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Bureau of Land Management—

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Coeur D'Alene District Multiple Use Advisory Board; to be held in Coeur D'Alene, Idaho (open) 5-29-75
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Committee on Emergency Preparedness of the National Petroleum Council; to be held at Los Angeles, Calif. (open with restrictions) 5-29-75
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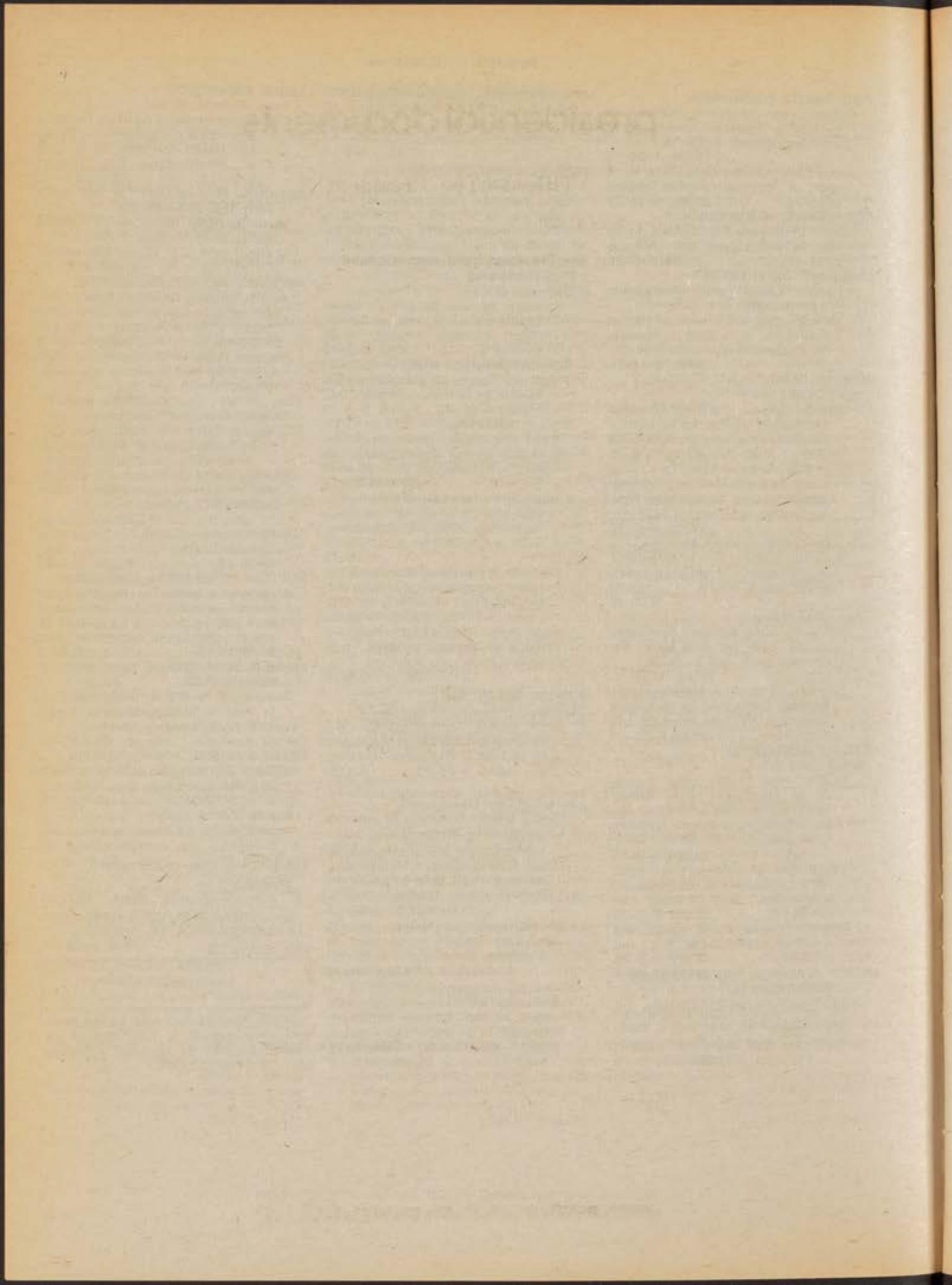
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List of Public Laws

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.



presidential documents

Title 3—The President

Executive Order 11860

May 19, 1975

Establishing the President's Advisory Committee on Refugees

Since the arrival of the first settlers on our eastern seaboard nearly 400 years ago, America has been a refuge for victims of persecution, intolerance and privation from around the world. Tide after tide of immigrants has settled here and each group has enriched our heritage and added to our well-being as a nation.

For many residents of Southeast Asia who stood by America as an ally and who have lost their homeland in the tragic developments of the past few weeks, America offers a last, best hope upon which they can build new lives. We are a big country and their numbers are proportionately small. We must open our doors and our hearts.

The arrival of thousands of refugees, mostly children, will require many adjustments on their part and considerable assistance on ours. But it is in our best interest as well as theirs to make this transition as gracious and efficient as humanly possible.

I have determined that it would be in the public interest to establish an advisory committee to the President on the resettlement in the United States of refugees from Indochina.

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and statutes of the United States, and as President of the United States, it is ordered as follows:

SECTION 1. Establishment of a Presidential Advisory Committee. There is hereby established the President's Advisory Committee on Refugees, hereinafter referred to as the Committee. The Committee shall be composed of such citizens from private life as the President may, from time to time, appoint. The President shall designate one member of the Committee to serve as chairman.

SEC. 2. Functions of the Advisory Committee. The Committee shall advise the President and the heads of appropriate Federal agencies concerning the expeditious and coordinated resettlement of refugees from Southeast Asia. The Committee shall include in its advice, consideration of the following areas:

- (a) Health and environmental matters related to resettlement;
- (b) the interrelationship of the governmental and volunteer roles in the resettlement;

- (c) educational and cultural adjustments required by these efforts;
- (d) the general well-being of resettled refugees and their families in their new American communities; and
- (e) such other related concerns as the President may, from time to time, specify.

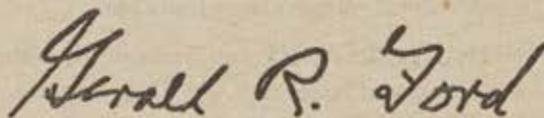
The Committee shall also seek to facilitate the location, solicitation, and channeling of private resources for these resettlement efforts, and to establish lines of communication with all concerned governmental agencies, relevant voluntary agencies, the Vietnamese-American community and the American public at large. The Committee shall conclude its work within one year.

SEC. 3. Assistance, Cooperation, and Expenses.

(a) All executive departments and agencies of the Federal government, to the extent permitted by law, are directed to cooperate with the Committee and to furnish such information, facilities, funds, and assistance as the Committee may require.

(b) No member of the Committee shall receive compensation from the United States by reason of service on the Committee, but may, to the extent permitted by law, be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703).

SEC. 4. Federal Advisory Committee Act. Notwithstanding the provisions of any other Executive order, the functions of the President under the Federal Advisory Committee Act (5 U.S.C. App. 1), except that of reporting annually to Congress, which are applicable to the advisory committee established by this Order, shall be performed by the Secretary of Health, Education, and Welfare.



THE WHITE HOUSE,
May 19, 1975.

[FR Doc. 75-13531 Filed 5-20-75; 10:17 am]

EDITORIAL NOTE: For the texts of the President's remarks on signing Executive Order 11860 and a White House announcement of the Advisory Committee's membership, see the Weekly Compilation of Presidential Documents (vol. 11, no. 21).

rules and regulations

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

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

Title 10—Energy

CHAPTER II—FEDERAL ENERGY ADMINISTRATION

PART 210—GENERAL ALLOCATION AND PRICE RULES

Stripper Well Lease Exemption

On February 28, 1975, the Federal Energy Administration gave notice of a proposal (40 FR 10195, March 5, 1975) to revise its regulations implementing the stripper well lease exemption set forth in section 4(e)(2) of the Emergency Petroleum Allocation Act of 1973 ("EPAA", Pub. L. 93-159, as amended, Pub. L. 93-511). FEA proposed the amendment in order to remove a disincentive to increased production from such marginally-producing stripper well leases that exists under the current regulation. Because the current regulation affords an exemption only in the year following a calendar year in which production from the lease was at or below the statutory stripper well level of ten barrels or less per well per day, there exists no incentive for producers to increase production levels above the ten barrel per well per day limit, either through work-overs or enhanced recovery techniques, because such increased per-well production for a calendar year would then result in a loss of the stripper well lease exemption in the following year.

The amendment proposed in the February 28 Notice would have provided that once the property qualified for the exemption on the basis of its production for any calendar year commencing after December 31, 1973, the exemption would not be lost if production from the lease exceeded the statutory stripper well level in a subsequent year. The February 28 Notice stated the FEA's preliminary determination that "rather than effecting the deregulation of any presently price-controlled crude oil . . . the proposed amendment is expected to encourage the production of additional crude oil which producers would not otherwise produce because threatened by the loss of the stripper well lease exemption that would result under present regulations." (40 FR 10195.)

Comments were received from twenty-nine interested persons and a public hearing was held on March 21, 1975, at which five interested persons presented oral testimony. Consideration of all the written and oral presentations has led the FEA to conclude that this analysis of the existing regulation is correct, and that if continued, the regulation would have the effect of seriously discouraging the implementation of enhanced recov-

ery techniques on marginally-producing properties that are now subject to primary production techniques.

The comments and oral testimony indicated that many of these properties, now enjoying the stripper well lease exemption, have not been converted to enhanced recovery projects because of the prospective loss of the exemption. For example, many comments indicate that a producer who operates a property currently enjoying the stripper well lease exemption generally would not increase production from the lease (either by initiating enhanced recovery techniques or by reworking existing producing wells) if the result would be to increase the property's average daily production above ten barrels per well per day, thereby losing the property's exempt status under § 210.32 in the following year. Thus, for legitimate economic reasons, many operators of stripper well properties will not take the steps that could provide an additional source of domestic crude oil.

More significant, however, is that production from oil-producing properties generally reaches a point where implementation of enhanced recovery techniques must be undertaken if a significant portion of recoverable oil is not to be lost forever. For example, in an enhanced recovery project using waterflood techniques, as the water front progresses across the oil field, more and more producing wells must be shut in or converted to water injection wells, so that the water front can proceed uniformly across the field. Otherwise, large pockets of oil are likely to be trapped behind the water front and become unrecoverable. Since only producing wells are counted in calculations for purposes of the stripper well lease exemption, a producer of crude oil from a stripper well lease would lose the exemption in circumstances where the conversion of a producing well to an injection well had the effect of reducing the number of producing wells, and thereby increasing the property's average daily production above 10 barrels per well per day.

The FEA concludes that the effect of this amendment will be to remove these kinds of disincentives to increased production, which are inherent in the present regulations, and encourage the implementation of enhanced recovery techniques resulting in the production of additional supplies of crude oil, which might not otherwise have been produced.

The FEA has further concluded that the amendment should be modified so as to provide that once a property has qualified for the exemption on the basis of its per well production for any calendar year commencing after December 31,

1972, the property will retain the exemption notwithstanding increased production from the lease above the stripper well limit in a subsequent year. This modification in the form of the amendment is intended to ensure that, as to properties that qualified for the stripper well lease exemption in 1973, but which exceeded the 10 barrel per well per day level in 1974 through work-overs or other production-stimulation techniques, the incentive to permit production again to decline naturally to stripper well levels will be removed, and further steps to maintain and increase production will be encouraged.

FEA recognizes that besides encouraging the production of additional crude oil that would not otherwise have been produced, the modified amendment may also have the effect of releasing from the ceiling price of 10 CFR 212.73 some crude oil produced in 1975 and thereafter from properties that had qualified as stripper well leases on the basis of production in calendar year 1973, but then lost their stripper well lease exemptions for 1975 because of production in excess of the stripper well limit in calendar year 1974.

Comments received during the course of the proceeding questioned the FEA's authority to promulgate the proposed amendment without first complying with the congressional review procedures outlined in the EPAA. Section 4(g)(2) of the EPAA provides that the President may exempt crude oil, residual fuel oil, or any refined petroleum product from the allocation and price regulations required by the EPAA, only after submission of the exempting amendment, with appropriate findings, to the Congress for its review. The FEA questions whether section 4(g)(2) is applicable to this limited exemption—which is consistent with the stripper well lease exemption contained in the EPAA itself—given Congress' original intent that the EPAA would expire on February 28, 1975. However, if this amendment were to be adopted without its prior submission to Congress, and if the challenge that has been raised in this proceeding were then pursued in a judicial forum, the purpose of the amendment would be significantly frustrated. Producers of crude oil from stripper well leases might continue in their reluctance to increase production from those properties for fear that if the FEA's authority to promulgate the amendment were not ultimately upheld, the properties' stripper well lease exemptions might be lost as a result of having increased production above the ten barrel per well per day limit.

Therefore, due to the nature of the modified amendment, and in order to

avoid the uncertainty that would necessarily accompany a judicial challenge to this amendment, the FEA has concluded that the procedures of section 4(g)(2) of the EPAA should be followed in this instance. The FEA recognizes that this amendment results in the modification of at least the express terms—though not necessarily the intent—of a specific, congressionally-created exemption and represents a change in the crude oil pricing regulations that were promulgated by the Cost of Living Council and were in effect at the time Congress enacted the EPAA. This amendment is, therefore, unlike the Cost of Living Council's "two-tier" pricing system, which Congress clearly recognized could be continued under the EPAA see "Conf. Rep. No. 628, 93d Cong., 1st Sess. 26 (1973)," and which consequently has been continued. Accordingly, the modified amendment is adopted, as set forth below, effective June 1, 1975 or upon the expiration of the period required pursuant to section 4(g)(2) of the EPAA, whichever is later. In the interim, this Notice and modified amendment will be forwarded to Congress for its review.

Findings. It is clear from the legislative history, as well as from the language of the EPAA, that application of the allocation and price regulations to the first sale of crude oil produced from leases whose average daily production is 10 barrels or less per well as not deemed necessary to implement the overall congressional policy embodied in the Act.

The report of the House Interstate and Foreign Commerce Committee indicates that "pricing controls and forced allocation of [crude oil produced from stripper well leases] would unnecessarily inhibit production" since "pricing restrictions imposed under other federal authority have demonstrably had the effect of inhibiting production from such wells." The Committee clearly stated its intent "that a similar result should not be made possible by the Mandatory Petroleum Allocation Program called for [by the EPAA]."

Similarly, the legislative history of the Trans-Alaska Pipeline Authorization Act of 1973 (Pub. L. 93-153, enacted eleven days prior to the EPAA) contained a similar exemption for stripper wells, again indicating a clear congressional policy in favor of ensuring that price controls would not inhibit the continued production from these marginally-producing properties. The Senate Committee on Interior and Insular Affairs stated the purpose of the exemption as being "to insure that direct or indirect price ceilings do not have the effect of resulting in any loss of domestic crude oil production from the premature shutdown of stripper wells for economic reasons." (Emphasis added.) Continuation of the existing regulation, however, would have effects contrary to those that Congress expressly sought to achieve.

The FEA finds that there is currently no shortage of crude oil available to refiners in the United States, and that this amendment will not have an adverse im-

act on other products covered by FEA regulations. These findings, however, although called for by the EPAA, are not necessarily material considerations in the adoption of this amendment, which is designed to encourage the increased domestic production of crude oil from marginally-producing stripper well leases, and thereby more adequately to carry out the intent of the congressionally-mandated stripper well lease exemption. The impact, therefore, of the amendment on crude oil and other products should be simply to displace with increased domestic production the crude oil that would otherwise need to be imported in order to maintain adequate and reliable supplies of petroleum products. Continuation of the regulation in its present form, on the other hand, would effectively eliminate this potential source of additional domestic crude oil, and would tend to accelerate the decline in production from marginally-producing properties. Accordingly, the FEA finds that the continued regulation of this narrow category of crude oil is unnecessary to carry out the purposes and objectives of the EPAA, and that the effect of the amendment will be to promote the increased production of domestic crude oil, thereby decreasing the Nation's dependence on foreign supplies.

This amendment is not intended to effect any change in the method of measuring the number of barrels of production from a property or in the method of counting the number of production wells for purposes of the stripper well lease exemption. These aspects of the stripper well lease exemption were specifically treated in Ruling 1974-29 and Ruling 1974-30, neither of which is altered in any way by the amendment adopted herein. The amendment is also intended to have no effect on the continued viability of Ruling 1974-28 (Inapplicability of the "Stripper Well Lease" Exemption of 10 CFR 210.32 to Gas Wells), which the FEA is currently reconsidering in a separate proceeding (40 FR 18004, April 24, 1975).

Insofar as the amendment might have the effect of releasing from the ceiling price some crude oil that is produced from properties that lost the stripper well lease exemption because of production levels in excess of ten barrels per well per day during calendar year 1974, the amendment will operate prospectively only. Therefore, for those properties in this narrow category, crude oil may be sold without regard to the ceiling price rule of 10 CFR 212.73, as of the effective date of the amendment. However, such producers may not retroactively increase the price of such crude oil for sales that occurred prior to the effective date of this amendment.

Conclusion. After having considered all the comments and testimony submitted in connection with this proceeding, the FEA has concluded that the amendment should be adopted as modified. For the reasons stated herein, this Notice and amendment will be submitted to Congress for its review in accordance with the

procedures of section 4(g)(2) of the EPAA.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159, as amended, Pub. L. 93-511; Federal Energy Administration Act of 1974, Pub. L. 93-275; E.O. 11790 (39 FR 23185))

In consideration of the foregoing, Part 210 of Chapter II, Title 10 of the Code of Federal Regulations, is amended as set forth below, effective June 1, 1975 or upon the expiration of the period required pursuant to section 4(g)(2) of the EPAA, whichever is later.

Issued in Washington, D.C., May 15, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel.

Section 210.32 is revised to read as follows:

§ 210.32 Stripper well leases.

(a) The first sale of crude oil, including condensates, produced from any stripper well lease is exempt from the provisions of Parts 211 and 212 of this title.

(b) Definitions.

"Average daily production" means the qualified maximum total production of crude oil, including condensates, produced from a property, divided by a number equal to the number of days in the year times the number of wells that produced crude oil, including condensates, from that property in that year. To qualify as maximum total production, each well on the property must have been maintained at the maximum feasible rate of production, in accordance with recognized conservation practices, and not significantly curtailed by reason of mechanical failure or other disruption in production.

"First sale" means the first transfer for value by the producer or royalty owner.

"Property" is the right that arises from a lease in existence in 1972 or from a fee interest to produce crude oil in existence in 1972 and is coextensive with the term "property" used in § 212.72 for purposes of determining "base production control level crude petroleum."

"Stripper well lease" means a "property" whose average daily production of crude oil, including condensates, per well did not exceed 10 barrels per day during any preceding calendar year beginning after December 31, 1972.

[FR Doc.75-13287 Filed 5-16-75;10:51 am]

Title 14—Aeronautics and Space CHAPTER 1—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airworthiness Docket No. 72-WE-8-AD;
Amdt. 39-2211]

PART 39—AIRWORTHINESS DIRECTIVES Beech Models Aircraft

Beech Models C-45G, TC-45G, C-45H, TC-45H, TC-45J (SNB-5), RC-45J (SNB-5P), D18C, D18S, E18S, E18S-9700, G18S, H18, JRB-6, 3N, 3NM, and 3TM

Aircraft with Volpar Tricycle Landing Gear (STC SA4-1531, STC SA111WE, STC SA1832WE or any other STC modification incorporating the provisions of this installation).

Amendment 39-1494 (37 FR 15421), AD 72-16-2, as further amended by Amendment 39-1549 (37 FR 23418), provides, among other things, procedures for the inspection and replacement of the Volpar nose landing gear fork, P/N 347, for airplanes equipped with Volpar tri-gear which do not incorporate the Volpar P/N 884 nose landing gear fork. After issuing Amendment 39-1494, due to two additional failures, the agency has determined that the periodic inspection interval should provide for a maximum number of landings in addition to the hour time in service since the last inspection. The service experience indicates that the number of landings relates significantly to the possibility of the occurrence of the cracks in the fork. To minimize the possibility of the cracks progressing to a point of incipient failure, a visual preflight check of the fork is incorporated into this amendment.

Therefore, paragraph 1 of this AD is being amended to relate the nose landing gear fork inspection interval to both the number of landings and the time in service and to provide for a visual preflight check for cracks.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-1494, (37 FR 15421), AD 72-16-2, as further amended by Amendment 39-1549 (37 FR 23418), is amended as follows:

Amend paragraph 1 to read:

1. Nose Landing Gear Fork

a. For airplanes incorporating Volpar nose landing gear fork P/N 347 perform the following:

(1) Within the next 50 hours time in service or 25 landings, whichever occurs earlier, after the effective date of this amendment to AD 72-16-2, unless already accomplished within the last 50 hours time in service or 25 landings, and thereafter at intervals not to exceed 100 hours time in service or 50 landings, whichever occurs earlier, from the last inspection, inspect the fork for cracks using dye penetrant or fluorescent penetrant inspection methods in accordance with Volpar Service Bulletin No. 17, as revised July 29, 1969, or later FAA-approved revisions, or an equivalent inspection approved by the Chief, Aircraft Engineering Division, FAA Western Region, until modified in accordance with paragraph 1b. below.

(11) Before each flight conduct a visual check of fork P/N 347 for cracks until modified in accordance with 1b. below. This visual check may be performed by the pilot in command and shall be recorded in the appropriate aircraft records per FAR 91.173.

b. If cracks are found by the inspections or checks per paragraph 1.a.(1) or 1.a.(11) above, replace fork prior to further flight with Volpar P/N 884.

c. The inspections and checks required per paragraphs 1.a.(1) and 1.a.(11) may be discontinued when Volpar fork P/N 884 is installed.

This amendment becomes effective May 27, 1975.

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

Issued in Los Angeles, Calif., on May 9, 1975.

ROBERT H. STANTON,
Director, FAA Western Region.

[FR Doc.75-13277 Filed 5-20-75; 8:45 am]

[Airworthiness Docket No. 74-WE-17-AD, Amdt. 39-2213]

PART 39—AIRWORTHINESS DIRECTIVES

McDonnell Douglas Model DC-9 and Military C-9A, C-9B and VC-9C Airplanes

Amendment 39-1906 (39 FR 27645), AD 74-16-02, effective August 5, 1974, requires visual and nondestructive inspection and replacement of the spoiler links and fittings, revision to the Model DC-9 FAA-approved Airplane Flight Manual (AFM), and installation of a placard on McDonnell Douglas DC-9 (-10, -20, -30 and -40 series) and Military C-9A and C-9B airplanes. After issuance of Amendment 39-1906, the agency has received reports of failure of the spoiler link attach pin, P/N 4923307-1 and -501. The agency has determined that failure of the pin could result in an unsafe condition. In one instance an airplane experienced a roll as the result of sudden spoiler deployment which was attributed to fatigue failure of the spoiler link attach pin, P/N 4923307-501, and subsequent fatigue failure of the spoiler link. Failure occurred during approach when the pilot was selecting 40° flaps. The manufacturer has issued Service Bulletin S/B 27-163 to operators of the Model DC-9 and Military C-9A, C-9B and VC-9C airplanes, providing instructions for retrofit of a new improved spoiler link attach pin, P/N 4923307-503, and spoiler link and/or fitting as necessary. The agency has determined that installation of the spoiler link attach pin, P/N 4923307-503, described in Douglas Service Bulletin 27-163, or later FAA-approved revisions, is an approved modification and must be accomplished. The new part, P/N 4923307-503, was incorporated in the DC-9 production line on fuselage number F/N 793 and subsequent airplanes.

Since this condition is likely to exist or develop in other airplanes of the same type design, Airworthiness Directive, AD 74-16-02, is being amended to add a Part III which provides for a one-time-only replacement of the spoiler link attach pin per the manufacturer's instructions specified in Service Bulletin 27-163, interim actions pending accomplishment of the replacement instructions for the new pin, and terminating action.

The AD applicability statement is being amended to include the military VC-9C airplanes.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-1906 (39 FR 27645), AD 74-16-02, is amended as follows:

(1) Amend the applicability statement to read as follows:

McDONNELL DOUGLAS. Applies to Model DC-9 (-10, -20, -30, -40 and Military C-9A, C-9B and VC-9C Series) airplanes certificated in all categories, as provided below.

(2) Add a new Part III as follows:

PART III

Applies to all DC-9 airplanes, certificated in all categories, as indicated below.

To prevent damage or failure of the spoiler actuating link attach pins, P/N 4923307-1 and -501, and the spoiler actuating links, P/N 3923250-3, -5 and -7, and/or the spoiler fittings, P/N 3923251-3-NC through "G" change, accomplish the following:

(A) (1) On airplanes incorporating spoiler pins, P/N 4923307-1 and/or -501 with 12,000 hours or more time in service, on or after the effective date of this amendment of AD 74-16-02, prior to the accumulation of additional 1,600 hours time in service on the pins, replace those pins with new pins, P/N 4923307-503, in accordance with the instructions in Douglas Service Bulletin S/B 27-163, or later FAA-approved revisions, or an equivalent modification approved by the Chief, Aircraft Engineering Division, FAA Western Region. Mark the discarded high-time pins in a conspicuous manner to prevent inadvertent return to service.

(2) On airplanes incorporating spoiler pins, P/N 4923307-1 and/or -501 with 12,000 hours or more time in service, on or after the effective date of this amendment to AD 74-16-02, on which modification (A) (1) of Part III has not been incorporated, before the accumulation of 300 additional hours in service on these pins accomplish the following:

(a) Install the appropriate placard in accordance with the instructions per paragraph (A) of Part II of this AD; and,

(b) Comply with the "Limitations" requirements per paragraphs (B) (1) and (B) (2) of Part II of this AD.

(3) For airplanes with less than 12,000 hours time in service on the spoiler link attach pins, P/N 4923307-1 and -501, on the effective date of this amendment, the procedures outlined in (A) (1) or (A) (2) of Part III will become applicable when the pins attain 12,000 hours time in service.

(4) On or before July 1, 1978, on all airplanes, unless previously accomplished, replace the spoiler link attach pins, P/N 4923307-1 and -501 with new pins, P/N 4923307-503, per the instructions, referenced in (A) (1) of Part III, above.

(5) At the time of removal of the hinge pins per (A) (1), (3) or (4) of Part III, inspect the pins for condition. If the pin(s), P/N 4923307-1 and/or -501 is found to be damaged to the extent requiring replacement, then replace the spoiler link, P/N 3923250-(any dash number configuration), and spoiler fitting, P/N 3923251-(any dash number configuration), prior to further flight with a new link and fitting (any dash

number configuration) in accordance with the instructions in Douglas Service Bulletin S/B 27-163, or later FAA-approved revisions. Comply with the requirements of this AD applicable to that "Dash Number" part(s) used as replacements.

NOTE. For the purpose of Part III of this AD, if the hours time in service of the spoiler link attach pin cannot be established, the part will be considered to have the same number of hours time in service as the airplane on which it is installed.

(6) The "Placard" may be removed and the "Limitations" as specified in (A)(2) of Part III, may be terminated when the requirements of paragraphs (A)(1) or (4) of Part III have been accomplished on that DC-9 airplane.

(B) The airplane may be flown in accordance with FAR's 21.197 and 21.199 with cracks in the spoiler pin and/or fitting and/or link, using the applicable limitations and procedures prescribed in Part II, and in paragraphs (A)(2)(a) and (A)(2)(b) of Part III of this AD, to a base where the inspection and/or maintenance can be performed.

This amendment to AD 74-16-02 becomes effective May 27, 1975.

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

Issued in Los Angeles, Calif., on May 12, 1975.

ROBERT H. STANTON,
Director, FAA Western Region.

[FR Doc. 75-13275 Filed 5-20-75; 8:45 am]

[Airworthiness Docket No. 74-WE-52-AD, Amdt. 39-2214]

PART 39—AIRWORTHINESS DIRECTIVES

Certain AiResearch Model TPE331-1, -2, -3, -5, and -6 Series Engines

Amendment 39-2054 (39 FR 44439), AD 74-26-11, as amended by Amendment 39-2092 (40 FR 6771), requires inspection and modification to the oil supply system for the high speed pinion gear bearing assembly. This action is required because several failures have occurred in the oil supply tube which can result in failure of the high speed pinion gear bearings. After issuing Amendment 39-2092, the agency has determined that the manufacturer has developed an improved oil tube assembly which, when installed, negates the need for a recurring inspection required by the AD. Therefore, the AD is being further amended to include this provision and to require the installation of these improved parts before exceeding the engine operating time in service at the manufacturer's recommended mid-term inspection or overhaul. The manufacturer has also established a production incorporation point after which new engines will incorporate all of these improved parts, thereby making these inspections and modifications required by this AD unnecessary for these engines.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-2054 (39 FR 44439) AD 74-26-11, as amended by Amendment 39-2092 (40 FR 6771), is further amended to read as follows:

1. Revise paragraph (2) to read as follows:

(2) Engines listed in (1) above, as well as the following: TPE331-1-101B, S/N 93062, 93063; TPE331-1-151A, S/N 92355 through 92357; TPE331-1-151K, S/N 26015 through 26023; TPE331-2-201A, S/N 90279 through 90296; TPE331-3U-303G or TPE331-3UW-303G, S/N 03181 through 03183, 03193, 03195, 03197, 05043 through 05048, 05052; TPE331-5-251C, S/N 22058 through 22103, 22119; TPE331-5-251K, S/N 06443, 06455 through 06537, 06556; TPE331-6-251M or -6-252M, S/N 20534 through 20577. Within the next 100 hours time in service, unless accomplished within the last 100 hours time in service prior to the effective date of this AD, as amended, and thereafter at intervals not to exceed 200 hours time in service, inspect the integral support bracket associated with the oil transfer tube, P/N 3101187-1, or clamp P/N 3101484-1, used with the tube assembly described in (b), below, per the instruction in paragraph 2.C. of the above referenced AiResearch TPE331-72-0092 Service Bulletin. If the oil transfer tube bracket or clamp is cracked or separated, either:

(a) Replace with a serviceable P/N 3101187-1, or,
(b) Accomplish the installation of a tube, P/N 3101187-2, clamp, P/N 3101484-1, and washer, P/N AN960C416L, using the existing clamp bolt, per the instructions of paragraph 2.E. of the service bulletin.

NOTE 1. Revision 1, to AiResearch Service Bulletin TPE331-72-0092, dated January 27, 1975, contains instructions for expanded inspection and maintenance of the high speed pinion (HSP) gear bearing lubricating system. Revision 1 is FAA-approved, and if accomplished, constitutes compliance with paragraph (1) of this AD. Accomplishment of Revision 1 is recommended.

2. Add a new paragraph (3) as follows:

(3) The recurring inspection required in paragraph (2), above, may be discontinued when the following have been accomplished:

(a) The oil transfer tube, P/N 3101187-1, is removed and replaced with a serviceable oil transfer tube, P/N 3101187-2, which has been aged (heat treated) and re-identified as -3 per AiResearch Service Bulletin TPE331-72-0092, Revision 1, dated January 27, 1975, Revision 2, dated April 30, 1975, or later FAA-approved revision, or replaced with a serviceable -3.

(b) The oil supply tube, P/N 3101185-2 (Model TPE331-3U/-3UW) or -1 (all other affected models) is replaced with a tube, P/N 3101605-2 (Model TPE331-3U/-3UW) or P/N 3101605-1 (all other affected models) per AiResearch Service Bulletin TPE331-72-0092, Revision 2, dated April 30, 1975, or later FAA-approved revisions.

(c) Notwithstanding a satisfactory inspection record, all affected engines must be modified to incorporate the modification described in sub-paragraphs (a) and (b) above, before either exceeding a total time in service since new or overhaul equal to the manufacturer's recommended mid-term inspection time as defined in paragraphs 2.A, 2.C or 2.D of AiResearch Service Bulletin No. 606, Revision No. 7, dated March 20, 1975, or later revisions; or, if this inspec-

tion has already been accomplished prior to the effective date of this AD, incorporate these modifications before exceeding the recommended overhaul period as defined in paragraph 1.A of AiResearch Service Bulletin No. 606, Revision No. 7, dated March 20, 1975, or later revisions.

NOTE 2. Engine Models TPE331-6-252B and -252M are not specifically included in the above referenced Service Bulletin No. 606. Refer to paragraph 2.D of Service Bulletin No. 606 for mid-term inspection and overhaul times applicable to these engine models.

NOTE 3. The modifications described in paragraph (3) are recommended on engines not modified as a result of inspections performed under the original or previous amendment of this AD.

3. Re-identify existing paragraphs (3) and (4) as (4) and (5), respectively.

This amendment becomes effective May 27, 1975.

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

Issued in Los Angeles, Calif., on May 12, 1975.

ROBERT H. STANTON,
Director, FAA Western Region.

[FR Doc. 75-13276 Filed 5-20-75; 8:45 am]

[Airspace Docket No. 74-GL-52]

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

Control Zone; Correction

In FR Doc. 75-10650, appearing at page 17986 in the FEDERAL REGISTER of April 24, 1975, the following sentences were inadvertently omitted and should be inserted after the description of the control zone:

This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airmen's Information Manual.

Issued in Des Plaines, Ill., on May 2, 1975.

R. O. ZIEGLER,
Acting Director, Great Lakes Region.

[FR Doc. 75-13281 Filed 5-20-75; 8:45 am]

[Airspace Docket No. 74-GL-55]

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

Control Zone; Correction

In FR Doc. 75-10649, appearing at page 17986 in the FEDERAL REGISTER of April 24, 1975, the following sentences were inadvertently omitted and should be inserted after the description of the control zone:

This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will be thereafter continuously published in the Airman's Information Manual.

Issued in Des Plaines, Ill., on May 2, 1975.

R. O. ZIEGLER,
Acting Director, Great Lakes Region.
[FR Doc. 75-13282 Filed 5-20-75; 8:45 am]

[Airspace Docket No. 75-CE-7]

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

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Topeka, Kansas, control zone.

The United States Air Force is reducing the hours of airport traffic control and weather reporting services at Forbes Air Force Base, Topeka, Kansas. Accordingly, it is necessary to alter that portion of the Topeka control zone serving Forbes Air Force Base to reflect the change from a continuous to a part-time control zone. The new hours for the Topeka control zone will initially be published in advance by a Notice to Airmen. Thereafter, the effective date and time of the control zone and any changes thereto will be continuously published in the Airmen's Information Manual.

Since this alteration is relaxatory in nature and is in the interest of safety, compliance with the notice and public procedure provisions of the Administrative Procedure Act is unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective immediately as hereinafter set forth:

In § 71.171 (40 FR 353), the following control zone is amended to read:

TOPEKA, KANSAS (FORBES AFB)

Within a 5-mile radius of Forbes AFB (latitude 38°57'10" N., longitude 95°39'50" W.), within 2 miles each side of the Forbes AFB TACAN 321° radial extending from the 5-mile radius zone to 6 miles NW of the TACAN, and within 2 miles each side of the Forbes AFB ILS localizer SE course, extending from the 5-mile radius zone to 1 mile SE of the OM, excluding the portion subtended by a chord drawn between the points of intersection of the 5-mile radius zone with the Topeka, Kans. (Philip Billard Airport) control zone. This control zone will be effective as established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airmen's Information Manual.

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

Issued in Kansas City, Mo., on May 1, 1975.

C. R. MELUGIN, JR.,
Director, Central Region.

[FR Doc. 75-13278 Filed 5-20-75; 8:45 am]

[Airspace Docket No. 75-EA-21]

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

Alteration of Transition Area

On page 14780 of the FEDERAL REGISTER for April 2, 1975, the Federal Aviation Administration published a proposed rule which would alter the Hazleton, Pa., transition area (40 FR 508).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulation is hereby adopted, effective 9001 G.m.t. June 26, 1975.

(Sec. 307(a), Federal Aviation Act of 1958, (72 Stat. 749; 49 U.S.C. 1348); sec. 6(c), Department of Transportation Act, (49 U.S.C. 1655(c)))

Issued in Jamaica, N.Y., on May 7, 1975.

JAMES BISPO,
Acting Director, Eastern Region.

Amend § 71.181 of Part 71, Federal aviation regulations so as to amend the description of the Hazleton, Pa. Transition Area by adding, "; within 4.5 miles each side of the Hazleton Municipal Airport ILS localizer east course, extending from the OM to 10 miles east of the OM." following, "east of the VOR."

[FR Doc. 75-13280 Filed 5-20-75; 8:45 am]

[Airspace Docket No. 75-EA-34]

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

Alteration of Control Zone

The Federal Aviation Administration is amending § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Calverton, N.Y., control zone (40 FR 364).

The control zone is currently designated during the hours 0800, local time to sunset, Monday through Saturday. The weather and communications requirements for the control zone designation are provided by the Peconic (nonfederal) Tower. The Tower plans to curtail its hours of operations to "0800 hours to 1730, local time, Monday through Friday" as soon as it can be authorized to do so. This requires a change in the control zone description.

Since the amendment is less restrictive in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In view of the foregoing, the proposed regulation is hereby adopted, effective 0901 g.m.t. August 14, 1975, as follows:

1. Amend § 71.171 of Part 71, Federal Aviation Regulations by altering the text of the Calverton, New York Control Zone as follows: In the text delete, "0800 hours local time to sunset, Monday through

Saturday." and substitute therefor, "0800 to 1730 hours, local time, Monday through Friday."

(Sec. 307(a), Federal Aviation Act of 1958, (72 Stat. 749; 49 U.S.C. 1348); sec. 6(c), Department of Transportation Act, (49 U.S.C. 1655(c)))

Issued in Jamaica, N.Y., on May 7, 1975.

JAMES BISPO,
Acting Director, Eastern Region.

[FR Doc. 75-13279 Filed 5-20-75; 8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

PART 255—GUIDES CONCERNING USE OF ENDORSEMENTS AND TESTIMONIALS IN ADVERTISING

On December 1, 1972, there was published in the FEDERAL REGISTER (37 FR 25548) a proposal to amend Title 16, Chapter I by adding a new Part 255—Guides Concerning the Use of Endorsements and Testimonials in Advertising. Written comments were invited from interested parties concerning those proposed guides. Comments were placed on the public record and were considered by the Commission. The Commission is publishing two guides in final form as set forth below under §§ 255.3 and 255.4. Title 16, Chapter I is thus amended by adding a new Part 255.

The Commission is also republishing two proposed Guides for additional public comment under the proposed rules section of this issue of the FEDERAL REGISTER, also under 16 CFR Part 255 and is publishing a third proposed guide which is entirely new.

These guides address major issues peculiar to endorsement and testimonial advertising, and state the views of the Commission concerning situations and techniques that are frequently presented in such advertising. They do not address issues not peculiar to endorsements and testimonials that may also determine the legality of an advertisement. Thus, the fact that a particular advertisement conforms to these Guides does not mean that such advertisement is necessarily in compliance with the Federal Trade Commission Act. Specific issues concerning, for example, the products to which a comparison is being made, or what constitutes "typical" performance of a product, are not resolved by the Guides but should be resolved with reference to the basic principles of Section 5 (15 U.S.C. 45).

The Commission has always expressed particular concern for advertising addressed to children. Because of the special problems which such advertising entails, it was determined that the area of children's advertising could not be completely covered in these Guides. Consequently, even though these Guides apply generally to all advertisements, practices which would conform to these

Guides in adult advertising may nevertheless be questioned in cases of child audiences.

While the Guides are interpretive of laws administered by the Commission, and thus are advisory in nature, proceedings to enforce the requirements of law as explained in the Guides may be brought under the Federal Trade Commission Act (15 U.S.C. Secs. 41-58) which, briefly stated, makes it illegal for one to engage in "unfair methods of competition in or affecting commerce and unfair or deceptive acts or practices in or affecting commerce", as "commerce" is defined therein.

Inquiries and requests for copies of the Guides should be directed to the Bureau of Consumer Protection, Federal Trade Commission, Washington, D.C. 20580.

Part 255 is added to read as follows:

- Sec.
255.0 Definitions.
255.1 [Reserved.]
255.2 [Reserved.]
255.3 Expert endorsements.
255.4 Endorsements by organizations.

AUTHORITY: The provisions of this Part 255 issued under 38 Stat. 717, as amended; 15 U.S.C. 41-58.

§ 255.0 Definitions.

(a) The Commission intends to treat endorsements and testimonials identically in the context of its enforcement of the Federal Trade Commission Act and for purposes of this part. The term "endorsements" is therefore generally used hereinafter to cover both terms and situations.

(b) For purposes of this part, an "endorsement" means any advertising message (including verbal statements, demonstrations, or depictions of the name, signature, likeness or other identifying personal characteristics of an individual or the name or seal of an organization) which message consumers are likely to believe reflects the opinions, beliefs, findings, or experience of a party other than the sponsoring advertiser. The party whose opinions, beliefs, findings, or experience the message appears to reflect will be called the endorser and may be an individual, group or institution.

(c) For purposes of this part, the term "product" includes any product, service, company or industry.

(d) For purposes of this part, an "expert" is an individual, group or institution possessing, as a result of experience, study or training, knowledge of a particular subject, which knowledge is superior to that generally acquired by ordinary individuals.

Example 1: A film critic's review of a movie is excerpted in an advertisement. When so used, the review meets the definition of an endorsement since it is viewed by readers as a statement of the critic's own opinions and not those of the film producer, distributor or exhibitor. Therefore, any alteration in or quotation from the text of the review which does not fairly reflect its substance would be a violation of the standards set by this part.

Example 2: A TV commercial depicts two women in a supermarket buying a laundry detergent. The women are not identified out-

side the context of the advertisement. One comments to the other how clean her brand makes her family's clothes, and the other then comments that she will try it because she has not been fully satisfied with her own brand. This obvious fictional dramatization of a real life situation would not be an endorsement.

Example 3: In an advertisement for a pain remedy, an announcer who is not familiar to consumers except as a spokesman for the advertising drug company praises the drug's ability to deliver fast and lasting pain relief. He purports to speak, not on the basis of his own opinions, but rather in the place of and on behalf of the drug company. Such an advertisement would not be an endorsement.

Example 4: A manufacturer of automobile tires hires a well-known professional automobile racing driver to deliver its advertising message in television commercials. In these commercials, the driver speaks of the smooth ride, strength, and long life of the tires. Even though the message is not expressly declared to be the personal opinion of the driver, it may nevertheless constitute an endorsement of the tires. Many consumers will recognize the spokesman as being primarily a racing driver and not an advertising announcer. Accordingly, they may well believe he would not speak for an automotive product unless he actually believed in what he was saying and had personal knowledge sufficient to form that belief. Hence they would think that the advertising message reflects his personal views as well as those of the sponsoring advertiser. This attribution of the underlying views to the driver brings the advertisement within the definition of an endorsement for purposes of this part.

Example 5: A television advertisement for golf balls shows a prominent and well-recognized professional golfer hitting the golf balls. This would be an endorsement by the golfer even though he makes no verbal statement in the advertisement.

§ 255.3 Expert endorsements.

(a) Whenever an advertisement represents, directly or by implication, that the endorser is an expert with respect to the endorsement message, then the endorser's qualifications must in fact give him the expertise that he is represented as possessing with respect to the endorsement.

(b) While the expert may, in endorsing a product, take into account factors not within his expertise (e.g., matters of taste or price), his endorsement must be supported by an actual exercise of his expertise in evaluating product features or characteristics with respect to which he is expert and which are both relevant to an ordinary consumer's use of or experience with the product and also are available to the ordinary consumer. This evaluation must have included an examination or testing of the product at least as extensive as someone with the same degree of expertise would normally need to conduct in order to support the conclusions presented in the endorsement. Where, and to the extent that, the advertisement implies that the endorsement was based upon a comparison such comparison must have been included in his evaluation; and as a result of such comparison, he must have concluded that, with respect to those features on which he is expert and which are relevant and available to an ordinary consumer, the

endorsed product is at least equal overall to the competitors' products. Moreover, where the net impression created by the endorsement is that the advertised product is superior to other products with respect to any such feature or features, then the expert must in fact have found such superiority.

Example 1: An endorsement of a particular automobile by one described as an "engineer" implies that the endorser's professional training and experience are such that he is well acquainted with the design and performance of automobiles. If the endorser's field is, for example, chemical engineering, the endorsement would be deceptive.

Example 2: A manufacturer of automobile parts advertises that its products are approved by the "American Institute of Science." From its very name, consumers would infer that the "American Institute of Science" is a bona fide independent testing organization with expertise in judging automobile parts and that, as such, it would not approve any automobile part without first testing its efficacy by means of valid scientific methods. Even if the American Institute of Science is such a bona fide expert testing organization, as consumers would expect, the endorsement may nevertheless be deceptive unless the Institute has conducted valid scientific tests of the advertised products and the test results support the endorsement message.

Example 3: A manufacturer of a non-prescription drug product represents that its product has been selected in preference to competing products by a large metropolitan hospital. The hospital has selected the product because the manufacturer, unlike its competitors, has packaged each dose of the product separately. This package form is not generally available to the public. Under the circumstances, the endorsement would be deceptive because the basis for the choice of the manufacturer's product, convenience of packaging, is neither relevant nor available to consumers.

Example 4: The president of a commercial "home cleaning service" states in a television advertisement that the service uses a particular brand of cleanser in its business. Since the cleaning service's professional success depends largely upon the performance of the cleansers it uses, consumers would expect the service to be expert with respect to judging cleaning ability, and not be satisfied using an inferior cleanser in its business when it knows of a better one available to it. Accordingly, the cleaning service's endorsement must at least conform to those consumer expectations. The service must, of course, actually use the endorsed cleanser. Additionally, on the basis of its expertise, it must have determined that the cleaning ability of the endorsed cleanser is at least equal (or superior, if such is the net impression conveyed by the advertisement) to that of competing products with which the service has had experience and which remain reasonably available to it. Since in this example, the cleaning service's president makes no mention that the endorsed cleanser was "chosen," "selected," or otherwise evaluated in side-by-side comparisons against its competitors, it is sufficient if the service has relied solely upon its accumulated experience in evaluating cleansers without having to have performed side-by-side or scientific comparisons.

Example 5: An association of professional athletes states in an advertisement that it has "selected" a particular brand of beverages as its "official breakfast drink". As in Example 4, the association would be regarded as expert in the field of nutrition for purposes of this section, because consumers would

expect it to rely upon the selection of nutritious foods as part of its business needs. Consequently, the association's endorsement must be based upon an expert evaluation of the nutritional value of the endorsed beverage. Furthermore, unlike Example 4, the use of the words "selected" and "official" in this endorsement imply that it was given only after direct comparisons had been performed among competing brands. Hence, the advertisement would be deceptive unless the association has in fact performed such comparisons between the endorsed brand and its leading competitors in terms of nutritional criteria, and the results of such comparisons conform to the net impression created by the advertisement. [Guide 3]

§ 255.4 Endorsements by organizations.

Endorsements by organizations, especially expert ones, are viewed as representing the judgment of a group whose collective experience exceeds that of any individual member, and whose judgments are generally free of the sort of subjective factors which vary from individual to individual. Therefore an organization's endorsement must be reached by a process sufficient to ensure that the endorsement fairly reflects the collective judgment of the organization. Moreover, if an organization is represented as being expert, then, in conjunction with a proper exercise of its expertise in evaluating the product under § 255.3 (Expert endorsements), it must utilize an expert or experts recognized as such by the organization or standards previously adopted by the organization and suitable for judging the relevant merits of such products.

Example: A mattress seller advertises that its product is endorsed by a chiropractic association. Since the association would be regarded as expert with respect to judging mattresses, its endorsement must be supported by an expert evaluation by an expert or experts recognized as such by the organization, or by compliance with standards previously adopted by the organization and aimed at measuring the performance of mattresses in general and not designed with the particular attributes of the advertised mattress in mind. (See also § 255.3, Example 5.) [Guide 4]

Sections 255.0, 255.3, 255.4 are promulgated by the Federal Trade Commission and become effective May 21, 1975.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc.75-13295 Filed 5-20-75;8:45 am]

Title 17—Commodity and Securities Exchanges

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release Nos. 34-11419, 35-18983, IC-8789]

PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS

Tender Offers

The Commission today announced an amendment to its regulations governing delegation of authority to authorize members of the Commission's staff to take actions in questions presented in

certain tender offers. Rule 14d-2 (17 CFR 240.14d-2) under the Securities Exchange Act of 1934 (the "Act") declares that certain communications relating to tender offers are not subject to Regulation 14D (17 CFR 240.14d-1—240.14d-101) thereunder. One of these, Rule 14d-2(f), provides for a so-called "stop, look and listen" type of notification under which the issuer agrees "on or before a specified date (which shall be not later than 10 days prior to the date specified in the offer, request, or invitation, as the last date on which tenders will be accepted or such shorter period as the Commission may authorize) [to] advise security holders as to management's recommendation to accept or reject" a tender offer for its shares. No authority has in the past been delegated to the Director of the Division of Corporation Finance pursuant to 17 CFR 200.30-1(d) (4) to authorize management to advise security holders as to its position relating to tender offers for an issuer's shares within periods of time less than that prescribed in Rule 14d-2(f).

Given the need for prompt action in such requests and otherwise to expedite the operations of the Commission in this area, the Commission has determined that authority should be delegated to the Director of the Division of Corporation Finance to authorize management of an issuer which is the subject of a tender offer to advise security holders as to its position within periods of time less than that prescribed in Rule 14d-2(f). To accomplish this purpose, the Commission hereby amends the last clause of 17 CFR 200.30-1(d) (4).

17 CFR 200.30-1(d) (4) is amended to read as follows:

§ 200.30-1 Delegation of authority to Director of Division of Corporation Finance.

(d) * * *

(4) To authorize the use of forms of proxies, proxy statements, or other soliciting material within periods of time less than that prescribed in Rules 14a-6, 14a-8(d), and 14a-11 (§§ 240.14a-6, 240.14a-8(d), 240.14a-11 of this chapter); to authorize the filing of information statements within periods of time less than that prescribed in Rule 14c-5 (a) (§ 240.14c-5(a) of this chapter); and to authorize the filing of information pursuant to Rule 14d-2(f) (§ 240.14d-2(f) of this chapter) and Rule 14f-1 (§ 240.14f-1 of this chapter) within periods of time less than that prescribed in those sections.

The Commission finds that the foregoing action relates solely to agency organization, procedure or practice and that notice and procedures under 5 U.S.C. 553 are unnecessary. Accordingly, the foregoing action which was taken pursuant to Pub. L. 87-592, 76 Stat. 394, 395 (15 U.S.C. 78d-1, 78d-2), becomes effective immediately.

(Secs. 1, 2, Pub. L. 87-592, 76 Stat. 394, 395 (15 U.S.C. 78d-1, 78d-2))

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

MAY 14, 1975.

[FR Doc.75-13332 Filed 5-20-75;8:45 am]

[Release 35-18963; AS-171]

PART 250—GENERAL RULES AND REGULATIONS, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

Adoption of and Rescission of Uniform System of Accounts for Public Utility Holding Companies

The Securities and Exchange Commission today announced the adoption of revised Rule 26 (17 CFR 250.26) under the Public Utility Holding Company Act of 1935 and the rescission of the uniform system of accounts for holding companies ("uniform system"). The purpose of the change is to facilitate adjustment of registered holding company accounts to generally accepted accounting standards.

The revision was noticed for comment in Release 35-18782, January 23, 1975 (40 FR 5372, February 5, 1975). Six responses were received, all endorsing the change in substance.

Commission action. Pursuant to authority in sections 15 and 20 of the Public Utility Holding Company Act of 1935, the Securities and Exchange Commission hereby adopts revised § 250.26 of Chapter II of Title 17 of the Code of Federal Regulations to read as follows:

§ 250.26 Financial statement and record-keeping requirements for registered holding companies and subsidiaries.

(a) Every registered holding company and every subsidiary company thereof:

(1) Shall conform to the requirements of Regulation S-X as to form and content of financial statements; and

(2) Shall make and keep current accounts, books and other records of all of its transactions in sufficient detail to permit examination, audit and verification of the financial statements, schedules and reports it is required to file with the Commission or which it issues to stockholders. Such accounts, books and other records shall be maintained in appropriate form and in sufficient detail to provide all of the information with respect to the business of the company specified by such Commission filing requirements as are in effect when the transactions recorded occur.

(b) Every registered holding company shall identify in its Form U5S the chart of accounts used by it and by each subsidiary company.

(1) The initial identification shall be made in the Form U5S, or a supplement thereto, filed in the year in which the use of such accounts is to begin, or in the year 1975 for charts of accounts already in use or proposed to be used in that year. Subsequent Forms U5S need

merely state that no change in the accounts used has occurred, if that is the fact.

(2) A copy of each chart of accounts shall be annexed as an exhibit to the filing in which it is identified, except that it is unnecessary to file a copy of an official chart of accounts which any company subject to this rule is required to use by the Federal Power Commission, a state commission or by § 250.27 or § 250.93 under the Act. A company electing to use a chart of accounts promulgated by the Federal Power Commission also need not file a copy thereof.

(3) An amendment to Form U5S shall be filed as to any modification of such chart of accounts, except a modification made to an official chart of accounts by the commission which promulgated it. The amendment shall describe the nature, purpose and effect of the proposed modification and the date it is to be placed in effect. It shall be filed at least 30 days prior to its effective date. Unless the Commission directs otherwise, the chart of accounts, as so modified, shall be used thereafter.

(c) Every registered holding company and every subsidiary company thereof shall hereafter follow the equity method of accounting for investments in any subsidiary company.

(1) Each investment shall be recorded at its carrying value heretofore established and the actual cost of investments hereafter made. Each investment shall be periodically adjusted for the proportionate share of earnings or losses or capital changes of the subsidiary company since its acquisition, crediting any dividends received from such subsidiary company.

(2) Every company subject to this rule shall maintain a subaccount to its retained earnings account which shall be periodically debited or credited with its proportionate share of undistributed retained earnings of subsidiary companies.

(3) No company subject to this rule shall declare or pay any dividends or reacquire any of its own securities from or on the basis of any balances recorded in the subaccount referred to in paragraph (c) (2) of this section, except pursuant to a declaration under section 12(c) of the Act.

(d) No registered holding company which is not a public utility company shall dispose, without authorization from the Commission, of any accounts, books or other records, except pursuant to Public Utility Holding Company Act Release No. 14093 of November 29, 1959 (17 CFR, Appendix to Part 257 of this chapter), as it may be amended from time to time.

(e) This rule shall not modify or revoke any order of the Commission heretofore entered as to the accounting by any company subject to this rule including any continuing provision as to amortization or other disposition of any item governed thereby.

(f) Nothing in this rule shall relieve any company subject thereto from compliance with the requirements as to recordkeeping and retention that may be prescribed by any other regulatory agency.

(g) Any references in other rules, forms or releases under the Act to the uniform system of accounts shall be hereafter deemed to refer to this rule.

Statutory basis. Section 15(a) of the Act authorizes the Commission to prescribe the records and accounts to be maintained and the periods during which they are to be retained for inspection and audit by every registered holding company and every subsidiary. Section 15(e) of the Act requires that only an accounting system approved by the Commission be used. And Rule 28 prohibits, with the exceptions stated therein, the use of financial statements inconsistent with the book accounts so maintained.

We hereby authorize, as a transitional measure, the adjustment of all accounts for the calendar year 1975 to conform to the new accounting system adopted in that year by any company subject to the rule, as though such system had been in effect since the beginning of 1975. We have already granted in Holding Company Act Release No. 18782, January 23, 1975, an exception from Rule 28, to permit companies which intend to adopt such accounting system in 1975 pursuant to the amended rule to publish financial statements for the year 1974 on the new basis. This exception is hereby renewed and extended to financial statements for the year 1975 or portions thereof.

Background and purpose. We have determined that the uniform system, prescribed in 1936, has become obsolete in significant respects and that there is no longer a need for a single prescribed system of accounts for holding companies. The change will allow holding companies to take the initiative in developing accounting systems adapted to their particular requirements.

The rescission of the uniform system eliminates discrepancies which have developed since the uniform system was adopted between the accounts prescribed and generally accepted accounting principles. The principal effects are the use of the equity method of accounting for investments in subsidiaries in place of the cost method and the presentation of extraordinary gains and losses on the income statement, rather than in retained earnings.

Record retention. The rule published herein differs from that proposed in that it adopts rather than rescinds the detailed schedule of record retention requirements which has been in effect since 1959. It should be noted that, under paragraph (g) of the revised Rule 26, references in that schedule to the uniform system of accounts now are to be read as references to Rule 26. We are aware that this schedule needs some change and expect to publish an amendment for comment.

In reviewing the proposed rule in the light of the comments received, it became apparent that the substitution of proposed paragraph (c) for the existing specific instructions as to record retention created uncertainties and ambiguities which should be avoided. It would not be appropriate to defer action on the basic accounting change proposed for republication of record retention require-

ments, so it is necessary to retain the existing requirements until the procedures necessary for change can be completed.

Other changes from the rule as proposed. Textual alterations have been made to clarify certain questions raised in the comments. The second sentence of paragraph (c) (2), which would have required that undistributed earnings of subsidiaries be segregated on the parent company's balance sheet, has been deleted. This conforms to our basic policy of leaving the form of financial statements to Regulation S-X. Although the legal restrictions on the use of that portion of the parent company's retained earnings will normally be material, that restriction will usually overlap with similar restrictions imposed by bond indentures or loan agreements, which are customarily described by footnote. A mandatory use of a balance sheet caption for one such restriction could complicate an already difficult problem of disclosure.

The final clause of paragraph (c) (3), which referred to a section 12(c) application becoming effective under Rule 23, is deleted because such an application can become effective in more than one way.

Filing requirements, which originally appeared as paragraph (b) (5), have been restated in a separate paragraph (b). Each existing registered holding company should identify the accounts to be used in its system as part of its Form U5S for 1974, due May 1, 1975, or by supplement thereto. A company electing to continue to use the old uniform system until January 1, 1976, should so state in that filing but must specify the accounts to be used in a supplement thereto filed by December 1, 1975. This conforms to the 30-day advance filing requirement for amendment.

This portion of the rule has been elaborated to make it clear that the filing need not be repeated each year and that copies of official charts of accounts, such as those promulgated by the Federal Power Commission, need not be filed.

Some companies subject to the rule may wish to adopt an official system used by their subsidiaries or associates, even though not required to do so. The rule permits this choice. Such companies are free to modify the system so selected. Any variation from an official system would, of course, preclude meeting the filing requirements by a simple reference. However, official systems are a matter of official notice and may be incorporated by reference in a filing, as long as the variations therefrom are unequivocally stated.

Concern has been expressed that paragraph (b) (9) of Rule 14a-3 under the Securities Exchange Act of 1934 would require inclusion of the entire chart of accounts in the material which the issuer is required to furnish on request to its security holders. That rule specifies the conditions on which exhibits to such filings are to be furnished and is fully adequate to cover the contingency.

Application of Rule 26. Rule 26 is co-extensive with section 15(a) of the Act and applies, except as expressly limited,

to every registered holding company and every subsidiary thereof. The proposed text has been rearranged to segregate in paragraph (c) the provisions dealing with the equity method of accounting for investments in subsidiaries, which are inherently limited to such companies in a registered system as have a subsidiary.

The record retention requirements, now paragraph (d), apply only to registered holding companies which are not public utility companies. Such requirements for public utility companies, whether or not holding companies, are specified by the Federal Power Commission or state commissions. We do not, at this time, see a need for additional requirements as to these companies.

"Subsidiary company" as used in this rule has the special meaning prescribed in section 2(a)(8) of the Act, and includes any company regardless of form of organization in which 10% or more of the voting securities are directly or indirectly owned, controlled or held with power to vote by a holding company. The rule does not prohibit use of the equity method of accounting for investments in nonsubsidiaries. Its use for such investments would be governed by applicable accounting standards.

Rule 26 is adopted pursuant to authority conferred on the Commission by the Public Utility Holding Company Act of 1935, particularly sections 15 and 20 thereof, and shall be effective forthwith.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

MAY 1, 1975.

[FR Doc. 75-13302 Filed 5-20-75; 8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

SUBCHAPTER E—ANIMAL DRUGS, FEEDS, AND RELATED PRODUCTS

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

Bambermycins, Amprolium, Ethopabate, Roxarsone

The Commissioner of Food and Drugs has evaluated new animal drug applications (95-543V, 95-547V, 95-548V, 95-549V) filed by Hoechst-Roussel Pharmaceuticals, Inc., Somerville, NJ 08876, proposing safe and effective use of several combinations of bambermycins, amprolium, ethopabate, and roxarsone in complete feeds for broiler chickens. The applications are approved.

The Commissioner is amending Parts 121 and 558 (Part 558 formerly Part 135e prior to recodification published in the FEDERAL REGISTER of March 27, 1975 (40 FR 13802)) to reflect the approval as set forth below. This amendment shall become effective May 21, 1975.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(1))), in accordance with § 510.6

(formerly § 3.517), and under authority delegated to the Commissioner (21 CFR 2.120), Parts 121 and 558 are amended as follows:

1. Part 121, Subpart C, is amended as follows:

a. In § 121.210(c) in table 1 by adding four new items after item 2.11, to read as follows:

§ 121.210 Amprolium.

(c) * * *

TABLE 1—Amprolium in complete chicken and turkey feed

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
2.12 Amprolium.	113.5 (.0125%)	Bambermycins... + Ethopabate.....	2-3 36.3 (0.004%)	For broiler chickens; feed continuously as the sole ration; as sole source of amprolium; amprolium, ethopabate as provided by No. 000006 in sec. 510.600(c) of this chapter, bambermycin as provided by No. 000039 in sec. 510.600(c) of this chapter.	As an aid in the prevention of coccidiosis where severe exposure to coccidiosis from <i>E. acervulina</i> , <i>E. maxima</i> , and <i>E. brunetti</i> is likely to occur. For increased rate of weight gain and improved feed efficiency.
2.13 Amprolium.	113.5 (.0125%)	Bambermycins... + Ethopabate..... + Roxarsone.....	2-3 36.3 (0.004%) 22.8-34.1 (0.0025-0.00375%)	For broiler chickens; feed continuously as the sole ration; as sole source of amprolium and organic arsenic; amprolium and ethopabate as provided by No. 000006 in sec. 510.600(c) of this chapter, roxarsone by No. 017210, bambermycins by No. 000039. Withdraw 5 ds before slaughter.	As an aid in the prevention of coccidiosis where severe exposure to coccidiosis from <i>E. acervulina</i> , <i>E. maxima</i> , and <i>E. brunetti</i> is likely to occur. For increased rate of weight gain, improved feed efficiency, and improved pigmentation.
2.14 Amprolium.	113.5 (.0125%)	Bambermycins... + Ethopabate..... + Roxarsone.....	2-3 3.63 (0.0004%) 22.8-34.1 (0.0025-0.00375%)	do.....	As an aid in the prevention of coccidiosis. For increased rate of weight gain, improved feed efficiency, and improved pigmentation.
2.15 Amprolium.	113.5 (.0125%)	Bambermycins... + Roxarsone.....	2-3 22.8-34.1 (0.0025-0.00375%)	For broiler chickens; feed continuously as the sole ration; as sole source of amprolium and organic arsenic; amprolium as provided by No. 000006 in sec. 510.600(c) of this chapter, roxarsone by No. 017210, bambermycins by No. 000039. Withdraw 5 d before slaughter.	Do.
***	***	***	***	***	***

b. In § 121.262(c), table 1 by adding three new items following item 1.24, to read as follows:

§ 121.262 3-Nitro-4-hydroxyphenylarsonic acid.

(c) * * *

TABLE 1—3-Nitro-4-hydroxyphenylarsonic acid in complete chicken and turkey feed

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
1.25 3-Nitro-4-hydroxyphenylarsonic acid (roxarsone).	22.8-34.1 (.0025-.00375%)	Bambermycins... + Amprolium..... + Ethopabate.....	2-3 113.5 (0.0125%) 36.3 (0.004%)	For broiler chickens; feed continuously as the sole ration; as sole source of amprolium and organic arsenic; amprolium and ethopabate as provided by No. 000006 in sec. 510.600(c) of this chapter, bambermycins by No. 000039, roxarsone by No. 017210. Withdraw 5 d before slaughter.	As an aid in the prevention of coccidiosis where severe exposure to coccidiosis from <i>E. acervulina</i> , <i>E. maxima</i> and <i>E. brunetti</i> is likely to occur. For increased rate of weight gain, improved feed efficiency, and improved pigmentation.
1.26 3-Nitro-4-hydroxyphenylarsonic acid (roxarsone).	22.8-34.1 (.0025-.00375%)	Bambermycins... + Amprolium..... + Ethopabate.....	2-3 113.5 (0.0125%) 3.63 (0.0004%)	do.....	As an aid in the prevention of coccidiosis. For increased rate of weight gain, improved feed efficiency, and improved pigmentation.
1.27 3-Nitro-4-hydroxyphenylarsonic acid (roxarsone).	22.8-34.1 (.0025-.00375%)	Bambermycins... + Amprolium.....	2-3 113.5 (0.0125%)	For broiler chickens; feed continuously as the sole ration; as sole source of amprolium and organic arsenic; amprolium as provided by No. 000006 in sec. 510.600(c) of this chapter, bambermycins by No. 000039, roxarsone by No. 017210. Withdraw 5 d before slaughter.	Do.
***	***	***	***	***	***

2. Part 558 is amended in § 558.95 (formerly § 135e.65) by designating paragraphs (e) (2) and (3) as (e) (1) (i) and (ii) respectively and adding new paragraph (e) (2), (3), (4), and (5). As revised, paragraph (e) reads as follows:

§ 558.95 **Bambermycins.**

(e) *Conditions of use.* It is used in feed for broiler chickens as follows:

(1) *Amount per ton.* 1 to 2 grams.

(i) *Indications for use.* For increased rate of weight gain and improved feed efficiency.

(ii) *Limitations.* Feed continuously as the sole ration.

(2) *Amount per ton.* Bambermycins, 2 to 3 grams plus amprolium, 113.5 grams (.0125 percent) plus ethopabate, 36.3 grams (.004 percent).

(i) *Indications for use.* As an aid in the prevention of coccidiosis where severe exposure to coccidiosis from *E. acervulina*, *E. maxima*, and *E. brunetti* is likely to occur. For increased rate of weight gain and improved feed efficiency.

(ii) *Limitations.* Feed continuously as the sole ration; as sole source of amprolium; amprolium and ethopabate as provided by No. 000006 in § 510.600(c) of this chapter.

(3) *Amount per ton.* Bambermycins, 2 to 3 grams plus amprolium, 113.5 grams (.0125 percent) plus ethopabate, 36.3 grams (.004 percent) plus roxarsone, 22.8 to 34.1 grams (.0025-.00375 percent).

(i) *Indications for use.* As an aid in the prevention of coccidiosis where severe exposure to coccidiosis from *E. acervulina*, *E. maxima*, and *E. brunetti* is likely to occur. For increased rate of weight gain, improved feed efficiency, and improved pigmentation.

(ii) *Limitations.* Feed continuously as the sole ration; as sole source of amprolium and organic arsenic; amprolium and ethopabate as provided by No. 000006 in § 510.600(c) of this chapter, roxarsone as provided by No. 017210 in § 510.600(c) of this chapter. Withdraw 5 days before slaughter.

(4) *Amount per ton.* Bambermycins, 2 to 3 grams plus amprolium, 113.5 grams (.0125 percent) plus ethopabate, 36.3 grams (.004 percent) plus roxarsone, 22.8 to 34.1 grams (.0025-.00375 percent).

(i) *Indications for use.* As an aid in the prevention of coccidiosis. For increased rate of weight gain, improved feed efficiency, and improved pigmentation.

(ii) *Limitations.* Feed continuously as the sole ration; as sole source of amprolium and organic arsenic; amprolium and ethopabate as provided by No. 000006 in § 510.600(c) of this chapter, roxarsone as provided by No. 017210 in § 510.600(c) of this chapter. Withdraw 5 days before slaughter.

(5) *Amount per ton.* Bambermycins, 2 to 3 grams plus amprolium, 113.5 grams (.0125 percent) plus roxarsone, 22.8 to 34.1 grams (.0025-.00375 percent).

(i) *Indications for use.* As an aid in the prevention of coccidiosis. For increased rate of weight gain, improved feed efficiency, and improved pigmentation.

(ii) *Limitations.* Feed continuously as the sole ration; as sole source of amprolium and organic arsenic; amprolium as provided by No. 000006 in § 510.600(c) of this chapter, roxarsone as provided by No. 017210 in § 510.600(c) of this chapter. Withdraw 5 days before slaughter.

Effective date. This order shall be effective on May 21, 1975.

(Sec. 512(1), 82 Stat. 347 (21 U.S.C. 360b(1).)

Dated: May 13, 1975.

C. D. VAN HOUWELING,
Director, Bureau of Veterinary
Medicine.

[FR Doc.75-13169 Filed 5-20-75;8:45 am]

[FRL 377-3]

PART 123—TOLERANCES FOR PESTICIDES IN FOOD ADMINISTERED BY THE ENVIRONMENTAL PROTECTION AGENCY

PART 561—TOLERANCES FOR PESTICIDES IN ANIMAL FEEDS ADMINISTERED BY THE ENVIRONMENTAL PROTECTION AGENCY

Methanearsonic Acid

A petition (FAP 5H5060) was filed (39 FR 31945) by The Anslu Co., PO. Drawer 1165, Weslaco, TX 78596, proposing establishment of food additive tolerances (21 CFR Part 121 now recodified as Parts 123 and 561) for residues of the herbicide methanearsonic acid (expressed as As_2O_3) in sugarcane byproducts (bagasse, molasses, sirup, and sugar) at 1 part per million resulting from application of its di- and monosodium salts to sugarcane.

Subsequently, the petitioner amended the petition by (1) withdrawing the request for food additive tolerances for residues of the herbicide resulting from application of its disodium salt to growing sugarcane, (2) restricting the food additive tolerances to provide for residues that may occur from use of the herbicide in a proposed experimental program involving application to growing sugarcane, and (3) withdrawing the request for food additive tolerances for residues of the herbicide in bagasse.

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

Having evaluated the data in the petition and other relevant material, it is concluded that:

1. Residues of the herbicide will result in sugarcane molasses, sirup, and sugar from carryover and concentration under agricultural uses provided for by an experimental permit under the Federal Insecticide, Fungicide, and Rodenticide Act. (For a related document, see this issue of the FEDERAL REGISTER, page 22166.)

2. The proposed tolerances should be established to coincide with the experimental permit.

Therefore, pursuant to provisions of the Act (sec. 409(c) (1), (4), 72 Stat. 1786; 21 U.S.C. 348(c) (1), (4)), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (39 FR 18805, (a) Part 123 is amended by adding the following new section to Subpart A:

§ 123.284 **Methanearsonic acid.**

Tolerances of 1 part per million are hereby established for residues of the herbicide methanearsonic acid (expressed as As_2O_3) in sugarcane byproducts (molasses, sirup, and sugar), resulting from application of its monosodium salt to the growing sugarcane. Such residues may be present therein only as a result of the application of the monosodium methanearsonate to the growing sugarcane treated under an experimental program, which expires May 15, 1976, and on which said sugarcane a temporary pesticide tolerance for residues of the herbicide expiring the same date has been established. Residues remaining in or on the above commodities after expiration of these tolerances will not be considered actionable if the pesticide is legally applied during the term and in accordance with provisions of the temporary permit/food additive tolerances.

(b) Section 561.280 is revised as follows:

§ 561.280 **Methanearsonic acid.**

(a) Tolerances of 1 part per million are hereby established for residues of the herbicide methanearsonic acid (expressed as As_2O_3) in the sugarcane byproduct (molasses), resulting from application of its monosodium salt to the growing sugarcane. Such residues may be present therein only as a result of the application of monosodium methanearsonate to the growing sugarcane treated under an experimental program, which expires May 15, 1976, and on which said sugarcane a temporary pesticide tolerance for residues of the herbicide expiring the same date has been established. Residues remaining in or on the above commodity after expiration of this tolerance will not be considered actionable if the pesticide is legally applied during the term and in accordance with provisions of the temporary permit/food additive tolerance.

(b) A tolerance of 0.9 part per million (expressed as As_2O_3) is established for residues of the herbicide methanearsonic acid in cottonseed hulls from application of the disodium and monosodium salts of methanearsonic acid in the production of cotton.

Any person who will be adversely affected by the foregoing order may at any time on or before June 20, 1975, file with the Hearing Clerk, Environmental Protection Agency, Room 1019E, 4th & M Streets SW., Waterside Mall, Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall

show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support.

Effective date. This order shall become effective on May 21, 1975.

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

Dated: May 15, 1975.

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

[FR Doc.75-13355 Filed 5-20-75;8:45 am]

Title 39—Postal Service

CHAPTER I—U.S. POSTAL SERVICE

PART 111—GENERAL INFORMATION ON POSTAL SERVICE

Postal Service Manual; Miscellaneous Amendments

Chapter I of the Postal Service Manual, which has been incorporated by reference in the FEDERAL REGISTER (see 39 CFR 111.1), has been amended by the issuance of Post Office Services (Domestic) Transmittal Letter 36, Issue 102, dated May 1, 1975.

In accordance with 39 CFR 111.3 notice of these changes is hereby published in the FEDERAL REGISTER as an amendment to that section and the text of the changes is filed with the Director, Office of the Federal Register. Subscribers to the Manual will receive these amendments automatically from the Government Printing Office. (For other availability of Chapter I of the Postal Service Manual, see 39 CFR 111.2).

Description of these amendments to Chapter I of the Postal Service Manual follows:

PART 114—COMPLAINTS

1. The list in 114.2 of addresses of inspectors in charge is updated.

PART 132—SECOND CLASS

2. Section 132.33c is revised by deleting reference to an incorrect special advertising rate.

PART 135—FOURTH CLASS

3. Section 135.312 is revised to include a specific reference to official postage and fees paid mail and prepaid government mail.

PART 159—UNDELIVERABLE MAIL

4. Section 159.721d is revised by correcting cross references.

PART 161—REGISTERED MAIL

5. Section 161.34 is revised to include additional instructions for preparing firm registration books.

6. Sections 161.35 and 161.45 are revised to delete reference to obsolete endorsements "Deliver to Addressee Only" or "Deliver to Addressee or Order."

PART 162—INSURED MAIL

7. Section 162.31 is revised to delete reference to the obsolete endorsement "Deliver to Addressee Only."

8. Section 162.441 is revised to include additional instructions for preparing firm mailing books.

PART 163—COD MAIL

9. Section 163.416 is revised to include additional instructions for preparing firm mailing books.

10. Section 163.418 is revised to restate the use of the COD endorsement on all COD parcels by use of the rubber COD stamp.

PART 164—INDEMNITY CLAIMS

11. Section 164.44c is revised to include Seattle, Washington in the list of port post offices handling claims.

In consideration of the foregoing, 39 CFR 111.3 is amended as follows:

§ 111.3 Amendments to Chapter I of the Postal Service Manual.

Amendments to Postal Service manual

Transmittal letter	Date	FR publication
Letter 36, issue 102.....	May 1, 1975	40 FR

These amendments are effective immediately.

(5 U.S.C. 552(a), 39 U.S.C. 401, 404, 407, 408, 3001-3011, 3201-18, 3403-05, 3621, 50 U.S.C. 1463-64)

ROGER P. CRAIG,
Deputy General Counsel.

[FR Doc.75-13319 Filed 5-20-75;8:45 am]

Title 45—Public Welfare

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

NATIONAL DIRECT STUDENT LOAN PROGRAM, COLLEGE WORK-STUDY PROGRAM, AND SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANTS PROGRAM

Annual Review of Needs Analysis Systems

Notice of proposed rulemaking was published in the FEDERAL REGISTER on February 19, 1975 (40 FR 7100-7106) setting forth proposed amendments to the regulations governing the National Direct Student Loan (NDSL) Program, the College Work-Study (CWS) Program, and the Supplemental Educational Opportunity Grants (SEOG) Program. (These regulations are set forth in Parts 144, 175, and 176, respectively, of Title 45 of the Code of Federal Regulations.) The purpose of the proposed amendments was to provide procedures and standards by which the Commissioner of Education would review and approve, on an annual basis, the various private systems used

by institutions of higher education for calculating the expected family contributions for dependent students who apply for assistance under these three programs.

Interested parties were invited to submit comments, suggestions or objections regarding the proposed regulations. These comments are summarized and the responses of the Office of Education are provided in Paragraph A, below.

A. SUMMARY OF COMMENTS AND RESPONSES.

Comment. Several commenters stated that it is unreasonable for OE to attempt to implement the proposed rule for the 1975-76 academic year, because (i) awards have already been made or (ii) awards need to be made before the earliest date on which the rule can become effective. In their view, the uncertainty caused by this proposal will result in the loss of prospective students who need to know what financial aid they will have at a date earlier than will be possible if the rule applies to awards for academic year 1975-76.

Response. In recognition of these difficulties, the final regulation provides for the standard to be voluntary with respect to awards for the 1975-76 academic year.

Comment. Several commenters contended that the proposed two-tiered over-award provision (permitting the use of non-Federal funds to fill the difference between the Federal standard of need and alternative outputs of approved systems) is discriminatory to the students at those institutions whose only financial aid funds are Federal. At such schools that difference must go unfilled. By contrast, schools with other sources of financial aid will be able to use those funds to meet that difference. Several commenters also objected to the use of different standards for dependent and independent students.

Response. The regulation has been revised to eliminate such distinctions. The amount of need which may be met with Federal funds has been set at the same level as the amount which may be met with non-Federal funds, and an approved system may be used for both dependent and independent students. The regulation is thus similar to the SEOG regulation previously published on October 21, 1974 (45 CFR 175.14), with the added provision that the total amount of aid awarded to the student shall not exceed his cost of education.

Comment. Several commenters offered the speculation that the purpose of the proposed rule was budgetary. Those commenters advanced the argument that the proposed adjustments were motivated by a desire to decrease the demand for Federal funds and that the proposed standard was therefore not a measurement of parental ability to pay, but rather a rationing device.

Response. The appropriations for these Federal programs are made by the Congress and are not necessarily determined by the estimated aggregate amount of student need. The regulation is designed

to carry out the Commissioner's responsibility to provide basic criteria in order that Federal funds will be awarded to the neediest students, irrespective of the level of appropriations.

Comment. Several commenters offered the view that adjusting by 20 percent the expected contributions shown on the 1974-75 CSS Table E is not the proper way to adjust for an inflation of 20 percent. According to this view, the proper way of accomplishing such an adjustment would be to increase by 20 percent the adjusted effective income at which a given contribution is expected and then also increase that contribution by 20 percent. As an example of what is meant, a family with two dependent children and an adjusted effective income of \$10,000 was expected to contribute \$1,066 according to the 1974-75 CSS Table E. According to the viewpoint expressed by those commenters, that \$10,000 adjusted effective income has become equivalent to a present adjusted effective family income of \$12,000, and the formerly expected contribution of \$1,066 would now be equal to a contribution of \$1,279.

Response. The Commissioner desires to offer a method which can be easily understood and can be implemented quickly and easily. He also desires to avoid detailed regulation of the internal mechanics of any system. In recognition of the valid arguments raised about the announced way of deriving benchmark figures, however, the final regulations provide for the use of factors, related to the family's ability to pay, other than inflation in computing contributions for academic year 1976-77 and subsequent years.

Comment. Several commenters objected to the intended 20 percent adjustment as being (i) arbitrary, (ii) not based on research data, (iii) a departure from historical precedents, or (iv) unrealistic in view of the recent rapid rate of inflation.

Response. The proposed rule was based upon the generally accepted historical precedent of updating expected parental contributions in accordance with inflation. As revised, the final regulation also allows for the use of other factors relevant to determining a family's ability to pay.

Comment. A number of commenters objected to the exercise of the Commissioner's authority to establish criteria and schedules for determining need. They contended that voluntarism and local control are preferable and that progress is currently being made, through the National Task Force on Student Aid Problems (commonly known as the Keppel Task Force), toward eliminating the difference among the systems. Other commenters felt that the establishment of specific procedures for the exercise of this authority was long overdue.

Response. The Commissioner has statutory responsibility to provide basic criteria and schedules for the guidance of institutions in making awards to needy students. The Commissioner wishes to

rely on private systems and local judgments to the extent possible, but believes he cannot abrogate his statutory responsibility. This regulation does not remove from the student financial aid officer at the institution of higher education the authority to determine, in any individual case, that the expectation calculated according to an approved system does not accurately reflect a given family's ability to pay and to make appropriate adjustments accordingly.

Comment. Several commenters objected to the requirement of annual review and annual publication in the FEDERAL REGISTER of the list of approved systems, on the grounds that there is a probability that such review and publication will not be accomplished in a timely fashion, with the result that the institutions' schedule for making awards to students will be disrupted.

Response. It is the Commissioner's intention to accomplish the required review in a timely fashion and to publish the list of approved systems in the FEDERAL REGISTER by September 1 of each year. He does not regard such a schedule as being disruptive of award processing. No change has been made in this timetable for completion of the required annual review.

Comment. Various commenters objected to the proposed rule on the grounds that it was issued without adequate prior consultation with the student financial aid community.

Response. The proposed rule was issued as a Notice of Proposed Rule Making with a 30-day period for public comment, and there was a public hearing on February 28 in order to elicit further public comment. This is the official mechanism for consultation with the public and changes in the proposed rule have been made as a result of this process of consultation.

Comment. Several commenters objected to the proposed rule on the grounds that failure to show what they consider to be "true" need would have the result of decreasing the availability of funds from non-Federal sources.

Response. The aggregate amount of need calculated pursuant to the proposed rule would clearly exceed the total amount of Federal funds available for meeting it. The Commissioner considers the responsibility for meeting that need to be one shared among a number of public and private parties. He hopes and believes that this regulation will not have the effect of decreasing the amount of non-Federal funds available for student aid.

Comment. Several commenters objected to the proposed rule on the grounds that the objective of preventing a shifting of Federal funds from lower to higher income groups could be accomplished in other ways, such as requiring that Federal aid recipients be chosen in rank order of need or by categories of need, or by relying on student financial aid officers to aid the neediest students first.

Response. These suggestions may well be suitable methods of choosing which students will be aided when there are not enough funds to aid all needy students. Moreover, student financial aid officers may need to follow such methods in distributing limited resources. However, the Commissioner does not wish either to adopt a complex regulation governing each detail of the award process or to avoid his statutory responsibility to provide guidance for that process. This regulation provides guidance, while preserving a role for private systems and individual judgments.

Comment. Numerous commenters were critical of the Office of Education because of the length of time which elapsed between the public announcement in August 1974 by CSS of the changes it was making and the February 19 date on which the Office announced its proposed rule.

Response. The Office of Education agrees that the time at which its proposed rule was announced was too late for it to be made mandatory for student awards for academic year 1975-76. The standard has therefore been made voluntary with respect to awards for that academic year.

Comment. Several commenters objected to the use, in deriving the benchmark expected family contributions, of the private system (other than the income tax system) used by the largest number of students, on the grounds that use of a system in a heavily populated area does not necessarily make it the best system.

Response. The Office of Education agrees that population density in various geographical areas has no necessary bearing on a system's excellence. The decision to construct benchmarks on the basis of the most frequently used system was made on the grounds that it would be the one most familiar to the largest number of institutional users and that its use by the largest number of students would indicate the broadest general acceptance.

Comment. Several commenters expressed the view that the proposed regulation could have the opposite of the intended effect and could shift funds from more-needy to less-needy students. This would occur if an institution awarded all available funds to its most-needy students and then discovered that some of those students had received funds in excess of their need as that need is calculated pursuant to the proposed rule. When the excess amount awarded is withdrawn from most-needy students, it can then be made available only to less-needy students.

Response. Technically, such a result could happen. In order for it to happen, however, both of the following conditions would have to be met; (i) an institution would have distributed all of the financial aid funds available to it; and (ii) no student to whom aid was denied would be more needy than any student to whom aid was awarded. Even if such a result were to obtain in some

particular institution, the Commissioner would not consider it unjustified, because otherwise some individuals would receive aid in excess of a reasonable estimate of need at the expense of denying aid to other needy students.

B. EFFECT OF REVISIONS

(1) Date of implementation. In the preamble of the notice of proposed rule-making, the Commissioner had stated his intention to implement the annual review procedures and standards immediately. The Commissioner has now determined, however, that this review mechanism should be implemented, as a mandatory rule, beginning with the approval of need analysis systems to be used in making awards for use in the 1976-77 academic year. Systems seeking such approval must be submitted for approval by June 30, 1975. Approved systems would also be available for use by institutions in submitting their applications for these three programs to the Office of Education during the fall of 1975.

In making awards for the 1975-76 academic year, institutions may use any of the need analysis systems which have received approval under the previously effective regulations (see 45 CFR 176.13). Institutions are reminded that, whatever approved system they choose for academic year 1975-76 awards, they are under the same obligation as before to select students for SEOG awards on the basis of exceptional financial need and to give preference in the making of college work-study awards to students of greatest need. The determinations which an institution makes in carrying out these obligations must be made on a fair and consistent basis. Thus, the Commissioner expects that an institution will not select the needs analysis system to be applied in an individual case in an arbitrary manner and that, as a general matter, student aid packages of students with relatively greater need will be at least as large in total amount as the student aid packages of students with relatively less need when the needs of each are assessed on the basis of the same need analysis system.

In addition, however, the Commissioner has decided to make this review procedure available to the need analysis systems, on a voluntary basis, as soon as possible, in order that systems and schedules meeting the standards set forth in the proposed regulation can be devised, submitted to the Commissioner and approved by him, and made available to institutions of higher education for use in making awards to students for the 1975-76 academic year. Consequently Appendix A to this document sets forth the table of benchmark family contribution figures for sample cases, as required by §§ 144.14(b)(2), 175.17(b)(2) and 176.13(b)(2), for use in reviewing schedules to be used for academic year 1975-76 awards. As indicated in the preamble of the Notice of Proposed Rule Making, the benchmark figures for this purpose were derived by reducing, by 20 percent, the

1974-75 "Expected Parent's Contributions From Adjusted Effective Income" published by the College Scholarship Service. As explained below, the 1974-75 CSS schedule would, as further adjusted, be used in developing the benchmark figures for the first year of the mandatory application of this regulation.

(2) Additional adjustment factors. The proposed regulation provided that the annual adjustment of the benchmark expected family contribution figures would be based solely on the estimated percent increase in the Consumer Price Index. The Commissioner has now concluded that other adjustments, related to the family's ability to meet educational expenses, should be taken into consideration. Consequently, it is the Commissioner's intention to publish as soon as possible proposed additional adjustment factors that will be used in conjunction with the Consumer Price Index in deriving benchmark figures.

(3) Derivation of initial benchmark figures. As noted above, it was the Commissioner's intent to implement this regulation immediately, using the 1974-75 CSS schedule adjusted by 20 percent for the Consumer Price Index. Thereafter, the base for the derivation of benchmark expected family contribution figures would be the figures for that system which had been approved under this regulation and which was used by the greatest number of students. However, since the implementation of this regulation has now been postponed, except on a voluntary basis, it is necessary for the Commissioner to revise his approach. In deriving benchmark figures for the review of systems to be used in the 1976-77 academic year, the Commissioner will use the 1974-75 "Expected Parent's Contributions From Adjusted Effective Income" published by the College Scholarship Service, reduced in accordance with the Consumer Price Index for 1974, the estimated Consumer Price Index for 1975, and the other factors which the Commissioner will have established as indicated above in paragraph (2).

(4) "Over-award" provisions. Notice of proposed rulemaking contained a provision, for the coordination of all student aid made available by an institution, which permitted the use of two levels of expected family contributions. That provision has been deleted. The provision contained in this regulation is now the same as that set forth in previously applicable regulations, with the addition of the provision that the total amount of aid made available to a student shall not exceed the student's cost of education and with other minor changes in wording. (See 45 CFR 176.14)

C. Pursuant to the authority contained in sections 464, 444, 413B, and 413C of the Higher Education Act of 1965, as amended (20 U.S.C. 1087dd, 42 U.S.C. 2754, and 20 U.S.C. 1070b-1 and 1070b-2), Parts 144, 175 and 176 of Title 45 of the Code of Federal Regulations are amended as set forth below.

Effective date. Pursuant to Section 431 (d) of the General Education Provisions Act, as amended (20 U.S.C. 1232(d))

these regulations have been transmitted to the Congress concurrent with the publication of this document in the FEDERAL REGISTER. That section provides that regulations subject thereto shall become effective on the forty-fifth day following the date of such transmission, subject to the provisions therein concerning Congressional action and adjournment.

(Catalog of Federal Domestic Assistance No. 13.418, Supplemental Educational Opportunity Grants Program; No. 13.463, Higher Education Work-Study; No. 13.471, National Direct Student Loans)

Dated: April 17, 1975.

Approved: May 14, 1975.

T. H. BELL,

U.S. Commissioner of Education.

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

PART 144—NATIONAL DIRECT STUDENT LOAN PROGRAM

1. Part 144 of Title 45 of the Code of Federal Regulations is amended by adding §§ 144.14 and 144.15, which read as follows:

§ 144.14 Approved need analysis systems.

(a) In order to comply with the requirements of § 144.7(b), an institution shall utilize a need analysis system or method of calculation approved by the Commissioner for that purpose pursuant to this section.

(b) Dependent students. (1) The Commissioner has approved the following systems for the purpose of § 144.7(b), with respect to dependent students:

(i) The method of calculating an expected family contribution used in the Basic Educational Opportunity Grants Program (45 CFR Part 190); and

(ii) The Income Tax System, if adjusted to reflect the number of the parents' dependent children who are attending institutions of higher education. For purposes of this section, the expected family contribution calculated according to the Income Tax System shall be an amount equal to the amount of Federal income tax paid by the parents of a student, plus 5 percent of such parents' net assets in excess of \$10,000 and any amount the student is reasonably able to contribute.

(2) The Commissioner will approve any other need analysis system for the purpose of § 144.7(b), for use with respect to dependent students, which is submitted in accordance with the procedures set forth in paragraph (d) of this section and which meets the following criteria:

(1) The system must produce, as its standard output, expected parents' contribution figures for dependent students which: (a) increase in reasonably smooth increments as the parents' financial strength, measured in real terms, increases; and (b) are equal for families of equal measured financial strength; and

(ii) The system must produce expected parents' contribution figures which, for at least 75 percent of a set of sample cases developed and made available by the Commissioner, deviate by less than \$50 from the figures produced for such sample cases by adjusting the figures produced by the largest private system (excluding the Income Tax System) approved for use during the current fiscal year in accordance with (a) the estimated percent increase in the Consumer Price Index between the December immediately preceding and the December immediately following the submission of the system for approval; and (b) such other criteria related to a family's ability to pay educational costs as are determined by the Commissioner and published in the FEDERAL REGISTER.

(iii) In developing the set of sample cases to be made available for this purpose, the Commissioner shall select cases in which: (a) The parental income, net of Federal and State income taxes, social security tax and business expenses, is equal in the prior year and the current year; (b) parental assets, net of related debt and retirement allowance, are equal in the prior year and the current year; and (c) other family and financial circumstances are identical in the prior year and the current year.

(c) Independent students. (1) The Commissioner has approved the following systems for the purpose of § 144.7(b), with respect to independent students:

(i) The method of calculating an expected family contribution used in the Basic Educational Opportunity Grants Program (45 CFR Part 190); and

(ii) The system of need analysis published by the American College Testing Service; and

(iii) The system of need analysis published by the College Scholarship Service.

(2) The Commissioner will approve any other need analysis system for the purpose of § 144.7(b), for use with respect to independent students, which is submitted in accordance with the procedures set forth in paragraph (d) of this section and which meets the following criteria:

(i) The system must produce, as its standard output, expected family contribution figures for independent students which: (a) Increase in reasonably smooth increments as the family financial strength, measured in real terms, increases; and (b) are equal for families of equal measured financial strength; and

(ii) The system must produce expected family contribution figures which are comparable to those produced by one of the systems specified in paragraph (c) (1) of this section.

(d) Application procedures for system approval. Any person or institution seeking to have a need analysis system approved by the Commissioner pursuant to paragraph (b) (2) of this section shall submit such system to the Commissioner prior to June 30 of each year. Such submission shall consist of sufficient information to enable the Commissioner to determine that the system meets the cri-

teria set forth in that subparagraph, including the expected family contribution figures produced by the system for the sample cases developed and made available by the Commissioner. Any person or institution seeking to have a need analysis system approved by the Commissioner pursuant to paragraph (c) (2) of this section shall, prior to June 30 of any year, submit to the Commissioner sufficient information to enable him to determine that the system meets the criteria set forth in that subparagraph. On or before September 1 of each year, the Commissioner will publish in the FEDERAL REGISTER a list of all need analysis systems or methods of calculation which have been approved for use in the succeeding academic year.

(e) Duration of approval. Need analysis systems approved pursuant to paragraphs (b) (1) and (c) (1) of this section are approved without a specific expiration date. A need analysis system approved pursuant to paragraph (b) (2) of this section, and included on the list published by the Commissioner on or before September 1, of one year, may be used by an institution (1) in preparing its application for funds under this part which is to be submitted on or before the published closing date next following that September 1; and (2) in determining the eligibility of students for loans under this part, and in calculating the amount of such loans, to be used by the students during any academic year commencing not earlier than 10 months and not later than 22 months following that September 1. A need analysis system approved pursuant to paragraph (c) (2) of this section shall be approved for an indefinite period of time, but the Commissioner may request periodic confirmation that the system remains in compliance with the criteria set forth in that paragraph.

(f) Adjustments. The institution may, in an individual case, further adjust the expected family contribution calculated according to one of the need analysis systems approved pursuant to this section if the student financial aid officer of the institution has reason to believe that such expected family contribution does not realistically reflect the ability of the student and his parents to contribute towards the student's cost of education. Such adjustments shall be documented in writing, with an accompanying explanation, and made a part of the institution's records with respect to this part.

(20 U.S.C. 1087dd)

§ 144.15 Coordination of student financial aid programs and overaward.

(a) *Coordinating official.* The institution shall appoint an official who shall have the responsibility of coordinating the program covered by this part with the institution's other Federal and non-Federal programs of student financial aid.

(b) *Total award.* The institution shall not award a loan under this part to a student in an amount which, when combined with all of the resources

made available to the student from Federal and non-Federal sources, would exceed the difference between the student's cost of education and his expected family contribution, as determined in accordance with one of the need analysis systems or methods of calculations approved by the Commissioner pursuant to § 144.14; provided, however, that in no event may the total amount of aid received from all Federal and non-Federal sources exceed the student's cost of education.

(c) *Resources.* For purposes of paragraph (b) of this section, the term "resources made available to the student from Federal and non-Federal sources" includes any waiver of tuition and fees, any scholarship or grant-in-aid including athletic scholarships, any fellowship or assistantship, any loan made under the Guaranteed Student Loan Program (Title IV-B of the Higher Education Act) except in cases in which paragraph (d) of this section applies, any long-term loan made by the institution other than under the Guaranteed Student Loan Program, and any expected net earnings from employment during periods for which the student receives a loan under this part. For purposes of this section, "net earnings" means gross earnings minus required withholdings and any costs incidental to obtaining such earnings.

(d) *Treatment of guaranteed loans.*

(1) Except as provided in paragraph (d) (2) of this section, loans made under the Guaranteed Student Loan Program shall not be considered to be a student resource and may be used to satisfy the expected family contribution of the borrower calculated in accordance with § 144.14. If the amount of such a loan exceeds the borrower's expected family contribution, only such excess shall be considered a student resource.

(2) Loans for which interest benefits are payable under section 428 of Title IV-B of the Higher Education Act (20 U.S.C. 1078) shall be considered a student resource and may not be used to satisfy a student's expected family contribution in cases in which the borrower has an adjusted family income of more than \$15,000, as determined in accordance with applicable Guaranteed Student Loan Program Regulations (45 CFR Part 177), or in cases in which the amount of the loan would cause the total amount of the borrower's loans insured by the Commissioner, or by a State or non-profit private institution having an agreement with the Commissioner under section 428(b) of the Higher Education Act (20 U.S.C. 1078(b)), to exceed \$2,000 for that academic year.

(e) *Administrative responsibility.* The institution's responsibility under paragraph (b) of this section shall extend only to those resources which the institution itself makes available to the student, or about which it knows or has reason to know, or can reasonably anticipate at the time that the proceeds of the loan made under this part are disbursed to the

student. The amount of net earnings from any employment provided by the institution for any academic period covered by the loan under this part shall be deemed to have been known by the institution at the time of the disbursement of such loan. However, an institution will not be deemed to have violated the requirements of this section if the sum of all the resources made available to the student, including a loan under this part, exceeded that student's need by not more than \$100.

(20 U.S.C. 1087dd)

PART 175—COLLEGE WORK-STUDY PROGRAM

2. Part 175 of Title 45 of the Code of Federal Regulations is amended by adding §§ 175.17 and 175.18, which read as follows:

§ 175.17 Approved need analysis systems.

(a) In order to comply with the requirements of § 175.5(c), an institution shall utilize a need analysis system or method of calculation approved by the Commissioner for that purpose pursuant to this section.

(b) Dependent students. (1) The Commissioner has approved the following systems for the purpose of § 175.5(c), with respect to dependent students:

(i) The method of calculating an expected family contribution used in the Basic Educational Opportunity Grants Program (45 CFR Part 190); and

(ii) The Income Tax System, if adjusted to reflect the number of the parents' dependent children who are attending institutions of higher education. For purposes of this section, the expected family contribution calculated according to the Income Tax System shall be an amount equal to the amount of Federal income tax paid by the parents of a student, plus 5 percent of such parents' net assets in excess of \$10,000 and any amount the student is reasonably able to contribute.

(2) The Commissioner will approve any other need analysis system for the purpose of § 175.5(c), for use with respect to dependent students, which is submitted in accordance with the procedures set forth in paragraph (d) of this section and which meets the following criteria:

(i) The system must produce, as its standard output, expected parents' contribution figures for dependent students which: (a) Increase in reasonable smooth increments as the parents' financial strength, measured in real terms, increases; and (b) are equal for families of equal measured financial strength; and

(ii) The system must produce expected parents' contribution figures which, for at least 75 percent of a set of sample cases developed and made available by the Commissioner, deviate by less than \$50 from the figures produced for such sample cases by adjusting the figures produced by the largest private system (excluding the Income Tax System) approved for use during the current fiscal

year in accordance with (a) the estimated percent increase in the Consumer Price Index between the December immediately preceding and the December immediately following the submission of the system for approval; and (b) such other criteria related to a family's ability to pay educational costs as are determined by the Commissioner and published in the FEDERAL REGISTER.

(iii) In developing the set of sample cases to be made available for this purpose, the Commissioner shall select cases in which: (a) The parental income, net Federal and State income taxes, social security tax and business expenses, are equal in the prior year and the current year; (b) parental assets, net of related debt and retirement allowance, are equal in the prior year and the current year; and (c) other family and financial circumstance are identical in the prior year and the current year.

(c) Independent students. (1) The Commissioner has approved the following systems for the purpose of § 175.5(c), with respect to independent students:

(i) The method of calculating an expected family contribution used in the Basic Educational Opportunity Grants Program (45 CFR Part 190);

(ii) The system of need analysis published by the American College Testing Service; and

(iii) The system of need analysis published by the College Scholarship Service.

(2) The Commissioner will approve any other need analysis system for the purpose of § 175.5(c), for use with respect to independent students, which is submitted in accordance with the procedures set forth in paragraph (d) of this section and which meets the following criteria:

(i) The system must produce, as its standard output, expected family contribution figures for independent students which: (a) Increase in reasonably smooth increments as the family financial strength, measured in real terms, increases; and (b) are equal for families of equal measured financial strength; and

(ii) The system must produce expected family contribution figures which are comparable to those produced by one of the systems specified in paragraph (c) (1) of this section.

(d) Application procedures for system approval. Any person or institution seeking to have a need analysis system approved by the Commissioner pursuant to paragraph (b) (2) of this section shall submit such system to the Commissioner prior to June 30 of each year. Such submissions shall consist of sufficient information to enable the Commissioner to determine that the system meets the criteria set forth in that subparagraph, including the expected family contribution figures produced by the system for the sample cases developed and made available by the Commissioner. Any person or institution seeking to have a need analysis system approved by the Commissioner pursuant to paragraph (c) (2) of this section shall, prior to June 30 of any year, submit to the Commissioner sufficient information to enable him to

determine that the system meets the criteria set forth in that subparagraph on or before September 1 of each year, the Commissioner will publish in the FEDERAL REGISTER a list of all need analysis systems or methods of calculation which have been approved for use in the succeeding academic year.

(e) Duration of approval. Need analysis systems approved pursuant to paragraphs (b) (1) and (c) (1) of this section are approved without a specified expiration date. A need analysis system approved pursuant to paragraph (b) (2) of this section, and included on the list published by the Commissioner on or before September 1 of one year, may be used by an institution (1) preparing its application for funds under this part which is to be submitted on or before the published closing date next following that September 1; and (2) in determining the eligibility of students for employment under this part and in calculating the amount of such employment to be made available to a student during any academic year commencing not earlier than 10 months and not later than 22 months following that September 1. A need analysis system approved pursuant to paragraph (c) (2) of this section shall be approved for an indefinite period of time, but the Commissioner may request periodic confirmation that the system remains in compliance with the criteria set forth in that paragraph.

(f) Adjustments. The institution may, in an individual case, further adjust the expected family contribution calculated according to one of the need analysis systems approved pursuant to this section if the student financial aid officer of the institution has reason to believe that such expected family contribution does not realistically reflect the ability of the student and his parents to contribute towards the student's cost of education. Such adjustments shall be documented in writing, with an accompanying explanation, and made a part of the institution's records with respect to this part.

(42 U.S.C. 2754)

§ 175.18 Coordination of student financial aid programs and over-award.

(a) Coordinating official. The institution shall appoint an official who shall have the responsibility of coordinating the program covered by this part with the institution's other Federal and non-Federal programs of student financial aid.

(b) Total award. The institution shall not award assistance under this part to a student in an amount which, when combined with all of the resources made available to the student from Federal and non-Federal sources, would exceed the difference between the student's cost of education and his expected family contribution, as determined in accordance with one of the need analysis systems or methods of calculations approved by the Commissioner pursuant to § 175.17; provided, however, That in no event may the total amount of aid received from all Federal

and non-Federal sources exceed the student's cost of education.

(c) *Resources.* For purposes of paragraph (b) of this section, the term "resources made available to the student from Federal and non-Federal sources" includes any waiver of tuition and fees, any scholarship or grant-in-aid including athletic scholarships, any fellowships or assistantship, any loan made under the Guaranteed Student Loan Program (Title IV-B of the Higher Education Act) except in cases in which paragraph (d) of this section applies, any long-term loan made by the institution other than under the Guaranteed Student Loan Program, and any expected net earnings from employment during periods for which the student receives assistance under this part. For purposes of this section, "net earnings" means gross earnings minus required withholdings and any costs incidental to obtaining such earnings.

(d) *Treatment of guaranteed loans.* (1) Except as provided in paragraph (d)(2) of this section, loans made under the Guaranteed Student Loan Program shall not be considered to be a student resource and may be used to satisfy the expected family contribution of the borrower calculated in accordance with § 175.17. If the amount of such a loan exceeds the borrower's expected family contribution, only such excess shall be considered a student resource.

(2) Loans for which interest benefits are payable under section 428 of Title IV-B of the Higher Education Act (20 U.S.C. 1078) shall be considered a student resource and may not be used to satisfy a student's expected family contribution in cases in which the borrower has an adjusted family income of more than \$15,000, as determined in accordance with applicable Guaranteed Student Loan Program Regulations (45 CFR Part 177), or in cases in which the amount of the loan would cause the total amount of the borrower's loan insured by the Commissioner, or by a State or nonprofit private institution having an agreement with the Commissioner under section 428 (b) of the Higher Education Act (20 U.S.C. 1078(b)), to exceed \$2,000 for the academic year.

(e) *Administrative responsibility.* The institution's responsibility under paragraph (b) of this section shall extend only to those resources which the institution itself makes available to the student, or about which it knows or has reason to know, or can reasonably anticipate at the time that the assistance under this part is disbursed to the student. The amount of net earnings from any employment provided by the institution for any academic period during which the student is receiving assistance under this part shall be deemed to have been known by the institution at the time of the disbursement of such assistance. However, an institution will not be deemed to have violated the requirements of this section if the sum of all the resources made available to the student, including assistance under this part, ex-

ceeded that student's need by not more than \$100.

(42 U.S.C. 2754)

PART 176—SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANTS PROGRAM

3. Sections 176.13 and 176.14 of Title 45 of the Code of Federal Regulations are revised to read as follows:

§ 176.13 Approved need analysis systems.

(a) In order to comply with the requirements of § 176.12, an institution shall utilize a need analysis system or method of calculation approved by the Commissioner for that purpose pursuant to this section.

(b) Dependent students. (1) The Commission has approved the following systems for the purpose of § 176.12(a):

(i) The method of calculating an expected family contribution used in the Basic Educational Opportunity Grants Program (45 CFR Part 190); and

(ii) The Income Tax System, if adjusted to reflect the number of the parents' dependent children who are attending institutions of higher education. For purposes of this section, the expected family contribution calculated according to the Income Tax System shall be an amount equal to the amount of Federal income tax paid by the parents of a student, plus 5 percent of such parents' net assets in excess of \$10,000 and any amount the student is reasonably able to contribute.

(2) The Commissioner will approve any other need analysis system for the purpose § 176.12(a) which is submitted in accordance with the procedures set forth in paragraph (d) of this section and which meets the following criteria:

(i) The system must produce, as its standard output, expected parents' contribution figures for dependent students which: (a) increase in reasonably smooth increments as the parents' financial strength, measured in real terms, increases; and (b) are equal for families of equal measured financial strength; and

(ii) The system must produce expected parents' contribution figures which, for at least 75 percent of a set of sample cases developed and made available by the Commissioner, deviate by less than \$50 from the figures produced for such sample cases by adjusting the figures produced by the largest private system (excluding the Income Tax System) approved for use during the current fiscal year in accordance with (a) the estimated percent increase in the Consumer Price Index between the December immediately preceding and the December immediately following the submission of the system for approval; and (b) such other criteria related to a family's ability to pay educational costs as are determined by the Commissioner and published in the FEDERAL REGISTER.

(iii) In developing the set of sample cases to be made available for this purpose, the Commissioner shall select cases in which: (a) the parental in-

come, net of Federal and State income taxes, social security tax, and business expenses, are equal in the prior year and the current year; (b) parental assets, net of related debt and retirement allowance, are equal in the prior year and the current year; and (c) other family and financial circumstances are identical in the prior year and the current year.

(c) Independent students. (1) The Commissioner has approved the following systems for the purpose of § 176.12 (b) with respect to independent students:

(i) The method of calculating an expected family contribution used in the Basic Educational Opportunity Grants Program (45 CFR Part 190);

(ii) The system of need analysis published by the American College Testing Service; and

(iii) The system of need analysis published by the College Scholarship Service.

(2) The Commissioner will approve any other need analysis system for the purpose of § 176.12(b) for use with respect to independent students, which is submitted in accordance with the procedures set forth in paragraph (d) of this section and which meets the following criteria:

(i) The system must produce, as its standard output, expected family contribution figures for independent students which: (a) increase in reasonably smooth increments as the family financial strength, measured in real terms, increases; and (b) are equal for families of equal measured financial strength; and

(ii) The system must produce expected family contribution figures which are comparable to those produced by one of the systems specified in paragraph (c) (1) of this section.

(d) Application procedures for system approval. Any person or institution seeking to have a need analysis system approved by the Commissioner pursuant to paragraph (b)(2) of this section shall submit such system to the Commissioner prior to June 30 of each year. Such submission shall consist of sufficient information to enable the Commissioner to determine that the system meets the criteria set forth in that subparagraph, including the expected family contribution figures produced by the system for the sample cases developed and made available by the Commissioner. Any person or institution seeking to have a need analysis system approved by the Commissioner pursuant to paragraph (c) (2) of this section shall, prior to June 30 of any year, submit to the Commissioner sufficient information to enable him to determine that the system meets the criteria set forth in that subparagraph. On or before September 1 of each year, the Commissioner will publish in the FEDERAL REGISTER a list of all need analysis systems or methods of calculation which have been approved for use in the succeeding academic year.

(e) Duration of approval. Need analysis systems approved pursuant to paragraphs (b)(1) and (c)(1) of this section are approved without a specified expiration date. A need analysis system approved pursuant to paragraph (b)(2) of this section, and included on the list published by the Commissioner on or before September 1 of one year, may be used by an institution (1) in preparing its application for funds under this part which is to be submitted on or before the published closing date next following that September 1; and (2) in determining the eligibility of students for awards under this part, and in calculating the amount of such awards, to be used by the students during any academic year commencing not earlier than 10 months and not later than 22 months following that September 1. A need analysis system approved pursuant to paragraph (c)(2) of this section shall be approved for an indefinite period of time, but the Commissioner may request periodic confirmation that the system remains in compliance with the criteria set forth in that paragraph.

(f) Adjustments. The institution may, in an individual case, further adjust the expected family contribution calculated according to one of the need analysis systems approved pursuant to this section if the student financial aid officer of the institution has reason to believe that such expected family contribution does not realistically reflect the ability of the student and his parents to contribute towards the student's cost of education. Such adjustments shall be documented in writing, with an accompanying explanation, and made a part of the institution's records with respect to this part.

(20 U.S.C. 1070b-1 and 1070b-2)

§ 176.14 Coordination of student financial aid programs and over-award.

(a) The institution shall appoint an official who shall have the responsibility

of coordinating the program covered by this part with the institution's other Federal and non-Federal programs of student financial aid.

(b) Total award. The institution shall not award a Supplemental Grant to a student in an amount which, when combined with all of the resources made available to the student from Federal and non-Federal sources, would exceed the difference between the student's cost of education and his expected family contribution, as determined in accordance with one of the need analysis systems or methods of calculations approved by the Commissioner pursuant to § 176.13; provided, however, that in no event may the total amount of aid received from all Federal and non-Federal sources exceed the student's cost of education.

(c) Resources. For purposes of paragraph (b) of this section, the term "resources made available to the student from Federal and non-Federal sources" includes any waiver of tuition and fees, any scholarship or grant-in-aid including athletic scholarships, any fellowships or assistantships, any loan made under the Guaranteed Student Loan Program (Title IV-B of the Higher Education Act) except in cases in which paragraph (d) of this section applies, any long-term loan made by the institution other than under the Guaranteed Student Loan Program, and any expected net earnings from employment during periods for which the student receives a grant. For purposes of this section, "net earnings" means gross earnings minus required withholdings and any costs incidental to obtaining such earnings.

(d)(1) Except as provided in paragraph (d)(2) of this section, loans made under the Guaranteed Student Loan Program shall not be considered to be a student resource and may be used to satisfy

the expected family contribution of the borrower calculated in accordance with § 176.13. If the amount of such a loan exceeds the borrower's expected family contribution, only such excess shall be considered a student resource.

(2) Loans for which interest benefits are payable under section 428 of Title IV-B of the Higher Education Act (20 U.S.C. 1078) shall be considered a student resource and may not be used to satisfy a student's expected family contribution in cases in which the borrower has an adjusted family income of more than \$15,000, as determined in accordance with applicable Guaranteed Student Loan Program Regulations (45 CFR Part 177), or in cases in which the amount of the loan would cause the total amount of the borrower's loans insured by the Commissioner, or by a State or non-profit private institution having an agreement with the Commissioner under section 428(b) of the Higher Education Act (20 U.S.C. 1078(b)), to exceed \$2,000 for that academic year.

(e) *Administrative responsibility.* The institution's responsibility under paragraph (b) of this section shall extend only to those resources which the institution itself makes available to the student, or about which it knows or has reason to know, or can reasonably anticipate at the time that the Supplemental Grant is disbursed to the student. The amount of net earnings from any employment provided by the institution for any academic period covered by the grant award shall be deemed to have been known by the institution at the disbursement of such grant. However, an institution will not be deemed to have violated the requirements of this section if the sum of all the resources made available to the student, including a grant under this part, exceeded that student's need by not more than \$100.

(20 U.S.C. 1070b-1 and 1070b-2)

APPENDIX A

U.S. OFFICE OF EDUCATION
 EXPECTED PARENTAL CONTRIBUTIONS
 SAMPLE CASES AND BENCHMARK FIGURES
 FOR 1975-76 ACADEMIC YEAR

NET ASSETS FAMILY SIZE	0						10000						20000						30000					
	3	4	5	6	3	4	5	6	3	4	5	6	3	4	5	6	3	4	5	6				
8000		170	30			380	180					590	370					810	560					
10000	910	590	370	230		1110	810	560	410	1340	1020	760	590	1610	1230	950	770							
12000		1020	760			1230	950					1490	1160					1780	1390					
14000	1930	1490	1160	950		2300	1780	1390	1150	2740	2130	1670	1390	3180	2540	2000	1670							
16000		2130	1670			2540	2000					2980	2390					3420	2830					
18000	3620	2980	2390	2000		4060	3420	2830	2390	4500	3860	3270	2830	4940	4300	3710	3270							
20000		3860	3270			4300	3710					4740	4150					5180	4590					

The figures above are parents' contribution figures calculated under the following assumptions:

- 1) Two parents, one with income;
- 2) One dependent in postsecondary education;
- 3) No business and/or farm assets;
- 4) Age of main wage earner--50 years;
- 5) No unusual circumstances;
- 6) Student lives at home with parents 3 months.

proposed rules

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

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 41]

FORT SILL APACHE INDIANS

Preparation of Rolls of Indians

MAY 13, 1975.

This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2.

Notice is hereby given that it is proposed to amend § 41.3, Part 41, Subchapter F, Chapter I, of Title 25 of the Code of Federal Regulations by the addition of a new paragraph (u). These regulations are proposed pursuant to the authority contained in the Chiricahua Apache plan for use and distribution of judgment funds which was prepared pursuant to the Act of October 19, 1973 (87 Stat. 466), and which became effective March 16, 1975. The proposed regulations will govern the preparation of a roll of Fort Sill Apache Indians as provided in the March 16, 1975 plan to be used for the per capita distribution of the Fort Sill Apache portion of the award of the Indian Claims Commission in Dockets 30, 30-A, 48 and 48-A.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions or objections regarding the proposed regulations to the Director, Office of Indian Services, Bureau of Indian Affairs, Washington, D.C. 20245, on or before June 20, 1975.

It is proposed to amend § 41.3, Part 41, Subchapter F, Chapter I, Title 25 of the Code of Federal Regulations by the addition of a new paragraph (u) to read as follows:

§ 41.3 Qualifications for enrollment and the deadline for filing applications.

(u) Fort Sill Apache Tribe: (1) All persons who meet the following requirements shall be entitled to be enrolled to share in the distribution of the Fort Sill Apache Tribe's share of the judgment funds awarded the Chiricahua Apache Indians in Indian Claims Commission Dockets 30, 30-A, 48 and 48-A:

(i) They are persons of Fort Sill Apache blood living on March 16, 1975, who remained in Oklahoma after being released as prisoners of war in 1913 and received land pursuant to the Acts of August 24, 1912, June 30, 1913, or January 22, 1923; or

(ii) They were born on or prior to and were living on March 16, 1975, possess at

least one-eighth ($\frac{1}{8}$) degree Fort Sill Apache blood and are lineal descendants of persons of Fort Sill Apache blood who remained in Oklahoma after being released as prisoners of war in 1913 and received land pursuant to one of the Acts designated in (i) above), regardless of whether such ancestor is living or deceased.

(2) No person who is entitled to benefit from the share of the judgment funds due the Mescalero Apache Tribe by virtue of their membership in that tribe shall be entitled to share in the portion of the judgment funds that are due the Fort Sill Apache Tribe.

(3) Applications for enrollment must be filed with the Area Director, Bureau of Indian Affairs, Post Office Box 368, Anadarko, Oklahoma 73005, and must be received by the Director no later than close of business on August 29, 1975.

MORRIS THOMPSON,

Commissioner of Indian Affairs.

[FR Doc.75-13328 Filed 5-20-75; 8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 918]

FRESH PEACHES GROWN IN GEORGIA Expenses and Rate of Assessment for the 1975-76 Fiscal Period

This notice invites written comment relative to the proposed expenses of \$13,165 and rate of assessment of \$0.015 per bushel basket of peaches (net weight of 48 pounds), or an equivalent of peaches in other containers or in bulk, to support the activities of the Industry Committee for the 1975-76 fiscal period under Marketing Order No. 918.

Consideration is being given to the following proposals submitted by the Industry Committee, established under the marketing agreement, as amended, and Order No. 918, as amended (7 CFR Part 918), regulating the handling of fresh peaches grown in the State of Georgia, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof:

(1) That expenses that are reasonable and necessary to be incurred by the Industry Committee during the period March 1, 1975, through February 29, 1976, will amount to \$13,165.

(2) That rate of assessment for said period, payable by each handler in accordance with § 918.41, is fixed at \$0.015 per bushel basket of peaches (net weight of 48 pounds), or an equivalent of peaches in other containers or in bulk.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals shall file the same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than June 9, 1975. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: May 15, 1975.

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

[FR Doc.75-13294 Filed 5-20-75; 8:45 am]

[7 CFR Part 981]

ALMONDS GROWN IN CALIFORNIA

Revision of Certain Provisions

Notice is given of a proposal to amend Subpart—Administrative Rules and Regulations (7 CFR 981.441-981.481; 39 FR 23239, 39258; 40 FR 3005, 4416, 6475) by revising certain provisions. These provisions pertain to crediting for paid advertising, reserve matters, and reporting requirements.

The subpart is pursuant to the marketing agreement, as amended, and Order No. 981, as amended (7 CFR Part 981; 40 FR 4416), hereinafter collectively referred to as the "order", regulating the handling of almonds grown in California. The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The proposal is based on a unanimous recommendation of the Almond Control Board.

Section 981.441 prescribes the procedure for giving a handler credit for paid advertising expenditures against his pro rata expense assessment obligation pursuant to § 981.41(c). Paragraph (b) of § 981.441 currently provides that the media used must be listed in publications of the Standard Rate and Data Service, the Buyer's Guide to Advertising, or station or publication rate cards. The purpose of this is to permit verification of the advertising rates. However, not all weekly newspapers and other media are covered by these sources, and therefore some advertisements, which would otherwise be creditable, are excluded. It is proposed that paragraph (b) be amended to allow credit for these advertisements by providing for the Almond Control Board to grant the claim if it is consistent with rates for comparable outlets. It is

also proposed that current § 981.441(f) (3) be deleted to bring § 981.441(f) in conformity with the proposal to amend paragraph (b).

Section 981.441(c) currently provides that the major theme of each advertisement shall promote the sale, consumption, or use of California almonds and nothing in the advertising shall detract from this objective. However, crediting involves handler advertisements of their brands of almonds, and some advertisements appear to have as their major theme a specific brand of almonds. In order to avoid questions of interpretation, it is proposed that paragraph (c) be amended so that the clear and evident purpose, rather than the major theme, of each advertisement would be to promote the sale, consumption or use of California almonds and nothing should detract from this purpose.

Section 981.441(d) (5), (6) and (7) provide the method for computing handler credit for advertising almonds and almond products in retail stores and catalogs. Subparagraphs (5) and (7) were previously suspended for the 1974-75 crop year (40 FR 6495). It is now proposed that these subparagraphs, as well as subparagraph (6) be deleted. These paragraphs have gone unused, require the submission of sales data other than for almonds, and cover advertisements which can be judged adequately under other provisions of § 981.441.

Section 981.441 does not cover advertisements which direct consumers to one or more named retail outlets, other than those which are operated by the handler. These advertisements are deemed to cause buyers to purchase one brand of almonds in preference to another—not increase the consumption, or use, of California almonds. Under the proposal, a new § 981.441(f) (3), which would prohibit crediting for such advertisements, would replace current paragraph (f) (3).

Section 981.441(g) set forth the requirements and procedures for handlers in filing claims for advertising credit. Currently, paragraph (g) provides that claims for credit must be filed within 60 days of the appearance of the advertisement or July 15, whichever is sooner. That provision makes it difficult for some handlers to receive credit because 60 days is insufficient time for them to obtain all of the necessary documentation and file their claims. Paragraph (g) would be amended by deleting all references to 60 days after the advertisements have been published, broadcast, or posted, and require only that in order to obtain credit the handler must file his claim no later than July 15 of the succeeding crop year.

Section 981.441(g) would also be amended to delete provisions requiring unnecessary or duplicate information. This would include deletion of subparagraph (5). Subparagraphs (1), (2) and (3) would be revised to require a handler to submit the agency invoice as well as the invoice for publication or display. The revision includes a redesignation of certain provisions.

Section 981.450 provides for the exemption from program requirements of

almonds disposed of in certain outlets. In order to obtain the exemption and to assure accountability to the Board, a handler is required to submit: A notice of intent to dispose of almonds in exempt outlets; a schedule of processing; an invoice or other instrument to verify shipment; and a user certification that the almonds have been crushed or fed. These requirements, however, are deemed excessive to verify the delivery and disposition of almonds to an exempt outlet. Section 981.450 is proposed to be amended by eliminating the provision requiring the handler to notify the Board of his intention to ship almonds in such outlets. It would also eliminate the need for a written authorization to permit Board employees to observe the storage and processing or other disposition of almonds.

Section 981.467(b) sets forth the forms to be issued by handlers for disposition of almonds in reserve outlets. Currently, separate forms are required which are used only as vehicles for transmitting documents and are not issued by the Board in any way for the handler to prove completion of the reserve obligation. The proposal would delete the requirement for two such forms.

Currently, § 981.472(b) requires a report of production by counties three times a year—as of December 31, March 31 and June 30. Since the greatest need for total production by counties is soon after December 31, and since practically the entire crop is accounted for by March 31, it is proposed that a report of production by counties of production for the period of April 1 to June 30 be deleted. Section 981.472(b) would be amended by deleting that period for reporting and replacing it with a statement giving the Board the power to request this information as needed.

Section 981.473 requires redetermination data by variety as of December 31, March 31 and June 30. A varietal breakdown each time requires a submission of several worksheet forms plus a summary form. However, none of the varietal information has been reproduced and given the industry and other interested parties except after June 30. Section 981.473 would be amended to eliminate the need to report redetermination data by variety.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal should file the same in quadruplicate with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, to be received not later than June 5, 1975. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during official hours of business (7 CFR 1.27(b)).

The proposal is to amend Subpart Administrative Rules and Regulations (7 CFR 981.441-981.481; 39 FR 23239, 39258; 40 FR 3005, 4416, 6475) as follows:

1. In § 981.441, revise paragraphs (b), (c), (f) (3) and (g), and delete para-

graphs (d) (5), (6) and (7). The revised portions of § 981.441 would read as follows:

§ 981.441 Crediting for paid advertising.

(b) Each advertisement must be published, broadcast, or displayed during the crop year for which credit is requested. The credit granted by the Board shall be that which is appropriate when compared to the applicable outlet rate published in the domestic or Canadian catalogs of Standard Rate and Data Service, The Buyers Guide to Outdoor Advertising, or station or publisher rate cards. In the case of claims for credit not covered by any such source, the Board shall grant the claim if it is consistent with rates for comparable outlets.

(c) The clear and evident purpose of each advertisement shall be to promote the sale, consumption or use of California almonds and nothing therein shall detract from this purpose.

(d) * * *

(5) [Removed]

(6) [Removed]

(7) [Removed]

(f) Credit granted a handler shall be subject to other conditions as follows:

(3) Advertisements which direct consumers to one or more named retail outlets, other than handler operated shall not be eligible for credit.

(g) A handler must file a claim with the Control Board to obtain credit for an advertising expenditure. No claim shall be granted if it is filed later than July 15 of the succeeding crop year. Each claim must be submitted on ACB Form 31 and accompanied by appropriate proof of performance as follows: (1) For published advertisements, submit a copy of the publication invoice, agency invoice, if any, and tear sheet of the advertisement; (2) for radio advertisements, submit a copy of the station invoice, a copy of the script, or reference to a copy on file with the Control Board, and the agency invoice, if any; (3) for television advertisements, submit a copy of the station invoice, a copy of the script and tape or story board of the advertisement, or a reference to these in the Control Board files, and the agency invoice, if any; (4) for outdoor advertisements, submit a copy of the company invoice, a photograph of the display or a reference to a photograph in the Control Board files, and the agency invoice, if any; and (5) each claim shall also include a certification to the Secretary of Agriculture and to the Control Board that the claim is just and conforms to requirements set forth in § 981.41(c). The Control Board shall advise the handler promptly of the extent to which such claim has been allowed.

2. Revise § 981.450 to read as follows:
§ 981.450 Exempt dispositions.

As provided in § 981.50, any handler who intends to dispose of almonds, other than those withheld to meet a reserve obligation, for crushing into oil, or for poultry or animal feed, may have the kernelweight of these almonds excluded from his receipts and exempted from program obligations so long as: (1) The handler qualifies as, or delivers such almonds to a feeder or crusher acceptable to the Control Board; (2) each shipment of such almonds is directly to the place of disposition, is certified to the Control Board by the handler on ACB Form 8 and is supported by a sales invoice or bill of lading; and (3) the receiver (user) certifies that the almonds have been crushed, fed, or so commingled with other feed products or otherwise processed that they have lost their identity as almonds, no later than June 30 of the crop year in which the almonds were received.

3. Revise § 981.467(b) to read as follows:

§ 981.467 Disposition in reserve outlets by handlers.

(b) *Forms.* Intentions to divert almonds shall be reported to the Board on ACB Form 13 and completion of diversion on ACB Form 14. Sales in export shall be reported on ACB Form 18 and completion of deliveries in export on ACB Form 19. On ACB Form 14 and 19, the handler shall report whether the shipment is a disposition of reserve almonds withheld in satisfaction of reserve obligation or a disposition of salable almonds in a reserve outlet pursuant to paragraph (c) of this section.

4. Revise § 981.472(b) to read as follows:

§ 981.472 Report of almonds received.

(b) Each handler shall submit a summary report of almonds received for his own account during the following periods:

July to December 31;
 January 1 to March 31.

Each summary report shall be submitted to the Control Board within 30 days after the end of the reporting period and shall show the quantity of almonds received for the handler's own account during the reporting period by county of production and such varieties as may be requested by the Board.

5. Revise § 981.473 by deleting all references to "variety" as follows:

§ 981.473 [Amended]

(a) In paragraphs (a) and (b), insert a comma after "all almonds" and delete "by variety."

(b) In paragraph (c), delete "variety."

(c) In paragraph (e), delete "the variety of almonds in the lot."

(d) In paragraph (f), delete "the variety".

Dated: May 15, 1975.

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

[FR Doc.75-13293 Filed 5-20-75; 8:45 am]

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[50 CFR Part 246]

TRANSPORTATION OF WILDLIFE

Proposed Procedures for Assessment of Civil Penalties

Section 43 Title 18, United States Code prohibits the transportation in interstate or foreign commerce of any wildlife taken in violation of any Act of Congress, State laws, or foreign law or any regulation issued pursuant to such laws. The Act applies not only to the actual wildlife but to any products or parts thereof and to any false records, accounts, label or identifications thereof. Under the Act, it is immaterial whether the wildlife is shipped for commercial or noncommercial purposes.

A person who knowingly and wilfully violates the Act is subject to criminal penalties. In addition, a person who knowingly or who, in the exercise of due care, should know that he is violating the Act may be assessed a civil penalty of not more than \$5,000 for each violation. Each violation constitutes a separate offense.

Therefore, it is the purpose of these proposed regulations to add a new part to carry out the objectives and purposes of the Act insofar as they relate to the civil penalties that may be imposed. The proposed regulations deal with the following matters:

(1) Wildlife refers only to mollusk or crustacean. The Act applies also to wild mammals, wild birds, amphibians, and reptiles but these species are under the jurisdiction of the Department of the Interior.

(2) Enforcement of the Act and procedures for search and seizure of wildlife.

(3) Procedures to be followed in the imposition of a civil penalty.

(4) Appeal procedures from a decision of an administrative law judge.

(5) Enforcement in a U.S. District Court by the Attorney General of any civil penalty imposed.

(6) Institution of forfeiture proceedings against any wildlife seized following the completion of any proceedings involving a civil penalty.

In accordance with Executive Order 11821 dated November 27, 1974, it is hereby certified that the inflationary impact of this action on the nation has been carefully evaluated. The additional federal expenditures required are so minimal that no substantial impact on the nation is anticipated.

These proposed regulations are issued under the authority contained in 18 U.S.C. 43. Written comments, views, or objections on these proposed regulations may be made to the Director, National Marine Fisheries Service, NOAA, U.S. Department of Commerce, Washington, D.C. 20235 no later than June 24, 1975. After reviewing all comments, final regulations will be published as soon as possible.

Issued at Washington, D.C., and dated May 15, 1975.

JACK W. GEHRINGER,
 Acting Director.

PART 246—TRANSPORTATION OF WILDLIFE

Sec.	
246.1	Purpose of regulations.
246.2	Definition.
246.3	Prohibitions.
246.4	Enforcement.
246.5	Penalties.
246.6	Notice of proposed assessment; opportunity for hearing.
246.7	Waiver of hearing; assessment of penalty.
246.8	Appointment of Administrative Law Judge and Agency Representative; notice of hearing.
246.9	Failure to appear; official transcript; record for decision.
246.10	Duties and powers of the Administrative Law Judge.
246.11	Appearance of the respondent and the Agency representative.
246.12	Evidence.
246.13	Filing of Briefs.
246.14	Decisions.
246.15	Remission; mitigation, or compromise.
246.16	Payment of penalty.
246.17	Disposition of seized wildlife, products, property, or items.

Authority: 18 U.S.C. 43, Reorganization Plan No. 4 of 1970 (35 FR 15627).

§ 246.1 Purpose of regulations.

The regulations contained in this part provide uniform rules and procedures for the assessment of civil penalties in connection with violations of the so-called Lacey Act as it relates to mollusks or crustaceans. For regulations regarding other forms of wildlife see Department of the Interior regulations at Parts 11 and 12 of this title.

§ 246.2 Definitions.

(a) "Act" means the provisions of section 43 of Title 18, U.S. Code.

(b) "Authorized Official" means Enforcement Agents of the National Marine Fisheries Service.

(c) "Director" means the Director of the National Marine Fisheries Service or his delegate.

(d) "Person" means any individual, firm, corporation, association, or partnership.

(e) "Respondent" means a person against whom an action is brought under the Act.

(f) "Secretary" means the Secretary of Commerce pursuant to Reorganization Plan No. 4 of 1970 (84 Stat. 2090) or his delegate.

(g) "State" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, and Guam.

(h) "taken" means captured, killed, collected or otherwise possessed.

(i) "wildlife" means any mollusk or crustacean or any part, egg or offspring thereof; the dead body or parts thereof; or any product thereof.

§ 246.3 Prohibitions.

Subsections (a) and (b) of the Act provide that:

(a) Any person who—

(1) Delivers, carries, transports, or ships, by any means whatsoever, or causes to be delivered, carried, transported, or shipped for commercial or noncommercial purposes or sells or causes to be sold any wildlife taken, transported, or sold in any manner in violation of any Act of Congress or regulation issued thereunder, or

(2) Delivers, carries, transports, or ships, by any means whatever, or causes to be delivered, carried, transported, or shipped for commercial or noncommercial purposes or sells or causes to be sold in interstate or foreign commerce any wildlife, taken, transported, or sold in any manner in violation of any law or regulation of any State or foreign country.

(b) Any person who—

(1) Sells or causes to be sold any products manufactured, made, or processed from any wildlife taken, transported, or sold in any manner in violation of any Act of Congress or regulation issued thereunder, or

(2) Sells or causes to be sold in interstate or foreign commerce any products manufactured, made, or processed from any wildlife taken, transported, or sold in any manner in violation of any law or regulation of a State or a foreign country, or

(3) Having purchased or received wildlife imported from any foreign commerce or shipped, transported, or carried in interstate commerce, makes or causes to be made any false record, account, label, or identification thereof, or

(4) Receives, acquires, or purchases for commercial or noncommercial purposes any wildlife—

(i) Taken, transported, or sold in violation of any law or regulation of any State or foreign country and delivered, carried, transported, or shipped by any means or method in interstate or foreign commerce, or

(ii) Taken, transported, or sold in violation of any Act of Congress or regulation issued thereunder * * *

shall be subject to the penalties prescribed * * *

§ 246.4 Enforcement.

(a) Any authorized official or any officer of the Customs Service is authorized to execute any warrant to search for and seize any wildlife, product, property, records, or item used or possessed in violation of the Act with respect to which a civil penalty under § 246.3 may be assessed.

(b) The Director shall notify the owner or consignee of any wildlife, product, property, or item so seized as soon as practicable following such seizure.

(c) Such wildlife, product, property, or item so seized shall be held by such authorized official until proceedings involving the imposition of a civil penalty are completed.

(d) In lieu of holding such wildlife, product, property, or item so seized, the Director may, in his sole discretion, permit such person to post a bond or other surety satisfactory to the Director.

§ 246.5 Penalties.

Any person who knowingly violates or who, in the exercise of due care, should know that he is violating any provision of subsection (a) or (b) of the Act (see § 246.3) may be assessed a civil penalty by the Director of not more than \$5,000 for each violation. Each violation shall constitute a separate offense. Such person shall be given notice and opportunity for a hearing with respect to such violation. Such hearing shall follow the procedures set forth in § 246.6-246.16.

§ 246.6 Notice of proposed assessment; opportunity for hearing.

(a) Prior to the assessment of a civil penalty pursuant to § 246.5 a notice of proposed assessment issued by the Director shall be served personally or by registered or certified mail, return receipt requested, upon the respondent. The notice shall contain:

(1) A concise statement of the facts believed to show a violation;

(2) A specific reference to the provisions of the Act;

(3) The amount of penalty proposed to be assessed.

The notice shall inform the respondent that he has 20 days from receipt of the notice in which to request a hearing or to waive it. The request or waiver shall be in writing and addressed to the Director, National Marine Fisheries Service U.S. Department of Commerce, Washington, D.C. 20235. The notice shall further inform the respondent that if he does not respond to the notice within the 20 days allowed, he shall be deemed to have waived his right to a hearing and to have consented to the making of an assessment without a hearing.

(b) With his request for a hearing or with his written waiver of a hearing, the respondent may submit objections to the proposed assessment. He may deny the existence of the violation or ask that no penalty be assessed or that the amount be reduced. The respondent must set forth in full all facts supporting his denial of the alleged violation or his request for relief.

§ 246.7 Waiver of hearing; assessment of penalty.

(a) If a written waiver of a hearing is timely made, or if a hearing is deemed to have been waived as provided in § 246.6(a), the Director shall proceed either to make an assessment of a civil penalty or to rescind the proposed assessment taking into consideration such showing as may have been made by respondent pursuant to § 246.6(b). Such action shall become the final administrative decision of the Secretary when rendered and any civil penalty assessed shall be collected in accordance with § 246.16. Notice of such final decision shall be promptly sent to the respondent

by registered or certified mail, return receipt requested.

(b) If, despite the waiver of a hearing, the Director believes that there are material facts at issue which cannot otherwise be satisfactorily resolved, he may refer the case to an administrative law judge as provided in § 246.8.

§ 246.8 Appointment of Administrative Law Judge and Agency Representative; notice of hearing.

(a) If a written request for a hearing has been timely made, or the Director determines, pursuant to § 246.7(b), that a hearing should be held, the case shall be assigned to an administrative law judge appointed pursuant to 5 U.S.C. 3105. Written notice of the assignment shall promptly be given to the respondent by the Director, together with the name and address of the person who will present evidence on behalf of the Secretary at the hearing (the agency representative), and thereafter all pleadings and other documents shall be filed directly with the administrative law judge, with a copy served on the agency representative or the respondent as the case may be.

(b) The Director shall deliver to the administrative law judge a copy of the notice of proposed assessment, and response to the respondent thereto, and other materials deemed relevant to the case and shall furnish to the respondent a copy of any such materials not already in respondent's possession.

(c) The administrative law judge shall promptly cause to be served on the parties notice of the time and place of the hearing, which shall not be less than ten (10) days after service of the notice of hearing except in extraordinary circumstances.

§ 246.9 Failure to appear; official transcript; record for decision.

(a) If the respondent fails to appear at the hearing, he will be deemed to have consented to a decision being rendered on the record made at the hearing.

(b) The Director shall provide the services of an official reporter who shall make the only official transcript of the proceedings. Copies of the official transcript may be obtained from the official reporter upon payment of the charges therefor.

(c) The transcript of testimony and exhibits, together with all papers and requests filed in the proceedings, shall constitute the exclusive record for decision.

§ 246.10 Duties and powers of the Administrative Law Judge.

(a) It shall be the duty of the administrative law judge to inquire fully into the facts as they relate to the matter before him. Upon assignment to him and before submission of the case, pursuant to § 246.12, to the Secretary, the administrative law judge shall have authority to:

(1) Rule on offers of proof and receive relevant evidence;

(2) Take or cause depositions to be taken whenever the ends of justice would be served thereby;

(3) Regulate the course of the hearing and, if appropriate, exclude from the hearings persons who engage in misconduct, and strike all testimony of witnesses refusing to answer any questions ruled to be proper which are related to such questions;

(4) Hold conferences for the settlement or simplification of the issues by consent of the parties or upon his own motion;

(5) Dispose of procedural requests, motions or similar matters and order hearings reopened prior to issuance of the administrative law judge's report and recommendations;

(6) Grant requests for appearance of witnesses or production of documents;

(7) Limit lines of questioning or testimony which are immaterial, irrelevant, or unduly repetitious;

(8) Examine and cross-examine witnesses and introduce into the record documentary or other evidence;

(9) Request the parties at any time during the hearing to state their respective positions concerning any issue in the case or theory in support thereof;

(10) Continue, at his discretion, the hearing from day-to-day, or adjourn it to a later date or to a different place;

(11) Take official notice of any matters not appearing in evidence in the record which are among the traditional matters of judicial notice; or of technical or scientific facts within the general or specialized knowledge of the Department of Commerce as an expert body; or of a document required to be filed with or published by a duly constituted Government body: *Provided*, That the parties shall be given notice, either during the hearing or by reference in the administrative law judge's decision, of the matters so noticed, and shall be given adequate opportunity to show the contrary;

(12) Prepare, serve, and submit his initial decision pursuant to § 246.14.

(13) Take any other action necessary and not prohibited by this section or the Act.

§ 246.11 Appearance of the respondent and the agency representative.

The respondent and the agency representative shall have the right to appear at such hearing in person, by counsel, or by other representative, to examine and cross-examine witnesses to the extent required for a full and true disclosure of the facts, to conduct oral argument at the close of testimony and to introduce into the record relevant documentary or other evidence, except that the participation of either party shall be limited to the extent prescribed by the administrative law judge.

§ 246.12 Evidence.

All evidence which is relevant, material, reliable, and probative, and not unduly repetitious or cumulative, shall be admissible in the hearing.

§ 246.13 Filing of briefs.

The respondent and the agency representative may submit a brief to the administrative law judge. The original and one copy of such brief shall be filed within 7 days after the close of the hearing, except that the administrative law judge may, for good cause, grant an extension of such time for filing.

§ 246.14 Decisions.

(a) After the close of the hearing and the receipt of briefs, if any, the administrative law judge shall expeditiously prepare an initial decision. The initial decision shall contain findings of fact, conclusions, and the reasons or basis therefore, upon the material issues presented, and shall specifically find whether the respondent committed the violations alleged and, if so, the amount of the civil penalty to be assessed.

(b) The administrative law judge shall cause his initial decision to be served on the respondent and the agency representative within 20 days after the close of the hearing or the receipt of all briefs, whichever is later, and shall forthwith transfer the record in the case to the Secretary through the Director.

(c) Within 10 days of receipt of the initial decision of the administrative law judge, either the respondent or the agency representative may file with the Secretary by serving the Director, an appeal of the initial decision. If no appeal is received within such period, the initial decision shall become the final administrative decision of the Secretary. If an appeal is received within such period, the Secretary shall render a final decision after considering the record and the appeal. Notice of an appeal by either party shall be promptly given in writing to the other party and notice of the Secretary's final decision upon appeal shall be promptly given in writing to both parties.

§ 246.15 Remission, mitigation, or compromise.

For good cause shown, the Secretary may at any time remit, mitigate, or compromise the assessment of a civil penalty made under the provisions of these regulations.

§ 246.16 Payment of penalty.

The respondent shall have 30 days from receipt of the final assessment decision within which to pay the penalty assessed. Upon a failure to pay the penalty, the Secretary may request the Attorney General to institute a civil action in the appropriate United States District Court to collect the penalty.

§ 246.17 Disposition of seized wildlife, products, property, or items.

(a) Upon the completion of proceeding involving a civil penalty, the Director may proceed in any court of competent jurisdiction against any wildlife, product, property, or item seized as a result of its use or possession in connection with a violation of the Act to have such wildlife, product, property, or item forfeited to the Director.

(b) Any wildlife, product, property, or item forfeited to the Director may be disposed of in such manner as he deems appropriate.

(c) The Director shall return any wildlife, product, property or item seized or the monetary amount if a bond was posted to the owner or consignee if he does not begin an action to have such wildlife, product, property, or item in a court of competent jurisdiction within 30 days following the disposition of the civil penalty pursuant to § 246.7 or § 246.14, whichever is applicable.

[FR Doc. 75-13271 Filed 5-20-75; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

[FRL 376-6]

IDAHO

Approval and Promulgation of Implementation Plans; Extension of Comment Period

This notice extends to June 11, 1975 the period for comments to the notice, published April 10, 1975 (40 FR 16218), proposing disapproval of Regulation S, "Control of Sulfur Oxides Emissions," of the "rules and regulations for the Control of Air Pollution in Idaho." The revised Regulation S was submitted to EPA by the Governor of Idaho as a proposed revision to the Idaho Air Quality Implementation Plan on January 10, 1975.

A request for an extension was submitted on May 8, 1975 by The Bunker Hill Company of Kellogg, Idaho, the source affected by the revised Regulation. EPA has determined that the request is reasonable in that it would allow Bunker Hill time to submit additional comments. Therefore EPA is granting an extension of the comment period to June 11, 1975.

This extension does not provide an extension for comments relating to two additional revisions which were proposed for approval on April 10 in the same FEDERAL REGISTER notice. These revisions are Regulation A, "General Provisions," and Regulation C, "Ambient Air Quality Standards," of the "rules and regulations for the Control of Air Pollution in Idaho."

All interested persons are encouraged to submit written comments on whether the proposed revision should be approved or disapproved as required by section 110 of the Clean Air Act, as amended. Comments received on or before June 11, 1975 will be considered. Comments should be directed to the Regional Administrator, Region X, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101, Attention: Ms. K. Higley, M/S 629. Public comments received will be available for public inspection at the EPA Regional Office and EPA Headquarters at the Freedom of Information Center, Environmental Protection Agency, 401 M Street SW, Washington, D.C. 20460.

This notice is issued under the authority of section 110 of the Clean Air Act, as amended. (42 U.S.C. 1857c-5).

Dated: May 14, 1975.

ROGER STRELOW,
Assistant Administrator for Air
and Waste Management.

[FR Doc.75-13357 Filed 5-20-75; 8:45 am]

[40 CFR Part 180]

CHLOROTHALONIL

[FRL 376-7; PP5E1569/P2]

Proposed Tolerances and Exemptions
From Tolerances for Pesticide Chemicals
in or on Raw Agricultural Commodities

Dr. C. C. Compton, Coordinator, Interregional Research Project No. 4, State Agricultural Experiment Station, Rutgers University, New Brunswick NJ 08903, submitted a pesticide petition (PP 5E1569) to the Environmental Protection Agency on behalf of the IR-4 Technical Committee and the Agricultural Experiment Station of Hawaii. This petition proposed establishment of a tolerance for residues of the fungicide Chlorothalonil (tetrachloroisophthalonitrile) and its metabolite 4-hydroxy-2,5,6-trichloroisophthalonitrile in or on the raw agricultural commodity passion fruit at 3.0 parts per million. (Chlorothalonil has been accepted as the common name for tetrachloroisophthalonitrile.)

The data submitted in the petition and other relevant material have been evaluated. The pesticide is considered useful for the purpose for which the tolerance is sought, and there is no reasonable expectation of residues in eggs, meat, milk, or poultry and § 180.6(a) (3) applies. The tolerance established by amending § 180.275 will protect the public health.

Any person who has registered or submitted an application for the registration of a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act which contains any of the ingredients listed herein may request, on or before June 20, 1975, that this proposal be referred to any advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on this proposal to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, Room 423, East Tower, 401 M St. SW, Washington D.C. 20460. Three copies of the comments should be submitted to facilitate the work of the Agency and others interested in reviewing them. The comments must be received on or before June 20, 1975, and should bear a notation indicating the subject (PP5E1569/P2). All written comments filed pursuant to this notice will be available for public inspection in the Office of the Federal Register Section from 8:30 a.m. to 4 p.m. Monday through Friday.

(Sec. 408(e), Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(e)))

Dated: May 15, 1975.

JOHN B. RITCH, Jr.,
Director, Registration Division.

It is proposed that § 180.275, Subpart C, Part 180, be amended by inserting the new paragraph "3 parts per million * * *" after the paragraph "5 parts per million * * *" to read as follows.

§ 180.275 Chlorothalonil; tolerances for residues.

* * *
3 parts per million in or on passion fruit.

[FR Doc.75-13358 Filed 5-20-75; 8:45 am]

FEDERAL ENERGY
ADMINISTRATION

[10 CFR Part 211]

PASSENGER TRANSPORTATION SERVICES—INCLUSION OF AIR FACILITIES AND SERVICES, FILING PROCEDURES FOR AIR TAXI/COMMERCIAL OPERATORS, PUBLIC AIR CARRIERS

Cancellation of Public Hearing

The Federal Energy Administration hereby gives notice that the public hearing scheduled for May 22, 1975 in the above captioned proceeding has been cancelled. Only two requests to make oral presentations were received by FEA as of 4:30 p.m., May 16, 1975. One of the requests has been withdrawn and the person who made the only other request indicated in his request that in the absence of other participants of the hearing he would submit written comments in lieu of making an oral presentation. Written comments and other data with respect to the proposed amendment may still be submitted to Executive Communications, Room 3309, Federal Energy Administration, Box CR, Washington, D.C. 20461. All such materials received by 4:30 p.m., May 20, 1975 will be considered by FEA before final action is taken on the proposed regulations.

ROBERT E. MONTGOMERY, Jr.,
General Counsel.

MAY 16, 1975.

[FR Doc.75-13365 Filed 5-9-75; 8:45 am]

FEDERAL TRADE COMMISSION

[16 CFR Parts 3, 4]

SEPARATION OF FUNCTIONS AND
EX PARTE COMMUNICATIONS

Notice of Extension of Time To File
Comments

Correction

In FR Doc. 75-12778 appearing on page 21047 in the issue of Thursday, May 15, 1975, the headings should read as set forth above.

[16 CFR Part 255]

GUIDES CONCERNING USE OF ENDORSEMENTS AND TESTIMONIALS IN ADVERTISING

Opportunity To Submit Written Views to Proposed Guides

In addition to the two Guides concerning endorsements by experts and by organizations (16 CFR §§ 255.3 and 255.4) which are published in final form today in the rules and regulations section of this issue of the FEDERAL REGISTER, the Commission is proposing to amend Title 16, Part 255 further by adding three new §§ 255.1, 255.2 and 255.5.

§ 255.1 is an entirely new Guide 1—General considerations—which states certain basic principles that are applicable to all endorsements. Paragraph (a) of this proposed Guide requires that every endorsement reflect the honest views of the endorser, and it incorporates a long established prohibition against statements in endorsements that could not be supported if presented in the advertiser's words rather than the endorser's. See, e.g., "United States v. John J. Fulton Co.," 33 F. 2d 506 (9th Cir. 1929); "American Chemical Paint Co.," 45 F.T.C. 9 (1948).

Paragraph (b) of proposed Guide 1 deals with the advertiser's presentation of endorsement messages. While it does not preclude the editing of an endorser's exact words, it prohibits the obviously deceptive practice of distorting the endorser's opinion or experience with the product by rewording the endorsement or by presenting it out of context. See, e.g., "Country Tweeds, Inc.," 61 F.T.C. 1250, aff'd, 326 F. 2d 144 (2d Cir. 1964); P. Lorillard Co., 46 F.T.C. 735, aff'd, 186 F. 2d 52 (4th Cir. 1950). The first sentence of this paragraph allows an advertiser to continue using an endorsement only so long as he has good reason to believe that the endorser continues to subscribe to the views presented. See "National Dynamics Corp.," 82 F.T.C. 488, mod. on other grds, 492 F. 2d 1333 (2d Cir. 1974), cert denied, 95 S. Ct. 303 (1974).

Paragraph (c) of proposed Guide 1 concerns representations that the endorser uses the endorsed product, and it requires such an endorser to be a "bona fide" user of the product at the time the endorsement was given. The standard of "bona fide" use requires more than mere actual use and reflects the principle stated in the Commission's opinion in "National Dynamics Corp.," supra, that an endorsement may be used only as long as the endorser continues to subscribe to the views presented. An endorsement of a product which is used by an endorser, but which he does not like, would violate this principle, since an endorser's use of a product impliedly represents his approval of it.

§ 255.2 is proposed Guide 2—Consumer endorsements—which was previously published in somewhat different form on

December 1, 1972 (37 FR 25548) as proposed Guide 4 (§ 255.4). Paragraph (a) recites the general principle that endorsements reflecting the experience of an individual consumer will be interpreted as representing the typical performance of the product under like circumstances. See "National Dynamics Corp.," Dkt. 8803 (modified order, March 4, 1975).

Paragraph (b) of proposed Guide 2 relates to the use of professional actors in consumer endorsements. Endorsements which purport to represent the views or opinions of ordinary consumers derive much of their persuasive ability from the fact that the endorser's opinions or reactions are spontaneous and reflect the speaker's actual experiences with or reactions to the advertised product. The undisclosed use of professional actors to simulate this spontaneity may therefore be similar to the undisclosed use of "mock-ups" to simulate actual tests, demonstrations, or experiments. Use of such mock-ups has been prohibited by the Commission in numerous cases. See, e.g., "F.T.C. v. Colgate-Palmolive Co.," 380 U.S. 374 (1964).

Paragraph (c) of proposed Guide 2 would prohibit lay endorsements concerning the effectiveness of drug products. The addition of such a paragraph was suggested in a comment of the Lehigh Valley Committee Against Health Frauds, Lehigh Valley, Pa. In this connection the Commission wishes to call attention to its opinion in "Brown Auto Stabilizer Co.," 81 F.T.C. 745, 760-761 (1972) where, with regard to a "user endorsement," the Commission held that "this type of evidence inherently lacks probative value when a product's efficacy is not readily apparent and can be measured by more objective means." The Commission also directs attention to the conclusion of the Food and Drug Administration, in connection with its review of over-the-counter drug products, that "the patient's subjective judgment is not a proper standard for determining [the] effectiveness" of such products. 37 FR 9464, 9469 (May 11, 1972).

§ 255.5 is proposed Guide 5—Disclosure of material connections—which was also previously published in somewhat different form on December 1, 1972 (37 FR 25548) as proposed Guide 3. This proposed Guide states the general rule that connections between the endorser and the seller of an advertised product which would materially affect the weight or credibility of the endorsement must be fully disclosed. The first sentence of the proposed Guide incorporates, with only minor stylistic modifications, the originally-proposed Guide 3.

The second sentence of the Guide, as presently proposed, is intended to clarify the application of the general principle to one particular connection: the giving of, or promise of, compensation in advance of the giving of an endorsement by an individual. The Guide makes clear that, ordinarily, the prior giving or promise of such compensation need be disclosed only when the individual endorser is a non-expert consumer, and

that such compensation need not ordinarily be disclosed when the endorser is a celebrity.

The Commission believes it is appropriate to treat endorsements by "ordinary consumers" differently from endorsements by celebrities with respect to disclosure of compensation, because it believes that the consuming public generally expects that celebrities, unlike ordinary consumers, generally are compensated in advance for the use of their name in an advertisement. Similarly, with respect to payments to consumers made after an unsolicited endorsement has been given, the Commission does not believe that the fact of such payment, coming only after an endorsement has already been given, would be deemed by the consuming public to bear on the credibility of the endorsement. The Commission would welcome any survey data or other information relating to consumer beliefs or expectations concerning the payment of compensation for the endorsement of celebrities or non-expert consumers.

By indicating certain instances when the compensation of an endorser will be deemed a material connection requiring disclosure, the Commission does not in any way imply that other connections, such as an advertiser's relationship with a testing company or an endorser's financial interest in the advertising company, may not be equally material. The Commission has merely determined that these issues can be more effectively handled by way of the examples to the proposed Guide.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, firms, corporations, organizations, or other parties affected by or having an interest in the Guides on Endorsements and Testimonials to present to the Commission their views concerning the proposed changes in the Guides, including such pertinent information, suggestions, or objections as they may desire to submit. For this purpose, copies of the Guides may be obtained upon request to the Commission. Such data, views, information and suggestions may be submitted by letter, memorandum, brief, or other written communication not later than July 21, 1975, to the Assistant Director, Division of National Advertising, Bureau of Consumer Protection, Federal Trade Commission, Pennsylvania Avenue and Sixth Street, NW., Washington, D.C. 20580. All such statements filed not later than will be considered by the Commission in determining appropriate final action on the proposed Guides.

Text of the proposed Guides follows:
PART 255—GUIDES CONCERNING USE OF ENDORSEMENTS AND TESTIMONIALS IN ADVERTISING

- Sec.
255.1 General considerations.
255.2 Consumer endorsements.
255.5 Disclosure of material connections.

AUTHORITY: The provisions of this Part 255 are issued under 38 Stat. 717, as amended; 15 U.S.C. 41-58.

§ 255.1 General considerations.

(a) Endorsements must always reflect the honest opinions, findings, beliefs, or experience of the endorser. Furthermore, they may not contain any representations which would be deceptive, or could not be substantiated if made directly by the advertiser.

(b) The endorsement message need not be phrased in the exact words of the endorser, unless the advertisement affirmatively so represents. However, the endorsement may neither be presented out of context nor reworded so as to distort in any way the endorser's opinion or experience with the product. An advertiser may use an endorsement only as long as he has good reason to believe that the endorser continues to subscribe to the views presented.

(c) In particular, where the advertisement represents that the endorser uses the endorsed product, then the endorser must have been a bona fide user of it at the time the endorsement is given. Additionally, the advertiser may continue to run the advertisement only so long as he has good reason to believe that the endorser remains a bona fide user of the product.

Example: A magazine advertisement for cigars shows a picture of a well-known entertainer holding a lighted cigar. In fact, the entertainer does not smoke cigars, but posed for the picture only because of compensation paid to him by the cigar manufacturer. The advertisement conveys the impression that the entertainer actually uses the cigars, and this would be a deceptive endorsement of the cigars by the entertainer. [Guide 1]

§ 255.2 Consumer endorsements.

(a) An advertisement employing an endorsement reflecting the experience of an individual consumer will be interpreted as a claim that such experience represents the typical performance of the product under circumstances similar to those depicted in the advertisement. Therefore if the represented performance is not in fact typical, the advertisement should clearly and conspicuously disclose what the typical or ordinary performance would be in the depicted circumstances. The simple disclosure that "not all consumers will get this result" is not sufficient.

(b) Advertisements presenting endorsements by what is represented, directly or by implication, to be an "actual consumer" should utilize actual consumers, in both the audio and the video, or clearly and conspicuously disclose that the persons in such advertisements are professional actors, appearing for compensation.

(c) Claims concerning the efficacy of any drug or other article or device intended (1) to affect the structure or any function or the body of man or other animals and/or intended (2) for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals shall not be made in lay endorsements.

Example 1: An appliance manufacturer prints a statement by a satisfied user that the product served adequately for over eight

years. Even if it is literally true that a particular customer got eight years of life out of an appliance the endorsement would be deceptive if the typical life of the product is substantially less and such typical life is not revealed.

Example 2: An advertisement for a certain brand of flashlight batteries includes a statement by a consumer that the batteries saved his life by lasting three nights while he was lost at sea. If the product would not typically perform the same way in these unusual circumstances, then the advertisement must disclose what the typical performance would be in such circumstances. [Guide 2]

§ 255.5 Disclosure of material connections.

When there exists a connection between the endorser and the seller of the advertised product which might materially affect the weight or credibility of the endorsement, such connection must be fully disclosed. Such a connection would not ordinarily include the payment or promise of payment to an individual (as distinguished from an organizational) endorser as long as the advertiser does not represent that the endorsement was given without compensation. However, when the endorser is neither represented in the advertisement as an expert

nor is known to a significant portion of the viewing public, the payment or promise of payment of compensation prior to the giving of the endorsement must be disclosed.

Example 1: A drug company commissions research on its product by a well-known research organization. The drug company pays a substantial share of the expenses of the research project, but the test design is under the control of the research organization. A subsequent advertisement by the drug company mentions the research results as the "findings" of the well-known research organization. The advertisement should reveal the advertiser's role in originating and financing the study, such as by stating that the study was "commissioned" or "sponsored" by the advertiser. Alternatively, if the drug firm designs the test as well as pays for it, that should be revealed as well.

Example 2: A well-known research organization, acting on its own initiative and not by prior arrangement with any drug company, publishes its findings with respect to products of various drug companies. A subsequent advertisement for one of the drug companies whose product fared well in the tests hails the findings and mentions the testing organization. Notwithstanding the fact that the drug company may have paid the research organization for the use of its name and findings, such payment

would not materially affect the credibility of the endorsement and thus would not need to be disclosed.

Example 3: A film star endorses a particular food product. The endorsement regards only points of taste and individual preference. This endorsement must of course comply with § 255.1; but even though the compensation paid the endorser is substantial, neither the fact nor the amount of compensation need be revealed.

Example 4: A patron of a restaurant, who is neither known to the public nor presented as an expert, is asked for his opinion of a food product served in the restaurant. Consumers generally expect such an endorsement to be given without prior compensation, and the advertisement implies that is the case here. Therefore, the fact of prior compensation must be disclosed.

Example 5: A former astronaut is either on the Board of Directors of, or owns substantial stock in, a motel chain. The astronaut subsequently endorses the company's motels. In either case, the connection between him and the company would be material and should be disclosed. [Guide 5]

Issued May 21, 1975.

By direction of the Commission.

[SEAL]

CHARLES A. TOBIN,
Secretary.

[FR Doc. 75-13296 Filed 5-20-75; 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 THE TREASURY

Office of the Secretary

[Dept. Circular Public Debt Series—No. 16-75, Supplement]

TREASURY NOTES OF SERIES I-1977

Announcement of Interest Rate

MAY 15, 1975.

The Secretary of the Treasury announced on May 14, 1975, that the interest rate on the notes described in Department Circular—Public Debt Series—No. 16-75, dated May 9, 1975, will be 6¾ percent per annum. Accordingly, the notes are hereby redesignated 6¾ percent Treasury Notes of Series I-1977. Interest on the notes will be payable at the rate of 6¾ percent per annum.

JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[FR Doc. 75-13265 Filed 5-16-75; 9:22 am]

[Dept. Circular, Public Debt Series, No. 17-75]

TREASURY NOTES OF SERIES O-1976

Dated and Bearing Interest From June 6, 1975

MAY 16, 1975.

I. INVITATION FOR TENDERS

The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, act amended, invites tenders on a yield basis for \$1,500,000,000, or thereabouts, of notes of the United States, designated Treasury Notes of Series O-1976. The interest rate for the notes will be determined as set forth in Section III, paragraph 3, hereof. Additional amounts of these notes may be issued at the average price of accepted tenders to Government accounts and to Federal Reserve Banks for themselves and as agents of foreign and international monetary authorities. Tenders will be received up to 1:30 p.m., Eastern Daylight Saving time, Thursday, May 22, 1975, under competitive and noncompetitive bidding, as set forth in Section III hereof.

II. DESCRIPTION OF NOTES

1. The notes will be dated June 6, 1975, and will bear interest from that date, payable on a semiannual basis on October 31, 1975, April 30, 1976, and October 31, 1976. They will mature October 31, 1976, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes is subject to all taxes imposed under the Internal Revenue Code of 1954. The notes are subject to estate, inheritance, gift or other excise taxes, whether Federal or

State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes with interest coupons attached, and notes registered as to principal and interest, will be issued in denominations of \$5,000, \$10,000, \$100,000 and \$1,000,000. Book-entry notes will be available to eligible bidders in multiples of those amounts. Interchanges of notes of different denominations and of coupon and registered notes, and the transfer of registered notes will be permitted.

5. The notes will be subject to the general regulations of the Department of the Treasury, now or hereafter prescribed, governing United States notes.

III. TENDERS AND ALLOTMENTS

1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, D.C. 20226, up to the closing hour, 1:30 p.m., Eastern Daylight Saving time, Thursday, May 22, 1975. Each tender must state the face amount of notes bid for, which must be \$5,000 or a multiple thereof, and the yield desired, except that in the case of noncompetitive tenders the term "noncompetitive" should be used in lieu of a yield. In the case of competitive tenders, the yield must be expressed in terms of an annual yield, with two decimals, e.g., 7.11. Fractions may not be used. Noncompetitive tenders from any one bidder may not exceed \$500,000.

2. Commercial banks, which for this purpose are defined as banks accepting demand deposits, and dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowings thereon, may submit tenders for account of customers provided the names of the customers are set forth in such tenders. Others will not be permitted to submit tenders except for their own account. Tenders will be received without deposit from banking institutions for their own account, Federally-insured savings and loan associations, States, political subdivisions or instrumentalities thereof, public pension and retirement and other public funds, international organizations in which the United States holds membership, foreign central banks and foreign States, dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowings thereon, and

Government accounts. Tenders from others must be accompanied by payment of 5 percent of the face amount of notes applied for.

3. Immediately after the closing hour tenders will be opened, following which public announcement will be made by the Department of the Treasury of the amount and yield range of accepted bids. Those submitting competitive tenders will be advised of the acceptance or rejection thereof. In considering the acceptance of tenders, those with the lowest yields will be accepted to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessary. After the determination is made as to which tenders are accepted, an interest rate will be established at the nearest ¼ of one percent necessary to make the average accepted price 100.000 or less. That will be the rate of interest that will be paid on all of the notes. Based on such interest rate, the price on each competitive tender allotted will be determined and each successful competitive bidder will be required to pay the price corresponding to the yield bid. Price calculations will be carried to three decimal places on the basis of price per hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders, in whole or in part, including the right to accept tenders for more or less than the \$1,500,000,000 of notes offered to the public, and his action in any such respect shall be final. Subject to these reservations, noncompetitive tenders for \$500,000 or less without stated yield from any one bidder will be accepted in full at the average price (in three decimals) of accepted competitive tenders.

IV. PAYMENT

Settlement for accepted tenders in accordance with the bids must be made or completed on or before June 6, 1975, at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt, Washington, D.C. 20226. Payment must be in cash, in other funds immediately available to the Treasury by June 6, 1975, or by check drawn to the order of the Federal Reserve Bank to which the tender is submitted, or the United States Treasury if the tender is submitted to it, which must be received at such Bank or at the Treasury no later than: (1) Tuesday, June 3, 1975, if the check is drawn on a bank in the Federal Reserve District of the Bank to which the check is submitted, or the Fifth Federal Reserve District in the case of the Treasury, or (2) Friday, May 30, 1975, if the check is

drawn on a bank in another district. Checks received after the dates set forth in the preceding sentence will not be accepted unless they are payable at a Federal Reserve Bank. Payment will not be deemed to have been completed where registered notes are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished. In every case where full payment is not completed, the payment with the tender up to 5 percent of the amount of notes allotted shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States.

V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive tenders, to make such allotments as may be prescribed by the Secretary of the Treasury, to issue such notices as may be necessary, to receive payment for and make delivery of notes on full-paid tenders allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

WILLIAM E. SIMON,
Secretary of the Treasury.

[FR Doc.75-13211 Filed 5-16-75; 2:53 pm]

WATER CIRCULATING PUMPS, WET MOTOR TYPE

Use in Residential and Commercial Hydronic Heating Systems, From the United Kingdom; Antidumping Proceeding

On April 25, 1975, information was received in proper form pursuant to §§ 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), indicating a possibility that water circulating pumps, wet motor type, suitable for use in residential and commercial hydronic heating systems, from the United Kingdom are being, or are likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 *et seq.*).

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States. This evidence indicates that substantial unit and dollar volume decreases have occurred in the United States industry during the latest three-year period, that there is utilization of less than half the capacity of the U.S. industry, and that imports of the subject merchandise from all sources during the latest three-year period have increased substantially. On the basis of such evidence, it is not deemed necessary to refer the case to the International Trade Commission

pursuant to section 201(c)(22) of the Act (19 U.S.C. 160(c)(22)).

Having conducted a summary investigation as required by § 153.29 of the Customs Regulations (19 CFR 153.29) and having determined as a result thereof that there are grounds for so doing, the U.S. Customs Service is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information received all sources is as follows:

The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption.

This notice is published pursuant to § 153.30 of the Customs Regulations (19 CFR 153.30).

Dated: May 15, 1975.

[SEAL] DAVID R. MACDONALD,
Assistant Secretary of
the Treasury.

[FR Doc.75-13297 Filed 5-20-75; 8:45 am]

DEPARTMENT OF DEFENSE

Office of the Secretary

ADVISORY GROUP ON ELECTRON DEVICES

Advisory Committee Meeting

Working Group D (Mainly Laser Devices) of the DoD Advisory Group on Electron Devices (AGED) will meet in closed session at Lincoln Laboratory, Lexington, Massachusetts on June 11 and 12, 1975.

The purpose of the Advisory Group is to provide the Director of Defense Research and Engineering, the Director, Defense Advanced Research Projects Agency and the Military Departments with technical advice on the conduct of economical and effective research and development programs in the area of electron devices.

The Working Group D meeting will be limited to review of research and development programs which the Military Departments propose to initiate with industry, universities or in their laboratories. The laser area includes programs on developments and research related to low energy lasers for such applications as battlefield surveillance, target designation, ranging, communications, weapon guidance and data transmission. The review will include classified program details and will result in advice or recommendations to government research and development agencies preliminary to decisions or actions, the preliminary disclosure of which would interfere with the orderly conduct of government.

In accordance with section 10(d) of Appendix I, Title 5, United States Code, it has been determined that this Advisory Group meeting concerns matters listed in section 552(b) of Title 5 of the United States Code, specifically subpara-

graphs (1) and (5) thereof, and that accordingly this meeting will be closed to the public.

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

MAY 16, 1975.

[FR Doc.75-13321 Filed 5-20-75; 8:45 am]

ADVISORY GROUP ON ELECTRON DEVICES

Advisory Committee Meeting

Working Group C (Special Devices) of the DoD Advisory Group on Electron Devices (AGED) will meet in closed session at 201 Varick Street, 9th Floor, New York, NY 10014 on June 11, 1975.

The purpose of the Advisory Group is to provide the Director of Defense Research and Engineering, the Director, Defense Advanced Research Projects Agency and the Military Departments with technical advice on the conduct of economical and effective research and development programs in the area of electron devices.

The Working Group C meeting will be limited to review of research and development programs which the Military Departments propose to initiate with industry, universities or in their laboratories. The special device area includes such programs as infrared and night vision sensors. The review will include classified program details and will result in advice or recommendations to government research and development agencies preliminary to decisions or actions, the preliminary disclosure of which would interfere with the orderly conduct of government.

In accordance with section 10(d) of Appendix I, Title 5, United States Code, it has been determined that this Advisory Group meeting concerns matters listed in section 552(b) of Title 5 of the United States Code, specifically subparagraphs (1) and (5) thereof, and that accordingly this meeting will be closed to the public.

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

MAY 16, 1975.

[FR Doc.75-13323 Filed 5-20-75; 8:45 am]

DEFENSE SCIENCE BOARD TASK FORCE ON VERIFICATION

Advisory Committee Meeting

The Defense Science Board Task Force on Verification will meet in closed session on June 18, 1975, at The Pentagon, Arlington, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Director of Defense Research and Engineering on overall research and engineering and to provide long range guidance in these areas to the Department of Defense.

The Task Force will provide an analysis of techniques proposed for verifying compliance with the limitations of the Threshold Test Ban Treaty.

In accordance with section 10(d) of Appendix I, Title 5, United States Code, it has been determined that this Task Force meeting concerns matters listed in section 552(b) of Title 5 of the United States Code, specifically subparagraph (1) thereof, and that accordingly this meeting will be closed to the public.

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

MAY 16, 1975.

[FR Doc.75-13323 Filed 5-20-75; 8:45 am]

DEFENSE SCIENCE BOARD TASK FORCE ON THEATER NUCLEAR FORCES R&D REQUIREMENTS

Advisory Committee Meeting

The Defense Science Board Task Force on Theater Nuclear Forces R&D Requirements will meet in closed session on July 7, 8, and 9, 1975 in the Pentagon, Washington, D.C.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Director of Defense Research and Engineering on overall research and engineering and to provide long range guidance in these areas to the Department of Defense.

The Task Force will provide an analysis of technology and systems applicable to theater nuclear forces and indicate promising solutions to the problem area for possible implementation within the Department of Defense.

In accordance with section 10(d) of Appendix I, Title 5, United States Code, it has been determined that this Task Force meeting concerns matters listed in section 552(b) of Title 5 of the United States Code, specifically subparagraph (1) thereof, and that accordingly this meeting will be closed to the public.

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

MAY 16, 1975.

[FR Doc.75-13324 Filed 5-20-75; 8:45 am]

DDR&E HIGH ENERGY LASER REVIEW GROUP (HELRG)

Meeting; Correction

Reference is made to the closed meetings of the DDR&E High Energy Laser Review Group (HELRG), Joint Meetings of Subpanels on Laser Hardened Materials and Structures and Vulnerability and Effects, scheduled for July 7-10, 1975, in the San Jose, California area and published at 40 FR 20331, May 9, 1975. Notice is hereby given of a change

in dates to read: July 8-11, 1975. The location of the meetings remains the same.

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

MAY 16, 1975.

[FR Doc.75-13288 Filed 5-20-75; 8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

COEUR D'ALENE INDIAN RESERVATION, IDAHO

Ordinance Governing Sale, Distribution and Taxation of Tobacco Products and Liquor

MAY 13, 1975.

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2 (32 FR 13938), and in accordance with the Act of August 15, 1953, Pub. L. 277, 83rd Congress, 1st Session (67 Stat. 586).

I certify that the following ordinance governing the sale, distribution and taxation of tobacco and liquor products on the Coeur d'Alene Indian Reservation was adopted on April 15, 1974 by the Coeur d'Alene Tribe of Indians which has jurisdiction over the area of Indian country included in the ordinance reading as follows:

Whereas, the Coeur d'Alene Tribal Council as the governing body of the Coeur d'Alene Indian Tribe is charged by the Tribal Constitution and By-Laws to manage the affairs of the Coeur d'Alene Tribe and has the responsibility of protecting the health, security and general welfare of the Tribe and its members, and

Whereas, the State of Idaho is without jurisdiction on the Coeur d'Alene Indian Reservation to regulate and control Indian Smoke Shops and Liquor Outlets operated by Tribal members, and

Whereas, the Coeur d'Alene Tribal Council deems it essential to the health, security and general welfare of the Coeur d'Alene Tribe and its members to enact a comprehensive tobacco and liquor ordinance regulating sale and distribution of cigarettes and other tobacco products and liquor products and levying an excise tax upon their distribution and sale on the Coeur d'Alene Indian Reservation,

Now, therefore, the Coeur d'Alene Tribal Council does hereby promulgate and enact the following ordinance:

AN ORDINANCE GOVERNING SALE, DISTRIBUTION AND TAXATION OF TOBACCO AND LIQUOR PRODUCTS WITHIN THE COEUR D'ALENE INDIAN RESERVATION

SECTION 1. Title.

This ordinance shall be known as the Coeur d'Alene Tobacco and Liquor Ordinance.

Sec. 2. Definitions.

As used in this ordinance, the following words and phrases shall each have the designated meaning unless a different meaning is expressly provided or the context is clearly indicated:

(1) "Tribe" shall mean the Coeur d'Alene Indian Tribe.

(2) "Council" shall mean the Coeur d'Alene Tribal Council.

(3) "Cigarettes" shall mean any roll for smoking made wholly or in part of tobacco, irrespective of size or shape and irrespective

of the tobacco being flavored, adulterated, or mixed with any other ingredient, where such roll has a wrapper or cover made of paper or any material, except where such wrapper is wholly or in the greater part made of natural leaf tobacco in its natural state.

(4) "Tobacco Products" shall mean cigarettes, cigars, smoking tobacco, snuff, chewing tobacco, and other kinds and forms of tobacco prepared in such manner as to be suitable for chewing or smoking.

(5) "Tobacco Outlets or Liquor Outlets" shall mean a Tribally licensed retail or wholesale business selling tobacco or liquor products on the Coeur d'Alene Indian Reservation.

(6) "Operator" shall mean an enrolled member of the Coeur d'Alene Tribe licensed by the Tribe to operate a Tobacco Outlet or Liquor Outlet.

(7) "Liquor Products" shall mean all spirituous liquors and beverages.

Sec. 3. Licensing of Tobacco Outlets or Liquor Outlets.

The Council may license one or more Tobacco Outlets or Liquor Outlets within the Coeur d'Alene Indian Reservation.

Sec. 4. Nature of Outlet.

Each Tobacco Outlet or Liquor Outlet licensed hereunder shall be managed by an operator pursuant to a license granted by the Council hereunder, and shall also be managed pursuant to a Federal Indian Trader's License as provided in Section 7 hereof.

Sec. 5. Application for Tobacco Outlet or Liquor Outlet License.

Any enrolled member of the Coeur d'Alene Indian Tribe may apply upon an application form provided by the Council for Tobacco Outlet or Liquor Outlet License. The Tribal Secretary-Treasurer shall receive and process applications, and be the official representatives of the Tribe and the Council in matters relating to Tobacco Outlets or Liquor Outlets excise tax collections, etc. Each application shall be accompanied by an application charge or fee of \$50.00.

Sec. 6. Tobacco Outlet or Liquor Outlet License.

Upon approval of an application, the Council shall issue the applicant a Tobacco Outlet or Liquor Outlet License for a one-year period which shall entitle the operator to establish and maintain one Tobacco Outlet or Liquor Outlet on the Coeur d'Alene Indian Reservation. The license shall be non-transferable. It shall be renewable at the discretion of the Council each year by filing a new application form and payment of the application fee as provided in section 5.

Sec. 7. Trader's License.

No Tobacco Outlet or Liquor Outlet license shall be issued to an operator until he has obtained a Federal Indian Trader's license from the Superintendent of the Northern Idaho Indian Agency. Provided, however, that a full blooded Coeur d'Alene Indian need not obtain a Federal Indian Trader's License to qualify for a Tobacco Outlet license. Revocation of the Federal Indian Trader's License shall be grounds for revocation of the operator's Tobacco Outlet or Liquor Outlet license.

Sec. 8. Excise Tax Imposed.

There is levied and there shall be collected as hereinafter provided, a tax upon the distribution of all cigarettes sold or distributed by a Tobacco Outlet or Liquor Outlet in the amount of 1½ cents per package, which tax may be adjusted and changed by the Council. The Council may levy an additional tax upon the distribution of cigarettes and other

tobacco or liquor products as it deems desirable.

The excise tax levied hereunder shall be added to the retail selling price of tobacco or liquor products sold to the ultimate consumer.

Sec. 9. Purchase of Tobacco or Liquor Inventory.

All wholesale purchases of cigarettes and tobacco products by a Tobacco Outlet shall be from wholesalers within the State of Idaho. Exception to this section can be made as to cigarettes or other tobacco or liquor products that cannot be purchased from an Idaho wholesaler. The Tribe shall have no legal responsibility for any unpaid bills owed by a Tobacco Outlet or Liquor Outlet to a wholesale supplier or to any other person. The Operator shall make arrangements with his wholesalers to send copies of all his Purchase Invoices to the Tribal Office, Plummer Sub-Agency.

Sec. 10. Restricted Sales to Non-Indians.

An operator may not sell more than five cartons of cigarettes per sale to a non-Indian. The Council may restrict sales of other tobacco or liquor products to non-Indians as it deems necessary.

Sec. 11. Restricted Sales to Minors.

An Operator may not sell any tobacco or liquor products to any person under the age of 18 years.

Sec. 12. Tribal Liquor Regulations.

The Council will promulgate regulations governing the operation of liquor outlets before it issues licenses therefor.

Sec. 13. Other Business by Operator.

An Operator may conduct another business simultaneously with managing a Tobacco Outlet or Liquor Outlet for the Tribe. The other business may be conducted on the same premises and the Operator shall not be required to maintain separate books of account for the other business.

Sec. 14. Tribal Liability and Credit.

An Operator is forbidden to represent or give the impression to any supplier or any other person with whom he does business that he is an official representative of the Tribe, authorized to pledge tribal credit or financial responsibility for any of the expenses of his business operation. The operator shall hold the Coeur d'Alene Indian Tribe harmless from all claims and liability of whatever nature. The Tribal Council may revoke the operator's Outlet License if it is not operated in a business like manner or if it does not remain financially solvent or does not pay its operating expenses and bills before they become delinquent.

The Operator shall maintain at his expense adequate insurance covering liability, fire, theft, vandalism and other insurable risks. The liability insurance shall have coverage of at least \$10,000.00 per person and \$25,000.00 per incident.

Sec. 15. Audit and Inspection Bond.

All of the books and other business records of the Tobacco Outlet or Liquor Outlet shall be available for inspection and audit by the Tribal Council or its authorized representative at any reasonable time.

The excise tax owed the Tribe shall be remitted to the Tribal offices monthly with reports thereof on forms to be supplied by the Tribe. The Operator shall furnish a satisfactory bond to the Tribe in the principal amount of \$10,000.00, guaranteeing his payment of excise tax.

Sec. 16. Revocation of Tobacco Outlet and Liquor Outlet Licenses.

Failure of an Operator to abide by the requirements of this ordinance and any additional requirement imposed by the Council will constitute grounds for revocation of the operator's Tobacco Outlet or Liquor Outlet license as well as enforcement of the penalties provided in sec. 17 below.

Sec. 17. Violation—Penalties.

Any person violating the provisions of this ordinance shall be guilty of an offense and subject to a fine in Tribal Court of not less than \$50.00 nor more than \$250.00 and forfeiture of all of the remaining stock of tobacco products or liquor products distributed hereunder and situate in his Tobacco Outlet or Liquor Outlet. The Tribal law enforcement officers shall be empowered to seize forfeited tobacco or liquor products.

Sec. 18. Severability.

If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance, or the application of the provision to other persons or circumstances is not affected.

MORRIS THOMPSON,
Commissioner of Indian Affairs.

[FR Doc.75-13326 Filed 5-20-75;8:45 am]

INDIAN TRIBES PERFORMING LAW AND ORDER FUNCTIONS

Determination

MAY 13, 1975.

This notice is published in exercise of authority delegated by the Secretary of

Tribal entities recognized by Federal Government by State	To employ tribal police	To establish a tribal court	To adopt a tribal Law and order code	To undertake correction functions	To undertake programs aimed at preventing adult crime and juvenile delinquency	To undertake adult and juvenile rehabilitation programs
Florida Seminole.....	X	X	X	X	X	X

MORRIS THOMPSON,
Commissioner of Indian Affairs.

[FR Doc.75-13327 Filed 5-20-75;8:45 am]

Bureau of Land Management

[Serial No. F-21269]

CLIFFORD W. MOSSBERG

Application for Airport Lease

MAY 13, 1975.

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

FAIRBANKS MERIDIAN, ALASKA

T. 5 N., R. 3 E.,

Sec. 26, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 35, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$.

The purpose of this notice is to inform the public that 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

the Interior to the Commissioner of Indian Affairs by 230 DM 2.

Section 601(d), Title 1 of the Omnibus Crime Control and Safe Streets Act of 1968, Pub. L. 90-351, places responsibility on the Secretary of the Interior to determine those Indian tribes which perform law and order functions. The listing published beginning on page 13758 of the May 25, 1973, FEDERAL REGISTER (38 FR 13758) identified all eligible Indian tribes and the specific law and order functions they have responsibility to exercise. Determination concerning Indian tribes not listed is made on an individual basis upon application by such tribes under provisions of the Act of the Law Enforcement Assistance Administration, Department of Justice. The Secretary's authority to make such determination was delegated to the Commissioner of Indian Affairs by 230 DM 1.

It has been determined by the Commissioner of Indian Affairs that the Seminole Indian Tribe of Florida has responsibility to perform all six law and order functions listed in the May 25, 1973, FEDERAL REGISTER (38 FR 13758).

Therefore, the listing published beginning at page 13758 of the May 25, 1973, FEDERAL REGISTER (38 FR 13758) and amended at page 42392 of the December 4, 1974, FEDERAL REGISTER (39 FR 42392) is further amended by adding the listing for the State of Florida and showing the Seminole Tribe of Indians to have law and order responsibility reading as follows:

name and address to the District Manager, Bureau of Land Management, P.O. Box 1150, Fairbanks, Alaska 99707.

HAROLD E. WALDO,
Chief,
Division of Land Office.

[FR Doc.75-13314 Filed 5-20-75;8:45 am]

IDAHO

Modification of District Boundaries

Pursuant to the authority vested in the Secretary of the Interior by the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269) as amended and delegated to the Director, Bureau of Land Management by 235 DM 1.1, it is ordered as follows:

The district boundary modification notice appearing on page 16862 of the April 15, 1975 edition of the Federal Register (F.R. Doc. 75-9784), and transferring administrative responsibility of cer-

tain public lands from the Burley to the Idaho Falls District of the Bureau of Land Management is hereby amended to include the following described lands:

BOISE MERIDIAN, IDAHO

T. 12 S. to 15 S. inclusive, R. 46 E.,
 Sec. 5, W $\frac{1}{2}$;
 Secs. 6, 7, All;
 Sec. 8, W $\frac{1}{2}$;
 Sec. 17, W $\frac{1}{2}$;
 Secs. 18, 19, All;
 Sec. 20, W $\frac{1}{2}$;
 Sec. 29, W $\frac{1}{2}$;
 Secs. 30, 31, All;
 Sec. 32, W $\frac{1}{2}$.
 T. 16 S., R. 46 E.,
 Sec. 5, W $\frac{1}{2}$;
 Secs. 6, 7, All;
 Sec. 8, W $\frac{1}{2}$;
 Sec. 17, W $\frac{1}{2}$;
 Secs. 18, 19, All;
 Sec. 20, W $\frac{1}{2}$;
 Sec. 29, Lots 3, 4, 5 and 6;
 Sec. 30, Lots 1 to 8 inclusive.

This transfer of jurisdiction will not affect the status or use of the public lands involved and shall become effective May 21, 1975.

GEORGE L. TURCOTT,
Associate Director.

MAY 13, 1975.

[FR Doc.75-13313 Filed 5-20-75;8:45 am]

[M 31435]

MONTANA

Airport Lease Application

MAY 12, 1975.

Notice is hereby given that pursuant to the Act of May 24, 1928, 49 U.S.C. 211-214, the Montana Division of Aeronautics has applied for an airport lease for the following land:

PRINCIPAL MERIDIAN, MONTANA

T. 11 N., R. 16 W.,
 Sec. 7. A tract of land in the E $\frac{1}{2}$ NE $\frac{1}{4}$, more particularly described as follows:
 Beginning at the section corner common to Sections 7 and 8 on the south line of Sec. 5, thence South 0°24' East, a distance of 720.09 feet to a point on the boundary of Shriner Placer, MS 3387, between Corner No. 4 and Corner No. 5; thence South 88°23' West, a distance of 434.19 feet to Corner No. 5 of MS 3387; thence South 43°43' West, a distance of 649.59 feet to a point on the boundary of MS 3387 between Corner No. 5 and Corner No. 6, which is the true point of beginning; thence South 43°43' West, a distance of 53.41 feet to Corner No. 6 of MS 3387; thence South 07°47' East, a distance of 461.39 feet to a point on the boundary of MS 3387 between Corner No. 6 and Corner No. 7; thence North 88°48' West, a distance of 517.14 feet to a point; thence due north a distance of 495.21 feet to a point; thence South 88°48' East, a distance of 491.53 feet to the point of beginning.

The purpose of this notice is to inform the public that the filing of this applica-

tion 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 District Manager, Bureau of Land Management, 1819 Holborn Street, Missoula, MT 59801.

LEIGH W. FREEMAN,
*Chief, Lands
 Adjudication Section.*

[FR Doc.75-13310 Filed 5-20-75;8:45 am]

[NM 25485]

NEW MEXICO

Application

MAY 13, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Llano, Inc., has applied for one 4 inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 21 S., R. 27 E.,
 Sec. 7, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 18, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$.

This pipeline will convey natural gas across 0.232 miles of national resource lands in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

RAUL E. MARTINEZ,
*Acting Chief, Branch of Lands
 and Minerals Operations.*

[FR Doc.75-13311 Filed 5-20-75;8:45 am]

[NM 25435, 25500, 25506]

NEW MEXICO

Applications

MAY 13, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for three 4 $\frac{1}{2}$ inch natural gas pipelines rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 30 N., R. 8 W.,
 Sec. 25, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 29, Lots 4, 5, 12 and 13;
 Sec. 35, S $\frac{1}{2}$ NW $\frac{1}{4}$.

These pipelines will convey natural gas across 1.037 miles of national resource lands in San Juan County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the applications should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, 3550 Pan American Freeway, NE, Albuquerque, NM 87107.

RAUL E. MARTINEZ, *Acting
 Chief, Branch of Lands
 and Minerals Operations.*

[FR Doc.75-13312 Filed 5-20-75;8:45 am]

SHOSHONE DISTRICT MULTIPLE USE
ADVISORY BOARD

Postponed Meeting

MAY 14, 1975.

The notice of the scheduled Shoshone District Multiple Use Advisory Board meeting appearing in FR Doc. 75-9826 at page 17047 in the issue of Wednesday, April 16, 1975, and the correction in FR Doc. 75-10693 at page 18013 in the issue of Thursday, April 24, 1975, has been postponed and will be re-scheduled at a later date.

CHARLES J. HASZIER,
District Manager.

[FR Doc.75-13309 Filed 5-20-75;8:45 am]

IDAHO FALLS DISTRICT ADVISORY
COMMITTEE

Postponement of Meeting

Notice is hereby given that the meeting of the Idaho Falls District Advisory Committee which was scheduled for May 29, 1975 at the Bureau of Land Management building, 940 Lincoln Road, Idaho Falls, Idaho has been postponed. The meeting will be rescheduled in the future at which time a notice will be published.

O'DELL A. FRANSEN,
District Manager.

MAY 13, 1975.

[FR Doc.75-13274 Filed 5-20-75;8:45 am]

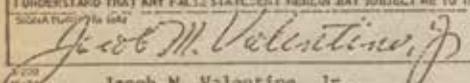
Fish and Wildlife Service
ENDANGERED SPECIES PERMIT

Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant: Jacob M. Valentine, Jr., U.S. Fish and Wildlife Service, University of Southwestern Louisiana, Box 4753, Lafayette, Louisiana 70501.

OMR NO. 42-1103

DEPARTMENT OF THE INTERIOR U.S. FISH AND WILDLIFE SERVICE FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION		1. APPLICATION FOR (Indicate only one)										
		<input type="checkbox"/> IMPORT OR EXPORT LICENSE <input checked="" type="checkbox"/> PERMIT										
		2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED. Collect Mississippi Sandhill Crane (<i>Grus canadensis pulla</i>) eggs in Mississippi and ship or carry to Patuxent Wildlife Research Center.										
3. APPLICANT (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested) Jacob M. Valentine, Jr. U.S. Fish and Wildlife Service Box 4753, Univ. of Southwestern La. Lafayette, La. 70501 Phone: (318) -234-4833 FTS: (504) 348-6630		5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING: EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC. IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED										
4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING: <table border="1"> <tr> <td><input checked="" type="checkbox"/> MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MLE</td> <td>HEIGHT</td> <td>WEIGHT</td> </tr> <tr> <td>DATE OF BIRTH</td> <td>COLOR HAIR</td> <td>COLOR EYES</td> </tr> <tr> <td>PHONE NUMBER WHERE EMPLOYED</td> <td>SOCIAL SECURITY NUMBER</td> <td>OCCUPATION</td> </tr> </table>		<input checked="" type="checkbox"/> MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MLE	HEIGHT	WEIGHT	DATE OF BIRTH	COLOR HAIR	COLOR EYES	PHONE NUMBER WHERE EMPLOYED	SOCIAL SECURITY NUMBER	OCCUPATION	7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If yes, list license or permit number) 4 - SC - 429	
<input checked="" type="checkbox"/> MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MLE	HEIGHT	WEIGHT										
DATE OF BIRTH	COLOR HAIR	COLOR EYES										
PHONE NUMBER WHERE EMPLOYED	SOCIAL SECURITY NUMBER	OCCUPATION										
6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED Mississippi - Sandhill cranes Louisiana - Alligators		8. IF REQUIRED BY ANY STATE DO FOREIGN GOVERNMENTS, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If yes, list jurisdiction and type of document) Miss. Game and Fish Commission Scientific collecting										
9. CERTIFIED CHECK OR MONEY ORDER (or applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE (ENCLOSED IN AMOUNT OF \$)		10. DESIRED EFFECTIVE DATE 1/1/75										
11. DURATION NEEDED Yearly renewable		12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 39 CFR 171.13) MUST BE ATTACHED, IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 39 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED.										
CERTIFICATION												
I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 17, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER 4 OF TITLE 29, AND I FURTHER CERTIFY THAT THE INFORMATION SUPPLIED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.												
SIGNATURE OF APPLICANT 		DATE 6 December 1974										

ATTACHMENT TO FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION

Jacob M. Valentine, Jr.

1723—Mississippi Sandhill Crane (*Grus canadensis pulla*), an endangered species.

Activity: (1) To collect a maximum of six (6) eggs in Jackson County, Mississippi during 1975, to be shipped or carried to Patuxent Wildlife Research Center, Laurel, Maryland for propagation purposes. This study has been approved by Regional Director, Fish and Wildlife Service, Atlanta, Georgia, as part of Wildlife Management Study (Refuge Division): "The reintroduction of sandhill cranes into southwestern Louisiana. The study also has the approval of the Mississippi Game and Fish Commission and permits are issued each year. (2) To hold cranes, dead or alive, or parts thereof, if found dead, wounded or sick, in the course of studies in the area, until the cranes (and parts) can

be disposed of as directed by Director, Fish and Wildlife Service, or his representative.

APRIL 15, 1975.

Mr. C. R. BAVIN, Chief,
Division of Law Enforcement,
U.S. Department of the Interior,
Fish and Wildlife Service,
Washington, D.C. 20240

DEAR MR. BAVIN: Reference is made to PWS/LE PRT 8-143-C. I am submitting the following in response to your questions:

1. What effect will the removal of the 6 eggs have on the wild population?

One egg will be taken only from each nest containing two eggs. Two cranes are rarely raised to subadulthood in one breeding season by a pair of cranes. The average number of nests found per year (1966-1974) is 5.3. In 1974 five nests were found. There are so many limiting factors, such as illegal shooting, disease, constricting nesting habi-

tats, etc., that no one can assess the impact of the removal of 6 eggs on the wild population. Thirty-eight (38) eggs have been removed from the wild (1966-1974), an average of 3.8 eggs per year. From those eggs, eight (8) adults survive; another young was raised from eggs from a captive pair.

2. How will the eggs be shipped to Patuxent Wildlife Research Center?

The eggs will be shipped by commercial air freight in a specially prepared egg case, marked special handling, from New Orleans International Airport; and will be met by Patuxent personnel the same day at Baltimore, Maryland, and carried to the Propagation Center, Patuxent Wildlife Research Center, where they will be placed in commercial incubators. This method has been used the past two years.

3. Where will the hatched birds be kept?

The hatched birds will be kept in brooders until they are old enough to be put in small cages. Later, they will be placed in larger pens with other young cranes.

4. Will you attempt to reintroduce these birds into the wild? If so where?

The birds will not be introduced into the wild. At the present time, a breeding flock is being developed. The program goal is to raise ten (10) breeding pairs at Patuxent. When that objective is reached, then plans will be formulated as to how, when, where, and to what extent reintroduction will be accomplished.

Reference is made to my request for an endangered species permit for alligator research. You may cancel that request until I receive directions from the Regional Director, Atlanta, Georgia, as to my activities relating to the alligator.

Sincerely yours,

JACOB M. VALENTINE, Jr.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street, NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before June 20, 1975 will be considered.

Dated: May 15, 1975.

C. R. BAVIN,
Chief, Division of Law Enforcement,
U.S. Fish and Wildlife Service.

[FR Doc. 75-13300 Filed 5-20-75; 8:45 am]

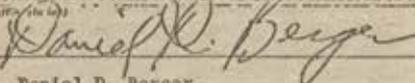
ENDANGERED SPECIES PERMIT

Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant: Daniel D. Berger, 1328 N. Jefferson Street, Milwaukee, Wisconsin 53202.

OMB NO. 43-1070

DEPARTMENT OF THE INTERIOR U.S. FISH AND WILDLIFE SERVICE		FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION													
		4. APPLICATION FOR (Indicate only one) <input type="checkbox"/> IMPORT OR EXPORT LICENSE <input checked="" type="checkbox"/> PERMIT													
3. APPLICANT (Name, complete address and phone number of individual, business or other address if a permit is requested) Daniel D. Berger 1328 N. Jefferson St. Milwaukee, WI 53202 (414) 271-5661		2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED Attachment of USF&WS bands and radio transmitters for use in tracking during migration, and during the post nesting period, the young and adults of peregrine falcons.													
4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING: <table border="1"> <tr> <td>MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MS.</td> <td>HEIGHT 6' 3"</td> <td>WEIGHT 176</td> </tr> <tr> <td>DATE OF BIRTH 7/17/32</td> <td>COLOR HAIR Br.</td> <td>COLOR EYES BR</td> </tr> <tr> <td>PHONE NUMBER WHERE EMPLOYED 271-5661</td> <td colspan="2">SOCIAL SECURITY NUMBER 399 26 2420</td> </tr> <tr> <td colspan="3">OCCUPATION self employed</td> </tr> </table>		MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MS.	HEIGHT 6' 3"	WEIGHT 176	DATE OF BIRTH 7/17/32	COLOR HAIR Br.	COLOR EYES BR	PHONE NUMBER WHERE EMPLOYED 271-5661	SOCIAL SECURITY NUMBER 399 26 2420		OCCUPATION self employed			5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING: EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC. IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED	
MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MS.	HEIGHT 6' 3"	WEIGHT 176													
DATE OF BIRTH 7/17/32	COLOR HAIR Br.	COLOR EYES BR													
PHONE NUMBER WHERE EMPLOYED 271-5661	SOCIAL SECURITY NUMBER 399 26 2420														
OCCUPATION self employed															
6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED Mostly in Wisconsin, near Cedar Grove and Wisconsin Bay. Possibly also in Colo., and Texas.		7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? (YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> (If yes, list license or permit numbers) 3-SC-158 and 00627													
8. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF \$		9. DESIRED EFFECTIVE DATE Sept. 175													
10. DURATION NEEDED 1975 & 1976		11. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? (YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> (If yes, list jurisdiction and type of document) Wis. Banding Permit													
12. ATTACHMENTS: THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (SEE 50 CFR 17.22) MUST BE ATTACHED. IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED. Pertinent attachments under 50 CFR 17.23 are attached.															
CERTIFICATION															
I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 17, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER 1 OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.															
SIGNATURE (in ink) 		DATE 19 April 1975													

3-200
16748
Daniel D. Berger

Additional information required under 50 CFR 17.23.

(1) I propose the attachment of USF&WS leg bands, and colored plastic leg bands (in cooperation with Dr. F. Prescott Ward's color marking scheme), and radio transmitters to the young and adults of the species peregrine falcon, *Falco peregrinus*. Judging from previous years experience, we can expect to handle from 3 to 20 or so.

(2) None to be imported.

(3) For justification of permit see attached appendix prepared by William W. Cochran, Associate Wildlife Specialist with the Illinois Natural History Survey, Urbana, IL. All radio tracking will be done with the help of, and in cooperation with, Mr. Cochran. In addition to performing this work on peregrines in arctic Canada and in Greenland, we intend also to continue past research by trapping migrant peregrines during September and October, principally at two trapping sites: Little Suamico, WI and Cedar Grove, WI. Mr. Tom Erdman conducts the trapping at the Little Suamico site and is the holder of Federal Banding Permit No.

9973. The above in part would be done in conjunction with a long term raptor migration study that I have been involved in since 1950.

Submitted by:

DANIEL D. BERGER,
1328 N. Jefferson St.,
Milwaukee, Wis. 53202.

APRIL 19, 1975.

DEVELOPMENT OF A MINIMUM-BIAS RADIO ATTACHMENT FOR PEREGRINE FALCONS AND OTHER BIRDS OF PREY

NOVEMBER 1974.

In late September and early October 1971 tests were conducted on Assateague Island to test the feasibility of using telemetry devices for the study of wild peregrine falcons. Mr. Earl Baysinger, Assistant Chief of the Rare and Endangered Species Section of the BSW, supervised the work. Scott Ward, Robert Berry, Captain Williston Shor, and myself conducted the tests. The first objective was to test attachment techniques to find one that would in no way harm or encumber the bird and if successful in this

we had hoped to follow a peregrine for a portion of its migratory flight.

In the period September 30 through October 4, five peregrines were fitted with transmitters. Two were fitted with a 2-pound test fine plastic covered wire that held the 1.7 gram transmitter to the back. The wire went around the middle, in front of the legs and behind the wings. Both these were removed by the birds within hours of release. Two were fitted with a 1.6 gram transmitter tied under a tail feather with cotton thread and glued for additional support. Both these slid off in less than 24 hours. They were slipped over the end of the feather without breaking the securing thread. Two were fitted with a transmitter under a tail feather but held in place with a leather bewit-like fastener devised by Captain Shor. Both stayed on for at least two days. One of these was placed on one of the birds which had been used first and had lost its transmitter and was re-captured.

A hurricane to the south and rainy weather conspired to delay migration past the time when our volunteer pilot (and airplane) had to go. Robbed of a means of tracking, there was little point in continuing.

Practically no behavior data was collected except on the one bird that was recaptured, and even this was only for one full day. As far as could be told, there were no ill effects caused by attachment of a 1.6 gram transmitter to the base and underside of an outside tail feather. All participants were in agreement that a tail feather attachment was ideal because (1) there was no contact with living tissue, (2) attachment under an outside tail feather caused no change in aerodynamic properties and (3) a tail feather is ultimately lost in moult.

Further work was postponed.

In late September of 1972 a second opportunity arose when an immature male peregrine was captured and banded by Dan Berger at Cedar Grove, Wisconsin. I used an attachment that was identical to the tie-on method used at Assateague. Although the leather fastener had proved more durable than others tried at Assateague, I hoped its added bulk could be avoided by some modification on the tie-on method. In this case I used a few dabs of fast setting epoxy in place of the Duco cement. The only other change was that the transmitter weight was reduced to 1.4 grams for a 25 day battery life. The transmitter stayed on for three days. This bird was observed visually many times during the three days but was never seen to pull at or preen the tail feather, although he was observed pulling at his leg-band on one occasion. His flight seemed peregrine perfect as far as could be judged by observations. He made numerous kills and migrated to near West Lafayette, Indiana during the period of observation.

He hunted briefly, made a kill, and then migrated after his release. This contrasts with sharp-shinned hawk behavior which, with a body harness, involves a considerable amount of time perched and preening or pulling at the transmitter. This may last from one to several days depending, I assume, on how well the fit is made.

Thus, although the tail-feather attachment was ideal for the bird, for most studies it would be nearly useless if it worked for only a few days. Studies of the behavior of birds raised in captivity and released into the wild would be infinitely improved if telemetry techniques could be used but these would need to last for at least several weeks. Migration or territorial studies also require more time if they are to be of much value. Thus the answer was not just at hand.

Further work was postponed.

In late September of 1974 a third opportunity arose when Dan Berger banded an immature female at Cedar Grove. Attachment of the 1.4 gram transmitter was identical to that of the previous year. The transmitter fell off about 10 hours later. Within this period the bird had roosted for part of the night, hunted the next morning, and migrated over 100 miles, thus, leaving no doubt that the attachment method, although very compatible to the bird, was entirely inadequate for research.

The problem was solved on the fourth try, as described below. On October 12, 1974, an immature male peregrine was banded and released north of Green Bay, Wisconsin. I had found out about this bird at the last minute and through the cooperation of Mr. Tom Erdman, I was able to get there in time to try another method of attachment. The tie-on method with the 1.4 gram transmitter was used as before. However, one tiny hole, the size of the thread, was drilled through the feather shaft about one inch from the base. The thread was taken through this hole and tied the transmitter as before. Until the thread broke or rotted, the transmitter could not slide off. This transmitter stayed on for at least 16 days during which the bird was kept under close observation. After 16 days, tracking was discontinued because of depletion of personal funds and added expenses and difficulties of operating in Mexico.

I feel this is a satisfactory conclusion to the work begun at Assateague in 1971. The 1.4 gram transmitter can be specially made to provide up to 2 months life and a lighter 0.9 gram transmitter can provide up to two and one-half weeks life. With these, many useful studies become possible, without endangering the bird. I feel that the attachment design should be considered a state-of-the-art standard for comparison by the appropriate governmental agencies when considering applications for permits for similar studies on endangered or non-endangered species. Unnecessary trussing of birds with bulky packages should be avoided if at all possible (Note for example: Forbes and Warner, Auk, October 1974. . . . 75 grams on a 75 gram bird).

Aside from the humane or welfare of species aspects, the use of the best possible tagging methods and devices will improve the validity of the data by reducing biases to a minimum.

WILLIAM W. COCHRAN,
Associate Wildlife Specialist,
Illinois Natural History Survey.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street, NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before June 20, 1975 will be considered.

Dated: May 15, 1975.

C. R. BAVIN,
Chief, Division of Law Enforcement,
U.S. Fish and Wildlife Service.

[FR Doc.75-13301 Filed 5-20-75;8:45 am]

National Park Service VOYAGEURS NATIONAL PARK DRAFT MASTER PLAN

Meetings

Public meetings on the draft master plan for Voyageurs National Park in Minnesota will begin at 7:30 p.m. June 10, 1975 at International Falls, Minnesota and continue at other locations on subsequent evenings through June 14. The purpose of the meetings is to elicit public comment on the draft plan prior to its being put into final form.

Each of the meetings will begin at 7:30 p.m. The schedule:

June 10, Rainy River Community College Theater, Highway 71, west edge of International Falls, Minnesota.

June 11, High School, Orr, Minnesota.

June 12, Council Chambers (Room 19), City Hall, 4th and First Street South, Virginia, Minnesota.

June 13, County Commissioners Board Room, St. Louis County Courthouse, 5th Avenue West and First Street, Duluth, Minnesota.

June 14, Solarium Room, Curtis Hotel, 10th and Third Avenue South, Minneapolis, Minnesota.

Individuals wishing to make oral statements are requested to fill out cards available at the door prior to the meeting at which they wish to appear. Written statements may be submitted to the Superintendent, Voyageurs National Park, P.O. Box 50, International Falls, Minnesota 56649 up to 30 days after the meeting.

Dated: May 13, 1975.

MERRILL D. BEAL,
Regional Director
Midwest Region.

[FR Doc.75-13413 Filed 5-20-75;8:45 am]

Office of the Secretary

[INT FES 75-47]

CENTRAL VALLEY PROJECT, CALIFORNIA

Supplement to the Final Environmental Statement Tehama-Colusa Canal

Pursuant to section 103(2)(c) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a supplement to the final environmental statement on the Tehama-Colusa Canal (FES 72-17) dated June 7, 1972. The supplement describes features not covered in the final environmental statement including 2,250 acre-foot Funks Dam and Reservoir, a dual-purpose wasteway and the execution of 13 water distribution and/or water service contracts. The proposed features are located in Glenn, Colusa, Tehama and Yolo Counties, California.

Copies are available for inspection at the following locations:

Office of Assistant to the Commissioner—Ecology, Room 7620, Bureau of Reclamation, Department of the Interior, Washington, D.C. 20240; Telephone (202) 343-4991.

Division of Engineering Support, Technical Services and Publications Branch, E&R Center, Denver Federal Center, Denver, Colorado 80225; Telephone (303) 234-3006. Office of the Regional Director, Bureau of Reclamation, 2800 Cottage Way, Sacramento, California 95825; Telephone (916) 484-4792.

Single copies of the final environmental statement may be obtained on request to the Commissioner of Reclamation or the Regional Director. Please refer to the statement number above.

Dated: May 16, 1975.

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

[FR Doc.75-13317 Filed 5-20-75;8:45 am]

GENERAL ADJUSTMENTS IN POWER RATES

Procedures for Public Participation in General Adjustments in Power Rates

In 1973 the Secretary of the Interior promulgated increased power rates for five Federal reclamation projects. Special procedures were developed to allow public participation in the review of the proposed rates, but the procedures were subject to some criticism.

The ratesetting process for Federal power projects is a complex one that involves literally thousands of determinations in connection with the assembly and analysis of factual data, the application of expert methodology in the fields of hydrology, engineering, law, and accounting, and the exercise of judgment on many questions of policy. It is not an adversary process. It is a legislative-type process that involves a balancing of various viewpoints, including the interest of the water users in the use of power revenues to help repay irrigation costs, the interest of the Federal Government and the taxpayers in the prompt payment of all costs assignable to power, the interest of the power users in obtaining the lowest possible rates consistent with sound business principles, and the interest of Congress in obtaining compliance with congressional objectives.

Although there is not statutory requirement for public participation in the ratemaking process, it is the Department's policy to allow reasonable opportunity for such participation in making general adjustments in power rates. Accordingly, the Department proposes to establish procedures to govern public participation in general adjustments in power rates of the Bureau of Reclamation. They would not apply to the other Interior power marketing agencies. The proposed procedures are set forth below.

The Central Valley Project in California was one of the five projects mentioned above. On November 1, 1973, the Secretary of the Interior promulgated a power rate increase for the Central Valley Project in two steps, the first of approximately 23 percent to be effective

April 1, 1974, and the second step of approximately 25 percent to be effective January 1, 1977. In August 1974 the Department instituted procedures for the review of the second step, including a number of meetings with customers and the conduct of computer studies to test the financial effects of alternative criteria. On February 27, 1975, the United States District Court for the District of Columbia set aside the rates "until hearings which comport with due process are held" but stayed its order with respect to the first step pending appeal.

It is proposed in the case of the Central Valley Project to continue with the activities now in progress by completing the computer studies based on various criteria, as developed in consultation with the customers, and making the results of those studies available to customers and the public. That activity is expected to be completed by the end of May 1975, after which the general procedures as set forth below, or as they may be modified after public comment, will be followed in connection with further activities on the Central Valley Project power rate adjustment.

Public comments on the proposed procedures should be submitted in writing, in duplicate, on or before June 20, 1975, to the Commissioner of Reclamation at the following address:

Commissioner, Attention: 600
Bureau of Reclamation, Room 7612
Department of the Interior
Washington, D.C. 20240
Telephone: (202) 343-6337

After all public comments have been carefully reviewed, a final decision will be made and publicly announced as to the procedures that will be followed.

Dated: May 14, 1975.

ROLAND G. ROBINSON, Jr.,
Deputy Assistant Secretary
of the Interior.

PROPOSED PROCEDURES

PUBLIC PARTICIPATION IN GENERAL ADJUSTMENTS IN POWER RATES

1. *Purpose and scope.* The purpose of these procedures is to afford interested members of the public a reasonable opportunity for meaningful participation in the development of general adjustments in power rates for Federal reclamation projects. It applies to general adjustments in the power rates for a project that are necessary to assure financial feasibility, but it does not apply to other rate actions that have a minor impact on financial feasibility, such as technical adjustments in rates, the adoption of special rates for limited purposes, the adoption of rates for use in connection with power pool operations, and the like.

2. *Statutory authority.* The establishment of power rates for Federal reclamation projects is pursuant to the Reclamation Act of 1902, as amended and supplemented by subsequent enactments, particularly section 9(c) of the Reclamation Project Act of 1939, 43 U.S.C. 485h(c), and the acts specifically

applicable to the project in question. Consideration also is given to the statutes under which other Interior power marketing agencies operate, particularly section 5 of the Flood Control Act of 1944, 16 U.S.C. 825e, and the Bonneville Project Act, as amended, 16 U.S.C. 832 et seq.

3. *Definitions.* As used herein—

a. "Departmental" refers to all personnel and components of the Department of the Interior including, but not limited to, the Office of the Secretary, the Office of the Solicitor, and the Bureau of Reclamation.

b. "Secretary" includes the following officers of the Department of the Interior: Secretary, Acting Secretary, Under Secretary, Acting Under Secretary, Deputy Under Secretary, Assistant Secretary, Acting Assistant Secretary, and Deputy Assistant Secretary.

4. *Tentative rates.* The Secretary will announce by the issuance of a press release that tentative adjusted rates for the project have been prepared and are under consideration. The Department will make available to the power customers of the project and other interested persons information in writing concerning (1) the tentative rates, (2) the principal criteria used in determining the rates, and (3) the schedule for public participation in the review of the tentative rates and in the development of the final rates.

5. *Consultation and comment period.* For a period ending 90 days after the issuance of the press release, or 15 days after the close of the formal public hearing described in paragraph 7. below, whichever is later, all interested persons will have the opportunity to consult with, and obtain information from, departmental representatives, to examine backup data, and to make suggestions for modification of the rates or criteria. At any time during this period any person may file written comments with the Regional Director of the Bureau of Reclamation responsible for power marketing from the project.

6. *Public information meetings.* During the consultation and comment period, one or more public information meetings will be held, during which departmental representatives will explain the tentative rates and criteria, answer questions concerning them, and receive comments from interested persons. Questions which cannot be answered by departmental representatives at the meeting will be answered in writing at least 15 days before the formal public hearing described in paragraph 7. below. The number of such meetings will depend upon the size of the power marketing area of the project, the number of power customers, and the degree of interest shown. A transcript of each meeting will be made and copies will be available on request for a fee.

7. *Formal public hearing.* Not less than 60 days after the issuance of the press release, a formal public hearing will be held for the primary purpose of permitting interested persons to submit written comments or make oral presentations of their views and comments. It

will be conducted by a presiding officer who may be an administrative law judge of the Department. Departmental representatives will be present, and they and the presiding officer may ask questions of the witnesses. Persons interested in speaking should submit a request to the Regional Director at least 3 days before the hearing so a witness list can be developed. The presiding officer may allow others to speak if time allows. The hearing normally will last not more than a day. A transcript of the hearing will be made, and copies will be available on request for a fee.

8. *Proposed decision on rate adjustment.* Following departmental review of the information and comments gathered in the course of the proceedings described above, the Secretary will announce his proposed decision on the rate adjustment. He will issue an explanation of the principal factors leading to such decision.

9. *Review period.* Interested persons will be given at least 30 days to submit comments in writing to the Secretary on the proposed decision.

10. *Final decision on rate adjustment.* Following departmental review of the further written comments, the Secretary will announce his final decision on the rate adjustment and the effective date of the adjusted rates. He will issue an explanation of the principal reasons therefor. The effective date shall be not less than 60 days after the announcement.

[FR Doc.75-13320 Filed 5-20-75;8:45 am]

WATER RESEARCH AND EDUCATION ADVISORY COMMITTEE Committee Establishment

This notice is issued in accordance with the provisions of 5 U.S.C. 552(a) (1), and section 9(a) (2) of the Federal Advisory Committee Act (Pub. L. 92-463). The Secretary of the Interior has established a Water Research and Education Advisory Committee to help solve national, regional and local problems concerning the productive and efficient use of the water resources, to provide scientific expertise to Federal, State and local government agencies, private organizations and individuals; to provide scientific expertise and research support to water programs that relate to foreign relations; to provide scientific competence for teaching and to make available increased research opportunities for graduate students; and to support the rapid dissemination of water research findings and new technologies to the water resource community and to the general public. The Water Research and Education Advisory Committee was established after consultation with the Office of Management and Budget, in accordance with the provisions of the Federal Advisory Committee Act (Pub. L. 92-463). The Committee charter, which contains a description of its nature and purpose and a certification that its establishment is in the public interest, is published in

its entirety below. Further information regarding the document may be obtained from Jack C. Jorgensen, Assistant Director—Technology Transfer, Office of Water Research and Technology, U.S. Department of the Interior, Washington, D.C. 20240, telephone (202) 343-8445, or 343-6783.

Dated: May 15, 1975.

JACK O. HORTON,
Assistant Secretary of the Interior.

ADVISORY COMMITTEE CHARTER

1. *Official designation.* Water Research and Education Advisory Committee.

2. *Objectives.* To provide advice and develop recommendations for policy with respect to planning, evaluating, coordinating and supporting long range research programs; defining pressing water resource problem areas; establishing water research priorities; and delineating the appropriate areas of responsibility of Federal and State agencies in carrying out water research and training programs.

3. *Scope.* The Advisory Committee will serve the following purposes:

Provide a means for the exchange of information and ideas on water science among USDI agencies and State universities and Land-Grant colleges.

Serve as a forum (a) for the analysis of existing and proposed programs with emphasis on program development, (b) for the development of recommendations on policy matters and program activities and (c) for effective mobilization of manpower and other resources.

The Committee and its activities will be fully subject to the provisions of the Federal Advisory Committee Act, P.L. 92-463, 5 USC Sec. 1 et seq. (Supp. III, App. I) and will operate in accordance with existing statutes, regulations and directives for Federal advisory committees.

4. *Period of time to carry out its purpose.* It is expected the Committee will continue beyond the foreseeable future. However, its continuation will be subject to biennial review and renewal as required by Section 14 of P.L. 92-463.

5. *To whom does committee report?* The Committee will report annually to the Secretary of the Interior and the President, National Association of State Universities and Land Grant Colleges concerning the Committee's activities and recommendations.

6. *Responsibility for support services.* An Executive Secretary will be designated by the Assistant Secretary—Land and Water Resources from his staff to be responsible for the official minutes meeting, calls and arrangements. Reimbursement for travel and other official expenses of Committee members will be arranged for by the organizations they represent.

7. *Description of duties.* The Committee is solely advisory in nature. It shall provide a joint effort directed toward attainment of the following goals:

To help solve national, regional and local problems concerning the productive and efficient use of the water resource.

To provide scientific expertise to Federal, State and local government agencies, private organizations and individuals.

To provide scientific expertise and research support to water programs that relate to foreign relations.

To provide scientific competence for teaching and to make available increased research opportunities for graduate students.

To support the rapid dissemination of water research findings and new technolo-

gies to the water resource community and to the general public.

8. *Estimated annual operating costs.* \$5000—2 man year staff support.

9. *Frequency of meetings.* The committee will hold regular semi-annual meetings and such additional special meetings on call of the Chairmen.

10. *Termination date.* The committee will terminate on December 13, 1976, unless prior to that date renewal action is taken as described in paragraph 3 above.

11. *Committee membership.* The committee will function under Co-Chairmen appointed by the Secretary of the Interior and the President of the National Association of State Universities and Land-Grant Colleges. The committee will include an equal number of representatives of USDI and NASULGC as listed below to provide for and attain a balanced membership. The USDI representatives will be designated by the Secretary. The NASULGC representatives will be named by the President of NASULGC. Terms of members will normally be for two years and will be staggered to provide continuity. A representative of the Water Resources Council will serve at the invitation of the Secretary. Initial membership on the committee will be as follows:

USDI (7)

Asst. Sec.—L&W Resources (Co-Chairman); Dir., Office of Water Research and Technology; Comm., Bureau of Reclamation; Dir., Bureau of Land Management; Dir., Office of Land Use and Water Planning; Dir., U.S. Geological Survey; Director, Water Resources Council.

NASULGC (7)

4 representatives of NASULGC: Chairman of the NASULGC Water Committee (Co-Chairman) and 3 others designated by NASULGC to include a President or Chancellor of a significant Water Science University, Vice President or Dean of Research or sciences university; Chairman of the National Graduate Studies of a significant water national Association of Water Research Institute Directors; 2 representatives of UCOWR; (Chairman and one other representative).

12. *Authority.* 42 USC 1961 c provides that the Secretary of the Interior shall obtain the continuing advice and cooperation of private institutions and individuals to assure that the programs authorized (by law) will supplement and not duplicate established water research in otherwise neglected areas and to contribute to a comprehensive, nationwide program of water and water-related resources research—

13. *Determination.* The establishment of the Water Research and Education Advisory Committee is determined to be in the public interest in connection with duties imposed on the Department of the Interior by law (42 USC 1961 c).

Dated: April 8, 1975.

ROGERS C. B. MORTON,
Secretary of the Interior.

[FR Doc.75-13315 Filed 5-20-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Cooperative State Research Service

COOPERATIVE FORESTRY RESEARCH ADVISORY BOARD AND ADVISORY COMMITTEE

Meeting

The Cooperative Forestry Research Advisory Board and the Cooperative Forestry Research Advisory Committee will

meet June 2-4, 1975, at Olympia, Wash., at 1 p.m.

The meetings are open to the public and will be held in the Greenwood Motel.

The Advisory Board, in separate meeting, will consider recommendations for the allocation of research funds.

The Advisory Committee, in separate meeting, will evaluate forestry research requirements and make suggestions for cooperative research activities.

In joint sessions the Board and Committee will review McIntire-Stennis research accomplishments and evaluate progress in planning systems to achieve coordinated, comprehensive forestry research programs.

The names of Board and Committee members and agenda are available upon request to the recording secretary of the Board, R. L. Lovvorn, USDA, CSRS, Washington, D.C. 20250, or the recording secretary of the Committee, J. D. Sullivan, USDA, CSRS, Washington, D.C., 20250. Written statements may be filed with the Committee before or after the meeting.

R. L. LOVVORN,
Administrator.

[FR Doc.75-13341 Filed 5-20-75;8:45 am]

Farmers Home Administration

[Notice of Designation Number A222]

FLORIDA

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in Holmes County, Fla., as a result of a natural disaster consisting of excessive rainfall and flooding from April 9 to 18, 1975.

Therefore, the Secretary has designated this area as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Reubin O'D. Askew that such designation be made.

Applications for Emergency loans must be received by this Department no later than July 10, 1975, for physical losses and February 12, 1976, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 16th day of May 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.75-13388 Filed 5-20-75;8:45 am]

[Notice of Designation Number A221]

IDAHO

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in the following counties in Idaho:

Bear Lake	Washington
Oneida	

The Secretary has found that this need exists as a result of a natural disaster consisting of drought March 1 to October 30, 1974, and a hailstorm July 2, 1974, in Bear Lake County, drought May 1 to September 1, 1974, in Oneida County and drought May 1 to October 1, 1974, in Washington County.

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Cecil D. Andrus that such designation be made.

Applications for Emergency loans must be received by this Department no later than July 10, 1975, for physical losses and February 12, 1976, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 16th day of May 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.75-13334 Filed 5-20-75;8:45 am]

[Notice of Designation Number A218]

KANSAS

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in the following counties in Kansas:

Johnson	Wyandotte
Ottawa	

The Secretary has found that this need exists as a result of a natural disaster consisting of drought June 15 to August 15, 1974, in Johnson County, drought June 1 to November 1, 1974, in Ottawa County and drought June 20 to August 15, 1974, in Wyandotte County.

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of former Governor Robert B. Cocking and Governor Robert F. Bennett that such designation be made.

Applications for Emergency loans must be received by this Department no later than July 10, 1975, for physical losses and February 12, 1976, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invited public participation.

Done at Washington, D.C., this 16th day of May 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.75-13335 Filed 5-20-75;8:45 am]

[Notice of Designation Number A217]

LOUISIANA

Designation of Emergency Areas

The secretary of Agriculture has found that a general need for agricultural credit exists in the following parishes in Louisiana:

Rapides
Grant

The Secretary has found that this need exists as a result of a natural disaster consisting of excessive rainfall August 1 through September 30, 1974, and November 1 through December 31, 1974; and Hurricane Carmen September 7 and 8, 1974.

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Edwin Edwards that such designation be made.

Applications for emergency loans must be received by this Department no later than July 10, 1975, for physical losses and February 12, 1976, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas make it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 16th day of May 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.75-13336 Filed 5-20-75;8:45 am]

[Notice of Designation Number A220]

MICHIGAN

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricul-

tural credit exists in Oakland County, Mich., as a result of a natural disaster consisting of excessive rainfall May 3 through June 21, 1974, drought July 5 through August 10, 1974, and an early freeze September 23, 1974.

Therefore, the Secretary has designated this area as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor William G. Milliken that such designation be made.

Applications for Emergency loans must be received by this Department no later than July 10, 1975, for physical losses and February 12, 1976, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 16th day of May 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.75-13337 Filed 5-20-75;8:45 am]

[Notice of Designation Number A223]

NEW MEXICO

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in Santa Fe County, N. Mex., as a result of a natural disaster consisting of continuous drought from September 1, 1973, through July 31, 1974, frost May 19 and 20, 1974, and excessive rainfall August 15 through September 30, 1974.

Therefore, the Secretary has designated this area as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Jerry Apodaca that such designation be made.

Applications for Emergency loans must be received by this Department no later than July 10, 1975, for physical losses and February 12, 1976, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 16th day of May 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.75-13338 Filed 5-20-75;8:45 am]

[Notice of Designation Number A219]

PENNSYLVANIA

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in Washington County, Pa., as a result of a natural disaster consisting of a severe snowstorm December 1 and 2, 1974.

Therefore, the Secretary has designated this area as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Milton J. Shapp that such designation be made.

Applications for Emergency loans must be received by this Department no later than July 10, 1975, for physical losses and February 12, 1976, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 16th day of May 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.75-13339 Filed 5-20-75;8:45 am]

[Notice of Designation Number A224]

SOUTH DAKOTA

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in the following counties in South Dakota:

Clark Shannon

The Secretary has found that this need exists as a result of a natural disaster consisting of drought June 1 to December 31, 1974, in Clark County and drought April 10 to October 1, 1974, in Shannon County.

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3 (b) including the recommendation of Governor Richard F. Kneip that such designation be made.

Applications for Emergency loans must be received by this Department no later than July 10, 1975, for physical losses and February 12, 1976, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of

proposed rulemaking and invite public participation.

Done at Washington, D.C., this 16th day of May 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.
[FR Doc.75-13340 Filed 5-20-75;8:45 am]

Forest Service

ASPEN-HORSETHIEF TIMBER SALES 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 Aspen-Horsethief Timber Sales, Sierra National Forest. [USDA-PS-R5-FES(Adm)75-41].

The environmental statement concerns a proposal to continue with the preparation and eventual sale of the Aspen-Horsethief Timber Sales. These proposed timber sales are southeast of Mammoth Pool Reservoir on the Pineridge District, Sierra National Forest, Fresno County, California. The total area under study comprises 4,870 acres of National Forest lands within the 25,400-acre Kaiser Inventoried Roadless Area. Roughly 1,000 acres within the Study Area would be scheduled for various types of timber harvesting at the first stage of entry. The remaining acreage would be logged at varying intervals during the next 100 years. The ultimate goal of this proposal is to place the Study Area under long-term multiple use management which includes the production of timber resources.

This final environmental statement was transmitted to CEQ on May 12, 1975. Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service
South Agriculture Bldg., Rm. 3230
12th St. & Independence Ave., SW.,
Washington, D.C. 20250

Sierra National Forest
Federal Building
1130 "O" Street
Fresno, CA 93721

Fresno County Library
Central Headquarters
2420 Mariposa
Fresno, CA 93721

USDA, Forest Service
California Region
630 Sansome St., Rm. 531
San Francisco, CA 94111

Pineridge Ranger District
Big Creek Ranger Station
P.O. Box 38
Big Creek, CA 93605

Calif. State University at Fresno
5241 North Maple Ave.
Fresno, CA 93740

A limited number of single copies are available upon request to Sotero Muniz, Forest Supervisor, Sierra National For-

est, Federal Building, 1130 "O" Street, Fresno, California 93721.

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

DOUGLAS LEISZ,
Regional Forester,
California Region.

[FR Doc.75-13273 Filed 5-20-75;8:45 am]

NEBRASKA NATIONAL FOREST LIVESTOCK ADVISORY BOARD Meeting

The Nebraska National Forest Livestock Advisory Board will meet at 8 p.m., c.d.t., June 17, 1975, at the Forest Service Office, Halsey, Nebraska.

The purpose of this meeting is to elect advisory board members and to discuss various grazing resource management practices.

The meeting will be open to the public. Persons who wish to attend should notify the District Ranger, Bessey Ranger District, Halsey, Nebraska 69142, phone (308) 533-2257.

The Committee has established the following rules for public participation:

1. Members of the public may present oral statements at any time during discussions.
2. Any member of the public who wishes to do so should file a written statement with the Committee, either before or after the meeting.

Dated: May 14, 1975.

R. W. TICE,
Acting Forest Supervisor.

[FR Doc.75-13304 Filed 5-20-75;8:45 am]

ROCK CREEK ADVISORY COMMITTEE Meeting

The Rock Creek Advisory Committee will meet at 7 p.m., on June 17, 1975. Meeting place will be in Drummond, Montana, in the basement of St. Michael's Catholic Church.

The purpose of this meeting is to evaluate four land use management options and to hear a report on the spring runoff of Rock Creek.

The meeting will be open to the public. Any member of the public who wishes to do so shall be permitted to file a written statement with the Committee before or after the meeting. To the extent that time permits, the Committee Chairman may permit interested persons to present oral statements at the meeting.

General participation by members of the public, or questioning of Committee members or other participants shall not be permitted unless approved by the majority of Committee members.

Dated: May 14, 1975.

ROBERT W. DAMON,
Forest Supervisor,
Deerlodge National Forest.

[FR Doc.75-13303 Filed 5-20-75;8:45 am]

**Rural Electrification Administration
CONTINENTAL TELEPHONE CO. OF
MISSOURI**

Proposed Loan Guarantee

Under the authority of Pub. L. 93-32 (87 Stat. 65) and in conformance with applicable agency policies and procedures as set forth in REA Bulletin 320-22, "Guarantee of Loans for Telephone Facilities," dated February 4, 1975, published in proposed form in the FEDERAL REGISTER, September 16, 1974, (Vol. 39 No. 180, pages 33228-33229) notice is hereby given that the Administrator of REA will consider providing a guarantee supported by the full faith and credit of the United States of America for a loan in the approximate amount of \$7,100,000 to Continental Telephone Company of Missouri, Wentzville, Missouri. The loan funds will be used to finance the construction of facilities to extend telephone service to subscribers and improve telephone service for existing subscribers.

Legally organized lending agencies capable of making, holding and servicing the loan proposed to be guaranteed may obtain information and details of the proposed project from Mr. Donald E. Feaster, President, Continental Telephone Company of Missouri, P.O. Box 307, Wentzville, Missouri 63385.

To assure consideration, proposals must be submitted on or before June 20, 1975 to Mr. Donald E. Feaster. The right is reserved to give such consideration and make such evaluation or other disposition of all proposals received, as the Continental Telephone Company of Missouri, and REA deem appropriate. Prospective lenders are advised that financing for this project is available from the Federal Financing Bank under a standing loan commitment agreement with the Rural Electrification Administration.

Copies of the REA Bulletin 320-22 are available from the Director, Information Services Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250.

Dated at Washington, D.C., this 13th day of May, 1975.

DAVID A. HAMIL,
Administrator, Rural
Electrification Administration.

[FR Doc.75-13292 Filed 5-20-75;8:45 am]

**ALABAMA ELECTRIC COOPERATIVE, INC.
Proposed Loan Guarantee**

Under the authority of Pub. L. 93-32 (87 Stat. 65) and in conformance with applicable agency policies and procedures as set forth in REA Bulletin 20-22 (Guarantee of Loans for Bulk Power Supply Facilities), notice is hereby given that the Administrator of REA will consider providing a guarantee supported by the full faith and credit of the United States of America for a loan in the approximate amount of \$265,000,000 to Alabama Electric Cooperative, Inc. These loan funds will be used to finance a project consisting of two 210 MW coal

fired generating units, anti-pollution control equipment, approximately 135 miles of 230 kV transmission lines and related terminal facilities and the acquisition of coal reserves and mining equipment.

Legally organized lending agencies capable of making, holding and servicing the loan proposed to be guaranteed may obtain information on the proposed project, including the engineering and economic feasibility studies and the proposed schedule for the advances to the borrower of the guaranteed loan funds from Mr. Charles Lowman, Manager, Alabama Electric Cooperative, Inc., P.O. Box 550, Andalusia, Alabama 36420.

In order to be considered, proposals must be submitted on or before June 20, 1975 to Mr. Lowman. The right is reserved to give such consideration and make such evaluation or other disposition of all proposals received, as Alabama Electric and REA deem appropriate. Prospective lenders are advised that the guaranteed financing for this project is available from the Federal Financing Bank under a standing agreement with the Rural Electrification Administration.

Copies of REA Bulletin 20-22 are available from the Director, Information Services Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250.

Dated at Washington, D.C., this 13th day of May, 1975.

DAVID A. HAMIL,
Administrator, Rural
Electrification Administration.

[FR Doc.75-13291 Filed 5-20-75;8:45 am]

**Soil Conservation Service
KAERCHER CREEK WATERSHED,
PENNSYLVANIA**

Availability of Negative Declaration

Pursuant to section 102(B)(C) of the National Environmental Policy Act of 1969; part 1500.6(e) of the Council on Environmental Quality Guidelines (38 FR 20550) August 1, 1973; and part 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19651) June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Kaercher Creek Watershed Project, Berks County, Pennsylvania.

The environmental assessment of this federal action indicates that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. Benny Martin, State Conservationist, Soil Conservation Service, USDA, Box 985, Federal Square Station, Harrisburg, Pennsylvania 17108, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project concerns a plan for watershed protection, flood prevention and

recreation. The remaining planned works of improvement as described in the negative declaration include conservation land treatment supplemented by installation of recreation facilities on 30 acres of a 170-acre park.

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

Soil Conservation Service, USDA
Box 985, Federal Square Station
Harrisburg, Pennsylvania 17108

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

No administrative action on implementation of the proposal will be taken until June 5, 1975.

(Catalog of Federal Domestic Assistance Program No. 101904, National Archives Reference Services.)

Dated: May 14, 1975.

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

[FR Doc.75-13307 Filed 5-20-75;8:45 am]

**SALT LICK CREEK WATERSHED
PROJECT, KENTUCKY**

Availability of Negative Declaration

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; part 1500.6(e) of the Council on Environmental Quality Guidelines (38 FR 20550) August 1, 1973; and part 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19651) June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Salt Lick Creek Watershed Project, Bath and Menifee Counties, Kentucky.

The environmental assessment of this federal action indicates that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. Glen E. Murray, State Conservationist, Soil Conservation Service, USDA, 333 Waller Avenue, Lexington, Kentucky 40504, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project concerns a plan for watershed protection and flood prevention. The remaining planned works of improvement as described in the negative declaration include conservation land treatment supplemented by one single-purpose floodwater retarding structure.

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

Soil Conservation Service, USDA
333 Waller Avenue
Lexington, Kentucky 40504

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

No administrative action on implementation of the proposal will be taken until June 5, 1975.

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

Dated: May 14, 1975.

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

[FR Doc.75-13305 Filed 5-20-75;8:45 am]

WEST FORK OF BAYOU LACASSINE WATERSHED PROJECT, LOUISIANA

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 West Fork of Bayou Lacassine Watershed Project, Jefferson Davis Parish, Louisiana, USDA-SCS-EIS-WS-(ADM)-75-4-(F)-LA.

The EIS concerns a plan for watershed protection, flood prevention, and drainage. The EIS is prepared for conservation land treatment and 34 miles of channel work. The channel work will involve clearing and debris removal on 2 miles of existing channel and 32 miles of channel enlargement by excavation. Of the 34 miles of work proposed on existing man-made or previously modified streams or channels, 31 miles will involve those with ephemeral flow. The balance involves existing ponded water.

The final environmental impact statement has been filed with the Council on Environmental Quality.

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

Soil Conservation Service, USDA
3737 Government Street
Alexandria, Louisiana 71301

Dated: May 14, 1975.

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

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

[FR Doc.75-13308 Filed 5-20-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Alcohol, Drug Abuse, and Mental Health
Administration

ADVISORY COMMITTEES

Meetings

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following National Advisory bodies scheduled to assemble during the month of June 1975:

NATIONAL ADVISORY MENTAL HEALTH COUNCIL

June 16-18; 9:30 a.m.
Conference Room 14-105, Parklawn Bldg.,
Rockville, Maryland.

Open—June 16.

Closed—Otherwise.

Contact Mrs. Zella Diggs, Parklawn Bldg.,
Rm. 17C-26, 5600 Fishers Lane, Rockville,
Md. 20852, 301-443-4333.

Purpose. The National Advisory Mental Health Council advises the Secretary, Department of Health, Education, and Welfare, Administrator, Alcohol, Drug Abuse, and Mental Health Administration, and the Director, National Institute of Mental Health, regarding the policies and programs of the Department in the field of mental health. The Council reviews applications for grants-in-aid relating to research, training, and services in the field of mental health and makes recommendations to the Secretary with respect to approval of applications for, and the amount of, these grants.

Agenda. June 16 will be devoted to discussion of NIMH policy issues. These will include current administrative, legislative, and program developments. On June 17-18, the Council will conduct a final review of grant applications for Federal assistance and this session will not be open to the public, in accordance with the determination by the Acting Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to provisions set forth in section 552(b)(4), 552(b)(5), and 552(b)(6), Title 5, U.S. Code, and section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix D).

MENTAL HEALTH SMALL GRANT COMMITTEE

June 26; 1:00 p.m.

June 27-28; 8:30 a.m.

Suite G100 and G101, Sheraton-Park Hotel,
2600 Woodley Road, NW., Washington, D.C.

Open—June 26, 4:00-5:00 p.m.

Closed—Otherwise.

Contact Mary E. Enyart, Parklawn Bldg., Rm.
10C-14, 5600 Fishers Lane, Rockville, Md.
20852, 301-443-4337.

Purpose. The Committee is charged with the initial review of small grant applications for Federal assistance in the program areas administered by the National Institute of Mental Health relating to mental health research and makes recommendations to the National Advisory Mental Health Council for final review.

Agenda. From 4 to 5 p.m., June 26, the meeting will be open for discussion of administrative announcements and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Acting Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of sections 552(b)(4), 552(b)(5), and 552(b)(6), Title 5 U.S. Code and section 10(d) of Pub. L. 92-463 (5 U.S.C. Appendix D).

Substantive information may be obtained from the contact persons listed above.

The NIMH Information Officer who will furnish summaries of the meetings

and rosters of the committee members is Mr. Edwin Long, Deputy Director, Division of Scientific and Technical Information, NIMH, Room 15-105, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852, telephone (301) 443-3600.

Dated: May 16, 1975.

CAROLYN T. EVANS,
Committee Management Officer,
Alcohol, Drug Abuse, and
Mental Health Administration.

[FR Doc.75-13290 Filed 5-20-75;8:45 am]

Food and Drug Administration

CARDIOVASCULAR AND RENAL ADVISORY COMMITTEE

Meeting Cancellation

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. D)), the Food and Drug Administration announced in a notice published in the FEDERAL REGISTER of April 30, 1975 (40 FR 18828), public advisory committee meeting and other required information in accordance with provisions set forth in section 10(a)(1) and (2) of the act.

Notice is hereby given that the Cardiovascular and Renal Advisory Committee meeting scheduled for May 20, 1975, is canceled.

Dated: May 15, 1975.

SAM D. FINE,
Associate Commissioner for
Compliance.

[FR Doc.75-13298 Filed 5-20-75;8:45 am]

National Institutes of Health

NATIONAL COMMISSION ON ARTHRITIS AND RELATED MUSCULOSKELETAL DIS- EASES

Meeting

Pursuant to Pub. L. 92-463, the National Institute of Arthritis, Metabolism, and Digestive Diseases hereby gives notice of the meeting of the National Commission on Arthritis and Related Musculoskeletal Diseases on June 2, 1975, from 1 p.m. to 5 p.m. in the Tulane Room of the Fairmont Hotel, New Orleans, Louisiana. Having agreed at the meeting of May 13-14 on the kinds of consultants required for developing the arthritis plan, a follow-up meeting at the earliest possible date was found to be essential to meet the stringent time requirements. These circumstances precluded earlier public notice.

In accordance with the provisions set forth in section 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the entire meeting will be closed to the public for the discussion and evaluation of individuals being considered for consultant roles to the above Commission, including consideration of qualifications and expertise of these individuals, and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mr. Victor Wartofsky, Information Officer, NIAMDD, National Institutes of Health, Building 31, Room 9A04, Bethesda, Maryland 20014 (301) 496-3583, will provide summaries of the meeting and rosters of the Commission members.

(Catalog of Federal Domestic Assistance Program No. 13.846, National Institutes of Health)

Dated: May 19, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-13414 Filed 5-20-75;8:45 am]

ACTION

NATIONAL VOLUNTARY SERVICE ADVISORY COUNCIL

Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following Council meeting:

Name: National Voluntary Service Advisory Council

Date: May 22, 1975

Place: ACTION, 806 Connecticut Avenue NW., Washington, D.C., Room 522

Time: 8 to 9 am

Purpose of the Meeting: To meet with the Chairman of the Special Subcommittee on Human Resources of the Senate Committee on Labor and Public Welfare.

Meeting of the Advisory Council is open to the public. Any member of the public may file a written statement with the Council before, during, or after the meeting. To the extent that time permits, the Council Executive Officer may allow public presentation of oral statements at the meeting.

All communications regarding this Advisory Council should be addressed to Ms. Elizabeth Allemang, Advisory Council Executive Officer, 806 Connecticut Avenue NW., Washington, D.C. 20525.

ELIZABETH ALLEMANG,
Staff Assistant,
Office of the Director.

[FR Doc.75-13467 Filed 5-20-75;8:45 am]

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

PUBLIC MEETING

Notice is hereby given, pursuant to the Federal Advisory Committee Act, Pub. L. 92-463, that the membership of the Administrative Conference of the United States, which makes recommendations to administrative agencies, to the President, Congress, and the Judicial Conference of the United States regarding the efficiency, adequacy, and fairness of the administrative procedures used by administrative agencies in carrying out their programs, will meet in Plenary Session on Thursday, June 5, 1975 at 1:30 p.m. and on Friday, June 6, 1975 at 9:30 a.m. in Hearing Rooms A and B of the Interstate Commerce Commission, 12th Street and

Constitution Avenue, NW., Washington, D.C.

The Conference will consider (not necessarily in the order stated) the following matters:

1. A proposed statement of the Administrative Conference on strengthening regulatory agency management through seminars for agency officials.

2. A proposed recommendation regarding licensing decisions of the federal banking agencies.

3. A proposed recommendation regarding affirmative action for equal opportunity in nonconstruction employment.

4. A proposed statement of the Administrative Conference on open meeting legislation.

5. A proposed recommendation regarding the choice of forum for judicial review of administrative action.

6. A proposed recommendation regarding procedures to ensure federal facilities compliance with environmental quality standards.

Plenary Sessions of the Conference are open to the public. Further information on the meeting, including copies of proposed recommendations and statements and supporting reports, may be obtained from the Office of the Chairman, 2120 L Street, NW., Suite 500, Washington, D.C. 20037, telephone (202) 254-7020.

Dated: May 14, 1975.

RICHARD K. BERG,
Executive Secretary.

[FR Doc.75-13272 Filed 5-20-75;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 27701; Order 75-5-61]

PHILIPPINE AIR LINES, INC. ET AL.

Order Instituting Investigation Regarding U.S.-Manila 30/90 Day Economy-Class Round-Trip Group Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 16th day of May 1975.

On October 30, 1974, Philippine Air Lines, Inc. (PAL), China Airlines, Ltd. (CAL), Japan Air Lines Company, Ltd. (JAL) and Northwest Airlines, Inc. (Northwest) filed tariff revisions, effective November 29, 1974, extending the validity of the Philippine Government-ordered 30/90-day economy-class round-trip group fares to February 29, 1976. The levels of the previously effective west coast-Manila and Honolulu-Manila 30/90-day fares were increased by approximately 8 percent to \$650 and \$546, respectively, and the Anchorage-Manila 30/90-day fare was reduced to the current Honolulu level for an effective 9 percent reduction.¹

A complaint requesting suspension and investigation of the tariffs was filed by Pan American World Airways, Inc. (Pan American). PAL and Northwest submitted answers in opposition to the complaint. Pan American submitted a reply to PAL's answer.

¹ See Appendix A for currently effective pages.

Upon consideration of the complaint and responses thereto, the Board adopted an order suspending the tariff pending investigation. As required by the provisions of section 801(b) of the Federal Aviation Act of 1958, this order was submitted to the President of the United States.² Thereafter, by letter dated April 25, 1975, the President disapproved the Board's proposed order of suspension.³

The Board has determined to proceed with an investigation of the fares. Pan American's complaint, except to the extent granted herein, will be dismissed.

Accordingly, pursuant to the Federal Aviation Act of 1958, as amended, and particularly sections 204(a), 403, and 1002(j) thereof.

It is ordered, That:

1. An investigation be instituted to determine whether the fares and provisions set forth in Appendix A hereto,⁴ including subsequent revisions and reissues thereof, and rules, regulations and practices affecting such fares and provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and, if found to be unlawful, to take appropriate action to prevent the use of such fares and provisions or rules, regulations, or practices;

2. Except to the extent granted herein, Pan American's complaint in Docket 27250 be and hereby is dismissed;

3. The investigation ordered herein be assigned for hearing before an Administrative Law Judge of the Board at a time and place hereafter to be designated;

4. The motions of Pan American and Northwest to file unauthorized or untimely documents are granted; and

5. Copies of this order be served upon Philippine Air Lines, Inc., China Airlines, Ltd., Japan Air Lines Company, Ltd., Northwest Airlines, Inc. and Pan American World Airways, Inc., which are hereby made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-13325 Filed 5-20-75;8:45 am]

COMMODITY FUTURES TRADING COMMISSION

PUBLIC INFORMATION

Availability of Transition Reports

The Commodity Futures Trading Commission has decided to make available to the public 22 of the 23 reports prepared for the Commission by a task force of the Interagency Steering Committee, which

¹ A copy of the order of suspension submitted to the President is attached as Appendix B.

² The President's letter is attached as Appendix C.

⁴ Appendices A, B, and C filed as part of the original document.

was established by the Office of Management and Budget to facilitate the transfer to the Commission of the administration and enforcement of the Commodity Exchange Act, 7 U.S.C. 1 *et seq.*, pursuant to the Commodity Futures Trading Commission Act of 1974, Pub. Law 93-463, 88 Stat. 1395.²

While the analytical portions of these reports are exempt from the disclosure requirements of the Freedom of Information Act, 5 U.S.C. 552(b)(5), and reflect the type of internal communications that the Commission may not always disclose in the future, the Commission believes that the disclosure of these reports is appropriate in view of their unique nature. It should be understood that these reports do not necessarily reflect the views of the Commission.

Brief descriptions of all 22 reports and the attachments thereto are set forth below. Persons requesting copies should identify the documents desired by reference to the list below. Copies will be made available at a cost not to exceed 10 cents per page. Requests should be addressed to the Commodity Futures Trading Commission, 1120 Connecticut Avenue, NW., Washington, D.C. 20036.

TASK FORCE REPORTS AVAILABLE

Project No.: Title and description

- 201-a----- *Definition of "Future Contract"*: Discussion of the various considerations involved in defining a "futures contract" (7 pages); Exhibit A—CEA release announcing Issuance of Complaint against R. Stovall and Stovall & Stovall, Inc. (Ip.), and Complaint and Notice of Hearing (6 pages) and Annexation thereto of Transactions Reported to Customers by R. L. Stovall (24 pages).
- 201-b----- *Designation of Contract Markets*: Discussion of the various requirements of the Act and of existing regulations for contract market designations (23 pages); Attachment A—Task Force Memorandum discussing economic data that must be submitted to justify designation as a contract market (8 pages); Attachment B—Task Force Memorandum discussing necessary elements of contract market rule enforcement program (8 pages).

² The one report that will not be disclosed—No. 101-b, Collegial Action Procedures—relates to internal Commission matters and is based upon confidential interviews with secretaries of various agencies.

In addition, the Commission is withholding all legal memoranda concerning the Commodity Futures Trading Commission Act that were prepared by attorneys for the task force.

The Commission is also withholding the attachments to the report on Leverage Contracts (No. 217). They reflect confidential interviews—with state securities commissioners, industry persons and others—and to some extent contain confidential commercial and financial information which is itself exempt from disclosure, 5 U.S.C. 552(b)(4).

- Project No.: Title and description
- 201-c----- *Reporting Requirements for "New" Commodities*: Recommendations on extending large-trader reporting system, establishment of reporting levels, reporting on certain foreign market trades and positions, consideration of a "universal" firm system; rule changes necessary to implement these proposals; discussion of issues and options (20 pages); Exhibit A—Text of sections 41, rules 15.00-15.04, 17.00-19.04 (10 pages); Exhibit B—Table showing Quantities of Commodities Fixed for Reporting (1 page); Exhibit C—Table showing Open Contracts in Commodity Futures as of February 28, 1975 (3 pages); Exhibit D—Forms (4 pages).
- 201-d----- *Speculative Limits*: The report recommends that speculative trading and position limits should be established for the newly-regulated commodities, but that the Commission should initially focus its efforts on those commodities in which futures trading is reasonably active. (6 pages); Exhibit A—Text of section 4a (2 pages); Exhibit B—Copy of FEDERAL REGISTER Notice re Proposed Limits on Position and Daily Trading (3 pages); Exhibit C—Testimony of Walter L. Frankland, Jr., Paul Franklin and Charles Matthey before Senate Agriculture Committee (10 pages); Exhibit D—Task Force Memorandum re Rationale for Developing Speculative Limit Levels (10 pages); Exhibit E—Letter to Mr. W. Lebeck (Chicago Board of Trade) from Mr. A. Caldwell re silver futures, and reply (7 pages); Letter to Mr. C. Matthey (Commodity Exchange, Inc.) from Mr. A. Caldwell re silver futures, and reply (4 pages).
- 201-e----- *Commodity Specialists Program*: Discusses the need for developing a staff of economists with specialized knowledge in each actively traded commodity; a proposal and implementation plan. (16 pages).
- 201-f----- *Registration of New Futures Commission Merchants and Floor Brokers*: Discussion of the procedures followed by the CEA for the registration of futures commission merchants and floor brokers in the newly-regulated commodities (4 pages); Exhibit A—Text of sections 4d and 4f (2 pages); Exhibit B—Application and related Forms for Registration as a Floor Broker and a Futures Commission Merchant (26 pages); Exhibit C—Letter to Messrs. T. R. McMinn, R. Kirchoff and C. Piala from Charles Robinson re registration of "new" commodity floor brokers and

- Project No.: Title and description
- 201-f
(—Cont.)
- futures commission merchants with enclosures (notices informing commodity firms of registration requirements) (6 pages); Exhibit D—Letter of 12/19/74 to Mr. W. Lebeck of the Chicago Board of Trade from Mr. A. Caldwell informing him that copies of notices were sent to persons acting as floor brokers or as commodity brokerage firms solely in new commodities (1 page).
- 201-g----- *Trust-fund Treatment of Customers' Funds and Positions in "New" Commodities*: Discussion of requirement that futures commission merchants give trust-fund treatment to customers' funds and positions and the relationship of that requirement to the expanded definition of "commodity" (3 pages); Exhibit A—Text of section 4d (2 pages); Exhibit B—CEA Notice of 2/21/74 to Newly Registered Futures Commission Merchants re Segregation of Commodity Customers' Funds and attachments (relating to CEA rules) (7 pages); Exhibit C—CEA Notice of 2/26/75 to Clearing Associations of Commodity Exchanges re Segregation of Commodity Customers' Money, Securities and Property and attachments (relevant to CEA rules) (7 pages); Exhibit D—CEA Notice of 2/27/75 to Registered Futures Commission Merchants re Segregation of Commodity Customers' Money, Securities and Property (1 page).
- 201-h----- *Regulatory Gap*: Discussion of (1) the exclusive jurisdiction provision of section 2(a)(1) and its impact upon commodity option transactions, commodity futures contracts executed upon foreign exchanges and leverage contracts, and (2) applicability of antifraud provision, section 4b, to these non-contract market transactions (3 pages); Exhibit A—Text of section 201 of the CFTCA (1 page).
- 202 and 204. *Registration of Commodity Trading Advisors and Commodity Pool Operators*: Brief description of the CEA's activities respecting the registration of commodity trading advisors and commodity pool operators, including suggested rules published in FEDERAL REGISTER and the public comments received respecting those suggested rules. (4 pages); Exhibit A—Text of section 202 of the CFTCA (1 page); Exhibit B—Text of section 205 (2 pages); Exhibit C—CEA Notice of Inquiry Concerning Commodity Trading Advisors and Commodity Pool Operators (3 pages); Exhibit D—Public comments in re-

Project No.:	Title and description	Project No.:	Title and description	Project No.:	Title and description
202 and 204— (Continued)	response to Notice of Inquiry (38 pages); Exhibit E—Notice of Inquiry Concerning Recommended Regulations for Registration of Commodity Trading Advisors and Commodity Pool Operators (9 pages); Exhibit F—Comments re Notice of Inquiry (20 pages); Exhibit G—Application Forms for Registration as Commodity Trading Advisors and Commodity Pool Operators and related material (10 pages); CEA Notice of 1/24/75 to all Commodity Trading Advisors and Commodity Pool Operators and related material (4 pages).	207—Cont.	Exhibit A—Task Force Memorandum re Economic Justification of a Contract Market (8 pages).	406.....	U.S. Standards: Discussion of Commission options regarding adopting U.S. commodity-grade standards (5 pages).
203-a and 203-b.	Dual Trading by Floor Brokers and FCM's: Describes alternative courses of action the Commission might consider on the dual trading issue, recommends a course of action, summarizes industry position, recommends language for proposed regulations (9 pages); Exhibit A—Text of section 4j (1 page); Exhibit B—A Report of the Subcommittee on Special Small Business Problems, House Report No. 93-963 (pp. 52, 53 & 54) (2 pages); Exhibit C—Proposed Rules re dual trading by floor brokers (2 pages); Exhibit D—Proposed Rules re dual trading by futures commission merchants (1 page).	208.....	Multiple Delivery Points Procedures: Discussion of proposed policy for evaluating delivery-point adequacy and proposed remedial procedures (31 pages); Exhibit A—Task Force proposed Policy Statement Regarding Deliverable Grades, Delivery Points, Quality Price Differentials, and Locational Price Differentials (8 pages); Exhibit B—Text of section 5a (1 page); Exhibit C—Text of section 5 (1 page).	C.....	"New" Commodity Data Processing and Analysis: Discussion of CEA's data processing and analysis system and the need for expansion and updating of the system and equipment; discusses the publication and reporting performed by CEA currently and options for change (14 pages); Exhibit A—Procedures for Processing Large-Trader Reports (7 pages); Exhibit B—Data sheets (2 pages); Exhibit C—USDA Report reopen interest as of 2/28/75 (9 pages).
204.....	Registration of Associated Persons: Brief description of the CEA's activities respecting the registration of associated persons, including suggested rules published in Federal Register, and of the public comments received respecting those suggested rules. (8 pages); Exhibit A—Text of section 204 (1 page); Exhibit B—CEA Notice of Inquiry re suggested Regulations for Registration of Associated Persons (6 pages); Exhibit C—CEA memo of 12/12/74 to all Futures Commission Merchants (4 pages); Exhibit D—Letter of 12/13/74 to Chicago Mercantile Exchange from A. Caldwell enclosing a notice and supplemental material sent to all registered FCM's. List of active and inactive contract markets and non-regulated commodity markets (3 pages); Exhibit E—Application form for Registration as Associated Person (2 pages); Exhibit F—Letter of 1/15/75 from A. Caldwell to FCM's (6 pages); Exhibit G—CEA Memo of 1/28/75 to agents of FCM's (2 pages); Exhibit H—Registration card (1 page); Exhibit I—Responses to Notice of Inquiry (20 pages).	210.....	Approval of Exchange Rules: Discussion of proposed requirements for contract market submission on exchange rules; proposed definition of "emergency"; proposed actions on exchange administrative rules; proposed review procedures (8 pages); Exhibit A—Text of section 210 of the CFTCA (1 page); Exhibit B—Letter of 11/5/74 to exchanges from A. Caldwell (4 pages); Exhibit C—Responses to letter of 11/5/74 (17 pages); Section 5a(12) of the CFTCA (7 pages); Exhibit D—Task Force Report No. 201-b (34 pages).	F.....	Orientation and Training: Outline of proposed orientation and training program for new employees of the CFTC (4 pages); Exhibit A—Orientation Schedule (2 pages); Exhibit B—Training Program for Market Surveillance Staff (16 pages); Exhibit C—Training Program for Compliance Staff (16 pages).
207.....	"Public Interest" Test and "Economic Purpose" Test of Futures Trading: Discussion of various options regarding these two tests (4 pages);	217.....	Trading in Leverage Contracts For Gold and Silver: An extensive discussion of leverage contracts including background material and analyzes on how such contracts are sold, the impact of state commodity laws, recommendations for Commission actions (91 pages).	Unnumbered.	Summary and Explanation of Projects Deferred: No. 105—Annual Report to Congress; No. 106—Customer Reparations; No. 206—Training and Experience Standards; No. 209—Exchange Arbitration Procedures; No. 211—Injunction Procedures; No. 213—Alteration or Supplementation of Exchange Rules; No. 214—Nonmember Rules; No. 215—Emergency Actions by Exchanges; No. 216—Review of Exchange Disciplinary Action; No. 301—Registration of National Futures Associations; No. 403—Definition of "International Arbitrage"; No. 411-b—Revision and Renumbering of Regulations; No. 414—Cash Investigations and Reports; No. 415—Clearinghouse Records and Reports; No. 416-a—Study of Computerized Trading; No. 416-b—Development of Additional Material for Public Use; No. 417—Report on Need for Futures Trading Insurance; G—Revise Rules of Practice; H—Referrals for Prosecuting Consideration for Criminal Action. (29 pages).
		401.....	Codes of Conduct and Ethics: The report recommends the adoption of a code of conduct for employees and members of the Commission. The proposed code is similar to that of the SEC. (4 pages); Exhibit A—Proposed Code (8 pages); Exhibit B—Proposed Conduct Regulation (35 pages); Exhibit C—Proposal for Report of Security Transactions (2 pages); Exhibit D—Proposal to Require Statements of Financial Interests and Outside Employment (3 pages); Exhibit E—Proposed Form of Statement of Financial Interest and Outside Employment (2 pages); Exhibit F—Proposed Employee Form (2 pages).		Dated: May 15, 1975. By the Commission. WILLIAM T. BAGLEY, Chairman. [FR Doc.75-13290 Filed 5-20-75;8:45 am]
		402.....	"Put" and "Call" Trading: Discussion of Commission approaches regarding option trading regulations and recommends "naked" puts and calls be prohibited as quickly as possible (5 pages); Exhibit A—Text of section 4c (1 page).		ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION HANFORD PLANT, RICHLAND, WASH. Negative Declaration Notice is hereby given that a negative declaration has been prepared by the
		404.....	Definition of Bona Fide Hedging: Discussion of Commission options regarding defining "bona fide" hedging (4 pages); Exhibit A—Proposed Federal Register document adopting hedging definition (11 pages).		

Energy Research and Development Administration (ERDA) and placed in the ERDA Public Document Rooms at 1717 H Street, Washington, D.C., and at the Richland Operations Office, Federal Building, Richland, Washington, for public inspection. The negative declaration covers a project proposed for the FY 1976 Budget which has been submitted to the Congress. The declaration sets forth the background for the decision that an environmental statement is not required to support the project and the reasons therefor. The proposed project is to construct additional double-shelled waste storage tanks at the ERDA Hanford Plant at Richland, Washington. The environmental assessment prepared for the project is also available for inspection in the same Public Document Rooms.

Dated at Washington, D.C., this 7th day of May 1975.

For the Energy Research and Development Administration.

JAMES L. LIVERMAN,
Assistant Administrator for
Environment and Safety.

[FR Doc.75-13286 Filed 5-20-75;8:45 am]

HIGH LEVEL WASTE STORAGE, SAVANNAH RIVER PLANT, S.C.

Negative Declaration

Notice is hereby given that a negative declaration has been prepared by the Energy Research and Development Administration (ERDA) and placed in the ERDA Public Document Rooms at 1717 H Street, Washington, D.C., and at the Savannah River Operations Office, Savannah River Plant, Aiken, South Carolina for public inspection. The negative declaration covers a project proposed for the FY 1976 Budget which has been submitted to the Congress. The declaration sets forth the background for the decision that an environmental statement is not required to support the project and the reasons therefor. The proposed project is to construct Additional Facilities for High Level Waste Storage at the ERDA Savannah River Plant, Aiken, South Carolina. The environmental assessment prepared for the project is also available for inspection in the same two Public Document Rooms.

Dated at Washington, D.C., this 7th day of May 1975.

For the Energy Research and Development Administration.

JAMES L. LIVERMAN,
Assistant Administrator for
Environment and Safety.

[FR Doc.75-13285 Filed 5-20-75;8:45 am]

LIQUID METAL FAST BREEDER REACTOR PROGRAM

Availability of Staff Statement for Public Hearing Concerning Proposed Final Environmental Statement

By notice in the FEDERAL REGISTER of Friday, April 25, 1975 (40 FR 18218), the

U.S. Energy Research and Development Administration (ERDA), announced a public hearing concerning the Proposed Final Environmental Statement on the Liquid Metal Fast Breeder Reactor (LMFBR) Program. The hearing will commence at 10:00 a.m. on May 27, 1975, in the auditorium of the General Services Administration, 18th and F Streets, NW., Washington, D.C. The notice advised that an ERDA staff statement summarizing and addressing the issues raised in the written comments on the Proposed Final Statement will be made available prior to the hearing to all hearing participants.

Accordingly, notice is hereby given that the referenced ERDA staff statement is now available. That statement has been sent to all persons that have signified their intention to participate in the hearing and to all persons who submitted written comments on the Proposed Final Environmental Statement. The statement will be made available to others upon written request to W. H. Pennington, Office of the Assistant Administrator for Environment and Safety, ERDA, Washington, D.C. 20545, received not later than 10:00 a.m. on May 27, 1975.

Dated at Washington, D.C. this 15th day of May 1975.

JAMES L. LIVERMAN,
Assistant Administrator for
Environment and Safety.

[FR Doc.75-13284 Filed 5-20-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 376-5]

AMERICAN CYANAMID CO.

Renewal of Temporary Tolerance

American Cyanamid Co., PO. Box 400, Princeton, NJ 08540, was granted a temporary tolerance for combined negligible residues of the herbicide N-(ethylpropyl)-3,4-dimethyl-2,6-dinitrobenzenamine, formerly N-(1-ethylpropyl)-2,6-dinitro-3,4-xylylidine, and its metabolite 4-[(1-ethylpropyl)amino]-2-methyl-3,5-dinitrobenzyl alcohol in or on corn grain at 0.1 part per million on April 10, 1974, in connection with Pesticide Petition No. 4G1451 (notice was published in the FEDERAL REGISTER of April 18, 1974, (39 FR 13913)). This tolerance expired April 10, 1975.

The company has requested a 1-year renewal of the temporary tolerance to obtain additional experimental data. It is concluded that such a renewal of the temporary tolerance will protect the public health. A condition under which this temporary tolerance is renewed is that the herbicide be used in accordance with the temporary permit which is being issued concurrently and which provides for distribution under the American Cyanamid Co. name.

This temporary tolerance expires May 15, 1976. Residues remaining in or on the above raw agricultural commodity after expiration of this tolerance will not

be considered actionable if the pesticide is legally applied during the term, and in accordance with provisions of the temporary permit/tolerance.

This section is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (39 FR 18805).

Dated: May 15, 1975.

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

[FR Doc.75-13361 Filed 5-20-75;8:45 am]

[FRL 377-4]

ANSUL CO.

Establishment of Temporary Tolerance

The Ansul Co., PO. Drawer 1165, Weslaco, TX 78596, submitted a petition (PP 3G1357) requesting establishment of a temporary tolerance for residues of the herbicide methanearsonic acid (expressed as As₂O₃), resulting from application of its monosodium salt, in or on the raw agricultural commodity sugarcane at 0.39 part per million. (This petition was originally designated Pesticide Petition No. 3F1357, and was filed (38 FR 8016) on March 8, 1973. Subsequently, the petitioner amended the petition by proposing a temporary tolerance for residues of the herbicide resulting from application of its monosodium salt (only) in or on sugarcane at 0.39 part per million.)

It has been determined that this temporary tolerance will protect the public health. It is therefore established on condition that the herbicide be used in accordance with the temporary permit being issued concurrently and which provides for distribution under the Ansul Co. name. (For a related document, see this issue of the FEDERAL REGISTER, page 22132.)

This temporary tolerance expires May 15, 1976. Residues remaining in or on the above raw agricultural commodity after expiration of this tolerance will not be considered actionable if the pesticide is legally applied during the term, and in accordance with provisions of the temporary permit/tolerance.

This action is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346 a(j)), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (39 FR 18805).

Dated: May 15, 1975.

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

[FR Doc.75-13366 Filed 5-20-75;8:45 am]

[FRL 376-4]

AREAWIDE WASTE TREATMENT

Management Planning Approvals; Area and Agency Designations

Pursuant to section 208 of the Federal Water Pollution Control Act Amendments of 1972, notice is hereby given of approvals of designation of areawide waste treatment management planning areas and agencies for the period April 5, 1975 through May 1, 1975.

The following area and agency designations have been approved:

Boston, Massachusetts (Metropolitan Area Planning Council, 44 School Street, Boston, Massachusetts 02108)

Worcester, Massachusetts (Central Massachusetts Regional Planning Commission, 70 Elm Street, Worcester, Massachusetts 01609)

Fitchburg, Massachusetts (Montachusett Regional Planning Commission, 150 Main Street, Fitchburg, Massachusetts 01420)

Puerto Rico (Commission for the Development and Administration of Areawide Waste Treatment Plans for the North Metropolitan Area, Puerto Rico Environmental Quality Board, San Juan, Puerto Rico 00910)

Nassau-Suffolk Counties, Long Island, New York (Nassau-Suffolk Regional Planning Board, Planning Building, Suffolk County Center, Veterans Memorial Highway, Hauppauge, Long Island, New York 11787)

Volusia County, Florida (Volusia Council of Governments, County Courthouse Annex, Daytona Beach, Florida 32014)

Brevard County, Florida (Brevard County Planning and Zoning Department, 2575 N. Courtenay Parkway, Merritt Island, Florida 32952)

Bay County, Florida (Northwest Florida Planning and Advisory Council, 5321 'B' W. Highway 98, Panama City, Florida 32401)

Dallas-Ft. Worth, Texas (North Central Texas Council of Governments, PO Drawer COG, Arlington, Texas 76011)

Beaumont-Port Arthur, Texas (Southeast Texas Regional Planning Commission, PO Drawer 1387, Nederland, Texas 77627)

Houston, Texas (Houston-Galveston Area Council, PO. Box 32777, Houston, Texas 77027)

Powder River, Wyoming (Powder River Areawide Planning Organization, Box 685, Sheridan, Wyoming 82801)

Southeast, Utah (Southeastern Utah Association of Governments, 109 S. Carbon Avenue, Price, Utah 84501)

Yellowstone Tongue, Montana (Areawide Planning Organization, Powder River County Courthouse, Breadus, Montana 59317)

Rifle, Colorado (Colorado West Area Council of Governments, PO. Box 351, Rifle, Colorado 81650)

Clark County, Washington (Regional Planning Council of Clark County, 2400 T Street, Vancouver, Washington 98601)

Seattle, Washington (Municipality of Metropolitan Seattle, 410 West Harrison, Seattle, Washington 98119)

JAMES L. AGEK,
Assistant Administrator for
Water and Hazardous Materials.

MAY 15, 1975.

[FR Doc.75-13362 Filed 5-20-75;8:45 am]

[FRL 376-8; OPP-180014A]

MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH

Denial of Request for Specific Exemption To Use DDT To Control Rabid Bats

On July 3, 1974, a notice appeared in the FEDERAL REGISTER (39 FR 24530) which announced the issuance of a specific exemption to the Massachusetts Department of Public Health (hereafter referred to as the "Applicant") to use DDT for emergency rabid bat control; this action was taken pursuant to the provisions of section 18 (40 CFR Part 166) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 7 U.S.C. 136). Part 166 was issued on December 3, 1973 (38 FR 33303), and prescribes requirements for exemption of Federal and State agencies for use of pesticides under emergency conditions.

The specific exemption was granted on the basis of information provided by the Applicant to the Environmental Protection Agency (EPA); it was noted that since DDT would only be applied in a judiciously supervised program to the attics of houses or to the exit holes of roofs where bats might be located, no irreversible adverse environmental effects were anticipated as a result of the use of DDT in that control program. The program was authorized from June 14 to September 30, 1974.

The Applicant has now submitted an application for a specific exemption during calendar year 1975, which, if granted, would terminate on June 30, 1975. Interested parties are referred to the application on file in the Office of the Director, Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M St., SW., Room E-347, Washington, D.C. 20460.

BACKGROUND

The rabies virus is endemic to Massachusetts populations of the big brown bat (*Eptesicus fuscus*) and the little brown bat (*Myotis lucifugus*). The exemption granted previously was subject to the following conditions:

- That the bats were dwelling with humans;
- That the above be confirmed by the local health agents, the colony located and the exit(s) determined. In such cases as the local officials needed help, the Department of Public Health personnel would provide on-site consultations;
- That the DDT be placed in exits and/or in places where bats rest if such were accessible or access could be provided;
- That the property owner or occupant agreed to make the necessary structural modifications to prevent reinfestations;
- That all pest control operators who would be exposed to bats had had pre-exposure duck-embryo rabies vaccine;
- That the actual control operation be under the supervision of State health officials or competent local health agents approved by the State; and
- That a final report be submitted to EPA regional personnel.

Considering information which the Applicant has gathered on the habits of these bats and the incidence of bat bites, he feels that there is a small but real possibility that rabies may be transmitted to humans; in addition, even though the possibility is small, the fact that it exists creates a fear in the minds of people and can lead to widespread concern. The Applicant expects that the nature and scope of the problem will remain constant and that it will recur each year between April and September, and to some extent, during warm spells in the winter, as the Applicant has observed in early 1974.

DECISION

After consideration of the material submitted by the Applicant, evaluation of the public health risk associated with Massachusetts' bat populations containing endemic rabies, and consultation with the Rabies Control Unit, Center for Disease Control, DHEW, Atlanta, Georgia, EPA has decided to deny the request for a specific exemption, because:

- The Applicant has failed to demonstrate that significant public health problems will occur without the use of DDT, this being one of the requirements of the section 18 regulations (§ 166.1) which allow exemptions to be granted under the amended FIFRA; and
- In fact, treatment of bat populations with DDT will likely increase the probability of humans or pets being bitten, because bats intoxicated with DDT often fall to the ground and die very slowly.

This decision is also based on the following factors: The low frequency of endemic rabies prevalent in bat populations of both species would result in many bats that may be a nuisance but do not carry or transmit rabies being killed; and in recent years, there have been no cases of human rabies due to bat bites.

It should be noted that modifications of the EPA Rules of Practice were promulgated on March 12, 1975, providing special procedures to be followed in the case of an application under section 3 or 18 of the amended FIFRA to allow use of a pesticide at a site and on a pest for which registration has been finally cancelled; the modifications were published in the FEDERAL REGISTER on March 18, 1975 (40 FR 12361). These special procedures do not apply in this case, since the registration of DDT for use by public health officials in disease control programs has not been cancelled (FEDERAL REGISTER of July 7, 1972 (37 FR 13375)).

Finally, the Applicant is advised that, pursuant to § 166.5 of the section 18 regulations and the conditions under which the previous specific exemption was granted, a final report on the 1974 program which utilized DDT to suppress bat populations in Massachusetts is required.

Dated: May 16, 1975.

JAMES L. AGEK,
Assistant Administrator for
Water and Hazardous Materials.

[FR Doc.75-13359 Filed 5-20-75;8:45 am]

[FRL 377-2; OPP-180019A]

NEW HAMPSHIRE DEPARTMENT OF AGRICULTURE AND DIVISION OF PUBLIC HEALTH

Denial of Request for Specific Exemption To Use DDT To Control Rabid Bats

On September 3, 1974, a notice appeared in the FEDERAL REGISTER (39 FR 31944) which announced the issuance of a specific exemption to the New Hampshire Department of Agriculture and Division of Public Health (hereafter referred to as the "Applicant") to use DDT for emergency rabid bat control; this action was taken pursuant to the provisions of section 18 (40 CFR Part 166) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 7 U.S.C. 136). Part 166 was issued on December 3, 1973 (38 FR 33303), and prescribes requirements for exemption of Federal and State agencies for use of pesticides under emergency conditions.

The specific exemption was granted on the basis of information provided by the Applicant to the Environmental Protection Agency (EPA); it was noted that since DDT would only be applied in a judiciously supervised program to the attics of houses or to the exit holes of roofs where bats might be located, no irreversible adverse environmental effects were anticipated as a result of the use of DDT in that control program. The final report of the 1974 program has been filed with the EPA in compliance with the reporting requirements under § 166.5 of the section 18 regulations. The program was authorized from August 27 to October 30, 1974.

The Applicant has now submitted an application for a specific exemption during calendar year 1975, which if granted, would terminate on October 30, 1975. Interested parties are referred to the application on file in the Office of the Director, Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M St., SW., Room E-347, Washington, D.C. 20460.

BACKGROUND

The rabies virus is endemic to New Hampshire populations of the big brown bat (*Eptesicus fuscus*) and the little brown bat (*Myotis lucifugus*). The exemption granted previously was subject to the following conditions:

- That the bats were dwelling with humans;
- That the above be confirmed by the local health agents, the colony located and the exit(s) determined. In such cases as the local officials needed help, the Department of Agriculture or Department of Public Health personnel would provide on-site consultations;
- That the DDT be placed in exits and/or in places where bats rest if such were accessible or access could be provided;
- That the property owner or occupant agreed to make the necessary structural modifications to prevent reinfestations;
- That all pest control operators who would be exposed to bats had had pre-exposure duck-embryo rabies vaccine;

f. That the actual control operation be under the supervision of State health officials or competent local health agents approved by the State;

g. That the applicator reported the amount of DDT used to the New Hampshire Department of Agriculture within three days after treatment and;

h. That a final report be submitted to EPA regional personnel.

Considering information which the Applicant has gathered on the habits of these bats and the incidence of bat bites, he feels that there is a small but real possibility that rabies may be transmitted to humans; in addition, even though the possibility is small, the fact that it exists creates a fear in the minds of people and can lead to widespread concern. The Applicant expects that the nature and scope of the problem will remain constant and that it will recur each year between April and September, and to some extent, during warm spells in the winter.

DECISION

After consideration of the material submitted by the Applicant, evaluation of the public health risk associated with New Hampshire's bat populations containing endemic rabies, and consultation with the Rabies Control Unit, Center for Disease Control, DHEW, Atlanta, Georgia, EPA has decided to deny the request for a specific exemption, because:

a. The Applicant has failed to demonstrate that significant public health problems will occur without the use of DDT, this being one of the requirements of the section 18 regulations (§ 166.1) which allow exemptions to be granted under the amended FIFRA; and

b. In fact, treatment of bat populations with DDT will likely increase the probability of humans or pets being bitten, because bats intoxicated with DDT often fall to the ground and die very slowly.

This decision is also based on the following factors: the low frequency of endemic rabies prevalent in bat populations of both species would result in many bats that may be a nuisance but do not carry or transmit rabies being killed; and in recent years, there have been no cases of human rabies due to bat bites.

It should be noted that modifications of the EPA rules of practice were promulgated on March 12, 1975, providing special procedures to be followed in the case of an application under section 3 or 18 of the amended FIFRA to allow use of a pesticide at a site and on a pest for which registration has been finally cancelled; the modifications were published in the FEDERAL REGISTER on March 18, 1975 (40 FR 12261). These special procedures do not apply in this case, since the registration of DDT for use by public health officials in disease control programs has not been cancelled (FEDERAL REGISTER of July 7, 1972 (37 FR 13375)).

Dated: May 16, 1975.

JAMES L. AGKE,
Assistant Administrator for Water
and Hazardous Materials.

[FR Doc. 75-13360 Filed 5-20-75; 8:45 am]

[FRL 377-1]

OFFICE OF RESEARCH AND DEVELOPMENT

Plans To Evaluate Proprietary Equipment

The Environmental Protection Agency (EPA), Office of Research and Development, plans to conduct comparison studies of prototype instrumentation to measure carbon monoxide and suspended particulates. The prototype instrumentation will be compared with existing instrumentation and with the reference method if applicable.

Specifically, EPA is seeking instrumentation for carbon monoxide measurement which uses coulometry as its measurement principle, has a measurement range of 0-5 ppm, is portable and is suitable for field use. Instrumentation for suspended particulates must employ beta-gauge technique and give both respirable and total suspended particulates. The period of performance is 9 months, with an effective date of the study June 1, 1975.

Any developer/manufacturer wishing to offer the loan of such a device for use in these studies without fee and at no expense to the government may do so by applying directly to the Director, Chemistry and Physics Laboratory, NERC, Research Triangle Park, N.C.

As a condition to such offer and acceptance, the lender must agree that the results of the aforementioned study shall not be used to indicate or imply that EPA approves, recommends or endorses any proprietary product or proprietary material, or which has as its purpose an intent to cause directly or indirectly the advertised product to be used or purchased because of EPA study reports or results.

EPA reserves the right to restrict and/or limit the acceptance of devices to those which EPA deems to be best suited for the purpose of this study.

Applications in response to this notice must be received by the Laboratory Director concerned no later than June 5, 1975.

Dated: May 15, 1975.

WILSON K. TALLEY,
Assistant Administrator
for Research and Development.

[FR Doc. 75-13363 Filed 5-20-75; 8:45 am]

[FRL 376-3; OPP-32000/252]

RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(d) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown

below. The labeling furnished by applicant will be available for examination at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street SW., Washington, D.C. 20460.

On or before July 21, 1975, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street SW., Washington, D.C. 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after July 21, 1975.

Dated: May 14, 1975.

JOHN B. RITCH, Jr.,
Director,
Registration Division.

APPLICATIONS RECEIVED (OPP-32000/252)

EPA File Symbol 10807-UO. Aero Mist, Inc., 990 Industrial Park Dr., Marietta GA 30060. MISTY RESIDUAL AND FLYING INSECT KILLER. Active Ingredients: (5-Benzyl-3-furyl)methyl 2,2-dimethyl-3-(2-methylpropenyl)cyclopropanecarboxylate 0.350%; Related compounds 0.048%. Aromatic petroleum hydrocarbons 0.464%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA File Symbol 5590-RAR. Aerosol Techniques, Inc., Old Gate Ln., Hilford CT 06460. SPRAY DISINFECTANT AND AIR DEODORANT, CODE NO. 239-31D. Active Ingredients: Ethyl Alcohol 44.25%; Essential Oils 0.10%; n-Alkyl (50% C14, 40% C12, 10% C16) dimethyl benzyl ammonium chloride 0.33%; o-phenylphenol 0.25%. Method of Support: Application proceeds under 2(a) of interim policy. PM32

EPA File Symbol 901-TI. Aerosol Co., Inc., PO Box 120, 525 N. 11th St., Neodesha KS 66757. INSECTICIDE, AEROSOL RESMETHRIN-2%. Active Ingredients: (5-

Benzyl-3-furyl)methyl 2,2-dimethyl-3-(2-methylpropenyl)cyclopropanecarboxylate 2.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA File Symbol 150-UI. Anderson Chem. Co., Box 141, Litchfield MN 55355. A-DINE IODINE SANITIZER. Active Ingredients: Butoxy polypropoxy polyethoxy ethanol-iodine complex 12.47%; Polyethoxy polypropoxy polyethoxy ethanol-iodine complex (providing 1.8% titratable iodine) 0.37%. Method of Support: Application proceeds under 2(b) of interim policy. PM34

EPA Reg. No. 1526-264. Arizona Agrochemical Co., PO Box 21537, Phoenix AZ 85036. SEVIN 7.5 with 50% SULFUR. Active Ingredients: Carbaryl (1-naphthyl-N-methylcarbamate) 7.50%; Sulfur 50.00%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Added pest. PM12

EPA File Symbol 10088-LT. Athea Labs., Inc., 4180 N. 1st St., Milwaukee WI 53212. SELECTIVE HERBICIDE #5 WEED KILLER. Active Ingredients: Dimethylamine Salt of 2,4-Dichlorophenoxyacetic Acid 12.25%. Method of Support: Application proceeds under 2(c) of interim policy. PM23

EPA File Symbol 8612-TE. B & G Co., PO Box 20372, Dallas TX 75220. B & G TAPP-1.3. Active Ingredients: Pyrethrins 1.3%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA File Symbol 3487-EG. Bacon Products Co., Inc., PO Box 8127, Chattanooga TN 37431. EAGLES-7 SPRA-KILL INSECT BOMB. Active Ingredients: o-Isopropoxyphenyl methylcarbamate 0.500%; 2,2-dichlorovinyl dimethyl phosphate 0.186%; Related compounds 0.014%; Petroleum distillates 70.843%. Method of Support: Application proceeds under 2(c) of interim policy. PM12

EPA File Symbol 4-EUL. Bonide Chem. Co., Inc., 2 Wurz Ave., Yorkville NY 13495. BONIDE CROTOX (T) SEED PROTECTOR POWDER. Active Ingredients: Thiram (Tetramethylthiuram disulfide) 99.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM11

EPA File Symbol 5440-RNI. Cardinal Chem. Co., Green & Sansome St., San Francisco CA 94111. 3-6-10 CONCENTRATED INSECTICIDE. Active Ingredients: Pyrethrins 3.00%; Piperonyl butoxide, technical (Consists of 4.80% (butylcarbityl) (6-propylpiperonyl) ether and 1.20% related compounds) 6.00%; N-octyl bicycloheptene dicarboximide 10.00%; Petroleum distillate 81.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA File Symbol 10882-RU. Chem-Power, Hanover Industrial Park, 15 Wing Dr., Cedar Knolls NJ 07927. STRIKE OUTDOOR FOG SPRAY. Active Ingredients: Pyrethrins 0.3%; Piperonyl Butoxide, Technical (Equivalent to 2.4% of (butylcarbityl) (6-propylpiperonyl) ether and 0.6% of related compounds) 3.0%; Petroleum Distillate 96.7%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA File Symbol 35933-R. Chemetics Labs., Inc., 11394 Harry Hines Blvd., Dallas TX 75229. C-L DISINFECTANT CLEANER #800. Active Ingredients: Didecyl dimethyl ammonium chloride 4.5%; Tetrasodium ethylenediamine tetraacetate 2.0%; Sodium carbonate 1.0%; Sodium metasilicate, anhydrous 0.5%. Method of Support: Ap-

plication proceeds under 2(b) of interim policy. PM31

EPA File Symbol 35934-R. Chemply, Inc., PO Box 18049, Pittsburgh PA 15236. LIQUID CHLORINE. Active Ingredients: Chlorine 100%. Method of Support: Application proceeds under 2(c) of interim policy. PM34

EPA File Symbol 4715-GUR. Colorado International Corp., 5321 Dahlia St., Commerce City CO 80022. GRAIN GARD DUST NO. 2. Active Ingredients: Malathion; 0,0-dimethyl dithiophosphate of diethyl mercaptosuccinate 2%. Method of Support: Application proceeds under 2(c) of interim policy. PM16

EPA File Symbol 14762-E. Conco Chem. International, Box 2057, Bayamon PR 00619. CONOSECT. Active Ingredients: (5-Benzyl-3-furyl)methyl 2,2-dimethyl-3-(2-methylpropenyl)cyclopropanecarboxylate 0.250%; Related compounds 0.034%; Aromatic petroleum hydrocarbons 0.331%; Petroleum distillate 99.375%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA Reg. No. 121-5. Cutte Labs., Inc., 4th & Parker St., Berkeley CA 94710. CUTTER INSECT REPELLENT. Active Ingredients: N,N-Diethyl-metaltolamide 28.74%; Other Isomers 1.51%; Dimethyl Phthalate 1.5%; Butyl dimethyl dihydro-gamma-pyrone carboxylate 1.25%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA File Symbol 6754-AI. Dettelbach Pesticide Corp., PO Box 9986, 4111 Peachtree Rd., NE, Atlanta GA 30319. PROFESSIONAL ORKINBAN LAWN INSECTICIDE. Active Ingredients: Chlorpyrifos (O,O-diethyl 0-(3,5,6-trichloro-2-pyridyl)phosphorothioate) 12.8%; 2,2-Dichlorovinyl dimethyl phosphate 3.1%; Related Compounds 0.2%; Aromatic Petroleum Derivative Solvent 7.2%. Method of Support: Application proceeds under 2(c) of interim policy. PM13

EPA Reg. No. 464-368. Dow Chem., U.S.A., Ag-Organics Dept., PO Box 1706, Midland MI 48640. DURSBAN M INSECTICIDE. Active Ingredients: O,O-Diethyl O-(3,5,6-trichloro-2-pyridyl) phosphorothioate 41.2%; Aromatic petroleum derivative solvent 29.5%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Added use. PM12

EPA File Symbol 279-GNNI. FMC Corp., Agricultural Chem. Div., 100 Niagara St., Middleport NY 14105. SUPER LEAF DROPPER DEFOLIANT. Active Ingredients: Sodium chlorate (NaClO3) 28.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM25

EPA File Symbol 1021-RGAN. McLaughlin Gormley King Co., 8810 10th Ave. N., Minneapolis MN 55427. PYROCIDE INTERMEDIATE 7253. Active Ingredients: Pyrethrins 1.43%; Piperonyl butoxide, technical (Equivalent to 3.29% (butylcarbityl) (6-propylpiperonyl) ether and 0.57% related compounds) 2.86%; N-octyl bicycloheptene dicarboximide 2.86%; 2-(1-Methylethoxy) phenol methylcarbamate 14.28%; Petroleum distillate 5.72%. Method of Support: Application proceeds under 2(c) of interim policy. PM12

EPA File Symbol 11800-RI. Midwest Agricultural Warehouse Co., 150 S. Main, Freemont NB 68025. CLEAN CROP DIAZINON AG500 INSECTICIDE. Active Ingredients: 0,0-diethyl 0-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 48%; Xylene 36%. Method of Support: Application proceeds under 2(c) of interim policy. PM15

- EPA File Symbol 12310-RL. Misco International Chem. Inc., 1021 S. Noel Ave., Wheeling IL 60090. SELECT-K #1 LAWN WEED KILLER. Active Ingredients: Dimethylamine salt of 2-(2-methyl-4-chlorophenoxy) propionic acid 3.66%; Dimethylamine salt of 2,4-dichlorophenoxyacetic acid 8.07%; Dimethylamine salt of Dicamba (3,6-Dichloro-o-anisic acid) 0.84%; Dimethylamine salts of related compounds 0.11%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Method of Support changed from 2(b) to 2(c). PM25
- EPA File Symbol 12310-RA. Misco International Chem. Inc., 1021 S. Noel Ave., Wheeling IL 60090. SELECT-K #2 ST. AUGUSTINE GRASS BROADLEAF HERBICIDE. Active Ingredients: Dimethylamine salt of 2,4-dichlorophenoxyacetic acid 3.23%; Dimethylamine salt of 2-(2-methyl-4-chlorophenoxy) propionic acid 10.59%; Dimethylamine salt of Dicamba (3,6-dichloro-o-anisic acid) 1.28%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Method of Support changed from 2(b) to 2(c). PM25
- EPA File Symbol 11602-E. Molar Enterprises, Inc., 1621 Hennepin Ave. S., Minneapolis MN 55403. MOLAR HOSPITAL DISINFECTANT CLEANER Q-1000. Active Ingredients: Didecyl dimethyl ammonium chloride 4.5%; Tetrasodium ethylenediamine tetraacetate 2.0%; Sodium carbonate 1.0%; Sodium metasilicate, anhydrous 0.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31
- EPA File Symbol 11602-G. Molar Enterprises, Inc., 1621 Hennepin Ave. S., Minneapolis MN 55403. MOLAR FORMULATION TBQ. Active Ingredients: Octyl decyl dimethyl ammonium chloride 1.250%; Didecyl dimethyl ammonium chloride 0.625%; Didecyl dimethyl ammonium chloride 0.625%; Alkyl (C8 7%, C10 8%, C12 46%, C14 24%, C16 10%, C18 5%) amino betaine 1.000%; Hydrogen chloride 8.000%. Method of Support: Application proceeds under 2(b) of interim policy. PM31
- EPA File Symbol 4476-TT. Morton Pharmaceuticals, Inc., 1625-39 N. Highland, Memphis TN 38108. MORTON FLEA & TICK KILLER. Active Ingredients: Pyrethrins 0.06%; Piperonyl butoxide, technical (Equivalent to 0.48% (butylcarbityl) (6-propylpiperonyl) ether and 0.12% other related compounds) 0.60%; Butoxypropylene glycol 5.00%; Carbaryl (1-naphthyl N-methylcarbamate) 1.00%; 2,2'-Methylene bis(4-chlorophenoxy) 0.10%; Petroleum distillate 1.26%. Method of Support: Application proceeds under 2(c) of interim policy. PM12
- EPA File Symbol 35926-R. Mutual Hardware Corp., 5-45 49th Ave., Long Island City NY 11101. MARINE X-FOUL BOTTOM COAT. Active Ingredients: Tributyltin Fluoride 12.04%. Method of Support: Application proceeds under 2(c) of interim policy. PM24
- EPA Reg. No. 5316-42. Namco Chemicals, 765 Landess Ave., Milpitas CA 95035. NAMCO NAMFUME. Active Ingredients: Methyl Bromide 99.75%; Chloropicrin 0.25%. Method of Support: Application proceeds under 2(c) of interim policy. PM11
- EPA Reg. No. 5316-41. Namco Chemicals, 765 Landess Ave., Milpitas CA 95035. NAMCO METHYL BROMIDE FOR USE ONLY BY PROFESSIONAL FUMIGATORS. Active Ingredients: Methyl Bromide 100%. Method of Support: Application proceeds under 2(c) of interim policy. PM11
- EPA Reg. No. 10659-46. Occidental Chemical Co., Div. of Occidental Petroleum Co., PO Box 1185, Houston TX 77001. OXY LEAFEX-3. Active Ingredients: Sodium Chlorate 28%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Additional uses. PM25
- EPA File Symbol 5576-GL. Regal Supply & Chemical, PO Box 1955, El Paso TX 79950. FIBRO SOLV. Active Ingredients: Blue Vitriol, CUS045H20 100%. Method of Support: Application proceeds under 2(c) of interim policy. PM24
- EPA File Symbol 5576-GA. Regal Supply & Chemical, PO Box 1955, El Paso TX 79950. ROOT OUT WITH BC-60. Active Ingredients: Blue Vitriol, CUS045H20 4.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM24
- EPA File Symbol 4981-LL. Redwood Chemical Inc., PO Box 45916, Houston TX 77045. DIAZINON AG500. Active Ingredients: 0,0-Diethyl 0-(2-isopropyl-6-methyl-4-pyrimidinyl) Phosphorothioate 48%; Xylene 36%. Method of Support: Application proceeds under 2(c) of interim policy. PM15
- EPA File Symbol 4981-LA. Redwood Chemical Inc., PO Box 45916, Houston TX 77045. REDWOOD'S DIAZINON 14G GRANULAR INSECTICIDE. Active Ingredients: 0,0-diethyl 0-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 14.3%. Method of Support: Application proceeds under 2(c) of interim policy. PM15
- EPA File Symbol 2155-IA. I. Schneid, Inc., PO Box 93188, Martech Station, Atlanta GA 30318. W.T.C. ALGAECIDE AND ALGAL SLIMICIDE "2500". Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 10.0%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 10.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM31
- EPA File Symbol 3743-GUL. Southern Agricultural Chemicals, Inc., PO Drawer 527, Kingstree SC 29556. DITHANE M-22 DUST. Active Ingredients: Maneb (Manganese Ethylenebis(dithiocarbamate) 1.40%. Method of Support: Application proceeds under 2(c) of interim policy. PM21
- EPA Reg. No. 6720-175. Southern Mill Creek Products Co., Inc., PO Box 1098, Tampa FL 33601. SMCPC DURSBN MOLE CRICKET BAIT. Active Ingredients: Chlorpyrifos (0,0-diethyl 0-(3,5,6-trichloro-2-pyridyl) phosphorothioate) 0.50%. Method of Support: Application proceeds under 2(c) of interim policy. PM12
- EPA File Symbol 35931-R. Town & Country Pools, 3773 E. Morgan Rd., Ypsilanti MI 48197. HIGH-PO-CHLOR. Active Ingredients: Sodium Hypochlorite 12½%. Method of Support: Application proceeds under 2(c) of interim policy. PM34
- EPA Reg. No. 11687-65. Transvaal, Inc., PO Box 69, Marshall Rd., Jacksonville AR 72076. TRANSVAAL BRUSH-RHAP LV 3D-3T HERBICIDE. Active Ingredients: Isooctyl Ester of 2,4-Dichlorophenoxyacetic Acid (Equivalent to 30.67% or 3 lb./gallon of 2,4-Dichlorophenoxyacetic Acid) 46.24%; Isooctyl Ester of 2,4,5-Trichlorophenoxyacetic Acid (Equivalent to 30.67% or 3 lb./gallon of 2,4,5-Trichlorophenoxyacetic Acid) 44.13%. Method of Support: Application proceeds under 2(c) of interim policy. PM23
- EPA Reg. No. 11687-64. Transvaal, Inc. TRANSVAAL BRUSHRHAP LV OXY-3D-3T HERBICIDE. Active Ingredients: Butoxyethyl Ester of 2,4-Dichlorophenoxyacetic Acid (Equivalent to 29.9% or 3 lb./gallon of 2,4-Dichlorophenoxyacetic Acid) 43.5%; Butoxyethyl Ester of 2,4,5-Trichlorophenoxyacetic Acid (Equivalent to 29.9% or 3 lb./gallon of 2,4,5-Trichlorophenoxyacetic Acid) 41.7%. Method of Support: Application proceeds under 2(c) of interim policy. PM23
- EPA Reg. No. 11687-22. Transvaal, Inc. TRANSVAAL BRUSHRHAP OLV-6T HERBICIDE. Active Ingredients: Isooctyl Ester of 2,4,5-Trichlorophenoxyacetic Acid (Equivalent to 61.2% or 6 pounds per gallon 2,4,5-Trichlorophenoxyacetic Acid) 83.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM23
- EPA Reg. No. 11687-12. Transvaal, Inc. RANSVAAL BRUSHRHAP OLV-4T HERBICIDE. Active Ingredients: Isooctyl Ester of 2,4,5-Trichlorophenoxyacetic Acid (Equivalent to 45.66% or 4 pounds per gallon 2,4,5-Trichlorophenoxyacetic Acid) 65.7%. Method of Support: Application proceeds under 2(c) of interim policy. PM23
- EPA File Symbol 36919-R. Union Pool Marts, 2154 Eureka, 8985 Telegraph, Wyandotte MI 48192. KLEAR-KLOR. Active Ingredients: Sodium Hypochlorite 12.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM34
- EPA File Symbol 400-REE. Uniroyal Chemical, Div. of Uniroyal, Inc., Elm St., Naugatuck CT 06770. THIOSTAT M TECHNICAL. Active Ingredients: Disodium ethylene bis(dithiocarbamate) 30%. Method of Support: Application proceeds under 2(c) of interim policy. PM21
- EPA File Symbol 400-REG. Uniroyal Chemical. THIOSTAT MB 5743 TECHNICAL. Active Ingredients: Sodium dimethyl dithiocarbamate 17.2%; Disodium ethylene bis(dithiocarbamate) 17.1%. Method of Support: Application proceeds under 2(c) of interim policy. PM21
- EPA File Symbol 400-REN. Uniroyal Chemical. THIOSTAT B TECHNICAL. Active Ingredients: Sodium dimethyl dithiocarbamate 40%. Method of Support: Application proceeds under 2(c) of interim policy. PM21
- EPA File Symbol 400-RER. Uniroyal Chemical. THIOSTAT BM 5545 TECHNICAL. Active Ingredients: Sodium dimethyl dithiocarbamate 22%; Disodium ethylene bis(dithiocarbamate) 13.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM21
- EPA File Symbol 400-RRO. Uniroyal Chemical. THIOSTAT BM 1515 TECHNICAL. Active Ingredients: Sodium dimethyl dithiocarbamate 15%; Disodium ethylene bis(dithiocarbamate) 15%. Method of Support: Application proceeds under 2(c) of interim policy. PM21
- EPA File Symbol 7401-ETN. Voluntary Purchasing Groups, Inc., PO Box 460, Bonham TX 75418. FERTI-LOME RABBIT & DOG CHASER. Active Ingredients: Naphthalene 15%; Dried Blood 15%; Tobacco Dust (Nicotine 0.35%) 70%. Method of Support: Application proceeds under 2(c) of interim policy. PM11
- EPA File Symbol 5427-AT. Wright Chemical Corp., 1319 Wabansia Ave., Chicago IL 60632. WRICO TQB. Active Ingredients: octyl dodecyl dimethyl ammonium chloride 20.0%; a-bis(tributyltin) oxide 4.0%; Isopropyl alcohol 10.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM31
- EPA File Symbol 1270-ROL. Zep Manufacturing Co., 1310 Seaboard Industrial Blvd., NW, PO Box 2015, Atlanta GA 30301. ZEP X-8075 ALGAECIDE. Active Ingredients: Disodium cyanodithioimidocarbonate 4.90%; Potassium N-methyldithiocarbamate 6.76%. Method of Support: Application proceeds under 2(b) of interim policy. PM33

[FR Doc. 75-13364 Filed 5-20-75; 8:45 am]

**FEDERAL ENERGY ADMINISTRATION
ENERGY SUPPLY AND ENVIRONMENTAL COORDINATION ACT**

Intention To Issue Prohibition Orders to Certain Powerplants

The Federal Energy Administration ("FEA") hereby gives notice of its intention to issue prohibition orders, pursuant to the authorities granted it by section 2 of the Energy Supply and Environmental Coordination Act of 1974 (ESECA) and in accordance with 10 CFR Parts 303 and 305, to the following powerplants:

Docket No.	Owner	Powerplant No.	Generating station	Location
OFU-048	Wisconsin Public Service Corp.	2	Weston	Rotchild, Wis.
OFU-049	Detroit Edison Co.	5	St. Clair	East China Township, Mich.

FEA hereby also gives notice of the opportunity for oral and written presentation of data, views, and arguments on these proposed prohibition orders.

The proposed orders would prohibit the powerplants listed above from burning natural gas or petroleum products as their primary energy source.

Prior to issuance of a prohibition order to a powerplant, section 2 of ESECA requires that FEA make certain findings. FEA's initial conclusions with respect to, and rationale in support of, these findings are set out, with respect to each of the powerplants, at the conclusion of this notice. These findings and rationales may be amended as a result of comments received by FEA pursuant to this notice and other information available to FEA. The findings will be included, with any amendments, in a prohibition order when it is issued.

Upon conclusion of the proceedings described in this notice, FEA may determine to issue prohibition orders to some or all of the powerplants listed above. These prohibition orders will not become effective, however, (1) until either, (a) the Administrator of the Environmental Protection Agency ("EPA") notifies the FEA, in accordance with section 119(d)(1)(B) of the Clean Air Act, that the powerplant will be able on and after July 1, 1975, to burn coal and to comply with all applicable air pollution requirements without a compliance date extension under section 119, or (b) if no notification is given by EPA the date that the Administrator of EPA certifies pursuant to section 119(d)(1)(B) of the Clean Air Act is the earliest date that the powerplant will be able to comply with all applicable air pollution requirements of section 119 of that Act; and (2) until FEA has considered the environmental impact of such order pursuant to § 305.9 of the FEA regulations that implement section 2 of ESECA and has served the affected powerplant a Notice of Effectiveness, as provided in §§ 303.10(b) and 303.37(b) of those regulations. The date the prohibition order will be effective will be stated in the Notice of Effectiveness.

The Notice of Effectiveness will contain a compliance schedule to insure that the powerplant will be able to comply with the prohibition on the burning of natural gas or petroleum products as a primary energy source on the date the order becomes effective.

Public comment on the proposals to issue prohibition orders to the powerplants listed above is invited in the form of written and oral presentation of data, views and arguments. Comments should relate to individual docket numbers and should make clear to which docket number the individual comment is addressed.

Comments should address (1) the adequacy and validity of each of the proposed findings and the rationale in support of the findings; (2) the identification of any site-specific environmental impacts resulting from the proposed prohibition orders that were not identified or described in the Environmental Impact Statement (FES 75-1, dated April 25, 1975) for the FEA program to implement section 2 of ESECA; and (3) any other relevant aspects or impacts of the proposed prohibition order. With respect to comments regarding any impact on air quality that might result from a proposed prohibition order, however, it should be recognized that ESECA has assigned to EPA the primary responsibility for analyzing the effect of any such order on the Nation's air quality, and for determining the applicable air pollution requirements that apply to the powerplant that has been issued an order. It is expected that in almost every case, a powerplant to which a prohibition order is issued will be eligible to apply to EPA for a compliance date extension. In connection with that application, EPA must also provide an opportunity for written comment and oral presentation of data, views and arguments by interested persons. In addition, FEA will make a site-specific environmental analysis after the issuance of each order, but prior to service of the Notice of Effectiveness, and there will be an opportunity for public comment if the analysis indicates that significant site-specific impacts are likely to result from a prohibition order.

If oral presentation is to be made, it is requested that any detailed technical data, views, and arguments be made in written comments submitted in support of the oral presentation, and that the oral presentation itself be a summary of those more detailed comments.

A public hearing on the proposed prohibition orders will be held beginning at 10:30 a.m., c.d.t. on June 2, 1975, in the Federal Building, 219 South Dearborn, Room 2525, Chicago, Illinois 60603, to receive oral presentation of data, views

and arguments from interested persons. Any person who has an interest in the subject of the hearing, or who is a representative of a group or class of persons which has an interest in the subject of the hearing, may make a written request, or a verbal request if confirmed in writing, for an opportunity to make oral presentation. That request should be directed to David Stein, FEA Region V, 175 West Jackson Boulevard, Room A-342, Chicago, Illinois 60604, (312) 353-0542 and must be received before 4:30 p.m. c.d.t., May 28, 1975. The request may be hand-delivered to David Stein 175 West Jackson Boulevard, Room A-342, Chicago, Illinois between the hours of 8 a.m. and 4:30 p.m. c.d.t., Monday through Friday. The person making the request should be prepared to describe the interest concerned; if appropriate, to state why he or she is a proper representative of a group or class of persons which has such an interest; and to give a concise summary of the proposed oral presentation and a phone number where he or she may be contacted through May 30, 1975. Each person selected to be heard will be so notified by the FEA by 4:30 p.m. c.d.t., May 29, 1975, and must submit a minimum of 20 copies of the statement to David Stein, 175 West Jackson Boulevard, Room A-342, Chicago, Illinois 60604 before 4:30 p.m., May 30, 1975.

The FEA reserves the right to limit the number or representatives of a particular group or class of persons to be heard at the hearing, to schedule their or other person's presentations, and to establish the procedures governing the conduct of the hearing. The length of time allocated to 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 hearing. It will not be a judicial or evidentiary-type hearing. During an oral presentation, questions may be asked only by those conducting the hearing, and there will be no cross-examination of persons making oral presentations. At the conclusion of all initial oral presentations, each person who has made an oral statement will be given the opportunity, if he or she 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 person may submit questions to be asked of any person making an oral presentation at the hearing to FEA Region V, David Stein, 175 West Jackson Boulevard, Room A-342, Chicago, Illinois 60604, before 9:00 a.m. c.d.t., June 2, 1975. Any person who makes an oral statement or any other person who wishes to ask a question at the hearing may submit the questions, in writing, to the presiding officer. The FEA, or the presiding officer if the question is submitted at the hearing, will determine whether the question is relevant, and whether time limitations permit it to be presented for answer.

Any further procedural rules necessary for the proper conduct of the hearing will be announced by the presiding officer.

A transcript of the hearing will be made and the entire record of the hearing, including the transcript will be retained by the FEA and made available for inspection at the FEA Region V, Room A-333, 175 West Jackson Boulevard, Chicago, Illinois, and FEA Administrator's Reception Area, Room 3400, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8 a.m. and 4:30 p.m., Monday through Friday. Anyone may purchase a copy of the transcript from the reporter.

Interested persons are invited to submit written comments consisting of data, views, or arguments with respect to the proposed prohibition order to Executive Communications, Federal Energy Administration, Box DD, Washington, D.C. 20461.

Comments should be identified on the outside of the envelope in which they are transmitted and on other documents submitted to FEA Executive Communications with the designation "Proposed Prohibition Order for the _____ Powerplant." Fifteen copies should be submitted.

All written comments received by 4:30 p.m., e.d.t., June 4, 1975, all oral presentations and all other relevant information submitted to or otherwise available to FEA will be considered by FEA prior to issuance of any prohibition order.

Supplemental comment period. To facilitate the submission of data, views and arguments to supplement either the oral presentation or written comments, FEA shall keep the record of the public hearing open for a period of 10 days from the first day of the public hearing. Such supplementary written data, views or argument shall be filed with Executive Communications, Federal Energy Administration, Box DD, Washington, D.C. 20461. In the event that such supplementary data, views or argument can only be submitted by oral presentation, a verbal request for a conference, in accordance with 10 CFR 303.171, shall be submitted to David Stein, FEA Region V, 175 West Jackson Boulevard, Room A-342, Chicago, Illinois 60604, (312) 353-0542. To ensure that FEA receives the transcript of such oral presentation before the record closes, any oral presentation must be made within 8 days from the first day of the public hearing.

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 its determination.

The sections of ESECA that are relevant to the proposed prohibition orders are stated below:

Section 1. Short-Title; purpose.

(b) The purposes of this Act are (1) to provide for a means to assist in meeting the essential needs of the United States for fuels, in a manner which is consistent, to the fullest extent practi-

cable, with existing national commitments to protect and improve the environment * * *

Sec. 2. Coal conversion and allocation. (a) The Federal Energy Administrator—

(1) Shall by order, prohibit any powerplant, and

(2) May, by order, prohibit any major fuel burning installation, other than a powerplant, from burning natural gas or petroleum products as its primary energy source, if the Federal Energy Administrator determines such powerplant or installation on the date of enactment of this Act (June 22, 1974) has the capability and necessary plant equipment to burn coal, and if the requirements of subsection (b) are met.

(b) The requirements referred to in subsection (a) are as follows:

(1) An order under subsection (a) may not be issued with respect to a powerplant or installation unless the Federal Energy Administrator finds (A) that the burning of coal by such plant or installation, in lieu of petroleum products or natural gas, is practicable and consistent with the purposes of this Act, (B) that coal and coal transportation facilities will be available during the period the order is in effect, and (C) in the case of a powerplant, that the prohibition under subsection (a) will not impair the reliability of service in the area served by such plant. Such an order shall be rescinded or modified to the extent the Federal Energy Administrator determines that any requirement described in subparagraph (A), (B), or (C) of this paragraph is no longer met; and such an order may at any time be modified if the Federal Energy Administrator determines that such order, as modified, complies with the requirements of this section.

(3) (A) Before issuing an order under subsection (a) which is applicable to a powerplant or installation after June 30, 1975 (or modifying an order to which paragraph (2) applies, so as to apply such order to a powerplant or installation after such date), the Federal Energy Administrator shall give notice to the public and afford interested persons an opportunity for oral and written presentations of data, views, and arguments.

(B) An order (or modification thereof) described in subparagraph (A) of this paragraph shall not become effective until (i) the Administrator of the Environmental Protection Agency notifies the Federal Energy Administrator under section 119(d)(1)(B) of the Clean Air Act that such plant or installation will be able on and after July 1, 1975, to burn coal and to comply with all applicable air pollution requirements without a compliance date extension under section 119(c) of such Act, or (ii) if such notification is not given, the date which the Administrator of the Environmental Protection Agency certifies pursuant to section 119(d)(1)(B) of such Act is the earliest date that such plant or installa-

tion will be able to comply with all applicable requirements of such section 119. Such order (or modification) shall not be effective during any period certified by the Administrator of the Environmental Protection Agency under section 119(d)(3)(B) of the Act.

(e) For purposes of this section:

(1) The term "powerplant" means a fossil-fuel fired electric generating unit which produces electric power for purposes of sale or exchange.

(2) The term "coal" includes coal derivatives.

(f) (1) Authority to issue orders or rules under subsections (a) through (d) of this section shall expire at midnight, June 30, 1975. Such a rule or order may take effect at any time before January 1, 1979.

(2) Authority to amend, repeal, rescind, modify, or enforce such rules or orders shall expire at midnight, December 31, 1978; but the expiration of such authority shall not affect any administrative or judicial proceeding which relates to any act or omission which occurred prior to January 1, 1979.

Copies of the FEA regulations implementing section 2 of ESECA (10 CFR Parts 303, 305, and 307) are available from the FEA Regional Office, 175 West Jackson Boulevard, Room A-342, Chicago, Illinois 60604 (312) 353-0542.

Any questions regarding this notice should be directed to David Stein, FEA Region V, 175 West Jackson Boulevard, Chicago, Illinois 60604 (312) 353-0542.

(Energy Supply and Environmental Coordination Act of 1974 (Pub. L. 93-319); Federal Energy Administration Act of 1974 (Pub. L. 93-275); E.O. 11790 (39 FR 23185)).

Issued in Washington, D.C., May 15, 1975.

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

1. OFU-048, WISCONSIN PUBLIC SERVICE CORPORATION, POWERPLANT #2, GENERATING STATION—WESTON, ROTCHILD, WISCONSIN

(a) Proposed findings and rationale for findings:

1. **Capability and necessary plant equipment finding.** Based on an analysis of the information submitted to or otherwise available to FEA, FEA proposes to find that on June 22, 1974, this powerplant had the capability and necessary plant equipment to burn coal. This proposed finding is based on facts, interpretations and assumptions stated below:

(A) This powerplant had in place, on June 22, 1974 a boiler that was capable of burning coal, in that such boiler had been designed and constructed, or had been modified to enable it to burn coal as its primary energy source, or to burn coal and another fossil fuel interchangeably as its primary energy source, notwithstanding the fact that on June 22, 1974, such powerplant may not have been burning coal as its primary energy source.

(B) Based on information filed with FEA on March 13, 1975 by the Wisconsin Public Service Corporation, the following significant equipment or facilities have to be acquired or substantially refurbished:

1. Two long retractable soot blowers in the superheater section;

2. Two stationary soot blowers in the economizer section.

FEA assumes that on June 22, 1974, this powerplant had all other significant equipment and facilities associated with the burning of coal.

(C) Within the meaning of ESECA and the regulations promulgated pursuant thereto, the equipment and facilities listed in paragraph (B) do not individually or in combination constitute a lack of capability and necessary plant equipment to burn coal as of June 22, 1974.

(i) *Burning of coal in lieu of natural gas or petroleum products is practicable and consistent with the purposes of ESECA.* Based on an analysis of the information submitted to or otherwise available to FEA, FEA proposes to find that the burning of coal by the powerplant in lieu of petroleum products or natural gas is practicable and consistent with the purposes of ESECA. This proposed finding is based on the facts, interpretations and assumptions stated below.

(A) The powerplant has acquired or modified, or is currently acquiring or modifying the equipment and facilities necessary for the burning of coal as its primary energy source, and such actions are not being undertaken as a result of (or in contemplation of) the issuance of a prohibition order. These acquisitions or modifications include those necessary for compliance with the requirements of Clean Air Act.

(B) The costs associated with the acquisitions or modifications necessary for the burning of coal are identified in the Wisconsin Public Service Corporation's current and prospective budgetary plans.

(C) (1) FEA assumes that the decision by the Wisconsin Public Service Corporation to acquire or modify such equipment and facilities in order to burn coal as a primary energy source was based on an analysis of the financial capability of such corporation to assume such costs (including the requirement to obtain a rate increase) and, therefore the conclusion by such corporation that the burning of coal in lieu of petroleum products is practicable.

(2) If the Wisconsin Public Service Corporation has found that the burning of coal in lieu of petroleum products or natural gas is practicable, FEA proposes to find that the burning of coal by such powerplant is practicable within the meaning of ESECA and the regulations promulgated thereunder.

(A) The issuance of this proposed prohibition order will discourage the use of natural gas or petroleum products and encourage the increased use of coal, and such order is a means that, by virtue of the necessity for the powerplant to com-

ply with the Clean Air Act and other applicable environmental protection requirements, is consistent, to the fullest extent practicable, with existing national commitments to protect and improve the environment.

(iii) *Coal and coal transportation facilities will be available during the period the prohibition order is in effect.* Based on an analysis of the information submitted to or otherwise available to FEA, FEA proposes to find that coal and coal transportation facilities will be available to this powerplant during the period until December 31, 1978. The period until December 31, 1978 is the period during all or part of which the prohibition order to which these findings relate will be in effect. This proposed finding is based upon the following facts, interpretations and assumptions:

(A) (1) It is estimated that it will be practicable to produce coal nationally as follows:

Year:	Production (million tons)
1975	662
1976	679
1977	707
1978	735

(2) The estimated national demand, excluding any increased demand resulting from FEA action under the authority of section 2 of ESECA, is as follows:

Year:	Demand (million tons)
1975	640
1976	664
1977	688
1978	716

(3) The estimated additional national demand for coal resulting from the prohibition order to which this finding relates, and from FEA actions under authority of section 2 of ESECA, will be as follows:

Year:	Demand (million tons)
1975	.7
1976	4.0
1977	13.6
1978	16.2

(4) Coal of the specific type required for use by this powerplant has been identified in the reserves of the Northern and Southern Appalachian, Midwest, Gulf, and Northern Great Plains, coal supply regions, which consist of Bureau of Mines Districts 1-15, 19, 21, and 22.

(5) It is estimated that it will be practicable to produce coal from these coal supply regions as follows:

Year:	Production (million tons)
1975	634
1976	635
1977	657
1978	679

(6) The regional and national production estimates stated in items (1) and (5) assume a surge capacity, or ability to increase production over normal levels, of approximately 4 percent. A 1975 study by the Bureau of Mines of the Department of the Interior indicates a national surge capacity of approximately 6 per-

cent. In response to an industry survey in late 1974, the coal industry itself indicated that it had a surge capacity of up to 8 percent. By comparison, the increased national demand for coal resulting from the prohibition order to which this finding relates and other FEA actions under section 2 of ESECA, is less than one tenth of a percent in 1975, increasing to a maximum of 2.3 percent in 1978 of estimated national demand stated in item (2). A market survey of traditional coal suppliers to FEA Region 5 consumers indicates that there is ample production capability to support increased demand for coal from this region resulting from the prohibition order to which this finding relates and other FEA actions under section 2 of ESECA.

(7) No State or local laws or policies which would limit the extraction of this coal have been found by FEA or brought to FEA's attention.

(8) The estimated demand for coal from these supply regions, excluding any increased demand resulting from FEA actions under the authority of section 2 of ESECA, is as follows:

Year:	Demand (million tons)
1975	602
1976	621
1977	640
1978	660

(9) The estimated additional demand for coal from these supply regions resulting from the prohibition order to which this finding relates and from other FEA orders under section 2 of ESECA, will be as follows:

Year:	Demand (million tons)
1975	.7
1976	3.9
1977	13.4
1978	16.0

(10) On the basis of the above information, FEA proposes to find that the estimated production of coal of the specific type required for use by this powerplant exceeds the estimated demand for such coal by amounts adequate to support a conclusion that such coal will be available to this powerplant during the period until December 31, 1978.

(1) Adequate rail facilities exist between these coal supply regions and the powerplant to transport the coal that will be used by such powerplant pursuant to this order.

(2) There is a spur line which will be able to deliver this coal from the main rail line to this powerplant.

(3) Sufficient rolling stock will be available to the Baltimore and Ohio Railroad or the Chicago-Milwaukee and St. Paul and Pacific Railroads for transporting this coal during the period until December 31, 1978.

(iv) *The prohibition of the burning of natural gas or petroleum products as its primary energy source will not impair the reliability of service in the area served by the affected powerplant.* Based on an analysis of the information submitted to or otherwise available to FEA, and after consultation with the Federal

Power Commission, FEA proposes to find that the prohibition of the Weston #2 powerplant of the Wisconsin Public Service Corporation from burning natural gas or petroleum products as its primary energy source will not impair the reliability of service in the area served by such powerplant. This finding is based on the facts, assumptions and interpretations stated below:

INTERCONNECTIONS AND POWER
DISPATCHING

(1) (a) The Weston Powerplant #2 is within the geographical area of the Mid-America Interpool Network (MAIN) regional electric reliability council.

(b) It is interconnected with and its operations and planning are coordinated with the Wisconsin Power Pool.

(c) Dispatching of electric power is controlled by Wisconsin Public Service Corporation.

(2) The subject powerplant now uses coal on a regular basis. When gas has been available the powerplant has used gas.

(3) No reconversion or outage time for reconversion is necessary, other than three days scheduled in June 1975. (B) For the reasons set forth above, the FEA finds that the burning of coal by Weston #2 powerplant, in lieu of petroleum products or natural gas will not result in the impairment of the reliability of service within the area served within the meaning of ESECA and the regulations promulgated pursuant thereto.

2. OFU-049, DETROIT EDISON COMPANY,
POWERPLANT #5, GENERATING STATION—
ST. CLAIR, E. CHINA TOWNSHIP, MICHIGAN

(a) Proposed findings and rationale for findings.

1. *Capability and necessary plant equipment finding.* Based on an analysis of the information submitted to or otherwise available to FEA, FEA hereby proposes to find that on June 22, 1974, this powerplant had the capability and necessary plant equipment to burn coal. This proposed finding is based on facts, interpretations and assumptions stated below:

(A) This powerplant had in place, on June 22, 1974, a boiler that was capable of burning coal, in that such boiler had been designed and constructed, or had been modified to enable it to burn coal as its primary energy source, or to burn coal and another fossil fuel interchangeably as its primary energy source, notwithstanding the fact that on June 22, 1974, such powerplant may not have been burning coal as its primary energy source.

(B) Based on information filed with FEA on April 11, 1975 by the Detroit Edison Company, the following significant equipment or facilities would have to be acquired or substantially refurbished:

1. I. D. Fans;
2. Cyclones, primary furnace and floor;
3. Ductwork;
4. Soot-blowing equipment;
5. Flyash system;
6. Bottom ash and slag tap;
7. Coal handling and feeder systems;
8. Control and electrical equipment.

FEA assumes that on June 22, 1974, this powerplant had all other significant equipment and facilities associated with the burning of coal.

(C) Within the meaning of ESECA and the regulations promulgated pursuant thereto, the equipment and facilities listed in paragraph (B) do not individually or in combination constitute a lack of capability and necessary equipment to burn coal as of June 22, 1974.

(ii) *Burning of coal in lieu of natural gas or petroleum products is practicable and consistent with the purposes of ESECA.* Based on an analysis of the information submitted or otherwise available to FEA, FEA proposes to find that the burning of coal by the powerplant, in lieu of petroleum products or natural gas, is practicable and consistent with the purposes of ESECA. This proposed finding is based on the facts, interpretations and assumptions stated below:

(1) *Revenue requirements.* (a) The investment costs that result from the acquisition and refurbishment of equipment and facilities associated with the burning of coal by the powerplant are estimated to be approximately \$14,090,000. This estimate is based on existing P.E.A. information and on information filed with the FEA by the company concerning items of equipment and facilities that would have to be acquired or refurbished and the costs of such acquisition or refurbishment.

(i) Costs of acquisition or refurbishing equipment are allocated as follows:

(A) \$7,140,000 to comply with air pollution control requirements of the Clean Air Act.

(B) \$6,950,000 to make those technical plant and equipment adjustments associated with the burning of coal, as well as to comply with environmental requirements other than those imposed by the Clean Air Act.

(b) The increase in operating costs other than fuel costs that result from the burning of coal are estimated to be approximately \$397,000 per year.

(c) (i) The price of petroleum products available to the powerplant is approximately \$1.85 to \$1.95 per million Btu's. The price of coal of the type used by the powerplant is approximately \$.90 to \$1.00 per million Btu's. The burning of coal by the powerplant will result in a reduction of \$.85 to \$1.05 per million Btu's or \$15 to \$19 million per year.

(ii) The Michigan Public Utility Commission permits the inclusion of increased fuel costs in the rate base through a fuel adjustment clause and, if there is a decrease in the cost of fuel as a result of burning coal, there will be a decrease in such rate base.

(d) The total annual incremental increase in revenue requirements resulting from costs associated with burning coal as opposed to oil is \$3,537,000.

(2) *Financial capabilities.* (a) Based on the most recent financial statements and capital expenditure programs of the Detroit Edison Company as well as other information available to FEA, it has been determined that the prohibition order for the powerplant is practicable. This

financial assessment included an evaluation of generally accepted financial ratios; effects on capitalization as a result of the costs of burning coal; impact on current and future construction programs; and possible impacts on rates. This assessment incorporated, but was not limited to, consideration of: the \$14.1 million investment requirement (or .5%) in relation to net property and plant of the company of \$3.1 billion and 1975-1977 construction budget of the company of \$1.08 billion (or 1.3%); the total capitalization of the company of \$2.7 billion; the change in 1974 to 1975 construction budgets of \$362 million to \$252 million; and the 20 years remaining useful life of the plant. These assessments, the above findings, and other evaluations of the general financial health of the company were the basis of this finding.

(b) Because this prohibition order will discourage the use of natural gas or petroleum products and encourage the increased use of coal, FEA proposes to find that its issuance will be consistent with the purpose of ESECA "to provide a means to assist in meeting the essential needs of the United States for fuels." Further, on the basis of the environmental analyses conducted by FEA, the analyses of air quality impacts which EPA is required to conduct prior to effectiveness of a prohibition order, as well as the necessity for the powerplant to comply with the Clean Air Act and other applicable environmental protection requirements, FEA proposes to find that the prohibition order is also consistent with the purpose of ESECA to provide for a means to meet the Nations essential fuel needs "in a manner which is consistent, to the fullest extent practicable, with existing national commitments to protect and improve the environment."

(iii) *Coal and coal transportation facilities will be available during the period the prohibition order is in effect.* Based on an analysis of the information submitted to or otherwise available to FEA, FEA proposes to find that coal and coal transportation facilities will be available to this powerplant during the period until December 31, 1978. The period until December 31, 1978 is the period during all or part of which the prohibition order to which these findings relate will be in effect. This proposed finding is based upon the following facts, interpretations, and assumptions:

A(1) It is estimated that it will be practicable to produce coal nationally as follows:

Year:	Production (million tons)
1975	663
1976	679
1977	707
1978	735

(2) The estimated national demand, excluding any increased demand resulting from FEA action under the authority of section 2 of ESECA, is as follows:

Year:	Demand (million tons)
1975	640
1976	664
1977	688
1978	716

(3) The estimated additional national demand for coal resulting from the prohibition order to which this finding relates, and from FEA actions under authority of section 2 of ESECA, will be as follows:

Year:	Demand (million tons)
1975	.7
1976	4.0
1977	13.6
1978	16.2

(4) Coal of the specific type required for use by this powerplant has been identified in the reserves of the Northern and Southern Appalachian, Mid West, Gulf, and Northern Great Plains Coal Supply Regions, which consist of Bureau of Mines District 1-15, 19, 21, and 22.

(5) It is estimated that it will be practicable to produce coal from these coal supply regions as follows:

Year:	Production (million tons)
1975	624
1976	635
1977	657
1978	679

(6) The regional and national production estimates stated in items (1) and (5) assume a surge capacity, or ability to increase production over normal levels, of approximately 4 percent. A 1975 study by the Bureau of Mines of the Department of the Interior indicates a national surge capacity of approximately up to 6 percent. In response to an industry survey in late 1974, the coal industry itself indicated that it had a surge capacity of up to 8 percent. By comparison, the increased national demand for coal resulting from the prohibition order to which this finding relates and other FEA actions under section 2 of ESECA, is less than one tenth of a percent in 1975, increasing to a maximum of 2.3 percent in 1978 of estimated national demand stated in item (2). A market survey of traditional coal suppliers to FEA Region V consumers indicates that there is ample production capability to support increased demand for coal from this region resulting from the prohibition order to which this finding relates and other FEA actions under section 2 of ESECA.

(7) No State or local laws or policies which would limit the extraction of this coal have been found by FEA or brought to FEA's attention.

(8) The estimated demand for coal from these supply regions, excluding any increased demand resulting from FEA actions under the authority of section 2 of ESECA, is as follows:

Year:	Demand (million tons)
1975	602
1976	621
1977	640
1978	660

(9) The estimated additional demand for coal from these supply regions result-

ing from the prohibition order to which this finding relates and from other FEA orders under section 2 of ESECA, will be as follows:

Year:	Demand (million tons)
1975	.7
1976	3.9
1977	13.4
1978	16.0

(10) On the basis of the above information, FEA proposes to find that the estimated production of coal of the specific type required for use by this powerplant exceeds the estimated demand for such coal by amounts adequate to support a conclusion that such coal will be available to this powerplant during the period until December 31, 1978.

B(1) Adequate rail and barge facilities exist between these coal supply regions and the powerplant to transport the coal that will be used by such powerplant pursuant to this order.

(2) There is a spur line and waterway which will be able to deliver this coal to this powerplant.

(3) Sufficient rolling stock will be available to the Burlington Northern and sufficient barges will be available to the Detroit Edison Company for transporting this coal during the period until December 31, 1978.

(iv) *The prohibition of the burning of natural gas or petroleum products as its primary energy source will not impair the reliability of service in the area served by the affected powerplant.* Based on an analysis of the information submitted to or otherwise available to FEA, and after consultation with the Federal Power Commission, FEA proposes to find that the prohibition of the St. Clair #5 powerplant of the Detroit Edison Company from burning natural gas or petroleum products as its primary energy source will not impair the reliability of service in the area served by such powerplant. This finding is based on the facts,

Powerplant designation	Fuel	Type of change	Capacity change	Status and effective date
Karn No. 4	Oil	Addition	+603 MWe	Under construction start of commercial operation December 1976.

(4) *Scheduled outages.* (a) A scheduled outage of 8 months is estimated to be required to make any modification, installation or other physical adjustment associated with cessation of the burning of natural gas or petroleum products as the powerplant primary energy source. Immediately following modification during on-line testing and adjustment, the powerplant will be less than fully dependable. This period should not exceed 30 days.

Modifications are forecast to commence approximately September 1, 1976, and to be complete and fully tested by May 1, 1977.

(b) Planned maintenance of other powerplants and nuclear plant refueling during the period the powerplant will be implementing the herein prohibition order within the dispatching system will

assumptions and interpretations stated below:

(A) (1) *Interconnections and power dispatching.* (a) The St. Clair Unit #5 is within the geographical area of the East Central Area Reliability Coordination Agreement (ECAR) regional electric reliability council.

(b) It is interconnected with and its operations and planning are coordinated with the Detroit Edison Company and Consumers Power Company which form the Michigan Electric Coordination System (MECS) power pool.

(c) Dispatching of electric power is controlled by MECS.

(d) "Dispatching system" as used later in this finding means MECS.

(2) *Forecast peak loads.* (a) Forecast of peak loads for the dispatching system during the year in which the Detroit Edison Company is expected to be implementing the herein prohibition order is as follows:

Fall Load Period (Sept.-Nov.) 1976, Peak 11085 MWe Sept.
Winter Load Period (Dec.-Feb.) 1976-77, Peak 10670 MWe Jan.
Spring Load Period (March-May) 1977, Peak 10180 MWe April.
Summer Load Period (June-Aug.) 1977, Peak 12720 MWe Aug.

(b) The peak loads forecast have been compared with peak loads in previous similar periods and the compound load growth rate for these forecasts is 6.6 percent, which is considered reasonable.

(3) *Capacity.* (a) The present net dependable capacity of all powerplants of the dispatching system that now are engaged in the sale or exchange of electric power is 15234 MWe.

(b) Additions, retirements, and powerplant reratings during the period in which Detroit Edison Company will be implementing the herein prohibition order, as listed below, will cause the following changes in net dependable capacity or such dispatching system:

Fall 1976	15234 MWe
Winter 1976-77	15897 MWe
Spring 1977	15897 MWe
Summer 1977	15897 MWe

(6) *Gross reserve margin-dispatching system.* (a) The expected minimum gross reserve margin (difference between net system capability and peak load in percent of peak load) of the dispatching system for the load periods specified are as follows:

	Percent
Fall 1976	37.4
Winter 1976-77	48.9
Spring 1977	56.2
Summer 1977	25.0

(b) After deducting the net capacity of units scheduled for maintenance or refueling during these same load periods. The expected minimum reserve margins are:

	Percent
Fall 1976	31.7
Winter 1976-77	43.1
Spring 1977	50.0
Summer 1977	20.0

(7) *Derating.* The St. Clair Unit #5 is projected to have a net dependable capacity of 286 MWe following the commencement of the burning of western bituminous coal as a primary energy source. This is a reduction in capacity of 72 MWe, in relation to its capacity using oil as a primary energy source.

(8) *System stability.* Available information regarding system stability for the dispatching system has been evaluated for each of the load periods stated in paragraph (5) and the issuance of a prohibition order to the powerplant will not cause a significant system stability problem.

(B) *Reliability of service.* (1) The estimated gross reserve margin of the dispatching system during the implementation period associated with the commencement of the burning of coal as primary energy source is forecast to range between 20.0% and 50.0%, depending upon the date of the period of powerplant outage. By scheduling the implementation period during the Winter and Spring load period, the estimated gross dispatching system's reserve margin will be above 43 percent, and the Federal Power Commission considers this to be an acceptable reserve margin.

(2) If dispatching system conditions at the time of the implementation period are as presently forecast by FEA in this finding, there will be no impairment of reliability of service, within the meaning of ESECA and the regulations promulgated thereunder, in the area served by Detroit Edison Company.

(3) Existing transmission system interconnections with other utilities are presently scheduled to transfer approximately 630 megawatts from the dispatching system; with the capacity to transfer approximately 3000 additional megawatts of power into or from the dispatching system. This capacity will provide emergency resource of electric power during the implementation period and will enhance the reliability of service.

(4) The 20 percent derating resulting from the burning of coal as the primary energy source will not impair the reliability of service within the meaning of ESECA and the regulations promulgated thereunder, in the area served by the powerplant.

[FR Doc.75-13263 Filed 5-16-75;8:45 am]

FEDERAL MARITIME COMMISSION

SEA-LAND SERVICE, INC. AND MAHER TERMINALS, INC.

Agreements Filed

Notice is hereby given that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreements at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreements at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before June 10, 1975. Any person desiring a hearing on the proposed agreements shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreements (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Gary R. Edwards, Esq.
Ragan & Mason
The Farragut Building
900 Seventeenth Street NW,
Washington, D.C. 20006

Agreement No. T-3093, between Sea-Land Service, Inc., (Sea-Land) and Maher Terminals, Inc., (Maher) provides for the interchange of container handling cranes between Sea-Land and Maher. In consideration of the agreement Sea-Land and Maher will share equally the expense incurred to effect the interchange of cranes. The cranes shall be available for interchange whenever a crane is not being used by its owner or undergoing maintenance.

By Order of the Federal Maritime Commission.

Dated: May 15, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-13329 Filed 5-20-75;8:45 am]

PRUDENTIAL LINES INC. AND WATERMAN STEAMSHIP CORP.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before June 10, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

J. R. Leyh, Assistant Secretary
Waterman Steamship Corporation
910 17th Street NW,
Washington, D.C. 20006

Agreement No. 10127-1, between Waterman Steamship Corporation and Prudential Lines, Inc., modifies the approved basic Equipment Interchange Agreement which permits the lines to interchange barges and related equipment in conjunction with their LASH operations, by amending said agreement in its entirety, essentially incorporating therein the present provisions of the basic agreement, and by including various new provisions as set forth in the agreement.

By Order of the Federal Maritime Commission.

Dated: May 14, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-13330 Filed 5-20-75;8:45 am]

OCEANIC CRUISES DEVELOPMENT, INC. AND/OR ORIENT OVERSEAS SERVICES, INC.

Order of Revocation

Certificate of financial responsibility for indemnification of passengers for

nonperformance of transportation No. P-122 and certificate of financial responsibility to meet liability incurred for death or injury to passengers or other persons on voyages No. C-1,118.

Whereas, Oceanic Cruises Development, Inc. and/or Orient Overseas Line, Inc. (Orient Overseas Line) have ceased to operate the passenger vessel Oriental President.

It is ordered, That Certificate (Performance) No. P-122 and Certificate (Casualty) No. C-1,118 covering the Oriental President be and are hereby revoked effective May 12, 1975.

It is further ordered, That a copy of this Order be published in the FEDERAL REGISTER and served on the Certificants.

By the Commission, May 12, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-13331 Filed 5-20-75;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. CS71-523, etc.]

C. H. LYONS, JR., ET AL.

Applications for Small Producer
Certificates¹

MAY 14, 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 June 11, 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

¹ This notice does not provide for consolidation for hearing of the several matters covered herein.

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.

Docket No.	Date filed	Applicant
CS71-523	Apr. 24, 1974	C. H. Lyons, Jr., executor, Suite 1500, Beck Bldg., Shreveport, La. 71101.
CS72-583	Apr. 28, 1975	W. D. Greenfields, P.O. Box 630, Ponca City, Okla. 74601.
CS75-438	Apr. 21, 1975	T. Jack Foster Trust "A", P.O. Box 4100, Foster City, Calif. 94404.
CS75-439	do	Dan L. Duncan, 1100 Milan, Suite 2900, Houston, Tex. 77002.
CS75-440	do	Joe D. Haynes, 1105 Milan, Suite 2900, Houston, Tex. 77002.
CS75-441	Apr. 22, 1975	Hunter Oil Corp., P.O. Box 9188, Amarillo, Tex. 79105.
CS75-442	Apr. 23, 1975	Langford Drilling Co., 906 City National Bldg., Wichita Falls, Tex. 76301.
CS75-443	do	Wayne L. Kirkman, P.O. Box 18148, Wichita, Kans. 67218.
CS75-444	Apr. 24, 1975	Andrade Trusts No. 1910-13, P.O. Box 241, Dallas, Tex. 75221.
CS75-445	do	George L. Herrell, 1500 Beck Bldg., Shreveport, La. 71101.
CS75-446	do	Richard J. Davenport, 1500 Beck Bldg., Shreveport, La. 71101.
CS75-447	do	John Michael Hillard, 1500 Beck Bldg., Shreveport, La. 71101.
CS75-448	do	Bayou Land & Mineral Co., Inc., P.O. Box 1713, Shreveport, La. 71166.
CS75-449	Apr. 25, 1975	The Oleum Freres Corp., 224 1 Bala Cynwyd Plaza, Bala Cynwyd, Pa. 19004.
CS75-450	do	Penn Resources, Inc. 72, 224 1 Bala Cynwyd Plaza, Bala Cynwyd, Pa. 19004.
CS75-451	do	Bryn Mawr Resources, Inc., 224 1 Bala Cynwyd Plaza, Bala Cynwyd, Pa. 19004.
CS75-452	do	James W. Staples, P.O. Box 76, Tuleita, Tex. 78162.
CS75-453	Apr. 28, 1975	Panther Oil Co., 900 American National Bank Bldg., Amarillo, Tex. 79101.
CS75-454	do	Salt Fork Producers, Inc., P.O. Box 902, Blackwell, Okla. 74631.
CS75-455	do	Hayes Oil Co., 1312 Midland Savings Bldg., Midland, Tex. 79701.
CS75-456	May 1, 1975	Patricia R. Dixon, 3215 Avalon Pl., Houston, Tex. 77013.
CS75-457	Apr. 25, 1975	Hellena Fox Wright Rogers et al., 2875 Sleepy Hollow, Jackson, Miss. 39211.
CS75-458	May 2, 1975	Great Lakes Chemical Corp., P.O. Box 2200 (Highway 52 N.), West Lafayette, Ind. 47906.
CS75-459	do	Huische Operating Co., 1340 Bank & Trust Tower, Corpus Christi, Tex. 78401.
CS75-460	do	D. A. Kimbell, 800 Oil and Gas Bldg., Wichita Falls, Tex. 76301.
CS75-461	do	Amelia Mae Evans, P.O. Box 1232, Kilgore, Tex. 75662.
CS75-462	do	O. T. Kimbell, 800 Oil and Gas Bldg., Wichita Falls, Tex. 76301.

Docket No.	Date filed	Applicant
CS75-463	do	Hunter Parks, P.O. Box 1252, Kilgore, Tex. 75662.
CS75-464	do	Cynthia Gay Pollard, P.O. Box 1252, Kilgore, Tex. 75662.
CS75-465	do	J. B. Hinkle, d.b.a. Hinkle Oil Co., 1016 Union Center Bldg., Wichita, Kans. 67202.
CS75-466	do	Williams Well Surveys, Inc., 3105 Grand Central Ave., Vienna, W. Va. 26105.
CS75-467	May 5, 1975	Jarrett Oil Co., P.O. Box 7151, Amarillo, Tex. 79109.
CS75-468	do	Gas Systems, Inc., 1308 Continental National Bank, Fort Worth, Tex. 76102.

¹ Petition to amend to substitute C. H. Lyons, Jr., executor, in lieu of C. H. Lyons, Sr., deceased.

² Petition to amend to include W. D. Greenfields, Inc. under applicant's small producer certificate.

[FR Doc.75-13233 Filed 5-20-75;8:45 am]

[Docket No. RI75-138]

SHELL OIL CO.

Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

MAY 14, 1975.

Respondent has filed a proposed change in rate and charge for the jurisdictional sale of natural gas, as set forth in Appendix A below.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR, Chapter I) and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column. This supplement shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the Regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

APPENDIX "A"

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf ¹		Rate in effect subject to refund in docket No.
									Rate in effect	Proposed increased rate	
RI75-128	Shell Oil Co.	309	23	Montana-Dakota Utilities Co. (Wyoming) (Rocky Mountain).	\$30,417	4-21-75		10-22-75	24.7294	\$5.7504	

¹ Unless otherwise stated, the pressure base is 14.73 psia.
² Production from wells commenced prior to January 1, 1973 only.

The proposed rate increase of Shell exceeds the applicable rate established in Opinion No. 658 and is suspended for five months.

[FR Doc.75-13234 Filed 5-20-75; 8:45 am]

[Docket Nos. RI75-139 and RI75-107]

TEXACO INC.

Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund¹

MAY 14, 1975.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A below.

¹ Does not consolidate for hearing or disposal of the several matters herein.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR, Chapter I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are

suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

APPENDIX "A"

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf ¹		Rate in effect subject to refund in docket No.
									Rate in effect	Proposed increased rate ²	
RI75-139	Texaco Inc.	45	10	Mountain Fuel Supply Co. (Colorado) (Rocky Mountain).	\$615,000	4-14-75	4-14-75	(9)			
			11					do.	(9)	28.2374	60.8135
			12					do.	10-15-75	27.2553	29.5008
									(9)		

¹ Unless otherwise stated, the pressure base is 15.625 lb/in² a.
² Unless otherwise stated, the rate shown is the total rate, inclusive of any applicable British thermal unit adjustment of any applicable British thermal unit adjustment and tax.
³ Replacement contract dated Dec. 30, 1974, which supersedes contract dated Feb. 1, 1966 (Texaco Inc. R/S No. 49), and Nov. 15, 1957, contract (Texaco Inc. R/S No. 174).

⁴ Accepted for filing as the date set forth in the "Effective date unless suspended" column.
⁵ Applies to prior sales under rate schedule No. 45.
⁶ Applies to sales previously made under rate schedule No. 174.
⁷ From 1,050 Btu base.
⁸ From 1,000 Btu base.

[Docket No. E-9420]

YANKEE ATOMIC ELECTRIC CO.

Rate Change Filing

MAY 14, 1975.

Take notice that on May 1, 1975, Yankee Atomic Electric Company (Yankee) tendered for filing an executed contract between Yankee and ten of its eleven owner companies to supersede the presently effective contract dated June 30, 1959 for sale of the net output of Yankee's nuclear power plant at Rowe, Massachusetts. Yankee states that the owner companies' percentage shares of Yankee common stock and of the net output of the plant are as follows:

	Stock percentage	Power percentage
New England Power Co.	30.0	30.0
The Connecticut Light & Power Co.	15.0	15.0
Boston Edison Co.	9.5	9.5
Central Maine Power Co.	9.5	9.5
The Hartford Electric Light Co.	9.5	9.5
Western Massachusetts Electric Co.	7.0	7.0
Public Service Co. of New Hampshire	7.0	18.5
Montaup Electric Co.	4.5	4.5
New Bedford Gas & Edison Co.	2.5	2.5
Cambridge Electric Co.	2.0	2.0
Central Vermont Public Service Corp.	3.5	3.5
	100.0	100.0

Yankee states that Central Maine Power Company, not being located in a state adjoining Massachusetts, is not en-

Texaco had previously filed a unilateral rate increase to the national rate for sales under its FPC Gas Rate Schedule No. 45. Although the primary term of Texaco's contract had expired, there was no replacement contract. Hence the sales did not qualify for the national rate under Opinion No. 699, as amended, and Texaco's previous rate increase was suspended until July 9, 1975 in Docket No. RI75-107. Since the parties have now entered into a replacement contract, the sale now qualifies for the national rate. Consequently, the national rate proposed in Supplement No. 11 is acceptable. In addition, Docket No. RI75-107 is now moot and is hereby terminated.

The proposed rate of 29.8098¢ per Mcf contained in Supplement No. 12 exceeds the applicable ceiling rate under Opinion No. 658 and is therefore suspended for five months.

[FR Doc.75-13236 Filed 5-20-75; 8:45 am]

titled to purchase electrical energy from Yankee and that Public Service Company of New Hampshire supplies power to Central Maine in amounts equivalent to 9.5 percent of the net electrical output of the Yankee plant, after appropriate allowance for transmission losses.

According to Yankee, the revised contract provides for the following changes in the present contract:

1. Under the present contract, the ten owner companies taking shares of the net output of the plant (and Central Maine through its contract with Public Service Company of New Hampshire) reimburse Yankee for its total cost of service in proportion to those shares. The cost of service includes a fixed overall return of five percent on net rate base. Under the payment provisions in section 6 of the revised contract, Yankee's charges would reflect instead an overall return on net rate base equal to Yankee's composite cost of debt plus two percent.

2. Section 6 also provides for an interest charge on any payment delayed beyond thirty days after receipt by the customer of a monthly statement and that Yankee may terminate the contract by written notice if payment is delayed beyond six months.

3. Section 6 provides that Yankee's cost of service shall include accruals to any reserve established by Yankee's board of directors to provide for decommissioning the plant on or after July 1, 1991.

4. Section 11 of the new contract gives Yankee the right to amend section 6 by unilateral filing with the Federal Power Commission.

5. The new contract has an expiration date of June 30, 1991 instead of the June 30, 1981 expiration date in the present contract.

6. The new contract provides that the plant shall be subject to central dispatch pursuant to section 12 of the New England Power Pool agreement dated as of September 1, 1971, as from time to time amended.

7. The arbitration clause in section 8 of the new contract is simpler than the arbitration clause in the present contract.

Yankee requests that the enclosed contract be permitted to become effective on June 1, 1975. If any suspension is ordered, Yankee requests that it be for the minimum one day period.

Yankee states that it enclosed with its filing testimony and exhibits including Statements A through N for the 12 month periods ended January 31, 1975 (Period I) and January 31, 1976 (Period II). Yankee says that Statement O is not included since the new contract does not contain a fuel adjustment clause. Since the Price Commission is no longer active according to Yankee, Yankee requests waiver of the requirement for Statement P.

Yankee states that the revenue comparisons submitted by Yankee for the 12 months ended May 31, 1975 indicate an increase of \$4,468,000. Yankee states that the comparisons for the 12 months ended

May 31, 1976 indicate an increase of \$3,394,000 assuming an overall return of 10 percent and \$4,540,000 assuming an overall return of 12 percent.

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, 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 23, 1975. Protests 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 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.75-13232 Filed 5-20-75;8:45 am]

FEDERAL PREVAILING RATE ADVISORY COMMITTEE COMMITTEE MEETINGS

Pursuant to the provisions of section 10 of Pub. L. 92-463, effective January 5, 1973, notice is hereby given that meetings of the Federal Prevailing Rate Advisory Committee will be held on:

Thursday, June 5, 1975
Thursday, June 12, 1975
Thursday, June 19, 1975
Thursday, June 26, 1975

The meetings will convene at 10 a.m. and will be held in Room 5A06A, Civil Service Commission Building, 1900 E Street NW., Washington, D.C.

The committee's primary responsibility is to study the prevailing rate system and from time to time advise the Civil Service Commission thereon.

At these scheduled meetings, the committee will consider proposed plans for implementation of Pub. L. 92-392, which law establishes pay systems for Federal prevailing rate employees.

The meetings will be closed to the public on the basis of a determination under section 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463) and 5 U.S.C., section 552(b)(2), that the closing is necessary in order to provide the members with the opportunity to advance proposals and counter-proposals in meaningful debate on issues related solely to the Federal Wage System with the view toward ultimately formulating advisory policy recommendations for the consideration of the Civil Service Commission.

However, members of the public who wish to do so, are invited to submit material in writing to the Chairman concerning matters felt to be deserving of the committee's attention. Additional information concerning these meetings may be obtained by contacting the Chairman, Federal Prevailing Rate Advisory Com-

mittee, Room 5451, 1900 E Street NW., Washington, D.C. 20415.

DAVID T. ROADLEY,
Chairman, Federal Prevailing
Rate Advisory Committee.

MAY 15, 1975.

[FR Doc.75-13289 Filed 5-20-75;8:45 am]

NATIONAL SCIENCE FOUNDATION ADVISORY PANEL FOR METABOLIC BIOLOGY Meeting

The Advisory Panel for Metabolic Biology will hold a meeting on June 6 & 7, 1975, at 9 a.m. in Room 511 at 1800 G Street, NW., Washington, D.C.

The purpose of this Panel is to provide advice and recommendations as part of the review and evaluation process for specific research proposals that have been assigned to the Metabolic Biology Program. This Panel functions in accordance with the Federal Advisory Committee Act, Pub. L. 92-463.

This meeting will not be open to the public because the Panel will be reviewing, discussing, and evaluating individual research proposals. Also, these proposals contain information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within the exemptions of 5 U.S.C. 552(b)(4), (5), and (6). The closing of this meeting is in accordance with the determination by the Director of the National Science Foundation dated February 21, 1975, pursuant to the provisions of section 10(d) of Pub. L. 92-463.

For further information about this Panel, please contact Dr. Elijah B. Romanoff, Program Director for Metabolic Biology, Room 323, National Science Foundation, Washington, D.C. 20550, telephone (202) 632-4312.

Dated: May 16, 1975.

FRED K. MURAKAMI,
Committee Management Officer.

[FR Doc.75-13166 Filed 5-20-75;8:45 am]

ADVISORY PANEL FOR POLITICAL SCIENCE Meeting

The Advisory Panel for Political Science will hold a meeting on June 6, 1975, at 9 a.m. in Room 621, 1800 G Street, NW., Washington, D.C.

The purpose of this Panel is to provide advice and recommendations as part of the review and evaluation process for specific research proposals that have been assigned to the Political Science Program. This Panel functions in accordance with the Federal Advisory Committee Act, Pub. L. 92-463.

This meeting will not be open to the public because the Panel will be reviewing, discussing, and evaluating individ-

ual research proposals. Also, these proposals contain information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within the exemptions of 5 U.S.C. 552(b) (4), (5), and (6). The closing of this meeting is in accordance with the determination by the Director of the National Science Foundation dated February 21, 1975, pursuant to the provisions of section 10(d) of Pub. L. 92-463.

For further information about this Panel, please contact Dr. David C. Leeger, Program for Political Science, Room 205, National Science Foundation, Washington, D.C. 20550, telephone (202) 632-4348.

Dated: May 15, 1975.

FRED K. MURAKAMI,
Committee Management Officer.

[FR Doc. 75-13167 Filed 5-20-75; 8:45 am]

**NUCLEAR REGULATORY
COMMISSION**
**ADVISORY COMMITTEE ON REACTOR
SAFEGUARDS**

Meeting

In accordance with the purposes of Sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b.), the Advisory Committee on Reactor Safeguards will hold a meeting on June 5-7, 1975, in Room 1046, 1717 H Street NW., Washington, D.C.

The following constitutes that portion of the Committee's agenda for the above meeting which will be open to the public:

THURSDAY, JUNE 5, 1975

11:45 a.m.-12:45 p.m. and 1:45 p.m.-3:45 p.m.—*Joseph M. Farley Nuclear Plant Units 1 and 2.* The Committee will hear presentations by and hold discussions with representatives of the Alabama Power Company and the NRC Staff regarding the application for an Operating License for this facility. This portion of the meeting will include closed sessions if required to discuss proprietary information related to the design, construction and/or operation of this plant. Closed portions will also be held if required to discuss security arrangements for this facility and for Committee deliberative sessions.

4:15 p.m.-8:15 p.m.: *Diablo Canyon Site Units 1 and 2.* The Committee will hear presentations by and hold discussions with representatives of the Pacific Gas & Electric Company and the NRC Staff regarding the application for an Operating License for this facility. This portion of the meeting will include closed sessions if required to discuss proprietary information related to the design, construction and/or operation of this plant. Closed portions will also be held if required to discuss security arrangements for this facility and for Committee deliberative sessions.

FRIDAY, JUNE 6, 1975

9:30 a.m.-12:30 p.m.: *Washington Public Power Supply System Units 1 and 4.* The Committee will hear presentations by and

hold discussions with representatives of the applicant and the NRC Staff regarding the request for a Construction Permit for this facility. This portion of the meeting will include closed sessions if required to discuss proprietary information related to the design, construction and/or operation of this plan. Closed portions will also be held if required to discuss security arrangements for this facility and for Committee deliberative sessions.

1:30 p.m.-2:30 p.m.: *Meeting with NRC Staff.* The Committee will meet with representatives of the NRC Staff to hear presentations and to discuss items related to recent operating experience and licensing actions regarding nuclear power plants.

3:00 p.m.-6:15 p.m.: *St. Lucie Plant Unit 1.* The Committee will hear presentations by and hold discussions with representatives of the Florida Power and Light Company and the NRC Staff regarding the request for an Operating License for this plant. This portion of the meeting will include closed sessions if required to discuss proprietary information related to the design, construction and/or operation of this plant. Closed portions will also be held if required to discuss security arrangements for this facility and for Committee deliberative sessions.

It should be noted that, in addition to the closed portions of the agenda items noted above, the Committee will hold other sessions not open to the public under the authority of section 10(d) of Pub. L. 92-463 (the Federal Advisory Committee Act), to consider the above applications and other matters. I have determined in accordance with subsection 10(d) of Pub. L. 92-463 that it is necessary to close such portions of the meeting to protect proprietary data (5 U.S.C. 552(b) (4)), and to protect the free interchange of internal views to avoid undue interference with agency or Committee operation (5 U.S.C. 552(b) (5)). Any non-exempt material that may be discussed during the closed portions of the meeting will be inextricably intertwined with discussion of exempt material and no further separation is practical. Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman of the Committee is empowered to conduct the meeting in a manner that in his judgment will facilitate the orderly conduct of business, including provisions to carry over an incomplete open session from one day to the next.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda item may do so by mailing 25 copies thereof, postmarked no later than May 21, 1975, to the Executive Secretary, Advisory Committee on Reactor Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Such written comments shall be based on documents related to the agenda items noted above, and related documents on file and available for public inspection at the Nuclear Regulatory Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20555, and as follows:

Diablo Canyon Site Units 1 and 2
San Luis Obispo County Free Library
888 Morro Street (P.O. Box X)
San Luis Obispo, California 93406

Joseph M. Farley Nuclear Plant Units 1 and 2
George S. Houston Memorial Library
212 W. Vurdesliaw Street
Dothan, Alabama 36301

St. Lucie Unit 1
Indian River Junior College Library
3209 Virginia Avenue
Ft. Pierce, Florida 33450

Washington Public Power Supply System Units 1 and 4
Richland Public Library
Swift and Northgate Streets
Richland, Washington 99352

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement and shall set forth reasons justifying the need for such oral statement and its usefulness to the Committee. To the extent that the time available for the meeting permits, the Committee will receive oral statements during a period of no more than 30 minutes at an appropriate time, chosen by the Chairman of the Committee.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Committee, who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to whether the meeting or portions of the meeting have been cancelled or rescheduled, and in regard to the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call on June 4, 1975, to the Office of the Executive Secretary of the Committee (Telephone: 202-634-1371) between 8:30 a.m. and 5:15 p.m., e.t. It should be noted that the schedule noted above is tentative, based on the anticipated availability of related information, etc. It may be necessary to reschedule items during the same day to accommodate required changes. The ACRS Executive Secretary will be prepared to describe these changes on June 4, 1975.

(e) Questions may be propounded only by members of the Committee and its consultants.

(f) The use of still, movie, and television cameras, the physical installation and presence of which will not interfere with the course of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in sessions.

(g) Persons desiring to attend portions of the meeting where proprietary information, other than plant security information, is being discussed may do so by providing to the Executive Secretary 7 days prior to the meeting, a copy of an executed agreement with the owner of the proprietary information providing for access to this information.

(h) A copy of the transcript of the open portions of the meeting will be available for inspection during the following workday at the Nuclear Regulatory Commission's Public Document Room, 1717 H Street NW., Washington, D.C. On request, copies of the minutes of the meeting will be made available for inspection at the Nuclear Regulatory Commission's Public Document Room, 1717 H Street NW., Washington, D.C. on or after September 5, 1975. Copies may be obtained upon payment of appropriate charges.

Dated: May 19, 1975.

SAMUEL J. CHILK,
Advisory Committee
Management Officer.

[FR Doc. 75-13403 Filed 5-20-75; 8:45 am]

REGULATORY GUIDE Issuance and Availability

The Nuclear Regulatory Commission has issued a new guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications per permits and licenses.

Regulatory Guide 7.3, "Procedures for Picking Up and Receiving Packages of Radioactive Material," describes a method acceptable to the NRC staff for licensees to comply with the Commission's regulations with respect to arrangements for receipt, pickup, and monitoring of packages containing radioactive material and with respect to reporting of packages which, on receipt, show evidence of leakage or excessive radiation levels.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed (listed below) or (2) improvements in all published guides are encouraged at any time. Public comments on Regulatory Guide 7.3 will, however, be particularly useful in evaluating the need for an early revision if received by July 18, 1975.

Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section.

Regulatory Guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides should be made in writing to the Director, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone requests cannot be ac-

commodated. Regulatory Guides are not copyrighted and Commission approval is not required to reproduce them.

Other Division 7 Regulatory Guides currently being developed include the following:

- * Leakage Tests on Packages for Shipment of Radioactive Materials
- * Administrative Guide for Obtaining Exemptions from Certain NRC Requirements over Radioactive Material Shipments
- * Standard Format for Applications of Part 71 for Packaging of Type B

(5 U.S.C. 552(a))

Dated at Rockville, Md., this 13th day of May 1975.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
Acting Director,
Office of Standards Development.

[FR Doc. 75-13270 Filed 5-20-75; 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 May 15, 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

ACTION

LRV/YUA reference forms, single-time, individuals, Caywood, D.P., 395-3443.

DEPARTMENT OF COMMERCE

Bureau of the Census, Bunker Coal or Fuel Oil Laden on Vessels Cleared for Foreign Countries, Monthly, Customs District Headquarters Ports, Caywood, D.P., 395-3443.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Services Administration, Evaluation of Specialized Training for Dentists Treating Children with Handicaps, BCHS 0430, single-time, periodontists and general dentists, Human Resources Division, Dick Eisinger, 395-3532.

Social Security Administration, Utah Cost Improvement Project: Provider Interview Guides, SSA-3157, SSA-3158, single-time, hospitals, nurses, Caywood, D.P., 395-3443.

Health Resources Administration, New Jersey Dental Association, Dental Manpower Shortage, area study, BHRD 0428, single time, dentists, Dick Eisinger, Lowry, R.L., 395-4716.

Office of the Secretary, Mail Questionnaire, OS-29-75, single-time, project director at title VII project, Human Resources Division, Reese, B.F., 395-3532.

Site Director Interview Form, OS-27-75, single-time, title VII Site Managers at Nutrition Sites, Human Resources Division, Reese, B.F., 395-3532.

Outreach Worker Interview Form, OS-28-75, single-time, outreach workers at title VII sites, Human Resources Division, Reese, B.F., 395-3532.

Project Director Project Interview Form, OS-26-75, single-time, project directors of title VII nutrition program, Human Resources Division, Reese, B.F., 395-3532.

Elderly Outreach Activities, Nutrition Program: Project Director Site Interview Form, OS-30-75, single-time, Project Directors of Title VII Program, Human Resources Division, Reese, B. F., 395-3532.

DEPARTMENT OF LABOR

Bureau of Labor Statistics, Retail Prices—Initiation and Collection of Food, Commodity and Service Prices, BLS 3400, BLS 3400A, BLS 3400B, BLS 3400C, BALS 3401, monthly, retail establishments, Strasser, A., 395-3880.

DEPARTMENT OF THE INTERIOR

Geological Survey, Earthquake Report, on occasion, Postmasters, Lowry, R. L., 395-3772.

REVISIONS

COMM. ON REVIEW OF NATIONAL POLICY TOWARD GAMBLING

National Gambling Study Proposal, on occasion, national sample of adults, Hall, George, 395-4697.

DEPARTMENT OF COMMERCE

Bureau of the Census, Survey of Gallonage Sales of Gasoline, SG-1, SG-2, SG-3, monthly, retail gasoline service stations, Lowry, R. L., 395-3772.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources Administration, Evaluation of the Effectiveness of CHPS Agency Assessments and Technical Assistance Activities, BERD 0410, single-time, staff and associates of 314 (A) and (B) agencies, Human Resources Division, Caywood, D. P., 395-3532.

National Institutes of Health, International Fellowship Application and Instruction Sheets, NIH-F1-1, annually, recent post-doctoral basic medical research scientists, Lowry, R. L., 395-3772.

Virus Cancer Program Serum Bank Inventory Report, NIH-CA-25, on occasion, hospitals and clinics, Caywood, D. P., 395-3443.

EXTENSIONS

DEPARTMENT OF COMMERCE

Economic Development Administration, Potential Project Report for Field Staff Screening of Business Loan Applicants, ED-233T, on occasion, firms considering new/expanded plants, Caywood, D. P., 395-3443.

PHILLIP D. LARSEN,
Budget and Management Officer.

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GENERAL SERVICES ADMINISTRATION

[Federal Property Management Regs.;
Temporary Reg. A-11]

INCREASE IN MILEAGE ALLOWANCES FOR USE OF PRIVATELY OWNED AUTOMO- BILES

Changes to Federal Travel Regulations

1. *Purpose.* This regulation amends Federal Property Management Regulations 101-7, Federal Travel Regulations, (a) to implement the Travel Expense Amendments Act of 1975 (Pub. L. 94-22, approved May 19, 1975) and (b) to provide for increases in the mileage allowances for use of privately owned automobiles when used in lieu of Government-furnished automobiles.

2. *Effective date.* This regulation is effective for travel performed on or after May 19, 1975.

3. *Expiration date.* This regulation expires May 1, 1976. Prior to expiration, the provisions of this regulation will be incorporated, as appropriate, in the Federal Travel Regulations (FTR), FPMR 101-7.

4. *Applicability.* The provisions of this regulation apply to the official travel of employees of Government agencies as defined in 5 U.S.C. 5701, except employees of the judicial branch.

5. *Background.* a. Pub. L. 94-22, Travel Expense Amendments Act of 1975, hereinafter referred to as the act, authorizes increases in the statutory maximum travel allowances and makes certain other technical and clarifying changes by amending Subchapter 1 of Chapter 57 of Title 5 of the United States Code (5 U.S.C. 5701-5709). It also establishes a new concept of high rate geographical areas to accommodate those areas where unusually high travel costs are incurred. In addition, the act authorizes the Administrator of General Services to provide regulations setting per diem and mileage allowances not to exceed the statutory maximum amounts and to prescribe the conditions of travel and reimbursement.

b. Because of increased costs of operating Government motor vehicles, mileage rates for use of a privately owned vehicle when such use is in lieu of a Government-furnished vehicle are increased.

c. In consonance with the provisions of this regulation, and to achieve maximum uniformity, the General Services Administration (GSA) proposes to publish additional criteria for the computation of per diem rates for official travel including circumstances which require reduced per diem and/or where the lodgings-plus method may not be appropriate. This action will be reflected in a proposed revision to the FTR after a thorough review has been made of the various travel circumstances and agency comments and recommendations.

6. *Explanation of changes.* Provisions stated in attachment A to this regulation amend the FTR for the reasons given below. It should be noted that cer-

tain existing FTR paragraphs have been incorporated for clarity and continuity purposes and to facilitate use of this regulation. The following changes are made in the FTR which are incorporated by reference into 41 CFR Part 101-7 and transmitted by GSA Bulletin FPMR A-40:

a. Paragraph 1-1.2 is revised to clarify the applicability of Chapter 1 of the FTR to include certain experts and consultants and individuals serving without pay or at \$1 a year who were covered under 5 U.S.C. 5703 prior to amendment by the act. These individuals are now considered to be employees for purposes of the administration of travel allowances under Chapter 1. It also specifically excludes employees of the judicial branch of the Government.

b. Paragraph 1-1.3c is amended to add new definitions and to incorporate modified definitions previously in FPMR Temporary Regulation A-9.

c. Paragraph 1-2.2 is revised to incorporate modified provisions of FPMR Temporary Regulation A-9 to clarify the methods and priorities of transportation to be used for official travel.

d. Paragraph 1-4.1c is revised to authorize reimbursement for the cost of airplane parking, landing, and tiedown fees in addition to the mileage allowance.

e. Paragraph 1-4.2 is amended to increase mileage allowances for use of privately owned conveyances when such use is advantageous to the Government.

f. Paragraph 1-4.4 is amended to increase the mileage allowances for use of a privately owned automobile when such use is in lieu of a Government-furnished automobile.

g. Paragraph 1-7.1a is revised for clarification because of the new high rate geographical area provisions in Part 8.

h. Paragraph 1-7.2 is amended to increase the maximum per diem allowance for official travel within the continental United States to \$33.

i. Paragraph 1-7.3c is revised to establish a uniform set rate of \$14 for meals and miscellaneous subsistence expenses and to clarify the method to be used in computing the average cost of lodgings.

j. Paragraphs 1-8.1, 1-8.2, and 1-8.3 are revised to increase the maximum allowance for actual subsistence expense travel, to provide for the newly authorized high rate geographical area method, and to include more detailed and uniform guidance for the authorization and reimbursement of actual subsistence expense travel.

k. Paragraph 1-8.6 is added to designate those cities or areas that have been determined to be high rate geographical areas and to prescribe the maximum allowable rate of reimbursement.

l. Paragraph 2-2.3 is amended to increase the maximum allowable mileage rates for use of a privately owned automobile during permanent change of station travel.

m. The table of contents is amended to add the captions of the new paragraphs provided herein through appropriate annotations.

7. *Assistance.* Agencies may obtain additional information and assistance concerning the provisions of this regulation by contacting the General Services Administration (FZR), Washington, D.C. 20406, telephone: (703) 557-9030.

8. *Effect on other issuances.* FPMR Temporary Regulation A-9 dated February 6, 1974, and Supplement 2 thereto dated January 24, 1975, are canceled. The applicable provisions of the canceled regulation are modified and incorporated herein.

9. *Agency comments.* Comments and recommendations concerning the provisions of this regulation are requested and should be submitted to the General Services Administration (FZ), Washington, D.C. 20406, within 60 calendar days of the effective date of this regulation for possible incorporation into the permanent regulation. Comments are also desired concerning the proposal to prescribe guidance and rates applicable to all agencies for computation of per diem and for travel circumstances that require reduced per diem rates as described in subparagraph 5c. Comments should include descriptions of travel circumstances requiring reduced per diem (especially those situations unique to the agency commenting) and recommendations for specific rates, if appropriate.

ARTHUR F. SAMPSON,
Administrator of
General Services.

MAY 19, 1975.

CHANGES TO FEDERAL TRAVEL REGULATIONS, FPMR 101-7

1. Paragraph 1-1.2 is revised to read as follows:

1-1.2. *Applicability.*

(a) The provisions of this chapter apply to official travel of civilian employees of Government agencies, including civilian employees of the Department of Defense, as authorized under 5 U.S.C. 5701-5709, but excluding employees of the judicial branch of the Government.

(b) The provisions of this chapter also apply to official travel of individuals employed intermittently in the Government service as consultants or experts and paid on a daily when-actually-employed (WAE) basis and of individuals serving without pay or at \$1 a year. These individuals are not considered to have a "permanent duty station" within the general meaning of that term; however, they may be allowed travel or transportation expenses under this chapter while traveling on official business for the Government away from their homes or regular places of business and while at places of Government employment or service. Maximum rates prescribed herein are applicable unless a higher rate is specifically authorized in an appropriation or other statute.

2. Paragraph 1-1.3c is amended by adding new subparagraphs as follows:

1-1.3. *General rules.*

c. *Definitions.*

(3) *Government-furnished automobile.* The term Government-furnished auto-

mobile includes an automobile which is (a) owned by an agency, (b) assigned or dispatched to an agency on a rental basis from a GSA interagency motor pool, or (c) leased by the Government for a period of 30 days or longer from a commercial firm.

(4) *Government-contract rental automobile.* A Government contract rental automobile is an automobile obtained from a commercial firm under the provisions of an appropriate General Services Administration (GSA) Federal Supply Schedule contract.

(5) *Special conveyance.* Special conveyance is any method of transportation other than common carrier, Government-furnished or privately owned, which requires specific authorization or approval for the use thereof. Such transportation generally includes conveyances obtained through commercial rental means for less than 30 days.

(6) *Employee.* As used in this chapter, employee means an individual employed in or under an agency, including an individual employed intermittently in the Government service as an expert or consultant and paid on a daily when-actually-employed (WAE) basis and an individual serving without pay or at \$1 a year.

(7) *Government.* Government means the Government of the United States and the government of the District of Columbia.

(8) *Agency.* Agency means an executive agency; a military department; an office, agency, or other establishment in the legislative branch; and the government of the District of Columbia but does not include a Government-controlled corporation; a member of Congress; or an office or committee of either House of Congress or of the two Houses.

3. Paragraph 1-2.2 is revised as follows:

1-2.2. *Methods of transportation.*

a. *Authorized methods.* Methods of transportation authorized for official travel include railroads, airlines, helicopter service, ships, buses, streetcars, subways, taxicabs; Government-furnished and contract rental automobiles and airplanes; privately owned and rented automobiles and airplanes; and any other necessary means of conveyance.

b. *Selecting method of transportation to be used.* Travel on official business shall be by the method of transportation which will result in the greatest advantage to the Government, cost and other factors considered. In selecting a particular method of transportation to be used, consideration shall be given to energy conservation and to the total cost to the Government, including costs of per diem, overtime, lost work time, and actual transportation costs. Additional factors to be considered are the total distance of travel, the number of points visited, and the number of travelers. 5 U.S.C. 5733 requires that, "The travel of an employee shall be by the most expeditious means of transportation practicable and shall be commensurate with

the nature and purpose of the duties of the employee requiring such travel."

c. *Presumptions as to most advantageous method of transportation—(1) Common carrier.* Since travel by common carrier (air, rail, or bus) will generally result in the most efficient use of energy resources and in the least costly and most expeditious performance of travel, this method shall be used whenever it is reasonably available. Other methods of transportation may be authorized as advantageous only when the use of common carrier transportation would seriously interfere with the performance of official business or impose an undue hardship upon the traveler, or when the total cost by common carrier would exceed the cost by some other method of transportation. The determination that another method of transportation would be more advantageous to the Government than common carrier transportation shall not be made on the basis of personal preference or minor inconvenience to the traveler resulting from common carrier scheduling.

(2) *Government-furnished automobiles.* When it is determined that common carrier transportation is not advantageous to the Government and that an automobile is required for official travel, a Government-furnished automobile shall be used whenever it is reasonably available.

(3) *Privately owned conveyance.* Except as provided in 1-2.2d, the use of a privately owned conveyance shall be authorized only when such use is advantageous to the Government. A determination that the use of a privately owned conveyance would be advantageous to the Government shall be preceded by a determination that common carrier transportation or Government-furnished vehicle transportation is not available or would not be advantageous to the Government. To the maximum extent possible, these determinations and the authorization to use a privately owned conveyance shall be made before the performance of travel.

(4) *Special conveyance.* Commercially rented vehicles and other special conveyances shall be used only when it is determined that use of other methods of transportation discussed in 1-2.2c would not be more advantageous to the Government. In the selection of commercially rented vehicles, first consideration shall be given to Government-contract rental vehicles available under an appropriate GSA Federal Supply Schedule contract.

d. *Permissive use of a privately owned conveyance.* When an employee uses a privately owned conveyance as a matter of personal preference and such use is compatible with the performance of official business, although not determined to be advantageous to the Government under 1-2.2c(3), such use may be authorized or approved: *Provided,* That reimbursement is limited in accordance with the provisions of 1-4.

4. Paragraph 1-4.1c is revised as follows:

1-4.1. *Basic rules.*

c. *Other allowable costs.* Reimbursement for parking fees; ferry fees; bridge, road, and tunnel costs; and airplane parking, landing, and tiedown fees shall be allowed in addition to the mileage allowance unless the travel orders or other administrative determinations restrict such allowance.

5. Paragraph 1-4.2 is amended as follows:

1-4.2. *When use of a privately owned conveyance is advantageous to the Government.*

a. *Mileage rate determinations.* When it is determined that use of a privately owned conveyance by the traveler is advantageous to the Government as provided in 1-2.2c(3), the reimbursement mileage rates shall be as follows:

(1) 8 cents per mile for use of a privately owned motorcycle.

(2) 15 cents per mile for use of a privately owned automobile.

(3) 22 cents per mile for use of a privately owned airplane.

c. *To and from common carrier terminals and office—(1) Round trip when in lieu of taxicab to carrier terminals.* In lieu of the use of a taxicab under 1-2.3c, payment on a mileage basis at the rate of 15 cents per mile and other allowable costs as set forth in 1-4.1c shall be allowed for the round-trip mileage of a privately owned automobile used by an employee going from either his home or place of business to a terminal or from a terminal to either his home or place of business. However, the amount of reimbursement for the round trip shall not in either instance exceed the taxicab fare, including tip, allowable under 1-2.3c for a one-way trip between the applicable points.

(2) *Round trip when in lieu of taxicab between residence and office on day of travel.* In lieu of the use of taxicab under 1-2.3d, payment on a mileage basis at the rate of 15 cents per mile and other allowable costs as set forth in 1-4.1c shall be allowed for round-trip mileage of a privately owned automobile used by an employee going from his residence to his place of business or returning from place of business to residence on a day travel is performed. However, the amount of reimbursement for the round trip shall not exceed the taxicab fare, including tip, allowable under 1-2.3d for a one-way trip between the points involved.

6. Paragraph 1-4.4 is amended as follows:

1-4.4. *When use of a privately owned conveyance is in lieu of a Government-furnished automobile.*

b. *Reimbursement based on Government costs.* Based upon average rental rates which agencies pay for GSA motor pool automobiles and the administrative

cost to the user agency, it has been determined that the average mileage cost for use of a Government-furnished automobile for travel in the conterminous United States is 11 cents. Therefore, the mileage rate for authorized use of a privately owned conveyance when use of a Government-furnished automobile would be most advantageous to the Government shall be 11 cents. Exceptions to the above limitation may be authorized if an agency determines that, because of unusual circumstances, the cost of providing a Government-furnished automobile would be higher than 11 cents. In such instances the agency may allow reimbursement at such higher rate within the statutory maximum that will most nearly equal the cost of providing a Government-furnished automobile in those circumstances. In addition to mileage for the distance allowed under 1-4.1b, the employee may be reimbursed for expenses authorized under 1-4.1c which would have been incurred if a Government-furnished vehicle had been used.

c. *Partial reimbursement when Government automobile is available.* When an employee who is committed to using a Government-furnished automobile, or who because of the availability of Government-furnished automobiles, would not ordinarily be authorized to use a privately owned conveyance in lieu of a Government-furnished automobile nevertheless requests use of a privately owned conveyance, reimbursement may be authorized or approved. The rate of reimbursement shall be 6 cents per mile, which is the approximate cost of operating a Government-furnished automobile, fixed costs excluded.

d. *Reimbursement claims.* When claiming mileage at the 11 cent rate, the employee shall state on his voucher that he had not made a commitment to use a Government-furnished automobile and that reimbursement for use of a privately owned automobile was not limited under 1-4.4c.

7. Paragraph 1-7.1a is revised as follows:

1-7.1. *Coverage.*

a. *Travel for which per diem shall be paid.* Per diem allowances under 1-7 shall be paid for official travel except when it is determined that reimbursement should be on the basis of actual subsistence expenses as provided in 1-8.

8. Paragraph 1-7.2 is amended as follows:

1-7.2. *Maximum locality rates.* A per diem allowance in lieu of actual subsistence expenses for travel on official business shall be authorized or approved with the following maximum rates:

a. *Conterminous United States.* Reimbursement for official travel within the limits of the conterminous United States shall be a daily rate not in excess of \$33 except when actual subsistence expenses travel is authorized or approved due to the unusual circumstances of the travel assignment or for travel to a designated

high rate geographical area as provided in 1-8.1.

10. Paragraphs 1-8.1 thru 1-8.3 are revised as follows:

1-8.1. *Authorization or approval.*

a. *General.* Authority for reimbursement of actual and necessary subsistence expenses incurred during official travel is normally contingent upon the entitlement to per diem (see 1-7) and the determination that the authorized maximum per diem allowance would be inadequate to cover the actual and necessary expenses of the traveler. A traveler may be reimbursed for the actual and necessary expenses of the official travel when the maximum per diem allowance otherwise allowable is determined to be inadequate due to the unusual circumstances of the travel assignment, or for travel to high rate geographical areas. Heads of those agencies defined in 5 U.S.C. 5701, or their designees (see 1-8.3), shall authorize or approve reimbursement for the actual and necessary subsistence expenses of a traveler incurred during official travel in accordance with the provisions of this part.

b. *Travel to high rate geographical areas.* Actual subsistence expense reimbursement shall be authorized or approved whenever temporary duty travel is performed to or in a location designated as a high rate geographical area in 1-8.6, except when the high rate geographical area is only an intermediate stopover point at which no official duty is performed.

c. *Unusual circumstances of the travel assignment.* Actual subsistence expense reimbursement may be authorized or approved for specific travel assignments within and outside the conterminous United States when it is determined that maximum per diem allowance (see 1-7.2) would be inadequate due to the unusual circumstances of the travel assignment.

(1) The actual subsistence expense basis of reimbursement shall not be authorized or approved in instances in which the actual and necessary subsistence expenses exceed the maximum per diem allowable only by a small amount. The actual subsistence expense basis may appropriately be authorized or approved for travel assignments which otherwise meet conditions prescribed herein and by the head of the agency if, due to unusual circumstances:

(a) The actual and necessary subsistence expenses exceed the maximum per diem allowance (see 1-7.2) by 10 percent or more, or

(b) The traveler has no alternative but to incur hotel costs which absorb all or nearly all of the maximum per diem allowance (see 1-7.2), since hotel accommodations constitute the major portion of necessary subsistence expenses.

(2) Notwithstanding the criteria outlined above, actual subsistence expense reimbursement shall not be authorized or approved solely on the basis of inflated lodging and/or meal costs since

inflated costs are common to all travelers; some unusual circumstances of the travel assignment must be involved to cause the lodging and/or meal costs to be higher than those which normally would be incurred at a particular location (42 Comp. Gen. 440).

(3) Travel which involves unusual circumstances may include, but is not limited to, the following situations:

(a) The traveler attends a meeting, conference, or training session away from his official duty station where lodging and/or meals must be procured at a prearranged place (such as the hotel where the meeting, conference, or training session is being held) and the lodging costs, incurred because of such prearranged accommodations, absorb all or practically all of the maximum per diem allowance.

(b) The traveler, by reason of the assignment, necessarily incurs unusually high expenses in the conduct of official business such as for superior or extraordinary accommodations including a suite or other quarters for which the charge is well above that which he would normally have to pay for accommodations.

(c) The traveler necessarily incurs unusually high expenses incident to his assignment to accompany another traveler in a situation as described above.

d. *Maximum to be stated in travel authorization.* The amount per calendar day authorized by the agency or as prescribed herein for high rate geographical areas shall be stated in the travel authorization for a specific travel assignment.

e. *Conditions warranting approval.* If travel is performed without prior authorization or is authorized on a per diem basis and otherwise conforms to the provisions of this part, the actual and necessary subsistence expenses incurred may be approved within the authorized maximum rates as stated herein.

1-8.2. *Authorized reimbursement.*

a. *Maximum daily reimbursement.* When the actual subsistence expenses incurred during any one day are less than the daily rate authorized, the traveler will be reimbursed only for the lesser amount. The daily rate shall not be prorated for fractions of a day; however, expenses incurred and claimed for a fraction of a day shall be reviewed and allowed only to the extent determined to be reasonable by the agency concerned. The maximum amount of reimbursement for actual subsistence expense travel which may be authorized or approved for each calendar day or fraction thereof, is limited as follows:

(1) For travel within the conterminous United States to designated high rate geographical areas, under the provisions of 1-8.1b, the maximum authorized rates have been set administratively as provided in 1-8.6. These are uniform maximum actual subsistence expense rates and are not subject to change by the agencies concerned. However, this does not preclude agency determination of other appropriate and necessary rates

under 1-8.2a(2) if the travel to a high rate geographical area also involves unusual circumstances of the travel assignment.

(2) For travel within the conterminous United States involving unusual circumstances, the statutory maximum daily rate is \$50. Agencies shall determine appropriate and necessary daily maximum rates not to exceed this amount.

(3) For travel outside the conterminous United States involving unusual circumstances, the statutory maximum daily rate is \$21 per day plus the maximum per diem allowance official established for the overseas locality in which the travel is performed (see 1-7.2). Agencies shall determine appropriate and necessary daily maximum rates not to exceed this limitation.

b. *Allowable expenses.* Actual subsistence expense reimbursement shall be allowed for the same type of expenses normally covered by the per diem allowance under the provisions of 1-7.1b.

c. *Special rules for mixed travel (per diem and actual subsistence expense).* Travel may be authorized or approved on both a per diem basis and an actual subsistence expense basis during a single trip when travel is performed in several locations including high rate geographical areas; however, only one method of reimbursement (per diem or actual subsistence expense) shall be authorized within the same day.

(1) *Rate and method of reimbursement determined by location.* In instances of mixed travel involving both per diem and actual subsistence expense, or several high rate geographical areas, the method of reimbursement and authorized rate for a calendar day (beginning at 12:01 a.m.) shall be determined by the location where the lodgings are obtained for that day. For example, when a traveler performs travel in a per diem area for part of a day and completes that day's travel in a high rate geographical area where he performs official duty and obtains lodging, the traveler shall be reimbursed under the

actual subsistence expense method for the entire day not to exceed the maximum rate prescribed for the high rate geographical area where the lodgings were obtained.

(2) *Reimbursement for day of return.* The method of reimbursement for the day of return to home or official station (where lodgings are not involved) shall be the same method of reimbursement authorized for the first day of travel. For example, if a traveler is authorized actual subsistence expense reimbursement for the first day of travel, reimbursement for the day of return to home or official station shall also be on an actual subsistence expense basis; if per diem is authorized for the first day of travel, per diem shall also be authorized for the day of return to home or official station.

(3) *Reimbursement computation.* A traveler's claim for reimbursement may include several different rates depending upon the location(s) in which travel is performed. See figure 1-8.2c for examples showing computation of mixed travel reimbursement.

1-8.3 *Agency responsibilities, review, and administrative controls.*

a. *Delegation of authority.* Heads of agencies may delegate, with provisions for limited redelegation, authority to authorize or approve travel on an actual subsistence expense basis.

(1) The delegation or redelegation of authority to authorize or approve travel on an actual subsistence expense basis due to unusual circumstances of the travel assignment shall be held to as high an administrative level as practicable to ensure adequate consideration and review of the circumstances surrounding the need for travel on the actual subsistence expense basis.

(2) Since travel to designated high rate geographical areas is automatically on an actual subsistence expense basis, the delegation or redelegation of authority to authorize or approve this type of travel should be at a lower administrative level than that stated in (1), above.

b. *Review and administrative controls.* Heads of agencies shall establish necessary administrative arrangements for an appropriate review of the justification for travel on the actual subsistence expense basis and of the expenses claimed by a traveler to determine whether they are allowable subsistence expenses and were necessarily incurred in connection with the specific travel assignment. Agencies shall ensure that travel on an actual subsistence expense basis is properly administered and shall take necessary action to prevent abuses.

11. Paragraph 1-8.6 is added as follows:

1-8.6. *Designated high rate geographical areas.* Pursuant to the provisions of 1-8.1b and 1-8.2a(1), for temporary duty travel to or within the cities designated as high rate geographical areas below, a traveler automatically shall be placed in an actual subsistence expense status and shall be reimbursed for the actual and necessary subsistence expenses incurred not to exceed the maximum rate prescribed for the particular geographical area involved.

<i>Designated High Rate Geographical Areas</i>	<i>Prescribed maximum daily rates</i>
Boston, Mass. (all locations within the corporate limits of Boston and Cambridge, Massachusetts).....	\$38
Chicago, Ill. (all locations within the corporate limits thereof).....	39
Los Angeles, Calif. (all locations within the corporate limits of the city of Los Angeles).....	37
New York, N.Y.—all locations within the:	
Boroughs of Brooklyn and Queens...	39
Boroughs of Manhattan, Bronx, Staten Island.....	50
San Francisco, Calif. (all locations within the corporate limits of San Francisco and Oakland, Calif.).....	39
Washington, D.C. (all locations within the corporate limits of Washington, D.C.; and the county of Arlington and the city of Alexandria, Va.).....	42

FPMR Temp. Reg. A-
Attachment A

REIMBURSEMENT COMPUTATION FOR MIXED TRAVEL
(PER DIEM AND ACTUAL SUBSISTENCE EXPENSE)

Itinerary

8/5 Depart residence 7 a.m., enroute to Atlanta
8/6 Depart Atlanta 4 p.m., enroute to Washington, DC (high rate geographical area)
8/7 TDY - Washington, DC
8/8 Depart Washington, DC, 11 a.m., enroute to Chicago (high rate geographical area)
8/9 Depart Chicago 3 p.m., arrive residence 6 p.m.

Reimbursement

8/5	3/4 day per diem = \$22.50 (Atlanta)*		
8/6	Actual expenses (based on where lodgings are obtained)		
	Atlanta	Breakfast	\$ 2.15
		Lunch	3.75
	Washington, DC	Dinner	6.40
		Lodging	28.50
			<u>\$40.80</u>
8/7	Actual expenses		
	Washington, DC	Breakfast	\$ 1.95
		Lunch	3.95
		Dinner	7.00
		Lodging	28.50
			<u>\$41.40</u>
8/8	Actual expenses		
	Washington, DC	Breakfast	\$ 1.85
	Chicago	Lunch	2.75
		Dinner	5.95
		Lodging	26.00
			<u>\$36.55</u>
8/9	3/4 day per diem = \$22.50 (day of return to official station based on 1st day travel status)*		

Lodgings-plus method

Atlanta	\$16 Lodging
	<u>\$14 Meals and miscellaneous rate</u>
	\$30 Per diem rate

Summary

1 1/2 days at \$30.00	\$ 45.00
1 day actual expense	40.80
1 day actual expense	41.40
1 day actual expense	36.55
Total claimed	<u>\$163.75</u>

Figure 1-8.2c. Illustration of computation of reimbursement for mixed travel (per diem and actual subsistence expense)
(Part 1 of 3)

FPMR Temp. Reg. A-
Attachment A

REIMBURSEMENT COMPUTATION FOR MIXED TRAVEL
(PER DIEM AND ACTUAL SUBSISTENCE EXPENSE)

Itinerary

10/1 Depart residence 8:00 a. m., enroute to Harrisburg, PA
10/2 TDY - Harrisburg
10/3 Depart Harrisburg 9:00 a. m., enroute to Philadelphia, PA (unusual circumstances)
10/4 Depart Philadelphia 3:15 p. m., arrive residence 5:35 p. m.

Reimbursement

10/1	3/4 day per diem = \$24.00 (Harrisburg)*		
10/2	1 day per diem \$32.00 (Harrisburg)*		
10/3	Actual expense (Philadelphia) (based on where lodgings are obtained)		
	Harrisburg	Breakfast	\$ 1.55
	Philadelphia	Lunch	3.15
		Dinner	4.95
		Lodging	25.00
			<u>\$34.65</u>
10/4	3/4 day per diem = \$24.00 (day of return to official station based on 1st day travel status)*		

* Lodgings-plus method

Harrisburg	\$18 Lodging	
Harrisburg	\$18 Lodging	
	$\$36 \div 2 \text{ nights} =$	\$18.00 Average cost of lodging
		\$14.00 Meals and miscellaneous rate
		\$32.00 Per diem

Summary

2 1/2 days at \$32.00	\$ 80.00
1 day actual expense	34.65
Total claimed	<u>\$114.65</u>

Figure 1-8. 2c. Illustration of computation of reimbursement for mixed travel (per diem and actual subsistence expense)
(Part 3 of 3)

12. Paragraph 2-2.3 is amended as follows:

2-2.3. For use of a privately owned automobile in connection with permanent change of station.

b. Mileage rates prescribed. Payment of mileage allowances when authorized or approved in connection with the transfer shall be allowed as follows:

Occupants of automobile	Mileage rate (cents)
Employee only; or 1 member of immediate family	8
Employee and 1 member; or 2 members of immediate family	10
Employee and 2 members; or 3 members of immediate family	12
Employee and 3 or more members; or 4 or more members of immediate family	15

c. Mileage rates in special circumstances. Heads of agencies may prescribe that travel orders or other administrative determinations specify higher mileage rates not in excess of 15 cents for individual transfers of employees or transfers of groups of employees when:

[FR Doc.75-13532 Filed 5-20-75;10:50 am]

INTERSTATE COMMERCE COMMISSION

[Ex Parte No. 293 (Sub-No. 4)]

ACQUISITION OF RAIL PROPERTIES BY PROFITABLE CARRIERS

Consideration by the Commission Under the Interstate Commerce Act and the Regional Rail Reorganization Act of 1973 of Acquisition of rail lines by profitable carriers; Request for necessary and appropriate information concerning acquisitions proposed by the United States Railway Association in its Supplement to the Preliminary System Plan relating to the Erie Lackawanna Railway Company.

On May 8, 1975, the United States Railway Association issued a supplement to its Preliminary System Plan, which supplement was published in the FEDERAL REGISTER on May 15, 1975 (40 FR 21401). This report examines the economic viability of light density lines of the Erie Lackawanna Railway Company and, as is pertinent hereto, contains 18 acquisition proposals which generally entail the acquisition by profitable carriers of rail lines of the Erie Lackawanna. These acquisition proposals supplement those contained in Appendix D to the Association's Preliminary System Plan, dated February 28, 1975.

The Commission presently has under consideration, in the above-referenced proceeding, various acquisitions proposed by the Association in its Preliminary System Plan and its Errata to the Plan. This consideration is pursuant to section 206 (d) (3) of the Regional Rail Reorganization Act of 1973, which section requires the Commission to make a determination that each proposed acquisition of rail properties by profitable railroads operating in the region "will be in full accord and comply with the provisions

and standards of section 5 of Part I of the Interstate Commerce Act." In order to formulate these determinations, the Commission requested all interested parties to submit information and specified data, by notices in the FEDERAL REGISTER on February 25, 1975, at pages 8152 through 8153 and on April 21, 1975, at page 17674.

The publication by the Association of the Erie-Lackawanna Supplement to its preliminary system plan, necessitates the further solicitation by the Commission of the public comment and data with respect to those line segments and major market extension projects, subject to acquisition by profitable carriers contained in this supplement. To assure an adequate data base for thorough consideration of each of the newly proposed acquisitions, information with respect to and comments on each proposal are requested from all interested persons included but not limited to the United States Railway Association, railroads involved in or affected by proposed acquisitions, Amtrak, concerned state, regional and local reorganizations, shippers served by the rail properties involved, and the Commission's Rail Services Planning Office.

The newly listed acquisition proposals, contained in the supplement to the Preliminary System Plan, for which the Commission seeks comments are as follows: (1) in Appendix D-2, line numbers: 1262, 1261, 1207, 1239, 1240, 1246, 1247, 1253, 1260, 1263, 1266, 1222, 1224, 1252, 1254; and, (2) in Appendix D-3, Part II projects: USRA-6, USRA-7, and USRA-8. The full description of these acquisition proposals is contained in the Association's report of May 8, 1975, as published in the FEDERAL REGISTER on May 15, 1975 (40 FR 21401).

In submitting comments and data to the Commission, it is requested that interested persons supply such information and views in conformity with the guidelines and specific data requested by the Commission in its above-mentioned notice in the FEDERAL REGISTER of February 25, 1975, at pages 8152 through 8153. An original and 8 copies of all such materials should be filed with the Secretary of the Commission on or before June 6, 1975. Kindly note on all envelopes in which materials are filed, the docket number of this proceeding, Ex Parte No. 293 (Sub-No. 4). It is also requested that separate statements be filed for each individual proposed acquisition, in which parties are interested, and that specific reference be made to each acquisition by USRA project number on the front of all statements.

Notice of intent of the Interstate Commerce Commission to consider the acquisition of rail properties by profitable carriers contained in the supplement to the Preliminary System Plan of the United States Railway Association and to request information from interested parties with regard thereto shall be given to: The United States Railway Association, the Rail Services Planning Office, Amtrak, all Class I and Class II railroads operating in the region and the Govern-

ments, Public Utility Commissions and the Departments of Transportation of all states located within the region.

Issued in Washington, D.C., on the 16th day of May 1975.

By the Commission, Commissioner Tuggle.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.75-13352 Filed 5-20-75;8:45 am]

[No. MC-99161 (Sub-No. 5)]

ALABAMA FREIGHT, INC., EXTENSION, BIRMINGHAM AND MOBILE, ALA.

Application for Amended Certificate of Public Convenience and Necessity

At a session of the Interstate Commerce Commission, Review Board Number 1, held at its office in Washington, D.C., on the 7th day of May 1975.

It appearing, that by application filed October 5, 1973, Alabama Freight, Inc., of Birmingham, Ala., seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, (1) of plastic pipe, and articles made of brass, bronze, iron, copper, or steel, between the plant site and warehouse facilities of O'Neal Steel, Inc., located at Birmingham, Ala., on the one hand, and, on the other points in Georgia, Tennessee, Florida, and Mississippi; and (2) iron and steel articles and aluminum articles from the plant site and storage facilities of O'Neal Steel, Inc., located at Mobile, Ala., to points in Georgia, Tennessee, Florida, and Mississippi;

It further appearing, that the application has been processed under the Commission's modified procedure; that applicant has filed verified statements in support of the application; that protestants Howard Hall Company, Deaton, Inc., Poole Truck Line, Inc., Colonial Past Freight Lines, Inc., Melton Trucking Lines, Bowman Transportation, Inc., and Osborne Truck Line, Inc., individually, and Georgia-Florida-Alabama Transportation Company (GFA), and Bay Transportation Co., Inc., jointly, motor common carriers, have filed verified statements in opposition to the application; and that the supporting shipper filed a verified statement in rebuttal;

It further appearing, that applicant in its verified statement asks leave to amend its application so as to seek authority to transport plastic pipe and articles made of iron, brass, bronze, copper, steel, or aluminum to or from both origins; that although the proposed amendment will broaden the scope of the original application, we believe applicant has shown sufficient and proper reasons for allowing the relief sought, and applicant will be permitted to amend its application in the manner requested; and good cause appearing therefor:

It is ordered, That applicant, be, and it is hereby, permitted to amend its application in the manner described in the next preceding paragraph.

It further appearing, that applicant holds authority from this Commission to transport specified commodities from a named plant site at Birmingham to named points in North Carolina, but is primarily a carrier of Alabama intrastate traffic; that it operates 54 power units and 105 flat-bed trailers including 4 which can be extended up to 60 feet and maintains terminals at Birmingham and Mobile; that applicant offers expedited service, timed deliveries and scheduled pickups, split deliveries involving an unlimited number of stopoffs, and deliveries to jobsites and remote areas; and that applicant has submitted appropriate financial data;

It further appearing, that O'Neal Steel Co., Inc., the supporting shipper herein, is engaged in business as a metals service center; that shipper stocks approximately 8,000 articles fashioned from a wide variety of metals which it purchases from suppliers such as steel mills and metal fabricators; that its customers include auto body shops, machine shops, furniture manufacturers, and building and construction companies which can be located at virtually any point in the territory sought; that the commodities shipped vary in size and weight from less than 1 inch in length and a few ounces in weight, to articles measuring 60 feet long and weighing several thousand pounds; that as its customers maintain small inventories and many require timed deliveries, the ability to perform expedited movements is essential to shipper's operations; that from its Birmingham facility it ships annually approximately 5,000 truckloads outbound and receives an unspecified number of inbound shipments; that shipper's Mobile plant commenced operations in April 1973, and shipper expects that this plant will have transportation requirements identical to those of its other plants; that shipper's service requirements include spotting equipment for loading, flat-bed equipment including units which can be extended to accommodate over-length loads, and split deliveries of LTL shipments (which comprise a majority of the traffic involved) timed to coincide with customer production schedules; that shipper states that it uses common carrier service to the extent that it can, but finds such services inadequate, the general commodity carriers because of their limited regular-route operations, restrictions against transporting so-called "size and weight" commodities, and provisions in their tariffs limiting the number of split deliveries offered, and carriers of specified commodities because of their inability to transport a complete line of its products; that the bulk of shipper's traffic is currently handled by O'Neal's large fleet of private equipment which shipper would prefer to reduce; and that at the outset of the proposed operation, shipper would tender applicant approximately two to four shipments a week, a number which shipper expects should increase as it becomes more dependent upon applicant's service;

It further appearing, that generally protestants operate suitable flatbed

equipment, maintain terminals in the Birmingham or Mobile area, and would perform up to four stopoffs per shipment; that certain protestants indicate current traffic that would be subject to diversion by a grant of authority herein and urge that any grant be restricted to protect their interests; and that specific information concerning protestants' authority to perform the proposed operations and traffic transported for the supporting shipper is set forth in the appendix attached hereto;

It further appearing, that in rebuttal the supporting shipper restates its need for a carrier able to handle a full line of its products, its desire to reduce its private carrier operation, and the inability of existing carriers to provide the service required;

It further appearing, that because shipper's outbound traffic may be delivered to any combination of points throughout the sought four-State destination territory, and so that it may combine numerous less-than-truckload orders for delivery at intermediate stops en route to final destination, it is imperative that O'Neal have available a carrier which can serve all the points sought and provide a multiple delivery service; that none of the protestants holds sufficient territorial and commodity authority to perform the complete service required; that inasmuch as applicant's proposed service will have the effect of reducing shipper's private carriage operations, rather than diverting traffic enjoyed by several of the protestants, protestants have not specifically shown that their operations will be affected adversely by our grant of authority set forth below; and that in any event the need of the supporting shipper for the services of a carrier able to transport the involved commodities expeditiously to all existing and potential customer locations takes precedence over the limited interests of the opposing carriers, and we are convinced that the benefits accruing to shipper far outweigh the adverse effects, if any, on protestants which might arise by virtue of our grant;

It further appearing, that inasmuch as certain protestants have submitted data indicating that portions of their present traffic could be subject to diversion unless a grant of authority herein is restricted to the transportation of shipments originating at or destined to the named shipper's facilities, and because we are of the view that such a restriction in the circumstances of this proceeding is warranted and in the public interest, we shall impose it in our findings below; and that this restriction will protect the interests of protestants without affecting applicant's ability to perform the proposed service;

It further appearing, that since it is possible that other parties who have relied upon the notice in the FEDERAL REGISTER of the application as originally published may have an interest in and would be prejudiced by the lack of proper notice of the grant of authority in our findings herein; a notice of the authority actually granted will be published in the

FEDERAL REGISTER and issuance of the certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate petition for leave to intervene in the proceeding setting forth in detail the precise manner in which it has been prejudiced;

And it further appearing, that the evidence establishes that applicant is experienced and has the requisite equipment to perform the type of service proposed, and is fit and able, financially and otherwise, to conduct the proposed service; and that the evidence amply warrants the grant of authority set forth below;

Wherefore, and good cause appearing therefor:

We find, that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of plastic pipe, and articles made of brass, bronze, iron, copper, steel, or aluminum, (1) between the facilities of O'Neal Steel, Inc., located at Birmingham, Ala., on the one hand, and, on the other, points in Georgia, Tennessee, Florida, and Mississippi; and (2) from the facilities of O'Neal Steel, Inc., located at Mobile, Ala., to points in Georgia, Tennessee, Florida, and Mississippi, restricted to the transportation of traffic originating at or destined to the facilities of O'Neal Steel, Inc., at Birmingham or Mobile, Ala.; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; that this decision is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969; that an appropriate certificate should be granted; and that the application in all other respects should be denied.

It is further ordered, That said application, except to the extent granted herein, be, and it is hereby, denied.

It is further ordered, That upon compliance by applicant with the requirements of sections 215, 217, and 221(c) of the Interstate Commerce Act and with the Commission's rules and regulations thereunder, within the time specified in the next succeeding paragraph, a certificate be issued to applicant authorizing operation, as a common carrier by motor vehicle, in the manner described above, subject to prior publication in the FEDERAL REGISTER of a notice of the authority actually granted in this order.

And it is further ordered, That unless compliance is made by applicant with the requirements of sections 215, 217, and 221(c) of the Act within 90 days after the date of service of this order, or within such additional time as may be authorized by the Commission, the grant of authority made herein shall be considered as null and void, and the application shall stand denied in its entirety effective upon the expiration of the said compliance time.

By the Commission, Review Board
Number 1.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

APPENDIX

PROTESTANTS' PERTINENT AUTHORITY AND
EVIDENCE

1. Howard Hall holds authority to transport general commodities, except those requiring special equipment, between Birmingham, on the one hand, and, on the other, points in Georgia on and south of U.S. Highway 80, and points in Florida. Protestant has handled an unspecified amount of traffic for the supporting shipper.

2. Deaton holds authority to transport iron and steel and iron and steel articles, castings, and forgings, from Birmingham to points in Georgia, Tennessee, Florida, and Mississippi. Protestant can also transport general commodities, except those requiring special equipment, over regular routes, between Birmingham and points in Mississippi, and pipe from Birmingham to points in Tennessee, Florida, and Georgia, by tacking regular and irregular-route authority at Anniston, Ala. During 1973 Deaton handled 995.5 tons of the involved commodities for the supporting shipper from Birmingham.

3. Poole holds authority to transport (1) iron and steel articles from Mobile to points in Florida, Georgia, Mississippi, and Tennessee, and (2) building materials from Mobile to specified portions of the States sought. Protestant has transported nearly 3 million pounds of iron and steel commodities from Mobile docks to two points in Alabama and one each in Mississippi and Florida.

4. Colonial Fast Freight holds authority to transport iron and steel mill products and so-called "size and weight" commodities out-bound from Birmingham to the entire destination territory sought, and iron and steel articles from Mobile to points in Georgia, Florida, and Mississippi. Colonial has also filed data pursuant to the Commission's Gateway Elimination Rules, which if approved would allow it to transport aluminum articles, the transportation of which because of their size or weight require the use of special equipment, from Birmingham to all points in the sought destination territory. During 1973 and January 1974 protestant transported a total of 136 shipments within the scope of this proceeding earning \$46,607 therefrom.

5. Bowman holds direct authority to transport general commodities, except those requiring special equipment, over a network of regular routes between points in Alabama within 65 miles of Birmingham, on the one hand, and, on the other, points in Tennessee, Georgia, and Florida by observing one of five north Georgia gateways. Bowman has not transported traffic for the supporting shipper.

6. As pertinent, Osborne holds authority to transport (1) iron and steel products and "size and weight" commodities, between Birmingham and points in the destination States, and (2) pipe, iron and steel, and iron and steel articles from Birmingham to points in Florida. Protestant states that it handles some traffic for shipper inbound to Birmingham but does not provide any specific information with respect to commodities transported, tonnage, or revenue.

7. GFA holds authority to transport general commodities, except those requiring special equipment, over a network of regular routes between (1) Atlanta, Ga., and Mobile, Ala., (2) Birmingham and Mobile, (3) Birmingham and Pensacola, Fla., (4) Birmingham and Dothan, Ala., and (5) Pensacola

and Hattiesburg, Jackson, and Meridian, Miss., serving all intermediate points in Alabama, Florida, and Mississippi. Bay operates over a regular route between Columbus, Ga., and Panama City, Fla., serving all intermediate points in the transportation of general commodities.

8. Melton holds no authority conflicting with that sought herein. Melton does hold plastic pipe authority from Slocomb, Ala., to points in the four surrounding States, and from Columbia, Miss., to points in the United States (except Alaska and Hawaii). Protestant fears diversion of its present traffic by applicant's tacking any authority granted herein with already existing authority and argues that an appropriate plant site restriction should be imposed.

[FR Doc.75-13353 Filed 5-20-75; 8:45 am]

[Notice 771]

ASSIGNMENT OF HEARINGS

MAY 16, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

No. 36064, Jiffy Enterprises, Inc. v. Modern Transfer Co., Inc., now being assigned July 15, 1975, at the offices of the Interstate Commerce Commission, Washington, D.C.

I&SM-28528, Increased Rates on Small Shipments, May 1975, Rocky Mountain Territory, now being assigned July 8, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C.

No. 35786, Feed Grains to New England, now being assigned continued hearing June 12, 1975 at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 107295 Sub 743, Pre-Fab Transit Co., now assigned July 10, 1975 at St. Louis, Mo. is canceled and application dismissed.

W-78 Sub 12, The Vallay Line Company, W-104 Sub 12, Union Mechling Corp., and W-377 Sub 15, Dixie Carriers, Inc., now assigned May 28, 1975, at Washington, D.C. is postponed indefinitely.

MC 139514, Erin Tours, Inc., now assigned May 21, 1975, at New York, N.Y. is canceled and application dismissed.

MC 109844 Sub 180, Superior Trucking Company, Inc., now assigned June 30, 1975 at Washington, D.C. is canceled and the application is dismissed.

MC 73165 Sub 356, Eagle Motor Lines, Inc.; application dismissed.

MC 114457 Sub 217, Dart Transit Company, application dismissed.

MC 32982 Sub 71, Mitchell Bros. Truck Lines and MC 125433 Sub 44, F-B Truck Line Company, now assigned May 19, 1975, at Washington, D.C. is canceled.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.75-13345 Filed 5-20-75; 8:45 am]

FILING OF MOTOR CARRIER INTRASTATE
APPLICATIONS

MAY 16, 1975.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a) (6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by § 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

California Docket No. 55675, filed May 7, 1975. Applicant: HAWAIIAN CONTAINER CORPORATION, a Corporation, 5915 Hollis Street, Emeryville, Calif. 94608. Applicant's representative: John Paul Fischer, 140 Montgomery St., San Francisco, Calif. 94104. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: General Commodities between points and places in the San Francisco Territory as follows: San Francisco territory includes all the City of San Jose and that area embraced by the following boundary: Beginning at the point the San Francisco-San Mateo County Line meets the Pacific Ocean; thence easterly along said County Line to a point one mile west of State Highway 82; southerly along an imaginary line one mile west of and paralleling State Highway 82 to its intersection with Southern Pacific Company right-of-way at Arastradero Road; southeasterly along the Southern Pacific Company right-of-way to Pollard Road, including industries served by the Southern Pacific Company spur line extending approximately two miles southwest from Simla to Permanente; easterly along Pollard Road to W. Parr Avenue; easterly along W. Parr Avenue to Capri Drive; southerly along Capri Drive to Division Street; easterly along Division Street to the Southern Pacific Company right-of-way; southerly along the Southern Pacific right-of-way to the Campbell-Los Gatos City Limits; easterly along said limits and the prolongation thereof to South Bascom Avenue (formerly San Jose-Los Gatos Road); northeasterly along South Bascom Avenue to Foxworthy Avenue; easterly along Foxworthy Avenue to Almaden Road; southerly along Almaden Road to Hillsdale Avenue; easterly along Hillsdale Avenue to State Highway 82; northwesterly along State Highway 82 to Tully Road; northeasterly along Tully Road and the prolongation thereof to White Road; northwesterly along White Road to

McKee Road; southwesterly along McKee Road to Capitol Avenue; northwesterly along Capitol Avenue to State Highway 238 (Oakland Road); northerly along State Highway 238 to Warm Springs; northerly along State Highway 238 (Mission Blvd.) via Mission San Jose and Niles to Hayward; northerly along Foothill Blvd. and MacArthur Blvd. to Seminary Avenue; easterly along Seminary Avenue to Mountain Blvd.; northerly along Mountain Blvd. to Warren Blvd. (State Highway 13); northerly along Warren Blvd. to Broadway Terrace; westerly along Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland Boundary line; northerly along said boundary line to the Campus Boundary of the University of California; westerly, northerly and easterly along the campus boundary to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to San Pablo Avenue (State Highway 123); northerly along San Pablo Avenue to and including the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco waterfront at the foot of Market Street; westerly along said waterfront and shoreline to the Pacific Ocean; southerly along the shoreline of the Pacific Ocean to point of beginning. Subject to the following restrictions: Applicant shall not transport any shipments of:

1. Used household goods, personal effects and office, store and institution furniture, fixtures and equipment not packed in salesman's hand sample cases, suitcases, overnight or boston bags, brief cases, hat boxes, valises, traveling bags, trunks, lift vans, barrels, boxes, cartons, crates, cases, baskets, palls, kits, tubs, drums, bags (jute, cotton, burlap or gunny) or bundles (completely wrapped in jute, cotton, burlap, gunny, fibreboard, or straw matting). 2. Automobiles, trucks and buses, viz.: new and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis. 3. Livestock, viz.: barrows, boars, bulls, butcher hogs, calves, cattle, cows, dairy cattle, ewes, feeder pigs, gilts, goats, heifers, hogs, kids, lambs, oxen, pigs, rams (bucks), sheep, sheep camp outfits, sows, steers, stags, swine or wethers. 4. Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles. 5. Commodities when transported in bulk in dump-type trucks or trailers or in hopper-type trucks or trailers. 6. Commodities when transported in motor vehicles equipped for mechanical mixing in transit. 7. Portland or similar cements, in bulk or packages, when loaded substantially to capacity of motor vehicle. 8. Logs.

9. Articles of extraordinary value. 10. Trailer coaches and campers, including

integral parts and contents when the contents are within the trailer coach or camper. 11. Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerator equipment. 12. Explosives subject to U.S. Department of Transportation Regulations governing the Transportation of Hazardous Materials. Intrastate, interstate and foreign commerce authority sought.

HEARING: Date, time and place not fixed. Requests for procedural information should be addressed to Public Utilities Commission, State of California, State Bldg., Civic Center, 455 Golden Gate Avenue, San Francisco, Calif. 94102, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc 75-13340 Filed 5-20-75; 8:45 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 16, 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 June 5, 1975.

FSA No. 42990—Single Empty Freight Trailers Between Points in Southwestern and Southern Territories and Points in Illinois, Kansas and Missouri. Filed by Southwestern Freight Bureau, Agent, (No. B-526), for interested rail carriers. Rates on single empty freight trailers, new or used, as described in the applica-

tion, between points in southwestern territory, also Natchez, Miss., and Memphis, Tenn., on the one hand, and points in Illinois, Kansas and Missouri, on the other.

Grounds for relief—Rate relationship, short-line distance formula and grouping.

Tariff—Supplement 72 to Southwestern Freight Bureau, Agent, tariff SW 74-G, I.C.C. No. 5127. Rates are published to become effective on June 16, 1975.

FSA No. 42991—Billets, Bars, Iron or Steel to Russellville, Arkansas. Filed by Southwestern Freight Bureau, Agent, (No. B-533), for interested rail carriers. Rates on billets, bars, iron or steel, in carloads, as described in the application, from specified points in Illinois, Missouri and Texas, to Russellville, Arkansas.

Grounds for relief—Market and water competition.

Tariff—Supplement 119 to Southwestern Freight Bureau, Agent, tariff 301-F, I.C.C. No. 5098. Rates are published to become effective on June 17, 1975.

AGGREGATE-OF-INTERMEDIATES

FSA No. 42992—Billets, Bars, Iron or Steel to Russellville, Arkansas. Filed by Southwestern Freight Bureau, Agent, (No. B-534), for interested rail carriers. Rates on billets, bars, iron or steel, in carloads, as described in the application, from specified points in Illinois, Missouri and Texas, to Russellville, Arkansas.

Grounds for relief—Maintenance of depressed rates published to meet market and water competition without use of such rates as factors in constructing combination rates.

Tariff—Supplement 119 to Southwestern Freight Bureau, Agent, tariff 301-F, I.C.C. No. 5098. Rates are published to become effective on June 17, 1975.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc 75-13345 Filed 5-20-75; 8:45 am]

[Notice 49]

TEMPORARY AUTHORITY TERMINATION

The temporary authorities granted in the dockets listed below have expired as a result of final action either granting or denying the issuance of a Certificate or Permit in a corresponding application for permanent authority, on the date indicated below:

Temporary authority application	Final action or certificate or permit	Date of action
Quality Carriers, Inc., MC-110420 Sub-678	MC-110420 Sub-680	June 14, 1973
Chemical Leman Tank Lines, Inc., MC-110525 Sub-1064, 1065	MC-110525 Sub-1068	June 5, 1974
Greendyke Transport, Inc., MC-111401 Sub-384, 388	MC-111401 Sub-392	Do.
Puroator Courier Corp., MC-112750 Sub-296, 297	MC-112750 Sub-301	Do.
Lester C. Newton Trucking Co., MC-113388 Sub-98	MC-113388 Sub-99	Do.
Automobile Carriers, Inc., MC-113436 Sub-3	MC-113436 Sub-4	Do.
Erickson Transport Corp., MC-113908 Sub-238	MC-113908 Sub-254	June 17, 1974
Bankers Dispatch Corp., MC-113533 Sub-280	MC-113533 Sub-284	June 4, 1974
S. F. Douglas Truck Lines, Inc., MC-114600 Sub-6	MC-114600 Sub-7	June 18, 1974
Puroator Security, Inc., MC-114896 Sub-6	MC-114896 Sub-11	Do.
J & M Transportation Co., Inc., MC-114311 Sub-148	MC-114311 Sub-153	June 21, 1974
Redwing Refrigerated, Inc., MC-115322 Sub-64	MC-115322 Sub-65	June 14, 1974
W. J. Digby, Inc., MC-115826 Sub-194	MC-115826 Sub-196	June 4, 1974
Robertson Tank Lines, Inc., MC-116077 Sub-340, 342, 343	MC-116077 Sub-346	Do.
Motor Service Co., Inc., MC-117565 Sub-89	MC-117565 Sub-88	June 5, 1974
Fred Carpenter, MC-117848 Sub-6	MC-117848 Sub-7	June 7, 1974
Inco Express, Inc., MC-119630 Sub-6	MC-119630 Sub-10	June 25, 1974
Ecoff Trucking, Inc., MC-119934 Sub-194	MC-119934 Sub-195	June 24, 1974
Arrow Truck Lines, Inc., MC-121000 Sub-11	MC-121000 Sub-13	June 18, 1974
O. K. Warehouse Co., Inc., MC-121303 Sub-2	MC-121303 Sub-3	June 6, 1974

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc 75-13354 Filed 5-20-75; 8:45 am]

[Notice No. 18]

**MOTOR CARRIER ALTERNATE ROUTE
DEVIATION NOTICES**

MAY 16, 1975.

The following letter-notices of proposals (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), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules-Motor Carriers of Passengers, 1969 (49 CFR 1042.2(c)(9)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.2(c)(9)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.2(c)(9)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PASSENGERS

No. MC 13300 (Deviation No. 31), CAROLINA COACH COMPANY, 1201 South Blount Street, Raleigh, N.C. 27602, filed May 7, 1975. Carrier's representative: Lawrence E. Lindeman, Suite 1032, Pennsylvania Bldg., Pa. Ave. & 13th St., NW., Washington, D.C. 20004. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From Greenville, N.C., over U.S. Highway 13 to Bethel, N.C., thence over North Carolina Highway 11 to Oak City, N.C., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Greenville, N.C., over North Carolina Highway 43 to Pinetops, N.C., thence over U.S. Highway 258 to Tarboro, N.C., thence over North Carolina Highway 44 to Oak City, N.C., and return over the same route.

No. MC 111383 (Deviation No. 17), BRASWELL MOTOR FREIGHT LINES, INC., 3925 Singleton Blvd., P.O. Box 4447, Dallas, Tex. 75208, filed April 17, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Slidell, La., over U.S. Highway 190 to Hammond, La., and return over the same route for operating convenience only. The notice indicates that the carrier is

presently authorized to transport the same commodities, over a pertinent service route as follows: From Slidell, La., over U.S. Highway 59 to New Orleans, La., thence over U.S. Highway 61 (Interstate Highway 10) to Hammond, La., and return over the same route.

No. MC 647 (Deviation No. 1), EXHIBITORS SERVICE COMPANY, 85 Helen Street, McKees Rocks, Pa. 15136, filed May 8, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Youngstown, Ohio over U.S. Highway 422 to Ebensburg, Pa., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Youngstown, Ohio over Ohio Highway 7 to Boardman, Ohio, thence over U.S. Highway 224 to New Castle, Pa., thence over Pennsylvania Highway 18 to Rochester, Pa., thence over Pennsylvania Highway 88 to Pittsburgh, Pa., thence over U.S. Highway 22 to Ebensburg, Pa., and return over the same route.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.75-13350 Filed 5-20-75;8:45 am]

(Notice No. 39)

**MOTOR CARRIER APPLICATIONS AND
CERTAIN OTHER PROCEEDINGS**

MAY 16, 1975.

The following publications include motor carrier, water carrier, broker, freight forwarder and rail proceedings indexed as follows: (1) grants of authority requiring republication prior to certification; (2) notices of filing of petitions for modification of existing authorities; (3) new operating rights applications directly related to and processed on a consolidated record with finance applications filed under sections 5(2) and 212(b); (4) notices of filing of sections 5(2) and 210a(b) finance applications; and (5) notices of filing of section 212(b) transfer applications.

Each applicant (except as otherwise specifically noted) states that there will be no significant effect on the quality of the human environment resulting from approval of its application in compliance with the requirements of 49 CFR 1100.250.

Protests to the granting of the requested authority must be filed with the Commission within 30 days after the date of this Federal Register notice (unless otherwise specified). Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest should comply with section 247(d) or section 240(c) as appropriate of the Commission's general rules of practice which requires that it set forth specifically the grounds upon

which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and a detailed description of the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest (except for petitions and Finance Dockets under Rule 40 requiring the original and six (6) copies of the protest) shall be filed with the Commission, and a copy shall be served concurrently upon applicant's or petitioner's representative, or applicant or petitioner if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) or section 240(c)(4) of the special rules, and shall include the certification required therein.

No. MC 99780 (Sub-No. 48) (Republication), filed October 15, 1974, and published in the FEDERAL REGISTER issue of November 14, 1974, and republished in this issue. Applicant: CHIPPER CARTAGE COMPANY, INC., 1327 NE. Bond Street, Peoria, Ill. 61603. Applicant's representative: John R. Zang, P.O. Box 1345, Peoria, Ill. 61601. An Order of the Commission, Operating Rights Board, dated April 21, 1975, and served May 6, 1975, finds that the present and future public convenience and necessity require operation by applicant, in foreign commerce only, as a *common carrier*, by motor vehicle, over irregular routes, of *soybean products*, in containers, from the facilities of Central Soya Company, Inc., at Gibson City, Ill., to points in Illinois, restricted to the transportation of traffic having an immediately subsequent movement by rail; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; The purpose of this republication is to modify the commodity and territorial descriptions. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a Certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

MC 117647 (Sub-No. 6) (Republication) filed May 10, 1974, and published in

the FEDERAL REGISTER issue of June 20, 1974, and republished this issue. Applicant: BILL J. ELKINS, R.R. No. 4, Box 124, West Terre Haute, Ind. 47885. Applicant's representative: Mark Bell, 8403 North Michigan Road, Indianapolis, Ind. 46268. An Order of the Commission, Operating Rights Board, dated March 24, 1975, and served April 17, 1975, finds, that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of coal tar and coal tar products, in bulk, in tank vehicles, (1) from the facilities of Western Tar Products Corporation, at Terre Haute, Ind., to points in Kentucky, Illinois, Iowa, Michigan, Missouri, Ohio, Tennessee, and Wisconsin, and (2) from Memphis, Tenn., to the facilities of Western Tar Products Corporation at Terre Haute, Ind.; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to modify the authority requested from contract route to common route authority, and to modify the territorial description. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

MC 128988 (Sub-No. 40) (Republication), filed January 16, 1974, and published in the FEDERAL REGISTER issue of February 22, 1974, and republished this issue. Applicant: JO/KEL, INC., 159 South Seventh Avenue, P.O. Box 1249, City of Industry, Calif. 91749. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. An Order of the Commission, Review Board Number 3, dated April 21, 1975, and served May 8, 1975, finds, that operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of gears, condensers, and turbines, from the facilities of Westinghouse Electric Corporation, at or near Sunnyvale, Calif., to Pascagoula, Miss., North Huntingdon Township, Pa., and High Point, N.C., restricted against the transportation of commodities in bulk and those which by reason or size or weight require the use of special equipment, under a continuing contract or contracts with Westinghouse Electric Corporation, of Pittsburgh, Pa., will be consistent with the public interest and the national transportation policy. The purpose of this republication is to sub-

stitute North Huntingdon Township, Pa., and High Point, N.C., as destination points in lieu of Irwin, Pa., and Greensboro, N.C. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a Permit in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 113855 (Sub-No. 85) (Notice of filing of petition to modify commodity description), filed April 28, 1975. Petitioner: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road, SE, Rochester, Minn. 55901. Petitioner's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. 58102. Petitioner holds a motor common carrier certificate in No. MC 113855 (Sub-No. 85), issued October 22, 1965, authorizing transportation, as pertinent, over irregular routes, of Wood fencing and building board, from points in Montana, Idaho, Washington, Oregon, California, Arizona, and Washoe County, Nev., to points in Kentucky, Indiana, Ohio, Wisconsin, Illinois, Iowa, the Lower Peninsula of Michigan, and that part of Missouri on and east of U.S. Highway 65.

By the instant petition, petitioner seeks to modify the commodity description in the above authority so as to read, Wood products, in lieu of Wood fencing and building board. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 114917 (Sub-No. 6) (Notice of filing of petition to modify a territorial description), filed May 2, 1975. Petitioner: DART TRANSPORTATION SERVICE, a Corporation, 1430 S. Eastman Ave., P.O. Box 23035, Lugo Station, Los Angeles, Calif. 90023. Petitioner's representative: R. Y. Schureman, 1545 Wilshire Boulevard, Los Angeles, Calif. 90017. Petitioner holds a motor contract carrier permit in No. MC 114917 (Sub-No. 6), issued September 27, 1973, authorizing transportation, over irregular routes, of Such merchandise as is dealt in by mail order and chain retail department business houses, from Los Angeles, Calif., and points in the Los Angeles, Calif., Harbor Zone, as defined by the Commission, to points in that part of California located north and west of Ventura, Los Angeles, San Bernardino, Inyo, and Mono Counties, Calif., under a continuing contract or contracts with Sears, Roebuck and Co.

By the instant petition, petitioner seeks to modify the territorial description in the above authority so as to read, between points in Los Angeles and Orange

Counties, Calif., on the one hand, and, on the other, points in California. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 133979 (Notice of filing of petition to modify a territorial description), filed May 9, 1975. Petitioner: CHRIS DRAKOS, doing business as MONTANA BRAND PRODUCE CO., 111 West Fireclay Avenue, Murray, Utah 84107. Petitioner's representative: Irene Warr, 430 Judge Building, Salt Lake City, Utah 84111. Petitioner holds a motor contract carrier permit in No. MC 133979, issued November 2, 1971, authorizing transportation, over irregular routes, of Such merchandise as is dealt in by wholesale, retail, and chain grocers and food business houses (except commodities in bulk), between points in Washington, Oregon, California, Nevada, Utah, Idaho, Montana, Wyoming, and Colorado, under a continuing contract or contracts with Albertson's Inc., of Salt Lake City, subject to the following restrictions: carrier shall conduct separately its contract carrier operation and its other business activities; carrier shall maintain separate accounts and records therefor; and carrier shall not transport property as both a private and contract carrier in the same vehicle at the same time.

By the instant petition, petitioner seeks to modify the territorial description in the above authority so as to read, between points in Washington, Oregon, California, Nevada, Utah, Idaho, Montana, Wyoming, Colorado, Texas, Arizona, New Mexico, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Iowa, Missouri, Arkansas, Louisiana, Mississippi, Alabama, Georgia, South Carolina, and Florida. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's Special Rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 240 TO THE EXTENT APPLICABLE

No. MC 2095 (Sub-No. 2), filed April 21, 1975. Applicant: KEIM TRANSPORTATION, INC., 420 North Sixth, (R.F.D. 2, Box 10), Sabetha, Kans. 66534. Applicant's representative: Clyde N.

Christey, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Plasterboard, plaster products, and metal lathe, clips, nails, and miscellaneous building materials* used with, or in the installation of, plasterboard and plaster products, from Blue Rapids, Kans., to Omaha, Nebr. The purpose of this filing is to eliminate the gateway at Honey Creek, Nebr. This application is a gateway elimination request filed pursuant to the Commission's Policy Statement in Ex Parte No. 55 (Sub-No. 8) noticed in the FEDERAL REGISTER issue of December 9, 1974; and is directly related to MC-F-12506 published in the FEDERAL REGISTER of May 7, 1975.

No. MC 44735 (Sub-No. 22), filed January 31, 1975. Applicant: KISSICK TRUCK LINES, INC., 7101 East 12th Street, Kansas City, Mo. 64126. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Clay and clay products* (except in bulk) between points in Illinois, Iowa, and Nebraska on the one hand, and, on the other, points in Arkansas, Kansas, Missouri, Oklahoma, and Texas, restricted against: (1) the transportation of pipe between points in Kansas (except the Kansas City, Kans.-Kansas City, Mo. Commercial Zone), Oklahoma, Texas, and Arkansas, (2) the transportation of composition or prepared roofing from Dallas, Tex., and (3) the transportation of precast concrete products from Little Rock, Ark. The purpose of this filing is to eliminate a gateway at points in the Kansas City, Kans.-Kansas City, Mo. Commercial Zone. This application is a gateway elimination request filed pursuant to the Commission's Policy statement in Ex Parte 55 (Sub-No. 8) noticed in the FEDERAL REGISTER issue of December 9, 1974; and is directly related to MC-F-12235 published in the FEDERAL REGISTER issue of June 19, 1974.

No. MC 95876 (Sub-No. 171) (correction), filed February 3, 1975, published in the FEDERAL REGISTER issue of April 30, 1975, and partially republished, as corrected this issue. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Donald A. Morken, 1000 First National Bank Building, Minneapolis, Minn. 55402.

NOTE.—The purposes of this partial republication are (A) to correct the territorial description in (12)(A) to read: from Waukegan, Ill., to points in Minnesota, North Dakota, South Dakota and points in Wisconsin beginning at U.S. Highway 61 near Dubuque, Iowa on and west of U.S. Highway 61 to LaCrosse, thence Highway 35 to its junction with Highway 53, thence Highway 53 to its junction with Highway 121 at Whitehall, thence west on Highway 121 to its junction with Highway 93, thence north on Highway 93 to Eau Claire, thence north on Highway 53 to its junction with Highway 63 near Trego, thence northeast on Highway 63 to Baldwin, thence north on Highway 27 to Lake Superior, (B) to correct the territorial

description in (19)(A) to read: from points in South Dakota that are on, west, and north of the following line: Over Highway 85 from the North Dakota-South Dakota State line, south to its junction with Highway 79, then Highway 79 to its junction with Highway 14 near Sturgis, thence Highway 14 to Rapid City, thence Highway 79 to its junction with Highway 36, thence over Highway 36 to its junction with A-16, thence over Highway A-16 to its junction with Highway 16, thence 16 to the South Dakota-Wyoming border to points in Illinois that are on, east, and north of the following line: Over Highway 51 from near the Illinois-Wisconsin State line at South Beloit, thence south on Highway 51 to its junction with Highway 36 near Decatur, thence east on Highway 36 to the Illinois-Indiana State line.

(C) to correct the territorial description in (31)(A) to read: between points in Iowa on and west of State Highway 60, points in South Dakota on and south of U.S. Highway 14 beginning at the Minnesota-South Dakota State line, thence west to the junction with U.S. Highway 16, thence west on U.S. Highway 16 to the South Dakota-Wyoming State line and points in the Upper Peninsula of Michigan located on and east of State Highway 95 near Iron Mountain, then north to U.S. Highway 41, then east to Marquette, Mich., ending at Marquette, Mich., (D) to correct the commodity description in (37) to read: *cast iron pressure pipe and fittings and accessories* therefor, when moving with such pipe and when moving as contractors' and construction equipment, materials and supplies, and (E) to correct the territorial description in (47)(A) to read: from points in South Dakota, to points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, West Virginia, Ohio, Kentucky, Tennessee, Alabama, Mississippi, Louisiana, New Jersey, District of Columbia, Arkansas, Illinois, points on and south of Highway 6, Indiana, Missouri, Nebraska, points on and south and east of Highway 80 from Omaha to its junction with Highway 81, thence Highway 81 to the Nebraska-Kansas State line, points in Kansas on and east of Highway 81, points in Oklahoma on and east of Highway I-35, points in Texas on and east of Highway I-35, points in Michigan on and south of U.S. Highway 10, from Ludington to Bay City, thence Highway 15 and 46 to Lake Huron. The rest of the application remains as originally published.

No. MC 105902 (Sub-No. 18), filed April 14, 1975. Applicant: PENN YAN EXPRESS, INC., 100 West Lake Road, Penn Yan, N.Y. 14527. Applicant's representative: Herbert M. Canter, 315 Seitz Building, 201 East Jefferson Street, Syracuse, N.Y. 13202. 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), (A) (1) Between Albany, N.Y. and Richfield Springs, N.Y.: From Albany over U.S. Highway 20 to Duanesburg, thence over New York Highway 7 to Oneonta, thence over New York Highway 28 to Cooperstown, thence over New York Highway 80 to junction U.S. Highway 20, thence over U.S. Highway 20 to Richfield Springs, and return over the same route; (2) Between Richfield

Springs, N.Y. and Albany, N.Y.: From Richfield Springs over U.S. Highway 20 to Albany, and return over the same route; (3) Between Cherry Valley, N.Y. and Milford, N.Y.: From Cherry Valley over New York Highway 166 to Milford, and return over the same route; (4) Between Cobleskill, N.Y. and junction New York Highway 145 and U.S. Highway 20: From Cobleskill over New York Highway 145 to junction U.S. Highway 20, and return over the same route; (5) Between Cobleskill, N.Y. and junction New York Highway 10 and U.S. Highway 20: From Cobleskill over New York Highway 10 to junction U.S. Highway 20 and return over the same route; and (6) Between Cooperstown, N.Y. and junction unnumbered Highway with New York Highway 166: From Cooperstown over an unnumbered Highway to junction New York Highway 166, and return over the same route; serving all intermediate points on the routes specified in (A), above, and the off-route points of Altamont, Delanson, and Voorheesville, N.Y.; (B) (1) Between Albany, N.Y. and Oneonta, N.Y.: From Albany over New York Highway 32 to Menands, thence over bridges to Troy, thence over New York Highway 7 to Oneonta, and return over the same route; and (2) Between Oneonta, N.Y. and Norwich, N.Y.: From Oneonta over New York Highway 23 to Norwich, and return over the same route, serving all intermediate points on the routes specified in (B) above and the off-route points of Rensselaer, Cohoes, Scotia, and Franklin, N.Y.

The definitions of Commercial Zones to be served for the cities of Albany, N.Y.; Schenectady, N.Y.; Troy, N.Y.; Hornell, N.Y.; Niagara Falls, N.Y.; and Olean, N.Y. as set forth hereinafter, are from Section 850.1 of Title 17 of the Official Compilation of Codes, Rules, and Regulations of the State of New York and are so defined herein pursuant to the authority and precedent of *The Adley Corp.-Pur.-New York & Albany Dispatch, Inc.* 101 M.C.C. 388, 401-402. Commercial zones for Albany, N.Y.; Schenectady, N.Y.; and Troy, N.Y., to be served under (A) and (B) above are as follows: (1) The City of Albany: The city of Albany. The town of Bethlehem, Albany County. The town of Guiderland, Albany County. The town of Colonie, Albany County. The city of Rensselaer. The village of Menands, Albany County. The village of Green Island, Albany County. That part of the town of East Greenbush, Rensselaer County, bounded as follows: Beginning at the intersection of the easterly boundary of the city of Rensselaer with the boundary line between the towns of North Greenbush and East Greenbush, thence easterly along the said boundary line between North Greenbush and East Greenbush about 1½ miles to the highway known as U.S. Route No. 4, thence southerly along said U.S. Route No. 4 to the Columbia turnpike, thence southerly along the said Columbia turnpike to the boundary line between the towns of East Greenbush and Schodack, thence westerly along the said boundary line to the

east bank of the Hudson River, thence northerly along the said east bank of the Hudson River to the southerly boundary line of the city of Rensselaer, thence easterly and northerly long the southerly and easterly boundary lines of the city of Rensselaer to the point of beginning.

That portion of the town of New Scotland, Albany County, bounded as follows: Beginning at the intersection of the boundary line of the towns of New Scotland and Bethlehem and the highway known as State Route 32, thence westerly and northerly along said Route 32 and a county road leading through the hamlets of Unionville and Stony Hill to the hamlet of New Scotland, thence continuing northerly and westerly along State Routes Nos. 85A and 85 to the village of Vooreville, thence along the southerly and westerly boundaries of the said village and the said westerly boundary line continued to the boundary line between the towns of New Scotland and Guelderland, thence easterly along the said boundary line between the towns of New Scotland and Guelderland to the boundary line between the towns of New Scotland and Bethlehem, thence southerly along the last-mentioned boundary line to the place of beginning, and including all of the hamlet of Feura Bush.

(2) * The City of Schenectady: The city of Schenectady and the towns of Rotterdam, Glenville, Niskayuna, and that portion of the town of Colonie lying west of the highway known as U.S. Route No. 9.

(3) *The City of Troy: The cities of Troy, Watervliet, and Cohoes. The villages of Menands, Green Island, and Waterford. The towns of North Greenbush, Brunswick, and Waterford. That portion of the town of Colonie lying east of the highway known as U.S. Route No. 9. That portion of the town of Schaghticoke lying south of the highway known as the "City of Troy Road", which highway extends from the hamlet of Melrose to the Tomhannock reservoir, and the town road extending west from the hamlet of Melrose to the Hudson River.

(C) (1) Between Jasper, N.Y. and Buffalo, N.Y.: (a) From Jasper over New York Highway 17 to Olean, thence over New York Highway 16 to Buffalo, and return over the same route; (b) From Jasper over New York Highway 17 to Jamestown, thence over New York Highway 17 to Kennedy, thence over U.S. Highway 62 to Buffalo, and return over the same route; (2) Between Wayland, N.Y. and Batavia, N.Y.: From Wayland over New York Highway 63 to Batavia, and return over same route; (3) Between Jasper, N.Y. and Caledonia, N.Y.: From Jasper over New York Highway 21 to Hornell, thence over New York Highway 36 to Caledonia, and return over the same route; (4) Between Geneseo, N.Y. and Buffalo, N.Y.: From Geneseo over New York Highway 39 to Avon, thence over U.S. Highway 20 and New York Highway 130 to Buffalo, return over the same

route; (5) Between Buffalo, N.Y. and Niagara Falls, N.Y.: From Buffalo over U.S. Highway 62 to Niagara Falls and return over the same route, serving all intermediate points on the routes specified in (C) above, and the off-route points of: Lackawanna, Lockport, Livonia, Alfred, Troupsburg, Howard, Lindley, Perkinsville, Pine City, Presho, Seeley Creek, and Springwater, N.Y. Commercial zones for Hornell, N.Y., Niagara Falls, N.Y. and Olean, N.Y., to be served under (C) above are as follows: (1) The City of Hornell: The city of Hornell and the town of Hornellsville. (2) The City of Niagara Falls: The city of Niagara Falls and the towns of Lewiston, Niagara, Wheatfield and Grand Island.

(3) The City of Olean: The City of Olean and the towns of Olean and Allegany.

D. (1) Between Owego, N.Y. and Ithaca, N.Y.: (a) From Owego over New York Highway 96 to Ithaca, and return over the same route. (b) From Owego over New York Highway 38 to Richford, thence over New York Highway 79 to Ithaca, and return over the same route; and (2) Between Horseheads, N.Y. and Ithaca, N.Y.: From Horseheads over New York Highway 13 to Ithaca, and return over the same route, serving all intermediate points on the routes specified in (D), above and the off-route points of Wellsburg, Erin, and Straits Corners, N.Y.

NOTE.—By the instant application, applicant seeks to convert a portion of a Certificate of Registration it is seeking to acquire to a Certificate of Public Convenience and Necessity. This is a matter directly related to a Section 5 proceeding in MC-F-12492, published in the FEDERAL REGISTER issue of April 23, 1975. If a hearing is deemed necessary, applicant requests it be held at either Syracuse, Binghamton, Jamestown, or Buffalo, N.Y., or Washington, D.C.

No. MC 106644 (Sub-No. 203), filed February 10, 1975. Applicant: SUPERIOR TRUCKING COMPANY, INC., P.O. Box 916, Atlanta, Ga. 30301. Applicant's representative: Guy H. Postell, Suite 713, 3384 Peachtree Road NE., Atlanta, Ga. 30326. Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting: (I) (A) *Commodities*, the transportation of which because of size, weight, or shape require the use of special equipment or special handling (except pipe, pipeline machinery, equipment, and supplies incidental to and used in connection with the construction, operation, repair, servicing, and dismantling of pipelines and the stringing or picking up thereof) and (B) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies*, moving in connection therewith (except pipe, pipeline machinery, equipment, and supplies incidental to and used in connection with the construction, operation, repair, servicing, and dismantling of pipelines and the stringing or picking up thereof), (1) (a) between points in Oklahoma and Missouri (except points in Missouri west of U.S. Highway

67 beginning at the Mississippi River north of St. Louis, Mo. and extending to the Missouri-Arkansas line) and (b) between points in Oklahoma and Missouri (west of U.S. Highway 67 in Missouri). The purpose of this filing is to eliminate the gateway of St. Charles, Mo. and/or on and east of U.S. Highway 67 in Missouri beginning at the Mississippi River, thence U.S. Highway 67 By-Pass to Junction U.S. Highway 61, thence U.S. Highway 61 to Missouri-Arkansas line.

(2) (a) between points in Oklahoma and points in Iowa on and east of U.S. Highway 61 between Dubuque, Iowa and the Missouri-Iowa line and (b) between points in Oklahoma and points in Iowa west of U.S. Highway 61 beginning at Dubuque, Iowa to the Missouri-Iowa line. The purpose of this filing is to eliminate the gateway of St. Charles, Mo. and/or on and east of U.S. Highway 67 in Missouri beginning at the Mississippi River, thence U.S. Highway 67 By-Pass to Junction U.S. Highway 61, thence U.S. Highway 61 to Missouri-Arkansas line.

(3) (a) between points in Missouri and Illinois and (b) between points in Oklahoma and Illinois. The purpose of this filing is to eliminate the gateway of St. Charles, Mo. and/or on and east of U.S. Highway 67 in Missouri beginning at the Mississippi River, thence U.S. Highway 67 By-Pass to Junction U.S. Highway 61, thence U.S. Highway 61 to Missouri-Arkansas line.

(4) (a) between points in Oklahoma, on the one hand, and, on the other, points in Indiana, Ohio, Kentucky and Tennessee (except points in Tennessee south and west of Tennessee Highway 19 beginning at the Mississippi River, thence Tennessee Highway 19 to Junction Tennessee Highway 76, thence Tennessee Highway 76 to Junction Tennessee Highway 57, thence Tennessee Highway 57 to Junction Tennessee Highway 18, thence Tennessee Highway 18 to Tennessee-Mississippi line) and (b) between points in Oklahoma and points in Tennessee south and west of Tennessee Highway 19 beginning at the Mississippi River, thence Tennessee Highway 19 to Junction Tennessee Highway 76, thence Tennessee Highway 76 to Junction Tennessee Highway 57, thence Tennessee Highway 57 to Junction Tennessee Highway 18, thence Tennessee Highway 18 to Tennessee-Mississippi line. The purpose of this filing is to eliminate the gateway of St. Louis, Mo. and/or on and east of U.S. Highways 67-61 in Missouri.

(5) (a) between points in Oklahoma (except south of Interstate 44 from the Oklahoma-Missouri line to Junction Interstate 40, thence Interstate 40 to the Oklahoma-Texas line) and Alabama (except south of U.S. Highway 84 from the Alabama-Mississippi line to Junction Alabama 55, thence Alabama Highway 55 to Alabama-Florida line) (b) between points in Oklahoma (except east and south of Oklahoma Highway 1 from Oklahoma-Arkansas line to Junction Oklahoma Highway 7, thence Oklahoma Highway 7 to Junction U.S. Highway 81, thence U.S. Highway 81, to Oklahoma-Texas line) and Alabama (except

*Each of said zones shall include all villages lying within any of the designated towns.

on and south of U.S. Highway 82 from the Alabama-Georgia line to the Alabama-Mississippi Line), (c) between points in Oklahoma and Mississippi, (d) between points in Oklahoma east and south of Oklahoma Highway 1 from the Oklahoma-Arkansas line to Junction Oklahoma Highway 7, thence Oklahoma Highway 7 to Junction U.S. Highway 81, thence U.S. Highway 81 to the Oklahoma-Texas line, and Alabama on and south of U.S. Highway 82 from the Alabama-Georgia line to Alabama-Mississippi line, and (e) between points in Oklahoma south of Interstate 44 from the Oklahoma-Missouri line to Junction Interstate Highway 40, then Interstate Highway 40 to the Oklahoma-Texas line and Alabama south of U.S. Highway 84 from the Alabama-Mississippi line to Junction Alabama Highway 55, thence Alabama Highway 55 to the Alabama-Florida line. The purpose of this filing is to eliminate the gateway of points in Missouri on and east of U.S. Highway 61 north of the Arkansas-Missouri line and Tennessee.

(6) (a) between points in Oklahoma and Georgia, North Carolina, South Carolina, and Florida (except between points in Oklahoma east and south of Oklahoma Highway 9 from the Arkansas line to Oklahoma Highway 7, thence Oklahoma Highway 7 to U.S. Highway 81, thence U.S. Highway 81 to the Texas line, on the one hand, and, on the other, points in Florida west of the Apalachicola River) and (b) between points in Oklahoma east and south of Oklahoma Highway 9 from the Arkansas line, thence Oklahoma Highway 9 to Oklahoma Highway 7, thence Oklahoma Highway 7 to U.S. Highway 81, thence U.S. Highway 81 to the Texas line, on the one hand, and, on the other, points in Florida west of the Apalachicola River. The purpose of this filing is to eliminate the gateways of points in Missouri on and east of U.S. Highway 61 north of Arkansas-Missouri line and Tennessee.

(7) (a) between points in Oklahoma (except east and south of Oklahoma Highway 1 from the Oklahoma-Arkansas line to Junction Oklahoma Highway 7, thence Oklahoma Highway 7 to Junction U.S. Highway 81, thence U.S. Highway 81 to the Oklahoma-Texas line) and Virginia (except west of U.S. Highway 52 in Virginia between North Carolina line and Kentucky line) and (b) between points in Oklahoma east and south of Oklahoma Highway 1 from the Oklahoma-Arkansas line to Junction Oklahoma Highway 7, thence Oklahoma Highway 7 to Junction U.S. Highway 81, thence U.S. Highway 81 to the Oklahoma-Texas line, on the one hand, and, on the other, points in Virginia west of U.S. Highway 52 between the North Carolina and Kentucky lines. The purpose of this filing is to eliminate the gateway of points in Missouri on and east of U.S. Highway 61 north of the Arkansas-Missouri line, Tennessee, and in North Carolina one mile south of Mouth of Wilson, Virginia.

(8) between points in Oklahoma and Maryland. The purpose of this filing is to

eliminate the gateway of points in Missouri on and east of U.S. Highway 61 north of the Arkansas-Missouri line, Tennessee, and in North Carolina one mile south of Mouth of Wilson, Virginia.

(9) between points in Oklahoma and New Jersey, Massachusetts, and Rhode Island. The purpose of this filing is to eliminate the gateway of points in Missouri on and east of U.S. Highway 61 north of the Arkansas-Missouri line, Tennessee, and in North Carolina one mile south of Mouth of Wilson, Virginia.

(10) (a) between points in Oklahoma and Pennsylvania (except west of U.S. Highway 15 between the New York and Maryland lines) and (b) between points in Oklahoma and points in Pennsylvania west of U.S. Highway 15 between the New York and Maryland lines. The purpose of this filing is to eliminate the gateway of points in Missouri on and east of U.S. Highway 61 north of the Arkansas-Missouri line, Tennessee, and in North Carolina one mile south of Mouth of Wilson, Virginia.

(11) (a) between points in Oklahoma and New York except west of U.S. Highway 11 from the Canadian border at St. Regis, thence U.S. Highway 11 to Junction New York Highway 58, thence New York Highway 58 to Junction New York Highway 3, thence New York Highway 3 to Junction New York Highway 26, thence New York Highway 26 to the New York-Pennsylvania line and (b) between points in Oklahoma and points in New York west of U.S. Highway 11 from the Canadian line at St. Regis, thence U.S. Highway 11 to Junction New York Highway 58, thence New York Highway 58 to Junction New York Highway 3, thence New York Highway 3 to Junction New York 26, thence New York Highway 26 to the New York-Pennsylvania line. The purpose of this filing is to eliminate the gateway of points in Missouri on and east of U.S. Highway 61 north of the Arkansas-Missouri line, Tennessee, and in North Carolina one mile south of Mouth of Wilson, Virginia.

(12) (a) between points in Texas and Illinois, Indiana, Ohio, and Kentucky, (b) between points in Texas and points in Missouri except points west of Missouri Highway 15 beginning at the Missouri-Iowa line, thence Missouri Highway 15 to Junction Missouri Highway 22, thence Missouri Highway 22 to Junction Missouri Highway 19, to Junction Missouri Highway 19, to Junction Missouri Highway 49, thence Missouri Highway 49 to Junction Missouri Highway 21, thence Missouri Highway 21 to the Missouri-Arkansas line, (c) between points in Texas and points in Iowa except points in Iowa west of U.S. Highway 63 between the Iowa-Minnesota line and the Iowa-Missouri line, (d) between points in Texas and points in Tennessee except points in Tennessee west of U.S. Highway 45 beginning at the Tennessee-Mississippi line, thence to Junction Tennessee Highway 20, thence Tennessee Highway 20 to the Tennessee-Missouri line, (e) between points in Texas and points in Missouri west of Missouri Highway 15 beginning at the Missouri-Iowa line, thence Missouri Highway 15 to

Junction Missouri Highway 22, thence Missouri Highway 22 to Junction Missouri Highway 19, thence Missouri Highway 19 to Junction Missouri Highway 49, thence Missouri Highway 49 to Junction Missouri Highway 21, thence Missouri Highway 21 to the Missouri-Arkansas line, (f) between points in Texas and points in Iowa west of U.S. Highway 63 between Iowa-Minnesota line and the Iowa-Missouri line, and (g) points in Texas and points in Tennessee west of U.S. Highway 45 beginning at the Tennessee-Mississippi line, thence U.S. Highway 45 to Junction Tennessee Highway 20, thence Tennessee Highway 20 to the Tennessee-Missouri line. The purpose of this filing is to eliminate the gateway of points in Missouri on and east of U.S. Highway 61-67.

(13) (a) between points in Texas on and west of north of U.S. Highway 287 from the Texas-Oklahoma line to Junction U.S. Highway 87, thence U.S. Highway 87 to Junction U.S. Highway 80, thence U.S. Highway 80 to the Texas-New Mexico line, and points in Alabama, on and east of U.S. Highway 231 from the Alabama-Florida line to Junction I-65, thence I-65 to the Alabama-Tennessee line, and (b) between points in Texas east and south of U.S. Highway 287 from the Texas-Oklahoma line to Junction U.S. Highway 87, thence U.S. Highway 87 to Junction U.S. Highway 80, thence U.S. Highway 80 to the Texas-New Mexico line, and points in Alabama west of U.S. Highway 231 from the Alabama-Florida line to Junction I-65, thence I-65 to the Alabama-Tennessee line. The purpose of this filing is to eliminate the gateway of points in Missouri on and east of U.S. Highway 61 north of the Arkansas-Missouri line and Tennessee.

(14) (a) between points in Texas on and north and west of U.S. Highway 287 from the Texas-Oklahoma line to Junction U.S. Highway 87, thence U.S. Highway 87 to Junction U.S. Highway 80, thence U.S. Highway 80 to the Texas-New Mexico line, and points in Mississippi on and east of U.S. Highway 45 from the Mississippi-Tennessee line to Junction of Alternate U.S. Highway 45, thence Alternate U.S. Highway 45 to Junction U.S. Highway 45, thence U.S. Highway 45 to Junction Mississippi Highway 16, thence Mississippi Highway 16 to the Mississippi-Alabama line, and (b) between points in Texas and Louisiana, and (c) between points in Texas east and south of U.S. Highway 287 from the Texas-Oklahoma line to Junction U.S. Highway 87, thence U.S. Highway 87 to Junction U.S. Highway 80, thence U.S. Highway 80 to the Texas-New Mexico line, and points in Mississippi west of U.S. Highway 45 from the Mississippi-Tennessee line to Junction Alternate U.S. Highway 45, thence Alternate U.S. Highway 45 to Junction U.S. Highway 45, thence U.S. Highway 45 to Junction Mississippi Highway 16, thence Mississippi Highway 16 to the Mississippi-Alabama line. The purpose of this filing is to eliminate the gateway of points in Missouri on and east of U.S.

Highway 61 north of the Arkansas-Missouri line and Tennessee.

(II) *aluminum ingots, pigs, billets, blooms and plates* which because of size or weight require the use of special equipment, from points in Oklahoma to points in Connecticut, Delaware, and the District of Columbia. The purpose of this filing is to eliminate the gateway of points in Missouri on and east of U.S. Highway 61 north of the Arkansas-Missouri line, Tennessee, and Scottsboro, Ala.

(III) (a) *heat exchangers or equalizers* (b) *heating, cooling, humidifying and dehumidifying machinery and equipment*, and (c) *parts, attachments and accessories* for use in the installation and operation of the above named commodities in (a) and (b), and when commodities in (a), (b), and (c) require special equipment to load and/or unload, from points in Oklahoma and Texas, to points in Connecticut, Delaware, Maine, New Hampshire, Vermont, and the District of Columbia. The purpose of this filing is to eliminate the gateway of points in Missouri on and east of U.S. Highway 61 north of the Arkansas-Missouri line, Montgomery County, Tenn.

(IV) *electric controllers and instruments* which because of size or weight require the use of special equipment, from points in Oklahoma and Texas to points in Delaware, District of Columbia, Connecticut, Vermont, New Hampshire, and Maine. The purpose of this filing is to eliminate the gateway of points in Missouri on and east of U.S. Highway 61, Tennessee, North Carolina, and Roanoke County, Va. This application is a gateway elimination request filed pursuant to the Commission's Policy Statement in Ex Parte No. 55 (Sub-No. 8) noticed in the FEDERAL REGISTER issue of December 9, 1974; and is directly related to MC-F-11318 published in the FEDERAL REGISTER of September 29, 1972.

MC 126588 (Sub-No. 2), filed March 30, 1975. Applicant: KERR MOTOR LINES, INC., 1/4 Jackson Street, Binghamton, N.Y. 13903. Applicant's representative: Norman M. Pinsky, 345 South Warren Street, Syracuse, N.Y. 13202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in New York and Pennsylvania as authorized in applicant's certificate No. MC 126588 on the one hand, and, on the other, points in specified counties in New York as authorized in Dexter's Delivery, Inc. Certificate of Registration No. MC 121616 (Sub-No. 1) which applicant is seeking to acquire. The purpose of this filing is to eliminate a gateway at points in Schoharie County, N.Y. and to convert a Certificate of Registration applicant is seeking to acquire to a Certificate of Public Convenience and Necessity. This application is a gateway elimination request filed pursuant to the Commission's Policy State-

ment in Ex Parte No. 55 (Sub-No. 8) noticed in the FEDERAL REGISTER issue of December 9, 1974; and is directly related to MC-F-12482 published in the FEDERAL REGISTER issue of April 23, 1974.

No. MC-F-11043. (Supplemental) (Colonial Motor Freight Line, Inc.—Control—Griggs Trucking Company), published in the December 16, 1970, issue of the FEDERAL REGISTER. By report and order decided February 21, 1974, and served March 27, 1974, the Commission, Division 3, among other things, approved and authorized the acquisition by Colonial Freight Line, Inc., of control of Griggs Trucking Company, through the purchase of capital stock and the merger of the operating rights and property of the latter into the former for ownership, management, and operation.

No. MC-F-11563. (Supplemental) (ROSS TRUCK LINES, INC.—PURCHASE (portion)—ROBERT FOLTZ), published in the June 14, 1972 issue of the FEDERAL REGISTER on page 11818. By petition filed June 14, 1974, Dan E. Turner, Trustee in Bankruptcy of Robert Foltz, sought to be substituted as the transfer or in this proceeding. Turner's petition was granted, and subject to the present republication, the purchase of a portion of the interstate operating rights of Robert Foltz (Dan E. Turner, Trustee in Bankruptcy) of Ottawa, Kans. by Ross Truck Lines, Inc. of Paola, Kans. was authorized by order of the Commission, Review Board Number 5, dated March 20, 1975.

No. MC-F-12495. Authority sought to be purchased by RINGSBY TRUCK LINES, INC., 5773 S. Prince St., Littleton, CO 80120, of a portion of the operating rights of RINGSBY-PACIFIC, LTD., also of Littleton, CO 80120, and for acquisition by J. W. RINGSBY, also of Littleton, CO 80120, of control of such rights through the purchase. Applicants' attorney: Alvin J. Meiklejohn, Jr., Suite 1600 Lincoln Center, 1660 Lincoln St., Denver, CO 80203. Operating rights sought to be transferred: *General commodities*, excepting among others, class A and B explosives, household goods and commodities in bulk, as a *common carrier* over regular routes, between Kalispell, Mont., and Coram, Mont., serving all intermediate points, and serving points within 5 miles of Coram as off-route points, between Spokane, Wash., and Great Falls, Mont., serving all intermediate points between Milltown, Mont. (not including Milltown), and Great Falls, between Coram, and Shelby, Mont., serving all intermediate points, between Browning, and Great Falls, Mont., serving no intermediate points, between Shelby, and Great Falls, Mont., serving no intermediate points, between Spokane, and Oroville, Wash., serving various intermediate and off-route points, between Oroville, Wash., and the United States-Canada Boundary Line approximately 8 miles north of Oroville, serving no immediate points, between points in Washington, serving all intermediate points, between Yakima, Wash., and

Portland, Oreg., serving the intermediate point of Toppenish, Wash., and the off-route point of Wapato, Wash.; *general commodities*, excepting among others, high explosives, and commodities in bulk, over irregular routes, from Portland, Oreg., to points in Yakima County, Wash., except Yakima, Wapato, and Toppenish, Wash.; *farm products*, except in bulk in tank vehicles, from points in Yakima County, Wash., to Portland, Oreg., and Seattle, Wash. (except from Yakima, Wapato, and Toppenish, Wash., to Portland, Oreg.); *paper*, from Oregon City, Oreg., to Hanford, Wash., and points in Yakima County, Wash.; *spray and spray materials*, except in bulk in tank vehicles, from Portland, Oreg., to Wenatchee, Wash., from Yakima, Wash., to Hood River, Oreg.; *powdered milk*, except in bulk in tank vehicles, from Sunnyside, Wash., to Portland, Oreg., over one alternate route for operating convenience only. Vendee is authorized to operate as a common carrier in all of the States in the United States (except Alaska and Hawaii). Application has been filed for temporary authority under section 210a(b).

NOTE.—MC-52709 (Sub-No. 330) directly related matter.

No. MC-F-12496. Authority sought for purchase by RINGSBY-PACIFIC, LTD., 5773 S. Prince St., Littleton, CO 80120, of a portion of the operating rights of RINGSBY TRUCK LINES, INC., also of Littleton, CO 80120, and for acquisition by J. W. RINGSBY, J. V. RINGSBY, D. W. RINGSBY, SUSAN R. PETRZAK, LINDA RINGSBY, and GARY RINGSBY, all of Littleton, CO 80120, of control of such rights through the purchase. Applicants' attorney: Alvin J. Meiklejohn, Jr., Suite 1600 Lincoln Center, 1660 Lincoln St., Denver, CO 80203. Operating rights sought to be transferred: *General commodities*, excepting among others, Classes A and B explosives, livestock, household goods and commodities in bulk, as a *common carrier* over regular routes, between Aberdeen, and Hoquiam, Wash., between Mt. Vernon, and Sedro Wooley, Wash., serving the intermediate and off-route points of Burlington and Clear Lake, Wash., and those within three miles of Mt. Vernon, between Mt. Vernon, and Bellingham, Wash., serving all intermediate points; and off-route points within three miles of Mt. Vernon, between Anacortes, and Stanwood, Wash., serving all intermediate points; and off-route point of La Conner, Wash., and those within three miles of Mt. Vernon, between Vancouver, and Tacoma, Wash., serving various intermediate and off-route points, between Seattle and Bellingham, Wash., serving the intermediate points of Everett and Mt. Vernon, Wash., and all intermediate points between Mt. Vernon and Bellingham, Wash., and those within 30 miles of Mt. Vernon, Wash., between Aberdeen, and Olympia, Wash., between Aberdeen, and Centralia, Wash., serving all intermediate points, between Tenino, and Tacoma, Wash., between Bellingham,

Wash., and the Boundary line between the United States and Canada, serving various intermediate and off-route points with restriction; *meat, 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, between Bellingham, and Blaine, Wash., serving no intermediate points, with restriction; *cranberry food products*, serving Markham, Wash., as an off-route point in connection with carrier's authorized regular route operations to and from Aberdeen, Wash., over one alternate route for operating convenience only; *shakes, shingles, and shingle trim*, over irregular routes, from points in Grays Harbor County, Wash., and points in that part of Jefferson County, Wash., west of the Olympic Mountains, to Portland, Ore. Vendee is authorized to operate as a *common carrier* in California, Nevada, Oregon and Washington. Application has been filed for temporary authority under section 210a(b).

Note—MC-108398 (Sub-No. 43), directly related matter.

No. MC-F-12510. (Correction) (IMPERIAL VAN LINES, INC.—CONTROL—MARTIN VAN LINES, INC.), Joseph O. Earp, Trustee, published in the May 7, 1975, issue of the FEDERAL REGISTER on page 19889. Prior notice should be modified to include under commodities of *Household goods* as defined by the Commission, between points in Rosebud, Custer, and Treasure Counties, Mont., except Forsyth, Mont., on the one hand, and, on the other, points in Minnesota, South Dakota, North Dakota, Wyoming, Idaho, Washington, and Montana, between Forsyth, Mont., on the one hand, and, on the other, points in Montana more than 125 miles from Forsyth, and those in Minnesota, South Dakota, North Dakota, Wyoming, Idaho, and Washington; in lieu of between points in Rosebud, Custer and Treasure Counties, Mont., except Forsyth, Mont., on the one hand, and, on the other, points in Montana more than 125 miles from Forsyth, and those in Minnesota, South Dakota, North Dakota, Wyoming, Idaho, and Washington.

No. MC-F-12514. Authority sought for control by CHROMALLOY AMERICAN CORPORATION, a non-carrier, 120 S. Central Ave., St. Louis, MO 63105, of F.M.S. TRANSPORTATION, INC., 900 North Alvarado, Los Angeles, CA 90028. Applicants' attorneys: E. Stephen Helsey, Suite 805, 666 Eleventh St., NW, Washington, DC 20001, and Kent B. Friedman, 120 S. Central Ave., St. Louis, MO 63105. Operating rights sought to be controlled: Order in No. MC-139206 conditioned the grant of authority therein upon the filing of this application by CHROMALLOY AMERICAN CORPORATION. Operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of textiles and textile products and materials, equipment

and supplies used in the same, manufacture, processing, production, and distribution of the above-named commodities (except commodities in bulk) between Laredo, Brenham, and Houston, Tex., Wellsville, Mo., and Johnson City, Tenn., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). Chromalloy American Corporation has control of the Valley Line Company a regulated water carrier operating pursuant to certificate issued in W-78. Chromalloy American also controls American Transit Corp., which in turn controls certain motor carriers of passengers holding certificates from this Commission. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-12517. Authority sought for control by GRAVES TRUCK LINE, INC., 2130 South Ohio, Salina, KS 67401, of THOMAS CARTAGE, INC., 301 N. Wilson St., Amarillo, TX 79105, and for acquisition by WILLIAM H. GRAVES, also of Salina, KS 67401, of control of THOMAS CARTAGE, INC., through the acquisition by GRAVES TRUCK LINE, INC. Applicants' attorney: John E. Jandera, 641 Harrison St., Topeka, KS 66603. Operating rights sought to be controlled: *General commodities*, excepting among others, classes A and B explosives, household goods, and commodities in bulk, as a *common carrier* over regular routes, between Texhoma, Okla., on the Oklahoma-Texas State line, and Guymon, Okla., serving all intermediate points, between Amarillo, and Turkey, Tex., serving the intermediate points of Silberton and Quitaque, Tex., between Amarillo, Tex., and the Texas-Oklahoma State line, serving all intermediate points between Amarillo and Dumas, Tex., the intermediate points of Etter, Stratford, and Texhoma, Tex., and the off-route point of Sunray, Tex., between Amarillo, and Sunray, Tex., serving the intermediate points of Dumas, and Sheerin, Tex.; serving various off-route points, between Stratford, Tex., and Keyes, Okla., serving all intermediate points and the off-route point of the Bureau of Hines Keys Helium Plant, Okla., between Dumas, and Stratford, Tex., serving all intermediate points, except Etter, Tex. GRAVES TRUCK LINE, INC., is authorized to operate as a *common carrier* in Kansas, Oklahoma, Nebraska, Texas, Missouri, and Colorado. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-12518. Authority sought for purchase by BRADA MILLER FREIGHT SYSTEM, INC., 1210 South Union St., Kokomo, IN 46901, of the operating rights of SHERIDAN EXPRESS CO., P.O. Box 466, Lansing, OH 43934, and for acquisition by BELFORD INVESTMENT CO., INC., also of Kokomo, IN 46901, of control of such rights through the purchase. Applicants' attorney: Edward K. Wheeler, 704 Southern Bldg., Washington, DC 20005. Operating rights sought to be transferred: *General commodities*, excepting among others, class

A and B explosives, household goods and commodities in bulk, as a *common carrier* over irregular routes, between points in Belmont County, Ohio, on the one hand, and, on the other, points in Brooke, Hancock, Marshall, and Ohio Counties, W. Va. Vendee is authorized to operate as a *common carrier* in Michigan, Ohio, Indiana, Illinois, Kentucky, Pennsylvania, Missouri, West Virginia, Iowa, Wisconsin, Tennessee, Kansas, Nebraska, South Dakota, North Dakota, Minnesota, and New York. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-12519. Authority sought for purchase by AL ZEFFIRO TRANSFER AND STORAGE, INC., P.O. Box 296, Murrsville, PA 15668, of a portion of the operating rights of DAILY EXPRESS, INC., P.O. Box 39, Carlisle, PA, and for acquisition by MAWSON & MAWSON, INC., P.O. Box 125, Langhorne, PA 19047, of control of such rights through the purchase. Applicants' attorneys: James W. Patterson, 2107 The Fidelity Bldg., Philadelphia, PA 19109, P. F. Sullivan, Suite 711 Washington Bldg., 15th & New York Ave. NW, Washington, D.C. 20005, and James W. Hagar, 100 Pine St., Harrisburg, PA 17108. Operating rights sought to be transferred: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and *related iron and steel and iron and steel products* when their transportation is incidental to the transportation of said carrier of commodities which by reason of size or weight require special equipment, as a *common carrier* over irregular routes, between points within 80 miles of Columbus, Ohio, including Columbus, on the one hand, and, on the other, points in Wayne County, Ohio, Guernsey County, Ohio, and Athens County, within 80 miles of Columbus, Ohio, between points in Wayne County, Ohio, Guernsey County, Ohio, and Athens County, Ohio, within 80 miles of Columbus, Ohio, on the one hand, and, on the other, points in Kentucky, West Virginia, Indiana, Michigan, Pennsylvania, Illinois, and New York. Vendee is authorized to operate as a *common carrier* in Pennsylvania, Ohio, Delaware, Maryland, New York, West Virginia, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

Notice is hereby given that on April 17, 1975, an application was filed in Finance Docket No. 27891 by the BRUSCO TOWBOAT COMPANY, a Washington Corporation, to acquire by purchase all of the outstanding common stock of COLUMBIA TUG BOAT COMPANY, an Oregon Corporation, from Robert Brusco and upon Commission approval to thereafter merge the properties of COLUMBIA TUG BOAT COMPANY, into BRUSCO TOWBOAT COMPANY by statutory merger and for Roland E. Brusco to acquire control of the rights and properties of COLUMBIA TUG BOAT COMPANY, through controlling stock ownership of BRUSCO TOWBOAT COMPANY.

The operating rights of Columbia Tug Boat Co. which are proposed to be acquired and merged into Brusco Towboat Company will extend Brusco Towboat's authority to perform general towing by non-self-propelled vessels and separate towing vessels from Vancouver, Washington, to points along the Columbia River as far east as Bonneville Dam and from Wauna, Oregon, as far west as the mouth of the Columbia River and on the Willamette River from Portland to Oregon City, Oregon.

Applicants have stated that the requested Commission action involves no known effect on the quality of the human environment. In accordance with the Commission's regulations (49 CFR 1100.250) in Ex Parte No. 55 (Sub-No. 4), *Implementation-National Environmental Policy Act, 1969*, 340 I.C.C. 431 (1972), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall include information relating to the relevant factors set forth in Ex Parte No. 55 (Sub-No. 4), supra, Part (b) (1)-(5), 340 I.C.C. 431, 461.

No applicant for temporary authority pertaining to this proceeding has been filed under Section 311(b). The proceeding will be handled without public hearings unless protests are received which contain information indicating a need for such hearings. Any protests submitted shall be filed with the Commission on or before June 20, 1975.

Roland Brusco,
P.O. Box 1060,
Longview, Washington 98632.
BRUSCO TOWBOAT COMPANY,
P.O. Box 1060,
Longview, Washington 98632.

Robert Brusco,
P.O. Box 158,
Cathlamet, Washington 98612.
COLUMBIA TUG BOAT CO.,
P.O. Box 158,
Cathlamet, Washington 98612.

Alex L. Parks,
White, Sutherland, Parks & Allen,
Attorneys for Applicants,
1200 Jackson Tower,
Portland, Oregon 97205.

Finance Docket No. 27589 (Petitions for Reopening and Modification to Approve and Authorize Participation of 25 Additional Common Carriers by Railroad) (American Rail Box Car Company and Trailer Train Company et al.—For Approval of the Pooling of Car Service in Respect to Box Cars), published in the March 12, 1974, issue of the FEDERAL REGISTER. By petition filed March 27, 1975, 25 additional common carriers by railroad seek modification of the report and order of August 1, 1974, as modified by supplemental report and order of September 24, 1974, which approved the box car pooling agreement in the above-entitled proceeding, subject to conditions, in order to permit the petitioning railroads to join in the box car pooling arrangement as full and equal participants. The 25 petitioning railroads are:

Alameda Belt Line
The Apache Railway Company
Atlanta & Saint Andrews Bay Railway Company
Camino, Placerville & Lake Tahoe Railroad Company
Chattahoochee Valley Railway Company
Chicago Short Line Railway Company
The Colorado and Southern Railway Company
Columbia & Coslitz Railway Company
Des Moines and Central Iowa Railway Company
Duluth & Northeastern Railroad Company
East Camden & Highland Railroad Company
East Erie Commercial Railroad
Fort Worth and Denver Railway Company
Green Mountain Railroad Corporation
Houston Belt & Terminal Railway Company
Kansas City Terminal Railway Company
Manufacturers' Junction Railway Company
Marquette, Tomahawk & Western Railroad Company
The Oakland Terminal Railway
Oregon, California & Eastern Railway Company
Public Belt Railroad Commission
Sabine River & Northern Railroad Company
St. Johnsbury & Lamoille County Railroad
Valdosta Southern Railroad Company
Wharton & Northern Railroad Company

Duluth, Missabe and Iron Range Railway Company (DMIR) with offices at Room 500, Missabe Building, Duluth, Minnesota 55802, represented by Mr. Daniel H. Core, Jr., hereby gives notice, that on the 22nd day of April, 1975 it filed with the Interstate Commerce Commission at Washington, D.C. in Finance Docket No. 27893 an Application for authority to use and operate over approximately 10.0 miles of main line track of the Duluth, Winnipeg and Pacific Railway Company (DWP) from a point near DWP Milepost 77 north of the City of Virginia, St. Louis County, Minnesota, to a point at Ramshaw, Minnesota, south and west of the City of Eveleth, St. Louis County, Minnesota, for the purpose of performing common carrier service for the new Monorca Plant of Inland Steel Mining Company.

Applicant contends that the granting of the authority to operate over the trackage in question is not a major federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969. In accordance with the Commission's regulations (49 CFR 1100.250) in Ex Parte No. 55 (Sub-No. 4), *Implementation-National Environmental Policy Act, 1969*, 340 I.C.C. 431 (1972), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall include information relating to the relevant factors set forth in Ex Parte No. 55 (Sub-No. 4), supra, Part (b) (1)-(5), 340 I.C.C. 431, 461.

The proceeding will be handled without public hearings unless protests are received which contain information indicating a need for such hearings. Any protests submitted shall be filed with the Commission on or before June 30, 1975.

The Crown Zellerbach Corporation, One Bush Street, San Francisco, California 94119, represented by Mr. Arthur L. Winn, Jr., Attorney At Law, 743 Investment Building, Washington, D.C. 20005, hereby gives notice that on April 10, 1975, in Finance Docket No. 27884, an application was filed for authority to control by stock ownership, the Palantic Steamship Company, Inc., a contract carrier by water by self-propelled vessels and by non-propelled vessels with the use of separate towing vessels of lumber products from Pacific coast ports in the States of Washington, Oregon and California to Atlantic coast ports in the States of New York, Connecticut, Rhode Island, Pennsylvania, Delaware and Maryland while continuing to control, through stock ownership, Western Transportation Co., a common carrier by non-self-propelled vessels with the use of separate towing vessels of commodities generally on the Columbia River below Bonneville Dam and its tributaries but not including the Willamette River above Pulp, Oregon and in the performance of freight-car ferry service between Cathlamet and Longview, Washington. The water carriers referred to have conducted operations for many years under the authority held by them; and no change in such operations is contemplated as a result of the proposed transaction. No application for temporary authority under section 311 (b) has been filed in connection with this transaction.

In the opinion of the applicant, the granting of this application will have no effect upon the quality of the human environment. In accordance with the Commission's regulations (49 CFR 1100.250) in Ex Parte No. 55 (Sub-No. 4), *Implementation-National Environmental Policy Act, 1969*, 340 I.C.C. 431 (1972), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall include information relating to the relevant factors set forth in Ex Parte No. 55 (Sub-No. 4), supra, Part (b) (1)-(5), 340 I.C.C. 431, 461. The proceeding will be handled without public hearings unless protests are received which contain information indicating a need for such hearings. Any protests submitted shall be filed with the Commission no later than thirty days from the day of first publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc. 75-13351 Filed 5-20-75; 8:45 am]

[Notice No. 202]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

MAY 21, 1975.

Synopses of orders entered by the Motor Carrier Board of the Commission

pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before June 10, 1975. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-75615. By order of May 14, 1975 the Motor Carrier Board approved the transfer to Willetts' Travel Service, Inc., Frostburg, Md., of the operating rights in Certificate No. MC-135176 issued April 28, 1971 to Charles J. Everly, Hagerstown, Md., authorizing the transportation of passengers and their baggage, and express, newspapers, and mail, over regular routes between specified points in Maryland and West Virginia. S. Harrison Kahn, Suite 733 Investment Bldg., Washington, D.C. 20005 Attorney for applicants.

No. MC-FC-75812. By order of May 14, 1975, the Motor Carrier Board approved the transfer to Bux Mont Express Co., a corporation, Lansdale, Pa., of that portion of the operating rights in Certificate No. MC-133082 issued June 4, 1974, to Moore's Hauling, Inc., Lansdale, Pa., authorizing the transportation of packaging materials, from the plant site of Paramount Packaging Corp., in the Borough of Chalfont, Bucks County, Pa., to points in New York, New Jersey, Maryland, and the District of Columbia. Peter A. Greene, 1625 K Street NW., Washington, D.C. 20006 Attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-13347 Filed 5-20-75; 8:45 am]

[Notice No. 56]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 15, 1975.

The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67, (49 CFR 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the

granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

No. MC 52858 (Sub-No. 113TA) (Correction), filed April 28, 1975, published in the FEDERAL REGISTER issue of May 12, 1975, and republished as corrected this issue. Applicant: CONVOY COMPANY, 3900 NW. Yeon Ave., Portland, Ore. 97210. Applicant's representative: William C. Parks (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Automobiles and trucks* in truckaway service in secondary movements, between points in Colorado, on the one hand, and, points in Oklahoma on the other, for 180 days. Supporting shippers: There are approximately 20 statements 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 named below. Send protests to: W. J. Huetig, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Ore. 97204. The purpose of this republication is to state irregular routes, in lieu of regular routes.

No. MC 59640 (Sub-No. 44TA) (Correction), filed April 24, 1975, published in the FEDERAL REGISTER issue of May 9, 1975, and republished as corrected this issue. Applicant: PAULS TRUCKING CORPORATION, Three Commerce Drive, Cranford, N.J. 07106. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Such commodities* as is dealt in by wholesale, retail and chain grocery and food business houses, catalogue showroom stores, and home center stores, and in connection therewith, equipment, materials and supplies used in the conduct of such businesses, except commodities in bulk over irregular routes, (1) between Milford, Conn., on the one hand, and, on the other, points in Delaware, New York, New Jersey, Massachusetts, and Pennsylvania, and (2) between North Berwick, Maine, on the one hand, and, on the other, points in Connecticut, Delaware, New Jersey, New York, Massachusetts, and Pennsylvania. Restriction: The authority sought herein is limited to a transportation serv-

ice to be performed under a continuing contract or contracts, with Supermarkets General Corporation, for 180 days. Supporting shipper: Supermarkets General Corporation, 301 Blair Road, Woodbridge, N.J. 07095. Send protests to: Robert E. Johnston, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 9 Clinton St., Newark, N.J. 07102. The purpose of this republication is to state irregular routes, in lieu of regular routes.

No. MC 88594 (Sub-No. 26TA), filed May 7, 1975. Applicant: CARLETON G. WHITAKER, INC., P.O. Box 93, Route 17, Deposit, N.Y. 13754. Applicant's representative: Martin Werner, 2 West 45th St., New York, N.Y. 10036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dairy products*, in vehicles equipped with mechanical refrigeration, from points in North Lawrence, N.Y., to points in Cleveland, Ohio, for 180 days. Supporting shipper: Sealtest Foods, North Lawrence, N.Y. 12967. Send protests to: Robert A. Radler, District Supervisor, 518 Federal Bldg., Albany, N.Y. 12207.

No. MC 97863 (Sub-No. 6TA), filed May 6, 1975. Applicant: VICTORVILLE-BARSTOW TRUCK LINE, 4366 East 26th Street, Los Angeles, Calif. 90023. Applicant's representative: Carl H. Fritze, 1545 Wilshire Blvd., Los Angeles, Calif. 90017. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Harvard Siding, Calif., via Interstate Highway 15. Applicant intends to join the requested authority to his existing authority, thus rendering through service to points sought herein. Supporting shippers: Tenneco Oil Company, 55515 Dunn Road, Dunn, Calif. 92398. Johns-Manville Products Corp., P.O. Box 968, Yermo, Calif. 92398. Send protests to: Philip Yallowitz, District Supervisor, Interstate Commerce Commission, Room 1312 Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

No. MC 103993 (Sub-No. 853TA), filed May 7, 1975. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Ave., Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Portable traffic control devices*, mounted on wheeled undercarriages, from points in Taylor, Mich., to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Visi-Flash Rentals of Michigan, Inc., 12760 Allen Road, Taylor, Mich. 48180. Send protests to: J. H. Gray, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 113678 (Sub-No. 592TA), filed April 30, 1975. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City (Denver), Colo. 80022. Applicant's representative: David L. Metzler (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Source Plasma Human (Blood Plasma)*, from Cheyenne, Wyo., to Berkeley and Oakland, Calif., for 180 days. Supporting shipper: Cutter Laboratories, Inc., 4th and Parker Sts., Berkeley, Calif. 94710. Send protests to: District Supervisor Herbert C. Ruoff, Interstate Commerce Commission, 2022 Federal Building, Denver, Colo. 80202.

No. MC 111729 (Sub-No. 539TA), filed May 7, 1975. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Clinical laboratory specimens and samples, including human tissue samples, blood, and blood specimens*; (2) *Business papers, records, and audit and accounting media of all kinds*, between points in St. Louis, Mo., on the one hand, and, on the other, points in Iowa, Nebraska, and South Dakota, for 180 days. Supporting shipper: Clinical Laboratories of St. Louis, Inc., 11636 Administration Drive, Creve Coeur, Mo. 63141. Send protests to: Anthony D. Glaimo, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 114604 (Sub-No. 33TA), filed May 5, 1975. Applicant CAUDELL TRANSPORT, INC., State Farmers Market, Forest Park, Ga. 30050. Applicant's representative: K. Edward Wolcott, 1600 First Federal Bldg., Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in Chattanooga, Tenn., to points in Virginia and West Virginia, for 180 days. Supporting shippers: Swift Edible Oil Company, P.O. Box 7068, Chattanooga, Tenn. 37410. Dairy Poultry and Oils Groups of Armour Foods Co., Room 937, Greyhound Tower, Phoenix, Ariz. 85077. Send protests to: William L. Scroggs, District Supervisor, 1252 West Peachtree St., NW., Room 546, Atlanta, Ga. 30309.

No. MC 117765 (Sub-No. 193TA), filed May 5, 1975. Applicant: HAHN TRUCK LINE, INC., 5315 NW. Fifth St., 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: *Waste water treating vinyl core filter packs*, from Port of Catoosa, Okla., to points in Lawton, Okla., having a prior movement by barge, for 180 days. Supporting shipper: B. F. Goodrich Company, Donald M. Murray, Dir. of Transportation, 500 S. Main, Akron, Ohio

44318. Send protests to: Marie Spillars, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, Room 240 Old P.O. Bldg., 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 117975 (Sub-No. 6TA), filed May 6, 1975. Applicant: MOTOR EXPRESS, INC., P.O. Box 604, Edinburg, Tex. 78539. Applicant's representative: Clayte Binion, 1108 Continental Life Bldg., Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bananas* and (2) *bananas when transported in mixed loads with agricultural commodities exempt from economic regulation under Section 203(b) (6) of the Act*, from points in Brownsville, Hidalgo, Laredo, McAllen, Rio Grande City, and Roma, Tex., and points within their commercial zones, to all points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Fisher Bros., Inc., FBI Foods, Ltd., Fisher Bros. (USA), Inc., 1610 DeBeauharnois, Montreal, Quebec H4n 1J5. Send protests to: Richard H. Dawkins, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 301 Broadway, Room 206, San Antonio, Tex. 78205.

No. MC 119340 (Sub-No. 9TA), filed May 6, 1975. Applicant: CENTRAL COAST TRUCK SERVICE, INC., P.O. Box AD, Watsonville, Calif. 95076. Applicant's representative: Michael P. Groom, 500 The Swenson Bldg., 777 North First St., San Jose, Calif. 95112. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Edible meat fat trimmings*, in vehicles equipped with mechanical refrigeration for account of Safeway Stores, Incorporated, from points in Maricopa, Mojave, Yavapai, and Yuma Counties, Ariz., to points in Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura Counties, Calif., for 180 days. Supporting shipper: Safeway Stores, Incorporated (Scott D. Flegal, Manager, Traffic Department), 5725 E. 14th St., Oakland, Calif. 94660. Send protests to: Claud W. Reeves, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 450 Golden Gate Ave., Box 36004, San Francisco, Calif. 94102.

No. MC 123407 (Sub-No. 236TA), filed May 7, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel tubing*, from points in Sebewaing, Mich., to points in Lincoln, Nebr., for 180 days. Supporting shipper: Acme Roll Forming Company, 812 North Beck St., Sebewaing, Mich. 48759. Send protests to: J. H. Gray, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 124117 (Sub-No. 11TA), filed May 7, 1975. Applicant: EARL FREEMAN, doing business as MID-TENN EXPRESS, P.O. Box 101, Eagleville, Tenn. 37060. Applicant's representative: Robert L. Baker, Hamilton Bank Bldg., Suite 618, Nashville, Tenn. 37219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap paper*, from points in Pulaski, Franklin, Mt. Pleasant, Sparta, Shelbyville, Lebanon, Nashville, and Fayetteville, Tenn., to points in Alton, Ill., for 180 days. Supporting shipper: Alton Boc Board Company, 401 Alton St., Alton, Ill. 62002. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, A-423 Federal Bldg., 801 Broadway, Nashville, Tenn. 37203.

No. MC 124328 (Sub-No. 81TA), filed May 7, 1975. Applicant: BRINK'S, INC., 234 E. 24th Street, Chicago, Ill. 60616. Applicant's representative: Chandler L. van Orman, 704 Southern Bldg., Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metals (coins-medallions-bullion), coin collections, rare coins, philatelic collections, articles of extraordinary value*, between points in Englewood, Ohio, on the one hand, and, points in the Continental United States, (except Alaska and Hawaii), on the other, for 180 days. Supporting shipper: Paramount International Coin Corporation, 600 Union Road, Englewood, Ohio. Send protests to: Richard K. Shullay, District Supervisor, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 125777 (Sub-No. 156TA), filed May 5, 1975. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Ave., Gary, Ind. 46403. Applicant's representative: Donald B. Levine, 39 South LaSalle St., Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Livingston, Ky., to points in Gary, Ind., for 180 days. Supporting shipper: Alexander Enterprises, Route 3, Box 131, Murray, Ky. 42071. Send protests to: J. H. Gray, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 127505 (Sub-No. 75TA), filed May 7, 1975. Applicant: RALPH H. BOELK, doing business as R. H. BOELK TRUCK LINES, Route 2, Mendota, Ill. 61342. Applicant's representative: Walter Kobos, 1016 Kehoe Drive, St. Charles, Ill. 60174. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, and fittings and accessories thereof*, (except those which because of size or weight require special equipment or special handling), from points in Bristol, Ind. to points in Denver, Colo.;

Woodland, Calif.; Illinois: Alton, Campaign, Chicago Commercial Zone, Belleville, Danville, Decatur, Dixon, Elgin, East St. Louis, Kankakee, Peoria, Quincy, Rockford, Springfield, Rock Island, Moline; Iowa: Des Moines, Mason City, Forest City; Kansas: Kansas City, Junction City; Minnesota: Minneapolis, St. Paul, Montevideo; Missouri: Jefferson City, Kansas City, St. Louis; Montana: Sweetgrass (Port of Entry); Nebraska: Grand Island, Omaha; Wisconsin: Green Bay, Madison, Milwaukee, Sheboygan, Sturgeon Bay, Oshkosh, Wausau, for 180 days. Supporting shipper: Bristol Products, Inc., 503 Vistula St., Bristol, Ind. 46507. Send protests to: William J. Gray, District Supervisor, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 129480 (Sub-No. 19TA), filed May 6, 1975. Applicant: TRI-LINE EXPRESSWAYS, LTD., 550 71 Avenue SE., Calgary, Alberta, Canada T2H 0S6. Applicant's representative: Richard S. Mandelson, Suite 1600 Lincoln Center, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, equipment and supplies* used in the manufacturing of mobile homes; from points in Cayon and Ada Counties, Idaho, to the International Boundary between Canada and Montana, at Sweetgrass and Roosville, on the International Boundary, continuing in foreign commerce to Red Deer, Alberta, Canada, for 180 days. Supporting shipper: Fleetwood Homes of Alberta, Ltd., P.O. Box 800, Red Deer, Alberta, Canada. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Room 222, U.S. P.O. Bldg., Billings, Mont. 59101.

No. MC 135046 (Sub-No. 10TA), filed April 24, 1975. Applicant: ARLINGTON J. WILLIAMS, INC., R.D. 2, S. Dupont Highway, Smyrna, Del. 19977. Applicant's representative: Samuel W. Earnshaw, 833 Washington Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fibre, fibre products, plastics, plastic products, and insulating materials*, from Yorklyn, Del., and Kennett Square, Pa., to Addison, Ill., for 180 days. Supporting shipper: Francis A. Brady, Jr., Asst. Traffic Manager, NVP Company, Yorklyn Road, Yorklyn, Del. 19736. Send protests to: William L. Hughes, District Supervisor, Interstate Commerce Commission, 814-B Federal Building, Baltimore, Md. 21201.

No. MC 138317 (Sub-No. 1TA), filed May 6, 1975. Applicant: CEMENT TRANSPORT, INC., P.O. Box 176, Valley Station, Ky. 40202. Applicant's representative: Ollie L. Merchant, 328 Starks Bldg., Louisville, Ky. 40202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, in tank vehicles, and in bags, from the plantsite of The Flintkote Company, Diamond

Kosmos Division, at or near Kosmosdale, Ky., to points in West Virginia, for 180 days. Supporting shipper: C. R. Williams, Traffic Manager, The Flintkote Company, Diamond-Kosmos Cement Division, Kosmosdale, Ky. 40272. Send protests to: Elbert Brown, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 426 Post Office Bldg., Louisville, Ky. 40202.

No. MC 139579 (Sub-No. 4TA), filed May 8, 1975. Applicant: DIRECT COURIER, INC., 2780 S. Jefferson Davis Highway, Arlington, Va. 22202. Applicant's representative: Gerald K. Gimmel, 303 N. Frederick Ave., Gaithersburg, Md. 20760. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Live laboratory animals*, between points in New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, Virginia, West Virginia, New York, Connecticut, Rhode Island, and Massachusetts, for 180 days. Supporting shippers: Camm Research Institute, Inc., 414 Black Oak Ridge Road, Wayne, N.J. 07470. Charles River Labs, 251 Ballardvale St., Wilmington, Mass. 01887. Send protests to: W. C. Hersman, District Supervisor, Interstate Commerce Commission, Room 317, 12th & Constitution Ave. NW., Washington, D.C. 20423.

No. MC 140255 (Sub-No. 1TA), filed April 29, 1975. Applicant: DELBERT DEWEY, doing business as DEWEY'S TRUCKING, 1227 F Street, Fairbury, Nebr. 68352. Applicant's representative: Duane L. Stromer, Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bricks and brick pavers*, from the plantsite of Endicott Clay Products Co., at or near Endicott, Nebr., to points in Arizona, California, Nevada, New Mexico, Oregon, Texas, and Utah. Restriction: Restricted to a transportation service under a continuing contract or contracts with Endicott Clay Products Co., of Endicott, Nebr., for 180 days. Supporting shipper: Stanley Judd, Vice President, Endicott Clay Products Co., Endicott, Nebr. 68350. Send protests to: Max H. Johnston, District Supervisor, 320 Federal Bldg. & Court House, Lincoln, Nebr. 68508.

No. MC 140259 (Sub-No. 3TA), filed May 5, 1975. Applicant: JAMES SHEPHERD, doing business as SHEPHERD TRUCKING, 1001 30th Avenue South, Cranbrook, B.C., Canada VIC 3K9. Applicant's representative: Clyde H. MacIver, 1900 Peoples National Bank Bldg., 1415 Fifth Avenue, Seattle, Wash. 98171. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Caterpillar machine parts for bulldozers, scrapers, loaders, and other heavy machinery*, from points in Spokane, Wash., to the United States-Canada International Boundary line at or near Eastport, Idaho, for movement to Cranbrook, British Columbia where the subject traffic is interlined for final delivery to Sparwood and Nelson, British Columbia, for 180 days. Support-

ing shipper: Finning Tractor 1959 Ltd., 815 Cranbrook St., Cranbrook, B.C., Canada. Send protests to: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 858 Federal Bldg., 915 Second Avenue, Seattle, Wash. 98174.

No. MC 140925 (Sub-No. 1TA), filed May 6, 1975. Applicant: FAYETTE TRUCKING CORPORATION, W234 S5502 Big Bend Road, Waukesha, Wis. 53186. Applicant's representative: Richard C. Alexander, 710 North Plankinton Ave., Milwaukee, Wis. 53203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bulk, in dump vehicles, from the facilities of Michigan Gypsum Company, at or near Whittemore, Mich., to points in Wisconsin, for 180 days. Supporting shipper: Farmers Feed & Fertilizer of Wisconsin, Route 1, Hartford, Wis. Send protests to: John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells St., Room 807, Milwaukee, Wis. 53203.

No. MC 140926 (Sub-No. 1TA), filed May 6, 1975. Applicant: GERALD HAM-SHER, R.D. #1, Nunda, N.Y. 14517. 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: *Fertilizer*, in bulk, in dump vehicles, and in bags, from points in Livingston and Wayne Counties, N.Y., to points in Bradford, Lackawanna, Potter, Susquehanna, Tioga, Wayne, and Wyoming Counties, Pa., for 180 days. Supporting shipper: Swift Chemical Company, Lima, N.Y. 14485. Send protests to: Morris H. Gross, District Supervisor, Interstate Commerce Commission, Room 104, 301 Erie Blvd. West, Syracuse, N.Y. 13202.

No. MC 140929 TA, filed May 5, 1975. Applicant: TRE-POL, INC., 110 W. Borderland Road, El Paso, Tex. 79932. Applicant's representative: M. Ward Bailey, 2412 Continental Life Bldg., Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Baled waste paper*, from points in El Paso, Tex., to points in Snowflake, Ariz., for 180 days. Supporting shipper: Southwest Forest Industries, Inc., 3443 N. Central Ave., Phoenix, Ariz. Send protests to: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Box H-4395, Herring Plaza, Amarillo, Tex. 79101.

No. MC 140930 TA, filed May 6, 1975. Applicant: FLOYD J. FULBRIGHT, doing business as F & W TRUCKING CO., 339 Terrell Drive, Toccoa, Ga. 30577. Applicant's representative: Virgil H. Smith, 1587 Phoenix Blvd., Suite 12, Toccoa, Ga. 30577. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic covers or tops, screw type*, from the plantsite of The Afa Corporation, at or near Toccoa, Stephens County, Ga., to points in Kentucky, Peoria, and Pekin,

Ill., Boston, Mass.; and Hartford, Conn., for 180 days. Supporting shipper: The Afa Corporation, P.O. Box 908, Toccoa, Ga. 30577. Send protests to: William L. Scroggs, District Supervisor, 1252 W. Peachtree St. NW., Room 546, Atlanta, Ga. 30309.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc. 75-13348 Filed 5-20-75; 8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

MAY 15, 1975.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065) 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 June 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. E146), filed June 4, 1974. Applicant: BOS LINES, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Gene R. Prohuski (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food products* and commodities exempt from economic regulation pursuant to the provisions of Section 203(b)(c) of the Interstate Commerce Act in mixed loads with food products, restricted to such commodities as are dealt in by retail, wholesale, and chain grocery stores, from points in that part of Minnesota on and east of a line beginning at Lake Superior and extending along U.S. Highway 61 to junction Minnesota Highway 1, thence along Minnesota Highway 169, thence along Minnesota Highway 169 to junction Minnesota County Truck Highway 18, thence along Minnesota County Truck Highway 18 to the United States-Canada International Boundary line, to points in Kansas on and south of a line beginning at the Missouri-Kansas State line and extending along U.S. Highway 54 to junction U.S. Highway 69, thence along U.S. Highway 69 to junction Kansas Highway 7, thence along Kansas Highway 7 to junction

tion Kansas Highway 39, thence along Kansas Highway 39 to junction Kansas Highway 96, thence along Kansas Highway 96 to junction unnumbered highway at Predmont, thence along unnumbered highway to junction U.S. Highway 77, thence along U.S. Highway 77 to junction Kansas Highway 15, thence along Kansas Highway 15 to junction Kansas Highway 55, thence along Kansas Highway 55 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction unnumbered highway, thence along unnumbered highway to junction Kansas Highway 2, thence along Kansas Highway 2 to junction U.S. Highway 160, thence along U.S. Highway 160 to junction U.S. Highway 270, thence along U.S. Highway 270 to junction U.S. Highway 56, thence along U.S. Highway 56 to the Kansas-Oklahoma State line. The purpose of this filing is to eliminate the gateway of the facilities of Ralston Purina Co., located at or near California, Mo. The above authorities were purchased by Cedar Rapids Steel Transportation pursuant to MC-F-10199.

No. MC 21170 (Sub-No. E147), filed June 4, 1974. Applicant: BOS LINES, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Gene R. Prohuski (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food products* and commodities exempt from economic regulation pursuant to the provisions of Section 203(b)(c) of the Interstate Commerce Act in mixed loads with food products, restricted to such commodities as are dealt in by retail, wholesale, and chain grocery stores, from points in that part of Minnesota on, south, and west of a line beginning at the South Dakota-Minnesota State line and extending along U.S. Highway 14 to junction unnumbered highway near Tracy, thence along unnumbered highway through Currie to junction U.S. Highway 59, thence along U.S. Highway 59 to the Minnesota-Iowa State line, to points in Vermont. The purpose of this filing is to eliminate the gateway of the facilities of Ralston Purina Co., located at or near California, Mo. The above authorities were purchased by Cedar Rapids Steel Transportation pursuant to MC-F-10199.

No. MC 21170 (Sub-No. E148), filed June 4, 1974. Applicant: BOS LINES, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Gene R. Prohuski (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food products* and commodities exempt from economic regulation pursuant to the provisions of Section 203(b)(c) of the Interstate Commerce Act in mixed loads with food products, restricted to such commodities as are dealt in by retail, wholesale, and chain grocery stores, from points in that part of Minnesota on, south, and west of a line beginning at the South Dakota-Minnesota State line and extending along Minnesota Highway 28 to junction

tion U.S. Highway 75, thence along U.S. Highway 75 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction Minnesota Highway 119, thence along Minnesota Highway 119 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction U.S. Highway 212, thence along U.S. Highway 212 to junction Minnesota Highway 67, thence along Minnesota Highway 67 to junction Minnesota Highway 274, thence along Minnesota Highway 274 to junction Minnesota Highway 68, thence along Minnesota Highway 68 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction Minnesota Highway 30, thence along Minnesota Highway 30 to junction Minnesota Highway 15, thence along Minnesota Highway 15 to the Minnesota-Iowa State line, to points in Maine. The purpose of this filing is to eliminate the gateway of the facilities of Ralston Purina Co., located at or near California, Mo. The above authorities were purchased by Cedar Rapids Steel Transportation pursuant to MC-F-10199.

No. MC 21170 (Sub-No. E149), filed June 4, 1974. Applicant: BOS LINES, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Gene R. Prohuski (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food products* and commodities exempt from economic regulation pursuant to the provisions of Section 203(b)(c) of the Interstate Commerce Act in mixed loads with food products, restricted to such commodities as are dealt in by retail, wholesale, and chain grocery stores, from points in that part of Minnesota on a line beginning at the Iowa-Minnesota State line and extending along U.S. Highway 35 to junction Minnesota Highway 30, thence along Minnesota Highway 30 to junction Minnesota Highway 83, thence along Minnesota Highway 83 to junction Minnesota Highway 22, thence along Minnesota Highway 22 to junction U.S. Highway 169, thence along U.S. Highway 169 to junction Minnesota Highway 93, thence along Minnesota Highway 93 to junction Minnesota Highway 19, thence along Minnesota Highway 19 to junction unnumbered highway, thence along unnumbered highway to junction U.S. Highway 212 near Glencoe, thence along U.S. Highway 212 to junction Minnesota Highway 4, thence along Minnesota Highway 4 to junction Minnesota Highway 7, thence along Minnesota Highway 7 to junction Minnesota Highway 104, thence along Minnesota Highway 104 to junction Minnesota Highway 9, thence along Minnesota Highway 9 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Minnesota Highway 55, thence along Minnesota Highway 55 to junction unnumbered highway at Nashua, thence along Minnesota unnumbered highway to junction Minnesota Highway 210, thence along Minnesota Highway 210 to the Minnesota-North Dakota State line, to points in Maine on and east of a line beginning at the

Maine-New Hampshire State line and extending along Maine Highway 15 to junction U.S. Highway 95, thence along U.S. Highway 95 to junction Maine Highway 11, thence along Maine Highway 11 to the United States-Canada International Boundary line. The purpose of this filing is to eliminate the gateway of the facilities of Ralston Purina Co., located at or near California, Mo. The above authorities were purchased by Cedar Rapids Steel Transportation pursuant to MC-F-10199.

No. MC 21170 (Sub-No. E150), filed June 4, 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: *Food products* and commodities exempt from economic regulation pursuant to the provisions of Section 203(b)(c) of the Interstate Commerce Act in mixed loads with food products, restricted to such commodities as are dealt in by retail, wholesale, and chain grocery stores, from points in that part of Minnesota on and east of a line beginning at the Iowa-Minnesota State line and extending along Minnesota unnumbered highway to junction Minnesota Highway 16 at Albert Lea, thence along Minnesota Highway 16 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction Minnesota Highway 60, thence along Minnesota Highway 60 to junction Minnesota Highway 3, thence along Minnesota Highway 3 to junction unnumbered highway near Northfield, thence along unnumbered highway through Hampton to junction U.S. Highway 61, thence along U.S. Highway 61 to the Minnesota-Wisconsin State line, to points in that part of Colorado on and south of a line beginning at the New Mexico-Colorado State line and extending along U.S. Highway 84 to junction U.S. Highway 160, thence along U.S. Highway 160 to junction Colorado Highway 184, thence along Colorado Highway 184 to junction Colorado Highway 147, thence along Colorado Highway 147 to junction U.S. Highway 666, thence along U.S. Highway 666 to the Colorado-Utah State line. The purpose of this filing is to eliminate the gateway of the facilities of Ralston Purina Co., located at or near California, Mo. The above authorities were purchased by Cedar Rapids Steel Transportation pursuant to MC-F-10199.

No. MC 33093 (Sub-No. E11), filed May 16, 1974. Applicant: GRAY VAN LINES, INC., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert J. Gallagher, 1776 Broadway, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as uncrated between points in Oklahoma, on the one hand, and, on the other, points in Illinois. The purpose of this filing is to eliminate the gateways of Atoka, Choctaw, Haskell, Le Flore, Latimer, McCurtain, McIntosh, Pittsburg, and Pushmataha Counties, Okla.

No. MC 52704 (Sub-No. E8) (Correction), filed June 3, 1974, published in the FEDERAL REGISTER May 2, 1975. Applicant: GLENN MCCLENDON TRUCKING CO., INC., Lafayette, Ala. Applicant's representative: Archie B. Culbreth, Suite 246, 1252 W. Peachtree NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, for beverages and food, from points in Georgia south of Interstate Highway 20 but including Augusta, Ga., to points in West Virginia on and east of U.S. Highway 19, and on and north of U.S. Highway 33. The purpose of this filing is to eliminate the gateway of Henderson, N.C. The purpose of this correction is to correct the "E" number, previously published as E81.

No. MC 100666 (Sub-No. E232), filed May 25, 1974. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Richard W. May (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition or prepared roofing*, from points in Arkansas (except those points on, north, and east of a line beginning at junction U.S. Highway 63 and the Missouri-Arkansas State line, thence along U.S. Highway 63 to junction U.S. Highway 61, thence along U.S. Highway 61 to the Mississippi River, on the one hand, and, on the other, points in Tennessee on, west, and north of a line beginning at junction U.S. Highway 45W and the Kentucky-Tennessee State line, thence along U.S. Highway 45W to junction Kentucky Highway 54, thence along Kentucky Highway 54 to junction with the Hatchie River, thence along the Hatchie River to junction with the Mississippi River. The purpose of this filing is to eliminate the gateway of West Memphis, Ark.

No. MC 107002 (Sub-No. E63), filed May 12, 1974. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anthol, cymene, esterified tall oil, liquid soap, nalene, paracymene, paramethane, hydroperoxide, pinene, pine oil fatty acids, tall oil pitch, terpineol, liquor, rosin sizing, rosin solution, synthetic gums and resins, tall oil, tall oil fatty acids, tall oil pitch, terpineol, turpentine, and zinc resinates*, in bulk, in tank vehicles, from Harrison and Jackson Counties, Miss., to points in New Jersey. The purpose of this filing is to eliminate the gateway of Bay Minette, Ala.

No. MC 107002 (Sub-No. E64), filed May 12, 1974. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhy-*

drous ammonia and acids, in bulk, and *ammonium nitrate, fertilizer and fertilizer ingredients*, in bulk, in tank vehicles, from the plant and storage facilities of Arkla Chemical Corporation, in Phillips County, to points in South Carolina, restricted to the transportation of shipments originating at the plant and storage facilities of Arkla Chemical Corporation, in Phillips County, Ark. The purpose of this filing is to eliminate the gateway of Decatur, Ala.

No. MC 107002 (Sub-No. E65), filed May 12, 1974. Applicant: MILLER TRANSPORTERS, P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and acids*, liquid, in bulk, and *ammonium nitrate, fertilizer and fertilizer ingredients*, which are liquid chemicals (except hydrogen peroxide), in bulk, from the plant and storage facilities of Arkla Chemical Corporation, in Phillips County, Ark., to points in Ohio, restricted to the transportation of shipments originating at the plant and storage facilities of Arkla Chemical Corporation, in Phillips County, Ark. The purpose of this filing is to eliminate the gateway of Memphis, Tenn.

No. MC 107002 (Sub-No. E66), filed May 12, 1974. Applicant: MILLER TRANSPORTS, P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and acids*, liquid, in bulk, and *ammonium nitrate, fertilizer and fertilizer ingredients*, which are liquid chemicals, liquid, in bulk, in tank vehicles, from the plant and storage facilities of Arkla Chemical Corporation in Phillips County, Ark., to points in Georgia. The purpose of this filing is to eliminate the gateway of Fox, Ala.

No. MC 107002 (Sub-No. E67), filed May 12, 1974. Applicant: MILLER TRANSPORTERS, P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid caustic soda*, in bulk, in tank vehicles, from McIntosh, Ala., to points in West Virginia. The purpose of this filing is to eliminate the gateway of the plant site of Monsanto Chemical Company in Anniston, Ala., and Harrison and Jackson Counties, Miss.

No. MC 107002 (Sub-No. E68), filed May 12, 1974. Applicant: MILLER TRANSPORTERS, P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Naval stores and naval store products*, restricted to chemicals, in bulk, in tank vehicles, from Mobile, Ala., to points in Pennsylvania. The purpose of this filing

is to eliminate the gateway of Picayune, Miss.

No. MC 107002 (Sub-No. E69), filed May 12, 1974. Applicant: MILLER TRANSPORTERS, P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals* (except fertilizer and fertilizer ingredients), in bulk, in tank vehicles, from Memphis, Tenn., to those points in Kansas on, north, and west of a line beginning at the Kansas-Missouri State line, and extending along Interstate Highway 70 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction Kansas Turnpike, thence along Kansas Turnpike to junction Kansas Highway 99, thence along Kansas Highway 99 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Interstate Highway 35, thence along Interstate Highway 35 to junction Kansas Highway 177, thence along Kansas Highway 177 to junction U.S. Highway 54, thence along U.S. Highway 54 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Kansas-Oklahoma State line. The purpose of this filing is to eliminate the gateway of those points in Tennessee which are within 10 miles of Barfield, Ark.

No. MC 107002 (Sub-No. E70), filed May 12, 1974. Applicant: MILLER TRANSPORTERS, P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals* (except fertilizer and fertilizer ingredients), in bulk, in tank vehicles, from Memphis, Tenn., to points in Kentucky. The purpose of this filing is to eliminate the gateway of those points in Tennessee which are within 10 miles of Barfield, Ark.

No. MC 107002 (Sub-No. E71), filed May 12, 1974. Applicant: MILLER TRANSPORTERS, P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals* (except fertilizer and fertilizer ingredients), in bulk, in tank vehicles, from Memphis, Tenn., to points in Ohio. The purpose of this filing is to eliminate the gateway of those points in Tennessee which are within 10 miles of Barfield, Ark.

No. MC 107002 (Sub-No. E72), filed May 12, 1974. Applicant: MILLER TRANSPORTERS, P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from points in Covington, Jones, Wayne, Greene, Perry, Forrest, Lamar, Marion, Walthall, Pike, Pearl River, Stone, George, Hancock,

Harrison, and Jackson Counties, Miss., to points in Michigan. The purpose of this filing is to eliminate the gateway of Mobile, Ala.

No. MC 107002 (Sub-No. E73), filed May 12, 1974. Applicant: MILLER TRANSPORTERS, P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals* (except fertilizer and fertilizer ingredients), in bulk, in tank vehicles, from Memphis, Tenn., to points in Iowa. The purpose of this filing is to eliminate the gateway of Arlington, Tenn.

No. MC 107002 (Sub-No. E74), filed May 12, 1974. Applicant: MILLER TRANSPORTERS, P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals* (except fertilizer and fertilizer ingredients), in bulk, in tank vehicles, from Memphis, Tenn., to points in Indiana. The purpose of this filing is to eliminate the gateway of Arlington, Tenn.

No. MC 107002 (Sub-No. E75), filed May 12, 1974. Applicant: MILLER TRANSPORTERS, P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and acids*, in bulk, and *ammonium nitrate, fertilizer and fertilizer ingredients*, which are chemicals, in bulk, from the plant and storage facilities of Arkla Chemical Corporation, in Phillips County, Ark., to points in Michigan. The purpose of this filing is to eliminate the gateways of Barfield, Ark., and points within 10 miles thereof.

No. MC 107002 (Sub-No. E101), filed May 12, 1974. Applicant: MILLER TRANSPORTERS, P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except arsenic acid, acetic acid, wood alcohol, and hydrogen peroxide), in bulk, in tank vehicles, from Barfield, Ark., and points within 10 miles thereof, to Longview, Tex., and those points in Texas on, west, and south of a line beginning at the Texas-Oklahoma State line and extending along U.S. Highway 281 to junction U.S. Highway 87, thence along U.S. Highway 87 to the Gulf of Mexico. The purpose of this filing is to eliminate the gateway of Memphis, Tenn.

No. MC 107002 (Sub-No. E102), filed May 12, 1974. Applicant: MILLER TRANSPORTERS, P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous am-*

monia and acids, and ammonium nitrate, fertilizer, and fertilizer ingredients, in bulk, in tank or hopper-type trailers, from the plant and storage facilities of Arkla Chemical Corporation, in Phillips County, Ark., to points in Florida. The purpose of this filing is to eliminate the gateway of Mobile, Ala.

No. MC 107002 (Sub-No. E103), filed May 12, 1974. Applicant: MILLER TRANSPORTERS, P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (except liquid hydrogen, liquid oxygen, or liquid nitrogen), in bulk, in tank vehicles, from Taylorsville, Miss., to points in Michigan. The purpose of this filing is to eliminate the gateway of those points in Louisiana which are within the Vicksburg, Miss., commercial zone, and Barfield, Ark., and points within 10 miles thereof.

No. MC 107002 (Sub-No. E104), filed May 12, 1974. Applicant: MILLER TRANSPORTERS, P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitric acid, dry fertilizer, and fertilizer solutions*, in bulk, in tank, or hopper-type vehicles, from the plant of Mississippi Chemical Corporation near Yazoo City, Miss., to points in Kentucky. The purpose of this filing is to eliminate the gateway of Barfield, Ark., and points within 10 miles thereof.

No. MC 107002 (Sub-No. E105), filed May 12, 1974. Applicant: MILLER TRANSPORTERS, P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitric acid, dry fertilizer, and fertilizer solutions*, in bulk, in tank or hopper-type vehicles, from the site of the plant of Mississippi Chemical Corporation near Yazoo City, Miss., to points in Indiana. The purpose of this filing is to eliminate the gateway of Barfield, Ark., and points within 10 miles thereof.

No. MC 107002 (Sub-No. E106), filed May 12, 1974. Applicant: MILLER TRANSPORTERS, P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitric acid, dry fertilizer, and fertilizer solutions*, in bulk, in tank or hopper-type vehicles, from the plantsite of Mississippi Chemical Corporation near Yazoo City, Miss., to points in Illinois. The purpose of this filing is to eliminate the gateway of Barfield, Ark., and points within 10 miles thereof.

No. MC 107002 (Sub-No. E107), filed May 12, 1974. Applicant: MILLER

TRANSPORTERS, P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitric acid, dry fertilizer, and fertilizer solutions*, in bulk, in tank or hopper-type vehicles, from the plant site of Mississippi Chemical Corporation near Yazoo City, Miss., to points in Michigan. The purpose of this filing is to eliminate the gateway of Barfield, Ark., and points within 10 miles thereof.

No. MC 107002 (Sub-No. E108), filed May 12, 1974. Applicant: MILLER TRANSPORTERS, P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitric acid, dry fertilizer, and fertilizer solutions*, in bulk, in tank or hopper-type vehicles, from the plant site of Mississippi Chemical Corporation near Yazoo City, Miss., to points in Wisconsin. The purpose of this filing is to eliminate the gateway of Barfield, Ark., and points within 10 miles thereof.

No. MC 107002 (Sub-No. E109), filed May 12, 1974. Applicant: MILLER TRANSPORTERS, P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: H. D. Miller, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitric acid, dry fertilizer, and fertilizer solutions*, in bulk, in tank or hopper-type vehicles, from the plant site of Mississippi Chemical Corporation near Yazoo City, Miss., to points in Iowa. The purpose of this filing is to eliminate the gateway of Barfield, Ark., and points within 10 miles thereof.

No. MC 107403 (Sub-No. E647), (Correction), filed January 31, 1975, published in the FEDERAL REGISTER May 2, 1975. Applicant: MATLACK, 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: *Gasoline and fuel oil*, in bulk, in tank vehicles, from Syracuse, N.Y., to points within 150 miles of Monongahela, Pa., in Ohio, West Virginia, and Pennsylvania (except points in Pennsylvania east of U.S. Highway 220). The purpose of this filing is to eliminate the gateway of Bradford, Pa. The purpose of this correction is to correct the "E" number, previously published as E467.

No. MC 107515 (Sub-No. E518) (Correction), filed January 27, 1975, published in the FEDERAL REGISTER May 2, 1975. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 380, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: (3) *Yeast and yeast products* (except in bulk), in vehicles equipped with mechanical refrigeration, from Belle Chase, La., to all points in Virginia and West Virginia and that part of Kentucky on and east of a line beginning at the Kentucky-Tennessee State line and extending along Kentucky Highway 61 to junction U.S. Highway 31E, thence along U.S. Highway 31E to the Kentucky-Indiana State line. The purpose of this filing is to eliminate the gateway of Atlanta, Ga. The purpose of this partial correction is to expand the destination territory. The remainder of this letter-notice remains as previously published.

No. MC 107515 (Sub-No. E612), filed January 27, 1975. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*; (1) from points in California on and south of a line beginning at the California-Nevada State line and extending along Interstate Highway 80 to junction California Highway 20, thence along California Highway 20 to the Pacific Ocean, to points in that portion of Indiana on, south, or east of a line beginning at the Indiana-Illinois State line and extending along Indiana Highway 154 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction Indiana Highway 54, thence along Indiana Highway 54 to junction Indiana Highway 45, thence along Indiana Highway 45 to junction Indiana Highway 37, thence along Indiana Highway 37 to junction Indiana Highway 67, thence along Indiana Highway 67 to the Ohio-Indiana State line, and points in that portion of Ohio on, south, or east of a line beginning at the Ohio-Indiana State line and extending along Ohio Highway 29 to junction U.S. Highway 25, thence along U.S. Highway 25 to junction U.S. Highway 224, thence along U.S. Highway 224 to junction Ohio Highway 18, thence along Ohio Highway 18 to junction Ohio Highway 269, thence along Ohio Highway 269 to Lake Erie; (2) from points in California in and south of Marin, Contra Costa, San Joaquin, Stanislaus, Mariposa, Madera, Fresno, and Inyo Counties, Calif., to points in that portion of Ohio on, south, or east of U.S. Highway 24; (3) from points in that portion of California on, south, or west of a line beginning at San Francisco and extending along Interstate Highway 80 to junction Interstate Highway 580, thence along Interstate Highway 580, 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, to points in that portion of Indiana on or south of a line beginning at the Illinois-Indiana State line and extending

along U.S. Highway 136 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction Indiana Highway 28, thence along Indiana Highway 28 to junction Indiana Highway 25, thence along Indiana Highway 25 to junction Indiana Highway 24, thence along Indiana Highway 24 to the Ohio-Indiana State line; and (4) from points in that portion of California on and south of a line beginning at the Pacific Ocean at Moss Landing, Calif., and extending along California Highway 1 to junction California Highway 156, thence along California Highway 156 to junction California Highway 25, thence along California Highway 25 to junction California Highway J-2, thence along California Highway J-1 to junction California Highway 80 near Mendota, thence along California Highway 180 to Fresno, thence along California Highway 99 to junction California Highway 198, thence along California Highway 198 to junction California Highway 65, thence along California Highway 65 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, to points in Ohio and Indiana. The purpose of this filing is to eliminate the gateway of Florence, Ala.

No. MC 107678 (Sub-No. E15), filed June 4, 1974. Applicant: HILL & HILL TRUCK LINE, INC., P.O. Box 6698, Houston, Tex. 77015. Applicant's representative: Jay W. Elston, Bank of The Southwest Bldg., Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *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, equipment, materials and supplies* used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof (except in connection with main or trunk pipe lines), between all points in New Mexico in Union, Quay, Curry, Roosevelt, Lea, Eddy, Chaves, De Baca, Otero, and Dona Ana Counties, N. Mex., on the one hand, and, on the other, all points in Montana and Wyoming. The purpose of this filing is to eliminate the gateway of Texas.

No. MC 107678 (Sub-No. E16), filed June 4, 1974. Applicant: HILL & HILL TRUCK LINE, INC., P.O. Box 9698, Houston, Tex. 77015. Applicant's representative: Jay W. Elston, Bank of The Southwest Bldg., Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *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, equipment, materials, and supplies* used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof (except in connection with main or trunk pipelines), between all points in and east of Dona Ana, Otero, Chaves, DeBaca, Quay, Harding, and Colfax Counties, N. Mex., on the one hand, and, on the other, all points in Nevada. The purpose of this filing is to eliminate the gateway of Texas or Oklahoma.

No. MC 107678 (Sub-No. E19), filed June 4, 1974. Applicant: HILL & HILL TRUCK LINE, INC., P.O. Box 9698, Houston, Tex. 77015. Applicant's representative: Jay W. Elston, Bank of The Southwest Bldg., Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *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, equipment, materials, and supplies* used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof (except in connection with main or trunk pipe lines; (a) between all points in Nevada, on the one hand, and, on the other, all points in Kansas in and southeast of Greeley, Wichita, Scott, Lane, Ness, Ellis, Russell, Lincoln, Mitchell, Cloud, and Republic Counties, Kans.; and (b) between all points in Kansas, on the one hand, and, on the other, all points in Nevada in and west of Washoe, Churchill, Nye, and Clark Counties, Nev. The purpose of this filing is to eliminate the gateway of Texas or Oklahoma.

No. MC 107678 (Sub-No. E20), filed June 4, 1974. Applicant: HILL & HILL TRUCK LINE, INC., P.O. Box 9698, Houston, Tex. 77015. Applicant's representative: Jay W. Elston, Bank of The Southwest Bldg., Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *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, equipment, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, restricted against the stringing or picking up of pipe in connection with pipelines, over irregular routes, between all points in that portion of Colorado located on and south of U.S. Highway 40 from the Colorado-Kansas State line to Denver, Colo., and on and west of U.S. Highway 85 from

the Colorado-Wyoming State line to Denver, Colo., on the one hand, and, on the other, all points in that portion of Mississippi located on and south of U.S. Highway 80, all points in that portion of Alabama located on and south of U.S. Highway 80, all points in that portion of Georgia, located on and south of U.S. Highway 280, and all points in Florida. The purpose of this filing is to eliminate the gateway of Harris County, Tex.

No. MC 107678 (Sub-No. E21), filed June 4, 1974. Applicant: HILL & HILL TRUCK LINE, INC., P.O. Box 9698, Houston, Tex. 77015. Applicant's representative: Jay W. Elston, Bank of The Southwest Bldg., Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *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, equipment, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, restricted against the stringing or picking up of pipe in connection with pipe lines, over irregular routes, between all points in Utah, on the one hand, and, on the other, all points in Arkansas in Union, Ashley, and Chicot Counties, Ark., all points in Mississippi in and south of Washington, Humphreys, Holmes, Attala, Choctaw, Oktobbeha, and Lowndes Counties, Miss., all points in Alabama in and south of Pickens, Tuscaloosa, Jefferson, Saint Clair, Etowah, and Cherokee Counties, Ala., all points in Georgia in and south of Floyd, Gordon, Pickens, Dawson, Lumpkin, White, and Rabun, and all points in Florida. The purpose of this filing is to eliminate the gateway of Harris County, Tex.

No. MC 107678 (Sub-No. E25), filed June 4, 1974. Applicant: HILL & HILL TRUCK LINE, INC., P.O. Box 9698, Houston, Tex. 77015. Applicant's representative: Jay W. Elston, Bank of The Southwest Bldg., Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *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, equipment, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, restricted against the stringing or picking up of pipe in connection with pipe lines, over irregular routes, between all points in North Dakota on and west of a line beginning at the United States-Canada International Boundary line extending along North Dakota Highway 30 to junction unnumbered highway at Lehr, N.

Dak., thence along unnumbered highway to junction North Dakota Highway 3, thence along North Dakota Highway 3 to the North Dakota-South Dakota State line, on the one hand, and, on the other, points in Arkansas in and south of Polk, Montgomery, Garland, Saline, Pulaski, Lonoke, Prairie, Monroe, St. Francis, and Chittenden Counties, Ark., all points in Mississippi in and south of DeSoto, Tate, Lafayette, Union, Lee, and Itawamba Counties, Miss., all points in Alabama, in and south of Marion, Winston, Cullman, Blount, Etowah, Calhoun, and Cleburne Counties, Ala., all points in Georgia in and south of Polk, Paulding, Cobb, Gwinnett, Walton, Morgan, Greene, Tallahassee, Warren, Jefferson, and Richmond Counties, Ga., and all points in Florida. The purpose of this filing is to eliminate the gateway of Texas.

No. MC 107678 (Sub-No. E26), filed June 4, 1974. Applicant: HILL & HILL TRUCK LINE, INC., P.O. Box 9698, Houston, Tex. 77015. Applicant's representative: Jay W. Elston, Bank of The Southwest Bldg., Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *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, equipment, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, restricted against the stringing or picking up of pipe in connection with pipelines, over irregular routes, between points in South Dakota west of the Missouri River and on and north of U.S. Highway 14, on the one hand, and, on the other, points in Mississippi in and south of DeSoto, Tate, Lafayette, Union, Lee, and Itawamba Counties, Miss., in and south of Marion, Winston, Cullman, Blount, Etowah, Calhoun, and Cleburne Counties, Ala., all points in Georgia in and south of Polk, Paulding, Cobb, Gwinnett, Walton, Morgan, Greene, Tallahassee, Warren, Jefferson, and Richmond Counties, Ga., and all points in Florida. The purpose of this filing is to eliminate the gateway of Texas.

No. MC 113855 (Sub-No. E32), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment (except boats and iron and steel articles), and related machinery, parts, and related contractors' materials and supplies when their transportation is incidental to

the transportation by said carrier of commodities which by reason of size or weight require special equipment; and (2) *Self-propelled articles*, each weighing 15,000 pounds or more and related machinery, tools, parts, and supplies moving in connection therewith (restricted to commodities transported on trailers); (a) between points in Minnesota on and west of U.S. Highway 59 from the Minnesota-Manitoba border in a southerly direction to the junction of U.S. Highway 2, thence along U.S. Highway 2 to Bemidji, thence along U.S. Highway 71 to the Minnesota-Iowa State line, on the one hand, and, on the other, points in New York on and east of New York Highway 30 from the United States-Canada International Boundary line in a southerly direction to junction New York Highway 17, thence along New York Highway 17 to the New York-Pennsylvania State line; and (b) between points in Minnesota on, south, and west of Minnesota Highway 28 from the Minnesota-South Dakota State line to junction U.S. Highway 59, thence along U.S. Highway 59 to the Minnesota-Iowa State line, on the one hand, and, on the other, points in New York on and east of a line beginning at Oswego, N.Y., along New York Highway 57 to junction Interstate Highway 81, thence along Interstate Highway 81 to the New York-Pennsylvania State line. The purpose of this filing is to eliminate the gateways of South Dakota and points in Pennsylvania on and east of a line beginning at the Maryland-Pennsylvania State line and extending along unnumbered highway (formerly portion U.S. Highway 15) to junction Business U.S. Highway 15, near Fairplay, Pa., thence along Business U.S. Highway 15 through Gettysburg, Pa., to junction U.S. Highway 15, thence along U.S. Highway 15 to junction unnumbered highway (formerly portion U.S. Highway 15), thence along unnumbered highway through Clear Spring, Pa., to junction U.S. Highway 15, thence along U.S. Highway 15 to the Pennsylvania-New York State line (except points in Berks, Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties, Pa., and points in Pennsylvania on and east of the above described line in Adams, York, Cumberland, Perry, Dauphin, Lebanon, and Lancaster Counties, Pa., and points in Pennsylvania on and east of U.S. Highway 15 and north of the East Branch of the Susquehanna River in Tioga, Bradford, Lycoming, Sullivan, Union, Snyder, Northumberland, Montour, and Columbia Counties, Pa.).

No. MC 113855 (Sub-No. E33), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marlon Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First National Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size or weight, require the use of special equip-

ment (except boats and iron and steel articles), and *related machinery, parts and related contractors' materials and supplies* when their transportation is incidental to the transportation by said carrier of commodities which by reason of size or weight require special equipment, and (2) *Self-propelled articles*, each weighing 15,000 pounds or more and *related machinery, tools, parts, and supplies* moving in connection therewith (restricted to commodities transported on trailers), (a) between points in that part of Iowa on and west of U.S. Highway 71 and on and north of Iowa Highway 175, on the one hand, and, on the other, points in that part of Kentucky east and south of a line beginning at the Tennessee-Kentucky State line at or near Jellico extending along Interstate Highway 75 to Lexington, Ky., thence along Interstate Highway 64 to the Kentucky-West Virginia State line (except points on the described line) (South Dakota or points in Minnesota or Iowa within 50 miles of Sioux Falls, S. Dak., and Elgin, Ill. *).

(b) Between points in that part of Iowa on and north and west of a line beginning at Council Bluffs, Iowa, extending along Interstate Highway 80 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Iowa Highway 175, thence along Iowa Highway 175 to junction U.S. Highway 71, thence along U.S. Highway 71 to the Iowa-Minnesota State line, on the one hand, and, on the other, points in West Virginia and points in Kentucky (except points in Kentucky east and south of a line beginning at the Tennessee-Kentucky State line at or near Jellico extending along Interstate Highway 75 to Lexington, thence along Interstate Highway 64 to the Kentucky-West Virginia State line) (South Dakota or points in Minnesota or Iowa within 50 miles of Sioux Falls, S. Dak., and Elgin, Ill. *); (c) between points in that part of Iowa on, west, and north of a line beginning at Council Bluffs extending along Interstate Highway 80 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Iowa Highway 175, thence along Iowa Highway 175 to junction U.S. Highway 71, thence along U.S. Highway 71 to the Iowa-Minnesota State line, on the one hand, and, on the other, points in that part of New York on and east of a line beginning at Oswego, N.Y., extending along New York Highway 57 to junction Interstate Highway 81, thence along Interstate Highway 81 to the New York-Pennsylvania State line and

(d) Between points in that part of Iowa on and west of U.S. Highway 169 beginning at the Iowa-Minnesota State line extending along U.S. Highway 20 to junction U.S. Highway 71, thence along U.S. Highway 71 to the Iowa-Missouri State line (except points described in (c) above), on the one hand, and, on the other, points in that part of New York east of a line beginning at the United States-Canada International Boundary line extending along New York Highway 30 to junction New York Highway 17, thence along New York Highway 17 to the New York-Pennsylvania State line at

Hancock, N.Y. (as to (c) and (d) above), the gateway eliminated is points in South Dakota and points in that part of Pennsylvania on and east of a line beginning at the Maryland-Pennsylvania State line extending along unnumbered highway (formerly portion U.S. Highway 15) to junction Business U.S. Highway 15 near Fairplay, thence along Business U.S. Highway 15 through Gettysburg to junction U.S. Highway 15, thence along U.S. Highway 15 to junction unnumbered highway (former portion U.S. Highway 15), thence along unnumbered highway through Clear Spring to junction U.S. Highway 15, thence along U.S. Highway 15 to the Pennsylvania-New York State line (except points in Berks, Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties, Pa., and points in Pennsylvania on and east of the above-described line in Adams, York, Cumberland, Perry, Dauphin, Lebanon, and Lancaster Counties, Pa., and points in Pennsylvania on and east of U.S. Highway 15 and north of the East Branch of the Susquehanna River in Tioga, Bradford, Lycoming, Sullivan, Union, Snyder, Northumberland, Montour, and Columbia Counties, Pa. *).

(e) Between points in that part of Iowa on and west of a line beginning at the Iowa-Minnesota State line extending along U.S. Highway 169 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 71, thence along U.S. Highway 71 to the Iowa-Missouri State line, on the one hand, and, on the other, points in Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware and the District of Columbia (points in South Dakota or points in Iowa or points in Minnesota within 50 miles of Sioux Falls, S. Dak., and points in Pennsylvania on and east of a line beginning at the Maryland-Pennsylvania State line extending along unnumbered highway (formerly portion U.S. Highway 15) to junction Business U.S. Highway 15 near Fairplay, thence along Business U.S. Highway 15 through Gettysburg to junction U.S. Highway 15, thence along U.S. Highway 15 to junction unnumbered highway (formerly portion U.S. Highway 15), thence along unnumbered highway through Clear Spring, to junction U.S. Highway 15, thence along U.S. Highway 15 to the Pennsylvania-New York State line (except points in Berks, Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties, Pa., and points in Pennsylvania on and east of the above-described line in Adams, York, Cumberland, Perry, Dauphin, Lebanon, and Lancaster Counties, Pa., and points in Pennsylvania on and east of U.S. Highway 15 and north of the East Branch of the Susquehanna River in Tioga, Bradford, Lycoming, Sullivan, Union, Snyder, Northumberland, Montour, and Columbia Counties, Pa., or, alternately, the gateways described immediately above with Elgin, Ill., and that area in Pennsylvania described immediately above which is within the area bounded by points in Scranton, Reading, Allentown, Harrisburg, Lancaster, and Hazleton, Pa., and

mines in that part of Pennsylvania south and west of a line beginning at the Pennsylvania-Ohio State line extending along U.S. Highway 224 to junction U.S. Highway 422, thence along U.S. Highway 422 to junction U.S. Highway 19, thence along U.S. Highway 19 to junction unnumbered highway near Portersville, thence along unnumbered highway via Prospect to junction U.S. Highway 422, thence along U.S. Highway 422 to Ebensburg, thence along U.S. Highway 22 to junction U.S. Highway 522, thence along U.S. Highway 522 to junction Pennsylvania highway 641 (formerly Pennsylvania Highway 433), thence along Pennsylvania Highway 641 to junction Pennsylvania Highway 997, thence along Pennsylvania Highway 997 to the Pennsylvania-Maryland State line including points on the indicated portions of the Highway specified*); and

(f) Between points in that part of Iowa on, west and north of a line beginning at the Iowa-Minnesota State line extending along U.S. Highway 71 to junction Iowa Highway 175, thence along Iowa Highway 175 to the Iowa-Nebraska State line, on the one hand, and, on the other, points in that part of Virginia on and east of a line beginning at the West Virginia-Virginia State line extending along U.S. Highway 522 to junction Interstate Highway 64, thence along Interstate Highway 64 to junction U.S. Highway 301, thence along U.S. Highway 301 to the Virginia-North Carolina State line and points in Maryland (except points in Garrett and Alleghany Counties), (points in South Dakota, and points in that part of Pennsylvania on and east of a line beginning at the Maryland-Pennsylvania State line extending along unnumbered highway (formerly portion U.S. Highway 15) to junction Business U.S. Highway 15 near Fairplay, thence along Business U.S. Highway 15 through Gettysburg to junction U.S. Highway 15, thence along U.S. Highway 15 to junction unnumbered highway (formerly portion U.S. Highway 15), thence along unnumbered highway through Clear Spring to junction U.S. Highway 15, thence along U.S. Highway 15 to the Pennsylvania-New York State line (except points in Berks, Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties, Pa., and points in Pennsylvania on and east of the above-described line in Adams, York, Cumberland, Perry, Dauphin, Lebanon, and Lancaster Counties, Pa., and points in Pennsylvania on and east of U.S. Highway 15 and north of the East Branch of the Susquehanna River in Tioga, Bedford, Lycoming, Sullivan, Union, Snyder, Northumberland, Montour, and Columbia Counties, Pa.*). The purpose of this filing is to eliminate the gateways indicated by the asterisks above.

No. MC 113855 (Sub-No. E96), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd. SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to oper-

ate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities* (except boats), the transportation of which, because of their size or weight, require the use of special equipment, and related machinery, parts, and related contractors' materials and supplies when their transportation is incidental to the transportation by said carrier of commodities which by reason of size or weight require special equipment, and (2) *Self-propelled articles*, each weighing 15,000 pounds or more and related machinery, tools, parts, and supplies moving in connection therewith (restricted to commodities transported on trailers): (a) between points in Nevada (except points in Esmeralda, Nye, White Pine, Lincoln, and Clark Counties), on the one hand, and, on the other, points in Kansas, points on, east, and north of a line beginning at the Kansas-Nebraska State line along U.S. Highway 183 to junction Kansas Highway 96, thence along Kansas Highway 96 to junction U.S. Highway 281, thence along U.S. Highway 281 to junction U.S. Highway 54, thence along U.S. Highway 54 to junction U.S. Highway 35W, thence along U.S. Highway 35W and 35 to the Kansas-Oklahoma State line; and (b) between points in Ely and Tonopah, Nev., on the one hand, and, on the other, Kansas City, Kans. The purpose of this filing is to eliminate the gateways of Utah and South Dakota.

No. MC 113855 (Sub-No. E98), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First National Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities* (except boats) the transportation of which, because of their size or weight, require the use of special equipment, and related machinery, parts and related contractors' materials and supplies when their transportation is incidental to the transportation by said carrier of commodities which by reason of size or weight require special equipment, and (2) *Self-propelled articles*, each weighing 15,000 pounds or more and related machinery, tools, parts and supplies moving in connection therewith (restricted to commodities transported on trailers), (a) between points in Idaho (except points in and north of Lemhi, Valley, and Idaho Counties), on the one hand, and, on the other, points in North Dakota (except points in and west of Renville, Ward, McLean, Oliver, Morton, and Sioux Counties); (b) between points in that part of Idaho in and north of Lemhi, Valley, and Idaho Counties, on the one hand, and, on the other, points in that part of North Dakota in and east of Pembina, Walsh, Nelson, Eddy, Wells, Kidder, Burleigh, and Emmons Counties; (c) between points in that part of Idaho west and south of Cassia, Blaine, Custer, Valley, and Adams Counties, on the one hand, and, on the other, points in Burke,

Montrail, Renville, Ward, McLean, Mercer, Oliver, Morton, Grant, and Sioux Counties, N. Dak. (points in Montana and South Dakota east of the Missouri River in (a), (b), and (c) above*); and (3) *Heavy machinery* and other contractors' materials, supplies and equipment, which because of size or weight require the use of special equipment, over irregular routes, and (4) *Self-propelled articles*, each weighing 15,000 pounds or more and related machinery, tools, parts and supplies moving in connection therewith (restricted to commodities transported on trailers), between points in Idaho, on the one hand, and, on the other, points in Bowman, Adams, Slope, Hettinger, Stark, Billings, Golden Valley, and Dunn Counties, N. Dak. (points in Montana and points in South Dakota east of S. Dakota Highway 73*). The purpose of this filing is to eliminate the gateways indicated by the asterisks above.

No. MC 114273 (Sub-No. E1), filed June 4, 1974. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Gene R. Prohuski (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Farm implements and machinery (except those requiring the use of special equipment), from Chicago, Ill., to points in Iowa bounded by a line beginning at the Iowa-Minnesota State line and extending along U.S. Highway 52 through Decorah, Iowa, to junction Iowa Highway 150 at Calmar, Iowa, thence along Iowa Highway 150 through West Union, Oelwein, and Independence, Iowa, thence along Iowa Highway 150 to junction Iowa Highway 101, thence along Iowa Highway 101 to junction Iowa Highway 363, thence along Iowa Highway 363 to junction Iowa unnumbered highway at Urbana, Iowa, thence along Iowa unnumbered highway through Shellsburg and Pals, Iowa, to junction Iowa unnumbered highway and Iowa Highway 94, thence along Iowa Highway 94 to junction U.S. Highway 218 at Cedar Rapids, Iowa, thence along U.S. Highway 218 to junction Iowa Highway 1 at Iowa City, Iowa, thence along Iowa Highway 1 to junction Iowa Highway 92 at Washington, Iowa, thence along Iowa Highway 92 to junction U.S. Highway 218 one mile east of Ainsworth, Iowa, thence along U.S. Highway 218 to junction U.S. Highway 34 at Mt. Pleasant, Iowa, thence along U.S. Highway 34 to junction Iowa Highway 1 and through Fairfield, Iowa, thence along U.S. Highway 1 to junction Iowa Highway 2, thence along Iowa Highway 2 to junction Iowa unnumbered highway, thence along Iowa unnumbered highway through Mt. Sterling, Iowa, to the Iowa-Missouri State line, and thence along the Iowa-Missouri State line to junction Iowa Highway 202, thence along Iowa Highway 202 to junction Iowa Highway 2, thence along Iowa Highway 2 to junction Iowa Highway 5 at Centerville, Iowa, thence along Iowa Highway 5 to junction Iowa unnumbered highway at Moravia, Iowa, thence along Iowa unnumbered

highway through Iconium and Malong, Iowa, to junction Iowa Highway 68, thence along Iowa Highway 68 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction Iowa Highway 14 at Chariton, Iowa, thence along Iowa Highway 14 to junction Iowa unnumbered highway, thence along Iowa unnumbered highway to junction Iowa unnumbered highway and Iowa Highway 206, thence along Iowa Highway 206 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction U.S. Highway 69, thence along U.S. Highway 65-69 through Indianola, Iowa, to Des Moines, Iowa, thence from Des Moines, Iowa, on U.S. Highway 69 through Ankeny, Huxley, Ames, and Jewell, Iowa, thence north from Jewell, Iowa along U.S. Highway 69 to junction U.S. Highway 20, thence along U.S. Highway 20 to Williams, Iowa, thence along U.S. Highway 20 to junction Iowa unnumbered highway to Dows, Iowa, thence along Iowa unnumbered highway to junction Iowa unnumbered highway and Iowa unnumbered highway, thence along Iowa unnumbered highway to junction Iowa unnumbered highway and Iowa Highway 263 at Coulter, Iowa, thence along Iowa Highway 263 to junction Iowa unnumbered highway at Latimer, Iowa, thence along Iowa unnumbered highway to junction Iowa unnumbered highway, thence along Iowa unnumbered highway through Chapin, Iowa, to junction Iowa unnumbered highway and U.S. Highway 65, thence along U.S. Highway 65 through Sheffield, Iowa, to junction Iowa unnumbered highway, thence along Iowa unnumbered highway through Rockwell, Cartersville, and Rockford, Iowa, thence along Iowa unnumbered highway to junction Iowa unnumbered highway and U.S. Highway 18, thence along U.S. Highway 18 to Nora Springs, Iowa, thence along U.S. Highway 18 to junction Iowa Highway 9, thence along Iowa Highway 9 to New Haven, Iowa, thence along Iowa Highway 9 through Riceville and Saratoga to junction U.S. Highway 63 at Davis Corners, Iowa, thence along U.S. Highway 63 to junction Iowa Highway 157, thence along Iowa Highway 157 to junction Iowa unnumbered highway at Lime Springs, Iowa, thence along Iowa unnumbered highway to the Iowa-Minnesota State line, thence along the Iowa-Minnesota State line to the point of beginning. The purpose of this filing is to eliminate the gateway of Cedar Rapids, Iowa.

No. MC 114273 (Sub-No. E3), filed June 4, 1974. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Gene R. Prohuski (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm implements and machinery* (except those requiring the use

of special equipment), from East Moline, Moline, and Rock Island, Ill., to points in Iowa bounded by a line beginning at the Iowa-Minnesota State line and extending south through New Albin, Iowa, along Iowa Highway 26 to junction Iowa unnumbered highway, thence along Iowa unnumbered highway through Elon, Rossville, and Volney, Iowa, to junction Iowa unnumbered highway and U.S. Highway 52 at Monona, Iowa, thence along U.S. Highway 52 to junction U.S. Highway 52 and Iowa Highway 13, thence along Iowa Highway 13 through Elkade, Strawberry Point, Manchester, and Coggen, Iowa, to junction Iowa Highway 13 and U.S. Highway 151 at Marion, Iowa, thence along U.S. Highway 151 to junction Iowa Highway 149 at Cedar Rapids, Iowa, thence along Iowa Highway 149 through Fairfax and Walford, Iowa, to junction Iowa Highway 201 at Norway, Iowa, thence along Iowa Highway 201 to junction Iowa unnumbered highway at Watkins, Iowa, thence along Iowa unnumbered highway to West Amana, Iowa, thence along Iowa unnumbered highway to Blairstown, Iowa, thence along Iowa unnumbered highway to junction Iowa Highway 212 at Belle Plaine, Iowa, thence along Iowa Highway 212 to junction Iowa unnumbered highway, thence along Iowa unnumbered highway through Chelsea and Haven, Iowa, to junction U.S. Highway 63, thence along U.S. Highway 63 to junction U.S. Highway 30 at Tama, Iowa, thence along U.S. Highway 30 to junction Iowa Highway 14 near Marshalltown, Iowa, thence along Iowa Highway 14 to junction U.S. Highway 6 at Newton, Iowa, thence along U.S. Highway 6 to junction Iowa Highway 117 at Colfax, Iowa, thence along Iowa Highway 117 to junction Iowa Highway 163 at Prairie City, Iowa, thence along Iowa Highway 163 to junction Iowa Highway 316, thence along Iowa Highway 316 to junction Iowa unnumbered highway, thence along unnumbered highway through Hartford and Palmyra, Iowa, to junction Iowa unnumbered highway and Iowa Highway 92, thence along Iowa Highway 92 through Ackworth, Iowa, to junction U.S. Highway 65-69 at Indianola, Iowa, thence along U.S. Highway 65-69 to junction U.S. Highway 69 at Des Moines, Iowa, thence along Des Moines, Iowa, on U.S. Highway 69 through Ankeny, and Jewell, Iowa, to junction U.S. Highway 20 to Williams, Iowa, thence along U.S. Highway 20 to junction Iowa unnumbered highway, thence along Iowa unnumbered highway to Dows, Iowa, thence from Dows, Iowa, on Iowa unnumbered highway to junction Iowa unnumbered highway, thence along Iowa unnumbered highway to junction Iowa unnumbered highway and Iowa Highway 263 at Coulter, Iowa, thence along Iowa Highway 263 to junction Iowa unnumbered highway at Latimer, Iowa, thence along Iowa unnumbered highway to junction Iowa unnumbered highway and Iowa unnumbered highway, thence along Iowa unnumbered highway through Chapin,

Iowa, to junction Iowa unnumbered highway and U.S. Highway 65, thence along U.S. Highway 65 through Sheffield, Iowa, to junction Iowa unnumbered highway, thence along Iowa unnumbered highway through Rockwell, Cartersville, and Rockford, Iowa, thence along Iowa unnumbered highway to junction U.S. Highway 18 at Nora Springs, Iowa, thence along U.S. Highway 18 to junction U.S. Highway 18 and Iowa unnumbered highway, thence along Iowa unnumbered highway to junction Iowa unnumbered highway and U.S. Highway 218 at Osage, Iowa, thence along U.S. Highway 218 to junction Iowa Highway 9, thence along Iowa Highway 9 to New Haven, Iowa, thence along Iowa Highway 9 through Riceville, and Saratoga, Iowa, to junction U.S. Highway 63 at Davis Corner, Iowa, thence along U.S. Highway 63 to junction Iowa Highway 157, thence along Iowa Highway 157 and Iowa unnumbered highway at Lime Springs, Iowa, thence along Iowa unnumbered highway to the Iowa-Minnesota State line, thence along the Iowa-Minnesota State line to the point of beginning. The purpose of this filing is to eliminate the gateway of Cedar Rapids, Iowa.

No. MC 114273 (Sub-No. E4), filed June 4, 1974. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Gene R. Prohuski (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm implements and machinery* (except those requiring special equipment), from Kewanee, Ill., to points in Iowa on and bounded by a line beginning at the Iowa-Minnesota State line and extending along Iowa Highway 26 to junction Iowa unnumbered highway at Lansing, Iowa, thence along Iowa unnumbered highway through Village Creek, Waterville, and Volney to junction U.S. Highway 52 at Monona, Iowa, thence along U.S. Highway 52 to junction Iowa Highway 13, thence along Iowa Highway 13 through Strawberry Point, Manchester, and Coggen, Iowa, to junction U.S. Highway 151, thence along U.S. Highway 151 to junction Iowa Highway 149 at Cedar Rapids, Iowa, thence along Iowa Highway 149 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Iowa Highway 212 at Marengo, Iowa, thence along Iowa Highway 212 through Belle Plaine, Iowa to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Iowa Highway 14 at Marshalltown, Iowa, thence along Iowa Highway 14 to junction U.S. Highway 6 at Newton, Iowa, thence along U.S. Highway 6 to junction Iowa Highway 117 at Colfax, Iowa, thence along Iowa Highway 117 to junction Highway 163 at Prairie City, Iowa, thence along Iowa Highway 163 to junction U.S. Highway 69 at Des Moines, Iowa, thence along U.S. Highway 69 through Ankeny, Huxley, Ames, and Jewell, Iowa, thence along U.S. Highway 69 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction

Iowa unnumbered highway to Dows, Iowa, thence along Iowa unnumbered highway to junction Iowa unnumbered highway and Iowa Highway 263 at Coulter, Iowa, thence along Iowa Highway 263 to junction Iowa unnumbered highway at Latimer, Iowa, thence along Iowa unnumbered highway to junction Iowa unnumbered highway and Iowa unnumbered highway, thence along Iowa unnumbered highway through Chapin, Iowa, to junction Iowa unnumbered highway and U.S. Highway 65, thence along U.S. Highway 65 through Sheffield, Iowa, to junction Iowa unnumbered highway, thence along Iowa unnumbered highway through Rockwell, Cartersville, and Rockford, Iowa, thence along Iowa unnumbered highway to junction Iowa unnumbered highway and U.S. Highway 18, thence along U.S. Highway 18 to Nora Springs, Iowa, thence along U.S. Highway 18 to junction Iowa unnumbered highway, thence along Iowa unnumbered highway to junction Iowa unnumbered highway and U.S. Highway 218 to Osage, Iowa, thence along U.S. Highway 218 to junction Iowa Highway 9, thence along Iowa Highway 9 to New Haven, Iowa, thence along Iowa Highway 9 through Riceville and Saratoga, Iowa, to junction U.S. Highway 63 at Davis Corners, Iowa, thence along U.S. Highway 63 to junction Iowa Highway 157, thence along Iowa Highway 157 to junction Iowa unnumbered highway at Lime Springs, Iowa, thence along Iowa unnumbered highway to the Iowa-Minnesota State line, thence along the Iowa-Minnesota State line to the point of beginning. The purpose of this filing is to eliminate the gateway of Cedar Rapids, Iowa.

No. MC 115841 (Sub-No. E41), filed June 3, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 Eleventh St. N.W., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), in vehicles equipped with mechanical refrigeration, from points in Columbia, Dutchess, and Ulster Counties, N.Y., to points in California and Oregon, restricted to traffic originating at the facilities of Clermont Fruit Packers, Inc., located in the above-named counties. The purpose of this filing is to eliminate the gateway of Birmingham, Ala.

No. MC 115841 (Sub-No. E42), filed June 3, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 Eleventh St. N.W., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except liquid commodities, in bulk and in tank vehicles), in vehicles equipped with mechanical refrigeration, from New York, N.Y., points in that part of Rockland County, N.Y., east of the Garden State Parkway and south of Interstate Highway 287,

that part of Nassau County, N.Y., west of Nassau County Highway 1, and points in Bergen, Essex, Hudson, Passaic, and Union Counties, N.J., to points in California. The purpose of this filing is to eliminate the gateways of Pittsburgh, Pa., and Birmingham, Ala.

No. MC 119777 (Sub-No. E46), filed April 23, 1974. Applicant: LIGON SPECIALIZED HAULER, INC., P.O. Drawer L, Madisonville, Ky. 42431. Applicant's representative: Ronald E. Butler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pallets, skids, bases, boxes, crating, oak treads, oak risers, oak sills, oak molding, cardboard boxes, nails, and lumber*; (a) between points in Alabama on and north of a line beginning at the Alabama-Tennessee State line, thence along Alabama Highway 117 to junction U.S. Highway 72, thence along U.S. Highway 72 to the Alabama-Tennessee State line, on the one hand, and, on the other, points in Arkansas, on and north of a line beginning at the Arkansas-Oklahoma State line, thence along Arkansas Highway 156 to junction Arkansas Highway 59, thence along Arkansas Highway 59 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction Arkansas Highway 16, thence along Arkansas Highway 16 to junction Arkansas Highway 7, thence along Arkansas Highway 7 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction Arkansas Highway 5, thence along Arkansas Highway 5 to junction Arkansas Highway 56, thence along Arkansas Highway 56 to junction Arkansas Highway 9, thence along Arkansas Highway 9 to the Arkansas-Missouri State line; (b) between points in Alabama on and northeast of a line beginning at the Mississippi-Alabama State line, thence along U.S. Highway 78 to junction U.S. Highway 43, thence along U.S. Highway 43 to junction Alabama Highway 69, thence along Alabama Highway 69 to junction Alabama Highway 61, thence along Alabama Highway 61 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction Alabama Highway 41, thence along Alabama Highway 41 to junction Alabama Highway 89, thence along Alabama Highway 89 to junction Alabama Highway 28, thence along Alabama Highway 28 to junction Alabama Highway 21, thence along Alabama Highway 21 to junction Alabama Highway 10, thence along Alabama Highway 10 to junction Alabama Highway 47, thence along Alabama Highway 47 to junction Alabama Highway 83, thence along Alabama Highway 83 to junction U.S. Highway 84, thence along U.S. Highway 84 to junction Alabama Highway 55, thence along Alabama Highway 55 to junction U.S. Highway 331, thence along U.S. Highway 331 to the Alabama-Florida State line, on the one hand, and, on the other, points in Colorado;

(c) Between points in Alabama on and west of a line beginning at the Alabama-Tennessee State line, extending thence along Alabama Highway 117 to junction U.S. Highway 72, thence along U.S. High-

way 72 to junction Alabama Highway 79, thence along Alabama Highway 79 to junction U.S. Highway 431, thence along U.S. Highway 431 to junction Alabama Highway 21, thence along Alabama Highway 21 to junction U.S. Highway 231, thence along U.S. Highway 231 to junction U.S. Highway 331, thence along U.S. Highway 331 to the Alabama-Florida State line, on the one hand, and, on the other, points in Connecticut; (d) between points in Alabama on, north, and east of a line beginning at the Tennessee-Alabama State line, thence along U.S. Highway 231 to junction Alabama Highway 69, thence along Alabama Highway 69 to junction Alabama Highway 18, thence along Alabama Highway 18 to junction Alabama Highway 96, thence along Alabama Highway 96 to junction Alabama Highway 17, thence along Alabama Highway 17 to junction Alabama Highway 14, thence along Alabama Highway 14 to junction U.S. Highway 43, thence along U.S. Highway 43 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Alabama-Mississippi State line, on the one hand, and, on the other, points in Delaware; (e) between points in Alabama, on the one hand, and, on the other, points in Illinois on and north of a line beginning at the Illinois-Iowa State line, thence along U.S. Highway 136 to junction Illinois Highway 94, thence along Illinois Highway 94 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction Illinois Highway 99, thence along Illinois Highway 99 to junction Illinois Highway 100, thence along Illinois Highway 100 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Illinois Highway 106, thence along Illinois Highway 106 to junction Illinois Highway 108, thence along Illinois Highway 108 to junction Interstate Highway 55, thence along Interstate Highway 55 to junction Illinois Highway 16, thence along Illinois Highway 16 to junction Illinois Highway 185, thence along Illinois Highway 185 to junction Illinois Highway 37, thence along Illinois Highway 37 to junction U.S. Highway 37, thence along U.S. Highway 37 to junction Illinois Highway 142, thence along Illinois Highway 142 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Illinois Highway 13, thence along Illinois Highway 13 to the Illinois-Kentucky State line;

(f) Between points in Alabama, on and east of a line beginning at the Mississippi-Alabama State line, thence along U.S. Highway 78 to junction U.S. Highway 43, thence along U.S. Highway 43 to junction Alabama Highway 171, thence along Alabama Highway 171 to junction U.S. Highway 43, thence along U.S. Highway 43 to junction Interstate Highway 10, thence along Interstate Highway 10 to the Alabama-Mississippi State line, on the one hand, and, on the other, points in Kansas on and north of a line beginning at the Colorado-Kansas State line on U.S. Highway 40, thence along U.S. Highway 40 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction Kansas Highway 4, thence along Kansas Highway 4 to junction U.S.

Highway 281, thence along U.S. Highway 281 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Kansas-Missouri State line; (g) between points in Alabama, on the one hand, and, on the other, points in Maine, on and north of a line beginning at Belfast, Maine, at the Atlantic Ocean, thence along Maine Highway 7 to junction U.S. Highway 2, thence along U.S. Highway 2 to the Maine-New Hampshire State line; (h) between points in Alabama, on and west of a line beginning at the Alabama-Tennessee State line, thence along U.S. Highway 231 to junction Alabama Highway 36, thence along Alabama Highway 36 to junction Interstate Highway 65, thence along Interstate Highway 65 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction Alabama Highway 69, thence along Alabama Highway 69 to junction U.S. Highway 82, thence along U.S. Highway 82 to junction Alabama Highway 219, thence along Alabama Highway 219 to junction Alabama Highway 14, thence along Alabama Highway 14 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction Alabama Highway 41, thence along Alabama Highway 41 to the Alabama-Florida State line, on the one hand, and, on the other, points in Maryland on and west of U.S. Highway 11;

(i) Between points in Alabama, on and west of a line beginning at the Alabama-Georgia State line, thence along Alabama Highway 9 to junction U.S. Highway 231, thence along U.S. Highway 231 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 Florida-Alabama State line, on the one hand, and, on the other, points in Massachusetts; (j) between points in Alabama, on the one hand, and, on the other, points in Missouri, on and north of a line beginning at the Missouri-Illinois State line at Hannibal, Mo., thence along U.S. Highway 36 to junction Missouri Highway 13, thence along Missouri Highway 13 to junction U.S. Highway 136, thence along U.S. Highway 136 to junction Missouri Highway 46, thence along Missouri Highway 46 to junction Missouri Highway 113, thence along Missouri Highway 113 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction U.S. Highway 159, thence along U.S. Highway 159 to the Missouri-Nebraska State line; (k) between points in Alabama, on and west of a line beginning at the Alabama-Georgia State line, thence along Alabama Highway 74 to junction Alabama Highway 21, thence along Alabama Highway 21 to junction U.S. Highway 280, thence along U.S. Highway 280 to junction Alabama Highway 22, thence along Alabama Highway 22 to junction Alabama Highway 9, thence along Alabama Highway 9 to junction U.S. Highway 82, thence along U.S. Highway 82 to junction U.S. Highway 29, thence along U.S. Highway 29 to junction U.S. Highway 231, thence along U.S. Highway 231 to the Alabama-Florida State line, on the one hand, and, on the other, points in New Hampshire;

(l) Between points in Alabama, on north, and west of a line beginning at the Alabama-Tennessee State line, thence along U.S. Highway 231 to junction Alabama Highway 79, thence along Alabama Highway 79 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction Interstate Highway 65, thence along Interstate Highway 65 to junction Alabama Highway 22, thence along Alabama Highway 22 to junction Alabama Highway 41, thence along Alabama Highway 41 to junction Alabama Highway 47, thence along Alabama Highway 47 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 terminus at Mobile, Ala., on the Gulf of Mexico, on the one hand, and, on the other, points in New Jersey on, north, and east of a line beginning at the Pennsylvania-New Jersey State line, thence along U.S. Highway 30 to junction New Jersey Highway 168, thence along New Jersey Highway 168 to junction of the Atlantic City Expressway, thence along the Atlantic City Expressway to junction New Jersey Highway 50, thence along New Jersey Highway 50 to junction New Jersey Highway 49, thence along New Jersey Highway 49 to junction New Jersey Highway 47, thence along New Jersey Highway 47 to junction U.S. Highway 9, thence along U.S. Highway 9 to Cape May, N.J., at Atlantic City; (m) between points in Alabama, on and west of a line beginning at the Alabama-Georgia State line, thence along Alabama Highway 48 to junction U.S. Highway 431, thence along U.S. Highway 431 to Phenix City, Ala., on the Georgia-Alabama State line, on the one hand, and, on the other, points in New York, on, north, and west of a line beginning at the New York-Pennsylvania State line, thence along New York Highway 26 to junction New York Highway 434, thence along New York Highway 434 to junction New York Highway 7, thence along New York Highway 7 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Interstate Highway 787, thence along Interstate Highway 787 to junction U.S. Highway 4, thence along U.S. Highway 4 to junction New York Highway 2, thence along New York Highway 2 to the New York-Massachusetts State line;

(n) Between points in Alabama, on the one hand, and, on the other, points in Ohio, on and north of a line beginning at the Kentucky-Ohio State line thence along U.S. Highway 22 to junction Ohio Highway 37, thence along Ohio Highway 37 to junction Ohio Highway 60, thence along Ohio Highway 60 to the Ohio-West Virginia State line; (o) between points in Alabama, on and east of a line beginning at the Alabama-Tennessee State line, thence along U.S. Highway 31 to junction Interstate Highway 65 (below Decatur), thence along Interstate Highway 65 to junction U.S. Highway 31 (below Montgomery), thence along U.S. Highway 31 to junction U.S. Highway 231, thence along U.S. Highway 231 to the Alabama-Florida

State line, on the one hand, and, on the other, points in Oklahoma, on and north of a line beginning at the Kansas-Oklahoma State line, thence along U.S. Highway 75 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 64, thence along U.S. Highway 64 to junction Oklahoma Highway 8, thence along Oklahoma Highway 8 to junction Oklahoma Highway 45, thence along Oklahoma Highway 45 to junction U.S. Highway 281, thence along U.S. Highway 281 to junction Oklahoma Highway 15, thence along Oklahoma Highway 15 to the Oklahoma-Texas State line; (p) between points in Alabama, on and west of a line beginning at the Georgia-Alabama State line, thence along Alabama Highway 22 to junction U.S. Highway 431, thence along U.S. Highway 431 to junction U.S. Highway 280, thence along U.S. Highway 280 to the Alabama-Georgia State line, on the one hand, and, on the other, points in Pennsylvania, on, north, and west of a line beginning at the West Virginia-Pennsylvania State line, thence along Pennsylvania Highway 18 to junction Pennsylvania Highway 21, thence along Pennsylvania Highway 21 to junction Pennsylvania Highway 88, thence along Pennsylvania Highway 88 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction Pennsylvania Highway 201, thence along Pennsylvania Highway 201 to junction Pennsylvania Highway 711, thence along Pennsylvania Highway 711 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 219, thence along U.S. Highway 219 to junction Pennsylvania Highway 53, thence along Pennsylvania Highway 53 to junction Pennsylvania Highway 504, thence along Pennsylvania Highway 504 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction Pennsylvania Highway 287, thence along Pennsylvania Highway 287 to junction Pennsylvania Highway 184, thence along Pennsylvania Highway 184 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction Pennsylvania Highway 414, thence along Pennsylvania Highway 414 to junction Pennsylvania Highway 14, thence along Pennsylvania Highway 14 to the New York-Pennsylvania State line;

(q) Between points in Alabama, on and west of a line beginning at the Alabama-Georgia State line, thence along Alabama Highway 9 to junction U.S. Highway 78, thence along U.S. Highway 78 to junction U.S. Highway 431, thence along U.S. Highway 431 to junction Alabama Highway 9, thence along Alabama Highway 9 to junction U.S. Highway 231, thence along U.S. Highway 231 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, on the one hand, and, on the other, points in Rhode Island; (r) between points in Alabama, on and south of a line beginning at the Alabama-Mississippi State line, thence

along U.S. Highway 84 to the Alabama-Georgia State line, on the one hand, and, on the other, points in Tennessee on, north, east, and west of a line beginning at the Kentucky-Tennessee State line, thence along Tennessee Highway 48 to junction U.S. Highway 79, thence along U.S. Highway 79 to junction U.S. Highway 41-A, thence along U.S. Highway 41-A to junction Tennessee Highway 76, thence along Tennessee Highway 76 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction Tennessee Highway 25, thence along Tennessee Highway 25 to junction U.S. Highway 31-W, thence along U.S. Highway 31-W to the Tennessee-Kentucky State line; (s) between points in Alabama, on, north, and east of a line beginning at the Alabama-Tennessee State line, thence along U.S. Highway 31 to junction U.S. Highway 278, thence along U.S. Highway 278 to junction U.S. Highway 231, thence along U.S. Highway 231 to junction Interstate Highway 59, thence along Interstate Highway 59 to junction Alabama Highway 77, thence along Alabama Highway 77 to junction Interstate Highway 20, thence along Interstate Highway 20 to junction Alabama Highway 9, thence along Alabama Highway 9 to junction Alabama Highway 46, thence along Alabama Highway 46 to the Georgia-Alabama State line, on the one hand, and, on the other, points in Texas, on and north of a line beginning at the Texas-New Mexico State line, thence along U.S. Highway 60 to the Texas-Oklahoma State line;

(t) Between points in Alabama, on and west of a line beginning at the Alabama-Georgia State line, thence along Alabama Highway 74 to junction Alabama Highway 9, thence along Alabama Highway 9 to junction U.S. Highway 82, thence along U.S. Highway 82 to junction U.S. Highway 231, thence along U.S. Highway 231 to the Alabama-Florida State line, on the one hand, and, on the other, points in Vermont; (u) between points in Lauderdale County, Ala., on the one hand, and, on the other, points in Highland County, Va.; and (v) between points in Alabama, on and west of a line beginning at the Alabama-Tennessee State line, thence along U.S. Highway 231 to junction Alabama Highway 79, thence along Alabama Highway 79, to junction U.S. Highway 31, thence along U.S. Highway 31 to junction U.S. Highway 331, thence along U.S. Highway 331 to the Alabama-Florida State line, on the one hand, and, on the other, points in West Virginia, on and north of a line beginning at the Kentucky-West Virginia State line, thence along U.S. Highway 60 to junction West Virginia Highway 10, thence along West Virginia Highway 10 to junction U.S. Highway 119, thence along U.S. Highway 119 to junction West Virginia Highway 61, thence along West Virginia Highway 61 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 19, thence along U.S. Highway 19 to junction U.S. Highway 33, thence

along U.S. Highway 33 to junction U.S. Highway 219, thence along U.S. Highway 219 to junction West Virginia Highway 93, thence along West Virginia Highway 93 to junction U.S. Highway 50, thence along U.S. Highway 50 to the West Virginia-Virginia State line. The purpose of this filing is to eliminate the gateways of Logan County, Ky., and Muhlenberg County, Ky.

No. MC 100666 (Sub-No. E75), filed May 30, 1974. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Richard W. May (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sheet iron roofing*, from points in Arkansas, except those points south and east of a line beginning at the junction of U.S. Highway 270 and the Oklahoma-Arkansas State line, thence along U.S. Highway 270 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction U.S. Highway 63, thence along U.S. Highway 63 to the Missouri-Arkansas State line, on the one hand, and, on the other, points in Mississippi on, north, and west of a line beginning at junction U.S. Highway 82 and the Mississippi River, thence along U.S. Highway 82 to the Mississippi-Alabama State line. The purpose of this filing is to eliminate the gateway of Camden, Ark.

No. MC 100666 (Sub-No. E203), filed May 30, 1974. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Richard May (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Composition or prepared roofing*, from points in Arkansas, except those points on, south, and west of a line beginning at junction Arkansas Highway 234 and the Arkansas-Oklahoma State line, thence along Arkansas Highway 234 to junction U.S. Highways 59 and 71, thence along U.S. Highways 59 and 71 to junction Interstate Highway 30, thence along Interstate Highway 30 to junction Arkansas Highway 4, thence along Arkansas Highway 4 to junction Arkansas Highway 376, thence along Arkansas Highway 376 to junction Arkansas Highway 7, thence along Arkansas Highway 7 to junction U.S. Highway 167, thence along U.S. Highway 167 to junction Arkansas Highway 4, thence along Arkansas Highway 4 to Arkansas City and the Mississippi River, on the one hand, and, on the other, points in Florida west of Florida Highway 71. The purpose of this filing is to eliminate the gateway of West Memphis, Ark.

No. MC 123685 (Sub-No. E6) (Correction), filed May 15, 1974, published in the FEDERAL REGISTER April 23, 1975. Applicant: PEOPLES CARTAGE, INC., 8045 Navarre Road, SW., Massillon, Ohio 44646. Applicant's representative: James W. Muldoon (same as above). Authority sought to operate as a common carrier,

by motor vehicle, over irregular routes, transporting: *Pulpboard, pulpboard products, and paper wrappers*, (2) from those points in Ohio on, east and south of a line beginning at the Ohio-West Virginia State line extending along Ohio Highway 151 to junction U.S. Highway 250, thence along U.S. Highway 250 to junction Ohio Highway 94, thence along Ohio Highway 94 to junction Interstate Highway 271, thence along Interstate Highway 271 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Ohio-Pennsylvania State line, to points in Indiana. The purpose of this filing is to eliminate the gateway of the facilities of Grief Board Corporation, at Stark County, Ohio. The purpose of this correction is to distinguish part (2) from remainder of the letter-notice and to reflect the correct destination State. The remainder of the letter-notice remains as previously published.

No. MC 123685 (Sub-No. E21) (correction), filed May 15, 1974, published in the FEDERAL REGISTER April 23, 1975. Applicant: PEOPLES CARTAGE, INC., 8045 Navarre Road, SW., Massillon, Ohio 44646. Applicant's representative: James W. Muldoon (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer ingredients, and pesticides*, in bulk, in dump vehicles, (2) between points in Ohio on, south, west, and north of a line beginning at the Ohio-Kentucky State line extending along Interstate Highway 71 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction Ohio Highway 60, thence along Ohio Highway 60 to junction Ohio Highway 83, thence along Ohio Highway 83 to junction U.S. Highway 224, thence along U.S. Highway 224 to junction Ohio Highway 114, thence along Ohio Highway 114 to the Ohio-Indiana State line, on the one hand, and, on the other, points in New York; and (3) between points in Ohio on, west, and south of a line beginning at the Ohio-Kentucky State line extending along Interstate Highway 71 to junction U.S. Highway 23, thence along U.S. Highway 23 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Ohio-Indiana State line, on the one hand, and, on the other, those points in Pennsylvania on and west of a line beginning at Lake Erie extending along U.S. Highway 322 to junction Pennsylvania Highway 36, thence along Pennsylvania Highway 36 to junction U.S. Highway 119, thence along U.S. Highway 119 to junction Pennsylvania Highway 56, thence along Pennsylvania Highway 56 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Pennsylvania-Maryland State line. The purpose of this filing is to eliminate the gateway of Orrville, Ohio. The purpose of this partial correction is to correctly set forth the authority sought in parts (2) and (3) above. The remainder of the letter-notice remains as previously published.

No. MC 124211 (Sub-No. E78), filed June 3, 1974. Applicant: HILT TRUCK LINE, INC., P.O. Box 988 D.T.S., Omaha, Nebr. 68101. Applicant's representative: Thomas L. Hilt (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food products and canned goods* (except (a) frozen food products, (b) meat, meat products, and meat byproducts, dairy products, and articles distributed by meat packinghouses, as described by the Commission, and (c) commodities in bulk), from Kansas City, Mo., to points in California, Nevada, Utah, those in Arizona on and west of U.S. Highway 89, and San Juan County, N. Mex. The purpose of this filing is to eliminate the gateway of Grand Island, Nebr.

No. MC 124211 (Sub-No. E79), filed June 3, 1974. Applicant: HILT TRUCK LINE, INC., P.O. Box 988 D.T.S., Omaha, Nebr. 68101. Applicant's representative: Thomas L. Hilt (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Groceries*, restricted to food products, (except frozen foods, potato products, and meat and packinghouse products, and commodities in bulk), from Wichita, Kans., to points in Nebraska on, north and east of a line beginning at the Nebraska-South Dakota State line, and extending along U.S. Highway 81 to junction Nebraska Highway 92, thence along Nebraska Highway 92 to junction Nebraska Highway 15, thence along Nebraska Highway 15 to junction U.S. Highway 34, thence along U.S. Highway 34 to the Nebraska-Iowa State line, and Alliance, Nebraska City, O'Neill, and Scottsbluff, Nebr. (Waverly, Nebr.)*; (2) *groceries*, restricted to foodstuffs, (except (a) frozen foodstuffs, (b) meat, meat products and meat byproducts, dairy products, and articles distributed by meat packinghouses, as described in Sections A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and (c) commodities in bulk), from Wichita, Kans., to those points in California in and north of Fresno, Mono, and Monterey Counties, Calif., those in Nevada on and north of U.S. Highway 50, and those in Utah on and north of U.S. Highway 80 (Waverly, Nebr.)*; (3) *groceries*, restricted to foodstuffs, (except candy and confectionery, except meats and packinghouse products, dairy products, frozen foods, potato products, and commodities in bulk), from Wichita, Kans., to points in Oregon, Washington, and Wyoming (Waverly, Nebr.)*;

(4) *groceries*, restricted to foods and food products (except commodities in bulk, dairy products, frozen foods, meats, meat products and meat byproducts, 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), from Wichita, Kans., to points in Michigan, Minnesota, and Wisconsin, and those points in Illinois on and north of Illinois Highway 9,

points in Indiana on and north of U.S. Highway 24, and points in Iowa on and north of U.S. Highway 34, restricted to the transportation of shipments destined to points in the above-described destination territory (Waverly, Nebr.)*; (5) *groceries*, restricted to foodstuffs (except commodities in bulk, frozen foods, meats, meat products, meat byproducts, 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), from Wichita, Kans., to points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont, those points in Ohio on and north of U.S. Highways 30 and 30S, and Dover, Del., and Baltimore, Md. (Waverly, Nebr.)*; and (6) *food products* (except frozen foods, dairy products, potato products, meat and packinghouse products, and commodities in bulk), from Wichita, Kans., to points in Idaho, Montana, North Dakota, and South Dakota (Lincoln, Nebr.)*. The purpose of this filing is to eliminate the gateways as indicated by asterisks above.

No. MC 124211 (Sub-No. E80), filed June 3, 1974. Applicant: HILT TRUCK LINE, INC., P.O. Box 988 D.T.S., Omaha, Nebr. 68101. Applicant's representative: Thomas L. Hilt (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from LaCrosse, Wis., to points in Colorado, Oklahoma, those in Iowa on and south of a line beginning at the Iowa-Nebraska State line and extending along U.S. Highway 34 to junction U.S. Highway 71, thence along U.S. Highway 71 to the Iowa-Missouri State line, those in Missouri on and west of a line beginning at the Missouri-Iowa State line and extending along U.S. Highway 71 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Missouri-Kansas State line, and those in Wyoming on and south of U.S. Highway 26. The purpose of this filing is to eliminate the gateway of Omaha, Nebr.

No. MC 124211 (Sub-No. E81), filed June 3, 1974. Applicant: HILT TRUCK LINE, INC., P.O. Box 988 D.T.S., Omaha, Nebr. 68101. Applicant's representative: Thomas L. Hilt (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, unfrozen, from Pueblo, Colo., to points in Illinois, Indiana, Minnesota, South Dakota, and Wisconsin, those points in Kansas on and north of U.S. Highway 36, and Kansas City, Kans., Detroit, Mich. (Nebraska)*, and *Malt beverages*, from Pueblo, Colo., to points in Iowa, those points in Missouri on and north of a line beginning at the Missouri-Iowa State line and extending along U.S. Highway 65 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Missouri-Illinois State line, and St. Louis, Mo. (Omaha, Nebr.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 124211 (Sub-No. E82), filed June 3, 1974. Applicant: HILT TRUCK LINE, INC., P.O. Box 988 D.T.S., Omaha, Nebr. 68101. Applicant's representative: Thomas L. Hilt (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Macaroni, noodles, grain products, pancake and cake flour* (except in bulk), *spaghetti, and vermicelli*, from points in Idaho and Montana to points in Indiana; and from those points in Nebraska on, north and west of a line beginning at the Nebraska-Iowa State line and extending along U.S. Highway 77 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Nebraska-Colorado State line, those in North Dakota on and west of U.S. Highway 83, and those in South Dakota on, west and south of a line beginning at the North Dakota-South Dakota State line and extending along U.S. Highway 281 to junction U.S. Highway 14, thence along U.S. Highway 14 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Nebraska-South Dakota State line, to those points in Indiana on and south of U.S. Highway 24; (2) *macaroni, noodles, grain products, pancake and cake flour, spaghetti, and vermicelli* (except commodities in bulk and frozen foods), from those points in Oklahoma on and west of U.S. Highway 83, to those points in Indiana on and north of U.S. Highway 24. The purpose of this filing is to eliminate the gateway of Lincoln, Nebr.

No. MC 127840 (Sub-No. E10) filed June 4, 1974. Applicant: MONTGOMERY TANK LINES, INC., 17730 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 N. Dearborn St., Chicago, Ill. 60620. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats, animal oils, and vegetable oils, and edible blends and edible products of animal fats, animal oils, and vegetable oils* (except liquid chemicals), in bulk, in tank or hopper type vehicles, from points in (1) that part of Illinois on and north of a line beginning at the Illinois-Iowa State line, thence along Interstate Highway 80 to its junction with Illinois Highway 47, thence along Illinois Highway 47 to its junction with Illinois Highway 17, thence along Illinois Highway 17 to the Illinois-Indiana State line and (2) that part of Indiana within the Commercial Zone of Chicago, Ill., as defined by the Commission, to points in that part of Kentucky on and east of a line beginning at the Kentucky-Tennessee State line, thence along U.S. Highway 41 to its junction with Kentucky Highway 91, thence along Kentucky Highway 91 to the Kentucky-Illinois State line. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 127840 (Sub-No. E12), filed June 4, 1974. Applicant: MONTGOMERY TANK LINES, INC., 17730 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 N. Dearborn St., Chicago, Ill.

60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats, animal oils and vegetable oils, and edible blends and edible products* of animal fats, animal oils, and vegetable oils (except liquid chemicals), in bulk, in tank or hopper-type vehicles, from points in that part of Illinois on and within a line beginning at the Illinois-Iowa State line extending along U.S. Highway 34 to junction Illinois Highway 167, thence along Illinois Highway 167 to junction Illinois Highway 78, thence along Illinois Highway 78 to junction Illinois Highway 17, thence along Illinois Highway 17 to the Illinois-Indiana State line, thence along the Illinois-Indiana State line to junction U.S. Highway 24, thence along U.S. Highway 24 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Illinois Highway 9, thence along Illinois Highway 9 to junction Illinois Highway 41, thence along Illinois Highway 41 to junction U.S. Highway 136, thence along U.S. Highway 136 to the Illinois-Iowa State line, thence along the Illinois-Iowa State line to the place of beginning, to points in Ohio on and north of a line beginning at the Ohio-Indiana State line extending along Ohio Highway 34 to junction Ohio Highway 15, thence along Ohio Highway 15 to junction Ohio Highway 115, thence along Ohio Highway 115 to junction Ohio Highway 65, thence along Ohio Highway 65 to junction U.S. Highway 30S, thence along U.S. Highway 30S to junction Ohio Highway 31, thence along Ohio Highway 31 to junction U.S. Highway 33, thence along U.S. Highway 33 to junction U.S. Highway 23, thence along U.S. Highway 23 to junction U.S. Highway 35, thence along U.S. Highway 35 to the Ohio-West Virginia State line. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 127840 (Sub-No. E13), filed June 4, 1974. Applicant: MONTGOMERY TANK LINES, INC., 17730 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 N. Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats, animal oils and vegetable oils, and edible blends and edible products* of animal fats, animal oils, and vegetable oils (except liquid chemicals), in bulk, in tank or hopper-type vehicles, from points in (1) that part of Illinois on and north of a line beginning at the Illinois-Iowa State line extending along U.S. Highway 34 to junction Illinois Highway 167, thence along Illinois Highway 167 to junction Illinois Highway 78, thence along Illinois Highway 78 to junction Illinois Highway 17, thence along Illinois Highway 17 to the Illinois-Indiana State line, and (2) that part of Indiana within the commercial zone of Chicago, Ill., as defined by the Commission, to points in Ohio. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 127840 (Sub-No. E14), filed June 4, 1974. Applicant: MONTGOM-

ERY TANK LINES, INC., 17730 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 N. Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats, animal oils, and vegetable oils, and edible blends and edible products* of animal fats, animal oils, and vegetable oils (except liquid chemicals), in bulk, in tank or hopper-type vehicles, from that part of Illinois on and north of a line beginning at the Illinois-Missouri State line extending along U.S. Highway 36 to junction Illinois Highway 47, thence along Illinois Highway 47 to junction Illinois Highway 10, thence along Illinois Highway 10 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Illinois Highway 9, thence along Illinois Highway 9 to junction Illinois Highway 41, thence along Illinois Highway 41 to junction U.S. Highway 136, thence along U.S. Highway 136 to the Illinois-Iowa State line to points in Ohio. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 127840 (Sub-No. E15), filed June 4, 1974. Applicant: MONTGOMERY TANK LINES, INC., 17730 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William Towle, 127 N. Dearborn St., Suite 1133, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats, animal oils, and vegetable oils* (except petroleum products, fertilizers, and chemicals), in bulk, in tank vehicles, from that part of Illinois on and east of a line beginning at the Illinois-Wisconsin State line extending along U.S. Highway 45 to junction Illinois Highway 53, thence along Illinois Highway 53 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Interstate Highway 57, thence along Interstate Highway 57 to the Illinois-Missouri State line to points in Minnesota on and west of a line beginning at the Illinois-Wisconsin State line extending along U.S. Highway 61 to junction Wisconsin Highway 27, thence along Wisconsin Highway 27 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction U.S. Highway 2, thence along U.S. Highway 2 to Lake Superior. The purpose of this filing is to eliminate the gateway of Bradley and Chicago, Ill., and Dubuque, Iowa.

No. MC 127840 (Sub-No. E16), filed June 4, 1974. Applicant: MONTGOMERY TANK LINES, INC., 17730 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 N. Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats, animal oils, and vegetable oils, and edible blends and edible products* of ani-

mal fats, animal oils, and vegetable oils (except liquid chemicals), in bulk, in tank or hopper-type vehicles, from points in that part of Illinois on and within an area bounded by a line beginning at the Illinois-Iowa State line extending along U.S. Highway 34 to junction Illinois Highway 167, thence along Illinois Highway 167 to junction Illinois Highway 78, thence along Illinois Highway 78 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction Illinois Highway 47, thence along Illinois Highway 47 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Illinois-Iowa State line, to points in that part of Kentucky on and east of a line beginning at the Kentucky-Indiana State line extending along Interstate Highway 65 to junction Kentucky Highway 61, thence along Kentucky Highway 61 to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 127840 (Sub-No. E17), filed June 4, 1974. Applicant: MONTGOMERY TANK LINES, INC., 17730 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 N. Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Animal fats, animal oils, and vegetable oils, and edible blends and edible products* of animal fats, animal oils, and vegetable oils (except liquid chemicals), in bulk, in tank or hopper-type vehicles, from points in (1) that part of Illinois on, north, and east of a line beginning at the Illinois-Wisconsin State line, thence along Illinois Highway 47 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Illinois-Indiana State line, and (2) that part of Indiana within the commercial zone of Chicago, Ill., as defined by the Commission, to points in that part of Iowa on, west, and north of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 65 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Iowa-Nebraska State line; and (B) *Animal fats, animal oils, and vegetable oils* (except liquid chemicals), in bulk, in tank vehicles, from points in that part of Illinois on, east, and south of a line beginning at the Illinois-Indiana State line, thence along U.S. Highway 36 to junction U.S. Highway 51, thence along U.S. Highway 51 to the Illinois-Kentucky State line, to points in that part of Iowa, on, west, and north of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 65 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Iowa-Nebraska State line. The purpose of this filing is to eliminate the gateways of Chicago and Bradley, Ill.

No. MC 127840 (Sub-No. E18), filed June 4, 1974. Applicant: MONTGOMERY TANK LINES, INC., 17730 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 N. Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Animal fats, animal oils, and vegetable oils, and edible blends and edible products* of animal fats, animal oils, and vegetable oils (except liquid chemicals), in bulk, in tank or hopper-type vehicles, from points in (1) that part of Illinois on, north, and east of a line beginning at the Illinois-Wisconsin State line, thence along Illinois Highway 47 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Illinois-Indiana State line and (2) that part of Indiana within the commercial zone of Chicago, Ill., as defined by the Commission, to points in Iowa on and west of U.S. Highway 69. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 127840 (Sub-No. E19), filed June 4, 1974. Applicant: MONTGOMERY TANK LINES, INC., 17730 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 N. Dearborn St., Chicago, Ill. 60620. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats, animal oils, and vegetable oils and edible blends and edible products* of animal fats, animal oils and vegetable oils (except liquid chemicals), in bulk, in tank or hopper-type vehicles from (1) that part of Illinois on and east of a line beginning at the Illinois-Wisconsin State line, thence along U.S. Highway 51 to its junction with U.S. Highway 52, thence along U.S. Highway 52 to its junction with Illinois Highway 47, thence along Illinois Highway 47 to its junction with U.S. Highway 150, thence along U.S. Highway 150 to its junction with Illinois Highway 130, thence along Illinois Highway 130 to its junction with U.S. Highway 36, thence along U.S. Highway 36 to the Illinois-Indiana State line and (2) that part of Indiana within the Commercial Zone of Chicago, Illinois as defined by the Commission, to points in Nebraska on and west of U.S. Highway 81. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 127840 (Sub-No. E20), filed June 4, 1974. Applicant: MONTGOMERY TANK LINES, INC., 17730 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats, animal oils and vegetable oils and edible blends and edible products* of animal fats, animal oils and vegetable oils (except liquid chemicals), in bulk, in tank or hopper type vehicles, from (1) that part of Illinois east of a line beginning at Illinois-Wisconsin State line, thence along U.S. Highway 51 to its junction with U.S. Highway 30, thence along U.S. Highway 30 to its junction with Illinois Highway 47, thence along Illinois Highway 47 to its junction with Illinois Highway 113, thence along Illinois Highway 113 to its junction with Illinois Highway 17, thence along Illinois Highway 17 to the Illinois-Indiana State line and (2)

that part of Indiana within the Commercial Zone of Chicago, Ill., as defined by the Commission, to points in Kansas. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 127840 (Sub-No. E30), filed June 4, 1974. Applicant: MONTGOMERY TANK LINES, INC., 17730 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William H. Towler, Suite 1133, 127 Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats, animal oils, and vegetable oils, and edible blends and edible products* of animal fats, animal oils, and vegetable oils (except liquid chemicals), in bulk, in tank or hopper-type vehicles, from points in (1) that part of Illinois on, east, and north of a line beginning at the Illinois-Wisconsin State line, thence along U.S. Highway 45 to junction Illinois Highway 176, thence along Illinois Highway 176 to junction Illinois Highway 59, thence along Illinois Highway 59 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction Illinois Highway 17, thence along Illinois Highway 17 to the Illinois-Indiana State line, and (2) that part of Indiana within the commercial zone of Chicago, Ill., as defined by the Commission, to points in that part of Iowa on, west, and south of a line beginning at the Iowa-Missouri State line, thence along U.S. Highway 61 to junction Iowa Highway 2, thence along Iowa Highway 2 to junction U.S. Highway 218, thence along U.S. Highway 218 to junction Iowa Highway 150, thence along Iowa Highway 150 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Iowa-Nebraska State line. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 127840 (Sub-No. E31), filed June 4, 1974. Applicant: MONTGOMERY TANK LINES, INC., 17730 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Animal fats, animal oils, and vegetable oils, and edible blends and edible products* of animal fats, animal oils, and vegetable oils (except liquid chemicals), in bulk, in tank or hopper-type vehicles, from points in (1) that part of Illinois on, east, and north of a line beginning at the Illinois-Wisconsin State line, thence along U.S. Highway 45 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction Illinois Highway 47, thence along Illinois Highway 47 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Illinois-Indiana State line, and (2) that part of Chicago, Ill., within the commercial zone of Chicago, Ill., as defined by the Commission, to points in Iowa on and north of U.S. Highway 20; and (B) *Animal fats, animal oils, and vegetable oils* (except liquid chemicals), in bulk, in tank vehicles, from points in that part of Illinois on, east, and south of a line beginning at the Illinois-Indiana State line,

thence along U.S. Highway 36 to junction Interstate Highway 57 to the Illinois-Kentucky State line to points in Iowa on and north of U.S. Highway 20. The purpose of this filing is to eliminate the gateways of Bradley and Chicago, Ill.

No. MC 127840 (Sub-No. E33), filed June 4, 1974. Applicant: MONTGOMERY TANK LINES, INC., 17830 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 N. Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats, animal oils, and vegetable oils* (except liquid chemicals), in bulk, in tank vehicles, from points in that part of Illinois on and south of U.S. Highway 36 to points in Michigan, New Jersey, New York, that part of Indiana on and north of a line beginning at the Indiana-Illinois State line, thence along Indiana Highway 2 to junction Indiana Highway 8, thence along Indiana Highway 8 to junction Indiana Highway 17, thence along Indiana Highway 17 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction U.S. Highway 6, thence along U.S. Highway 6 to the Indiana-Ohio State line, 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 Ohio Highway 18, thence along Ohio Highway 18 to junction U.S. Highway 224, thence along U.S. Highway 224 to the Ohio-Pennsylvania State line, and that part of Pennsylvania on and north of a line beginning at the Pennsylvania-Ohio State line, thence along U.S. Highway 224 to junction Pennsylvania Highway 108, thence along Pennsylvania Highway 108 to junction Pennsylvania Highway 8, thence along Pennsylvania Highway 8 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction Interstate Highway 83, thence along Interstate Highway 83 to the Pennsylvania-Maryland State line. The purpose of this filing is to eliminate the gateway of Chicago and Bradley, Ill.

No. MC 127840 (Sub-No. E52), filed June 4, 1974. Applicant: MONTGOMERY TANK LINES, INC., 17730 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 N. Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil*, in bulk, from that part of Illinois on and north of a line beginning at the Illinois-Missouri State line, thence along Illinois Highway 150 to junction Illinois Highway 3, thence along Illinois Highway 3 to junction Illinois Highway 149, thence along Illinois Highway 149 to junction Illinois Highway 13, thence along Illinois Highway 13 to the Illinois-Kentucky State line to points in Idaho,

Oregon, Washington, and that part of California on and west of a line beginning at the California-Nevada State line, thence along U.S. Highway 395 to junction Interstate Highway 15, thence along Interstate Highway 15 to junction Interstate Highway 805, thence along Interstate Highway 805 to the United States-Mexico International Boundary line. The purpose of this filing is to eliminate the gateways of Bradley and Chicago, Ill., and Des Moines, Iowa.

No. MC 127840 (Sub-No. E53), filed June 4, 1974. Applicant: MONTGOMERY TANK LINES, INC., 17730 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 N. Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils*, in bulk, from that part of Illinois in Kankakee, Iroquois, Ford, Vermilion, Champaign, Piatt, Moultrie, Douglas, Edgar, Coles, Shelby, Cumberland, Clark, Effingham, Jasper, Crawford, Clay, Richland, Lawrence, Wayne, Edwards, Wabash, Hamilton, and White Counties, Ill., to points in Nobles, Rock, Pipestone, Murray, Lyon, Lincoln, Yellow Medicine, Lac Qui Parle, Chippewa, Big Stone, and Traverse Counties, Minn., and points in North Dakota and South Dakota. The purpose of this filing is to eliminate the gateways of Bradley and Chicago, Ill., and Des Moines, Iowa.

No. MC 127840 (Sub-No. E56), filed June 4, 1974. Applicant: MONTGOMERY TANK LINES, INC., 17730 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 N. Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils*, in bulk, in tank vehicles; (a) from points in Dubuque, Jackson, Jones, Cedar, Clinton, Johnson, Muscatine, Scott, Louisa, Des Moines, Washington, Henry, and Lee Counties, Iowa, to points in Oregon in and west of Multnomah, Clackamas, Marion, Linn, Lane, Douglas, and Jackson Counties; (b) from points in Dubuque, Jackson, Clinton, Scott, Muscatine, Louisa, Des Moines, and Lee Counties Iowa, to points in California in and north of Monterey, Kings, Tulare, Fresno, Madera, Tuolumne, and Alpine Counties; and (c) from points in Scott, Muscatine, Louisa, Des Moines, and Lee Counties, Iowa, to points in Washington. The purpose of this filing is to eliminate the gateways of Des Moines, Iowa, and Chicago, Ill. (except points in its commercial zone).

No. MC 127840 (Sub-No. E58), filed June 4, 1974. Applicant: MONTGOM-

ERY TANK LINES, INC., 17730 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 N. Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Inedible animal and vegetable oil residues* (except fatty acids), in bulk, in tank vehicles, from Yorkville, Ohio, to points in Colorado, Iowa, Kansas, Minnesota, Nebraska that part of Illinois on and north of a line beginning at the Illinois-Missouri State line thence along U.S. Highway 66 to junction Illinois Highway 48, thence along Illinois Highway 48 to junction Illinois Highway 47, thence along Illinois Highway 47 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Illinois Highway 9, thence along Illinois Highway 9 to the Illinois-Indiana State line, and that part of Indiana on, north, and west of a line beginning at the Indiana-Illinois State line, thence along Indiana Highway 26 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction U.S. Highway 231, thence along U.S. Highway 231 to junction Indiana Highway 51, thence along Indiana Highway 51 to Lake Michigan. The purpose of this filing is to eliminate the gateway of Bradley, Ill.

No. MC 127840 (Sub-No. E60), filed June 4, 1974. Applicant: MONTGOMERY TANK LINES, INC., 17830 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 N. Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats, animal oils and vegetable oils*, including products and blends of said commodities (except fertilizers and chemicals), in bulk, in tank vehicles, from Bradley, Ill., to points in that part of Wisconsin in and west of Iron, Prime, Taylor, Clark, Jackson, Monroe, Vernon, Richland, and Grant Counties. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

No. MC 127840 (Sub-No. E61), filed June 4, 1974. Applicant: MONTGOMERY TANK LINES, INC., 17730 S. Chicago Ave., Lansing, Ill. 60438. Applicant's representative: William H. Towle, Suite 1133, 127 N. Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities*, as are usually dealt in, or used by, meat packinghouses (except petroleum products, fertilizers, and chemicals), in bulk, in tank vehicles, from Chicago, Ill., to points in Min-

nesota and points in that part of Wisconsin on and west of a line beginning at the Wisconsin-Illinois State line extending along Wisconsin Highway 78 to junction Wisconsin Highway 11, thence along Wisconsin Highway 11 to its junction with Wisconsin Highway 23, thence along Wisconsin Highway 23 to junction Wisconsin Highway 39, thence along Wisconsin Highway 39 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction Wisconsin Highway 80, thence along Wisconsin Highway 80 to junction Wisconsin Highway 56, thence along Wisconsin Highway 56 to junction Wisconsin Highway 131, thence along Wisconsin Highway 131 to junction Wisconsin Highway 33, thence along Wisconsin Highway 33 to junction Wisconsin Highway 27, thence along Wisconsin Highway 27 to junction Wisconsin Highway 70, thence along Wisconsin Highway 70 to junction Wisconsin Highway 13, thence along Wisconsin Highway 13 to Lake Superior. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

No. MC 128273 (Sub-No. E1) (Correction), filed May 2, 1974, published in the FEDERAL REGISTER January 20, 1975. Applicant: MIDWESTERN DISTRIBUTION, INC., P.O. Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products*, (e) from Mobile, Ala., and Moss Point, Miss., to points in Indiana, points in that part of Pennsylvania on and west of U.S. Highway 15, points in that part of Ohio on, west and north of a line beginning at a point on the Ohio-Pennsylvania State line near Sharon, Pa., extending along U.S. Highway 62 to Columbus, thence along U.S. Highway 23 to Circleville, thence along U.S. Highway 22 to Cincinnati, and points in that part of Illinois north and west of a line beginning at the Illinois-Indiana State line extending along U.S. Highway 36 to junction U.S. Highway 29, thence along U.S. Highway 29 to junction U.S. Highway 51, thence along U.S. Highway 51 to the Illinois-Wisconsin State line. The purpose of this filing is to eliminate the gateway of Wickliffe, Ky. The purpose of this correction is to reflect the precise authority sought in (e) above. The remainder of the letter-notice remains as previously published.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.75-13344 Filed 5-20-75;8:45 am]

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PART II



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

■

STATE ADULT EDUCATION PROGRAMS

Guidelines for the Preparation of State
Applications

Title 45—Public Welfare

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

PART 166—STATE ADULT EDUCATION PROGRAMS

Appendix C—Guidelines for the Preparation of Annual Program Plans

Under the authority contained in the Adult Education Act, as amended (20 U.S.C. 1201-1211a), notice is hereby given that the U.S. Commissioner of Education is adding a new Appendix C to the regulations for the State Adult Education Program which were published in the FEDERAL REGISTER on April 23, 1975 (40 FR 17950-17960).

Appendix C provides guidelines for the preparation of State applications for Federal assistance under the Adult Education Act. The guidelines will read as set forth below.

Effective date. These guidelines become effective on June 20, 1975.

(Catalog of Federal Domestic Assistance No. 13.400, Adult Education—Grants to States)

T. H. BELL,

U.S. Commissioner of Education.

MAY 15, 1975.

APPENDIX C—GUIDELINES FOR THE PREPARATION OF ANNUAL PROGRAM PLANS

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PART 1—INTRODUCTION

SEC. 1.1 *Scope of guidelines.*

(a) The guidelines contained in this document are recommendations and suggestions for meeting the legal requirements which apply to annual program plans for Federal assistance under the Adult Education Act. The guidelines are not to be construed as requirements. However, where the guidelines set forth a permissible means of meeting a legal requirement, the guidelines may be relied upon.

(20 U.S.C. 1208; 113 Cong. Rec. 5936, 5939 (daily ed. May 23, 1967); United States v. Jefferson County Board of Education, 372 F.2d 836, at 857 (1966)).

(b) Where a guideline is issued in connection with or affecting a provision in the regulations, the pertinent regulation and the citation of legal authority will appear in parentheses immediately following the relevant section of the guidelines. For example, if the legal authority for a particular provision of the guidelines is section 306(a) of the Act (20 U.S.C. 1205(b)), and the guideline affects § 166.7 of the regulations (45 CFR 166.7), the following citation will be placed on the line immediately following the guideline (20 U.S.C. 1205(b); 45 CFR 166.7). If no particular section of the Act or regulations is affected, no citation to the Code of Federal Regulations (CFR) will be made.

(20 U.S.C. 1232(a))

SEC. 1.2 *Applicable statutes and regulations.*

Annual program plans for adult education are to be prepared and implemented in accordance with applicable Federal statutes and regulations. Pertinent provisions include the Adult Education Act (20 U.S.C. 1201-1211a), the General Education Provisions Act (20 U.S.C. 1221 et seq.), the Adult Education Regulations (45 CFR Part 166), the "General Provisions for Office of Education Programs," (45 CFR Part 100b.) relating to fiscal, administrative, property management and other matters, hereinafter called "General Education Provisions Regulations" (GEPR). The State educational agency should carefully review the above references prior to preparing the annual program plan for adult education.

(20 U.S.C. 1201-1211a; 20 U.S.C. 1221 et seq.; 45 CFR Part 166; 45 CFR Part 100b and Appendices.)

SEC. 1.3 *Purpose of the annual program plan.*

(a) The annual program plan for the Adult Education State Grant Programs is similar to the annual program plan requirements for several cooperative Federal-State programs. The annual program plan under the Adult Education Act provides, among other things:

(1) The basis on which the State, through its State educational agency, will qualify to participate in and receive Federal funds for programs under the Adult Education Act;

(2) A basis for planning, justifying, and organizing the proposed allocation of funds;

(3) A basis for common understanding and communication among the State agency, other participating agencies (including State advisory councils), the U.S. Office of Education, and the program reviewers and auditors; and

(4) A basis for both immediate and long-range planning and for systematic and continuous evaluation.

(b) In order to facilitate communication and program support in the development of the annual program plans, it is recommended that local adult education teachers, admin-

istrators, and State and local decisionmakers provide input.

(20 U.S.C. 1205, 1232c(b); 45 CFR 166.11)

PART 2—ADMINISTRATIVE PROVISIONS

SEC. 2.1 *Civil rights.*

(a) Federal financial assistance is subject to the regulations in Part 80 of this title, issued by the Secretary of Health, Education, and Welfare and approved by the President, to effectuate the provisions of Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352).

(42 U.S.C. 2000d; 45 CFR 100b.262(a))

(b) Federal financial assistance is also subject to the provisions of Title IX of the Education Amendments of 1972 (prohibition of sex discrimination) and any regulations issued thereunder.

(20 U.S.C. 1681-1683; 45 CFR 100b.262(b))

SEC. 2.2 *Annual program plan requirements.*

(a) *General.* Subpart C of the regulations contained at 45 CFR Part 166.11 through 166.16 describes certain requirements with regard to submitting the annual program plan for adult education. Appendix A of these regulations also contains the required cover sheet and State-Federal agreement.

(20 U.S.C. 1232c(b))

(b) *Transmittal.* (1) In order to participate in the program, section 434 of the General Education Provisions Act requires that each State submit to and maintain on file with the Commissioner a general application which meets the requirements of section 434 (b) (1) (A) of the Act. Such general application shall (a) provide for the submission by the State and approval by the Commissioner of an annual program plan with respect to the particular programs in which the State desires to participate, and (b) provide assurances, as set forth in GEPR.

(2) The State educational agency must submit an annual program plan (which consists of a cover sheet, a State-Federal agreement, a narrative description of priorities and objectives for the fiscal year, and a long-range plan, if such a plan exists) to the Assistant Regional Commissioner, Occupational and Adult Education Programs (OAE). The Assistant Regional Commissioner, OAE, reviews and recommends approval of the annual program plan to the U.S. Commissioner of Education. Upon approval of the plan by the Commissioner, two copies of the cover sheet and the State-Federal agreement will be returned to the appropriate Regional Office of the U.S. Office of Education. One of these approved copies will be returned to the State educational agency.

(20 U.S.C. 1205, 1232c(b); 45 CFR 166.11 through 166.16)

(3) *Obligation by recipients.* The grant period (which is that period of time during which costs may be charged against a grant for a project) may not exceed the period of availability of the Federal allotment. The period of availability of the Federal allotment is prescribed by section 412(b) of GEPA which authorizes the obligation and expenditure of education funds (including those appropriated under the Adult Education Act) for one year succeeding the fiscal year for which appropriated (i.e., two years). This means that all funds appropriated under the Adult Education Act must be obligated or expended, not only by the State educational agency, but also by the secondary recipient (i.e., the school district), during the two-year period of availability of the Federal allotment. An interpretation of this ruling was

transmitted by memorandum from Commissioner Ottina to the Chief State School Officers on April 22, 1974. The Commissioner's memorandum clearly stated that "obligations must be made during the period of availability not only by the State educational agency, but also by the secondary recipient * * *"

The notification of grant award document should specify the "grant period" of the project. Although there is no prohibition against the State educational agency making a commitment to fund multi-year projects, subject to satisfactory performance on the part of the grantee and to continued availability of program funds, it is recommended that the commitment to fund any project under the authority of the Act not exceed a period of three consecutive years.

(20 U.S.C. 1232c(b)(1); 45 CFR 100b.55)

Sec. 2.3 Administrative organizations.

(a) *State administrative agency.* It is often helpful for the annual program plan to include the following:

(1) *A State map.* This map should show the pertinent administrative agencies within the State (for example, local educational agencies) and the geographical areas for which each such administrative agency is responsible. Such a map could assist the State educational agency in assuring that substantial progress can be made with respect to all segments of the adult population and all areas of the State toward carrying out the purpose of the Act and applicable regulations, particularly when used in conjunction with the adult needs survey referred to in section 3.2 of these guidelines.

(2) *An organizational chart.* The annual program plan should include a chart of the organizational structure of the State Department of Education. This chart should reflect the line of authority from the Chief State School Officer to the State Director of Adult Education and show the positions of all persons, by title, serving the State educational agency in the conduct of the adult education program, manpower programs (including programs under the Comprehensive Employment and Training Act), reading programs for adults, community school programs, and other programs that serve the adult citizenry. Show on a separate sheet all positions that are directly involved in the administration of programs under the Adult Education Act.

(b) *State and local advisory councils and committees—(1) State advisory councils.* Any State which receives assistance under this title may establish and maintain a State advisory council, or may designate and maintain an existing State advisory council, which shall be, or has been, appointed by the Governor or, in the case of a State in which members of the State board which governs the State educational agency are elected (including election by the State legislature), by such board. Such advisory councils should include members of the client group, as set forth in the Act and in § 166.5 of the regulations. It is recommended that representation of women, the elderly, minority and ethnic groups, persons of limited English-speaking ability, and the educationally disadvantaged comprise not less than 50 percent of the membership of the State advisory council. It is also suggested that the annual program plan describe how the advisory council, if such council exists, might assist in carrying out the activities authorized under the Act and Subpart B of the regulations in 45 CFR 166.4 through 166.10. For example, such activities might include (i) an active review of the annual program plan during its development, (ii) the review of projects proposed for funding under sections 306 and 309, (iii) the

evaluation of projects funded under the authority of section 309 of the Act, and (iv) service agency coordination.

(2) *Allowable costs.* Costs incurred by State advisory council members to perform services for the State adult education program must be classified as a cost of administration. The State educational agency may choose to pay all or some portion of these costs from State and local revenues. However, if Federal funds are to be used for this purpose, such costs must be paid from the 5 percent allowance for the cost of administration.

(20 U.S.C. 1208(b); 45 CFR Part 100b, Subpart G)

(3) *Local advisory committees.* A local advisory committee (or planning group) can often be a valuable resource, and, therefore, a description of any involvement of such a committee would be appropriate for inclusion in the annual program plan. Local advisory groups may include members of the client group (such as teachers and participants) and may be appointed by the State educational agency or by a local administrative agency.

The annual program plan should describe how the local advisory group(s) assist in carrying out the activities under the Act. For instance, a local council may assist in any of the following activities: (i) local project design; (ii) annual program plan development; (iii) policy development; (iv) needs assessment; (v) project review; (vi) staff development; (vii) recruitment of program participants; (viii) evaluation and monitoring; (ix) dissemination and reporting; and (x) program promotion.

(c) *Other organizations.* It is often helpful to hold public hearings and meetings periodically throughout the State to encourage the participation of other concerned groups and members of the general public.

(20 U.S.C. 1205 and 1208(b))

PART 3—PROGRAM PLANNING, BUDGETING, AND EVALUATION

SEC. 3.1 Overview of the planning process.

(a) The following items represent some of the essential steps in the planning process; (1) identify adult learning needs; (2) inventory resources, including financial and human; (3) establish program priorities; (4) design a plan for allocating resources; (5) allocate resources; (6) coordinate programs; and (7) evaluate programs.

(b) Since the above steps are dependent upon each other, it is important that the developmental process be approached in a sequential manner. The desired end product is an adult education program plan that provides the State educational agency with the philosophy, operating plan, and rationale for both funding and program decisions on an annual basis. The program plan should identify precisely the objectives for the ensuing fiscal year and should describe how they will be met. Such a description should include the pertinent program and fiscal considerations required to conduct the program. The intent of such a description is to encourage the State educational agency to develop a plan in advance so that, for example, during the planning process relevant program requirements such as personnel training, curricula, and instructional materials can be prepared prior to beginning instructional activities. Since the needs, resources and delivery systems of each State differ, the plans will vary in response to the unique requirements of each State's adult population and educational system.

(c) Subsequent sections of these guidelines describe each of the above steps in the planning process.

(d) Planning charts referred to throughout these guidelines are attached as Exhibit 1. Copies of these documents may be obtained from the USOE Regional Office.

(20 U.S.C. 1205)

Sec. 3.2 Adult learning needs survey.

(a) It is suggested that a needs survey be conducted without regard to fiscal constraints or anticipated revenues from State, Federal, or local sources, in order to determine the full extent of adult learning needs in the State. Such surveys may be conducted under the authority of section 306 or section 309 of the Act. A survey chart (such as adult program planning chart A) may be used by the State agency or by the local agency in identifying adult learning needs and annual program accomplishments.

(b) Charts similar to adult program planning chart A may also be useful for surveying needs at the adult basic education and adult secondary education levels, as set forth in the regulations in § 166.12(b).

(c) Since this survey will affect subsequent decisions, it is suggested that the county breakdown reflected in the most current census also be examined carefully and compared with the survey data. (See the general social and economic characteristics column of the State census for years of school completed by females and males over 25 years of age according to county. See also educational attainment data of the age group between 16 and 25 by States.)

(d) Resource materials which may be useful in designing an adult education needs survey include:

(1) Publications of the National Center for Educational Statistics, Office of the Assistant Secretary of Education, DHEW, concerning adult education data;

(2) Reports of evaluation studies available through the ERIC Clearinghouse on Career Education, Northern Illinois University, 204 Gabel Hall, DeKalb, Illinois.

(3) Teacher training studies produced by the University of Missouri at Kansas City;

(4) Reports of evaluations of other Adult Education State Grant Programs;

(5) The Adult Basic Education Evaluation Model produced by Teachers College, Columbia University;

(6) Regional staff development plan, for the region in which the State is located;

(7) National Advisory Council on Adult Education reports:

(a) Federal Activities in Support of Adult Education, 1972;

(b) Adult Education—State Demographic Data, 1973;

(c) A Target Population in Adult Education, 1974; and

(8) Selected publications of the Educational Policy Research Center, Syracuse, New York.

Sec. 3.3 Inventory of resources.

In addition to the identification of adult learning needs, it is recommended that the State educational agency compile an inventory of those resources that can be applied toward alleviating those needs. An inventory of available resources might include the following:

(a) *Personnel.* In order to clarify the extent of personnel currently available in the field of adult education and those desired, a chart might be included in the annual program plan. (See adult education program planning chart B.)

(b) *Facilities.* Identify, by geographical area, facilities that are available for use for the adult education program, such as classrooms, laboratories, libraries or other facilities appropriate for instruction of students, or for research or for administration of the educational programs.

(c) *Instructional materials.* Identify and catalog those materials which are available which assist in providing instruction, such as audiovisual materials, guidance services, library materials, textbooks, and other supplies for instruction.

(20 U.S.C. 1232c(b))

(d) *Community resources.* Experience indicates that the success of the education program relates closely to the extent to which total community resources are utilized with a view toward maximizing services required by the individual. Community resources should be identified, assessed, and cataloged to determine the contributions that they might make to adult instructional programs. Examples of such resources are local educational agencies, public libraries, museums, television and radio stations, newspapers, transportation, recreational and cultural organizations, business and industry, public health agencies, social security offices, day care centers, hospitals, correctional institutions, learning centers, colleges or community colleges, technical institutes, and other appropriate organizations. During the planning survey, an effort might also be made to identify facilities which are convenient to adult learners and which provide other required services, such as health and welfare services.

(20 U.S.C. 1205)

Sec. 3.4 Determining program priorities.

(a) The State educational agency is required to establish program priorities and objectives and to allocate resources accordingly. A statement setting forth these priorities and objectives must be included in the State's annual program plan, as required by section 434(b)(1)(B) of the General Education Provisions Act and the regulations at § 166.12(b). Such a statement should provide a succinct description of each priority and the basis for establishing each such priority.

(20 U.S.C. 1232c(b))

(b) In accordance with § 166.25 of the regulations, the Commissioner of Education will identify national priorities annually in the field of adult education and, as necessary, will publish current priorities in the FEDERAL REGISTER. The State educational agency is urged to take these priorities into consideration in determining its annual priorities and objectives and to describe in its annual program plan how the priorities established for the State relate to the current national priorities.

(c) It is suggested that the State educational agency formulate and disseminate its policies, procedures, criteria, and priorities to concerned persons and organizations in order to guide agencies and individuals in applying for program support, consistent with Subpart C (annual program plan provisions) and Subpart D (special experimental demonstration projects and teacher training) of the regulations.

(d) It is imperative that the State provide a coordinated statewide program which focuses upon the established priorities and concomitantly upon the urgent needs of each locality or group.

To fulfill this responsibility, the State educational agency may wish to request applications which (as described in section 309 of the Act) focus on a particular need not otherwise addressed.

(20 U.S.C. 1205, 1206; 45 CFR 166.11, 12, 13 and 25)

Sec. 3.5 Allocation of resources.

(a) *State administration.* Section 313(b) of the Adult Education Act limits the amount

of Federal funds that may be used to pay the cost of development and administration of the annual program plan, and other activities required pursuant to the Act, to 5 percent of the sum appropriated under the Act for any given fiscal year. As stated in § 166.42 of the regulations and in accordance with the authority of section 313(b) of the Act, the Commissioner shall determine and advise the States annually of the maximum allowable amount that each State may use of its annual Federal allotment for administrative expenses.

It is important to note that the 5 percent limitation on administrative costs applies only to the Federal share. This means there is no prohibition against the utilization of State and local revenues to supplement the Federal allowance for paying the cost of State administration of the program.

(b) *Eligible costs for administration of annual program plan.* To the extent that they are reasonably necessary for and attributable to carrying out the annual program plan, the eligible administrative costs, at the discretion of the State educational agency, may include the following:

(1) Salaries of the professional and clerical staff, including all amounts deducted or withheld as contributions to retirement, health, or other welfare benefit funds maintained for such staff. For employees of the State educational agency, the retirement fund contributions may be computed in conformity with State laws or regulations governing the State's share of such contribution;

(2) Fees and approved expenses of consultants, panel members, and other persons or groups acting in an advisory capacity (see Appendix B of GEPR);

(3) Expenses connected with committees, workshops, and conferences which relate to State administration;

(4) Travel expenses of staff and consultants are allowable in accordance with established appropriate State, local, or institutional travel regulations and limitations;

(5) Communications costs;

(6) Supplies, printing, and printed materials;

(7) Rental of, or, where economically justified, purchase of office and program equipment;

(8) Rental cost of space in a privately or publicly owned building is allowable (including the cost of utilities and custodial services) if: The cost does not exceed comparable rental on a square foot basis in the particular locality for the period of occupancy; the expenditure represents an actual cost; and like charges are made to other agencies occupying similar space for similar purposes;

(9) Maintenance and operation costs (such as utilities, insurance, security, janitorial services, elevator service, upkeep of grounds, normal repairs and alterations) are allowable to the extent they are not otherwise included in rental or other charges for space, and

(10) Costs incurred for rearrangements and alterations of facilities required specifically for the grant program or those that materially increased the value or useful life of the facilities are allowable when specifically approved by the grantor agency.

(45 CFR Part 100b, Appendix B)

(c) *Programs of instruction.* The State agency is requested to set forth the policies and procedures to be used to allocate the adult education funds available to it for the purposes of the Act. Each State is expected to use such funds on a broad statewide basis in terms of the purposes specified in the Act and in §§ 166.12 and 166.13 of the regulations. In planning the allocation of such funds, the State agency should also give consideration to the distribution of local funds among

each of the population groups for adult programs and services.

In the development of its annual program plan, the State educational agency is encouraged to examine the functional competencies concept developed by the Adult Performance Level (APL) project. The APL project has developed a research process which has identified competencies which are important to success as adults. Using an assessment method which stems from viewing functional competence as a function of individual capabilities and societal requirements, the APL project has produced data which suggest that, contrary to popular belief, many adults do not have the basic education for living which is indicated for even minimal levels of success. These results, and the objectives upon which they are based, can have profound implications for educational practice, and form a base of information and evidence which can be used to make different educational systems more responsive to the needs of both their clients and society.

In examining this concept, the State educational agency may wish to contact the Division of Extension, The University of Texas, Austin, Texas, as well as those States which are now implementing, or shortly will implement, Adult-Performance Level-related projects or programs. Such States are Alabama, Colorado, Kansas, Mississippi, New Jersey, New York, Oregon, Rhode Island and Texas.

(1) *Adult basic education.* Describe the policies and procedures to be followed by the State educational agency for assuring that special program emphasis will be given to adult basic education programs, as prescribed by the Act. The plan should identify characteristics of the total eligible population in terms of social, economic, racial, ethnic, and geographic factors, and describe the following:

(i) The criteria to be used to identify eligible persons (as defined in § 166.2 of the regulations); (ii) the methods to be used to determine the appropriate design, and to develop and implement relevant programs of instruction; (iii) the proposed level of activity during the fiscal year; (iv) the rationale for the allocation of funds in terms of dollars (or percentage of allotment) by performance levels of instruction; and (v) the reciprocal relationship of proposed activities and the findings of adult learning needs surveys.

(2) *Adult secondary education.* Describe the policies and procedures to be followed by the State educational agency to make available the opportunity for an adult secondary education to eligible persons, as defined in § 166.2 of the regulations. The plan should describe: (i) The criteria to be used to identify eligible persons; (ii) the characteristics of the total eligible population in terms of social, economic, racial, ethnic, and geographic factors; (iii) the methods to be used to assure the availability of relevant programs of instruction; (iv) the rationale for allocation of funds in terms of dollars (or percentage of the allocation) and the proposed level of activity, and (v) procedures to be utilized to assure that the total annual expenditure of Federal funds for adult secondary education programs, including adult secondary education programs for institutionalized persons, does not exceed 20 percent of the total annual allotment of Federal funds.

The plan should also provide information on the procedures to be used to coordinate adult secondary education programs assisted under the Act with other adult secondary education programs operating within the State. For each of the other adult education programs, describe the source of funding.

the number of persons served, characteristics of target population and geographical data, and other pertinent and descriptive program information.

(3) *Programs for institutionalized persons.* Describe the policies and procedures to be followed by the State educational agency to identify eligible institutionalized persons, as defined in § 166.2 of the regulations. The plan should contain a statement which describes: (i) The criteria to be used in identifying institutionalized persons by type of institution represented; (ii) the methods to be used to determine the appropriate design, and to develop and implement relevant programs of instruction; (iii) the proposed level of activity, including information on the estimated number of persons to be served by type of institution; (iv) the rationale for the allocation of funds in terms of dollars (or percentage of allocation); and (v) the procedures to be used to assure that the total annual expenditure of funds for programs for institutionalized persons does not exceed 20 percent of the total expenditure (from Federal funds and State and local matching funds) for the purposes of the Act for any given fiscal year. The plan should also provide information on the procedures to be used to coordinate programs assisted under the Act with other Federal, federally assisted, State, and local programs for institutionalized persons.

(4) *Bilingual adult education programs.* Describe the policies and procedures to be followed by the State agency for providing bilingual adult education programs for persons of limited English-speaking ability, as defined in § 166.2 of the regulations. The plan should describe (i) the criteria to be used to identify persons of limited English-speaking ability; (ii) the methods to be used to determine the appropriate design, and to develop and implement relevant programs of instruction; (iii) the proposed level of activity, including the number and location of persons to be served; and (iv) the rationale for the allocation of funds in terms of dollars (or percentage of allocation). Since title VII funds are awarded directly to the local educational agency by the Commissioner, the local educational agency must assure the State educational agency that expenditures for bilingual adult education programs will supplement title VII monies and not amount to a duplication of effort.

(d) *Eligible program costs.* Expenses incurred by the State educational agency staff which are associated with or attributable directly to program development costs may be classified under the appropriate function or program assignment. For guidance in classifying and prorating items of costs incurred by both State and local educational agencies, use of the following publication of the National Center for Educational Statistics is recommended: "Financial Accounting—Classification and Standard Terminology for Local and State School Systems," 1973, Handbook II, Revised (OE 73-11800).

(20 U.S.C. 1205; 45 CFR 166.42; 45 CFR 100b, Appendix B)

Sec. 3.5 Program coordination.

(a) Insofar as practicable, the State educational agency is requested to take such actions as may be necessary to assure (1) conformity of the goals and objectives of the adult education program with the educational goals and policies of the State, and (2) consistency in applying established State-administrative practices.

(b) Activities to be funded under the Adult Education Act should be coordinated with other Federal, federally assisted, State, and local programs, and the State educa-

tional agency is encouraged to set the stage for instituting a more systematic and continuous coordination effort in order to:

(1) Facilitate State and local initiatives and responsibility in developing organizational and procedural arrangements for coordinating program activities;

(2) Eliminate overlap, duplication, and competition in State and local planning activities assisted or required under Federal programs, and to facilitate the most effective use of State and local resources; and

(3) Encourage the States to exercise leadership in delineating and establishing a system of planning and development which can provide a consistent base for the coordination of Federal, State, and local programs.

(c) The State educational agency is requested to include in the annual program plan a statement which describes the objectives and procedures of the adult education program for coordinating its activities with other Federal, federally assisted, State, and local programs concerned with meeting the needs of institutionalized persons and persons of limited English-speaking ability, as defined in the regulations in § 166.2.

(d) It is suggested that the annual program plan provide information on the procedures to be utilized to effectuate cooperative arrangements between programs administered under the Adult Education Act and other adult education programs, in general; the following organizations and agencies should be provided an opportunity to comment on the development of the annual program plan: State Manpower Services Council (section 107 of CETA); State health authority; Community Action, Work Experience, VISTA, Work Study, programs designed to provide reading instruction for adults, and other programs relating to the antipoverty effort. The annual program plan should also describe procedures to effectuate coordination with the following programs: Manpower programs (including programs under CETA) and occupational education programs, community education programs, consumer education programs, career education programs, metric education programs for adults, and programs for the aging assisted under the Older Americans Act. Such coordination might cover provisions for joint studies, utilization of resources, organizational arrangements, and utilization of common and consistent statistics, projects, and assumptions about future activities.

(e) Although program coordination with specific programs is required, this is not to be construed as prescribing the form or substance of the coordination or cooperation to be affected. These are matters to be negotiated between the State agency and the other Federal, federally assisted, State, and local programs.

(20 U.S.C. 1205(a); 45 CFR 166.12 and 166.13; 45 CFR Part 100b, Subpart Q; 20 U.S.C. 1231a(a)(3))

Sec. 3.7 Program evaluation.

(a) *Monitoring of program activities.* The annual program plan should contain a statement which sets forth the policies, procedures and practices of the State educational agency for assuring that the performance of adult education programs assisted under the Act are constantly monitored to assure adequate progress is being made toward achieving the goals of the grant. As required by § 100b.431 of GEPR, these reviews shall be made for each function or activity of each grant as set forth in the annual program plan.

Each State educational agency is strongly urged to monitor and report on not less than 10 percent of the adult education programs each year. The State educational agency

should establish and set forth in the annual program plan the sampling procedures to be used for selecting the 10 percent of the total adult education projects to be monitored and reported on annually, and for excluding from the current sample those projects which have been examined as a part of this effort during a preceding fiscal year. For each program that is examined, a report should be prepared and submitted to the U.S. Commissioner of Education, as authorized under § 166.12(b)(4) of the regulations and section 434(b) of the General Education Provisions Act.

In establishing procedures for instituting the monitoring and reporting system, consideration should be given in the sampling procedures to examining the adult education programs which serve the largest number of adults.

(b) *Evaluation of selected program issues.* In accordance with § 166.12(b)(4) of the regulations, the State educational agency should set forth in the annual program plan the procedures which the State educational agency will use to conduct evaluations of all activities under section 306 and 309 of the Act. The State educational agency may wish to evaluate local educational programs directly or use third-party evaluators. However, for the purpose of conducting an evaluation study of the State adult education program, it is recommended that the State educational agency contract with a third party for such services.

The following issues are suggested for consideration for evaluation studies:

(i) Are local programs of instruction designed in harmony with and in response to the findings of adult learning needs surveys and to what degree are they supportive of the consideration that special program emphasis be given to adult basic education?

(ii) Are local programs of instruction reviewed on a recurring basis? This is very important, since the State educational agency or the USOE Regional Office may be able to provide technical assistance which could strengthen the program.

(iii) Is systematic staff development taking place within local programs?

(iv) Have the evaluation studies conducted by the State educational agency included administrative and management components, such as maintaining adequate financial records, systematically providing for program audits, and retention of records?

(v) Have the regulations for the Adult Education program (which includes the State-Federal agreement and the national priorities) and the General Education Provisions Regulations been distributed to all participating agencies?

(vi) How successful has the State been in reaching the most disadvantaged adults (i.e., persons who have completed not more than five grades of schooling) into the program? What is the participant dropout rate in adult basic education programs? In adult secondary education programs?

(vii) What State and/or local efforts, if any, have been made to upgrade the level of instruction and to improve overall program efficiency, including the incorporation of innovative methods and techniques?

(viii) To what extent, if any, are special projects and teacher training activities coordinated on a statewide basis? regional national?

(ix) To what extent are guidance and counseling services available to participants in adult education programs assisted under the Act?

(x) What percentage of the program participants receive guidance and counseling services? In the adult basic education program? In the adult secondary education program?

(x) To what extent, if any, are follow-up studies conducted to determine program effectiveness in terms of serving the goals and needs of the participants.

(20 U.S.C. 1205(a); 45 CFR 166.12(b)(4); 45 CFR Part 100b, Subpart Q)

Sec. 3.8 Annual program plan format.

The annual program plan must set forth a statement describing the purposes for which Federal funds allotted to a State under section 305 of the Act will be expended during the fiscal year for which the annual program is submitted. In presenting the requirements of the annual program plan, as prescribed by section 434 of GEPA and the regulations at §§ 166.12 and 166.13, a State educational agency may wish to prepare its plan along the lines of the following format:

(a) *General program goal statements.* This portion of the plan should contain a brief introductory overview of the general program goals.

(b) *Needs survey and resource inventory.* This portion of the plan should contain a description of the conclusions of a needs survey and a resource inventory, including information and planning charts such as those discussed in section 3.2 and 3.3.

(c) *Specific program priorities and objectives.* This portion of the program plan should describe the specific program objectives which reflect priorities established in accordance with section 3.4 of these guidelines. Examples of suggested program objectives are to:

(1) Review project applications to assure their compliance with Federal and State guidelines;

(2) Provide _____ on-site visits by State agency staff for technical assistance;

(3) Provide _____ on-site visits in connection with the annual monitoring of at least 10 percent of the adult education programs;

(4) Provide _____ pre-service and in-service training activities;

(5) Establish a State advisory council which will meet _____ times a year.

(6) Increase enrollments in adult basic education programs by _____ for an increase of _____ percent;

(7) Increase enrollments in adult secondary education programs by _____ for an increase of _____ percent;

(8) Establish _____ programs for institutionalized persons for an increase of _____;

(9) Establish _____ bilingual adult education programs for an increase of _____ percent;

(10) Establish _____ programs in cooperation with community school programs for an increase of _____ percent;

(11) Establish _____ programs in cooperation with business and industry for an increase of _____ percent;

(12) Add _____ new programs during the program year; and

(13) Complete and submit required reports by the deadline date.

(d) *Activities and procedures.* Describe the activities and procedures to be used to address each priority or objective. It is suggested that each priority or objective be discussed individually. (Where appropriate, utilize the suggestions and planning charts referred to in section 3.2.)

(e) *Evaluation.* This portion of the annual program plan may include a discussion of evaluation activities, including:

(1) Evaluation activities proposed to be conducted in the year for which the annual program plan is submitted (see section 3.7); and

(2) The extent to which completed evaluation studies have indicated strengths and weaknesses that have affected the design of the currently proposed activities and procedures.

(20 U.S.C. 1205, 1208, 45 CFR 166.11, 12, 13 and 25)

PART 4—LONG-RANGE PROGRAM PLAN

Sec. 4.1 Long-range program plan.

The State education agency may wish to develop a long-range program plan to be updated annually and submitted to the U.S. Commissioner of Education along with the annual program plan, which is required by the new State application procedure.

(a) The long-range program plan may be developed by the State educational agency with the advice of the State advisory council, if such council exists, as permitted under section 310A of the Act, and in consultation with appropriate staff of the U.S. Office of Education. Such annual revisions should take into consideration: (1) The results of evaluations and surveys made or sponsored by the State educational agency, the State advisory council, if such council exists; and (2) recommendations of the National Advisory Council on Adult Education, and the U.S. Office of Education. Appropriate revisions and a one-year extension to the long-range program plan should be incorporated as a part of the annual program plan which is submitted to the U.S. Commissioner of Education for any given fiscal year.

(b) The long-range program plan may contain the following:

(1) A description of the State's identified projected educational needs of adults, especially as they relate to adult basic education; and

(2) A plan of action for using Federal funds available under the Act to meet identified needs for the duration of the long-range plan, beginning with the fiscal year in which the annual program plan is submitted.

PART 5—SPECIAL EXPERIMENTAL DEMONSTRATION PROJECTS AND TEACHER TRAINING

Sec. 5.1 Applicability.

Federal funds are authorized to be administered by the State educational agency for special projects in adult education under subsection (1) and adult education personnel training under subsection (2) of section 309 of the Act.

(20 U.S.C. 1208)

Sec. 5.2 Allocation of resources.

(a) The State educational agency must establish and set forth in its annual program plan the policies and procedures under which it will use not less than 15 percent of the funds allotted to it for any given fiscal year under section 305 of the Act for special projects and teacher training, as prescribed by section 309 of the Act.

(b) The funds available for the purposes of section 309 of the Act must be expended by the State educational agency in such a way as to provide support from each annual allotment for both special projects and teacher training programs. The distribution of such funds among the two programs must be determined by the State educational agency in accordance with the overall objectives of its annual program plan.

Sec. 5.3 Eligible projects.

(a) *Special projects.* From each annual Federal allotment to the State educational agency for the purposes of the Act, funds will be available under section 309(1) for special projects which:

(1) Involve the use of innovative methods, systems, materials, or programs which

- (i) may have national significance, or
- (ii) may be of special value in promoting effective programs under the Act, or

(2) Involve programs of adult education which are part of community school programs carried out in cooperation with other Federal, federally assisted, State, or local

programs which have unusual promise in promoting a comprehensive or coordinated approach to the problems of persons with educational deficiencies.

(b) *Teacher training.* From each annual Federal allotment to the State educational agency, funds will be available under section 309(2) of the Act to train persons engaged, or preparing to engage, as personnel in programs designed to carry out the purposes of this Act.

(20 U.S.C. 1208(2); 45 CFR 166.22)

Sec. 5.4 Eligible applicants.

(a) *Special projects and teacher training.* Federal funds authorized for the purposes of section 309 of the Act may be used for grants, contracts, or other arrangements, if appropriate under applicable State laws, to provide support for special projects and teacher training. Eligible applicants include the following:

- (1) State and local educational agencies;
- (2) Public and private agencies, institutions, and organizations, and
- (3) Individuals (unless precluded by State law).

(20 U.S.C. 1208; 45 CFR 166.23)

(b) *Ineligible applicants.* No funds may be used from the State's allotment under this part for programs conducted by any school or department of divinity, as defined in section 312 of the Act.

(20 U.S.C. 1210)

Sec. 5.5 Project applications.

(a) Since funds to support special projects and teacher training under section 309 of the Act will be available from the appropriate State educational agency, information on policies and procedures for applying for such support should be incorporated into the annual program plan and disseminated widely. A separate application form is recommended for each proposed project.

(b) *Special projects.* Projects should be designed to:

(1) Meet the special educational needs of adults, including persons of limited English-speaking ability, as defined in § 166.2 of the regulations;

(2) Address one or more of the current statewide adult education program priorities which have been identified and published by the State educational agency. Such priorities should be prepared in consultation with the State advisory council, if such advisory council exists, and take into consideration relevant recommendations of the National Advisory Council on Adult Education and, as appropriate, reflect the national adult education program priorities which have been identified by the U.S. Commissioner of Education and appear as Appendix B to the regulations (45 CFR Part 166);

(3) Be consistent with the educational program which the State proposes to conduct under its annual program plan; and

(4) Ensure coordination with community education programs and other Federal, federally assisted, and State and local programs and projects for the education of adults.

(c) *Teacher training.* Applications should be designed to:

(1) Be consistent with State staff development plans developed under regional staff development projects; and

(2) Meet the special training needs of various adult education personnel, including teachers, para-professionals, administrators, counselors, and others; or

(3) Meet the special training needs of personnel employed in priority programs such as bilingual adult education programs for persons with limited English-speaking ability, and community education programs; or

(4) Meet the special training needs of persons preparing to engage in adult education programs.

(d) The State educational agency may not assign any part of its responsibility to another agency. This does not, however, prevent a State educational agency from exercising its authority under the Act to coordinate activities with other Federal, federally assisted, State, and local programs, nor prevent two or more applicants in one or more States from conducting a joint program or project (including a planning project).

(20 U.S.C. 1208; 45 CFR 166.24)

Sec. 5.6 Establishment of national priorities in adult education.

(a) Based on the findings of surveys and studies conducted by the U.S. Office of Education, recommendations of the National Advisory Council on Adult Education, and on evaluations by State educational agencies, State advisory councils, and other appropriate information bases, the U.S. Office of Education will annually review and identify national priorities in the field of adult education and, as necessary, will publish current priorities in the FEDERAL REGISTER. In establishing its priorities, the State educational agency may take the national priorities into consideration in the development of the annual program plan. Such priorities are contained in the regulations (45 CFR Part 166) as Appendix B.

(b) In soliciting applications for special projects and adult education personnel training programs, it is recommended that the State educational agency identify and publish, annually, statewide adult education program priorities and evaluation criteria which have been determined in accordance with the requirements contained in the regulations at 45 CFR 166.25. The annual program plan should identify the organizational unit and official(s), by title, that are responsible for establishing procedures for and the identification of program priorities for any given fiscal year.

(c) In order to assure that all interested persons and organizations in all segments of the adult education community throughout the State are aware of the availability of Federal funds for support of special projects and teacher training programs, wide circulation of the announcement of program priorities and criteria is necessary. All Federal funds are to be distributed equitably among the applicants solely on the basis of merit. Therefore, the State educational agency is urged to establish procedures which will provide maximum open and free competition to assure that all citizens of the general public have an equal opportunity to compete for the available Federal funds. The State educational agency is urged to establish procedures for the award of grants as well as contracts which adhere to the procurement standards set forth in subpart I of GEPR. However, when contracts are used as the funding mechanism for awarding Federal funds, the State educational agency must adhere to the requirements of Subpart I of GEPR.

(d) In evaluating applications for special projects and adult education personnel training programs, the State educational agency is encouraged to give special emphasis to applications judged as having a potential for national significance.

(20 U.S.C. 1208; 45 CFR 166.12(b)(4))

Sec. 5.7 Criteria for review of project applicants.

The State educational agency should establish, publish in the annual program plan, and disseminate the criteria to be used in reviewing project applications from local educational agencies, public and private organizations, or individuals. Such criteria should

be applied in conjunction with the criteria developed under §§ 166.12, 166.13 and Appendix B of the regulations contained in 45 CFR Part 166. The value to be assigned to each of the applicable criteria shall be the responsibility of the State.

(a) *General criteria.* It is recommended that the following general criteria be utilized in evaluating both special projects and teacher training applications:

(1) Objectives are sharply defined, clearly stated, capable of being attained by the proposed procedures, and capable of being measured;

(2) Proposed plan of operation is sound;

(3) Proposed activity is relevant to the priority or needs addressed;

(4) Proposed activity is needed in the area to be served by the applicant;

(5) Designated project personnel possess qualifications and experience to adequately carry out project activities;

(6) Facilities and other resources are adequate to carry out the objectives of the project;

(7) Size, scope, and duration of the project would secure productive results, and the estimated cost is reasonable in relation to these results;

(8) Potential for replication and utilization of the results of the project in other adult education programs and the provisions for disseminating these results are judged to be adequate;

(9) Provisions are included for an adequate evaluation of the project's effectiveness and for determining the extent to which its objectives are accomplished.

(b) *Special projects.* In evaluating applications for special projects, it is suggested that the State educational agency give consideration to such factors as whether and to what extent the project:

(1) Involves the use of innovative methods, systems, materials, or programs and which may have national significance and will serve residents of the State or be of special value in promoting effective programs under the Act;

(2) Is to be carried out in cooperation with other federally assisted, State, or local programs which have unusual promise in promoting a comprehensive or coordinated approach to the problems of persons with educational deficiencies;

(3) Is designed to address critical educational needs which have been identified as State or national priorities for adult education;

(4) Has unusual promise for the development of concepts, practices, and techniques which can be adapted or adopted elsewhere in establishing or improving adult education;

(5) Is related to and is carried out in cooperation with appropriate training activities whether or not assisted under the Act;

(6) Will result in the development of materials and methods which may be of value in increasing the effectiveness of adult education programs;

(7) Provides for cooperation and coordination with business and industry, labor and other agencies, institutions, and community education programs and other related programs, as identified in § 166.13 of the regulations, in order to strengthen the project and prevent duplication of effort;

(8) Provides, where appropriate, for cooperation and continuation by the local educational agencies and other public and private agencies; and

(9) Will strengthen the adult education delivery systems within the State.

(c) *Teacher training.* In evaluating applications for training grants, it is suggested that the State educational agency give consideration to such factors and whether as to what extent the project—

(1) Is consistent with the objectives set forth in the annual program plan for the development and training of adult education personnel;

(2) Will include training in the utilization and development of innovative methods, systems, materials, or programs;

(3) Will meet local needs for adult education personnel;

(4) Is designed to address critical training needs which have been identified as State or national priorities for adult education;

(5) Provides for periodic, systematic, and objective reviews and evaluations of the project;

(6) Is coordinated with appropriate special experimental demonstration projects which may be operating in the geographic area served by the applicant;

(7) Is coordinated with adult education programs being sponsored in the State in which the applicant is located or with a consortium of the States from which trainees are drawn or to which trainees may be expected to return;

(8) Is to be carried out in cooperation with other federally assisted, State, or local programs;

(9) Provides for cooperation and coordination with business and industry, labor and other agencies, as identified in § 166.13 of the regulations, to strengthen the project and prevent duplication;

(10) Provides for cooperation and continuation by the local educational agencies and other public and private agencies; and

(11) Includes criteria for eligibility for participation in the project.

(20 U.S.C. 1208; 45 CFR 166.24)

Sec. 5.8 Submission of applications. The State educational agency should establish policies and procedures to regulate the submission of applications for special projects and teacher training under section 309 of the Act. Such applications should be submitted in accordance with State laws, regulations, policies, and procedures. It is recommended that the State educational agency:

(a) Develop and implement procedures which will ensure that information concerning the availability of Federal funds for special projects and teacher training is disseminated to all segments of the adult education community in all areas of the State;

(b) Issue a public announcement concerning the availability of funds for special projects and teacher training programs which requests applications that address current statewide adult education program priorities, which have been determined in accordance with the requirements of § 166.25 of the regulations;

(c) Establish and announce closing date for receipt of applications for consideration for funding during the current fiscal year;

(d) Provide forms to be used in submitting applications for special projects and teacher training programs under section 309 of the Act;

(e) All proposals submitted to the State educational agencies for approval and funding should contain at least the signature of the chief executive officer of the organization submitting the proposal.

(20 U.S.C. 1208; 45 CFR 166.24)

Sec. 5.9 Application review panel. The State educational agency may wish to establish one or more panels to review and evaluate applications submitted under section 309 of the Act. In the establishment of any such review panel, it is suggested that the State educational agency take into consideration the following factors:

(a) The establishment of criteria for the selection of panel members;

(b) The establishment of procedures to assure that each application is reviewed by at least three panel members; and

(c) The identification of subject-matter areas to be represented by panelists to assure that the qualifications of the panelists are relevant to program priorities. It is recommended that panel membership include at least one representative of each of the following: the State agency, the State advisory council on adult education (if such council exists); agencies representing institutionalized persons and persons of limited-English speaking ability, and agencies representing community school programs. Such panel membership should also include women, minority and ethnic groups which reflect the general population of the State.

(20 U.S.C. 1208; 45 CFR 166.24)

Sec. 5.10 Selection of participants for teacher training projects.

(a) The State educational agency should establish criteria to be used to select participants of teacher training programs. Such criteria should consider the objectives of the national priorities (which are published periodically in the *Federal Register* and appear as Appendix B to the regulations (45 CFR Part 166), and on the priorities and objectives set forth in the annual program plan for the State adult education program. Such criteria should be designed to assure that, among other things, participants are engaged, or are preparing to engage, as personnel in adult education programs designed to carry out the purposes of the Act. The criteria to be used in the final selection of participants from among the applicants should be clearly stated in the application materials.

(b) In the development of selection criteria, consideration should be given to the fact that no person should be declared ineligible to participate in the program solely for the reason that he or she does not possess an academic degree. Such persons should include those who are engaged, or preparing to engage as teachers, guidance counselors, administrators, or other support personnel in adult education programs designed to carry out the purposes of the Act.

(20 U.S.C. 1208; 45 CFR 166.24)

Sec. 5.11 Disposition of applications.

(a) It is recommended that the State educational agency establish and describe in the annual program plan the procedures to be used for the disposition of project applications.

(b) Each applicant who submits an application should be advised in writing within a reasonable period of time as to whether or not the project will be funded.

(1) Each awardee should receive a properly executed award document which contains appropriate financial and administrative information as well as any general and special terms and conditions which pertain to the project;

(ii) Each unsuccessful applicant should be notified of the reasons why the application was not selected for funding.

(20 U.S.C. 1208; 45 CFR 166.24)

Sec. 5.12 Hearings.

The State educational agency should establish an Appeal Board and set forth in the annual program plan the procedures by which any applicant or recipient aggrieved by the final action of the State educational agency may request a hearing under the provisions of section 425 of OGEA.

(20 U.S.C. 1208; 45 CFR 166.24)

Sec. 5.13 Program evaluation procedures.

(a) Each program or project application should include an evaluation plan for the purpose of determining the effectiveness of the program or project.

(20 U.S.C. 1208; 45 CFR 166.12(b)(4))

Sec. 5.14 Reports.

(a) It is recommended that the annual program plan set forth the policies and procedures to be used by the State educational agency for obtaining reports from recipients of Federal funds to conduct special projects and training under the authority of section 309 of the Act. Such project reports should provide all information that is needed by the State educational agency to comply with the requirements of § 166.52 of the regulations, Subparts P and Q of 45 CFR 100b, and section 424 of the General Education Provisions Act.

(b) *Requested reports.* It is recommended that the State educational agency obtain at least the following reports from each recipient of section 309 funds.

(1) *Final report.* This report should be submitted to the State educational agency 30 days after the expiration or termination of the project and should contain: (i) A financial status report, in accordance with Subpart P of 45 CFR Part 100b, (ii) a report of any products developed by the project, and (iii) a performance report acceptable to the State educational agency. The performance report should include: (1) A summary

of the accomplishments which relate to the objectives outlined in the scope of work (as well as a lack of accomplishments in the case of grants, and the reasons therefor); (2) a statement of the findings, recommendations, and conclusions; and (3) a brief abstract which describes the methodology and operation of the program.

(2) *Special reports.* (i) The grantee should submit project reports to the State agency in accordance with the terms and conditions of the award document and upon request from the State educational agency;

(ii) For teacher training projects, it should be the responsibility of the project director to develop brochures which describe the project activity, as well as appropriate application forms in order to provide potential participants with sufficient information to submit applications for participation in the project.

(3) *Independent evaluation.* The State educational agency should develop policies and procedures for obtaining copies of any independent evaluation of the project (including its operational objectives and conclusions). A copy of such evaluations should be forwarded to the Clearinghouse on Adult Education.

(c) It is recommended that the State educational agency indicate how the results of the project will strengthen the State grant program. This critique should be submitted along with the final report of the project to the U.S. Commissioner of Education, as required by § 166.52(d)(1) of the regulations.

(d) It is recommended that final reports of projects funded under the Act be made available to the general public through the facilities of the Education Resources Information Center (ERIC).

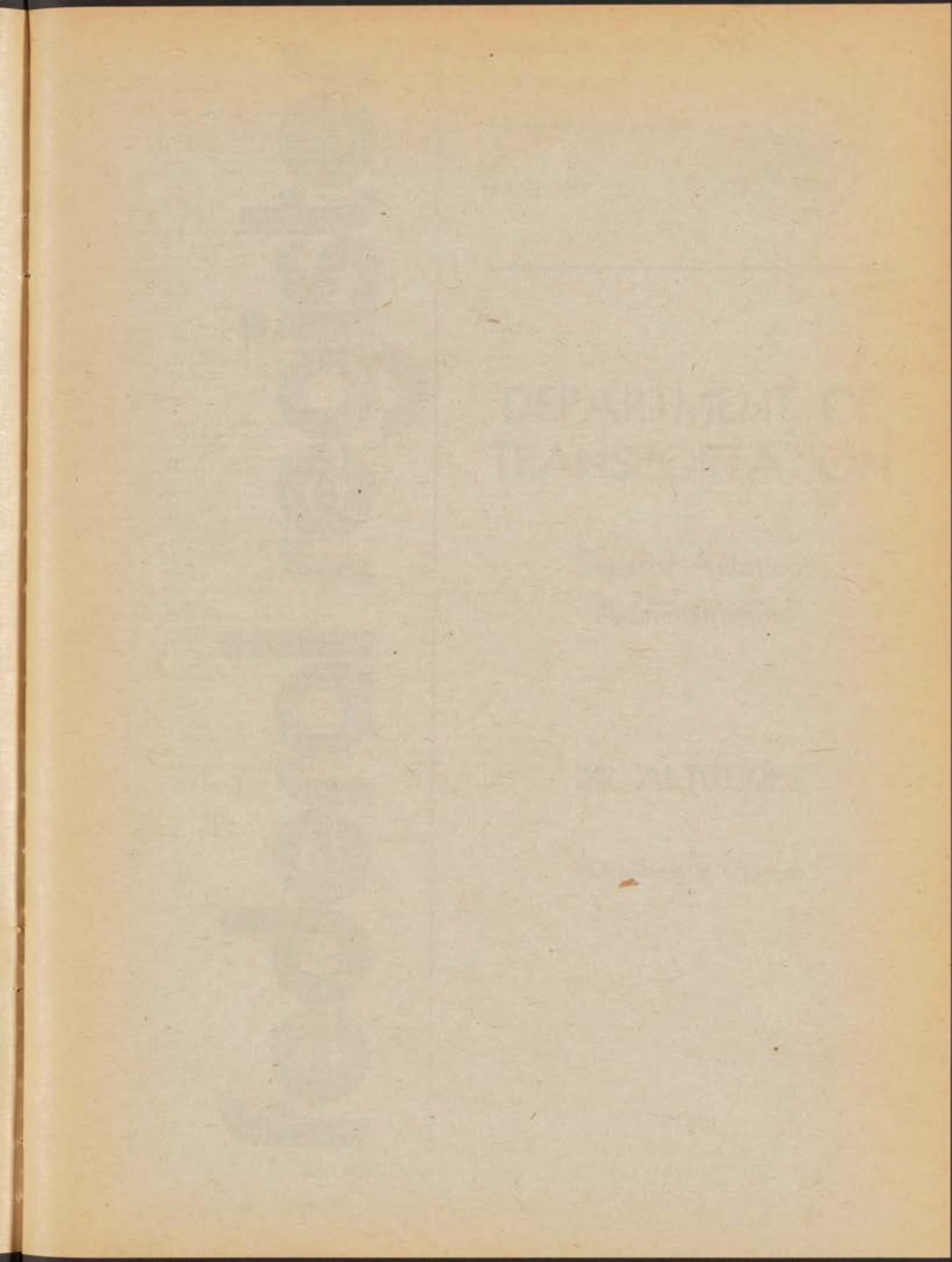
(20 U.S.C. 1208; 45 CFR 166.52)

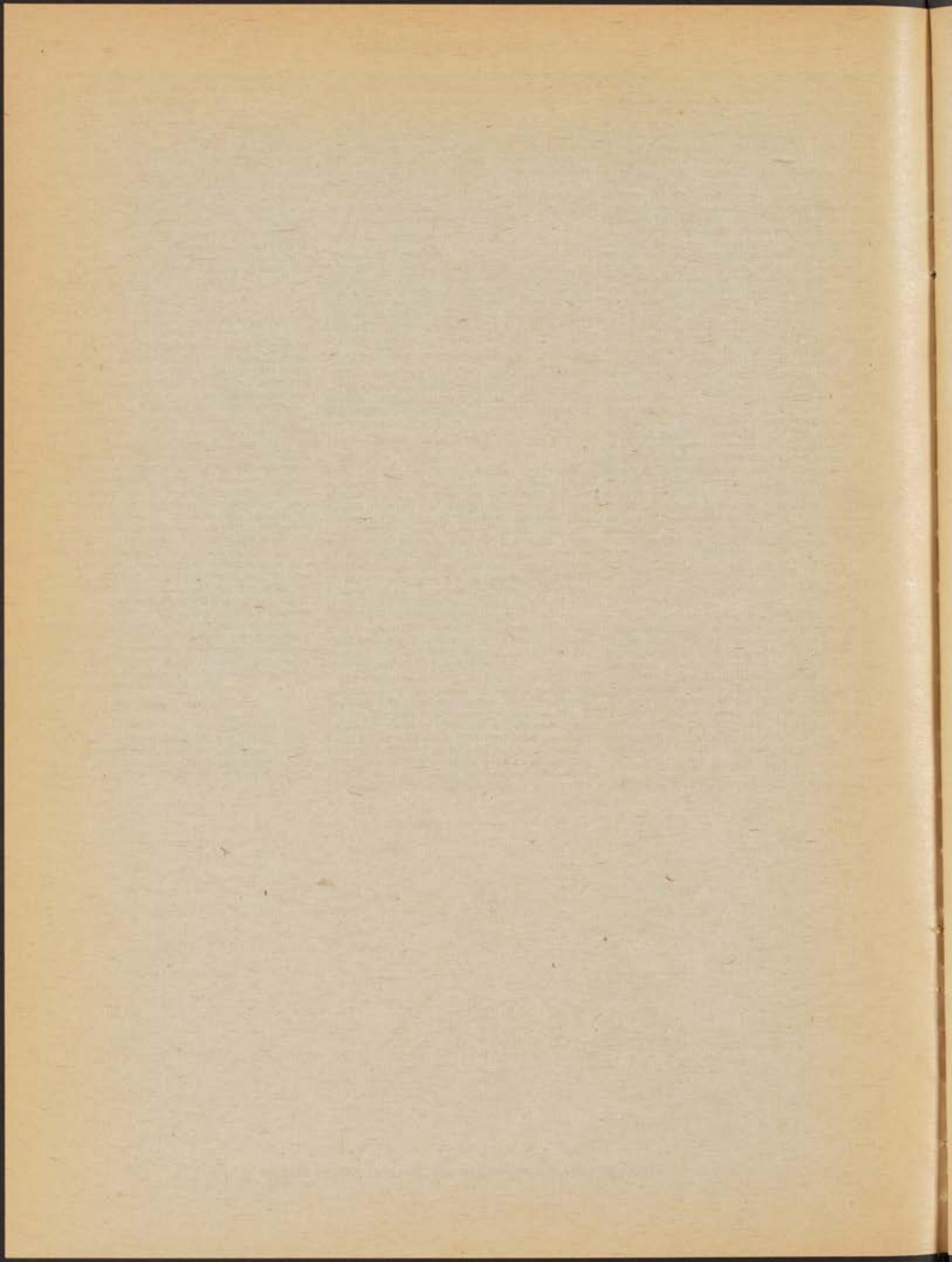
Sec. 5.15 Dissemination of materials produced by projects

The State educational agency should develop policies and procedures for obtaining copies of all materials that are produced by projects which are funded from its Federal allotment under the authority of section 309 of the Act. It is recommended that the State educational agency include in each award document issued under section 309 of the Act the requirements of the grantee regarding the dissemination of any products produced by the project (e.g., surveys, films, publications, and other materials).

(20 U.S.C. 1208; 45 CFR 166.30)

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PART III

DEPARTMENT OF TRANSPORTATION

Federal Aviation
Administration

■

IFR ALTITUDES

Miscellaneous Changes

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 14605, Amdt. 95-259]

PART 95—IFR ALTITUDES

Miscellaneous Changes

The purpose of this amendment to Part 95 of the Federal Aviation Regula-

tions is to make changes in the IFR altitudes at which all aircraft shall be flown over a specified route or portion thereof. These altitudes, when used in conjunction with the current changeover points for the routes or portions thereof, also assure navigational coverage that is adequate and free of frequency interference for that route or portion thereof.

As a situation exists which demands immediate action in the interest of safety, I find that compliance with the

notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (24 FR 5662), Part 95 of The Federal Aviation Regulations is amended, effective June 19, 1975, as follows:

1. By amending Subpart C as follows:

§95.1001 DIRECT ROUTES—U.S.

is amended to delete:

FROM	TO	MEA
Alpine, N.Y. RBN *3100—MOCA	Gibson INT, N.Y.	*3800
Alpine, N.Y. RBN *3000—MOCA	Thurston INT, N.Y.	*3700
Ithaca N.Y. VOR *3100—MOCA	Gibson INT, N.Y.	*3500
Kilmer INT, N.J.	Robbinsville, N.J. VOR	2000 MAA—6000
Massena, N.Y. VOR	Ottawa, Canada VOR	18000 MAA—45000
Plattsburgh, N.Y. VOR	Massena, N.Y. VOR	18000 MAA—45000
Fayetteville, N.C. VOR *1500—MOCA	Seymour Johnson, N.C. NDB	*2000
Seymour Johnson, N.C. VOR *2800—MOCA	Raleigh Durham, N.C. VOR	*3000
Washington, D.C. VOR	Int 320 M rad Washington VOR & 097 M rad Herndon VOR	3000 MAA—4000
Mapleville INT, Md.	Broddock INT, Md.	4000
Broddock INT, Md.	Herndon, Va. VOR	4000
Int. 097 M rad Herndon VOR & 320 M rad Washington VOR	Herndon, Va. VOR	3000 MAA—4000
Biltmore, N.C. LF/RBN	Barretts Mountain, N.C. VOR	8000
Biltmore, N.C. RBN *7000—MOCA	Boone, Tenr	*8000
Charlotte, N.C. VOR *2500—MRA	*Midland INT, N.C.	3000
*Collett INT, N.C. *7000—MCA Collett INT, NW-bound	Barretts Mountain, N.C. VOR	5000
Anderson, S.C. VOR *2800—MOCA	Toccoa, Ga. VOR	*3500
*Beaverton INT, Ala. *3000—MRA	Hamilton, Ala. VOR	2200
Bethel INT, Tenn. *2600—MOCA	Huntsville, Ala. VOR	*3000
Bluff INT, Ala. *2600—MOCA	Huntsville, Ala. VOR	*3000
Bristol INT, Fla. *1400—MOCA	Tallahassee, Fla. VOR	*2000
Brookwood, Ala. VOR *2500—MOCA	Bessemer INT, Ala.	*3000
Cairns, Ala. VOR	Clayton INT, Ala.	2400
Cairns, Ala. VOR *1600—MOCA	Dozier INT, Ala.	*2000
Chesterfield, S.C. VOR	Fort Mill, S.C. VOR	2300
Chipley INT, Fla. *1700—MOCA	Dothan, Ala. VOR	*2000
Creek INT, Fla. *1900—MOCA	Tallahassee, Fla. VOR	*2000
Crenshaw INT, Fla.	Montgomery, Ala. VOR	2500
Crestview, Fla. VOR *1700—MOCA	Dozier INT, Ala.	*2000
Crestview, Fla. VORTAC	La Grange, Ga. VORTAC COP 93 CEW	18000 MAA—45000

Crestview, Fla. VORTAC *1600—MOCA	Ridge INT, Fla.	*2000
Florence, S.C. VOR Via FLO 325 M rad/CTF 100 M rad *1900—MOCA	Chesterfield, S.C. VOR	*2300
Florence, S.C. VOR *1600—MOCA	Myrtle Beach, S.C. VOR	*2000
Decatur, Ala. VOR	Int. 147 M rad Huntsville VOR & 113 M rad Decatur VOR	*3000
*2600—MOCA		
Dozier INT, Ala. *1700—MOCA	Andalusia INT, Ala.	*2000
Eufaula, Ala. VOR	Seale INT, Ala.	2000
Fairview INT, Ala. *2200—MOCA	Decatur, Ala. VOR	*3000
Greenhead INT, Fla. *1600—MOCA	Chipley INT, Fla.	*1900
Greenville, Fla. VOR *1900—MOCA	Eufaula, Ala. VOR COP 109 GEF	*3700
Huntsville, Ala. LMN *2500—MOCA	Huntsville, Ala. VOR	*2600
Langley INT, Ga.	Greenwood, S.C. VOR	3000
Mc Lendon, Ala. RBN	Trussville INT, Ala.	2800
Norway INT, S.C. *1700—MOCA	Vance, S.C. VOR	*2000
Panama City, Fla. VOR *1500—MOCA	Greenhead INT, Fla.	*1800
Roundtree INT, Ala. *2400—MOCA	Huntsville, Ala. VOR	*2600
Saufley, Fla. VOR *2500—MOCA	Montgomery, Ala. VOR	*5000
Springville INT, Ala. *2700—MOCA	Talladega, Ala. VOR	*3300
Talladega, Ala. VOR	La Grange, Ga. VOR	4000
Talladega, Ala. VOR *2500—MOCA	Steele INT, Ala.	*3000
Talladega, Ala. VOR *4000—MOCA	Tyrone INT, Ga.	*5500
Tallahassee, Fla. VOR	Eufaula, Ala. VOR COP 92 TLH	2200
Tuscaloosa, Ala. VOR *2500—MOCA	Huntsville, Ala. VOR	*3000
Tuskegee, Ala. VOR *2000—MOCA	Seale INT, Ala.	*2200
Channel INT, Hawaii	Lanai, Hawaii VOR	5000
Molokai, Hawaii VOR *3500—MOCA	Channel INT, Hawaii	*4000
Atlanta, Ga. VOR *2400—MOCA	Rome, Ga. VOR	*3000

§95.1001 DIRECT ROUTES—U.S.

is amended by adding:

FROM	TO	MEA
Chain INT, Hawaii	Lanai, Hawaii VOR	5000
Molokai, Hawaii VOR *3500—MOCA	Chain INT, Hawaii	*4000
Toccoa, Ga. VORTAC	Charleston, W.Va. VORTAC	29000 MAA—43000

§95.5000 HIGH ALTITUDE RNAV ROUTES

CHANGEOVER POINT

FROM/TO	TOTAL DISTANCE	DISTANCE GEOGRAPHIC	FROM LOCATION	TRACK ANGLE	MEA	MAA
J805R is amended to read in part:						
Sioux Falls, S.D. W/P	224	112	Sioux Falls	090/270 to COP	18000	45000
Wildt, Iowa W/P				099/279 to Wildt		
Wildt, Iowa W/P	153	77	Wildt	099/279 to COP	18000	45000
Stock, Ill. W/P				103/283 to Stock		

§95.6001 VOR FEDERAL AIRWAY 1

is amended to read in part:

FROM	TO	MEA
Charleston, S.C. VOR	Honey INT, S.C.	2000

§95.6003 VOR FEDERAL AIRWAY 3

is amended to read in part:

FROM	TO	MEA
Fraser INT, Pa.	Mazie INT, Pa.	2400
Mazie INT, Pa.	Int 112 M rad East Texas VOR & 237 M rad Solberg VOR	2200
Savannah, Ga. VOR	Vance, S.C. VOR	2000
Vance, S.C. VOR	Florence, S.C. VOR	2000
Florence, S.C. VOR	Dunbar INT, S.C.	2000
Dunbar INT, S.C.	Pinehurst, N.C. VOR	2400

§95.6004 VOR FEDERAL AIRWAY 4

is amended to read in part:

FROM	TO	MEA
*Glendale INT, Kans. Via S alter. *4000-MRA **2700-MOCA	Salina, Kans. VOR Via S alter.	**3600
Salina, Kans. VOR	Custer INT, Kans.	3000
Fleming INT, Mo.	Lexington INT, Mo.	2500

§95.6005 VOR FEDERAL AIRWAY 5

is amended to read in part:

FROM	TO	MEA
Alma, Ga. VOR	Dublin, Ga. VOR	2000
Dublin, Ga. VOR	Athens, Ga. VOR	2500

§95.6006 VOR FEDERAL AIRWAY 6

is amended to read in part:

FROM	TO	MEA
Albia INT, Wyo. *7800-MOCA	Sidney, Neb. VOR	*8500

§95.6007 VOR FEDERAL AIRWAY 7

is amended to read in part:

FROM	TO	MEA
Homo INT, Fla. *1500-MOCA	Otter INT, Fla.	*3000
Otter INT, Fla. *1300-MOCA	Cross City, Fla. VOR	*2000

§95.6008 VOR FEDERAL AIRWAY 8

is amended to read in part:

FROM	TO	MEA
Holyoke INT, Colo. Via N alter. *4800-MOCA	Koyes Center, Neb. VOR Via N alter.	*6000

§95.6009 VOR FEDERAL AIRWAY 9

is amended to read in part:

FROM	TO	MEA
Greenwood, Miss. VOR Via W alter.	Memphis, Tenn. VOR Via W alter.	2000
Plano INT, Ill. *2200-MOCA	Hinck INT, Ill.	*3000
Jackson, Miss. VOR Via E alter. *3500-MRA	*Vaughan INT, Miss. Via E alter.	2000
Vaughan INT, Miss. Via E alter.	Greenwood, Miss. VOR Via E alter.	2000
Jackson, Miss. VOR Via W alter.	Greenwood, Miss. VOR Via W alter.	2000
Crystal City INT, Mo. *2000-MOCA	Arnold INT, Mo.	*3000
Arnold INT, Mo. *2200-MOCA	Imperial INT, Mo.	*2800

§95.6010 VOR FEDERAL AIRWAY 10

is amended to read in part:

FROM	TO	MEA
Dodge City, Kans. VOR Via N alter. *3900-MOCA	Dundee INT, Kans. Via N alter.	*4500
Walton INT, Kans. *5000-MRA	*Florence INT, Kans.	3300
Utica INT, Mo.	Kirkville, Mo. VOR	2700

§95.6012 VOR FEDERAL AIRWAY 12

is amended to read in part:

FROM	TO	MEA
Leeds INT, Mo. Anthony, Kans. VOR *3400-MRA	Blue Springs, Mo. VOR *Milton INT, Kans.	3000
Anthony, Kans. VOR Via S alter.	Milan INT, Kans. Via S alter.	2900
Milan INT, Kans. Via S alter.	Wichita, Kans. VOR Via S alter.	3400
Readsville INT, Mo.	Hermann INT, Mo.	2600

§95.6013 VOR FEDERAL AIRWAY 13

is amended to read in part:

FROM	TO	MEA
Butler, Mo. VOR	Kansas City, Mo. VOR	3100

§95.6014 VOR FEDERAL AIRWAY 14

is amended to read in part:

FROM	TO	MEA
St. Louis, Mo. VOR	Praire INT, Ill.	2200
St. Louis, Mo. VOR Via N alter.	Godfrey INT, Ill. Via N alter.	2200
Springfield, Mo. VOR Via N alter.	Vicky, Mo. VOR Via N alter.	3000

§95.6015 VOR FEDERAL AIRWAY 15

is amended to read in part:

FROM	TO	MEA
*Blencoe INT, Iowa *4000-MRA	Sioux City, Iowa VOR	3000

§95.6017 VOR FEDERAL AIRWAY 17

is amended to read in part:

FROM	TO	MEA
Meade INT, Kans.	Garden City, Kans. VOR	4700

§95.6018 VOR FEDERAL AIRWAY 18

is amended to read in part:

FROM	TO	MEA
Monroe, La. VOR Via S alter. *3000-MRA	*Altos INT, La. Via S alter.	2000
Altos INT, La. Via S alter. *3400-MRA **1800-MOCA	*Bolton INT, Miss. Via S alter.	**2300
Monroe, La. VOR *3000-MRA	*Rayville INT, La.	2000
Rayville INT, La. *3800-MRA	*Signal INT, Miss.	2000
Sardis INT, S.C. Via S alter	Allendale, S.C. VOR Via S alter.	2000
Allendale, S.C. VOR Via S alter.	Charleston, S.C. VOR Via S alter.	2000

§95.6020 VOR FEDERAL AIRWAY 20

is amended to read in part:

FROM	TO	MEA
Athens, Ga. VOR *2100-MOCA	Anderson, S.C. VOR	*2800
Anderson, S.C. VOR	Pelzer INT, S.C.	2600
Pelzer INT, S.C. *2300-MOCA	Spartanburg, S.C. VOR	*2900

§95.6027 VOR FEDERAL AIRWAY 27

is amended to read in part:

FROM	TO	MEA
*Rogue River INT, Ore. *11000-MRA	Ledge DME Fix, Ore.	6400
Ledge DME Fix, Ore.	North Bend, Ore. VOR	4000
North Bend, Ore. VOR *6200-MRA	*Gardiner INT, Ore.	4000

§95.6030 VOR FEDERAL AIRWAY 30

is amended to read in part:

FROM	TO	MEA
Pullman, Mich. VOR	Cooper INT, Mich.	3000
Cooper INT, Mich. *2200-MOCA	Leroy INT, Mich.	*3000

§95.6035 VOR FEDERAL AIRWAY 35

is amended to read in part:

FROM	TO	MEA
Athens, Ga. VOR *2100-MOCA	Anderson, S.C. VOR	*2800
Anderson, S.C. VOR *2200-MOCA	Easley INT, S.C.	*2800
Easley INT, S.C.	Cleveland INT, S.C.	3400
Cleveland INT, S.C.	Tuxedo INT, N.C.	5000

§95.6037 VOR FEDERAL AIRWAY 37

is amended to read in part:

FROM	TO	MEA
Savannah, Ga. VOR *3000-MRA	*Tillman INT, S.C.	2000
Tillman INT, S.C. *3300-MRA	*Wixon INT, S.C.	2000
Wixon INT, S.C.	Allendale, S.C. VOR	2000
Allendale, S.C. VOR	Columbia, S.C. VOR	2000
Columbia, S.C. VOR	Blythewood, S.C. VOR	2300
Blythewood, S.C. INT	Fort Mill, S.C. VOR	2400

§95.6051 VOR FEDERAL AIRWAY 51

is amended to read in part:

FROM	TO	MEA
Alam, Ga. VOR	Dublin, Ga. VOR	2000
Dublin, Ga. VOR	Athens, Ga. VOR	2500

§95.6052 VOR FEDERAL AIRWAY 52

is amended to read in part:

FROM	TO	MEA
Bussey INT, Iowa	Ottumwa, Iowa VOR	2700
Ottumwa, Iowa VOR	Luray INT, Mo.	2600

§95.6053 VOR FEDERAL AIRWAY 53

is amended to read in part:

FROM	TO	MEA
St. George INT, S.C. *2500-MRA	*Ernie INT, S.C.	2200
Ernie INT, S.C.	Columbia, S.C. VOR	2200
Columbia, S.C. VOR *2500-MRA	*White Rock INT, S.C.	2300
White Rock INT, S.C. *1800-MOCA	Monticello INT, S.C.	*2400
Monticello INT, S.C. *1700-MOCA	Whitmire INT, S.C.	*2400
Whitmire INT, S.C.	Buffalo INT, S.C.	2500
Buffalo INT, S.C.	Spartanburg, S.C. VOR	2800

§95.6054 VOR FEDERAL AIRWAY 54

is amended to read in part:

FROM	TO	MEA
Memphis, Tenn. VOR	Slayden INT, Miss.	2000
Dillard INT, Ga.	Sunset INT, S.C.	6500
Sunset INT, S.C.	Cleveland INT, S.C.	5600
Spartanburg, S.C. VOR *3000-MRA	*Gaffney INT, S.C.	2600

§95.6056 VOR FEDERAL AIRWAY 56

is amended to read in part:

FROM	TO	MEA
Augusta, Ga. VOR	Granite INT, S.C.	2300
Granite INT, S.C.	Sam INT, S.C.	2400
Sam INT, S.C. *1700-MOCA	Columbia, S.C. VOR	*2400
*Langley INT, S.C. Via S alter.	Columbia, S.C. VOR Via S alter.	2300
*2900-MCA Langley INT, SW-bound		
Columbia, S.C. VOR	Florence, S.C. VOR	2000

§95.6058 VOR FEDERAL AIRWAY 58

is amended to read in part:

FROM	TO	MEA
Hartford, Conn. VOR	Salem INT, Conn.	2600
Salem INT, Conn. *3000-MRA	*Watch Hill INT, Conn.	2300

§95.6063 VOR FEDERAL AIRWAY 63

is amended to read in part:

FROM	TO	MEA
Garfield INT, Mo. *2700-MOCA	Billings INT, Mo.	*3300
*Roach INT, Mo. *3200-MRA **2500-MOCA	Barnett INT, Mo.	**4000
Barnett INT, Mo.	Jamestown INT, Mo.	3000

§95.6065 VOR FEDERAL AIRWAY 65

is amended to read in part:

FROM	TO	MEA
Lansing INT, Kans.	New Market INT, Mo.	2500

§95.6066 VOR FEDERAL AIRWAY 66

is amended to read in part:

FROM	TO	MEA
Athens, Ga. VOR *2000-MOCA	Ina INT, S.C.	*2600
Union INT, S.C.	Fort Mill, S.C. VOR	2500
Athens, Ga. VOR Via S alter.	Greenwood, S.C. VOR Via S alter.	2500

§95.6069 VOR FEDERAL AIRWAY 69

is amended to read in part:

FROM	TO	MEA
Crystal City INT, Mo. *2000-MOCA	Arnold INT, Mo.	*3000
Arnold INT, Mo. *2200-MOCA	Imperial INT, Mo.	*2800

§95.6070 VOR FEDERAL AIRWAY 70

is amended to read in part:

FROM	TO	MEA
Vienna, Ga. VOR *1800-MOCA	Allendale, S.C. VOR	*3000 MAA-9000

§95.6070 VOR FEDERAL AIRWAY 70

is amended to delete:

FROM	TO	MEA
Eufaula, Ala. VOR Via N alter. *2000-MOCA	Byron INT, Ga. Via N alter.	*3000
Byron INT, Ga. Via N alter.	Macon, Ga. VOR Via N alter.	2000
Macon, Ga. VOR Via N alter.	Dublin, Ga. VOR Via N alter.	2300
Dublin, Ga. VOR Via N alter. *1700-MOCA	Oconee INT, Ga. Via N alter.	*2000

§95.6071 VOR FEDERAL AIRWAY 71

is amended to read in part:

FROM	TO	MEA
Kansas City, Mo. VOR *Woodville INT, La. *3000-MRA **2500-MRA	Rushville INT, Mo. **Wilkinson INT, Miss.	2500 2000
Wilkinson INT, Miss.	Natchez, Miss. VOR	2000
Baton Rouge, La. VOR Via E alter.	Natchez, Miss. VOR Via E alter.	2000
Reeds INT, Mo. *2200-MOCA	Spoke INT, Mo.	*3000
Garfield INT, Mo. Via W alter. *2700-MOCA	Billings INT, Mo. Via W alter.	*3300
Butler, Mo. VOR	Kansas City, Mo. VOR	3100

VOR FEDERAL AIRWAY 71—cont'd.

Natchez, Miss. VOR Via E alter. *3000-MRA **1600-MOCA	*Altos INT, La. Via E alter.	**3000
Altos INT, La. Via E alter.	Monroe, La. VOR Via E alter.	2000

§95.6072 VOR FEDERAL AIRWAY 72

is amended to read in part:

FROM	TO	MEA
Maples, Mo. VOR	Bunker INT, Mo.	3000

§95.6073 VOR FEDERAL AIRWAY 73

is amended to read in part:

FROM	TO	MEA
Canton INT, Kans. Via E alter.	Salina, Kans. VOR Via E alter.	3300

§95.6074 VOR FEDERAL AIRWAY 74

is amended to read in part:

FROM	TO	MEA
Safer INT, Kans. Anthony, Kans. VOR Via N alter.	Anthony, Kans. VOR Pioneer, Okla. VOR Via N alter.	3400 3000

§95.6077 VOR FEDERAL AIRWAY 77

is amended to read in part:

FROM	TO	MEA
Topeka, Kans. VOR Pioneer, Okla. VOR	St. Joseph, Mo. VOR Mayfield INT, Kans.	2600 3000

§95.6077 VOR FEDERAL AIRWAY 77

is amended by adding:

FROM	TO	MEA
Waterloo, Iowa VOR *2400-MOCA	Waukon, Iowa VOR	*3000

§95.6094 VOR FEDERAL AIRWAY 94

is amended to read in part:

FROM	TO	MEA
Lambert INT, Miss.	Memphis, Tenn. VOR	2000

§95.6096 VOR FEDERAL AIRWAY 96

is amended to read in part:

FROM	TO	MEA
Indianapolis, Ind. VOR *2300-MOCA	Kokomo, Ind. VOR	*2800

§95.6116 VOR FEDERAL AIRWAY 116

is amended to read in part:

FROM	TO	MEA
Excelsior INT, Mo. *2400-MOCA	Tina INT, Mo.	*3000

§95.6127 VOR FEDERAL AIRWAY 127

is amended to read in part:

FROM	TO	MEA
Malta INT, Ill. Via E alter *5000-MRA **2100-MOCA	*Noahe INT, Ill. Via E alter.	**2700
Noahe INT, Ill. Via E alter. *2100-MOCA	Rockford, Ill. VOR Via E alter.	*2700

§95.6130 VOR FEDERAL AIRWAY 130

is amended by adding:

FROM	TO	MEA
Norwich, Conn. VOR	Cutti INT, Mass.	*2300
*1700-MOCA		
Cutti INT, Mass.	Martha's Vineyard, Mass. VOR	*2000
*1300-MOCA		
Martha's Vineyard, Mass. VOR	Hyannis, Mass. VOR	*1900
*1400-MOCA		

§95.6130 VOR FEDERAL AIRWAY 130

is amended to read in part:

FROM	TO	MEA
Monterey INT, Mass.	Colebrook INT, Mass.	4000

§95.6130 VOR FEDERAL AIRWAY 130

is amended to delete:

FROM	TO	MEA
Norwich, Conn. VOR	Lafayette INT, R.I.	*2300
*1700-MOCA		

§95.6132 VOR FEDERAL AIRWAY 132

is amended to read in part:

FROM	TO	MEA
Walton INT, Kans.	*Florence INT, Kans.	3300
*5000-MRA		
Int. 051 M rad Springfield VOR & 260 M rad Forney VOR	Forney, Mo. VOR	3000

§95.6138 VOR FEDERAL AIRWAY 138

is amended by adding:

FROM	TO	MEA
Fort Dodge, Iowa VOR	Mason City, Iowa VOR	*3000
*2600-MOCA		
Mason City, Iowa VOR	Waukon, Iowa VOR	*3000
*2600-MOCA		

§95.6138 VOR FEDERAL AIRWAY 138

is amended to read in part:

FROM	TO	MEA
Lincoln, Neb. VOR	Yutan INT, Neb.	3000

§95.6149 VOR FEDERAL AIRWAY 149

is amended by adding:

FROM	TO	MEA
Mazie INT, Pa.	Allentown, Pa. VOR	5000

§95.6149 VOR FEDERAL AIRWAY 149

is amended to delete:

FROM	TO	MEA
Turner INT, Pa.	Allentown, Pa. VOR	5000

§95.6154 VOR FEDERAL AIRWAY 154

is amended to read:

FROM	TO	MEA
Macon, Ga. VOR	Dublin, Ga. VOR	2100
Dublin, Ga. VOR	*Oconee INT, Ga.	2000
*3000-MRA		
Oconee INT, Ga.	Lotts INT, Ga.	*3000
*1800-MOCA		

§95.6155 VOR FEDERAL AIRWAY 155

is amended to read in part:

FROM	TO	MEA
Augusta, Ga. VOR	Monetta INT, S.C.	2400
Monetta INT, S.C.	*White Rock INT, S.C.	2500
*2500-MRA		
White Rock INT, S.C.	Blythewood INT, S.C.	2500
Blythewood INT, S.C.	Chesterfield, S.C. VOR	2300
Chesterfield, S.C. VOR	Pinehurst, N.C. VOR	2300

§95.6157 VOR FEDERAL AIRWAY 157

is amended to read in part:

FROM	TO	MEA
Vance, S.C. VOR	Florence, S.C. VOR	2000

§95.6159 VOR FEDERAL AIRWAY 159

is amended to read in part:

FROM	TO	MEA
Holden INT, Mo.	Blue Springs, Mo. VOR	3000
Blue Springs, Mo. VOR	Kansas City, Mo. VOR	3000
Kansas City, Mo. VOR	Dearborn INT, Mo.	3000
*Blencoe INT, Iowa	Sioux City, Iowa VOR	3000
*4000-MRA		
Sioux City, Iowa VOR	Yankton, S.D. VOR	3300
Yankton, S.D. VOR	Mitchell, S.D. VOR	3300
Hamilton, Ala. VOR	Holly Springs, Ala. VOR	2300
Hamilton, Ala. VOR	Wyatte INT, Miss.	
Via Walter.	Via Walter.	2400

§95.6170 VOR FEDERAL AIRWAY 170

is amended to read in part:

FROM	TO	MEA
Pecor INT, Minn.	Fairmont, Minn. VOR	
Via Walter.	Via Walter.	3200
Hickory INT, Mich.	*Posie INT, Mich.	**4500
*3000-MRA		
**3000-MOCA		
Posie INT, Mich.	Lessy INT, Mich.	*4500
*3000-MOCA		

§95.6171 VOR FEDERAL AIRWAY 171

is amended to read in part:

FROM	TO	MEA
Joliet, Ill. VOR	Hinck INT, Ill.	*3000
*2200-MOCA		
Hinck INT, Ill.	Malta INT, Ill.	*2600
*2200-MOCA		
Malta INT, Ill.	*Noahe INT, Ill.	**2700
*5000-MRA		
**2100-MOCA		
Noahe INT, Ill.	Rockford, Ill. VOR	*2700
*2100-MOCA		

§95.6173 VOR FEDERAL AIRWAY 173

is amended to read in part:

FROM	TO	MEA
Herscher INT, Ill.	Big Run INT, Ill.	*3500
*2100-MOCA		

§95.6177 VOR FEDERAL AIRWAY 177

is amended by adding:

FROM	TO	MEA
Wausau, Wis. VOR	Hayward, Wis. VOR	
Via Walter.	Via Walter.	*4500
Hayward, Wis. VOR	Duluth, Wis. VOR	
Via Walter.	Via Walter.	3000

§95.6177 VOR FEDERAL AIRWAY 177

is amended to read in part:

FROM	TO	MEA
Brimson INT, Minn *3000-MOCA	Ely, Minn. VOR	*3700

§95.6179 VOR FEDERAL AIRWAY 179

is amended to read in part:

FROM	TO	MEA
Dublin, Ga. VOR *1800-MOCA	Sinclair INT, Ga.	*2500

§95.6185 VOR FEDERAL AIRWAY 185

is amended to read in part:

FROM	TO	MEA
August, Ga. VOR	Greenwood, S.C. VOR	2300
Greenwood, S.C. VOR	*Inman INT, S.C.	3000
*4000-MCA Inman INT, N-bound		

§95.6188 VOR FEDERAL AIRWAY 188

is amended to read in part:

FROM	TO	MEA
Waco INT, Mo. Int. 051 M rad Springfield VOR & 260 M rad Forney VOR Via S alter.	Miller INT, Mo. Forney, Mo. VOR Via S alter.	3000 3000

§95.6190 VOR FEDERAL AIRWAY 190

is amended to read in part:

FROM	TO	MEA
Waco INT, Mo. Maples, Mo. VOR	Miller INT, Mo. Bunker INT, Mo.	3000 3000

§95.6191 VOR FEDERAL AIRWAY 191

is amended to read in part:

FROM	TO	MEA
Herscher INT, Ill. *2100-MOCA	Big Run INT, Ill.	*3500

§95.6206 VOR FEDERAL AIRWAY 206

is amended to read in part:

FROM	TO	MEA
Blue Springs, Mo. VOR	Lexington INT, Mo.	2500
Lexington INT, Mo. *4000-MRA	*Tina INT, Mo	2600

§95.6210 VOR FEDERAL AIRWAY 210

is amended by adding:

FROM	TO	MEA
Lancaster, Pa. VOR	Bucktown INT, Pa.	2800
Bucktown INT, Pa. *1900-MOCA	Propp INT, Pa.	*3000
Propp INT, Pa. *1500-MOCA	Yardley, Pa. VOR	*3000

§95.6210 VOR FEDERAL AIRWAY 210

is amended to delete:

FROM	TO	MEA
Lancaster, Pa. VOR	Int. 103 M rad Lancaster VOR & 152 M rad Pottstown VOR	2800

§95.6218 VOR FEDERAL AIRWAY 218

is amended to read in part:

FROM	TO	MEA
Keeler, Mich. VOR	Hickory INT, Mich.	3000
Hickory INT, Mich. *2400-MOCA	Lansing, Mich. VOR	*3000

§95.6229 VOR FEDERAL AIRWAY 229

is amended by adding:

FROM	TO	MEA
Atlantic City, N.J. VOR	Light House, INT, N.J.	1800
Light House INT, N.J. *1400-MOCA	Kennedy, N.Y. VOR	*4500
		MAA-7000

§95.6233 VOR FEDERAL AIRWAY 233

is amended to read in part:

FROM	TO	MEA
Litchfield, Mich. VOR *3000-MRA **2400-MOCA	*Posie INT, Mich.	**2800
Posie INT, Mich. *2400-MOCA	Lansing, Mich. VOR	*2800

§95.6234 VOR FEDERAL AIRWAY 234

is amended to read in part:

FROM	TO	MEA
Walton INT, Kans. *5000-MRA	*Florence INT, Kans.	3300
Crystal City INT, Mo. *2100-MOCA	Centralia, Ill. VOR	*3000

§95.6238 VOR FEDERAL AIRWAY 238

is amended to read in part:

FROM	TO	MEA
Maples, Mo. VOR	Lenox INT, Mo	3000

§95.6244 VOR FEDERAL AIRWAY 244

is amended to read in part:

FROM	TO	MEA
*Glendale INT, Kans. *4000-MRA **2700-MOCA	Salina, Kans. VOR	**3600

§95.6245 VOR FEDERAL AIRWAY 245

is amended to read in part:

FROM	TO	MEA
Larto INT, La. Jackson, Miss. VOR *2700-MRA	Natchez, Miss. VOR *Sharon INT, Miss.	2000 2000
Sharon INT, Miss. *1700-MOCA	Columbus, Miss. VOR	*2400
		MAA-7000

§95.6246 VOR FEDERAL AIRWAY 246

is amended to read in part:

FROM	TO	MEA
Milto INT, Wis.	Stevens Point, Wis. VOR	2900

§95.6267 VOR FEDERAL AIRWAY 267

is amended to read in part:

FROM	TO	MEA
*Lake Helen INT, Fla. Via E alter. *3000-MRA	Ormond Beach, Fla. VOR Via E alter.	1600
Tarboro INT, Ga. *1600-MOCA	Dixie INT, Ga.	*4000
Dixie INT, Ga. *3000-MRA **1700-MOCA	*Baxley INT, Ga.	**5000
Baxley INT, Ga. *1700-MOCA	Dublin, Ga. VOR	*3000
Dublin, Ga. VOR	Athens, Ga. VOR	2500

§95.6285 VOR FEDERAL AIRWAY 285

is amended to read in part:

FROM	TO	MEA
Indianapolis, Ind. VOR *2300-MOCA	Kokomo, Ind. VOR	*2800
Westfield INT, Ind. Via E alter.	Kokomo, Ind. VOR Via E alter.	2600

§95.6289 VOR FEDERAL AIRWAY 289

is amended to read in part:

FROM	TO	MEA
Harrison, Ark. VOR *2700-MOCA	Dogwood, Mo. VOR	*3400
Dogwood, Mo. VOR *3000-MOCA	Stout INT, Mo.	*5500

§95.6311 VOR FEDERAL AIRWAY 311

is amended to read in part:

FROM	TO	MEA
Greenwood, S.C. VOR	Columbia, S.C. VOR	2300

§95.6319 VOR FEDERAL AIRWAY 319

is amended to read in part:

FROM	TO	MEA
Worland, Wyo. VOR	Cody, Wyo. VOR	8500

§95.6322 VOR FEDERAL AIRWAY 322

is amended to read in part:

FROM	TO	MEA
Concord, N.H. VOR	Grump INT, N.H.	4000
Grump INT, N.H. *600-MCA North Conway INT, N-bound **4700-MOCA	*North Conway INT, N.H.	**5000

§95.6323 VOR FEDERAL AIRWAY 323

is amended to read:

FROM	TO	MEA
Eufaula, Ala. VOR *2000-MOCA	Byron INT, Ga.	*3000
Byron INT, Ga.	Macon, Ga. VOR	2000
Macon, Ga. VOR	Hampton INT, Ga.	2500

§95.6325 VOR FEDERAL AIRWAY 325

is amended to read in part:

FROM	TO	MEA
Athens, Ga. VOR	Vesta INT, Ga.	2500
Vesta INT, Ga.	Columbia, S.C. VOR	2400

§95.6335 VOR FEDERAL AIRWAY 335

is amended to read in part:

FROM	TO	MEA
Imperial INT, Mo. *2200-MOCA	Arnold INT, Mo.	*2800
Arnold INT, Mo. *2000-MOCA	Crystal City INT, Mo.	*3000

§95.6401 HAWAII VOR FEDERAL AIRWAY 1

is amended to read:

FROM	TO	MEA
Adise INT, Hawaii *3000-MRA **1000-MOCA	*Hicus INT, Hawaii	**3000
Hicus INT, Hawaii *9000-MRA **1000-MOCA	*Ramie INT, Hawaii	**2000
Ramie INT, Hawaii	Hilo, Hawaii VOR	2000

§95.6402 HAWAII VOR FEDERAL AIRWAY 2

is amended to read in part:

FROM	TO	MEA
Lihue, Hawaii VOR	Hydes INT, Hawaii SE-bound	3000
	NW-bound	4000
Hydes INT, Hawaii *1000-MOCA	Broms INT, Hawaii	*3000
Palms INT, Hawaii	Parrs INT, Hawaii	2000
Parrs INT, Hawaii *4400-MCA Lanai VOR, E-bound	*Lanai, Hawaii VOR	4000
Hanolulu, Hawaii Via S alter.	Onote INT, Hawaii Via S alter.	
	NW-bound	4000
	SE-bound	2000
Onote INT, Hawaii Via S alter.	Sampa INT, Hawaii Via S alter.	2000
Sampa INT, Hawaii Via S alter.	Lanai, Hawaii VOR Via S alter.	4000
Mango INT, Hawaii *7000-MCA Harpo INT, E-bound	*Harpo INT, Hawaii	6000
Harpo INT, Hawaii	Upolu Pt. Hawaii VOR	7000
Upolu Pt. Hawaii	Wapio INT, Hawaii	6000
Wapio INT, Hawaii	Adise INT, Hawaii E-bound	4000
	W-bound	6000

§95.6403 HAWAII VOR FEDERAL AIRWAY 3

is amended to read:

FROM	TO	MEA
Mynah INT, Hawaii *4700-MCA Jason INT, NE-bound	*Jason INT, Hawaii	3500
Jason INT, Hawaii	Kamuela, Hawaii VOR	6500
Kamuela, Hawaii VOR	Hamak INT, Hawaii	6500
Hamak INT, Hawaii	Adise INT, Hawaii	5000

§95.6404 HAWAII VOR FEDERAL AIRWAY 4

is amended to read:

FROM	TO	MEA
*Poten INT, Hawaii *5000-MRA	Koko Head, Hawaii VOR	4000
Koko Head, Hawaii	Papay INT, Hawaii	4000
Papay INT, Hawaii	Crabs INT, Hawaii NE-bound	5000
	SW-bound	3000
Crabs INT, Hawaii	*Rises INT, Hawaii NE-bound	7000
	SW-bound	5000
	*7000-MRA	

§95.6405 HAWAII VOR FEDERAL AIRWAY 5

is amended to read:

FROM	TO	MEA
Kona, Hawaii VOR *3500-MCA Mynah INT, SE-bound	*Mynah INT, Hawaii	5000
Mynah INT, Hawaii	Altis INT, Hawaii	2000
Altis INT, Hawaii	Maken INT, Hawaii NW-bound	*8000
	SE-bound	*7000
	*6100-MOCA	
Kona, Hawaii VOR Via W alter.	Reefs INT, Hawaii Via W alter.	5000
*Reefs INT, Hawaii Via W alter.	Moana INT, Hawaii Via W alter.	2000
	*3600-MCA Reefs INT, SE-bound	
Moana INT, Hawaii Via W alter.	*Rowin INT, Hawaii Via W alter.	4000
	*5500-MCA Rowin INT, NW-bound	

VOR FEDERAL AIRWAY 5—cont'd.

Rowin INT, Hawaii	Maken INT, Hawaii	
Via W alter.	Via W alter.	*7000
*6100—MOCA		

§95.6406 HAWAII VOR FEDERAL AIRWAY 6

is amended to read:

FROM	TO	MEA
Blush INT, Hawaii	Maui, Hawaii VOR	5000
Maui, Hawaii VOR	Sweep INT, Hawaii	5000
Sweep INT, Hawaii	Halli INT, Hawaii	
	E-bound	7000
	W-bound	6000
Halli INT, Hawaii	*Rabat INT, Hawaii	
	NW-bound	**7000
	SE-bound	**6000
*10000—MRA		
**1000—MOCA		
Rabat INT, Hawaii	Pumic INT, Hawaii	**6000
*10000—MRA		
**1000—MOCA		
Pumic INT, Hawaii	*Arbor INT, Hawaii	**4000
*8000—MRA		
**2800—MOCA		
Arbor INT, Hawaii	Hilo, Hawaii VOR	3000

§95.6407 HAWAII VOR FEDERAL AIRWAY 7

is amended to read in part:

Kona, Hawaii VOR	Reefs INT, Hawaii	5000
*Reefs INT, Hawaii	Moana INT, Hawaii	2000
*3600—MCA Reefs INT, SE-bound		

§95.6408 HAWAII VOR FEDERAL AIRWAY 8

is amended to read:

FROM	TO	MEA
Makai INT, Hawaii	Lindy INT, Hawaii	2000
Lindy INT, Hawaii	Molokai, Hawaii VOR	3500
Molokai, Hawaii VOR	Blush INT, Hawaii	5000
Blush INT, Hawaii	Fishe INT, Hawaii	4000

§95.6409 HAWAII VOR FEDERAL AIRWAY 9

is amended to read:

FROM	TO	MEA
*Lulus INT, Hawaii	Villa INT, Hawaii	**9000
*9000—MRA		
**1000—MOCA		
Villa INT, Hawaii	Coral INT, Hawaii	*6000
*1000—MOCA		
Coral INT, Hawaii	*Makai INT, Hawaii	**4000
*4000—MCA Makai INT, S-bound		
**1000—MOCA		
Makai INT, Hawaii	Piper INT, Hawaii	*2000
*1000—MOCA		
Piper INT, Hawaii	Honolulu, Hawaii VOR	
	N-bound	4000
	S-bound	2000

§95.6411 HAWAII VOR FEDERAL AIRWAY 11

is amended to read:

FROM	TO	MEA
Reefs INT, Hawaii	*Flitt INT, Hawaii	2000
*4500—MCA Flitt INT, N-bound		
Flitt INT, Hawaii	Upolu Pt, Hawaii VOR	5400
Upolu Pt, Hawaii VOR	Pulps INT, Hawaii	5400
Pulps INT, Hawaii	Sweep INT, Hawaii	*5000
*3300—MOCA		
Sweep INT, Hawaii	Maui, Hawaii VOR	5000

VOR FEDERAL AIRWAY 11—cont'd.

Maui, Hawaii VOR	*Napir INT, Hawaii	5000
*7000—MCA Napir INT, W-bound		
Napir INT, Hawaii	*Molokai, Hawaii VOR	7000
*5000—MCA Molokai VOR, E-bound		
Molokai, Hawaii VOR	Lindy INT, Hawaii	3500
Lindy INT, Hawaii	Makai INT, Hawaii	2000

§95.6413 HAWAII VOR FEDERAL AIRWAY 13

is amended to read:

FROM	TO	MEA
Lihue, Hawaii VOR	Hello INT, Hawaii	4000
Hello INT, Hawaii	Koko Head, Hawaii VOR	4000
Koko Head, Hawaii VOR	Bambo INT, Hawaii	4500
Bambo INT, Hawaii	Toods DME Fix, Hawaii	*5000
*1000—MOCA		

§95.6415 HAWAII VOR FEDERAL AIRWAY 15

is amended to read in part:

FROM	TO	MEA
South Kauai, Hawaii VOR	Morey INT, Hawaii	5000
Morey INT, Hawaii	Catty INT, Hawaii	5500
Catty INT, Hawaii	Honolulu, Hawaii VOR	5000
*Molokai, Hawaii VOR	Palli INT, Hawaii	7000
*5000—MCA Molokai VOR, E-bound		
Palli INT, Hawaii	*Maui, Hawaii VOR	8000
*6800—MCA Maui VOR, W-bound		
Maui, Hawaii VOR	Barby INT, Hawaii	7000
Barby INT, Hawaii	*Rabat INT, Hawaii	**10000
*10000—MRA		
**1000—MOCA		
Rabat INT, Hawaii	*Pumic INT, Hawaii	**6000
*10000—MRA		
**1000—MOCA		
Pumic INT, Hawaii	*Arbor INT, Hawaii	**4000
*8000—MRA		
**2800—MOCA		
Arbor INT, Hawaii	Hilo, Hawaii VOR	3900
Hilo, Hawaii VOR	Hoday INT, Hawaii	2000
Hoday INT, Hawaii	Eelic DME Fix, Hawaii	*10000
*1000—MOCA		

§95.6416 HAWAII VOR FEDERAL AIRWAY 16

is amended to read:

FROM	TO	MEA
Honolulu, Hawaii VOR	Piper INT, Hawaii	
	N-bound	4000
	S-bound	2000
Piper INT, Hawaii	Makai INT, Hawaii	*2000
*1000—MOCA		
Makai INT, Hawaii	Sampa INT, Hawaii	2000
Sampa INT, Hawaii	Lanai, Hawaii VOR	4000
Lanai, Hawaii VOR	Lavas INT, Hawaii	4300
Lavas INT, Hawaii	*Upolu Point, Hawaii VOR	6000
*5800—MCA Upolu Point VOR, E-bound		
Upolu Point, Hawaii VOR	Hamak INT, Hawaii	7000
Hamak INT, Hawaii	*Arbor INT, Hawaii	**8000
*8000—MRA		
**5500—MOCA		
Arbor INT, Hawaii	*Ramie INT, Hawaii	**9000
*9000—MRA		
**2000—MOCA		
Ramie INT, Hawaii	Hilo, Hawaii VOR	2000

§95.6417 HAWAII VOR FEDERAL AIRWAY 17

is amended to read:

FROM	TO	MEA
Rolly INT, Hawaii	Merlo INT, Hawaii	*4000
*2700-MOCA		
Merlo INT, Hawaii	Maui, Hawaii VOR	6000

§95.6419 HAWAII VOR FEDERAL AIRWAY 19

is amended to read:

FROM	TO	MEA
Hilo, Hawaii VOR	*Ramie INT, Hawaii	2000
*9000-MRA		
Ramie INT, Hawaii	*Hibus INT, Hawaii	**2000
*3000-MRA		
**1000-MOCA		
Hibus INT, Hawaii	Int. 075 M rad Maui VOR & 002 M rad Hilo VOR	*6000
*1000-MOCA		

§95.6420 HAWAII VOR FEDERAL AIRWAY 20

is amended to read:

FROM	TO	MEA
Honolulu, Hawaii VOR	Onote INT, Hawaii	
	NW-bound	4000
	SE-bound	2000
Onote INT, Hawaii	Peble INT, Hawaii	2000
Peble INT, Hawaii	Typho INT, Hawaii	8000
Typho INT, Hawaii	Robin INT, Hawaii	3000
Robin INT, Hawaii	Kona, Hawaii	5000
*3800-MCA Robin INT, SE-bound		

§95.6421 HAWAII VOR FEDERAL AIRWAY 21

is amended to read:

FROM	TO	MEA
Cutfe DME Fix, Hawaii	Hicus INT, Hawaii	*21000
*1000-MOCA		
Hicus INT, Hawaii	*Pumic INT, Hawaii	14000
*10000-MRA		
Pumic INT, Hawaii	Harpo INT, Hawaii	10000
*7000-MCA Harpo INT, E-bound		
Harpo INT, Hawaii	Merlo INT, Hawaii	6000
Merlo INT, Hawaii	Keiki INT, Hawaii	3000
Keiki INT, Hawaii	*Lanai, Hawaii VOR	5000
*4400-MCA Lanai VOR, E-bound		
Lanai, Hawaii VOR	Sampa INT, Hawaii	4000
Sampa INT, Hawaii	Makai INT, Hawaii	2000

§95.6422 HAWAII VOR FEDERAL AIRWAY 22

is amended to read:

FROM	TO	MEA
Maui, Hawaii VOR	*Barby INT, Hawaii	7000
*11000-MCA Barby INT, S-bound		
Barby INT, Hawaii	Sards INT, Hawaii	*11000
*1000-MOCA		
Sards INT, Hawaii	Bonus INT, Hawaii	*8000
*1000-MOCA		
Bonus INT, Hawaii	*Hilo, Hawaii VOR	6000
*3200-MCA Hilo VOR, NW-bound		
Hilo, Hawaii VOR	Sesaw DME Fix, Hawaii	2000
Sesaw DME Fix, Hawaii	Bates DME Fix, Hawaii	*10000
*1000-MOCA		

§95.6423 HAWAII VOR FEDERAL AIRWAY 23

is amended to read:

FROM	TO	MEA
Upolu Pt, Hawaii VOR	Fires INT, Hawaii	6000

§95.6424 HAWAII VOR FEDERAL AIRWAY 24

is amended to read:

FROM	TO	MEA
*Lanai, Hawaii VOR	**Maui, Hawaii VOR	***9000
*5100-MCA Lanai VOR, NE-bound		
**6700-MCA Maui VOR, SW-bound		
Maui, Hawaii VOR	*Bassy INT, Hawaii	**14000
*14000-MRA		
**5200-MOCA		
Bassy INT, Hawaii	Lobbs DME Fix, Hawaii	*19000
*1000-MOCA		

§95.6425 HAWAII VOR FEDERAL AIRWAY 25

is amended to read:

FROM	TO	MEA
Hilo, Hawaii VOR	Cooke INT, Hawaii	*3000
*2200-MOCA		
Cooke INT, Hawaii	*Bassy INT, Hawaii	**6000
*14000-MRA		
**1000-MOCA		
Bassy INT, Hawaii	Coddy DME Fix, Hawaii	*9000
*1000-MOCA		

§95.6426 VOR FEDERAL AIRWAY 426

is amended to read in part:

FROM	TO	MEA
St. Louis, Mo. VOR	Godfrey INT, Ill.	2200

§95.6430 VOR FEDERAL AIRWAY 430

is amended to read in part:

FROM	TO	MEA
Williston, N.D. VOR	Minot, N.D. VOR	*4500
*3900-MOCA		

§95.6437 VOR FEDERAL AIRWAY 437

is amended to read in part:

FROM	TO	MEA
Charleston, S.C. VOR	Wessels INT, S.C.	1800
Wessels INT, S.C.	Florence, S.C. VOR	2000

§95.6441 VOR FEDERAL AIRWAY 441

is amended to read in part:

FROM	TO	MEA
St. Petersburg, Fla. VOR	Bayport INT, Fla.	2000
St. Petersburg, Fla. VOR	Dade City INT, Fla.	
Via E alter.	Via E alter.	2000

§95.6454 VOR FEDERAL AIRWAY 454

is amended to read in part:

FROM	TO	MEA
Maddi INT, Ga.	Vesta INT, Ga.	*4000
*1800-MOCA		
Vesta INT, Ga.	Greenwood, S.C. VOR	2500

RULES AND REGULATIONS

§95.7106 JET ROUTE NO. 106 is amended to read in part:

FROM	TO	MEA	MAA
Green Bay, Wis. VORTAC	Flint, Mich. VORTAC	18000	45000

§95.7127 JET ROUTE NO. 127 is amended to read:

FROM	TO	MEA	MAA
King Salmon, Alas. VORTAC	Nondalton INT, Alas.	18000	45000

§95.7133 JET ROUTE NO. 133 is amended to read:

FROM	TO	MEA	MAA
Biorka Island, Alas. VORTAC	Hinchinbrook, Alas. NDB	18000	45000
Hinchinbrook, Alas. NDB	Johnstone Point, Alas. VORTAC	18000	45000

§95.7195 JET ROUTE NO. 195 is added to read:

FROM	TO	MEA	MAA
Amette Island, Alas. VORTAC	Biorka Island, Alas. VORTAC	18000	45000

2. By amending Sub-part D as follows:

AIRWAY SEGMENT	TO	CHANGEOVER POINTS DISTANCE FROM	
§95.8003 VOR			
V-5 is amended to delete:			
Dublin, Ga. VOR	Athens, Ga. VOR	44	Dublin
V-51 is amended to delete:			
Dublin, Ga. VOR	Athens, Ga. VOR	44	Dublin
V-154 is amended to delete:			
Dublin, Ga. VOR	Savannah, Ga. VOR	58	Dublin
V-177 is amended by adding:			
Wausaw, Wis. VOR	Hayward, Wis. VOR		
Via W alter.	Via W alter.	46	Hayward

(Secs. 307, 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510))

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JAMES M. VINES,
Chief,
Aircraft Programs Division.

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