway 80 to the California-Nevada State line), and Arizona (except points on and north of a line beginning at the California-Arizona State line and extending along U.S. Highway 60 to junction U.S. Highway 70, thence along U.S. Highway 70 to the Arizona-New Mexico State line); and (b) *Materials and supplies* used in the manufacture of paper and paper products (except commodities in bulk and commodities which because of size or weight require the use of spe-

cial equipment), from the destination area specified above to the origin area specified above (Marshfield, Wis.)*.

(15) *Canned goods*, from Hoopston, Ill., to points in Washington, Oregon; Montana, North Dakota, South Dakota (except points on and south of a line beginning at the Minnesota-South Dakota State line and extending along U.S. Highway 14 to junction U.S. Highway 16, thence along U.S. Highway 16 to the South Dakota-Wyoming State line), Wyoming (except points on and south of a line beginning at the South Dakota-Wyoming State line and extending along U.S. Highway 16 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 26, thence along U.S. Highway 26 to the Wyoming-Idaho State line), Idaho (except points on, south, and east of a line beginning at the Wyoming-Idaho State line and extending along U.S. Highway 26 to junction U.S. Highway 93, thence along U.S. Highway 93 to the Idaho-Nevada State line), Nevada (except points on and east of a line beginning at the Idaho-Nevada State line and extending along U.S. Highway 93 to junction U.S. Highway 91, thence along U.S. Highway 91 to the Nevada-California State line), and California (except points on, south, and east of a line beginning at the Nevada-California State line and extending along Interstate Highway 15 to junction Interstate Highway 10, thence along Interstate Highway 10 to the junction of Interstate Highway 5, thence along Interstate Highway 5 to the United States-Canada International Boundary line (Fowler, Ind., and Green Bay, Wis.)*.

(16) (a) *Paper and paper products* (except commodities in bulk), from Bainerd, Minn., to points in California (except points on, north, and east of a line beginning at the Pacific Ocean at Noyo, Calif., and extending along California Highway 20 to junction California Highway 99, thence along California Highway 99 to junction California Highway 58, thence along California Highway 58 to junction U.S. Highway 66, thence along U.S. Highway 66 to the California-Arizona State line), and Arizona (except points on and north of a line beginning at the California-Arizona State line and extending along U.S. Highway 60 to junction U.S. Highway 70, thence along U.S. Highway 70 to the Arizona-New Mexico State line); (b) *Materials and supplies* used in the manufacture of paper and paper products (except commodities in bulk and commodities which because of size or weight require the use of special equipment), from the destination area specified above to the origin area specified above (Marshfield, Wis.)*; (17) (a) *Paper and paper products* (except commodities in bulk), from points in that portion of Alabama lying south and east of a line beginning at the Georgia-Alabama State line and extending along U.S. Highway 78 to junction Interstate Highway 65, thence along Interstate Highway 65 to junction U.S. Highway 331, thence along U.S. Highway 331 to the Alabama-Florida State line including all points

on the specified highways (except points on U.S. Highway 78), to points in Washington, Oregon, Idaho, Montana, Wyoming, North Dakota, South Dakota, Nebraska (except points on and south of a line beginning at the Iowa-Nebraska State line and extending along U.S. Highway 30 to junction Nebraska Highway 92, thence along Nebraska Highway 92 to junction Nebraska Highway 70, thence along Nebraska Highway 70 to junction Interstate Highway 80.

Thence along Interstate Highway 80 to junction Interstate Highway 80S, thence along Interstate Highway 80S to the Nebraska-Colorado State line) Colorado (except points on and south of a line beginning at the Nebraska-Colorado State line and extending along Interstate Highway 80S to junction U.S. Highway 34 thence along U.S. Highway 34 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Colorado-Utah State line), Utah (except points on and south of a line beginning at the Colorado-Utah State line and extending along U.S. Highway 40 to junction U.S. Highway 189, thence along U.S. Highway 189 to junction U.S. Highway 6, thence along U.S. Highway 6 to the Utah-Nevada State line), Nevada (except points south of U.S. Highway 50), and California (except points on and south of a line beginning at the Nevada-California State line and extending along Interstate Highway 80 to junction Interstate Highway 280, thence along Interstate Highway 280 to the Pacific Ocean at San Francisco, Calif.), restricted against the transportation of cardboard cartons from the described origin area to the above-described destination territory; (b) *Materials and supplies* used in the manufacture and distribution of paper and paper products (except commodities in bulk), from the destination specified above to the origin specified above (Muncie, Ind.)*; (18) *Such plastic containers*, as are manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper products, from points in California (except points east of U.S. Highway 395), to points in Texas (except points on, north, and east of a line beginning at the Oklahoma-Texas State line and extending along U.S. Highway 60 to junction U.S. Highway 87, thence along U.S. Highway 87 to the junction of U.S. Highway 62, thence along U.S. Highway 62 to the Texas-New Mexico State line) (Los Angeles, Calif.)*.

(19) *Glassware, and glass containers, caps, covers, tops, stoppers, and accessories* for glass containers, and *paper cartons* utilized by food business houses (except commodities in bulk), from Plainfield, Ill., to points in Washington, Oregon, California, Nevada, Idaho, Montana, North Dakota, points in Minnesota on and north of U.S. Highway 12, points in South Dakota on and north of U.S. Highway 14, Wyoming (except points on and south of a line beginning at the South Dakota-Wyoming State line and extending along U.S. Highway 16 to junction Wyoming Highway 789,

thence along Wyoming Highway 789 to junction U.S. Highway 26, thence along U.S. Highway 26 to the Wyoming-Idaho State line), Utah (except points on and east of a line beginning at the Wyoming-Utah State line and extending along U.S. Highway 189 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 163, thence along U.S. Highway 163 to the Utah-Arizona State line), and Arizona (except points on, north, and east of a line beginning at the Utah-Arizona State line and extending along U.S. Highway 89 to junction U.S. Highway 180, thence along U.S. Highway 180 to the Arizona-New Mexico State line) (Ashwaubenon, Wis.)*; (20) *Glassware and glass containers* produced or distributed by manufacturers and converters of paper and paper products (except drums, pails, and cans and commodities in bulk, in tank or hopper type vehicles), from Plainfield, Ill., to points in North Dakota, and to points in South Dakota on and north of U.S. Highway 14 (Mosinee, Wis.)*.

(21) *Glass containers, glass container caps, corrugated cardboard, fiberboard sheets*, utilized by food business houses (except commodities in bulk), from Alton, Ill., to points in the Upper Peninsula of Michigan (Ashwaubenon, Wis.)*; (22) *Glass containers, glass container caps, corrugated cardboard, fiberboard sheets*, utilized by food business houses (except commodities in bulk), from Alton, Ill., to points in Washington, points in Minnesota on and north of U.S. Highway 2, North Dakota (except points on, south, and east of a line beginning at the Minnesota-North Dakota State line and extending along U.S. Highway 2 to junction U.S. Highway 281, thence along U.S. Highway 281 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction North Dakota Highway 8, thence along North Dakota Highway 8 to the North Dakota-South Dakota State line), points in Montana on and north of U.S. Highway 12, points in Idaho on and north of U.S. Highway 12, and Oregon (except points on, south, and east of a line beginning at the Washington-Oregon State line and extending along Interstate Highway 5 to junction Oregon Highway 42, thence along Oregon Highway 42 to junction Oregon Highway 429, thence along Oregon Highway 429 to the Pacific Ocean at Bandon, Oreg.) (Ashwaubenon, Wis.)*; (23) *Glass containers, glass container caps, corrugated cardboard, and fiberboard sheets* produced or distributed by manufacturers or converters of paper and paper products (except drums, pails, and cans, and commodities in bulk, and tank or hopper type vehicles), from Alton, Ill., to points in North Dakota, points in South Dakota on and north of U.S. Highway 12, points in Minnesota on and north of a line beginning at the Wisconsin-Minnesota State line and extending along Minnesota Highway 95 to junction Minnesota Highway 23, thence along Minnesota Highway 23 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Minnesota-South Dakota State line (Mosinee, Wis.)*.

(24) *Cellulose materials and products, paper and paper products, and materials and supplies* used in the production and distribution of the above-described commodities (except in each instance commodities in bulk), between points in California and Nevada, on the one hand, and, on the other, points in the Lower Peninsula of Michigan, points in Indiana on and north of a line beginning at the Illinois-Indiana State line and extending along Indiana Highway 18 to junction Indiana Highway 67, thence along Indiana Highway 67 to the Indiana-Ohio State line, points in Ohio on and north of a line beginning at the Indiana-Ohio State line and extending along U.S. Highway 36 to junction Ohio Highway 41, thence along Ohio Highway 41 to junction U.S. Highway 35, thence along U.S. Highway 35 to junction U.S. Highway 23, thence along U.S. Highway 23 to the Ohio-Kentucky State line, points in West Virginia on and north of U.S. Highway 60, and points in Pennsylvania, restricted against the transportation of paper and paper products originating at Cleveland, Ohio (Green Bay, Wis.)*; (25) *Cellulose materials and products, paper and paper products, and materials and supplies* used in the production and distribution of the above-described commodities (except in each instance commodities in bulk), between points in Washington, Oregon, and Idaho, on the one hand, and, on the other, points in Pennsylvania, West Virginia, Ohio, the Lower Peninsula of Michigan, points in Tennessee east of the western boundaries of Clay, Overton, Cumberland, Roane, Athens, and Monroe Counties, Tenn., points in Kentucky east of the western boundaries of Bullitt, Nelson, Larue, Green, Metcalfe, and Monroe Counties, Ky., and points in Indiana on and east of a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 52 to junction Indiana Highway 37, thence along Indiana Highway 37 to junction U.S. Highway 150, thence along U.S. Highway 150 to the Indiana-Kentucky State line, restricted against the transportation of paper and paper products originating at Lockland, Hamilton, Cincinnati, Middletown, and Cleveland, Ohio, and Florence, Ky., and points in their commercial zones as defined by the Commission (Green Bay, Wis.)*.

(26) *Paper and paper-products* (except commodities in bulk), from points in Pennsylvania on, north, and west of a line beginning at the Ohio-Pennsylvania State line and extending along Interstate Highway 80 to junction U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-New York State line, to points in Alabama (except points on, north, and east of a line beginning at the Mississippi-Alabama State line and extending along U.S. Highway 78 to junction Interstate Highway 65, thence along Interstate Highway 65 to junction U.S. Highway 331, thence along U.S. Highway 331 to the Alabama-Florida State line, and except Mobile and points in its commercial zone as defined by the Commission, and points on U.S. Highway 78, including

points in the commercial zones of points on U.S. Highway 78, as defined by the Commission) (South Bend, Ind.) *; (27) (a) *Paper and paper products* (except commodities in bulk), from points in the Upper Peninsula of Michigan on and west of a line beginning at Lake Superior at Marquette, Mich., and extending along U.S. Highway 41 to Lake Michigan at Escanaba, Mich., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Alabama, Florida, and the District of Columbia; (b) *Materials and supplies* used in the manufacture and distribution of paper and paper products (except commodities in bulk), and return shipments of paper and paper products from points in the destination states outlined above to the origin area outlined above, restricted against the transportation of drums, pails, and cans (Columbus, Wis.) *.

(28) *Paper and paper products* (except commodities in bulk), from points in the Upper Peninsula of Michigan, to points in South Dakota on and south of a line beginning at the North Dakota-South Dakota State line and extending along U.S. Highway 12 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction U.S. Highway 14, thence along U.S. Highway 14 to the South Dakota-Minnesota State line (Eau Claire, Wis.) *; (29) (a) *Such commodities* as are manufactured or distributed by both manufacturers of furniture and manufacturers of converters of cellulose materials and products, and paper products, from Menominee, Mich., to points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, New Mexico, Colorado, Wyoming, and Montana; (b) *Materials and supplies* (except commodities in bulk) used in the manufacture and distribution of the above-described commodities, from the destination area specified above to the origin area specified above (Green Bay, Wis.) *; (30) *Foodstuffs* utilized by food business houses as materials and supplies (except commodities in bulk), from points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, New Mexico, Colorado, Wyoming, Montana, North Dakota, South Dakota, Minnesota, points in Wisconsin on and north of Wisconsin Highway 18, points in Iowa on and north of a line beginning at the Nebraska-Iowa State line and extending along U.S. Highway 30 to junction U.S. Highway 69, thence along U.S. Highway 69 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Iowa-Illinois State line, points in Nebraska on and west of a line beginning at the Kansas-Nebraska State line and extending along U.S. Highway 77 to junction Nebraska Highway 2, thence along Nebraska Highway 2 to the Nebraska-Iowa State line, points in Kansas on and west of U.S. Highway 81, to points in Maine, New Hampshire, and Vermont (Green Bay, Wis.) *.

(31) *Frozen foods*, in vehicles equipped with mechanical refrigeration, utilized

by food business houses as materials and supplies (except commodities in bulk), from points in Washington, Oregon, Idaho, Montana, North Dakota, points in Wisconsin on and north of a line beginning at Lake Michigan and extending along Wisconsin Highway 54 to junction U.S. Highway 10, thence along U.S. Highway 10 to the Wisconsin-Minnesota State line, points in Minnesota on and north of a line beginning at the Wisconsin-Minnesota State line and extending along U.S. Highway 14 to junction U.S. Highway 65, thence along U.S. Highway 65 to the Minnesota-Iowa State line, points in South Dakota on and north of a line beginning at the Minnesota-South Dakota State line extending along U.S. Highway 16 to junction U.S. Highway 183, thence along U.S. Highway 183 to the South Dakota-Nebraska State line, points in Wyoming on and north of a line beginning at the Nebraska-Wyoming State line extending along U.S. Highway 20 to junction Wyoming Highway 220, thence along Wyoming Highway 220 to junction Wyoming Highway 789, thence along Wyoming Highway 789 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Wyoming-Utah State line, points in Utah on and west of a line beginning at the Wyoming-Utah State line and extending along U.S. Highway 30S to junction U.S. Highway 91, thence along U.S. Highway 91 to the Utah-Arizona State line, points in Nevada on and north of U.S. Highway 91, and points in California on and north of a line beginning at the Nevada-California State line and extending along U.S. Highway 15 to junction Interstate Highway 10, thence along Interstate Highway 10 to junction California Highway 111, thence along California Highway 111 to the United States-Mexico International Boundary line, to points in Ohio (Green Bay, Wis.) *.

(32) *Foodstuffs*, utilized by food business houses as materials and supplies (except commodities in bulk), from points in Washington, Oregon, Montana, North Dakota, points in Wisconsin on and north of a line beginning at Lake Michigan extending along Wisconsin Highway 23 to junction U.S. Highway 16, thence along U.S. Highway 16 to the Wisconsin-Minnesota State line, points in Minnesota on and north of U.S. Highway 16, points in South Dakota on and north of U.S. Highway 16, points in Wyoming on and north of a line beginning at the Wyoming-South Dakota State line and extending along U.S. Highway 16 to the junction of U.S. Highway 20, thence, along U.S. Highway 20 to the Wyoming-Montana State line, points in Idaho on, north, and west of a line beginning at the Montana-Idaho State line and extending along U.S. Highway 91 to junction U.S. Highway 30N, thence along U.S. Highway 30N to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 93, thence along U.S. Highway 93 to the Idaho-Nevada State line, points in Nevada on, north, and west of a line beginning at the Idaho-Nevada State line and extending along

U.S. Highway 93 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Nevada-California State line, points in California north of a line beginning at the Nevada-California State line and extending along Interstate Highway 80 to junction California Highway 28, thence along California Highway 28 to the Pacific Ocean near Albion, Calif., to points in Tennessee on and east of Interstate Highway 65 (Green Bay, Wis.) *; (33) (1) *Cosmetic, medical, pharmaceutical, fibrous textile and veterinarian products, insecticides and filters*, which are also cellulose materials and products and paper and paper products, (2) *Supplies* incidental to such commodities and related premiums and advertising materials (except in each instance commodities in bulk), from the sites of the plants and warehouses of the Kendall Co., at or near Griswoldville and Walpole, Mass., and Windham, Conn., to points in Kentucky, Tennessee (except points in Tennessee in the Memphis commercial zone), and Alabama (except Mobile and points in its commercial zone as defined by the Commission, and points on and north of U.S. Highway 78, including points in the commercial zones of points on U.S. Highway 78, as defined by the Commission), restricted against transportation of pulp board, pulp board products and waste paper (Gallipolis, Ohio) *.

(34) *Such cosmetic, medical, pharmaceutical, fibrous, textile and veterinarian products, insecticides, and filters*, as are manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper products, and (2) *Supplies* incidental to such commodities and related premiums and advertising materials (except commodities in bulk), from the sites of the plants and warehouses of the Kendall Co., at or near Griswoldville and Walpole, Mass., and Windham, Conn., to points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, Wyoming, Colorado, and New Mexico (Green Bay, Wis.) *; (35) *Cosmetic, medical, pharmaceutical, fibrous, textile and veterinarian products, insecticides, and filters*, which are also paper and paper products (except commodities in bulk), from the sites of the plants and warehouses of the Kendall Company, at or near Griswoldville and Walpole, Mass., and Windham, Conn., to points in Mississippi, Missouri, Arkansas, Louisiana, Kansas, Oklahoma, and Texas (Muncie, Ind.) *; (36) *Cosmetic, medical, pharmaceutical, fibrous, textile, and veterinarian products, insecticides, and filters*, and *supplies* incidental to such commodities related premiums and advertising materials which are also products produced or distributed by manufacturers or converters of paper and paper products (except drum, pails, and cans, and commodities involved in tank or hopper-type vehicles), from the sites of the plants and warehouses of the Kendall Company at or near Griswoldville and Walpole, Mass., and Windham, Conn., to points in North Dakota, South Dakota, and Nebraska (except points on, south,

and east of a line beginning at the Kansas-Nebraska State line and extending along U.S. Highway 77 to junction Nebraska Highway 2, thence along Nebraska Highway 2 to the Nebraska-Iowa State line (Mosinee, Wis.) *.

(37) *Wet lapwood pulp*, including ground pulp, *sanitary paper tissues* moving in parent roles, and *materials and supplies* used or useful in the manufacture of the above-described commodities, between Cheboygan, Mich.; on the one hand, and, on the other, points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, New Mexico, Colorado, Wyoming, and Montana, restricted against the transportation of commodities in bulk, from points in Colorado, Wyoming, and Utah (Green Bay, Wis.) *; (38) *Wet lapwood pulp*, including ground pulp and *sanitary paper tissues*, moving in parent roles, from Cheboygan, Mich., to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Iowa, Missouri, Arkansas, Louisiana, Mississippi, Florida, Alabama (except points on, north, and east of a line beginning at the Tennessee-Alabama State line and extending along U.S. Highway 431 to junction U.S. Highway 411, thence along U.S. Highway 411 to the Alabama-Georgia State line), Georgia (except points on, north, and east of a line beginning at the Alabama-Georgia State line and extending along U.S. Highway 411 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Atlantic Ocean), Illinois (except points in Ford, Iroquois, Kankakee, Vermillion, and Will Counties, Ill.), Kentucky (except points east of U.S. Highway 41), Minnesota (except points on, north, and east of a line beginning at the United States-Canada International Boundary line and extending along U.S. Highway 59 to junction U.S. Highway 10, thence along U.S. Highway 10 to the Minnesota-Wisconsin State line), Tennessee (except points on and east of a line beginning at the Kentucky-Tennessee State line and extending along U.S. Alternate Highway 41 to junction Tennessee Highway 13, thence along Tennessee Highway 13 to the Tennessee-Alabama State line), points in Wisconsin on and north of Wisconsin Highway 29, and Evansville, Ind. (Green Bay, Wis.) *.

(39) (1) *Cellulose materials and products*, (2) *Supplies* incidental to the use, and used in the manufacture and distribution of the commodities in (1) above, and (3) *Cellulose products and paper products* manufactured or distributed by manufacturers and converters of hospital and medical supplies, from Greenwood, S.C., to points in Indiana, and points in Ohio on and north of Ohio Highway 3, restricted against the transportation of pulpboard, pulpboard products, and waste paper (Madison, Ind.) *; (40) (1) *Cellulose materials and supplies*, (2) *Cellulose materials and products* joined to or combined with other materials, (3) *Supplies* incidental to the use of commodities described in

(1) and (2) above, (4) *Products* manufactured or distributed by other manufacturers and converters of hospital and medical supplies, and manufacturers or converters of cellulose materials and products, and paper products, and (5) *Related premiums and advertising materials*, when shipped with the commodities described in (1), (2), (3), and (4) above, from Greenwood, S.C., to points in Washington, Oregon, Idaho, Montana, Wyoming (except points on, south, and east of a line beginning at the Nebraska-Wyoming State line and extending along U.S. Highway 26 to junction Wyoming Highway 220, thence along Wyoming Highway 220 to junction Wyoming Highway 789, thence along Wyoming Highway 789 to the Wyoming-Colorado State line), Utah (except points on, south, and east of a line beginning at the Wyoming-Utah State line and extending along U.S. Highway 189 to junction U.S. Highway 6, thence along U.S. Highway 6 to the Utah-Nevada State line), Nevada (except points south of U.S. Highway 6), and all points in California north of the southern boundaries of Santa Cruz, Santa Clara, Merced, Mariposa, and Mono Counties, Calif. (Green Bay, Wis.) *.

(41) (1) *Cellulose materials and products*, (2) *Cellulose materials and products* joined to or combined with other materials, (3) *Supplies* incidental to the use of the commodities described in (1) and (2) above, (4) *Products* manufactured or distributed by both manufacturers and converters of hospital and medical supplies, and by manufacturers or converts of cellulose materials and products and paper products, and (5) *Related premiums and advertising materials* when shipped with the commodities described in (1), (2), (3), and (4) above, from Greenwood, S.C., to points in North Dakota and South Dakota, (Wilmington, Ill.) *; (42) (a) *Paper and paper products* (except commodities in bulk), from points in Tennessee on and west of Interstate Highway 65 (except points in Tennessee in the Memphis commercial zone), to points in North Carolina, Delaware, New Jersey, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine, points in New York on and east of a line beginning at the United States-Canada International Boundary line and extending along U.S. Highway 9 to junction New York Highway 7, thence along New York Highway 7 to junction Interstate Highway 81, thence along Interstate Highway 81 to the New York-Pennsylvania State line, points in Pennsylvania on and east of Interstate Highway 80, points in Maryland on and east of Interstate Highway 81, points in Virginia on and east of a line beginning at the West Virginia-Virginia State line and extending along Interstate Highway 81 to junction U.S. Highway 52, thence along U.S. Highway 52 to the Virginia-North Carolina State line, and the District of Columbia, restricted against transportation of cardboard cartons from points in Tennessee to points in Pennsylvania; (b) *Materials*

and supplies used in manufacture and distribution of paper and paper products (except commodities in bulk), from the destination area specified above to the origin area specified above (Athens, Tenn.) *.

(43) *Cellulose materials and supplies, paper and paper products, and materials*, equipment, and supplies used in the production and distribution of the above-described commodities (except in each instance commodities in bulk), between points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, and Rhode Island, on the one hand, and, on the other, points in Minnesota, Wisconsin, Iowa, Michigan, Kentucky, Indiana (except the Evansville commercial zone as defined by the Commission), Tennessee (except points in the Memphis commercial zone), Illinois (except points in the Chicago commercial zone as defined by the Commission, points in that part of the St. Louis-East St. Louis commercial zone within Illinois, and points in Illinois on and south of U.S. Highway 460), Ohio (except those points north of U.S. Highway 322), Alabama (except those points on and north of U.S. Highway 78 and their commercial zones, and Mobile and points in its commercial zones as defined by the Commission), West Virginia (except those points east of U.S. Highway 219), and those points in Pennsylvania on, south, and west of a line beginning at the Ohio-Pennsylvania State line and extending along U.S. Highway 322 to junction U.S. Highway 219 at Luthersburg, Pa., thence along U.S. Highway 219 to the Pennsylvania-Maryland State line, restricted against the transportation (a) of pulpboard, pulpboard products, and waste paper, from or to points in Illinois, Indiana, Ohio, Kentucky, Minnesota, and points in that part of Michigan on and south of Michigan Highway 21, (b) paper and paper products originating at Lockland, Hamilton, Cincinnati, Middletown, and Cleveland, Ohio, and Florence, Ky., and points in their commercial zones as defined by the Commission, (c) cardboard cartons from points in the described portions of Alabama and Tennessee to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut, (d) of traffic originating at New Milford, Conn., Lee, Mass., Nashua and Merrimack, N.H., Lincoln, Millinocket, East Millinocket, Rumford, Westbrook, and Woodland, Maine, and Gilman, Vt. (Paxinos, Pa.) *.

(44) (1) *Cellulose materials and products*, (2) *Cellulose materials and products* joined to or combined with other materials, (3) *Supplies* incidental to the use of the commodities described in (1) and (2) above, (4) *Products* manufactured or distributed by manufacturers and converters of hospital and medical supplies, and (5) *Related premiums and advertising materials*, when shipped with the commodities described in (1), (2), (3), and (4) above, (except those commodities of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities

in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, from Greenwood, S.C., to Chicago, Ill. (Chicago Heights, Ill.) *; (45) (1) *Fibrous materials and products* which are also cellulose materials and products or paper and paper products, and (2) *Cellulose materials and paper and paper products*, produced and distributed by manufacturers of fibrous materials and products, and (3) *Supplies* incidental to the use of the commodities in (1) and (2) above (except commodities as require the use of special equipment by reason of size or weight), from the plant site and warehouse facilities of Kendall Company, at or near Athens, Ga., to points in Wisconsin on and south of U.S. Highway 10 extending from the shore of Lake Michigan to the Minnesota-Wisconsin State line at Prescott, Wis., to points in Michigan on and south of Michigan Highway 21 extending from the shore of Lake Michigan near Holland, Mich., to Port Huron, Mich., and points in Indiana on and north of U.S. Highway 40, restricted to the transportation of traffic originating at the plant site and warehouse facilities of Kendall Co., at or near Athens, Ga., restricted against the transportation of such commodities as require the use of special equipment by reason of size or weight, and restricted against the transportation of pulpboard, pulpboard products, and waste paper between points in Indiana and Michigan (Madison, Ind.) *.

(46) (1) *Fibrous materials and products* which are also manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper products, (2) *Products* produced and distributed by both manufacturers or converters of fibrous materials and products and manufacturers and converters of cellulose materials and products, and paper products, (3) *Supplies* incidental to the use of the commodities in (1) and (2) above, and (4) *Related premiums and advertising material* when shipped with the commodities in (1), (2), and (3) above, from the plant and warehouse facilities of the Kendall Company at or near Athens, Ga., to points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Wyoming, Colorado, Montana (except points in Daniels, Sheridan, Roosevelt, and Richland Counties, Mont.), and New Mexico (except points on, south, and east of a line beginning at the Texas-New Mexico State line and extending along U.S. Highway 70 to junction U.S. Highway 54, thence along U.S. Highway 54 to the New Mexico-Texas State line (Springfield, Colo.) *; (47) *Cellulose materials and products, paper and paper products, materials, equipment, and supplies* used in the production and distribution of the above-described commodities (except those commodities of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading,

between points in New York on and south of Interstate Highway 84 and points in New Jersey on and north of a line beginning at Camden, N.J., and extending along New Jersey Highway 70 to junction New Jersey Highway 88, thence along New Jersey Highway 88 to the Atlantic Ocean at Point Pleasant Beach, N.J., on the one hand, and, on the other, Chicago, Ill., restricted against the transportation of traffic originating at Riegelsville, Milford, Hughesville, and Warren Glen, N.J. (Paxinos, Pa., and Chicago

(48) *Waste paper or scrap paper*, from Grand Rapids, Otsego, Plainwell, Three Rivers, Kalamazoo, and Detroit, Mich., to points in North Dakota, South Dakota, points in Minnesota on and west of a line beginning at the United States-Canada International Boundary line and extending along U.S. Highway 71 to junction U.S. Highway 10, thence along U.S. Highway 10 to the Minnesota-Wisconsin State line and points in Nebraska on and west of U.S. Highway 77 (Columbus, Wis.) *; (49) *Waste paper or scrap paper*, from points in Ohio, to points in North Dakota, South Dakota, Minnesota, points in the Upper Peninsula of Michigan on and west of a line beginning at Lake Superior at Marquette, Mich., and extending along U.S. Highway 41 to the Michigan-Wisconsin State line, points in Iowa on and north of a line beginning at the Wisconsin-Iowa State line and extending along U.S. Highway 18 to junction Iowa Highway 14, thence along Iowa Highway 14 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Iowa-Nebraska State line, and points in Nebraska on and north of a line beginning at the Iowa-Nebraska State line and extending along U.S. Highway 30 to junction U.S. Highway 281, thence along U.S. Highway 281 to junction U.S. Highway 34, thence along U.S. Highway 34 to the Nebraska-Colorado State line (Columbus, Wis.) *; (50) *Waste paper or scrap paper*, from points in Indiana on and north of U.S. Highway 24, to points in North Dakota, Minnesota, points in Nebraska on and west of U.S. Highway 83, and points in South Dakota on, north, and west of a line beginning at the Minnesota-South Dakota State line and extending along U.S. Highway 16 to junction U.S. Highway 81, thence along U.S. Highway 81 to the South Dakota-Nebraska State line (Columbus, Wis.) *.

(51) *Waste paper or scrap paper*, from points in Indiana, to points in Minnesota, and points in the Upper Peninsula of Michigan on and west of a line beginning at Lake Superior at Marquette, Mich., and extending along U.S. Highway 41 to the Michigan-Wisconsin State line (Columbus, Wis.) *; (52) *Waste paper or scrap paper*, from Chicago, Ill., to points in North Dakota, South Dakota, Minnesota, points in Nebraska on and west of U.S. Highway 81, and points in the Upper Peninsula of Michigan on and west of a line beginning at Lake Superior near Grand Marais and extending along Michigan Highway 77 to junction U.S. Highway 2, thence along U.S. Highway 2 to Gulliver, Mich., thence along unnum-

bered highway from Gulliver to Lake Michigan (Columbus, Wis.) *; (53) *Waste paper or scrap paper*, from points in Illinois on, east, and north of a line beginning at the Wisconsin-Illinois State line and extending along U.S. Highway 15 to junction Illinois Highway 17, thence along Illinois Highway 17 to the Illinois-Indiana State line, to points in Minnesota, North Dakota, points in South Dakota on and north and west of a line beginning at the Minnesota-South Dakota State line and extending along U.S. Highway 16 to junction South Dakota Highway 47, thence along South Dakota Highway 47 to the South Dakota-Nebraska State line, and points in the Upper Peninsula of Michigan on and west of a line beginning at Lake Superior at Grand Marais, Mich., and extending along Michigan Highway 77 to junction U.S. Highway 2, thence along U.S. Highway 2 to Gulliver, Mich., thence along unnumbered highway to Lake Michigan (Columbus, Wis.) *.

(54) *Waste paper and scrap paper*, from points in New York, Pennsylvania, and New Jersey, to points in North Dakota, South Dakota, Minnesota, points in Nebraska, on, north, and west of a line beginning at the Iowa-Nebraska State line and extending along Nebraska Highway 2 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Nebraska-Kansas State line, points in the Upper Peninsula of Michigan on and west of a line beginning at Marquette, Mich., and extending along U.S. Highway 41 to the Michigan-Wisconsin State line, and points in Iowa on, north, and west of a line beginning at the Illinois-Iowa State line and extending along U.S. Highway 20 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Iowa Highway 92, thence along Iowa Highway 92 to junction U.S. Highway 169, thence along U.S. Highway 169 to the Iowa-Missouri State line (Columbus, Wis.) *; (55) *Waste paper and scrap paper*, from points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut, to points in North Dakota, South Dakota, Nebraska, Iowa, Minnesota, and points in the Upper Peninsula of Michigan on and west of a line beginning at Lake Superior at Marquette, Mich., and extending along U.S. Highway 41 to the Michigan-Wisconsin State line (Columbus, Wis.) *; (56) *Waste paper or scrap paper*, from points in Kentucky and Tennessee, to points in North Dakota, points in the Upper Peninsula of Michigan on and west of a line beginning at Lake Superior at Marquette, Mich., and extending along U.S. Highway 41 to the Michigan-Wisconsin State line, points in Minnesota on and north of a line beginning at the Iowa-Minnesota State line and extending along U.S. Highway 65 to junction U.S. Highway 14, thence along U.S. Highway 14 to the Minnesota-South Dakota State line, and points in South Dakota on and north of U.S. Highway 14 (Columbus, Wis.) *.

(57) *Waste paper or scrap paper*, from points in Kentucky and Tennessee on

and east of Interstate Highway 65, to points in Minnesota, North Dakota, and points in Iowa on and north of U.S. Highway 18, and points in South Dakota on, north, and west of a line beginning at the Iowa-South Dakota State line and extending along U.S. Highway 18 to junction U.S. Highway 81, thence along U.S. Highway 81 to the South Dakota-Nebraska State line (Columbus, Wis.) *; (58) *Waste paper and scrap paper*, from points in West Virginia, Maryland, Delaware, Virginia, North Carolina, and the District of Columbia, to points in North Dakota, South Dakota, Minnesota, points in the Upper Peninsula of Michigan on and west of a line beginning at Lake Superior at Marquette, Mich., and extending along U.S. Highway 41 to the Michigan-Wisconsin State line, points in Iowa on and north of a line beginning at the Wisconsin-Iowa State line and extending along U.S. Highway 151 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Iowa-Nebraska State line, and points in Nebraska on and north of a line beginning at the Iowa-Nebraska State line and extending along U.S. Highway 30 to junction Nebraska Highway 92, thence along Nebraska Highway 92 to junction Nebraska Highway 70, thence along Nebraska Highway 70 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Nebraska-Wyoming State line (Columbus, Wis.) *; (59) *Waste paper and scrap paper*, from the Upper Peninsula of Michigan to points in Kansas, Missouri, Arkansas, Oklahoma, Louisiana, and Texas (Columbus, Wis.) *.

(60) *Such waste paper or scrap paper* as is manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper products, from points in Kentucky and Tennessee, to points in Washington, points in Idaho on and north of U.S. Highway 12, and points in Montana on and north of U.S. Highway 12 (Green Bay, Wis.) *;

(61) *Such waste paper or scrap paper* as is manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper products, from points in Kentucky and Tennessee on and east of Interstate Highway 65, to points in Washington, Oregon, Montana, points in Wyoming on and north of U.S. Highway 16, points in Idaho on and west of a line beginning at the Montana-Idaho State line and extending along U.S. Highway 191 to junction U.S. Highway 30N, thence along U.S. Highway 30N to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 93, thence along U.S. Highway 93 to the Idaho-Nevada State line, points in Nevada on and north of a line beginning at the Idaho-Nevada State line and extending along U.S. Highway 93 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Nevada-California State line, and points in California on and north of a line beginning at the Nevada-California State line and extending along Interstate Highway 80 to junction California Highway 128, thence along California Highway 128 to the Pacific Ocean (Green Bay, Wis.) *.

(62) *Such waste paper or scrap paper* as is manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper products, from points in West Virginia, Maryland, Delaware, Virginia, North Carolina, and the District of Columbia, to points in Washington, Oregon, Idaho, Montana, points in Wyoming on, north, and west of a line beginning at the Nebraska-Wyoming State line and extending along U.S. Highway 20 to junction Wyoming Highway 789, thence along Wyoming Highway 789 to junction Wyoming Highway 28, thence along Wyoming Highway 28 to junction U.S. Highway 187, thence along U.S. Highway 187 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Wyoming-Utah State line, points in Utah on and west of a line beginning at the Wyoming-Utah State line and extending along U.S. Highway 189 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Utah-Nevada State line, points in Nevada on and north of a line beginning at the Nevada-California State line and extending along Interstate Highway 80 to junction California Highway 17, thence along California Highway 17 to the Pacific Ocean (Green Bay, Wis.) *; (63) *Such waste paper or scrap paper* as is manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper products, from Grand Rapids, Otsego, Plainwell, Three Rivers, Kalamazoo and Detroit, Mich., and points in Michigan north of U.S. Highway 10 to points in Washington, Oregon, California, Nevada, Arizona, Utah, Idaho, Montana, and points in Wyoming on, north, and west of a line beginning at the Nebraska-Wyoming State line and extending along U.S. Highway 20 to junction Wyoming Highway 220, thence along Wyoming Highway 220 to junction Wyoming Highway 789, thence along Wyoming Highway 789 to the Wyoming-Colorado State line (Green Bay, Wis.) *.

(64) *Such waste paper or scrap paper* as is manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper products, from points in Illinois on, east, and north of a line beginning at the Wisconsin-Illinois State line and extending along U.S. Highway 50 to junction Illinois Highway 17, thence along Illinois Highway 17 to the Illinois-Indiana State line, to points in Washington, Oregon, Montana, points in Wyoming on and north of U.S. Highway 14, points in Idaho on and west of a line beginning at the Montana-Idaho State line and extending along U.S. Highway 191 to junction U.S. Highway 30N, thence along U.S. Highway 30N to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 93, thence along U.S. Highway 93 to the Idaho-Nevada State line, points in Nevada on and north of Interstate Highway 15, and points in California on and north of a line beginning at the Nevada-California State line and extending along Interstate Highway 15 to junction Interstate Highway 10, thence along Interstate Highway 10 to

junction California Highway 111, thence along California Highway 111 to the United States-Mexico International Boundary line (Green Bay, Wis.) *; and (65) *Such waste paper or scrap paper* as is manufactured or distributed by manufacturers or converters of cellulose materials and products, and paper products, from Chicago, Ill., to points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, points in Wyoming on, north, and west of a line beginning at the Nebraska-Wyoming State line and extending along U.S. Highway 20 to junction Wyoming Highway 220, thence along Wyoming Highway 220 to junction Wyoming Highway 789, thence along Wyoming Highway 789 to the Wyoming-Colorado State line, points in Colorado on and west of a line beginning at the Wyoming-Colorado State line and extending along Colorado Highway 789 to junction U.S. Highway 550, thence along U.S. Highway 550 to the Colorado-New Mexico State line, and points in New Mexico on and west of U.S. Highway 285 (Green Bay, Wis.) *. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 73165 (Sub-No. E53), filed June 4, 1974. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Contractors' outfits and equipment* which consists of material handling equipment and parts, attachments, and accessories used in connection with material handling equipment; (1) between Memphis, Tenn., on the one hand, and, on the other, points in North Carolina; (2) between points in Tennessee on and west of U.S. Highway 45 and U.S. Highway 45E, on the one hand, and, on the other, points in South Carolina; (3) between points in Tennessee, on and southwest of a line beginning at the Tennessee-Alabama State line, thence along Interstate Highway 65 to junction Tennessee Highway 99, thence along Tennessee Highway 99 to Hohenwald, thence along Tennessee Highway 20 to the Tennessee-Missouri State line, on the one hand, and, on the other, points in Florida on and north of a line beginning at St. Petersburg, thence across Gandy Bridge to Tampa, thence along U.S. Highway 92 to Kissimmee, thence along U.S. Highway 192 to Melbourne, thence along unnumbered highway to the Atlantic seaboard; (4) between points in Tennessee on and east of U.S. Highway 11 and U.S. Highway 11W, on the one hand, and, on the other, points in Louisiana, Texas, Oklahoma, Kansas, Colorado, Utah, New Mexico, Arizona, California, Nevada, Wyoming, Montana, Idaho, Oregon, and Washington, and points in Arkansas on and south of U.S. Highway 64; (5) between points in Tennessee on and east of Interstate Highway 65, on the one hand, and, on the other, points in Mississippi on and south of U.S. Highway 80, and points in Louisiana east of the Mississippi River.

(6) Between points in Tennessee on and west of U.S. Highway 45 and U.S. Highway 45E, on the one hand, and, on the other, points in Georgia on and south of a line beginning at the Georgia-Alabama State line, thence along U.S. Highway 29 to Atlanta, thence along U.S. Highway 278 to the Georgia-South Carolina State line; (7) between points in Mississippi, on the one hand, and, on the other, points in Georgia on and south of U.S. Highway 78 to Atlanta, thence along U.S. Highway 278 to the Georgia-South Carolina State line; (8) between points in Mississippi on and north of a line beginning at the Alabama-Mississippi State line, thence along U.S. Highway 78 to Tupelo, thence along Mississippi Highway 6 to Clarksdale, thence along Mississippi Highway 322 to Sherard and directly west of the Mississippi River, on the one hand, and, on the other, points in Florida on and east of U.S. Highway 231 and on and north of a line beginning at St. Petersburg, thence across Gandy Bridge to Tampa, thence along U.S. Highway 92 to Kissimmee, thence along U.S. Highway 192 to Melbourne, thence along unnumbered highway to the Atlantic Seaboard; (9) between points in Mississippi on and south of U.S. Highway 82, and points in Louisiana east of the Mississippi River, on the one hand, and, on the other, points in North Carolina and South Carolina; and (10) between points in Mississippi on and south of U.S. Highway 80, on the one hand, and, on the other, points in Virginia, West Virginia, Pennsylvania, New York, New Jersey, Delaware, Maryland, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, Ohio, Lower Peninsula of Michigan, and points in Kentucky on and east of Interstate Highway 75. The purpose of this filing is to eliminate the gateway of Winfield, Ala.

No. MC 73165 (Sub-No. E55), filed June 4, 1974. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, tubing, and fittings* (except materials, equipment, and supplies used in or in connection with the discovery, storage, transmission, and distribution of natural gas and petroleum and their products and by-products), which are materials, supplies, or equipment incidental to or used in the construction, development, operation, and maintenance of facilities for the discovery, mining, and milling of lead, zinc, iron, coal, and other minerals; (1) from points in Illinois on and north of a line from the Illinois-Indiana State line, extending along U.S. Highway 24 to Gilman, thence along U.S. Highway 45 to Champaign, thence along Interstate Highway 74 to Peoria, and on and east of a line from the Illinois-Wisconsin State line, to points in California on to Mt. Carroll and thence along Illinois Highway 88 to Peoria and junction Interstate Highway 74 to points in Texas

on and south of U.S. Highway 80; (2) from points in Illinois on and northeast of a line beginning at the Illinois-Indiana State line, thence along U.S. Highway 24 to Gilman, thence along U.S. Highway 45 to Champaign, thence along Interstate Highway 74 to Peoria, thence along Illinois Highway 29 to Peru, thence along U.S. Highway 51 to the Illinois-Wisconsin State line, to points in California on and south of Interstate Highway 10; and (3) from points in Illinois on and north of U.S. Highway 24 and on and east of Illinois Highway 23, to points in Arizona and New Mexico on and south of U.S. Highway 60, and points in California on and south of Interstate Highway 15. The purpose of this filing is to eliminate the gateways of Fairbury, Ill., Gilmer, Tex., and Shreveport, La.

No. MC 73165 (Sub-No. E60), filed June 4, 1974. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except those requiring special equipment and except commodities in bulk), which consist of (1) equipment, materials, and supplies used in the manufacture of mobile homes, (2) material handling equipment, and equipment, materials, and supplies used in the manufacture of material handling equipment, and (3) parts, attachments, and accessories, used in connection with the commodities described in (1) and (2) above; (a) from points in Tennessee on and east of U.S. Highway 11 and U.S. Highway 11W, to points in Louisiana, Texas, Oklahoma, Colorado, Utah, New Mexico, Arizona, California, Nevada, Wyoming, Montana, Idaho, Oregon, Washington, and points in Arkansas on and south of U.S. Highway 84; (b) from points in Mississippi on and south of U.S. Highway 80, to points in Virginia, West Virginia, Pennsylvania, New York, New Jersey, Delaware, Maryland, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, Lower Peninsula of Michigan, and points in Ohio on and north of Interstate Highway 70 and on and east of U.S. Highway 23; (c) from points in Georgia on and south of a line beginning at the Georgia-Alabama State line, thence along U.S. Highway 29 to Atlanta, thence along U.S. Highway 278 to the Georgia-South Carolina State line, to points in Tennessee on and west of U.S. Highway 45 and U.S. Highway 45E; (d) from points in Georgia on and north of a line beginning at the Alabama-Georgia State line, thence along U.S. Highway 78 to Atlanta, thence along U.S. Highway 278 to the Georgia-South Carolina State line, to points in Mississippi on and south of U.S. Highway 78 and on and north of U.S. Highway 82; (e) from points in Georgia on and north of a line beginning at the Alabama-Georgia State line, thence along U.S. Highway 78 to Atlanta, thence along U.S. Highway 278 to the

Georgia-South Carolina State line, to points in Louisiana and Texas; and (f) from points in Georgia, to points in Arkansas, New Mexico, Arizona, California, Oklahoma, Kansas, Colorado, Utah, Iowa, Minnesota, Nevada, Nebraska, South Dakota, North Dakota, Wyoming, Montana, Idaho, Oregon, and Washington. The purpose of this filing is to eliminate the gateways of Birmingham and Winfield, Ala.

No. MC 73165 (Sub-No. E61), filed June 4, 1974. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, conduit, tubing, and fittings* (except materials, equipment, and supplies used in or in connection with the discovery, storage, transmission, and distribution of natural gas and petroleum and their products and by-products), which are materials, supplies, or equipment incidental to or used in the construction, development, operation, and maintenance of facilities for the discovery, mining, and milling of lead, zinc, iron, coal, and other minerals; (1) from points in Illinois on and north of a line beginning at the Illinois-Indiana State line, thence along U.S. Highway 24 to Gilman, thence along U.S. Highway 45 to Champaign, thence along Interstate Highway 74 to the Illinois-Iowa State line, to points in Georgia, Alabama, North Carolina, South Carolina, and Florida; and (2) from points in Illinois on and north of a line beginning at the Indiana-Illinois State line, thence along U.S. Highway 24 to Gilman, thence along U.S. Highway 45 to Champaign, thence along Interstate Highway 74 to the Illinois-Iowa State line, to points in Mississippi and Louisiana. The purpose of this filing is to eliminate the gateway of Fairbury, Ill.

No. MC 73165 (Sub-No. E62), filed June 4, 1974. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Road building machinery, and contractors' equipment* (which because of size or weight, require special equipment), which consists of material handling equipment, and equipment, materials, and supplies used in the manufacture of material handling equipment, and parts, attachments, and accessories used in connection with material handling equipment; (1) from points in Illinois on and north of a line beginning at the Indiana-Illinois State line, extending along Illinois Highway 17 to Dwight, thence along U.S. Highway 66 to Bloomington, thence along Illinois Highway 9 to Pekin, thence along Illinois Highway 29 to Peoria, thence along U.S. Highway 150 to the Illinois-Iowa State line, to points in Florida on and south of a line beginning at St. Petersburg, thence along U.S. Highway 92 to Kissimmee, thence

along U.S. Highway 192 to Melbourne; (2) from points in Iowa on and east of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 65 to Colorado, thence along U.S. Highway 30 to junction Iowa Highway 14, thence along Iowa Highway 14 to Monroe, thence along Iowa Highway 163 to Oskaloosa, thence along U.S. Highway 63 to Ottumwa, thence along U.S. Highway 34 to the Iowa-Illinois State line, to points in Florida on and south of a line beginning at St. Petersburg, thence along U.S. Highway 92 to Kissimmee, thence along U.S. Highway 192 to Melbourne; and (3) from points in Wisconsin on and north of a line beginning at Milwaukee, thence along U.S. Highway 41 to Fond du Lac, thence along Wisconsin Highway 23 to Princeton, thence along Wisconsin Highway 73 to junction Wisconsin Highway 95 near Neillsville, thence along Wisconsin Highway 95 to the Wisconsin-Minnesota State line, to points in Florida on and south of a line beginning at St. Petersburg, thence along U.S. Highway 92 to Kissimmee, thence along U.S. Highway 192 to Melbourne. The purpose of this filing is to eliminate the gateway of Pekin or Joliet, Ill., or Cedar Rapids, Iowa, or Milwaukee, Wis.

No. MC 73165 (Sub-No. E63), filed June 4, 1974. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except commodities in bulk), which consist of (1) equipment, materials, and supplies used in the manufacture of mobile homes, (2) material handling equipment, and equipment, materials, and supplies used in the manufacture of material handling equipment, and (3) parts, attachments, and accessories, used in connection with the commodities described in (1) and (2) above; (1) from points in Tennessee on and southwest of a line beginning at the Tennessee-Alabama State line, thence along Interstate Highway 65 to junction Tennessee Highway 99, thence along Tennessee Highway 99 to Hohenwald, thence along Tennessee Highway 20 to the Tennessee-Missouri State line, to points in Florida on and north of a line beginning at St. Petersburg, thence across Gandy Bridge to Tampa, thence along U.S. Highway 92 to Kissimmee, thence along U.S. Highway 192 to Melbourne, thence along unnumbered highway to the Atlantic Seaboard; (2) from points in Louisiana, Texas, Arkansas, Oklahoma, Kansas, Colorado, Utah, New Mexico, Arizona, California, Nevada, Wyoming, Montana, Idaho, Oregon, and Washington, to points in Tennessee on and east of U.S. Highway 11 and U.S. Highway 11W; (3) from points in Mississippi on and south of U.S. Highway 78 and on and north of U.S. Highway 82, to points in Georgia on and north of a line beginning at the Georgia-Alabama State line, thence along U.S. Highway 78 to Atlanta, thence along U.S. Highway 278

to the Georgia-South Carolina State line;

(4) from points in Mississippi on and north of a line beginning at the Alabama-Mississippi State line, thence along U.S. Highway 78 to Tupelo, thence along Mississippi Highway 6 to Clarksdale, thence along Mississippi Highway 322 to Sberard and directly across to the Mississippi River, to points in Florida on and east of U.S. Highway 231 and on and north of a line beginning at St. Petersburg, thence across Gandy Bridge, to Tampa, thence along U.S. Highway 92 to Kissimmee, thence along U.S. Highway 192 to Melbourne, thence along unnumbered highway to the Atlantic Seaboard; (5) from points in Virginia, West Virginia, Pennsylvania, New York, New Jersey, Delaware, Maryland, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, and points in Ohio on and north of Interstate Highway 70 and on and east of U.S. Highway 23, to points in Mississippi on and south of U.S. Highway 80; (6) from points in Louisiana and Texas, to points in Georgia on and north of a line beginning at the Alabama-Georgia State line, thence along U.S. Highway 78 to Atlanta, thence along U.S. Highway 278 to the Georgia-South Carolina State line; (7) from points in Missouri on and west of U.S. Highway 63, to points in Georgia; (8) from points in Arkansas, New Mexico, Arizona, California, Oklahoma, Kansas, Colorado, Utah, Iowa, Minnesota, Nevada, Nebraska, South Dakota, North Dakota, Wyoming, Montana, Idaho, Oregon, and Washington, to points in Georgia; and (9) from points in Tennessee on and west of U.S. Highway 45 and U.S. Highway 45E, to points in Georgia on and south of a line beginning at the Georgia-Alabama State line, thence along U.S. Highway 29 to Atlanta, thence along U.S. Highway 278 to the Georgia-South Carolina State line. The purpose of this filing is to eliminate the gateways of Birmingham and Winfield, Ala.

No. MC 73165 (Sub-No. E64), filed June 4, 1974. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron pipe and fittings* which consist of machinery, equipment, materials, and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, supplies, and equipment incidental to or used in the construction, development, operation, and maintenance of facilities for the discovery, mining, and milling of lead, zinc, coal, and other minerals, and commodities the transportation of which by reason of their size or weight, require the use of special equipment or special handling; (1) from points in Illinois that are both on and north of U.S. Highway 30 and on and

east of Illinois Highway 47, to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, and Tennessee (Bensenville, Ill.)*; (2) from points in Illinois that are both on and north of U.S. Highway 30 and on and east of Illinois Highway 47, to points in South Carolina (Bensenville, Ill. and Alabama)*.

(3) From points in Illinois that are both on and north of U.S. Highway 30 and on and east of Illinois Highway 47, to points in Texas on and south of U.S. Highway 80 (Bensenville, Ill., and Shreveport, La.)*; (4) from points in Illinois that are both on and north of U.S. Highway 30 and on and east of Illinois Highway 47, to points in New Mexico on and south of a line beginning at the New Mexico-Texas State line, thence along U.S. Highway 82 to Las Cruces, thence along U.S. Highway 70 to the New Mexico-Arizona State line, points in Arizona on and south of a line beginning at the Arizona-New Mexico State line, thence along U.S. Highway 70 to Globe, thence along U.S. Highway 60 to the Arizona-California State line, and points in California on and south of Interstate Highway 10 (Bensenville, Ill., Shreveport, La., and Gilmer, Tex.)*; and (5) from Chicago, Ill., to points in Texas on and south of a line beginning at the Texas-Louisiana State line, thence along U.S. Highway 80 to Ft. Worth, thence along U.S. Highway 81 to Wichita Falls, thence along U.S. Highway 81 to the Texas-New Mexico State line, points in New Mexico, on and south of a line beginning at the New Mexico-Texas State line, thence along U.S. Highway 380 to San Antonio, N. Mex., thence along U.S. Highway 85 to Socorro, thence along U.S. Highway 60 to the New Mexico-Arizona State line, points in Arizona on and south of U.S. Highway 80, and points in California on and south of a line beginning at the California-Arizona State line, thence along U.S. Highway 66 to Barstow, thence along California Highway 58 to Creston, thence along California Highway 41 to Morro Bay (Bensenville, Ill., Shreveport, La., and Gilmer, Tex.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 73165 (Sub-No. E83), filed February 5, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 11086. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum articles*, the transportation of which because of size or weight requires special equipment, from points in Pennsylvania, New York, New Jersey, Maryland, Massachusetts, North Carolina, Vermont, Virginia, Connecticut, Rhode Island, West Virginia, and that part of South Carolina on and north of Interstate Highway 26 and points in Laurens, Greenville, Anderson, Pickens, and Oconee Counties, S.C., to points in Texas on and south of a line extending from the Arkansas-Texas State line along Interstate Highway 30

to Dallas, Tex., thence along U.S. Highway 80 to Ft. Worth, Tex., and thence along U.S. Highway 180 to the Texas-New Mexico State line. The purpose of this filing is to eliminate the gateway of the facilities of Planet Corp., at Birmingham, Ala., and Colbert County, Ala.

No. MC 73165 (Sub-No. E85), filed February 5, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum articles*, the transportation of which, because of size or weight, requires special equipment, from points in Ohio, that part of Michigan on and east of a line beginning at Bay City, Mich., and extending along U.S. Highway 23 to the Michigan-Ohio State line, that part of Kentucky on and east of U.S. Highway 231, and that part of Tennessee on and east of U.S. Highways 31 and 31W to points in Texas on and south of a line extending from the Texas-Louisiana State line along U.S. Highway 190 to Hearne, Tex., thence along U.S. Highway 79 to Round Rock, Tex., thence along U.S. Highway 81 to Austin, Tex., thence along U.S. Highway 290 to junction U.S. Highway 80 near Kent, Tex., and thence along U.S. Highway 80 to the Texas-New Mexico State line. The purpose of this filing is to eliminate the gateway of the facilities of Planet Corp., at Birmingham, Ala., and Colbert County, Ala.

No. MC 73165 (Sub-No. E86), filed February 5, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum articles*, the transportation of which, because of size or weight, requires special equipment, from points in Indiana to points in Texas on and south of a line extending from the Texas-Louisiana State line along U.S. Highway 90 to Houston, Tex., and thence along U.S. Highway 59 to Laredo, Tex. The purpose of this filing is to eliminate the gateway of the facilities of Planet Corp., at Birmingham, Ala., and Colbert County, Ala.

No. MC 73165 (Sub-No. E87), filed February 5, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum articles*, the transportation of which, because of size or weight, requires the use of special equipment, from points in Texas, Oklahoma, Utah, California, Washington, Louisiana on and west of the Mississippi River, and Arkansas on and west of U.S. Highway 65 to points in Virginia. The purpose of this filing is to eliminate the gateway of the facilities of Planet Corporation, at Birmingham, Ala., and Colbert County, Ala.

No. MC 73165 (Sub-No. E88), filed February 5, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum articles*, the transportation of which, because of size or weight, requires special equipment, from points in Colorado, Nebraska on and west of U.S. Highway 83, and that part of Kansas on, west, and south of a line extending from the Nebraska-Kansas State line along U.S. Highway 81 to Wichita, Kans., and thence along U.S. Highway 54 to the Kansas-Missouri State line to points in Virginia on and south of U.S. Highway 60. The purpose of this filing is to eliminate the gateway of the facilities of Planet Corporation, at Birmingham, Ala., and Colbert County, Ala.

No. MC 73165 (Sub-No. E89) filed February 1, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron fittings and connections*, as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except Oil Field Commodities as described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459), from Birmingham, Ala., and points within ten miles thereof to points in Minnesota, North Dakota, South Dakota, Nebraska, Montana, Wyoming, Colorado, Arizona, Utah, Idaho, Washington, Oregon, Nevada, California, and that part of New Mexico on and west of U.S. Highway 85. The purpose of this filing is to eliminate the gateway of the facilities of Claw Corp., at Columbia, Mo.

No. MC 73165 (Sub-No. E90), filed February 1, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron valves, fire hydrants, and components* consisting of gaskets, fittings, and connections (except Oil Field Commodities as described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459), from Birmingham, Ala., to points in Minnesota, North Dakota, South Dakota, Nebraska, Montana, Wyoming, Colorado, Arizona, Utah, Idaho, Washington, Oregon, Nevada, California, and that part of New Mexico on and west of U.S. Highway 85. The purpose of this filing is to eliminate the gateway of the facilities of Claw Corp., at Columbia, Mo.

No. MC 73165 (Sub-No. E91), filed February 1, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 11086. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: (1) *Iron fittings and connections*, as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except Oil Field Commodities as described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459); and (2) *Cast iron valves, fire hydrants, and components* consisting of gaskets, fittings, and connections (except Oil Field Commodities as described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459) (except both as to above (1) and (2), those requiring special equipment), from points in Georgia to points in North Dakota, South Dakota, Nebraska, Montana, Wyoming, Idaho, Washington, Oregon, Utah, Nevada, Colorado, and California. The purpose of this filing is to eliminate the gateway of facilities of Claw Corp., at Columbia, Mo., and Birmingham, Ala.

No. MC 73165 (Sub-No. E92), filed February 1, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron fittings and connections*, as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except Oil Field Commodities as described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459); (2) *Cast iron valves, fire hydrants, and components* consisting of gaskets, fittings, and connections (except Oil Field Commodities as described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459) (except in both (1) and (2) above, commodities requiring special equipment), from points in Georgia on and south of U.S. Highway 278 to points in Minnesota. The purpose of this filing is to eliminate the gateway of facilities of Claw Corporation at Columbia, Mo., and Birmingham, Ala.

No. MC 95540 (Sub-No. E607), filed May 28, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd., N.E., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, dairy products, and articles* distributed by meat packinghouses, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from those points in California on and south of a line beginning at the Pacific Ocean and extending along U.S. Highway 101 to junction California Highway 36, thence along California Highway 36 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction unnumbered highway, thence along unnumbered highway to the California-Nevada State line, to points in Virginia. The purpose of this filing is to eliminate the gateway of Tifton, Ga.

No. MC 95540 (Sub-No. E620), filed May 6, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd., N.E., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), Orangeburg, S.C., to those points in Alabama on and south of a line beginning at the Mississippi-Alabama State line and extending along U.S. Highway 82 to junction Interstate Highway 85, thence along Interstate Highway 85 to the Alabama-Georgia State line. The purpose of this filing is to eliminate the gateway of Tifton, Ga.

No. MC 95540 (Sub-No. E621), filed May 6, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd., N.E., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Greeley, Colo., to those points in Alabama on and south of a line beginning at the Alabama-Georgia State line and extending along Interstate Highway 85 to junction Interstate Highway 65, thence along Interstate Highway 65 to junction Alabama Highway 21, thence along Alabama Highway 21 to junction Alabama Highway 97, thence along Alabama Highway 97 to the Alabama-Florida State line. The purpose of this filing is to eliminate the gateway of Tifton, Ga.

No. MC 95540 (Sub-No. E639), filed May 8, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd., N.E., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Carrollton, Macon, Marshall, Milan, Moberly, and St. Joseph, Mo., to points in North Carolina, South Carolina, and those points in Alabama on and south of a line beginning at the Alabama-Georgia State line and extending along Alabama Highway 48 to junction Alabama Highway 49, thence along Alabama Highway 49 to junction Alabama Highway 120, thence along Alabama Highway 120 to junction Alabama Highway 81, thence along Alabama Highway 81 to junction U.S. Highway 29, thence along U.S. Highway 29 to junction Alabama Highway 87, thence along Alabama Highway 87 to junction U.S. Highway 84, thence along U.S. Highway 84 to junction U.S. Highway 331, thence along U.S. Highway 331 to the Alabama-Florida

State line. The purpose of this filing is to eliminate the gateway of Gainesville, Ga.

No. MC 95540 (Sub-No. E644), filed May 13, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd., N.E., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Red Creek, Waterloo, Rushville, Penn Yan, Egypt, Fairport, Lyons, Newark, Syracuse, and Rochester, N.Y., to those points in Texas on and south of a line beginning at the United States-Mexico International Boundary line and extending along U.S. Highway 59 to junction Texas Highway 44, thence along Texas Highway 44 to the Gulf of Mexico. The purpose of this filing is to eliminate the gateways of points in Maryland, Delaware, and Virginia in the Delmarva Peninsula, and points in Pike and Spalding Counties, Ga.

No. MC 107403 (Sub-No. E686), filed November 19, 1974. Applicant: MATTLECK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except liquefied petroleum gases), in bulk, in tank vehicles, from the facilities of Commercial Solvents Corp., at Sterlington, La., to points in Wyoming, Utah, and Moffat, Rio Blanco, Garfield, Mesa, Delta, Montrose, Ouray, San Miguel, San Juan, Dolores, Montezuma, and La Plata Counties, Colo. The purpose of this filing is to eliminate the gateway of Baton Rouge, La.

No. MC 107403 (Sub-No. E687), filed November 19, 1974. Applicant: MATTLECK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement and lime*, in bulk, in bags, from the facilities of Southern Cement Co., at Atlanta, Ga., to points in Mississippi and Louisiana. The purpose of this filing is to eliminate the gateway of the facilities of the Cheney Lime and Cement Co., Graystone, Ala.

No. MC 107403 (Sub-No. E689), filed November 19, 1974. Applicant: MATTLECK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid aluminum sulfate*, in bulk, in tank vehicles, from the facilities of Commercial Solvents Corporation, at Sterlington, La., to points in Arkansas (except Union and Columbia Counties), and Oklahoma. The purpose of this filing is to eliminate the gateways of Bastrop and Springhill, La.

No. MC 107403 (Sub-No. E690), filed November 19, 1974. Applicant: MATTLECK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, in bags, from Atlanta, Ga., to points in Louisiana and Mississippi. The purpose of this filing is to eliminate the gateway of the facilities of Cheney Lime and Cement at Graystone, Ala.

No. MC 107403 (Sub-No. E691), filed November 19, 1974. Applicant: MATTLECK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, from the facilities of Cheney Lime and Cement at Landmark, Ala., to points in North Carolina and South Carolina. The purpose of this filing is to eliminate the gateway of the facilities of Southern Cement Co., at Atlanta, Ga.

No. MC 107515 (Sub-No. E517), filed January 27, 1975. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd., N.E., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh fruits and vegetables* (except in bulk), in vehicles equipped with mechanical refrigeration, from Charleston, S.C., to that portion of Kentucky on and west of a line beginning at the Tennessee-Kentucky State line extending along U.S. Highway 127 to junction Kentucky Highway 90, thence along Kentucky Highway 90 to junction U.S. Highway 27, thence along U.S. Highway 27 to junction Interstate Highway 75, thence along Interstate Highway 75 to the Kentucky-Ohio State line; and (2) to Iowa, Indiana, Wisconsin, Michigan, that portion of Missouri on and north of a line beginning at the Missouri-Illinois State line extending along Missouri Highway 51 to junction U.S. Highway 61, thence along U.S. Highway 61 to junction Missouri Highway 32, thence along Missouri Highway 32 to junction Missouri Highway 8, thence along Missouri Highway 8 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Missouri Highway 64, thence along Missouri Highway 64 to junction U.S. Highway 54, thence along U.S. Highway 54 to the Missouri-Kansas State line, and that portion of Illinois on and north of a line beginning at the Indiana-Illinois State line on Illinois Highway 13 to junction Illinois Highway 149, thence along Illinois Highway 149 to junction Illinois Highway 3, thence along Illinois Highway 3 to junction Missouri Highway 51 to the Missouri-Illinois State line. The purpose of this filing is to eliminate the gateways of Atlanta, Ga., and Louisville, Ky.

No. MC 107515 (Sub-No. E526), filed January 27, 1975. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd., N.E., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh and cured meats*, in vehicles equipped with mechanical refrigeration; (1) from points in Florida to points in Oregon on and west of U.S. Highway 395; (2) from Mobile County, Ala., to points in Washington on or west of Interstate Highway 5; (3) from that portion of Alabama on or east of a line beginning at the Florida-Alabama State line and extending along Alabama Highway 21 to junction U.S. Highway 84, thence along U.S. Highway 84 to junction U.S. Highway 43, thence along U.S. Highway 43 to the Tennessee-Alabama State line to Portland, Hillsboro, and Milwaukie, Oreg., and points in Washington on or west of Interstate Highway 5; and (4) from points in Alabama on or east of U.S. Highway 43 to points in that portion of Washington which are on and east of Interstate Highway 5 (except those south of U.S. Highway 12). The purpose of this filing is to eliminate the gateway of the Atlanta, Ga., commercial zone and Bristol, Va.-Tenn., commercial zone.

No. MC 107515 (Sub-No. E532), filed January 27, 1975. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd., N.E., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in mechanically refrigerated vehicles, from Prattsville, N.Y., to California, Washington, Oregon, Idaho, Nevada, Utah, Arizona, New Mexico, Colorado, Cheyenne, Wyo., and points in Montana and Wyoming on or west of U.S. Highway 87. The purpose of this filing is to eliminate the gateway of Bristol, Tenn.

No. MC 108449 (Sub-No. E62), filed May 21, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Eau Claire, Wisc., and points within 20 miles thereof, to points in North Dakota. The purpose of this filing is to eliminate the gateway of St. Cloud, Minn.

No. MC 109331 (Sub-No. E1), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate

as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Anderson, S.C., on the one hand, and, on the other, Blackstone, Charlottesville, Cheriton, Culpeper, Franklin, Fredericksburg, Newport News, Norfolk, Richmond, Staunton, Virginia Beach, Williamsburg, and Winchester, Va. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E2), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Beaufort, S.C., on the one hand, and, on the other, Blackstone, Charlottesville, Cheriton, Christiansburg, Culpeper, Danville, Franklin, Fredericksburg, Hillsville, Lexington, Lynchburg, Martinsville, Newport News, Norfolk, Richmond, Roanoke, S. Boston, Staunton, Virginia Beach, Williamsburg, and Winchester, Va. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E3), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Charleston, Columbia, Florence, and Orangeburg, S.C., on the one hand, and, on the other, Blackstone, Bristol, Charlottesville, Cheriton, Christiansburg, Culpeper, Danville, Franklin, Fredericksburg, Hillsville, Lexington, Lynchburg, Martinsville, Newport News, Norfolk, Richmond, Roanoke, S. Boston, Staunton, Virginia Beach, Williamsburg, and Winchester, Va. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E4), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Conway, S.C., on the one hand, and, on the other, Bristol, Charlottesville, Cheriton, Christiansburg, Culpeper, Danville, Fredericksburg, Hillsville, Lexington, Lynchburg, Martinsville, Richmond, Roanoke, Staunton, Williamsburg, and Winchester, Va. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E5), filed May 12, 1974. Applicant: NILSON VAN

STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Greenville, S.C., on the one hand, and, on the other, Charlottesville, Cheriton, Culpeper, Franklin, Fredericksburg, Newport News, Norfolk, Richmond, Virginia Beach, Williamsburg, and Winchester, Va. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E6), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Greenwood, S.C., on the one hand, and, on the other, Blackstone, Charlottesville, Cheriton, Christiansburg, Culpeper, Danville, Franklin, Fredericksburg, Lexington, Lynchburg, Newport News, Norfolk, Richmond, Roanoke, S. Boston, Staunton, Virginia Beach, Williamsburg, and Winchester, Va. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E7), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Myrtle Beach, S.C., on the one hand, and, on the other, Bristol, Charlottesville, Christiansburg, Culpeper, Danville, Fredericksburg, Hillsville, Lexington, Lynchburg, Martinsville, Richmond, Roanoke, Staunton, Williamsburg, and Winchester, Va. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E8), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Spartanburg, S.C., on the one hand, and, on the other, Cheriton, Newport News, Norfolk, and Virginia Beach, Va. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E10), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate

as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Beaufort, S.C., on the one hand, and, on the other, Blairsville, Cedartown, and Rome, Ga. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E11), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Charleston, S.C., on the one hand, and, on the other, Albany, Athens, Atlanta, Augusta, Bainbridge, Blairsville, Cedartown, Columbus, Cordele, Gainesville, Macon, Milledgeville, Moultrie, and Rome, Ga. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E12), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (a) between Conway, Florence, and Myrtle Beach, S.C., on the one hand, and, on the other, Albany, Athens, Atlanta, Augusta, Bainbridge, Blairsville, Brunswick, Cedartown, Columbus, Cordele, Gainesville, Macon, McRae, Milledgeville, Moultrie, Rome, Savannah, Swainsboro, Valdosta, and Waycross, Ga.; and (b) between Orangeburg, S.C., on the one hand, and, on the other, the destinations in (a) above (except Augusta, Savannah, and Swainsboro, Ga.); and (c) between Columbia, S.C., on the one hand, and, on the other, the destinations in (a) above (except Augusta, Ga.). The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E13), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Greenville, S.C., on the one hand, and, on the other, Brunswick and Savannah, Ga. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E15), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham (same as above). Authority sought to operate

as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Spartanburg, S.C. on the one hand, and, on the other, Bainbridge, Brunswick, Savannah, Valdosta, and Waycross, Ga. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E16), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Anderson, S.C., on the one hand, and, on the other, Boca Raton, Chiefland, Cocoa, Daytona Beach, Ft. Myers, Gainesville, Jacksonville, Key West, Lake City, Miami, Ocala, Okeechobee, Orlando, St. Augustine, St. Petersburg, Sarasota, South Bay, Tampa, West Palm Beach, and Winter Haven, Fla. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E17), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C., 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Charleston, S.C., on the one hand, and, on the other, Boca Raton, Chiefland, Cocoa, Crestview, Ft. Myers, Key West, Miami, Ocala, Okeechobee, Orlando, Panama City, Pensacola, Perry, St. Petersburg, Sarasota, South Bay, Tallahassee, Tampa, West Palm Beach, and Winter Haven, Fla. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E18), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C., 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Columbia, Conway, Florence, Myrtle Beach, and Orangeburg, S.C., on the one hand, and, on the other, Boca Raton, Chiefland, Cocoa, Crestview, Daytona Beach, Ft. Myers, Gainesville, Jacksonville, Key West, Lake City, Miami, Ocala, Okeechobee, Orlando, Panama City, Pensacola, Perry, St. Augustine, St. Petersburg, Sarasota, South Bay, Tallahassee, Tampa, West Palm Beach, and Winter Haven, Fla. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E19), filed May 12, 1974. Applicant: NILSON VAN

STORAGE, 707 Security Federal Bldg., Columbia, S.C., 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Greenville, S.C., on the one hand, and, on the other, Boca Raton, Chiefland, Cocoa, Daytona Beach, Ft. Myers, Gainesville, Jacksonville, Key West, Miami, Ocala, Okeechobee, Orlando, St. Augustine, St. Petersburg, Sarasota, South Bay, Tampa, West Palm Beach, and Winter Haven, Fla. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E20), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C., 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Greenville, S.C., on the one hand, and, on the other, Boca Raton, Cocoa, Daytona Beach, Ft. Myers, Gainesville, Key West, Miami, Ocala, Okeechobee, Orlando, St. Petersburg, Sarasota, South Bay, Tampa, West Palm Beach, and Winter Haven, Fla. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E21), filed May 21, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Spartanburg, S.C., on the one hand, and, on the other, Boca Raton, Chiefland, Cocoa, Crestville, Daytona Beach, Ft. Myers, Gainesville, Jacksonville, Key West, Lake City, Miami, Ocala, Okeechobee, Orlando, Panama City, Perry, St. Augustine, St. Petersburg, Sarasota, South Bay, Tallahassee, Tampa, West Palm Beach, and Winter Haven, Fla. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E22), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Asheville, N.C., on the one hand, and, on the other, Brunswick, Savannah, Valdosta, and Waycross, Ga. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub. No. E23), filed May 12, 1974. Applicant: NILSON VAN

STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Burlington, N.C., on the one hand, and, on the other, Albany, Athens, Atlanta, Augusta, Bainbridge, Brunswick, Cedartown, Columbus, Cordele, Macon, McRae, Milledgeville, Moultrie, Rome, Savannah, Swainsboro, Valdosta, and Waycross, Ga. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E24), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Charlotte, N.C., on the one hand, and, on the other, Albany, Augusta, Bainbridge, Brunswick, Columbus, Cordele, Macon, McRae, Milledgeville, Moultrie, Savannah, Swainsboro, Valdosta, and Waycross, Ga. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E25), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Household goods*, as defined by the Commission, between Cherry Point, Durham, Elizabeth City, Fayetteville, Goldsboro, Henderson, Jacksonville, Kinston, Lumberton, Raleigh, Rocky Mount, and Wilmington, N.C., on the one hand, and, on the other, Albany, Athens, Atlanta, Augusta, Bainbridge, Blairsville, Brunswick, Cedartown, Columbus, Cordele, Gainesville, Macon, McRae, Milledgeville, Moultrie, Rome, Savannah, Swainsboro, Valdosta, and Waycross, Ga. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E26), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Greensboro, N.C., on the one hand, and, on the other, Albany, Athens, Atlanta, Augusta, Bainbridge, Brunswick, Cedartown, Columbus, Cordele, Macon, McRae, Milledgeville, Moultrie, Savannah, Swainsboro, Valdosta, and Waycross, Ga. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E27), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between High Point, N.C., and Statesville, N.C., on the one hand, and, on the other, Albany, Augusta, Bainbridge, Brunswick, Columbus, Cordele, Macon, McRae, Milledgeville, Moultrie, Savannah, Swainsboro, Valdosta, and Waycross, Ga. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E28), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Wilkesboro, N.C., on the one hand, and, on the other, Albany, Augusta, Bainbridge, Brunswick, Cordele, Macon, McRae, Milledgeville, Moultrie, Savannah, Swainsboro, Valdosta, and Waycross, Ga. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E29), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Graham, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Winston-Salem, N.C., on the one hand, and, on the other, Albany, Augusta, Bainbridge, Brunswick, Cedartown, Columbus, Cordele, Macon, McRae, Milledgeville, Moultrie, Savannah, Swainsboro, Valdosta, and Waycross, Ga. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 109331 (Sub-No. E30), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg., Columbia, S.C. 29201. Applicant's representative: Frank A. Grahona, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Asheville, N.C., on the one hand, and, on the other, Boca Raton, Chiefland, Cocoa, Daytona Beach, Ft. Myers, Gainesville, Jacksonville, Key West, Lake City, Miami, Ocala, Okeechobee, Orlando, Perry, St. Augustine, St. Petersburg, Sarasota, South Bay, Tampa, West Palm Beach, Winter Haven, Fla. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles of thereof.

No. MC 109331 (Sub-No. E31), filed May 12, 1974. Applicant: NILSON VAN STORAGE, 707 Security Federal Bldg.,

Columbia, S.C. 29201. Applicant's representative: Frank A. Grahona, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Charlotte, Cherry Point, Durham, Burlington, Elizabeth City, Fayetteville, Goldsboro, Greensboro, Henderson, High Point, Jacksonville, Kinston, Lumberton, Raleigh, Rocky Mount, Statesville, Wilkesboro, Wilmington, and Winston-Salem, N.C., on the one hand, and, on the other, Boca Raton, Chiefland, Cocoa, Crestview, Daytona Beach, Ft. Myers, Gainesville, Jacksonville, Key West, Lake City, Miami, Ocala, Okeechobee, Orlando, Panama City, Pensacola, Perry, St. Augustine, St. Petersburg, Sarasota, South Bay, Tallahassee, Tampa, West Palm Beach, and Winter Haven, Fla. The purpose of this filing is to eliminate the gateway of Sumter, S.C., and points within 25 miles thereof.

No. MC 110683 (Sub-No. E3), filed June 4, 1974. Applicant: SMITH'S TRANSFER CORPORATION, P.O. Box 1000, Staunton, Va. 24401. Applicant's representative: Harry J. Jordan, 1000 16th St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those injurious or contaminating to other lading, (1) between points in that part of Ohio on and west of a line beginning at Cincinnati, Ohio, thence over U.S. Highway 75 to its junction with U.S. Highway 36, thence over U.S. Highway 36 to its junction with U.S. Highway 23, thence over U.S. Highway 23 to its junction with U.S. Highway 30, thence over U.S. Highway 30 to the Ohio-Indiana State line, on the one hand, and, on the other, points in Kentucky, except those east of a line beginning at the West Virginia-Kentucky State line, thence along Kentucky Highway 32 to its junction with Kentucky Highway 11, thence over Kentucky Highway 11 to the Ohio-Kentucky State line. (2) Between points in that part of Ohio bounded by a line beginning at the Ohio-Kentucky State line at Cincinnati, Ohio, thence over U.S. Highway 75 to its junction with U.S. Highway 36, thence over U.S. Highway 36 to its junction with U.S. Highway 23, thence over U.S. Highway 23 to its junction with U.S. Highway 22, thence over U.S. Highway 22 to its junction with U.S. Highway 75 at Cincinnati, Ohio, on the one hand, and, on the other, points in Kentucky on and west of a line beginning at the Tennessee-Kentucky State line, thence along U.S. Highway 75 to its junction with U.S. Highway 27, thence over U.S. Highway 27 to the Ohio-Kentucky State line.

(3) Between points in that part of Ohio bounded by a line beginning at Cincinnati, Ohio, thence over U.S. Highway 22 to its junction with U.S. Highway 23, thence along U.S. Highway 23 to its junction with Ohio Highway 124,

thence over Ohio Highway 124 to its junction with Ohio Highway 41, thence over Ohio Highway 41 to the Ohio-Tennessee State line, on the one hand, and on the other, points in Kentucky on and west of Interstate Highway 75. (4) between points in that part of Ohio bounded by a line beginning at Aberdeen, Ohio, thence over Ohio Highway 41 to its junction with Ohio Highway 124, thence over Ohio Highway 124 to its junction with U.S. Highway 23, thence over U.S. Highway 23 to Portsmouth, Ohio, on the one hand, and, on the other, points in Kentucky on and west of a line beginning at the Tennessee-Kentucky State line, thence over Kentucky Highway 79 to its junction with U.S. Highway 60, thence over U.S. Highway 60 to its junction with U.S. Highways 42-41, thence over U.S. Highways 42-41 to the Indiana-Kentucky State line. The purpose of this filing is to eliminate the gateway of Cincinnati, Ohio.

No. MC 111320 (Sub-No. E31), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective trucks, trailers, and other types of motor vehicles* (except passenger automobiles), but including *self-propelled road building and contractor's vehicles or machinery*, in driveway and truckaway service, between points in that part of New York, on and east of a line beginning at Lake Erie, thence along New York Highway 16 to the New York-Pennsylvania State line, on the one hand, and, on the other, points in Oklahoma. The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y.

No. MC 111320 (Sub-No. E32), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective trucks, trailers, and other types of motor vehicles* (except passenger automobiles), but including *self-propelled road building and contractor's vehicles or machinery*, in driveway and truckaway service, between points in that part of New York on and east of a line beginning at the Pennsylvania-New York State line, thence along New York Highway 19 to junction New York Highway 63, thence along New York Highway 63 to junction New York Highway 98, thence along New York Highway 98 to Lake Ontario, on the one hand, and, on the other, points in Minnesota and Alabama. The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y.

No. MC 111320 (Sub-No. E33), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by mo-

tor vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective trucks, trailers, and other types of motor vehicles* (except passenger automobiles), but including *self-propelled road building and contractor's vehicles or machinery*, in driveway and truckaway service, between points in that part of New York on and east of a line beginning at the Pennsylvania-New York State line, thence along New York Highway 16 to junction New York Highway 78, thence along New York Highway 78 to Lake Ontario, on the one hand, and, on the other, points in Nebraska. The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y.

No. MC 111320 (Sub-No. E34), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective trucks, trailers, and other types of motor vehicles* (except passenger automobiles), but including *self-propelled road building and contractor's vehicles or machinery*, in driveway and truckaway service, between points in that part of New York on and east of a line beginning at the New York-Pennsylvania State line, thence along New York Highway 16 to junction New York Highway 78, thence along New York Highway 78 to Lake Ontario, on the one hand, and, on the other, points in Kansas. The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y.

No. MC 111320 (Sub-No. E35), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective trucks, trailers, and other types of motor vehicles* (except passenger automobiles), but including *self-propelled road building and contractor's vehicles or machinery*, in driveway and truckaway service, between points in that part of New York on and east of a line beginning at the New York-Pennsylvania State line, thence along New York Highway 16 to junction New York Highway 78, thence along New York Highway 78 to Lake Ontario, and on and north of a line beginning at Hancock, N.Y., thence along New York Highway 17 to junction New York Highway 30, thence along New York Highway 30 to junction New York Highway 7, thence along New York Highway 7 to the New York-Vermont State line, on the one hand, and, on the other, points in Virginia. The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y.

No. MC 111320 (Sub-No. E36), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective trucks, trailers, and other types of motor vehicles* (except passenger automobiles), but including *self-propelled road building and contractor's vehicles or machinery*, in driveway and truckaway service, between points in that part of New York on and north of a line beginning at Hancock, N.Y., thence along New York Highway 17 to junction New York Highway 52, thence along New York Highway 52 to junction U.S. Highway 44, thence along U.S. Highway 44 to the New York-Connecticut State line, on the one hand, and, on the other, points in South Carolina. The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y.

No. MC 111320 (Sub-No. E37), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective trucks, trailers, and other types of motor vehicles* (except passenger automobiles), but including *self-propelled road building and contractor's vehicles or machinery*, in driveway and truckaway service, between points in that part of New York on and west of a line beginning at the New York-Pennsylvania State line, thence along New York Highway 14 to junction New York Highway 13, thence along New York Highway 13 to junction New York Highway 34, thence along New York Highway 34 to junction New York Highway 38, thence along New York Highway 38 to junction New York Highway 104, thence along New York Highway 104 to Lake Ontario, on the one hand, and, on the other, points in that part of New Jersey on and south of a line beginning at the New York-New Jersey State line, thence along U.S. Highway 202 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Hudson River. The purposes of this filing is to eliminate the gateway of Elmira Heights, N.Y.

No. MC 111320 (Sub-No. E38), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective trucks, trailers, and other types of motor vehicles* (except passenger automobiles), but including *self-propelled road building and contractor's vehicles or machinery*, in driveway and truckaway service, between points in that part of New York on and west of a line beginning at the New York-Pennsylvania State line, thence along New York Highway 14 to junction New York Highway 96, thence along New York Highway 96 to junction New York Highway 250, thence along New York Highway 250 to Lake Ontario, on the one hand, and, on the other, points in Connecticut and Rhode Island. The pur-

pose of this filing is to eliminate the gateway of Elmira Heights, N.Y.

No. MC 111320 (Sub-No. E39), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled road building equipment, and parts thereof*, in driveaway and truckaway service, between points in that part of Ohio on, east, and north of a line beginning at the Ohio-West Virginia State line, thence along U.S. Highway 22 to junction U.S. Highway 250, thence along U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 23, thence along U.S. Highway 23 to the Ohio-Michigan State line, on the one hand, and, on the other, points in Alabama. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E40), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled road building equipment, and parts thereof*, in driveaway and truckaway service, between points in that part of Ohio on, north, and east of a line beginning at the Ohio-West Virginia State line, thence along Interstate Highway 70 to junction Interstate Highway 77, thence along Interstate Highway 77 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 23, thence along U.S. Highway 23 to the Ohio-Michigan State line, on the one hand, and, on the other, points in Arkansas. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E41), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled road building equipment, and parts thereof*, in driveaway and truckaway service, between points in that part of Ohio on and east of a line beginning at the Ohio-Michigan State line, thence along U.S. Highway 23 to junction Interstate Highway 75, thence along Interstate Highway 75 to junction U.S. Highway 35, thence along U.S. Highway 35 to junction U.S. Highway 23, thence along U.S. Highway 23 to the Ohio-Kentucky State line, on the one hand, and, on the other, points in Colorado. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E42), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E.

Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled road building equipment, and parts thereof*, in driveaway and truckaway service, between points in that part of Ohio on, north, and east of a line beginning at the Ohio-West Virginia State line, thence along U.S. Highway 22 to junction U.S. Highway 250, thence along U.S. Highway 250 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 33, thence along U.S. Highway 33 to the Ohio-Indiana State line, on the one hand, and, on the other, points in Florida. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E43), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled road building equipment, and parts thereof*, in driveaway and truckaway service, between points in that part of Ohio on, north, and east of a line beginning at the Ohio-West Virginia State-line, thence along U.S. Highway 22 to junction Interstate Highway 77, thence along Interstate Highway 77 to junction Ohio Highway 60, thence along Ohio Highway 60 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 68, thence along U.S. Highway 68 to junction Interstate Highway 75, thence along Interstate Highway 75 to junction U.S. Highway 23, thence along U.S. Highway 23 to the Ohio-Michigan State line, on the one hand, and, on the other, points in Louisiana. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E44), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled road building equipment, and parts thereof*, in driveaway and truckaway service; (1) between points in that part of Ohio east and north of a line beginning at Lake Erie, thence along Ohio Highway 57 to junction Interstate Highway 76 to junction U.S. Highway 21, thence along U.S. Highway 21 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Ohio-West Virginia State line, on the one hand, and, on the other, points in Indiana; (2) between points in that part of Ohio on and east of a line beginning at Lake Erie, thence along U.S. Highway 250 to junction Ohio Highway 13, thence along Ohio Highway 13 to junction U.S. Highway 33, thence along U.S. Highway 33 to the Ohio-West Virginia State line, on the one hand, and, on the other, points in that part of Michigan on and north of a line beginning at Lake Michigan, thence along Interstate Highway 96 to

junction Michigan Highway 21, thence along Michigan Highway 21 to junction Michigan Highway 52, thence along Michigan Highway 52 to junction Michigan Highway 46, thence along Michigan Highway 46 to Lake Huron; (3) between points in that part of Ohio on, east, and north of a line beginning at Lake Erie, thence along Ohio Highway 4 to junction U.S. Highway 224, thence along U.S. Highway 224 to the Ohio-Pennsylvania State line, on the one hand, and, on the other, points in Kentucky.

(4) Between points in that part of Ohio on and west of Interstate Highway 77, on the one hand, and, on the other, points in that part of New York on and north of a line beginning at the New York-Pennsylvania State line, thence along New York Highway 17 to junction New York Highway 52, thence along New York Highway 52 to junction U.S. Highway 209, thence along U.S. Highway 209 to junction U.S. Highway 44, thence along U.S. Highway 44 to the New York-Connecticut State line; and (5) between points in that part of Ohio on and north of a line beginning at the Ohio-Indiana State line, thence along U.S. Highway 6 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Interstate Highway 271, thence along Interstate Highway 271 to junction Interstate Highway 90, thence along Interstate Highway 90 to the Ohio-Pennsylvania State line, on the one hand, and, on the other, points in that part of West Virginia on and east of Interstate Highway 77. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E45), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled road building equipment, and parts thereof*, in driveaway and truckaway service, between points in that part of Ohio on and east of a line beginning at Lake Erie, thence along Ohio Highway 4 to junction U.S. Highway 23, thence along U.S. Highway 23 to junction U.S. Highway 62, thence along U.S. Highway 62 to the Ohio-Kentucky State line, on the one hand, and, on the other, points in that part of Minnesota on, north, and west of a line beginning at the Wisconsin-Minnesota State line, thence along U.S. Highway 12 to junction Interstate Highway 35, thence along Interstate Highway 35 to junction U.S. Highway 218, thence along U.S. Highway 218 to the Minnesota-Iowa State line. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E46), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Self-propelled road building equipment, and parts thereof*, in driveway and truckaway service, between points in that part of Ohio east and north of a line beginning at the Ohio-Michigan State line, thence along U.S. Highway 23 to junction Interstate Highway 75, thence along Interstate Highway 75 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 23, thence along U.S. Highway 23 to junction U.S. Highway 30N, thence along U.S. Highway 30N to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 250, thence along U.S. Highway 250 to the Ohio-West Virginia State line, on the one hand, and, on the other, points in that part of Georgia east and south of U.S. Highway 19. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-10486 Filed 4-21-75; 8:45 am]

[Notice No. 43]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

APRIL 18, 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 210(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 13900 (Sub-No. 25TA), filed April 10, 1975. Applicant: MIDWEST HAULERS, INC., 228 Superior Street, Toledo, Ohio 43604. Applicant's representative: Harold G. Hernly, 118 North St. Asaph St., Alexandria, Va. 22314. Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: *General commodities*, which are at the time moving on bills of lading of freight forwarders, as defined in Section 402(a) of the Act, from Chicago, Ill., to points in Richmond, Va., for 180 days. Supporting shipper: Universal Carloading & Distributing Company, 345 Hudson Street, New York, N.Y. 10014. 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 17051 (Sub-No. 14TA), filed April 10, 1975. Applicant: BARNET'S EXPRESS, INC., 758 Lidgerwood Ave., Elizabeth, N.J. 07202. Applicant's representative: S. Michael Richards, 44 North Avenue, Webster, N.Y. 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel, equipment, materials and supplies* used or useful in the manufacture and sale of wearing apparel, between the facilities of Cooper Sportswear Manufacturing Co., Inc., at Newark, N.J., and the facilities of Fulton Shirt Co., at Elizabeth, N.J., on the one hand, and, on the other, Mapletree, Ala., Bridgeport, Conn., Fall River, Mass., Lumberton, Delco, and Falsom, N.C., Blairsville, Altoona, Norvelt, Perryopolis, Reading, Scranton, and Wilkes-Barre, Pa., Norfolk, Va., and Parkersburg, W. Va., for 180 days. Supporting shipper: Fulton Shirt Co., 585 Division Street, Elizabeth, N.J. Send protests to: Robert E. Johnston, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 9 Clinton St., Newark, N.J. 07102.

No. MC 52709 (Sub-No. 331TA), filed April 8, 1975. Applicant: RIGSBY TRUCK LINES, INC., 5773 South Prince Street, Littleton, Colo. 80120. Applicant's representative: Alvin J. Melkejohn, Jr., Suite 1600 Lincoln Center, 1660 Lincoln Street, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Ogden, Utah and Maryhill, Wash., in connection with carrier's authorized regular and alternate route operations, serving Biggs, Oreg., for joinder purposes only, and serving the termini for joinder purposes only; from Ogden, Utah over Interstate Highway 80N to junction U.S. Highway 97, thence over U.S. Highway 97 to Maryhill, Wash., and return over the same routes; between Ogden, Utah and Junction Interstate Highway 82 and Interstate Highway 90, in connection with carrier's authorized regular and alternate route operations serving no intermediate points, and serving the termini for joinder purposes only; from Ogden, Utah over Interstate Highway 80N to junction Interstate Highway 82, thence over Interstate Highway 82 to junction Interstate Highway 90, and return over

the same routes; between Biggs, Oreg., and Portland, Oreg., in connection with carrier's authorized regular and alternate route operations, serving no intermediate points, and serving Biggs, Oreg., for joinder purposes only; from Biggs, Oreg., over Interstate Highway 80N to Portland, Oreg., and return over the same route.

Between Ogden, Utah and Prosser, Wash., in connection with carrier's authorized regular and alternate route operations, serving the junction of Interstate Highway 15W and Interstate Highway 80N for joinder purposes only, and serving the termini for joinder purposes only; from Ogden, Utah over Interstate Highway 80N to junction U.S. Highway 395, thence over U.S. Highway 395 to junction U.S. Highway 730, thence over U.S. Highway 730 to junction unnumbered highway (bridge over the Columbia River) at or near Umatilla, Oreg., thence over unnumbered highway to junction Washington Highway 14, thence over Washington Highway 14 to junction Washington Highway 221, thence over Washington Highway 221 to Prosser, Wash., and return over the same routes; between junction U.S. Highway 30N and Interstate Highway 80 and junction Interstate Highway 15W and Interstate Highway 80N, serving no intermediate points; from junction U.S. Highway 30N and Interstate Highway 80 over U.S. Highway 30N to junction Interstate Highway 15, thence over Interstate Highway 15 to junction Interstate Highway 15W, thence over Interstate Highway 15W to junction Interstate Highway 80N, and return over the same routes: Restriction: The authority described above is restricted to the transportation of traffic moving to, from or through Denver, Colorado or Cheyenne, Wyoming. Supporting shipper: None. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, 1961 Stout Street, 2022 Federal Bldg., Denver, Colo. 80202.

No. MC 59662 (Sub-No. 1TA), filed April 4, 1975. Applicant: HENRY VROOM & SON, INC., P.O. Box 66, Brighton Station, Detroit, Mich. 48223. Applicant's representative: William P. Sullivan, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and equipment, materials and supplies used in the conduct of such business*, between Detroit, Mich., on the one hand, and, on the other, points in Sandusky, Allen, Wood, Williams, Hancock, Seneca, Defiance, Ottawa, Erie, Fulton, Lucas, Guyahoga, and Franklin Counties, Ohio and points in Allen, Kosciusko, and Steuben Counties, Ind., for the account of the Great Atlantic & Pacific Tea Company, for 180 days. Supporting shipper: The Great Atlantic & Pacific Tea Company, Inc., Assistant to the Director, Traffic & Transportation, Carl L. Haderer, 2 Paragon

Drive, Montvale, N.J. 07645. Send protests to: Melvin F. Kirsch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1110 Broderick Tower, 10 Witherell Ave., Detroit, Mich. 48226.

No. MC 161735 (Sub-No. 3TA), filed April 10, 1975. Applicant: EDWARD G. GENTZKOW, doing business as GENTZKOW TRUCKING SERVICE, P.O. Box 98, LaMoure, N. Dak. 58458. Applicant's representative: Gene P. Johnson, 425 Gate City Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers designed for transportation of agricultural implements* (except trailers designed to be drawn by highway truck-tractors) and *attachments and accessories for such trailers*, from the plantsite and facilities of Lorak, Inc., at or near Lamoure, N. Dak., to points in North Dakota, South Dakota, Minnesota, and Montana, for 180 days. Supporting shipper: Lorak, Inc., P.O. Box 707, LaMoure, N. Dak. 58458. Send protests to: J. H. Ambs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 108298 (Sub-No. 44TA), filed April 8, 1975. Applicant: RIGGSBY-PACIFIC LTD., 5773 South Prince Street, Littleton, Colo. 80120. Applicant's representative: Alan J. Meiklejohn, Jr., Suite 1600 Lincoln Center, 1660 Lincoln Street, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment); between junction U.S. Highway 97 and Oregon Highway 58 (about 81 miles north of Klamath Falls, Ore.), and Spokane, Wash., serving no intermediate points and serving the junction of U.S. Highway 97 and Oregon Highway 58 for the purposes of joinder only; from junction U.S. Highway 97 and Oregon Highway 58 over U.S. Highway 97 to Biggs, Ore., thence over Interstate Highway 80N to its junction with U.S. Highway 730, thence over U.S. Highway 730 to Umatilla, Ore., thence over unnumbered highway (bridge over the Columbia River) to Plymouth, Wash., thence over Washington Highway 14 to Pasco, Wash., thence over U.S. Highway 395 to Spokane, Wash., and return over the same routes; between Portland, Ore., and Spokane, Wash., serving no intermediate points; from Portland, Ore., over Interstate Highway 80N to its junction with U.S. Highway 730, thence over U.S. Highway 730 to Umatilla, Ore., thence over Unnumbered highway (bridge over the Columbia River) to Plymouth, Wash., thence over Washington Highway 14 to Pasco, Wash., thence over U.S. Highway 395 to Spokane, Wash., and return over the same routes. Restriction: The authority described above is restricted against the transportation of traffic moving between

Portland, Oregon and Spokane, Washington, for 180 days. Supporting shipper: None. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, 1961 Stout Street, 2022 Federal Bldg., Denver, Colo. 80202.

No. MC 112750 (Sub-No. 318TA), filed April 9, 1975. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents, written instruments, and business papers*, between points in Dickinson, N. Dak., and Baker, Mont., for 90 days. Supporting shipper: American National Bank and Trust Company, 370 Minnesota Street, St. Paul, Minn. 55101. Send protests to: Anthony D. Giaino, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 26 Federal Plaza, Room 1807, New York, N.Y. 10007.

No. MC 117344 (Sub-No. 242TA), filed April 9, 1975. Applicant: The MAXWELL CO., 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: John C. Spencer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron oxide*, in bulk, in tank vehicles, from Ashland, Ky., to points in Kane, Pa., for 180 days. Supporting shipper: Stackpole Carbon Company, Oak & Elk Avenues, Kane, Pa. 16735. Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 5514-B Federal Bldg., 550 Main Street, Cincinnati, Ohio 45202.

No. MC 117765 (Sub-No. 189TA (Correction)), filed March 24, 1975, published in the FEDERAL REGISTER issue of April 11, 1975, and republished as corrected this issue. Applicant: HAHN TRUCK LINE, INC., 5315 NW. Fifth, 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: *Petroleum, petroleum products and roofing materials in containers*, from Wynnewood, Okla., to points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota and Wisconsin, for 180 days. Supporting shipper: Kerr McGee Corporation, Ray P. Fischer, T.M., P.O. Box 25761, Oklahoma City, Okla. 73125. Send protests to: Marie Spillers, Transportation Assistant, Room 240, Old P.O. Bldg., 215 NW. Third, Oklahoma City, Okla. 73102. The purpose of this republication is to add Illinois as a destination point, which was omitted in the previous publication.

No. MC 118831 (Sub-No. 117TA), filed April 10, 1975. Applicant: CENTRAL TRANSPORT, INCORPORATED, P.O. Box 5388, High Point, N.C. 27262. Applicant's representative: Gary L. Honbar-

rier (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Borate rock, ground*, in bulk, between points in Anderson, South Carolina and Jackson, Tenn., for 180 days. Supporting shipper: Owens/Corning Fiberglas Corporation, P.O. Box 1367, Anderson, S.C. 29621. Send protests to: Archie W. Andrews, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 26896, Raleigh, N.C. 27611.

No. MC 118922 (Sub-No. 13TA) (Correction), filed March 21, 1975, published in the FEDERAL REGISTER issue of April 4, 1975, and republished as corrected this issue. 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, Michigan, 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., to 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 St. NW., Room 546, Atlanta, Ga. 30309. The purpose of this republication is to correct the docket number.

No. MC 119789 (Sub-No. 246TA), filed April 9, 1975. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, Dallas, Tex. 75222. Applicant's representative: James K. Newbold, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Drugs, medicines, and chemicals*, from Elkhart, Ind., to points in Arizona, California, Nevada, New Mexico, Oregon, Utah, and Washington, for 180 days. Supporting shipper: Miles Laboratories, Inc., 1127 Myrtle Street, Elkhart, Ind. 46514. Send protests to: Opal M. Jones, Transportation Assistant, Interstate Commerce Commission, 1100 Commerce Street, Room 13C12, Dallas, Tex. 75202.

No. MC 123819 (Sub-No. 38TA), filed April 7, 1975. Applicant: ACE FREIGHT LINE, INC., P.O. Box 16589, 3359 Cazassa Road, Memphis, Tenn. 38116. Applicant's representative: Bill R. Davis, Suite 101 Emerson Center, 2814 Nre Spring Road, Atlanta, Ga. 30339. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hides, trimmings, and tails*, between Tupelo, Miss., on the one hand, and, on the other, points in Texas, Louisiana, Wisconsin, Pennsylvania, New

Jersey, New York, Illinois, Massachusetts, Maine, Maryland, Indiana, Kentucky, Mississippi, West Virginia, Virginia, Alabama, Michigan, Georgia, Vermont, and Tennessee (except Memphis), for 180 days. Supporting shipper: Dietrich Hide Corporation, 225 Broadway, New York, N.Y. 10007. Send protests to: Floyd A. Johnson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 435 Federal Office Bldg., 167 North Main Street, Memphis, Tenn. 38103.

No. MC 126276 (Sub-No. 121TA), filed April 11, 1975. Applicant: FAST MOTOR SERVICE, INC., 9100 Plainfield Road, Brookfield, Ill. 60513. Applicant's representative: Albert A. Andrin, 127 N. Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, from Carteret, N.J., to points in Champaign, Ill., for 180 days. Supporting shipper: Metro Containers, an operation of Kraftco Corporation, 1099 Wall Street, W. Lyndhurst, N.J. 07071. Send protests to: Robert G. Anderson, District Supervisor, Everett McKinley Dirksen Bldg., Interstate Commerce Commission, 219 S. Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 126844 (Sub-No. 30TA), filed April 10, 1975. Applicant: R. D. S. TRUCKING CO., INC., 1713 North Main Road, Vineland, N.J. 08360. Applicant's representative: Terrence D. Jones, 1126 16th St. NW., Suite 300, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Champaign, Ill., to points in New York, New Jersey, New Hampshire, Pennsylvania, Connecticut, Massachusetts, Rhode Island, Maine, and Vermont, for 180 days. Supporting shipper: Kraft Foods Division of Kraftco Corp., 500 Peshtigo Court, Chicago, Ill. 60690. Send protests to: Richard M. Regan, District Supervisor, Interstate Commerce Commission, 428 East State Street, Room 204, Trenton, N.J. 08608.

No. MC 128371 (Sub-No. 2TA), filed April 10, 1975. Applicant: BELLEVUE AGGREGATE HAULERS, INC., 9410 Airport Highway, P.O. Box 296, Holland, Ohio 43528. Applicant's representative: Monte Warner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in dump trucks, from the power plants and facilities of Detroit Edison Company, located in Wayne County, Mich., to Nicholson Concrete and Supply Plants and facilities located in Lucas County, Ohio, for 180 days. Supporting shipper: Nicholson Concrete & Supply Co., 2201 Albion Street, Toledo, Ohio 43606. 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 128940 (Sub-No. 21TA), filed April 11, 1975. Applicant: RICHARD A.

CRAWFORD, doing business as R. A. CRAWFORD TRUCKING SERVICE, P.O. Box 722, Adelphi, Md. 20783. Applicant's representative: Charles E. Creager, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Laminated plastic sheets, plastic moldings, and adhesives used in the application thereof*, from Odenton, Md., and its commercial zone to points in Washington, Oregon, Idaho, Montana, Wyoming, Nevada, Utah, California, Arizona, New Mexico, Oklahoma, Texas, Arkansas, Louisiana, and Mississippi, for 180 days. Supporting shipper: Exxon Chemical Company, U.S.A., Odenton, Md. 21118. Send protests to: W. C. Hersman, District Supervisor, Interstate Commerce Commission, 12th & Constitution Ave. NW., Washington, D.C. 20423.

No. MC 133097 (Sub-No. 10TA), filed April 10, 1975. Applicant: SYSTEM REEFER SERVICE, INC., 4614 Lincoln Avenue, Cypress, Calif. 90630. Applicant's representative: Charles E. Creager, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cake decorations, icing, decorator heads, and candles*, in vehicles equipped with mechanical refrigeration; from East Hampton, Mass., to points in California; (2) *cake decorations, icing, decorator heads, and candles* in mixed loads or shipments with commodities the transportation of which is partially exempt from regulation under the provisions of Section 203(b)(6) of the Interstate Commerce Act, in vehicles equipped with mechanical refrigeration; from Baltimore, Md., and its commercial zone to points in California, for 180 days. Supporting shipper: McCormick & Co., Inc., 11100 McCormick Road, Hunt Valley, Md. 21031. Send protests to: Philip Yalowitz, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 300 North Los Angeles St., Room 1312, Los Angeles, Calif. 90012.

No. MC 133133 (Sub-No. 11TA), filed April 2, 1975. Applicant: FULLER MOTOR DELIVERY CO., 802 Plum Street, Cincinnati, Ohio 45202. Applicant's representative: Norbert B. Flick, 715 Executive Bldg., Cincinnati, Ohio 45202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt, rock and evaporated*, in bulk or in bags, from Louisville, Ky., to points in the state of Ohio, for 180 days. Supporting shipper: International Salt Company, 1414 Rockefeller Bldg., Cleveland, Ohio 44113. Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 5514-B Federal Bldg., 550 Main Street, Cincinnati, Ohio 45202.

No. MC 134922 (Sub-No. 120TA), filed April 10, 1975. Applicant: B. J. McADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's rep-

resentative: Don Garrison (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Curtain rods, curtain pole or rod fixtures, hooks, fabrics, cotton rope, shelving, coil steel, store display racks, steel rods, copper, brass or bronze rods*, restricted against the transportation of commodities which because of size or weight require use of special equipment, from Sturgis, Mich., and Scottsville, Ky., to points in Florida, Texas, New Mexico, Arizona, Colorado, Utah, Nevada, California, Idaho, Oregon, and Washington, for 180 days. Supporting shipper: Kirsch Company, 309 Porspect Street, Sturgis, Mich. 49091. Send protests to: William H. Land, Jr., District Supervisor, 2519 Federal Office Bldg., 700 West Capitol, Little Rock, Ark. 72201.

No. MC 135821 (Sub-No. 3TA) (Correction), filed March 14, 1975, published in the FEDERAL REGISTER issue of April 2, 1975, and republished as corrected this issue. Applicant: MADELINE MILESTONE, 4233 Leiper Street, Philadelphia, Pa. 19124. Applicant's representative: John W. Frame, Box 626, Old Gettysburg Road, Camp Hill, Pa. 17011. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, (except Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities of unusual value, and those requiring special equipment) for the account of Lionel Leisure, Incorporated over irregular routes, from the warehouse of Lionel Leisure, Incorporated at Philadelphia, Pa., to points in Stone Mountain, Doraville, Decatur and Forest Park, Ga., and Fort Lauderdale, Hialeah, Pompano, Lauderdale, West Palm Beach, Miami, and Hollywood, Fla., for 180 days. Supporting shipper: Lionel Leisure, Inc., 2951 Grant Ave., Philadelphia, Pa. 19114. Send protests to: F. W. Doyle, District Supervisor, Interstate Commerce Commission, 600 Arch Street, Room 3238, Philadelphia, Pa. 19106. The purpose of this republication is to correct the requested authority which was previously published in error.

No. MC 136711 (Sub-No. 20TA), filed April 10, 1975. Applicant: DAVID G. McCORKLE, doing business as McCORKLE TRUCK LINE, 2780 S. High, Oklahoma City, Okla. 73112. Applicant's representative: G. Timothy Armstrong, 280 National Foundation Life Bldg., 3535 Northwest 58th Street, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum coke* (except in bulk, in tank vehicles), from the N.C.R. Association Refinery at McPherson, Kans., and the Derby Refinery at Wichita, Kans., and the C.R.A. Inc., Refinery at Coffeyville, Kans., to the plantsite of Great Lakes Carbon Corp., near Kremlin, Okla., for 180 days. Supporting shipper: Great Lakes Carbon Corp., George R. Gunter, Vice President and Director of Transportation, 299 Park Ave., New

York, N.Y. 10017. Send protests to: Marie Spillars, Transportation Asst. Interstate Commerce Commission, Bureau of Operations, Room 240, Old P.O. Bldg., 215 Northwest Third, Oklahoma City, Okla. 73102.

No. MC 138789 (Sub-No. 3TA), filed April 9, 1975. Applicant: U & R EXPRESS, INC., P.O. Box 2369, White City, Ore. 97501. Applicant's representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Avenue, Portland, Ore. 97210. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood residuals*, from the plantsite of High Cascade Lumber Co., at or near Washougal, Wash., to the Willamette Industries Manufacturing Plant, at or near Albany, Ore., for 180 days. Supporting shipper: Willamette Industries, Inc., P.O. Box 907, Albany, Ore. 97321. Send protests to: A. E. Odums, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Ore. 97204.

No. MC 139123 (Sub-No. 5 TA) (Correction), filed March 20, 1975, published in the FEDERAL REGISTER issue of April 4, 1975, and republished as corrected this issue. Applicant: GLOUCESTER DISPATCH, INC., P.O. Box 127, Kelly Road, Plalstow, N.H. 03865. 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, and Watertown, Mass., to points in Alabama, Delaware, The 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. The purpose of this republication is to add Watertown, Mass., as an origin point, which was omitted in the previous publication.

No. MC 140748 (Sub-No. 1 TA), filed April 9, 1975. Applicant: DICKIE L. SISLER, Box 33, Wiota, Iowa 50274. Applicant's representative: Dickie L. Sisler (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Magazines and paperback books*, from Columbia, Mo., points in Concordia, Kans., and Beatrice and Norfolk, Nebr., for 180 days. Supporting shipper: Mid-Continent News Co., Inc., John C. Holter, Sales Representative, Norfolk, Nebr. 68701. Send protests to: Carroll Russell, District Supervisor, Suite 620 Union Pacific Plaza, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 140790 TA (Correction), filed March 25, 1975, published in the FEDERAL REGISTER issue of April 11, 1975, and republished as corrected this issue. Appli-

cant: AIR LAND EXPRESS SYSTEMS, INC., Box 2900-2, Evansville, Wyo. 82636. Applicant's representative: John H. Lewis, 1650 Grant St., Bldg., Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* having a prior or subsequent movement in Interstate Commerce, moving in express service, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, restricted to (1) packages or articles each weighing not more than one hundred pounds and (2) against the transportation of more than two hundred pounds in the aggregate from one consignor at one location during a single day, between Casper, Wyo. and Rawlins, Wyo. via U.S. 220 and 287, serving all intermediate points; also between Casper, Wyo. and Rawlins, Wyo. via U.S. 220 to the junction Wyoming State Highway 287 to junction U.S. 30 at Medicine Bow, Wyo. thence via U.S. 30 and I-80 to Rawlins, Wyo. serving all intermediate points; also serving all off route points in Natrona and Carbon counties of Wyoming; between Casper, Wyo. and Sheridan, Wyo. via U.S. 87 and I-25, serving all intermediate points; between Buffalo, Wyo. and Gillette, Wyo. via I-90, serving all intermediate points.

Between Midwest, Wyo., and Gillette, Wyo., via Wyoming State Hiway 387 to junction Wyoming State Hiway 59 at Reno Junction, Wyo., thence via Wyoming State Hiway 59 to Gillette, Wyo., serving all intermediate points; between Casper, Wyo., and Gillette, Wyo., via U.S. Hiways 20 and 26 and I-25 to junction Wyoming State Hiway 59 at Douglas, Wyo., thence via Wyoming State Hiway 59 to Gillette, Wyo., serving all intermediate points; also between Casper, Wyo., and Gillette, Wyo., via U.S. Hiways 20 and 26 to junction Wyoming State Hiway 95 at Glenrock, Wyo., thence via unnamed state hiway to junction Wyoming State Hiway 59 at Bill, Wyo., thence via Wyoming State Hiway 59 to Gillette, Wyo., serving all intermediate points; also serving all points in Natrona, Johnson, Sheridan, Campbell, and Converse Counties of Wyoming as off route points. Joinder and Interline: Applicant intends to join the requested authority with its existing authority at Casper, Midwest, and Buffalo, Wyo. Applicant further intends to interline with Wycoff Company, Inc. (C-89684) at Rawlins, Wyo., and with Airlines at Casper and Sheridan, Wyo. Applicant intends to hold itself out to perform an express type service, daily to and from air terminals and connecting motor carriers, for shippers in need of expeditious transportation service. Supporting shippers: There are approximately 100 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 pro-

tests to: Paul A. Naughton, District Supervisor, Interstate Commerce Commission, Room 1006, Federal Bldg., and Post Office, 100 East "B" Street, Casper, Wyo. 82601. The purpose of this republication is to correct the territorial description, which was previously published in error.

No. MC 140806 (Sub-No. 1TA), filed April 10, 1975. Applicant: HERMS TRUCKING, INC., 58-64 Ward Avenue, Trenton, N.J. 08609. Applicant's representative: Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, Pa. 19102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Limestone*, in bags, from Canaan, Conn., to the facilities of American Bilrite, Inc., in Hamilton Township, Mercer County, N.J. Restriction: The service authorized is limited to that to be rendered under a continuing contract or contracts with American Bilrite, Inc., for 150 days. Supporting shipper: American Bilrite, Inc., P.O. Box 2151, Trenton, N.J. 08607. Send protests to: Richard M. Regan, District Supervisor, Interstate Commerce Commission, 428 East State Street, Room 204, Trenton, N.J. 08608.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-10489 Filed 4-21-75; 8:45 am]

[Notice No. 747]

ASSIGNMENT OF HEARINGS

APRIL 17, 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 140453, Tanks, Inc., application is dismissed.
- MC 139960, Western Pacific Transport Company, now being assigned July 14, 1975 at Salt Lake City, Utah; in a hearing room to be designated later.
- MC 21060 Sub 15, Iowa Parcel Service, Inc., now being assigned July 7, 1975 (1 week) at Des Moines, Iowa; in a hearing room to be designated later.
- MC 135414 Sub 2, Langer Truck Line, Inc., now being assigned July 15, 1975, at Jefferson City, Mo., in a hearing room to be later designated.
- MC 18088 Sub 55, Floyd & Beasley Transport Company, Inc., now being assigned July 7, 1975 (2 weeks), at Montgomery, Alabama, in a hearing room to be designated later.
- MC 135373 (Sub-No. 1), Airport Limousine Service, Inc., now being assigned July 14, 1975 (1 week) at Newark, New Jersey; in a hearing room to be designated later.

MC 730 Sub 373, Pacific Intermountain Express Co., now being assigned July 21, 1975 (3 weeks) at Des Moines, Iowa, in a hearing room to be later designated.

MC 96881 Sub 16, Orville M. Fine, dba Fine Truck Line, now being assigned July 21, 1975 (2 weeks), at Little Rock, Arkansas; in a hearing room to be designated later.

MC 97310 Sub 14, Sharron Motor Lines, Inc., now being assigned July 29, 1975 (3 days), at Montgomery, Alabama; in a hearing room to be designated later.

MC 1515 Sub 196, Greyhound Lines, Inc., now being assigned July 28, 1975 (1 week) at Newark, New Jersey; in a hearing room to be designated later.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-10487 Filed 4-21-75; 8:45 am]

[No. MC-C-8596]

BADGER LINES, INC.

Petition for Declaratory Order

APRIL 14, 1975.

At the request of William C. Dimeen, petitioners representative, the time for filing comments in the above-entitled proceeding has been extended from April 15, 1975, to April 25, 1975.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-10490 Filed 4-21-75; 8:45 am]

[AB 1 (Sub-No. 10)]

CHICAGO AND NORTH WESTERN TRANSPORTATION CO.

Abandonment Between Irvington and Bennington, in Douglas County, Nebr.; Extension of Time for Comments

APRIL 17, 1975.

Upon consideration of the record in the above-entitled proceeding, including the order of the Commission, Commissioner Tuggle, dated March 4, 1975; and

It appearing, that by order of the Commission, Commissioner Tuggle, dated March 4, 1975, it was determined that the proposed abandonment did not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969; that notice of the determination was to be published in a newspaper of general circulation in Douglas County, Nebr., on or before March 26, 1975, and comments to the determination are due on April 7, 1975; and good cause appearing therefor:

It is ordered, That the time within which comments may be filed be, and it is hereby, extended to April 28, 1975.

Dated at Washington, D.C., on this 10th day of April, 1975.

By the Commission, Commissioner Tuggle.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-10492 Filed 4-21-75; 8:45 am]

[AB 1 (Sub-No. 20)]

CHICAGO AND NORTH WESTERN TRANSPORTATION CO.

Abandonment Between Lake Crystal and Winnebago, in Blue Earth and Faribault Counties, Minn.

APRIL 17, 1975.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It appearing, that no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby directed to publish the appended notice in a newspaper of general circulation in Faribault and Blue Earth Counties, Minn., on or before May 6, 1975, and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by forwarding a copy to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 9th day of April, 1975.

By the Commission, Commissioner Tuggle.

[SEAL] ROBERT L. OSWALD,
Secretary.

[AB 1 (Sub-No. 20)]

CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY

ABANDONMENT BETWEEN LAKE CRYSTAL AND WINNEBAGO, IN BLUE EARTH AND FARIBAULT COUNTIES, MINNESOTA

The Interstate Commerce Commission hereby gives notice that by order dated April 9, 1975, it has been determined that the proposed abandonment by the Chicago and North Western Transportation Company of its line from Milepost 0.0 near Lake Crystal in a southerly direction to Milepost 24.6 near Winnebago, a distance of 24.6 miles, all in Blue Earth and Faribault Counties, respectively, Minn., if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the environmental effects of the proposed action are considered insignificant because (1) rail services will continue to be available at Lake Crystal over applicant's existing lines and at Winnebago over the Chicago, Milwaukee, St. Paul, and Pacific Railroad Company lines, (2) the diversion to motor

transport is of low volume, and (3) degradation of the affected area's environment will be minimal. In addition, shipping patterns in southcentral Minnesota for moving grain, a principal commodity transported over the subject line, have changed significantly in the past 5 years. The majority, about 75 percent, of all grain from southcentral Minnesota is shipped by truck. Furthermore, it should be noted that a condition has been imposed upon the authorization to abandon the line. Such action would afford interested government agencies the first opportunity to offer to purchase right-of-way property of this line for public use.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone (202) 343-2086.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C. 20423, on or before May 16, 1975.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

[FR Doc.75-10493 Filed 4-21-75; 8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

APRIL 17, 1975.

An application, as summarized below, has been filed requesting relief from the requirements of Section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with rule 40 of the general rules of practice (49 CFR 1100.40) and filed on or before May 7, 1975.

FSA No. 42975—Joint Water-Rail Container Rates—Nippon Yusen Kaisha, Filed by Nippon Yusen Kaisha, (No. 9), for itself and interested rail carriers. Rates on general commodities, from rail stations on the U.S. Atlantic and Gulf Seaboard, to ports in The Federation of Malaysia and The Republic of Singapore. Grounds for relief—Water competition.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-10488 Filed 4-21-75; 8:45 am]

[Ex Parte No. 309]

LONG ISLAND RAIL ROAD CO.

Investigation Into Joint Interstate & International Rates; Supplemental Notice

APRIL 16, 1975.

An informal conference in this matter is scheduled to commence at 9:30 a.m.,

at the office of the Interstate Commerce Commission, Washington, D.C., on April 24, 1975. Five petitioning eastern railroads have requested an investigation of the lawfulness of joint rail rates to and from points on the Long Island Rail Road Company, with a view toward entry of an order (a) increasing such rates to a level which includes Ex Parte No. 262 and subsequent general increases; or (b) authorizing connecting railroads to cancel through routes and joint rates with the Long Island Rail Road Company. The Long Island vigorously opposes such action. In order to promote a productive exchange of views at the conference, the parties should be prepared to address themselves to the following areas of concern:

1. If joint rates and through routes to and from points on the Long Island were cancelled, what would the outlook be for continuation of freight service on its lines?

2. How would the Long Island and its connecting lines exercise their independent rights to meet their respective revenue needs?

3. Would changing the Long Island's Class I status to either a switching or terminal railroad, as suggested by the southern lines, contribute to a solution to this controversy?

4. Would the publication of proportional rates or the addition of an arbitrary charge to Long Island points be viable solutions to this controversy? If an arbitrary (based on the rate published for other railroads from and to a principal point of interchange with the Long Island such as New York, New York, and an additional amount beyond) appears desirable, then under the bureau's section 5a agreement, would the total rate and charge thus constructed require the consent nevertheless of all the railroads, including the LIRR, as to the measure of both the base rate and the arbitrary? If so, then should the Commission consider prescribing the measure of the factors? Should a requirement be imposed that any arbitrary shall accrue to the sole benefit of the Long Island?

5. If the Long Island divisions case, No. 35153, *The Long Island Rail Road Company v. The Ahnapee and Western Railway Company, et al.*, were reopened, would an upward revision of Long Island's divisions have a substantial effect on eliminating Long Island's freight traffic deficit? What effect would such action have on Long Island's participation in future general rate increase proceedings? In other words, would an upward revision of Long Island's divisions be a

viable long term solution to this controversy?

6. What is the current relationship between freight and passenger operations on the Long Island?

7. Is there any other approach not alluded to above which would contribute to a long term solution to this controversy?

The Commission is anxious to assist in solving this transportation problem and urges all interested parties to approach this informal conference with a view toward a constructive solution in the public interest.

A copy of this supplemental notice will be deposited in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection and delivered to the Director, Office of the Federal Register, for publication therein as notice to interested persons. In addition, a copy of this notice is being served on persons who have informed the Commission of their intention to participate in the informal conference pursuant to the initial notice served on March 19, 1975.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.75-10491 Filed 4-21-75;8:45 am]

federal register

TUESDAY, APRIL 22, 1975

WASHINGTON, D.C.

Volume 40 ■ Number 78

PART II



DEPARTMENT OF AGRICULTURE

Animal and Plant
Health Inspection Service

■

BRUCELLOSIS

Title 9—Animals and Animal Products

CHAPTER I—ANIMAL AND PLANT HEALTH
INSPECTION SERVICE, DEPARTMENT
OF AGRICULTURESUBCHAPTER C—INTERSTATE TRANSPORTATION
OF ANIMALS (INCLUDING POULTRY)
AND ANIMAL PRODUCTS

PART 78—BRUCELLOSIS

Statement of considerations. On September 5, 1974, there was published in the FEDERAL REGISTER (39 FR 32139-32145) proposed amendments to the regulations in 9 CFR Part 78, which would (1) define Certified Brucellosis-Free Herd, Certified Brucellosis-Free Area, noncertified area, brucellosis exposed animal, and herd of unknown status; (2) eliminate the provision for reshipping of purebred brucellosis reactors; (3) prescribe conditions for movement of calves under 6 months of age from an infected herd; (4) require branding of brucellosis exposed cattle prior to interstate movement; (5) provide standards for movement of cattle originating in Certified Brucellosis-Free Areas, Certified Brucellosis-Free Herds, Modified Certified Brucellosis Areas, and noncertified areas; and (6) list Certified Brucellosis-Free Areas, Modified Certified Brucellosis Areas, noncertified areas, specifically approved stockyards and specifically approved slaughtering establishments.

A period of 60 days was allowed for submission of comments. Twenty-seven written comments were received in response to the proposal. Nineteen comments were favorable, and included the following suggestions: (1) The requirements for movement from Modified Certified Brucellosis Areas should apply equally to Certified Brucellosis-Free Areas; (2) calves under 6 months of age should not move from an infected herd; and (3) an "S" brand should be required on all cattle transported interstate with brucellosis reactor cattle.

After due consideration of these suggestions it was decided that (1) additional restrictions on cattle from Certified Brucellosis-Free Areas are not justified because of the low incidence of brucellosis in such areas, (2) calves under 6 months of age may move from an infected herd under the prescribed provisions with relatively little chance of spreading brucellosis because of the nature of the disease and (3) an "S" brand on all cattle transported interstate with brucellosis reactor cattle is not justified unless such cattle are not separated from reactors by a partition so constructed as to prevent exposure to the disease causative agent.

The objections posed by the remaining eight comments received were: (1) The "S" branding of brucellosis exposed cattle only at a specifically approved stockyard is discriminatory and (2) a requirement that all cattle coming from a Modified Certified Brucellosis Area be subjected to an official test for brucellosis upon arrival at a specifically approved stockyard is not necessary. After consideration of these objections it was decided that (1) the "S" brand identification of brucellosis exposed cattle

moving interstate from herds and from specifically approved stockyards to quarantined feedlots and slaughter is necessary to prevent diversion of such cattle to susceptible herds and (2) only cattle moved as outlined in § 78.9(b) (3) (iii), for feeding, breeding, or purposes other than for immediate slaughter or for movement to a quarantined feedlot, would be subjected to a brucellosis test within 30 days prior to interstate without a brucellosis test.

After due consideration of all relevant material, including that submitted with such notice, the proposal is hereby adopted without substantive changes except that (1) a provision has been made in § 78.8(c) to provide for the return of exposed cattle directly to the farm of origin under specified conditions, (2) They Recommended that brucellosis exposed calves may be moved interstate for the above mentioned purposes and that brucellosis exposed cattle may be returned interstate to their farm of origin.

Various other minor changes have been made to clarify and coordinate the provisions contained in the notice. It has been determined that the provisions adopted are necessary to prevent spread of brucellosis and to eliminate the remaining foci of infection from the United States.

Accordingly, 9 CFR Part 78 is revised read as follows:

Subpart A—General Provisions

- Sec. 78.1 Definitions.
- 78.2 Notice relating to existence of brucellosis.
- 78.3 Handling of certificates or permits for movement of animals.
- 78.4 Handling in transit of cattle and bison moved interstate.
- Subpart B—Restrictions on Interstate Movement of Cattle Because of Brucellosis
- 78.5 General restrictions.
- 78.6 Steers and spayed heifers.
- 78.7 Brucellosis reactor cattle.
- 78.8 Brucellosis exposed cattle.
- 78.9 Cattle from herds not known to be affected with brucellosis.
- 78.10 Cattle from qualified herds.
- 78.11 Cattle from herds of unknown status.
- 78.12 Other movements.

Subpart C—Restrictions on Interstate Movement of Bison Because of Brucellosis

- 78.13 General restrictions.
- 78.14 Bison steers and spayed heifers.
- 78.15 Brucellosis reactor bison.
- 78.16 Brucellosis exposed bison.
- 78.17 Bison from herds not known to be affected with brucellosis.
- 78.18 Movement of bison from public zoo to public zoo.
- 78.19 Other movements.

Subpart D—Designation of Brucellosis Areas, Specifically Approved Stockyards and Slaughtering Establishments

- 78.20 Certified Brucellosis-Free Areas.
- 78.21 Modified Certified Brucellosis Areas.
- 78.22 Noncertified Areas.
- 78.23 Specifically approved stockyards.
- 78.24 Slaughtering establishments.
- 78.25 Designation of areas; approval of stockyards and slaughtering establishments.

AUTHORITY: Secs. 4, 5, 7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791-792, as amended; sec. 3, 33 Stat. 1265, as amended; sec. 2, 65 Stat. 693; and secs. 3 and 11, 76 Stat. 130, 132 (21 U.S.C. 111-113, 114a-1, 115, 120, 121, 125, 134b, 134f); 37 FR 28464, 28477, 38 FR 19141.

Subpart A—General Provisions

§ 78.1 Definitions.

As used in this part, the following terms shall have the meanings set forth in this section except as otherwise specified.

(a) *Brucellosis.* The contagious, infectious, and communicable disease caused by bacteria of the genus *Brucella*. It is also known as Bangs disease, undulant fever, and contagious abortion.

(b) *Veterinary Services.* Veterinary Services, Animal and Plant Health Inspection Service, United States Department of Agriculture.

(c) *Deputy Administrator.* The Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, United States Department of Agriculture, or any other Veterinary Services official to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

(d) *State.* Any State, the District of Columbia, Puerto Rico, the Virgin Islands of the United States, or Guam.

(e) *Person.* Any individual, corporation, company, association, firm, partnership, society, or joint stock company or other legal entity.

(f) *Veterinary Services representative.* A veterinarian or other person employed by Veterinary Services, Animal and Plant Health Inspection Service, United States Department of Agriculture, who is authorized to perform the function involved.

(g) *State representative.* A veterinarian or other person regularly employed in livestock sanitary work of a State or a political subdivision thereof, and who is authorized by such State or political subdivision to perform the function involved under a cooperative agreement with the United States Department of Agriculture.

(h) *Accredited veterinarian.* An accredited veterinarian as defined in Part 160 of this chapter.

(i) *Interstate.* From any State into or through any other State.

(j) *Uniform Methods and Rules.* The Recommended Brucellosis Eradication Uniform Methods and Rules developed by the United States Animal Health Association and adopted by Veterinary Services, in its publication of January 1975. The provisions of the Uniform Methods and Rules are hereby incorporated by reference and are the minimum standards for achieving and maintaining certified herd and area status.¹

(k) *Certified Brucellosis-Free herd.* A herd of cattle which has achieved and maintains status as a Certified Brucellosis-Free herd according to the provisions of the Uniform Methods and Rules, chapter 1, parts I, II, III, and IV; *Provided*, That such Certified Brucellosis-Free herd status has been recommended by a State representative in the State in

¹ Copies of the January 1975 Recommended Brucellosis Eradication Uniform Methods and Rules (APHIS 91-1) are available upon request from Veterinary Services, Animal and Plant Health Inspection Service, United States Department of Agriculture, Federal Building, Hyattsville, Maryland 20782, and were filed as part of this original document.

which the herd is located and has been approved by the Deputy Administrator.

(l) *Certified Brucellosis-Free Area.* A State, or a political subdivision of a State, or portion thereof, which has achieved and maintains status as a Certified Brucellosis-Free area according to the provisions of the Uniform Methods and Rules, chapter 1, parts I, II, III, and VI; *Provided*, That such Certified Brucellosis-Free Area status has been recommended by a State representative in the State in which the area is located and has been approved by the Deputy Administrator. (Such areas are specified in § 78.20.)

(m) *Modified Certified Brucellosis Area.* A State, or a political subdivision of a State, or portion thereof, which has achieved and maintains status as a Modified Certified Brucellosis Area according to the provisions of the Uniform Methods and Rules, chapter 1, parts I, II, III, and V; *Provided*, That such Modified Certified Brucellosis Area status has been recommended by a State representative in the State in which the area is located and has been approved by the Deputy Administrator. (Such areas are specified in § 78.21.)

(n) *Noncertified area.* Any area listed in § 78.22.

(o) *Qualified herd.* Any herd of cattle in a noncertified area which is not known to be affected with brucellosis and for which the State has records showing that the herd has been tested for brucellosis in accordance with the procedures for herd tests for initial Modified Certified Brucellosis Area status specified in the Uniform Methods and Rules, chapter 1, part V-A, within 12 months prior to interstate movement of any cattle from such herd.

(p) *Herd known to be affected.* Any herd in which any animal has been classified as a brucellosis reactor as defined in the Uniform Methods and Rules, chapter 1, part I-A, and which has not been released from quarantine in accordance with such Uniform Methods and Rules, chapter 1, part II-D.

(q) *Quarantined feedlot.* Any confined area which has achieved and maintains status as a quarantined feedlot according to the provisions of the Uniform Methods and Rules, chapter 1, part I-E.

(r) *Official test.* Any test for brucellosis as prescribed in the Uniform Methods and Rules, chapter 1, part II-G.

(s) *Official vaccinate.* A female bovine animal vaccinated against brucellosis in accordance with the provisions prescribed in the Uniform Methods and Rules, chapter 1, part I-H, I, and J.

(t) *Moved.* Shipped, transported, or otherwise moved, or delivered or received for movement.

(u) *Certificate.* An official document issued by a Veterinary Services representative, State representative, or accredited veterinarian at the point of origin of a shipment of domestic animals to be moved under this part which shows the identification tag, tattoo, or registration number or similar identification of each animal to be moved, the number of animals covered by the document, the purpose for which the animals are to be moved, the points of origin and destina-

tion, the consignor, and the consignee, and which states that the animal or animals identified on the certificate meets the requirements of this part.

(v) *Permit.* An official document issued for movement of animals under this part by a Veterinary Services representative, State representative, or an accredited veterinarian which lists the identification tag, tattoo, backtag, or registration number or similar identification of each animal to be moved, the number of animals covered by the document, the purpose for which the animals are to be moved, the points of origin and destination, the consignor, and the consignee. In the case of any cattle or bison that is a brucellosis reactor, the document shall show the reactor tag number of each animal and the name of the owner of such animal when it was tested for brucellosis.

(w) *Owner's statement.* A statement signed by the owner or shipper of the animals, stating: (1) The point from which the animals are moved interstate; (2) the destination of the animals; (3) the number of animals covered by the statement; and (4) the name and address of the owner or shipper.

(x) *Specifically approved stockyard.* A stockyard specifically approved for the purposes of the regulations in this part in accordance with § 78.25(b).

(y) *Specifically approved slaughtering establishment.* A slaughtering establishment specifically approved for the purposes of the regulations in this part in accordance with § 78.25(b).

(z) *Brucellosis exposed animal.* Any animal, except a brucellosis reactor animal, that is part of a herd known to be affected or that has been in contact with a brucellosis reactor animal in marketing or other channels for a period of 24 hours or for a period of less than 24 hours if such brucellosis reactor animal has aborted or calved within the past 30 days or has a vaginal or uterine discharge.

(aa) *Herd of unknown status.* A herd of cattle in a noncertified area which has not been tested for brucellosis in accordance with the procedures for herd tests for initial modified certified area certification specified in chapter 1, part V-A of the Uniform Methods and Rules within 12 months prior to the interstate movement of any cattle from such herd.

(bb) *Herd not known to be affected.* Any herd in which no animal has been classified as a brucellosis reactor as defined in the Uniform Methods and Rules, chapter 1, part I-A; also, any herd in which any animal has been classified as a brucellosis reactor as defined in the Uniform Methods and Rules, chapter 1, part I-A, and which has been released from quarantine in accordance with such Uniform Methods and Rules, chapter 1, part II-D.

(cc) *Brucellosis reactor animal.* Any animal which has reacted to an official test for brucellosis as defined in the Uniform Methods and Rules, chapter 1, part I-A and part II-G.

(dd) *Other document.* Other document means a shipping permit, an official health certificate, an official brand inspection certificate, a bill of lading, a

waybill, or an invoice on which is listed the information required on an owner's statement as defined in § 78.1(w).

§ 78.2 Notice relating to existence of brucellosis.

Notice is hereby given that the contagion of brucellosis may exist in domestic animals in each State.

§ 78.3 Handling of certificates or permits for movement of animals.

(a) Whenever the regulations in this part require a certificate or a permit for movement of animals and the animals are moved by a transportation agency issuing waybills or other forms of billing covering the movement, the certificate, or permit, for movement shall be delivered to such transportation agency by the shipper or his agent at the time the animals are delivered for shipment; shall become the property of the transportation agency; shall be attached to the billing by the transportation agency; shall accompany such billing to the destination of the animals; and should be filed with such billing for future reference.

(b) Whenever the regulations in this part require a certificate or a permit for movement of animals and the animals are moved by a transportation agency not issuing waybills or other forms of billing, or moved by any other means, the certificate or permit for movement shall accompany the animals to their destination and be delivered to the consignee, or, in case the consignor and the consignee are the same person, to the first person purchasing the animals during or after such movement, or to the person to whom the animals are delivered.

(c) The Veterinary Services representative, State representatives, or accredited veterinarian, issuing a certificate or permit required for the interstate movement of cattle under the regulations in this part shall forward a copy thereof to the proper livestock sanitary official of the State of destination of the animals.

§ 78.4 Handling in transit of cattle and bison moved interstate.

Cattle and bison moving interstate, except cattle and bison consigned to immediate slaughter or to a quarantined feedlot, shall be moved only in a means of conveyance which has been cleaned in accordance with the provisions of §§ 71.5, 71.7, 71.10, and 71.11 of this subchapter, and if unloaded in the course of such movement, shall be handled only in pens at specifically approved stockyards cleaned in accordance with the provisions of §§ 71.4, 71.7, 71.10, and 71.11 of this subchapter or in pens at feed, water, and rest stations cleaned in accordance with the provisions of §§ 71.4, 71.7, 71.10, and 71.11 of this subchapter.

Subpart B—Restrictions on Interstate Movement of Cattle Because of Brucellosis

§ 78.5 General restrictions.

Cattle may not be moved interstate except in compliance with the regulations in this subpart.

²A list of quarantined feedlots in any State may be obtained from the State Representative.

§ 78.6 Steers and spayed heifers.

Steers and spayed heifers over 6 months of age may be moved interstate from any area without restrictions under this subpart.

§ 78.7 Brucellosis reactor cattle.

Brucellosis reactor cattle may only be moved interstate under this section for immediate slaughter directly to a slaughtering establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), or directly to a specifically approved slaughtering establishment, or directly to a specifically approved stockyard for sale to such a slaughtering establishment, in accordance with the following requirements:

(a) *Marking of brucellosis reactor cattle.* Brucellosis reactor cattle shall be marked for identification by branding the letter "B" on the left jaw in letters not less than 2 nor more than 3 inches high, and attaching to the left ear a metal tag bearing a serial number and the inscription "U.S. Reactor" or a similar State reactor tag.

(b) *Required permit.* Brucellosis reactor cattle shall be accompanied to destination by a permit for movement of the animals in accordance with § 78.3.

(c) *Marking of records.* Each transportation agency moving brucellosis reactor cattle in the course of their interstate movement shall plainly write or stamp upon the face of each waybill, conductor's manifest, switch order, vehicle interchange record, or other document, which it prepares in connection with such movement, the words "Brucellosis Reactor."

(d) *Segregation of brucellosis reactor cattle en route interstate.* Brucellosis reactor cattle shall not be moved interstate in a railroad car, boat, truck, or other means of conveyance, containing nonreactor animals susceptible to brucellosis, unless all of the animals are for immediate slaughter, or unless reactor cattle are kept separate from the other animals by a partition securely affixed to the sides of the means of conveyance.

§ 78.8 Brucellosis exposed cattle.

Brucellosis exposed cattle may be moved interstate from any area only under the conditions specified in any of the following paragraphs:

(a) *Movement of brucellosis exposed cattle to quarantined feedlots.* Brucellosis exposed cattle may be moved interstate from any area directly to a quarantined feedlot, or directly to a specifically approved stockyard for sale and shipment to a quarantined feedlot, if such cattle are identified by a Veterinary Services approved metal eartag and by branding with heat the letter "S" on the left jaw, in letters not less than 2 nor more than 3 inches high, before the animals leave the premises from which they are moved interstate. Such cattle shall be accompanied by a permit. If the movement is directly to a specifically approved stockyard for sale and shipment to a quarantined feedlot, a separate permit shall be required for the subsequent interstate

movement of such cattle from any such stockyard directly to a quarantined feedlot.

(b) *Movement of brucellosis exposed cattle for immediate slaughter.* Brucellosis exposed cattle may be moved interstate from any area for immediate slaughter directly to a slaughtering establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), or directly to a specifically approved slaughtering establishment, or directly to a specifically approved stockyard for sale and shipment to such a slaughtering establishment, if such cattle are identified by a Veterinary Services approved metal eartag and by branding with heat the letter "S" on the left jaw in letters not less than 2 nor more than 3 inches high, before the animals leave the premises from which they are moved interstate. Such cattle shall be accompanied by a permit. A separate permit shall be required for the subsequent interstate movement of such cattle from any such stockyard directly to a slaughtering establishment.

(c) *Movement of brucellosis exposed cattle for any purpose other than to quarantined feedlots or for immediate slaughter as provided in paragraphs (a) and (b) of this section.* (1) Calves under 6 months of age which are nursed by brucellosis exposed cows in a herd known to be affected with brucellosis, which herd has been brucellosis tested within 10 days prior to interstate movement, or calves under 6 months of age that have been weaned from brucellosis reactor or exposed cows for not less than 30 days immediately preceding the movement may be moved interstate from any area into any area, for any purpose, other than to a quarantined feedlot or for immediate slaughter, if such calves are accompanied by a permit.

(2) Cattle that were moved interstate directly from the farm of origin to a specifically approved stockyard in accordance with the exception under § 78.9(b)(3)(iii) and were subsequently determined to be brucellosis exposed animals may be reshipped interstate directly back to the farm of origin under the following conditions:

(i) The appropriate regulatory official of the State in which the animals are located and of the State to which the animals are to be moved advise Veterinary Services that such movement would not be contrary to the laws and regulations of their respective States;

(ii) The State to which the animals are to be moved agrees to quarantine the cattle on arrival and to provide for testing of the cattle on the farm of origin in accordance with chapter 1, part II-D of the Uniform Methods and Rules;

(iii) A permit for the shipment is obtained by the shipper from a Veterinary Services representative, State representative, or an accredited veterinarian upon determination made by a Veterinary Services representative that the other conditions of this paragraph (c)(2) have been met; and

(iv) The cattle are accompanied to the farm of origin by such permit.

§ 78.9 Cattle from herds not known to be affected with brucellosis.

Cattle from herds not known to be affected with brucellosis may be moved interstate from specified areas only as follows:

(a) *Certified Brucellosis-Free Areas.* Cattle from herds not known to be affected with brucellosis in any Certified Brucellosis-Free Area may be moved interstate from such area into any area for any purpose if such cattle are accompanied by an owner's statement, or other document.

(b) *Modified Certified Brucellosis Areas.* Cattle from herds not known to be affected with brucellosis in any Modified Certified Brucellosis Area may be moved interstate from such area into any area under the conditions specified in one or more of the following subparagraphs:

(1) *Movement for immediate slaughter.* Such cattle may be so moved for immediate slaughter either directly from a farm of origin or through a specifically approved stockyard if they are accompanied by an owner's statement, or other document.

(2) *Movement to quarantined feedlots.* Such cattle may be so moved to a quarantined feedlot either directly from a farm of origin or through a specifically approved stockyard if they are accompanied by an owner's statement, or other document.

(3) *Movement for feeding, breeding, or for purposes other than in paragraphs (b)(1) and (2) of this section.* Such cattle may be so moved for feeding, breeding, or for purposes other than those specified in paragraphs (b)(1) and (2) of this section as follows:

(i) Such cattle originating in Certified Brucellosis-Free herds may be so moved if they are accompanied by a certificate, which also states that the cattle originated in a Certified Brucellosis-Free herd.

(ii) Such cattle of the beef breeds under 24 months of age and other breeds under 20 months of age which are not parturient (springers) or postparturient may be so moved if such cattle are accompanied by an owner's statement, or other document.

(iii) Other such cattle may be so moved if they are accompanied by a certificate, are subjected to an official test for brucellosis and found negative within 30 days prior to such interstate movement and the certificate shows in addition to items required under § 78.1(u), the test dates and results of the official tests; except that cattle moved directly from a farm of origin to a specifically approved stockyard shall be accompanied by an owner's statement, or other document, and the shipper shall cause such cattle to be subjected to an official test for brucellosis upon arrival and prior to losing identity with the herd of origin.

§ 78.10 Cattle from qualified herds.

Cattle from qualified herds in any non-certified area may be moved interstate into any area only under the conditions

specified in one or more of the following paragraphs:

(a) *Movement for immediate slaughter.* Such cattle may be so moved for immediate slaughter either directly from a farm of origin or through a specifically approved stockyard if they are accompanied by an owner's statement, or other document.

(b) *Movement to quarantined feedlots.* Such cattle may be so moved to a quarantined feedlot either directly from a farm of origin or through a specifically approved stockyard if they are accompanied by an owner's statement, or other document.

(c) *Movement for feeding, breeding, or for purposes other than in paragraphs (a) and (b).* Such cattle may be so moved for feeding, breeding, or for purposes other than those specified in paragraphs (a) and (b) of this section, as follows:

(1) Such cattle originating in Certified Brucellosis-Free herds may be so moved when accompanied by a certificate, which also states that the cattle originated in a Certified Brucellosis-Free herd.

(2) Official vaccinates of the beef breeds under 24 months of age and of other breeds under 20 months of age at the time of interstate movement may be so moved when accompanied by a certificate.

(3) Other such cattle may be so moved when accompanied by a certificate, if such cattle, except calves under 6 months of age, were subjected to an official test for brucellosis not less than 30 days after the date of the last qualifying herd test and not more than 30 days before the date of the interstate movement, and the certificate shows, in addition to items required under § 78.1(u), the dates of any official test required by this paragraph.

§ 78.11 Cattle from herds of unknown status.²

Cattle which originate in herds of unknown status in any noncertified area may be moved interstate only for immediate slaughter directly to a slaughtering establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), or directly to a specifically approved slaughtering establishment, or directly to a quarantined feedlot, or directly to a specifically approved stockyard for sale and shipment directly to a quarantined feedlot or such a slaughtering establishment, when accompanied by a permit.

§ 78.12 Other movements.

The Deputy Administrator, Veterinary Services, may upon request, in specific cases, permit the interstate movement not otherwise provided for in this subpart of cattle under such conditions as he may prescribe in each case to prevent the spread of brucellosis. The Deputy Administrator, Veterinary Services, will promptly notify the appropriate livestock sanitary official of the States involved of any such action.

² A herd of unknown status may become a qualified herd as defined in § 78.1(o) upon compliance with the provisions of § 78.1(o).

Subpart C—Restrictions on Interstate Movement of Bison Because of Brucellosis

§ 78.13 General restrictions.

Bison may not be moved interstate except in compliance with the regulations in this subpart.

§ 78.14 Bison steers and spayed heifers.

Bison steers and spayed heifers over 6 months of age may be moved interstate from any area without restriction under this subpart.

§ 78.15 Brucellosis reactor bison.

Brucellosis reactor bison may only be moved interstate under this section for immediate slaughter directly to a slaughtering establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), or directly to a specifically approved slaughtering establishment, or directly to a specifically approved stockyard for sale to such a slaughtering establishment, in accordance with the following requirements:

(a) *Marking of brucellosis reactor bison.* Brucellosis reactor bison shall be marked for identification by branding the letter "B" on the left jaw in letters not less than 2 nor more than 3 inches high, and attaching to the left ear a metal tag bearing a serial number and the inscription "U.S. Reactor," or a similar State reactor tag.

(b) *Required permit.* Brucellosis reactor bison shall be accompanied to destination by a permit for movement of the animals in accordance with § 78.3.

(c) *Marking of records.* Each transportation agency moving brucellosis reactor bison in the course of their interstate movement shall plainly write or stamp upon the face of each waybill, conductor's manifest, switch order, vehicle interchange record, or other document which it prepares in connection with such movement, the word "Brucellosis Reactors."

(d) *Segregation of brucellosis reactor bison en route interstate.*

Brucellosis reactor bison shall not be moved interstate in a railroad car, boat, truck, or other means of conveyance containing non-reactor animals susceptible to brucellosis, unless all of the animals are for immediate slaughter, or unless the reactor bison are kept separate from the other animals by a partition securely affixed to the sides of the means of conveyance.

§ 78.16 Brucellosis exposed bison.

Brucellosis exposed bison may be moved interstate from any area only under the conditions specified in any of the following paragraphs:

(a) *Movement of brucellosis exposed bison to quarantined feedlots.* Brucellosis exposed bison may be moved interstate from any area directly to a quarantined feedlot, or directly to a specifically approved stockyard for sale and shipment to a quarantined feedlot. Such bison shall be accompanied by a permit. If the movement is to a specifically approved stockyard for sale and shipment to a quarantined feedlot, a separate permit shall be required for the subsequent interstate movement of such bison from any such stockyard to a quarantined feedlot.

(b) *Movement of brucellosis exposed bison for immediate slaughter.* Brucellosis exposed bison may be moved interstate from any area for immediate slaughter directly to a slaughtering establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), or directly to a specifically approved slaughtering establishment, or to a specifically approved stockyard for sale and shipment to such a slaughtering establishment. Such bison shall be accompanied by a permit.

§ 78.17 Bison from herds not known to be affected with brucellosis.

Bison from herds not known to be affected with brucellosis may be moved interstate from any area under the following conditions:

(a) *Movement for immediate slaughter.* Such bison may be so moved for immediate slaughter if they are accompanied by an owner's statement, or other document.

(b) *Movement to quarantined feedlot.* Such bison may be so moved to a quarantined feedlot if they are accompanied by an owner's statement, or other document.

(c) *Movement for feeding, breeding, or for purposes other than in paragraphs (a) and (b) of this section.* Such bison may be so moved for feeding, breeding, or for purposes other than those specified in paragraphs (a) and (b) of this section, as follows:

(1) Such bison calves under 6 months of age may be so moved when accompanied by a certificate.

(2) Such officially vaccinated bison under 24 months of age which are not parturient (springers) or postparturient may be so moved when accompanied by a certificate.

(3) Such bison from a herd which has been declared free of brucellosis by the cooperating State and Federal livestock sanitary officials of the State in which the herd is located may be moved when accompanied by a certificate.

(4) Other such bison may be so moved if they are accompanied by a certificate, are subjected to an official test for brucellosis and found negative within 30 days prior to such interstate movement and the certificate shows in addition to items required under § 78.1(u), the dates of the official test.

§ 78.18 Movement of bison from public zoo to public zoo.

Bison from herds not known to be affected with brucellosis and shipped from a zoo owned by a governmental agency to another such zoo may be moved interstate from any area if handled in accordance with § 78.4.

§ 78.19 Other movements.

The Deputy Administrator, Veterinary Services, may upon request in specific cases, permit the interstate movement not otherwise provided for in this subpart of bison under such conditions as he may prescribe in each case to prevent the spread of brucellosis. The Deputy Administrator, Veterinary Services, will promptly notify the appropriate livestock sanitary official of the States involved of any such action.

Subpart D—Designation of Brucellosis Areas, Specifically Approved Stockyards and Slaughtering Establishments

§ 78.20 Certified Brucellosis-Free Areas.

The following States, or specified portions thereof, are hereby designated as Certified Brucellosis-Free Areas:

(a) *Entire States.* Arizona, California, Connecticut, Delaware, Hawaii, Idaho, Indiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, Washington, West Virginia, Wisconsin, Virgin Islands.

(b) *Specific Counties Within States—Alabama.* Barbour, Cherokee, Clay, Cleburne, Dale, Etowah, Geneva, Henry, Houston, Lee, Russell.

Arkansas. Ashley, Baxter, Benton, Boone, Bradley, Calhoun, Carroll, Clay, Cleburne, Cleveland, Columbia, Conway, Craighead, Crawford, Dallas, Drew, Franklin, Fulton, Garland, Grant, Greene, Jackson, Johnson, Lafayette, Madison, Marion, Monroe, Montgomery, Newton, Ouachita, Perry, Pike, Polk, Pope, Prairie, Searcy, Sharp, Stone, Union, Woodruff, Yell.

Colorado. Adams, Alamosa, Arapahoe, Archuleta, Bent, Boulder, Chaffee, Cheyenne, Clear Creek, Conejos, Costilla, Crowley, Custer, Delta, Denver, Dolores, Douglas, Eagle, Elbert, El Paso, Fremont, Garfield, Gilpin, Grand, Gunnison, Hinsdale, Huerfano, Jackson, Jefferson, Kit Carson, Lake, La Plata, Larimer, Las Animas, Lincoln, Logan, Mesa, Mineral, Moffat, Montezuma, Montrose, Otero, Ouray, Park, Phillips, Pitkin, Rio Blanco, Rio Grande, Routt, Saguache, San Juan, San Miguel, Sedgwick, Summit, Teller, Washington, Weld.

Florida. Baker, Bay, Brevard, Calhoun, Dade, Dixie, Escambia, Franklin, Gadsden, Gulf, Hamilton, Holmes, Jackson, Leon, Liberty, Monroe, Okaloosa, Orange, Pasco, Santa Rosa, Sumter, Taylor, Wakulla, Walton, Washington.

Georgia. Appling, Atkinson, Bacon, Banks, Barrow, Brantley, Bryan, Bulloch, Burke, Butts, Camden, Candler, Charlton, Chatham, Chattahoochee, Clarke, Clayton, Cook, Crawford, Dawson, De Kalb, Echols, Effingham, Evans, Fannin, Franklin, Glascock, Glynn, Greene, Habersham, Henry, Jeff Davis, Johnson, Jones, Lanier, Laurens, Liberty, Long, Madison, McIntosh, Monroe, Peach, Rabun, Richmond, Rockdale, Schley, Screven, Stephens, Taylor, Telfair, Toombs, Towns, Truett, Twiggs, Upson, Ware, Washington, Wayne, Wheeler, White, Wilkinson.

Illinois. Adams, Alexander, Boone, Bureau, Calhoun, Carroll, Cass, Champain, Christian, Clark, Clay, Clinton, Coles, Cook, Crawford, Cumberland, De Kalb, De Witt, Du Page, Edgar, Edwards, Fayette, Ford, Franklin, Greene, Grundy, Hamilton, Hancock, Henderson, Iroquois, Jackson, Jasper, Jefferson, Jersey, Jo Daviess, Kane, Kankakee, Kendall, Knox, Lake, LaSalle, Lawrence, Lee, Livingston, Logan, Macon, Macoupin, Madison, Marion, Marshall, Massac, McDonough, McHenry, McLean, Menard, Mercer, Monroe, Montgomery, Morgan, Moultrie, Ogle, Peoria, Perry, Platt, Pulaski, Putnam, Randolph, Richland, Rock Island, St. Clair, Saline, Sangamon, Schuyler, Scott, Shelby, Stark, Stephenson, Tazewell, Union, Vermillion, Wabash, Warren, Washington, White, Whiteside, Will, Winnebago.

Iowa. Adair, Adams, Audubon, Benton, Black Hawk, Boone, Bremer, Buchanan, Buena Vista, Butler, Calhoun, Carroll, Cass, Cedar, Cerro Gordo, Cherokee, Chickasaw, Clarke, Clay, Clayton, Clinton, Dallas, Delaware, Des Moines, Dickinson, Emmet, Fayette, Floyd, Franklin, Fremont, Greene, Grundy, Hamilton, Hancock, Hardin, Harrison, Henry,

Howard, Humboldt, Ida, Iowa, Jackson, Jasper, Jefferson, Johnson, Jones, Keokuk, Kosuth, Lee, Linn, Louisa, Lucas, Lyon, Mahaska, Marion, Marshall, Mills, Mitchell, Monona, Monroe, Montgomery, Muscatine, O'Brien, Osceola, Page, Palo Alto, Plymouth, Pocahontas, Polk, Sac, Scott, Shelby, Sioux, Story, Tama, Taylor, Union, Van Buren, Wapello, Washington, Webster, Winnebago, Woodbury, Worth, Wright.

Kansas. Comanche, Doniphan, Ford, Grove, Haskell, Hodgeman, Johnson, Lane, Marshall, Pawnee, Phillips, Riley, Scott, Trego, Washington.

Kentucky. Bell, Breathitt, Campbell, Clay, Edmondson, Floyd, Harlan, Jackson, Johnson, Kenton, Knott, Knox, Lawrence, Lee, Leslie, Letcher, Lewis, Magoffin, Martin, McCreary, Menifee, Morgan, Owsley, Pendleton, Perry, Pike, Robertson, Rowan, Trimble, Whitley, Wolfe.

Mississippi. Alcorn, Hancock, Harrison, Jackson, Stone, Tishomingo.

Missouri. Audrain, Carter, Dallas, Douglas, Dunklin, Franklin, Gasconade, Hickory, Iron, Jackson, Laclede, Lewis, Marion, Miller, Moniteau, Montgomery, Perry, Platte, Pulaski, St. Louis, Schuyler, Shelby.

New Mexico. Bernalillo, Catron, Dona Ana, Grant, Harding, Lincoln, Los Alamos, Luna, McKinley, Otero, Sandoval, San Juan, Santa Fe, Sierra, Taos, Acoma Indian Reservation, Laguna Indian Reservation, Chociti Indian Reservation, Jemez Indian Reservation, Jicarilo Indian Reservation, Mescalero Indian Reservation, Navajo Indian Reservation, Zuni Indian Reservation, Canoncito Navajo Reservation.

South Dakota. Aurora, Bennett, Bon Homme, Brookings, Brown, Brule, Buffalo, Butte, Campbell, Charles Mix, Clark, Clay, Codington, Corson, Custer, Davison, Day, Deuel, Dewey, Douglas, Fall River, Faulk, Grant, Gregory, Haakon, Hamlin, Hand, Hanson, Harding, Hughes, Hutchinson, Hyde, Jackson, Jerauld, Kingsbury, Lake, Lawrence, Lincoln, Lyman, McCook, McPherson, Meade, Mellette, Miner, Minnehaha, Moody, Pennington, Perkins, Potter, Roberts, Sanborn, Shannon, Spink, Sully, Todd, Tripp, Turner, Union, Walworth, Washabaugh, Yankton, Ziebach.

Tennessee. Anderson, Benton, Bledsoe, Blount, Campbell, Cannon, Carter, Cheatham, Claborn, Cumberland, Davidson, Decatur, Dickson, Fentress, Grainger, Greene, Grundy, Hamblen, Hancock, Hardin, Houston, Jackson, Jefferson, Johnson, Knox, Lake, Lincoln, Meigs, Monroe, Montgomery, Morgan, Polk, Roane, Robertson, Rutherford, Scott, Sevier, Sullivan, Union, Van Buren, Warren, Washington, Wayne, White.

Texas. Brewster, Comal, Crane, Culberson, Ector, El Paso, Gray, Hansford, Hartley, Hemphill, Irion, Jeff Davis, Kerr, Kinney, Lipscomb, Llano, Loving, Newton, Pecos, Reagan, Reeves, Roberts, Sterling, Terrell, Val Verde, Ward, Winkler.

Utah. Beaver, Box Elder, Carbon, Daggett, Davis, Duchesne, Emery, Garfield, Grand, Iron, Juab, Kane, Millard, Morgan, Piute, Rich, Salt Lake, San Juan, Sanpete, Sevier, Summit, Tooele, Uintah, Utah, Wasatch, Washington, Wayne, Weber.

Wyoming. Albany, Big Horn, Campbell, Carbon, Converse, Crook, Fremont, Goshen, Hot Springs, Johnson, Laramie, Natrona, Niobrara, Park, Platte, Sheridan, Sublette, Sweetwater, Teton, Uinta, Washakie, Weston.

Puerto Rico. Adjuntas, Aguada, Aguadilla, Agass Buenas, Albonito, Anasco, Arroyo, Barceloneta, Barranquitas, Bayamon, Cabo Rojo, Caguas, Camuy, Canovanas (Loiza), Catano, Cayey, Ceiba, Ciales, Cidra, Coama, Comerio, Corozal, Culebra, Dorado, Fajardo, Guanica, Guayama, Guayanilla, Gurabo, Hormigueros, Humacao, Isabela, Jayuya, Juana Diaz, Lajas, Lares, Las Marias, Luquillo, Manati, Maricao, Maunabo, Mayaguez, Moca,

Morovis, Naranjito, Orocovis, Patillas, Penuelas, Ponce, Quebradillas, Rincon, Rio Grande, Rio Piedras, Sabana Grande, Salinas, San German, San Juan, San Lorenzo, San Sebastian, Santa Isabel, Toa Alta, Toa Baja, Trujillo Alto, Utuado, Vega Alta, Vega Baja, Vieques, Villalba, Yabucoa, Yauco.

§ 78.21 Modified Certified Brucellosis Areas.

The following States, or specified portions thereof, are hereby designated as Modified Certified Brucellosis Areas:

(a) *Entire States.* Alaska, Louisiana, Nebraska.

(b) *Specific Counties Within States—Alabama.* Autauga, Baldwin, Bibb, Blount, Bullock, Butler, Calhoun, Chambers, Chilton, Choctaw, Clarke, Coffee, Colbert, Conecuh, Coosa, Covington, Crenshaw, Cullman, Dallas, De Kalb, Elmore, Escambia, Fayette, Franklin, Greene, Hale, Jackson, Jefferson, Lamar, Lauderdale, Lawrence, Limestone, Lowndes, Macon, Madison, Marengo, Marion, Marshall, Mobile, Monroe, Montgomery, Morgan, Perry, Pickens, Pike, Randolph, St. Clair, Shelby, Sumter, Talladega, Tallapoosa, Tuscaloosa, Walker, Washington, Wilcox, Winston.

Arkansas. Arkansas, Chicot, Clark, Crittenden, Cross, Desha, Faulkner, Hempstead, Hot Spring, Howard, Independence, Izard, Jefferson, Lawrence, Lee, Lincoln, Little River, Logan, Lonoke, Miller, Mississippi, Nevada, Phillips, Poinsett, Pulaski, Randolph, Saline, Scott, St. Francis, Sebastian, Sevier, Van Buren, Washington, White.

Colorado. Baca, Kiowa, Morgan, Prowers, Pueblo, Yuma, Southern Ute Indian Reservation, Ute Mountain Indian Reservation.

Florida. Alachua, Bradford, Broward, Charlotte, Citrus, Clay, Collier, Columbia, De Soto, Duval, Flagler, Gilchrist, Glades, Hardee, Hendry, Hernando, Highlands, Hillsborough, Indian River, Jefferson, Lafayette, Lake, Lee, Levy, Madison, Manatee, Marion, Martin, Nassau, Okeechobee, Osceola, Palm Beach, Pinellas, Polk, Putnam, St. Johns, St. Lucie, Sarasota, Seminole, Suwanee, Union, Volusia.

Georgia. Baker, Baldwin, Bartow, Ben Hill, Berrien, Bibb, Bleckley, Brooks, Calhoun, Carroll, Catoosa, Chattooga, Cherokee, Clay, Clinch, Cobb, Coffee, Colquitt, Columbia, Coweta, Crisp, Dade, Decatur, Dodge, Dooly, Dougherty, Douglas, Early, Elbert, Emanuel, Fayette, Floyd, Forsyth, Fulton, Glimmer, Gordon, Grady, Gwinnett, Hall, Hancock, Haralson, Harris, Hart, Heard, Houston, Irwin, Jackson, Jasper, Jefferson, Jenkins, Lamar, Lee, Lincoln, Lowndes, Lumpkin, Macon, Marion, McDuffie, Meriwether, Miller, Mitchell, Montgomery, Morgan, Murray, Muscogee, Newton, Oconee, Oglethorpe, Paulding, Pickens, Pierce, Pike, Polk, Pulaski, Putnam, Quitman, Randolph, Seminole, Spalding, Stewart, Sumter, Talbot, Taliaferro, Tattall, Terrell, Thomas, Tift, Troup, Turner, Union, Walker, Walton, Warren, Webster, Whitfield, Wilcox, Wilkes, Worth.

Illinois. Bond, Brown, Douglas, Effingham, Fulton, Gallatin, Hardin, Henry, Johnson, Mason, Pike, Pope, Wayne, Williamson, Woodford.

Iowa. Allamakee, Appanoose, Crawford, Davis, Decatur, Dubuque, Guthrie, Madison, Pottawattamie, Poweshiek, Ringgold, Warren, Wayne, Winneshiek.

Kansas. Allen, Anderson, Atchison, Barber, Barton, Bourbon, Brown, Butler, Chase, Chautauqua, Cherokee, Cheyenne, Clark, Clay, Cloud, Coffey, Cowley, Crawford, Decatur, Dickinson, Douglas, Edwards, Elk, Ellis, Ellsworth, Finney, Franklin, Geary, Graham, Grant, Gray, Greeley, Greenwood, Hamilton, Harper, Harvey, Jackson, Jefferson, Jewell, Kearny, Kingman, Kiowa, Labette, Leavenworth, Lincoln, Linn, Logan, Lyon, Marion, McPherson, Meade, Miami, Mitchell, Montgomery, Morris, Morton, Nemaha, Neosho, Ness, Norton, Osage, Osborne, Ottawa, Pot-

tawatomie, Pratt, Rawlins, Reno, Republic, Rice, Rooks, Rush, Russell, Saline, Sedgwick, Seward, Shawnee, Sheridan, Sherman, Smith, Stafford, Stanton, Stevens, Sumner, Thomas, Wabunsee, Wallace, Wichita, Wilson, Woodson, Wyandotte.

Kentucky. Adair, Allen, Anderson, Ballard, Barren, Bath, Boone, Bourbon, Boyd, Boyle, Bracken, Breckinridge, Bullitt, Butler, Caldwell, Calloway, Carlisle, Carroll, Carter, Casey, Christian, Clark, Clinton, Crittenden, Cumberland, Davless, Elliott, Estill, Fayette, Fleming, Franklin, Fulton, Gallatin, Garrard, Grant, Graves, Grayson, Green, Greenup, Hancock, Hardin, Harrison, Hart, Henderson, Henry, Hickman, Hopkins, Jefferson, Jessamine, Larue, Laurel, Lincoln, Livingston, Logan, Lyon, Madison, Marion, Marshall, Mason, McCracken, McLean, Meade, Mercer, Metcalfe, Monroe, Montgomery, Muhlenberg, Nelson, Nicholas, Ohio, Oldham, Owen, Powell, Pulaski, Rockcastle, Russell, Scott, Shelby, Simpson, Spencer, Taylor, Todd, Trigg, Union, Warren, Washington, Wayne, Webster, Woodford.

Mississippi. Adams, Amite, Attala, Benton, Bolivar, Calhoun, Carroll, Choctaw, Chickasaw, Claiborne, Clarke, Clay, Coahoma, Copiah, Covington, De Soto, Forrest, Franklin, George, Greene, Grenada, Hinds, Holmes, Humphreys, Issaquena, Itawamba, Jasper, Jefferson, Jefferson Davis, Jones, Kemper, Lafayette, Lamar, Lauderdale, Lawrence, Leake, Lee, Leflore, Lincoln, Lowndes, Madison, Marion, Marshall, Monroe, Montgomery, Neshoba, Newton, Noxubee, Oktibbeha, Panola, Pearl River, Perry, Pike, Pontotoc, Prentiss, Quitman, Scott, Sharkey, Simpson, Smith, Sunflower, Tallahatchie, Tate, Tippah, Tunica, Union, Walthall, Warren, Washington, Wayne, Webster, Wilkinson, Winston, Yalobusha, Yazoo.

Missouri. Adair, Andrew, Atchison, Barry, Barton, Bates, Benton, Bollinger, Boone, Buchanan, Butler, Caldwell, Callaway, Camden, Cape Girardeau, Carroll, Cass, Cedar, Chariton, Christian, Clark, Clay, Clinton, Cole, Cooper, Crawford, Dade, Daviess, De Kalb, Dent, Gentry, Greene, Grundy, Harrison, Henry, Holt, Howard, Howell, Jasper, Jefferson, Johnson, Knox, Lafayette, Lawrence, Lincoln, Linn, Livingston, Macon, Madison, Maries, McDonald, Mercer, Mississippi, Monroe, Morgan, New Madrid, Newton, Nodaway, Oregon, Osage, Ozark, Pemiscot, Pettis, Phelps, Pike, Polk, Putnam, Ralls, Randolph, Ray, Reynolds, Ripley, St. Charles, St. Clair, St. Francois, St. Genevieve, Saline, Scotland, Scott, Shannon, Stoddard, Stone, Sullivan, Taney, Texas, Vernon, Warren, Washington, Wayne, Webster, Worth, Wright.

New Mexico. Chaves, Colfax, Curry, De Baca, Eddy, Guadalupe, Hidalgo, Lea, Mora, Quay, Rio Arriba, Roosevelt, San Miguel, Socorro, Torrance, Union, Valencia, Isleta Indian Reservation.

Oklahoma. Adair, Alfalfa, Atoka, Beaver, Beckham, Blaine, Caddo, Canadian, Carter, Cherokee, Choctaw, Cimarron, Cleveland, Coal, Comanche, Cotton, Craig, Creek, Custer, Delaware, Dewey, Ellis, Garfield, Garvin, Grady, Grant, Greer, Harmon, Harper, Haskell, Hughes, Jackson, Jefferson, Johnston, Kay, Kingfisher, Kiowa, Latimer, Le Flore, Lincoln, Logan, Love, McClain, McCurtain, McIntosh, Major, Marshall, Mayes, Murray, Muskogee, Noble, Nowata, Oklahoma, Okmulgee, Osage, Ottawa, Pawnee, Payne, Pittsburg, Pontotoc, Pottawatomie, Pushmataha, Roger Mills, Rogers, Seminole, Sequoyah, Stephens, Texas, Tillman, Tulsa, Wagoner, Washington, Washita, Woods, Woodward.

South Dakota. Beadle, Brookings, Edmunds, Jones, Marshall, Stanley, Crow Creek Indian Reservation.

Tennessee. Bedford, Bradley, Carroll, Chester, Clay, Coffee, Crockett, DeKalb, Dyer, Fayette, Franklin, Gibson, Giles,

Hamilton, Hardeman, Hawkins, Haywood, Henderson, Henry, Hickman, Humphreys, Lauderdale, Lawrence, Lewis, Loudon, Macon, Madison, Marion, Marshall, Maury, McMinn, McNairy, Moore, Obion, Overton, Perry, Pickett, Putnam, Rhea, Sequatchie, Shelby, Smith, Stewart, Sumner, Tipton, Trousdale, Weakley, Williamson, Wilson.

Texas. Anderson, Andrews, Angelina, Aransas, Archer, Armstrong, Atascosa, Austin, Bailey, Bandera, Bastrop, Baylor, Bee, Bell, Bexar, Blanco, Borden, Bosque, Bowie, Brazoria, Brazos, Briscoe, Brooks, Brown, Burleson, Burnet, Caldwell, Calhoun, Callahan, Cameron, Camp, Carson, Cass, Castro, Chambers, Cherokee, Childress, Clay, Cochran, Coke, Coleman, Collins, Collingsworth, Colorado, Comanche, Concho, Cooke, Coryell, Cottle, Crockett, Crosby, Dallam, Dallas, Dawson, Deaf Smith, Delta, Denton, De Witt, Dickens, Dimmit, Donley, Duval, Eastland, Edwards, Ellis, Falls, Fannin, Fayette, Fisher, Floyd, Foard, Fort Bend, Franklin, Frio, Gaines, Galveston, Garza, Gillespie, Glasscock, Goliad, Gonzales, Grayson, Gregg, Grimes, Guadalupe, Hale, Hall, Hamilton, Hardeman, Hardin, Harris, Harrison, Haskell, Hays, Hidalgo, Hill, Hockley, Hood, Hopkins, Houston, Howard, Hudspeth, Hunt, Hutchinson, Jack, Jackson, Jasper, Jefferson, Jim Hogg, Jim Wells, Johnson, Jones, Karnes, Kendall, Kenedy, Kent, Kimble, King, Kleberg, Knox, Lamar, Lamb, Lampasas, LaSalle, Lavaca, Lee Leon, Liberty, Lubbock, Lynn, McCulloch, McLennan, McMullen, Madison, Marion, Martin, Mason, Matagorda, Maverick, Medina, Menard, Midland, Milam, Mills, Mitchell, Montague, Montgomery, Moore, Morris, Motley, Nacogdoches, Nolan, Nueces, Ochiltree, Oldham, Orange, Palo Pinto, Panola, Parker, Parmer, Polk, Potter, Presidio, Rains, Randall, Real, Red River, Refugio, Robertson, Rockwall, Bunnels, Rusk, Sabine, San Augustine, San Jacinto, San Patricio, San Saba, Schleicher, Scurry, Shackelford, Shelby, Sherman, Somervell, Starr, Stephens, Stonewall, Sutton, Swisher, Tarrant, Taylor, Terry, Throckmorton, Titus, Tom Green, Travis, Trinity, Tyler, Upshur, Upton, Uvalde, Van Zandt, Victoria, Walker, Waller, Washington, Webb, Wharton, Wheeler, Wichita, Wilbarger, Willyard, Williamson, Wilson, Wise, Wood, Yoakum, Young, Zapata, Zavala.

Utah. Cache.
Wyoming. Lincoln.
Puerto Rico. Arecibo, Carolina, Guaynabo, Hatillo, Juncos, Las Piedras, Naguabo.

§ 78.22 Noncertified Areas.

Mississippi. Rankin.
Oklahoma. Bryan, Okfuskee.
Texas. Freestone, Henderson, Kaufman, Limestone, Live Oak, Navarro, Smith.

§ 78.23 Specifically approved stockyards.

Notices containing lists of stockyards specifically approved for the purposes of the regulations in this part are published in the FEDERAL REGISTER. Information with respect to these stockyards may also be obtained from Veterinary Services representatives and State inspectors.

§ 78.24 Slaughtering establishments.

(a) Information with respect to the slaughtering establishments operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), may be obtained from the Meat and Poultry Inspection Program, Animal and Plant Health Inspection Service, United States Department of Agriculture, Washington, D.C. 20250, and from the Veter-

inary Services representative or a State representative.

(b) Notices containing lists of slaughtering establishments specifically approved for the purposes of the regulations in this part are published in the FEDERAL REGISTER. Information with respect to these slaughtering establishments may also be obtained from the Veterinary Services representative or a State representative.

§ 78.25 Designation of areas; approval of stockyards and slaughtering establishments.

(a) The Deputy Administrator, Veterinary Services, is authorized to amend §§ 78.20, 78.21, and 78.22 to designate States or political subdivisions or portions thereof as Certified Brucellosis-Free Areas, Modified Certified Brucellosis Areas, or Noncertified Areas, respectively, when he determines that the areas come within the appropriate definitions in § 78.1 (l), (m), or (n), and to delete any area from any such list when he determines that the area no longer comes within the relevant definition.

(b) The Deputy Administrator is authorized to specifically approve stockyards for the purposes of the regulations in this part and to promulgate notices listing such stockyards in accordance with § 78.23 when he determines that the inspection and handling of livestock at such stockyards are adequate to effectuate the purposes of the regulations in this part and that Veterinary Services and the State in which such stockyards are located have entered into a Memorandum of Understanding setting forth certain standards for such stockyards. The Deputy Administrator may withdraw approval and remove any stockyard from the said list when he finds that the inspection or handling of livestock at such stockyard is no longer adequate to effectuate the purposes of such regulations, or when he determines that there is not full compliance with all provisions of the standards involved, or when such Memorandum of Understanding between Veterinary Services and the State within which such stockyard is located has been terminated. The Deputy Administrator is further authorized to specifically approve slaughtering establishments for the purposes of the regulations in this part and to promulgate notices listing such slaughtering establishments in accordance with § 78.24(b) when he determines that the inspection and handling of livestock or carcasses or products thereof at such slaughtering establishment is adequate to effectuate the purposes of such regulations. The Deputy Administrator may remove any slaughtering establishment from the said list when he finds that the inspection or handling of livestock or carcasses or products thereof at such slaughtering establishment is no longer adequate to effectuate the purposes of such regulations.

(c) Before the Deputy Administrator withdraws specific approval and removes any specifically approved stockyard or

slaughtering establishment from respective approved lists, the owner of such establishment shall be given notice by the Deputy Administrator of the charges against him and shall have an opportunity to present his views. In those instances where there is a conflict as to the facts, a hearing shall be held to resolve such conflicts.

Effective date. The foregoing amendments shall become effective April 22, 1975.

Insofar as the amendments impose restrictions necessary in order to prevent the interstate spread of brucellosis, they must be made effective immediately to

accomplish their purpose in the public interest. Insofar as the amendments relieve certain restrictions no longer deemed necessary to prevent the spread of brucellosis, they must be made effective promptly in order to be of maximum benefit to affected persons. It does not appear that further public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, under the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that further notice and other public procedure with respect to the amendments are impracti-

cable, unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 15th day of April 1975.

NOTE. Incorporation by reference provisions approved by the Director of the Federal Register on April 17, 1975.

J. M. HEJL,

Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service.

[FR Doc. 75-10296 Filed 4-21-75; 8:45 am]

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PART III



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Human Development



RUNAWAY YOUTH; PROGRAM AND ACTIVITIES

Notice of Proposed Rulemaking

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE

Office of Human Development

[45 CFR Part 1351]

RUNAWAY YOUTH; PROGRAM AND
ACTIVITIES

Notice of Proposed Rule Making

Notice is hereby given that the Assistant Secretary for Human Development, with the approval of the Secretary of Health, Education, and Welfare, proposes to issue regulations to implement the Runaway Youth Act, Title III of the Juvenile Justice and Delinquency Prevention Act of 1974, Public Law 93-415, approved September 7, 1974, which authorizes financial assistance for the purpose of developing local facilities to deal primarily with the immediate needs of runaway youth in a manner which is outside the law enforcement structure and juvenile justice system. For this purpose it is proposed to add Part 1351 to 45 CFR Chapter XIII.

Part A of Title III provides for grants and technical assistance to localities and nonprofit private agencies for the establishment, strengthening, or funding of such local facilities.

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed Part 1351 on or before May 22, 1975 to the Office of Youth Development, Office of Human Development, Department of Health, Education, and Welfare, 400 Sixth Street, SW, Room 1651A, Washington, D.C. 20201. All written submissions made pursuant to this Notice will be made available for public inspection at the above address on Monday through Friday of each week from 9 A.M. to 5:30 P.M. (Area Code 202, 245-2873).

Federal financial assistance under Part 1351 is subject to the regulations in 45 CFR Part 80, issued by the Secretary of Health, Education, and Welfare and approved by the President, to effectuate the provisions of section 601 of the Civil Rights Act of 1964 (42 U.S.C. 2000d).

Federal financial assistance under Part 1351 is also subject to the provisions of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

The provisions of 45 CFR Part 74 and certain enumerated chapters of the Department of Health, Education, and Welfare Grants Administration Manual shall apply to all grants under this part.

Dated: March 27, 1975.

STANLEY B. THOMAS, Jr.,
Assistant Secretary
for Human Development.

Approved: April 15, 1975.

CASPAR W. WEINBERGER,
Secretary.

Chapter XIII of Title 45 of the Code of Federal Regulations is amended by adding Part 1351 as follows:

PART 1351—RUNAWAY YOUTH

Subpart A—Definitions

Sec.
1351.1 Definitions.

Subpart B—Grants Program

Sec.
1351.10 Purpose.
1351.11 Eligibility.
1351.12 Duration of Federal assistance.
1351.13 Application; scope.
1351.14 Application; content.
1351.15 Priority.
1351.16 Size of grant.
1351.17 Approval by Secretary.

Subpart C—Contracts

1351.25 Purpose.
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Subpart D—Grants Administrative Provisions

1351.30 General.
1351.31 Nature and use of grants.
1351.32 Application, review, award, and amendment of grants.
1351.33 Cost sharing, matching, and payments.
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1351.35 Financial and administrative requirements.
1351.36 Reporting requirements.
1351.37 Grantee procurements.
1351.38 Property requirements.
1351.39 Allowability of costs.
1351.40 Grant closeout, suspension and termination [Reserved].

AUTHORITY: 88 Stat. 1130 (42 U.S.C. 5702).

Subpart A—Definitions

§ 1351.1 Definitions.

For the purposes of this part, unless the context otherwise requires:

(a) "Act" means the Runaway Youth Act, Title III of the Juvenile Justice and Delinquency Prevention Act of 1974 (P.L. 93-415).

(b) "Aftercare counseling" and "aftercase services" mean the provision of services to runaway youth and their families, following the youth's return home or placement in alternative living arrangements which assist in alleviating the problems which contributed to their running away.

(c) "Area" means a specific neighborhood or section of the locality in which the runaway program is or will be located.

(d) "Budget period" means the intervals of time, usually 12 months, for which funds are awarded.

(e) "Counseling services" means the provision of guidance, support, and advice to runaway youth and their families designed to alleviate the problems which contributed to the youth's running away, resolve intrafamily problems, and to help youth decide upon a future course of action.

(f) "Demonstrably frequented by or reachable" means located in an area in which runaway youth congregate or an area accessible to runaway youth by public transportation or by the provision of transportation by the runaway house itself.

(g) "Facility" means a physical structure in which services are provided to runaway youth and their families.

(h) "Grants Administration Manual" (hereinafter referred to as the GAM) means the Department of Health, Education, and Welfare staff manual which sets forth policies for the administration of grants by agencies of the Department.

The manual is available to the public by purchase on a subscription basis from the Superintendent of Documents, U.S. Government Printing Office. In addition, it is available for public inspection and copying in the Department's central and regional office information centers pursuant to the Department's public information regulation (45 CFR Part 5).

(i) "Juvenile justice system" means agencies such as, but not limited to, juvenile courts, law enforcement, probation, parole, correctional institutions and detention facilities.

(j) "Law enforcement structure" means any police activity or agency with legal responsibility for enforcing a criminal code including, but not limited to, police departments and sheriffs' offices.

(k) "Locality" means a unit of general local government such as a city, county, township, town, borough, parish or village, or a combination of such units.

(l) "Nonprofit private agency" means any agency, organization or institution no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual. It may include agencies which are fully controlled by private boards or persons.

(m) "Office" means the Office of Youth Development within the Department of Health, Education, and Welfare.

(n) "Past experience," with respect to the priority of private organizations or institutions for funding under this part, means that a major activity of such organizations or institutions has been the provision of temporary shelter, counseling and referral services to runaway youth and their families, either directly or through linkages established with other community agencies.

(o) "Program budget" means the total amount of funds expended by the applicant on services for runaway youth in the area during the 12 months preceding the submission of its application.

(p) "Runaway house" means a locally controlled facility outside the law enforcement structure and the juvenile justice system providing temporary shelter, either directly or through other facilities, and counseling services to runaway youth.

(q) "Runaway youth" means a person under 18 years of age who absents himself from home or legal residence without permission of parents or legal guardian.

(r) "Secretary" means the Secretary of the Department of Health, Education, and Welfare.

(s) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Trust Territory of the Pacific Islands, and any territory or possession of the United States.

(t) "Technical assistance" means the provision of expertise for the purpose of developing and strengthening services for runaway youth.

(u) "Temporary shelter" means the provision of short-term room and board by a runaway house.

Subpart B—Grants Program

§ 1351.10 Purpose.

(a) The purpose of this subpart is to assist States, localities and nonprofit private agencies to develop local facilities to deal primarily with the immediate needs of runaway youth in a manner which is outside the law enforcement structure and the juvenile justice system;

(b) Grants will be made under this subpart for the purpose of establishing, strengthening or funding existing or proposed runaway houses.

§ 1351.11 Eligibility.

(a) Grants under this subpart may be made to States, localities or nonprofit private agencies; Provided, however, that agencies and organizations which are a part of the law enforcement structure and the juvenile justice system are not eligible applicants;

(b) Nothing in this part shall be construed to:

(1) Deny grants to nonprofit private agencies fully controlled by private boards or persons but which in other respects meet the requirements of this part. Such private agencies must agree to be legally responsible for the operation of the runaway house;

(2) Give the Federal Government control over the staffing and personnel decisions of facilities receiving Federal funds.

§ 1351.12 Duration of Federal assistance.

(a) A project grant shall be awarded for a specific budget period not in excess of 12 months;

(b) Grantees may reapply for and receive continued grant support for additional 12 month budget periods or less contingent upon having met all the requirements of the Act and this part, having demonstrated satisfactory past performance, and upon the availability of funds. Grant support, however, shall be limited to three budget periods.

(c) The budget period may be extended without additional grant support, for a period not in excess of 12 months, when required to assure adequate completion of the approved project.

§ 1351.13 Application; scope.

An application for establishing, strengthening or funding a runaway house must provide for temporary shelter to runaway youth and counseling services to both youth and their families. Funds may be requested for the acquisition and renovation of existing structures, staff training and the general costs of operating the runaway house. There is no provision for Federal financial participation in the construction of new facilities under this subpart. (For matching requirements, see Subpart D.) Federal participation in the cost of acquisition and renovation of existing structures shall not exceed 15 percent of the amount provided in the Federal grant award. Under special circumstances an applicant, on the basis of a

demonstrated need, may receive a waiver from the Secretary of this 15 percent limitation.

§ 1351.14 Application; content.

An application for funds under this subpart shall contain the following information:

(a) A budget for the proposed period and a budget justification;

(b) A description of the qualifications, roles and functions of the principal staff to be responsible for the project;

(c) A detailed description of a staffing pattern which conforms to applicable State and local licensing requirements. At a minimum, the staffing pattern must provide for the presence of at least one adult staff member on the premises whenever youth are using the runaway house and for a staff member to be on the premises or accessible by telephone 24 hours a day when youth are not using the facility;

(d) A description of the methods to be employed in providing staff and decision-making roles for youth in the operation of the runaway house;

(e) A description of the methods to be followed in utilizing youth and adult volunteers in the operation of the runaway house;

(f) A description of the methods to be employed in implementing the following programmatic goals:

(1) Alleviating the problems of runaway youth;

(2) Reuniting youth with their families and encouraging the resolution of intrafamily problems through counseling and services;

(3) Strengthening family relationships and encouraging stable living conditions for youth;

(4) Helping youth decide upon a future course of action.

(g) A description of the services to be provided;

(h) A statement as to the capacity for temporary shelter for runaways, with the assurance that no facility utilized by the runaway house for this purpose shall have a maximum capacity of more than 20 youth;

(i) Documentation of the number of runaway youth in the area and the existing services available to runaway youth. Applicants shall be required to provide the following:

(1) Annual statistics on the number of runaway youth in the area compiled from police, welfare, juvenile court, existing runaway service providers, and other resources documented by source;

(2) Annual data on available services for runaway youth in the area, including a listing of the existing temporary shelter facilities outside the law enforcement structure and the juvenile justice system and other available services for runaway youth and their families, indicating their service capacity.

(j) Documentation that the runaway house is or will be located in an area which is demonstrably frequented by or easily reachable by runaway youth. The documentation provided may consist of police contact reports, social service

agency reports or other types of relevant data to substantiate that the facility is or will be located in an area which runaway youth frequent or verification that the facility is or will be located in an area easily accessible by public transportation or that transportation is or will be provided through arrangements with other agencies or by the facility itself;

(k) Assurance that the runaway house shall comply with, or exceed, applicable State and local licensing requirements including, but not limited to, building, health and safety codes;

(l) A description of the plans to be followed in contacting the runaway's parents, legal guardian or relatives. In the absence of applicable State laws, the runaway house shall be required to contact the youth's parents, legal guardian or relatives preferably within 24 hours but no more than 72 hours following the time of the youth's admission into the runaway house;

(m) A description of the procedures to be followed in assuring the safe return of the youth, either home or to an appropriate alternative living arrangement, according to the best interests of the youth. The procedures to be employed must provide for the involvement of both the youth and the parents or legal guardian, and must be geared toward developing a consensus as to what constitutes the best interests of the youth;

(n) A description of the arrangements to be established with appropriate agencies for the provision of alternative living arrangements for those youth for whom returning home is not determined to be in their best interest;

(o) The methods to be employed in securing transportation and for assuring the safe arrival of youth who are returned home or are placed in an alternative living arrangement. If the parents or legal guardian are unable to meet the youth, the runaway house shall make appropriate arrangements to have the youth met, either by a representative of another runaway house or of an appropriate agency in the locality to which the youth is being returned. The runaway house shall be required to contact the youth's home or alternative placement within 12 hours after the scheduled arrival to confirm the safe arrival of the youth;

(p) A description of the provisions to be made, as needed, for aftercare counseling and aftercare services for runaway youth and their parents within the State and, to the extent possible, for runaway youth and their parents within the State which the runaway house is located;

(q) A description of procedures to be followed in contacting local government agencies pursuant to working relationships established with such agencies by the runaway house;

(r) A description of the methods to be employed in returning, in accordance with applicable Federal, State and local laws, youth who have run away from correctional institutions. This shall not be construed to mean that the runaway house shall bear the financial costs of returning these youth;

(s) A description of the procedures to be followed for establishing working relationships with law enforcement personnel;

(t) Assurance that the runaway house can and will comply with the statistical reporting requirements and shall submit data including, but not limited to, the number of youth served; their age, sex, race/ethnicity, and socio-economic background; the places from which they ran; and the types of services provided to both youth and their families;

(u) Assurance that the runaway house can and will comply with evaluation reporting requirements including, but not limited to, an assessment of its effectiveness in alleviating the problems of runaway youth; in reuniting youth with their families and encouraging the resolution of intrafamily problems; in strengthening family relationships and encouraging stable living conditions for youth; and helping youth decide upon a future course of action;

(v) Assurance that records on individual youth will not be disclosed without the written consent of the parents or legal guardian except to a court involved in the disposition of criminal charges against the youth or to another agency compiling statistical records. Disclosure of information to an agency compiling statistical records shall be in a non-personally identifiable form. In order for an agency compiling statistical records to obtain access to individual case records, such agency must document that it is conducting bona fide research on or otherwise has a bona fide interest in runaway youth programs. Reports or other documents based on such statistical records shall not disclose the identity of individual youth;

(w) Assurance that the runaway house can and will comply with the required accounting procedures and fiscal control devices;

(x) Assurance that the runaway house shall submit an annual report detailing how its programmatic goals have been met and how the plan contained in the approved application has been implemented;

(y) Assurance that the runaway house shall submit such other information as the Secretary reasonably deems necessary.

§ 1351.15 Priority.

(a) In considering the grant applications under this part, priority shall be given to:

(1) Private nonprofit organizations or institutions which have had past experience in dealing with runaway youth;

(2) Applicants whose requests for financial assistance are smaller than \$75,000; and

(3) Applicants whose annual program budgets are smaller than \$100,000.

(b) Once priorities have been assigned, the following factors will be considered in approving applications for funding:

(1) Documentation of the greatest need for Federal support based upon the number of runaway youth in the area and the existing availability of services;

(2) The completeness and adequacy of the grant application as outlined in § 1351.14.

§ 1351.16 Size of grant.

The size of such grant shall be determined by the number of runaway youth in the community and the existing services available for runaway youth.

§ 1351.17 Approval by Secretary.

An application for a grant may be approved by the Secretary only if it is consistent with the provisions of the Act and this subpart.

Subpart C—Contracts

§ 1351.25 Purpose.

The Secretary is authorized to make contracts for the provision of technical assistance to carry out the purposes of the Act.

§ 1351.26 Provisions.

Any contract under this part shall be entered into in accordance with, and shall conform to all applicable laws, regulations and Department policy.

Subpart D—Grants, Administrative Procedures

§ 1351.30 General.

Applicability of 45 CFR Part 74. The provisions of 45 CFR Part 74, establishing uniform administrative requirements and cost principles, shall apply to all grants under this part.

§ 1351.31 Nature and use of grants.

The provisions of chapter 1-00, Eligibility for Grants, of the GAM shall apply to all grants under this part.

§ 1351.32 Application, review, award, and amendment of grants.

(a) *Application review.* All applications for a grant will be reviewed by the Office to determine whether they meet the requirements of the Act and this part. The applicant may be requested to submit additional information either before or after review of the application. The Office may submit the application to technical consultants. On the basis of the recommendations received, the Secretary will determine the action to be taken with respect to each application and will notify the applicant accordingly;

(b) *Awards.* All grant awards shall be in writing, shall specify the amount of funds, the purposes for which these funds are granted, and the budget period for which support is given;

(c) *Grant amendments.* (1) The grantee shall submit an amendment describing any material change in the plan of his program or project proposed to be made during the budget period. Proposed program or project plan amendments shall be submitted in writing for review and consideration by the Office;

(2) Proposed project plan amendments may be initiated by the Office if, on the basis of reports, it appears that Federal funds are being used for approvable purposes beyond the scope of the approved project application.

§ 1351.33 Cost sharing, matching, and payments.

(a) *Matching requirements.* Federal financial participation under the Act and this part in the costs of operation of a runaway house pursuant to its approved application and budget, shall be 90 percent. The non-Federal share may be in cash or in kind, fairly evaluated by the Secretary, including plant, equipment, or services;

(b) *Payments.* Payments under this Act may be made in installments, in advance, or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

(c) The provisions of chapter 1-400, Matching and Cost Sharing, of the GAM shall apply to all grants under this part.

§ 1351.34 Confidentiality and other public policy requirements.

(a) *Confidential information.* All information, including lists of names, addresses, photographs, and records of evaluation, obtained as to personal facts about individuals served by any runaway house assisted under the Act shall be held to be confidential and may not be disclosed without written consent of parent or legal guardian except as provided in § 1351.14(v).

(b) Protection of rights of recipients.

(1) No youth shall be the subject of any research or experimentation under this part, other than routine testing and normal program evaluation, unless the parent or legal guardian is informed and given an opportunity as of right to exempt such youth therefrom;

(2) No youth shall be subject to medical, psychiatric or psychological treatment under this part without the consent of the parent or legal guardian unless otherwise permitted under State law.

(c) *Conflict of interest.* Employees or individuals participating in a program or project under the Act shall not use their positions for a purpose that is, or gives the appearance of being, motivated by a desire for private gain for themselves, or others, particularly those with whom they have family, business or other ties.

§ 1351.35 Financial and administrative requirements.

The provisions of chapter 1-45, Use of Consultants, of the GAM shall apply to all grants under this part.

§ 1351.36 Reporting requirements.

The grantee shall submit reports in such form and containing such information as prescribed by the Secretary, and shall keep such records and afford such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

§ 1351.37 Grantee procurements.

The provisions of chapter 1-46, Use of Small Business and Minority-Owned Businesses, of the GAM shall apply to all grants under this part.

§ 1351.38 Property requirements.

Publications and copyrights.

(a) The results of any activity supported under this part may be published

without prior review by the Department: Provided, that such publication's preface shall acknowledge the Federal assistance received and state that interpretations of data do not necessarily represent interpretations of the Department and provided, further, that three copies of such publication are furnished to the Department.

(b) Where a project activity leads to the publication of a book or other copyrighted material, the author is free to copyright the work, but the Department reserves royalty-free, non-exclusive, and irrevocable license to reproduce, publish,

or otherwise use, and to authorize others to use, all copyrightable or copyrighted material resulting from the grant-supported activity. Any such publication shall contain a notice of such license.

§ 1351.39 Allowability of costs.

The following chapters of the GAM shall apply to all grants under this part:

(a) Chapter 1-44, Alteration and Renovation (except for the limitation provided in § 1351.13);

(b) Chapter 6-10, Charges for Leased Facilities and Equipment;

(c) Chapter 6-60, Charges for Facilities Purchased or Constructed by State and Local Governments;

(d) Chapter 6-100, Establishment of Indirect Cost Rates;

(e) Chapter 6-110, Use of Special Indirect Cost Rates;

(f) Chapter 6-120, Treatment of Costs of Services Provided by Affiliated Organizations; and

(g) Chapter 6-150, Reimbursement of Indirect Costs.

§ 1351.40 Grant closeout, suspension, and termination. [Reserved]

[FR Doc.75-10338 Filed 4-21-75;8:45 am]



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