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Title 3—The President

Executive Order 11869 • June 24, 1975

Exemption of Arthur S. Flemming From Mandatory Retirement

Arthur S. Flemming, Commissioner, Administration on Aging, and Chairman, Commission on Civil Rights, will become subject to mandatory retirement for age as of June 30, 1975, under the provisions of Section 8335 of Title 5 of the United States Code, unless exempted by Executive order.

In my judgment, the public interest requires that Arthur S. Flemming be exempted from such mandatory retirement.

NOW, THEREFORE, by virtue of the authority vested in me by subsection (c) of Section 8335 of Title 5 of the United States Code, I hereby exempt Arthur S. Flemming from mandatory retirement until June 30, 1976.

Gerald R. Ford

THE WHITE HOUSE,
June 24, 1975.

[FR Doc.75-16800 Filed 6-24-75;1:56 pm]

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 18—Conservation of Power and Water Resources

CHAPTER I—FEDERAL POWER COMMISSION

[Docket Nos. R-424, R-446; Order No. 530]

UNIFORM SYSTEMS OF ACCOUNTS

Premium, Discount and Expense of Issue, Gains and Losses on Refunding and Reacquisition of Long-Term Debt, and Interperiod Allocation of Income Taxes

JUNE 18, 1975.

On August 6, 1971, the Commission issued a notice of proposed rulemaking Docket No. R-424 (36 FR 16069, August 19, 1971) amended October 13, 1971 (36 FR 20445, October 22, 1971). This rulemaking essentially proposed to establish accounting procedures (a) for premium, discount and expense related to the issuance of long-term debt and for the gains and losses relating to the refunding and reacquisition of long-term debt and for (b) limited interperiod income tax allocation. That portion of Docket No. R-424 covering premium, discount and expense related to issuance of long-term debt and for the gains and losses relating to the refunding and reacquisition of long-term debt was implemented by Commission Order No. 505, issued February 11, 1974 (39 FR 6993, February 19, 1974).

On July 6, 1972, the Commission issued a notice of proposed rulemaking Docket No. R-446 (37 FR 13805, July 14, 1974). This rulemaking proposed aspects of interperiod income tax allocation which were more comprehensive in nature than those initially proposed in former Docket No. R-424 in that it proposed to defer the tax effect differences in depreciable bases and tax lives used for taxes and general books of accounting. The rulemaking also proposed accounting to be followed by utilities when electing to use the Class Life Asset Depreciation Range System (ADR) prescribed by the Revenue Act of 1971. The accounting for the Class Life Asset Depreciation Range System was implemented by Commission Order No. 504, issued February 11, 1974 (39 FR 6072, February 19, 1974).

We are disposing of those portions of Dockets No. R-424 and R-446 dealing with comprehensive interperiod tax allocation in this order.

Comments were invited from interested parties on Docket No. R-424 on or before October 5, 1971. Due to requests, this date was extended to September 3, 1972. The Commission received comments from sixty-seven respondents.[1] Comments were requested on Docket No. R-446 by August 21, 1972. Due to requests, this date was extended to October 20, 1972. The Commission received comments from forty respondents (Attachment B). A conference was held with interested parties and the Commission staff on both dockets December 5, 1972, with seventy-five parties, excluding Commission staff, attending.

Reaction to the rulemaking proposals fell into the following four general areas:

	Docket No. R-424	Docket No. R-446
Agree with need to provide comprehensive interperiod income tax allocation	30	14
Agree with need to provide for comprehensive interperiod income tax allocation provided effective rate treatment is granted	5	7
Noncommittal on subject of comprehensive interperiod income tax allocation but suggested constructive language changes	24	16
Oppose the rulemakings	8	3
Total respondents	67	40

Of the sixty-seven respondents to Docket No. R-424 and the forty respondents to Docket No. R-446, twenty-nine and thirty-three, respectively, expressed concern that the proposed accounting might not be consistent with ratemaking practices, particularly where regulatory agencies having rate jurisdiction do not allow income tax normalization for rate purposes. These respondents were unanimous in their opinion that the ratemaking policies of regulatory agencies having rate jurisdiction over a utility should be recognized in prescribing accounting for comprehensive interperiod income tax allocation. It was pointed out that some regulatory authorities may be unwilling to issue accounting orders, as proposed in Docket No. R-424, or other official authorization committing themselves to ratemaking policies except within the framework of actual rate cases or reviews of rates in which the utility seeks to claim deferred income taxes as an allowable expense.

With respect to the eight respondents opposing Docket No. R-424 only one respondent of the eight continued to oppose the proposals as a respondent to Docket No. R-446. We believe this is due to the flexibility provided in Docket No. R-446 over that proposed in Docket No. R-424 with respect to the problem of consistency between accounting and ratemaking. There were two additional respondents that opposed Docket No. R-446 who did not respond to Docket No. R-424.

The disagreement with the proposals contained in Docket No. R-446 centered around; the lack of assurance that state commissions under which the respondent operates would permit the changes of the nature proposed to be allowed in ratemaking; concern that the benefits derived do not justify the additional burdensome requirements; and a lack of showing in the rulemakings of any benefits to be gained from its adoption. In the latter case, it was suggested that it should be demonstrated that adoption of the Rulemaking would assist utilities having financial difficulties by producing an adequate rate of return, adequate coverage on bond ratings, or provide other benefits. It was also suggested that the proposed accounting changes should have been accompanied with an affirmative answer as to how the proposals would benefit the utility, its customers, and its shareholders. We address these items hereinafter.

Comprehensive interperiod income tax allocation which accounts for timing differences between the periods in which transactions affect taxable income and the periods in which such transactions affect the determination of pre-tax book income, is well supported by accounting theory.[2] Such timing differences included the tax effect related to costs that will be charged against income in a relatively short period of time or "turn around" quickly (deferred regulatory commission expenses and deferred fuel expenses), as well as the tax effect related to costs that are capitalized as part of electric or gas plant which would be charged against book income over the lives of the plants (taxes capitalized, interest portion of the allowance for funds used during construction, etc.).

Interperiod tax allocation has already been prescribed for several tax timing differences,[3] i.e.:

(1) Differences which result from depreciation taken for tax purposes being greater than that taken for straight line tax purposes (use of accelerated depreciation and Class Life Asset Depreciation Range). Section 2.12 CFR 18 and Commission Order Nos. 404, May 15, 1970, and 504, February 11, 1974.

(2) Differences which result from amortization taken for tax purposes being greater than that taken for straight line tax purposes on certified defense facilities (section 168, Internal

[1] Filed as part of the original document.

[2] Opinion No. 11 of the Accounting Principles Board of the American Institute of Certified Public Accountants.

[3] The issues involved herein do not disturb these items.

Revenue Code) and certified pollution control facilities (section 169, Internal Revenue Code). Commission Order Nos. 203 and 204, May 29, 1958, for certified defense facilities and Commission Order No. 432, April 23, 1971, for pollution control facilities.

(3) Tax effects of extraordinary property losses when amortized. Commission Order No. 504, February 11, 1974.

(4) Tax effects of research and development expenditures when amortized. Commission Order No. 504, February 11, 1974.

(5) Tax effects of deferred gains or losses from disposition of utility plant. Commission Order No. 504, February 11, 1974.

(6) Tax deferrals emanating from the use of asset guideline class "repair allowance" of the Revenue Act of 1971. Commission Order No. 504, February 11, 1974.

Some additional examples of items causing timing differences which will be covered by comprehensive interperiod tax allocation are:

(1) Regulatory commission expenses deducted when incurred for tax purposes but deferred and amortized over future periods for book purposes.

(2) Taxes during construction deducted when incurred for tax purposes but capitalized in the cost of utility plant for book purposes.

(3) Allowance for funds used during construction, to the extent deducted for tax purposes when expense is incurred but capitalized in the cost of utility plant for book purposes.

(4) Differences between tax and book lives of property.

(5) Tax deferrals arising from the use of the asset guideline class "removal cost" feature of the Revenue Act of 1971.

(6) Tax deferrals resulting from current deduction of fuel expense for income tax purposes, but deferred over future periods for book purposes.

(7) Tax deferrals resulting from pensions costs being deducted currently for tax purposes, but included in cost of utility plant for book purposes.

In determining whether we should adopt normalization of income taxes for rate purposes for the additional items proposed in Dockets No. R-424 and R-446 that will be charged to book income over the lives of electric and gas plant, we must examine the standards we have followed in previous cases on the matter, in light of the conditions prevailing at the present time.

In Alabama-Tennessee Natural Gas Company[4] we prescribed the use of actual taxes in setting the rate levels of pipeline and electric utilities subject to our rate jurisdiction based largely on the finding that the use of liberalized depreciation for tax purposes under section 167 of the Internal Revenue Code resulted in a permanent reduction of taxes payable to the Treasury Department by natural gas companies which maintain either a growing or stable plant. That is, we found that the tax effects amounts of liberalized depreciation, recorded in Account 282, Accumulated Deferred Income Taxes—Liberalized Depreciation, would either remain constant or continue to grow in the foreseeable future because available tax reductions related to new properties placed in service would equal or exceed those tax deductions previously used. Our adoption, at that time of actual taxes, or what is commonly known as "flow-through accounting" for the tax effect related to liberalized depreciation, reversed the policy set forth in our order establishing normalization for liberalized tax depreciation in Amere Gas Utilities Co., et al., 15 FPC 760.

The Tax Reform Act of 1969[5] gave utilities the absolute right to elect to abandon flow-through with respect to post-1969 expansion utility property and, with agency approval, the right to defer, i.e., normalize, the tax effect related to liberalized depreciation. In Order Nos. 404 and 404-A,[6] we gave the requisite regulatory approval to all utilities making such election to adopt normalized rate and accounting treatment of the tax effects of liberalized depreciation on post-1969 expansion utility property.

Furthermore, in Texas Gas Transmission Company,[7] we authorized the adoption of normalization for accounting and rate purposes on pre-1970 and certain post-1969 properties on the basis that, employing the standard enunciated in Alabama-Tennessee, the use of liberalized tax depreciation on such properties would no longer produce a permanent tax savings, but rather a tax deferral.

Since we first adopted the policy that consumers should not be charged normalized income taxes in rates, many significant events have taken place. With respect to the use of normalized income taxes in setting rates for the item having the largest rate impact, liberalized depreciation, Congress clearly expressed its views in the Tax Reform Act of 1969. In addition, our economy has changed from one where natural gas was in abundant supply to one where gas supply falls far short of meeting demand. The situation has changed from a period where gas consumption was encouraged[8] to a period of curtailment,[9] and from a period when raising capital was not a problem[10] to a period when pipelines face serious problems in generating and attracting needed capital.[11]

The electric industry today shares many of the problems of the natural gas industry. While we envision that the industry will meet the nation's energy requirements in the future, it is presently faced with a cash shortage, cutbacks in construction programs, and severe difficulties in raising required capital to provide funds for the necessary growth. With respect to the electric industry, we conclude that it must grow to meet the nation's needs for energy.

The adoption of normalization of income taxes for rate purposes will contribute to the health of the electric and natural gas industries by increasing cash flow and by reducing external financing requirements. In addition, normalization will contribute to the financial stability of companies and improve fixed charge coverages.

For the aforestated reasons, we believe that the cash flow which would result from the use of normalization for rate purposes would be beneficial and in the public interest and, therefore, the Commission, as a matter of general policy, would favor ratemaking treatment upon a normalization basis, provided appropriate factual showings are developed in each instance. Consequently, the Commission contemplates that in each rate proceeding, where an applicant utility (electric or gas) seeks to avail itself of these normalization procedures, it shall present a factual showing appropriate to sustain its claim; and that any entity opposing the requested procedures shall present a factual showing appropriate to sustain its counterclaim. It is contemplated that these showings shall be in the nature of an obligation of coming forward with evidence to support the respective claims advanced. The Commission's ultimate findings and conclusions on these and all other questions shall reflect the substantial evidence rule of the Federal Power Act and Natural Gas Act. Thus, we are herein adopting

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[4] Alabama-Tennessee Natural Gas Company, 31 FPC 208, 221 (1964) aff'd sub nom. Alabama-Tennessee Natural Gas Company v. FPC, 359 F. 2d 318 (CA5).

[5] § 441, 26 U.S.C. § 167(1).

[6] 43 FPC 740 reh. denied, 44 FPC 16; affirmed Memphis, et al. v. FPC, 462 F. 2d 353 (1972).

[7] Opinion No. 578, 43 FPC 824. Memphis Light, Gas & Water Division v. FPC, 462 F. 2d 353 and 365 (D.C. Cir. 1972), reversed and remanded sub nom FPC, Memphis Light, Gas & Water Division, 411 U.S. 458 (1973) aff'd on remand, 500 F. 2d 796 (D.C. Cir. 1974).

[8] The Commission stated in Alabama-Tennessee that:

* * * * *

We are convinced that flow-through, rather than normalization, is the ratemaking treatment of the liberalized depreciation tax savings which, by permitting lower prices, will stimulate increased consumer demand and corresponding additional investment in the pipeline industry as a whole and Alabama-Tennessee in particular (219).

[9] See Chapter I, Volume I, pp. 4 and 5, A Time for Decision and Action, of the National Gas Survey.

[10] On this matter, the Commission stated in Alabama-Tennessee that:

* * * * *

In concluding that the adoption of flow-through will best carry out the Congressional purpose of stimulating additional investment in natural gas pipelines we have not ignored the argument that normalization will provide additional capital to the company to assist the financing of plant expansion. We do not believe that such additional capital is necessary for the expansion of natural gas pipelines or indeed would result in any expansion if made available (219).

* * * * *

[11] Ibid., pp. 15 and 16.

comprehensive income tax allocation accounting for all items creating timing differences between the periods in which transactions affect the determination of pre-tax book income, when such items receive normalized treatment for rate purposes. To require accounting for these type items prior to their allowance as an item of expense for rate treatment would require financial statements to be prepared which do not reflect the economic effects of rates. Furthermore, to minimize regulatory conflicts (especially in those cases where a utility finds itself subject to rate jurisdiction by more than one regulatory body) we are providing that comprehensive interperiod income tax allocation not be followed except in those cases where a regulatory body allows such accounting in establishing rates. We are also directing full public disclosure in financial statements where comprehensive interperiod income tax allocation is not being followed.

As suggested by several respondents, we are also removing the requirement of seeking Commission approval for the use of Account 283, Accumulated Deferred Income Taxes—Other. Companies shall use this account in the future based on the policies enunciated herein.

Several respondents suggested that the present accounts 281, Accumulated Deferred Income Taxes—Accelerated Amortization, and 282, Accumulated Deferred Income Taxes—Liberalized Depreciation, not be expanded, as proposed in R–446, into four separate accounts but instead to allow the deferred taxes relating to interperiod tax allocation to be embodied within the two already established accounts. We agree, no new accounts will be established.

Certain other constructive suggestions received from respondents resulting from this portion of the proposed rulemaking have been included in the accounting instructions, although not substantive in nature, were of considerable value in adding clarity to the accounting text.

The Commission finds. (1) The notice and opportunity to participate in this rulemaking proceeding with respect to the matters presently before this Commission through the submission, in writing, of data, views, comments, and suggestions in the manner described above, are consistent and in accordance with the procedural requirements prescribed by 5 U.S.C. 553.

(2) The amendments to Parts 101 and 104 of the Commission's Uniform Systems of Accounts for Public Utilities and Licensees, and Annual Aeport Form No. 1 prescribed by §141.1 in Chapter I, Title 18 of the Code of Federal Regulations, herein prescribed, are necessary and appropriate for the administration of the Federal Power Act.

(3) The amendments to Parts 201 and 204 of the Commission's Uniform Systems of Accounts for Natural Gas Companies, and Annual Report Form No. 2 prescribed by § 260.1 in Chapter I, Title 18 of the Code of Federal Regulations, herein prescribed, are necessary and appropriate for the administration of the Natural Gas Act.

(4) Comprehensive interperiod income tax allocation is well established in accounting theory and practice.

(5) Comprehensive interperiod income tax allocation should not be prescribed for accounting purposes prior to respective tax timing differences being allowed in rates as resulting financial statements would be distorted.

(6) Deferral of tax timing difference items, when such deferrals are allowed as cost of service items, will improve the utilities' before tax interest coverage, thereby enhancing the quality of its securities to the benefit of both the utility and the consumer.

(7) Since the amendments prescribed herein, which were not included in the notice of this proceeding, are consistent with the prime purpose of the Proposed Rulemaking, further compliance with the notice provision of 5 U.S.C. 553 is unnecessary.

(8) Good cause exists for making the amendments to the Uniform Systems of Accounts for Public Utilities and Licensees and Natural Gas Companies ordered herein, effective upon issuance and the amendments to FPC Annual Report Forms No. 1 and No. 2 ordered herein, effective for the reporting year 1975.

The Commission, acting pursuant to the provisions of the Federal Power Act, as amended, particularly sections 301, 302, 303, 304, and 309 thereof (49 Stat. 854, 855, 856, 858, 859; 16 U.S.C. 825, 825a, 825b, 825c, 825h) and of the Natural Gas Act, as amended, particularly Sections 8, 9, 10, and 16 thereof (52 Stat. 825, 826, 830; 15 U.S.C. 717g, 717h, 717i, 717o), orders:

(A) The Commission's Uniform System of Accounts for Class A and Class B Public Utilities and Licensees prescribed by Part 101, Chapter I, Title 18 of the Code of Federal Regulations is amended as follows:

Part 101—Uniform System of Accounts prescribed for class A and class B public utilities and licensees.

1. Immediately following General Instruction "17. *Long-Term Debt: Premium, Discount and Expense, and Gain or Loss on Reacquisition,*" add General Instruction 18. *Comprehensive Interperiod Income Tax Allocation.* As amended, this portion of the General Instructions reads:

General Instructions

* * * * *

18. *Comprehensive Interperiod Income Tax Allocation.*

A. Where there are timing differences between the periods in which transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income, the income tax effects of such transactions are to be recognized in the periods in which the differences between book accounting income and taxable income arise and in the periods in which the differences reverse using the deferred tax method. In general, comprehensive interperiod tax allocation should be followed whenever transactions enter into the determination of pretax accounting income for the period even though some transactions may affect the determination of taxes payable in a different period, as further qualified below.

B. Utilities are not required to utilize comprehensive interperiod income tax allocation until the deferred income taxes are included as an expense in the rate level by the regulatory authority having rate jurisdiction over the utility. Where comprehensive interperiod tax allocation accounting is not practiced the utility shall include as a note to each financial statement, prepared for public use, a footnote explanation setting forth the utility's accounting policies with respect to interperiod tax allocation and describing the treatment for ratemaking purposes of the tax timing differences by regulatory authorities having rate jurisdiction.

C. Should the utility be subject to more than one agency having rate jurisdiction, its accounts shall appropriately reflect the ratemaking treatment (deferral or flow through) of each jurisdiction.

D. Once comprehensive interperiod tax allocation has been initiated either in whole or in part it shall be practiced on a consistent basis and shall not be changed or discontinued without prior Commission approval.

E. Tax effects deferred currently will be recorded as deferred debits or deferred credits in accounts 190, Accumulated Deferred Income Taxes, 281, Accumulated Deferred Income Taxes—Accelerated Amortization Property, 282, Accumulated Deferred Income Taxes—Other Property, and 283, Accumulated Deferred Income Taxes—Other, as appropriate. The resulting amounts recorded in these accounts shall be disposed of as prescribed in this system of accounts or as otherwise authorized by the Commission.

2. The Chart of Balance Sheet Accounts is amended as follows:

a. Revise title of account "281, Accumulated Deferred Income Taxes—Accelerated Amortization" to read "281, Accumulated Deferred Income Taxes—Accelerated Amortization Property."

b. Revise title of account "282, Accumulated Deferred Income Taxes—Liberalized Depreciation" to read "282, Accumulated Deferred Income Taxes—Other Property."

As amended this portion of the Chart of Balance Sheet Accounts reads:

BALANCE SHEET ACCOUNTS

(Chart of Accounts)

* * * * *

LIABILITIES AND OTHER CREDITS

* * * * *

8. Deferred Credits * * *

281 Accumulated deferred income taxes—Accelerated amortization property.

282 Accumulated deferred income taxes—Other property.

* * * * *

(3) The Balance Sheet Accounts are amended as follows:

(a) Amend account "190, Accumulated Deferred Income Taxes":

(1) Amend paragraph A by deleting the phrase "when its use has been authorized by the Commission," and deleting the last sentence.

(2) Amend paragraph D by adding "(See General Instruction 18)" at the end of paragraph.

(3) Delete "Item" found at the bottom of the account.

As amended the account reads:

190 Accumulated deferred income taxes.

A. This account shall be debited and account 411.1, Provision for Deferred Income Taxes—Credit, Utility Operating Income, or account 411.2, Provision for Deferred Income Taxes—Credit, Other Income and Deductions, as appropriate, shall be credited with an amount equal to that by which income taxes payable for the year are higher because of the inclusion of certain items in income for tax purposes, which items for general accounting purposes will not be fully reflected in the utility's determination of annual net income until subsequent years.

* * * * *

D. The utility is restricted in its use of this account to the purpose set forth above. It shall not make use of the balance in this account or any portion thereof except as provided in the text of this account, without prior approval of the Commission. Any remaining deferred tax account balance with respect to an amount for any prior year's tax deferral, the amortization of which or other recognition in the utility's income accounts has been completed, or other disposition made, shall be debited to account 410.1, Provision for Deferred Income Taxes, Utility Operating Income, or account 410.2, Provision for Deferred Income Taxes, Other Income and Deductions, as appropriate, or otherwise disposed of as the Commission may authorize or direct. (See General Instruction 18.)

(b) Immediately following account "257, Unamortized Gain on Reacquired Debt," amend "SPECIAL INSTRUCTIONS—Accumulated Deferred Income Taxes" by revising the first paragraph to read "Before using the deferred tax accounts provided below refer to General Instruction 18. *Comprehensive Interperiod Income Tax Allocation.*" and by deleting the last paragraph. As amended the Special Instructions read:

SPECIAL INSTRUCTIONS

Accumulated Deferred Income Taxes

Before using the deferred tax accounts provided below refer to General Instruction 18. *Comprehensive Interperiod Income Tax Allocation.*

* * * * *

(c) Amend account "281, Accumulated Deferred Income Taxes—Accelerated Amortization" as follows:

(1) Revise account title to read "281, Accumulated Deferred Income Taxes—Accelerated Amortization Property."

(2) Revise paragraphs A, B, C and D.

As amended account 281 reads:

281 Accumulated deferred income taxes—Accelerated amortization property.

A. This account shall include tax deferrals resulting from adoption of the principles of comprehensive interperiod tax allocation described in General Instruction 18 of this system of accounts that relate to property for which the utility has availed itself of the use of accelerated (5-year) amortization of (1) certified defense facilities as permitted by Section 168 of the Internal Revenue Code and (2) certified pollution control facilities as permitted by Section 169 of the Internal Revenue Code.

B. This account shall be credited and accounts 410.1, Provision for Deferred Income Taxes, Utility Operating Income, or 410.2, Provision for Deferred Income Taxes, Other Income and Deductions, as appropriate, shall be debited with tax effects related to property described in paragraph A above where taxable income is lower than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

C. This account shall be debited and accounts 411.1, Provision for Deferred Income Taxes—Credit, Utility Operating Income, or 411.2, Provision for Deferred Income Taxes—Credit, Other Income and Deductions, as appropriate, shall be credited with tax effects related to property described in paragraph A above where taxable income is higher than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

D. Records with respect to entries to this account, as described above, and the account balance, shall be so maintained as to show the factors of calculation and the separate amounts applicable to the plant additions of each vintage year for each class, group, or unit.

The underlying calculations to segregate and associate deferred tax amounts with the respective vintage years may be based on reasonable methods of approximation, if necessary, consistently applied.

* * * * *

(d) Amend account "282, Accumulated Deferred Income Taxes—Liberalized Depreciation" as follows:

(1) Revise account title to read "282, Accumulated Deferred Income Taxes—Other Property."

(2) Revise paragraphs A, B, C, and D.

As amended account 282 reads:

282 Accumulated deferred income taxes—Other property.

A. This account shall include the tax deferrals resulting from adoption of the principle of comprehensive interperiod income tax allocation described in General Instruction 18 of this system of accounts which are related to all property other than accelerated amortization property.

B. This account shall be credited and accounts 410.1, Provision for Deferred Income Taxes, Utility Operating Income, or 410.2, Provision for Deferred Income Taxes, Other Income and Deductions, as appropriate, shall be debited with tax effects related to property described in paragraph A above where taxable income is lower than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

C. This account shall be debited and accounts 411.1, Provision for Deferred Income Taxes—Credit, Utility Operating Income, or 411.2, Provision for Deferred Income Taxes—Credit, Other Income and Deductions, as appropriate, shall be credited with tax effects related to property described in paragraph A above where taxable income is higher than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

D. Records with respect to entries to this account, as described above, and the account balance, shall be so maintained as to show the factors of calculation and the separate amounts applicable to the plant additions of each vintage year for each class, group, or unit. The underlying calculations to segregate and associate deferred tax amounts with the respective vintage years may be based on reasonable methods of approximation, if necessary, consistently applied.

* * * * *

(e) Amend account "283, Accumulated Deferred Income Taxes—Other" as follows:

(1) Revise paragraphs A and B.

(2) Add a new paragraph C.

(3) Redesignate present paragraph C as paragraph D and present Paragraph D as Paragraph E.

(4) Delete the list of "Items" at the end.

As amended account 283 reads:

283 Accumulated deferred income taxes—Other.

A. This account shall include all credit tax deferrals resulting from the adoption of the principles of comprehensive interperiod income tax allocation described in General Instruction 18 of this system of accounts other than those deferrals which are includible in Accounts 281, Accumulated Deferred Income Taxes—Accelerated Amortization

Property and 282, Accumulated Deferred Income Taxes—Other Property.

B. This account shall be credited and accounts 410.1 Provision for Deferred Income Taxes, Utility Operating Income, or 410.2, Provision for Deferred Income Taxes, Other Income and Deductions, as appropriate, shall be debited with tax effects related to items described in paragraph A above where taxable income is lower than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

C. This account shall be debited and accounts 411.1, Provision for Deferred Income Taxes—Credit, Utility Operating Income or 411.2, Provision for Deferred Income Taxes—Credit, Other Income and Deductions, as appropriate, shall be credited with tax effects related to items described in paragraph A above where taxable income is higher than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

D. Records with respect to entries to this account, as described above, and the account balance, shall be so maintained as to show the factors of calculation with respect to each annual amount of the item or class of items.

E. The utility is restricted in its use of this account to the purposes set forth above. It shall not transfer the balance in the account or any portion thereof to retained earnings or to any other account or make any use thereof except as provided in the text of this account, without prior approval of the Commission. Upon the disposition by sale, exchange, transfer, abandonment or premature retirement of items on which there is a related balance herein, this account shall be charged with an amount equal to the related income tax effect, if any, arising from such disposition and account 411.1, Provision For Deferred Income Taxes—Credit, Utility Operating Income, or 411.2, Provision For Deferred Income Taxes—Credit, Other Income and Deductions, as appropriate, shall be credited. When the remaining balance, after consideration of any related tax expenses, is less than $25,000, this account shall be charged and account 411.1 or 411.2, as appropriate, credited with such balance. If after consideration of any related income tax expense, there is a remaining amount of $25,000 or more, the Commission shall authorize or direct how such amount shall be accounted for at the time approval for the disposition of accounting is granted.

When plant is disposed of by transfer to a wholly owned subsidiary, the related balance in this account shall also be transferred. When the disposition relates to retirement of an item or items under a group method of depreciation where there is no tax effect in the year of retirement, no entries are required in this account if it can be determined that the related balance would be necessary to be retained to offset future group item tax deficiencies.

PART 104—UNIFORM SYSTEM OF ACCOUNTS FOR PUBLIC UTILITIES AND LICENSEES (CLASS C AND CLASS D)

(B) The Commission's Uniform System of Accounts for Class C and Class D Public Utilities and Licensees prescribed by Part 104, Chapter I, Title 18 of the Code of Federal Regulations is amended as follows:

(1) Immediately following General Instruction "15. *Long-Term Debt: Premium, Discount and Expense, and Gain or Loss on Reacquisition,*" add General Instruction 16. *Comprehensive Interperiod Income Tax Allocation.* As amended, this portion of the General Instruction reads:

General Instructions

* * * * *

16. *Comprehensive Interperiod Income Tax Allocation.*

A. Where there are timing differences between the periods in which transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income, the income tax effects of such transactions are to be recognized in the periods in which the differences between book accounting income and taxable income arise and in the periods in which the differences reverse using the deferred tax method. In general, comprehensive interperiod tax allocation should be followed whenever transactions enter into the determination of pretax accounting income for the period even though some transactions may affect the determination of taxes payable in a different period, as further qualified below.

B. Utilities are not required to utilize comprehensive interperiod income tax allocation until the deferred income taxes are included as an expense in the rate level by the regulatory authority having rate jurisdiction over the utility. Where comprehensive interperiod tax allocation accounting is not practiced the utility shall include as a note to each financial statement, prepared for public use, a footnote explanation setting forth the utility's accounting policies with respect to interperiod tax allocation and describing the treatment for ratemaking purposes of the tax timing differences by regulatory authorities having rate jurisdiction.

C. Should the utility be subject to more than one agency having rate jurisdiction, its accounts shall appropriately reflect the ratemaking treatment (deferral or flow through) of each jurisdiction.

D. Once comprehensive interperiod tax allocation has been initiated either in whole or in part it shall be practiced on a consistent basis and shall not be changed or discontinued without prior Commission approval.

E. Tax effects deferred currently will be recorded as deferred debits or deferred credits in accounts 190, Accumulated Deferred Income Taxes, 281, Accumulated Deferred Income Taxes—Accelerated Amortization Property, 282, Accumulated Deferred Income Taxes—Other Property, and 283, Accumulated Deferred Income Taxes—Other, as appropriate. The resulting amounts recorded in these accounts shall be disposed of as prescribed in this system of accounts or as otherwise authorized by the Commission.

(2) The Chart of Balance Sheet Accounts is amended as follows:

(a) Revise title of account "281, Accumulated Deferred Income Taxes—Accelerated Amortization" to read "281, Accumulated Deferred Income Taxes—Accelerated Amortization Property."

(b) Revise title of account "282, Accumulated Deferred Income Taxes—Liberalized Depreciation" to read "282, Accumulated Deferred Income Taxes—Other Property."

As amended this portion of the Chart of Balance Sheet Accounts reads:

BALANCE SHEET ACCOUNTS

(Chart of Accounts)

* * * * *

LIABILITIES AND OTHER CREDITS

* * * * *

8. Deferred Credits

* * * * *

281 Accumulated deferred income taxes—Accelerated amortization property.

282 Accumulated deferred income taxes—Other property.

* * * * *

(3) The Balance Sheet Accounts are amended as follows:

(a) Amend account "190, Accumulated Deferred Income Taxes":

(1) Amend paragraph A by deleting the phrase "when its use has been authorized by the Commission," and deleting the last sentence.

(2) Amend paragraph D by adding "(See General Instruction 16)" at the end of paragraph.

(3) Delete "Item" found at the bottom of the account.

As amended the account reads:

190 Accumulated deferred income taxes.

A. This account shall be debited and account 411.1, Provision for Deferred Income Taxes—Credit, Utility Operating Income, or account 411.2, Provision for Deferred Income Taxes—Credit, Other Income and Deductions, as appropriate, shall be credited with an amount equal to that by which income taxes payable for the year are higher because of the inclusion of certain items in income for tax purposes, which items for general accounting purposes will not be fully reflected in the utility's determination of annual net income until subsequent years.

* * * * *

D. The utility is restricted in its use of this account to the purpose set forth

above. It shall not make use of the balance in this account or any portion thereof except as provided in the text of this account, without prior approval of the Commission. Any remaining deferred tax account balance with respect to an amount for any prior year's tax deferral, the amortization of which or other recognition in the utility's income accounts has been completed, or other disposition made, shall be debited to account 410.1, Provision for Deferred Income Taxes, Utility Operating Income, or account 410.2, Provision for Deferred Income Taxes, Other Income and Deductions, as appropriate, or otherwise disposed of as the Commission may authorize or direct. (See General Instruction 16.)

(b) Immediately following account "257, Unamortized Gain on Reacquired Debt," amend "SPECIAL INSTRUCTIONS—Accumulated Deferred Income Taxes" by revising the first paragraph to read "Before using the deferred tax accounts provided below refer to General Instruction 16, *Comprehensive Interperiod Income Tax Allocation*." and by deleting the last paragraph. As amended the Special Instructions read:

SPECIAL INSTRUCTIONS

Accumulated Deferred Income Taxes

Before using the deferred tax accounts provided below refer to General Instruction 16, *Comprehensive Interperiod Income Tax Allocation*.

* * * * *

(c) Amend account "281, Accumulated Deferred Income Taxes—Accelerated Amortization" as follows:

(1) Revise account title to read "281, Accumulated Deferred Income Taxes—Accelerated Amortization Property."

(2) Revised paragraphs A, B, C, and D.

As amended account 281 reads:

281 Accumulated deferred income taxes—Accelerated amortization property.

A. This account shall include tax deferrals resulting from adoption of the principles of comprehensive interperiod tax allocation described in General Instruction 16 of this system of accounts that relate to property for which the utility has availed itself of the use of accelerated (5-year) amortization of (1) certified defense facilities as permitted by section 168 of the Internal Revenue Code and (2) certified pollution control facilities as permitted by Section 169 of the Internal Revenue Code.

B. This account shall be credited and accounts 410.1, Provision for Deferred Income Taxes, Utility Operating Income, or 410.2, Provision for Deferred Income Taxes, Other Income and Deductions, as appropriate, shall be debited with tax effects related to property described in paragraph A above where taxable income is lower than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

C. This account shall be debited and accounts 411.1, Provision for Deferred Income Taxes—Credit, Utility Operating Income, or 411.2, Provision for Deferred Income Taxes—Credit, Other Income and Deductions, as appropriate, shall be credited with tax effects related to property described in paragraph A above where taxable income is higher than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

D. Records with respect to entries to this account, as described above, and the account balance, shall be so maintained as to show the factors of calculation and the separate amounts applicable to the plant additions of each vintage year for each class, group, or unit.

The underlying calculations to segregate and associate deferred tax amounts with the respective vintage years may be based on reasonable methods of approximation, if necessary, consistently applied.

* * * * *

(d) Amend account "282, Accumulated Deferred Income Taxes—Liberalized Depreciation" as follows:

(1) Revise account title to read "282, Accumulated Deferred Income Taxes—Other Property."

(2) Revise paragraphs A, B, C, and D.

As amended account 282 reads:

282 Accumulated deferred income taxes—Other property.

A. This account shall include the tax deferrals resulting from adoption of the principle of comprehensive interperiod income tax allocation described in General Instruction 16 of this system of accounts which are related to all property other than accelerated amortization property.

B. This account shall be credited and accounts 410.1, Provision for Deferred Income Taxes, Utility Operating Income, or 410.2, Provision for Deferred Income Taxes, Other Income and Deductions, as appropriate, shall be debited with tax effects related to property described in paragraph A above where taxable income is lower than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

C. This account shall be debited and accounts 411.1, Provision for Deferred Income Taxes—Credit, Utility Operating Income, or 411.2, Provision for Deferred Income Taxes—Credit, Other Income and Deductions, as appropriate, shall be credited with tax effects related to property described in paragraph A above where taxable income is higher than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

D. Records with respect to entries to this account, as described above, and the account balance, shall be so maintained as to show the factors of calculation and the separate amounts applicable to the plant additions of each vintage year for each class, group, or unit. The underlying calculations to segregate and associate deferred tax amounts with the respective vintage years may be based on reasonable methods of approximation, if necessary, consistently applied.

* * * * *

(e) Amend account "283, Accumulated Deferred Income Taxes—Other" as follows:

(1) Revise paragraphs A and B.

(2) Add a new paragraph C.

(3) Redesignate present paragraph C as paragraph D and present Paragraph D as Paragraph E.

(4) Delete the list of "Items" at the end.

As amended account 283 reads:

283 Accumulated deferred income taxes—Other.

A. This account shall include all credit tax deferrals resulting from the adoption of the principles of comprehensive interperiod income tax allocation described in General Instruction 16 of this system of accounts other than those deferrals which are includible in Accounts 281, Accumulated Deferred Income Taxes—Accelerated Amortization Property and 282, Accumulated Deferred Income Taxes—Other Property.

B. This account shall be credited and accounts 410.1 Provision for Deferred Income Taxes, Utility Operating Income, or 410.2, Provision for Deferred Income Taxes, Other Income and Deductions, as appropriate, shall be debited with tax effects related to items described in paragraph A above where taxable income is lower than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

C. This account shall be debited and accounts 411.1, Provision for Deferred Income Taxes—Credit, Utility Operating Income or 411.2, Provision for Deferred Income Taxes—Credit, Other Income and Deductions, as appropriate, shall be credited with tax effects related to items described in paragraph A above where taxable income is higher than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

D. Records with respect to entries to this account, as described above, and the account balance, shall be so maintained as to show the factors of calculation with respect to each annual amount of the item or class of items.

E. The utility is restricted in its use of this account to the purposes set forth above. It shall not transfer the balance in the account or any portion thereof to retained earnings or to any other account or make any use thereof except as

provided in the text of this account, without prior approval of the Commission. Upon the disposition by sale, exchange, transfer, abandonment or premature retirement of items on which which there is a related balance herein, this account shall be charged with an amount equal to the related income tax effect, if any, arising from such disposition and account 411.1, Provision For Deferred Income Taxes—Credit, Utility Operating Income, or 411.2, Provision For Deferred Income Taxes—Credit, Other Income and Deductions, as appropriate, shall be credited. When the remaining balance, after consideration of any related tax expenses, is less than $25,000, this account shall be charged and account 411.1 or 411.2, as appropriate, credited with such balance. If after consideration of any related income tax expense, there is a remaining amount of $25,000 or more, the Commission shall authorize or direct how such amount shall be accounted for at the time approval for the disposition of accounting is granted.

When plant is disposed of by transfer to a wholly owned subsidiary, the related balance in this account shall also be transferred. When the disposition relates to retirement of an item or items under a group method of depreciation where there is no tax effect in the year of retirement, no entries are required in this account if it can be determined that the related balance would be necessary to be retained to offset future group item tax deficiencies.

PART 201—UNIFORM SYSTEM OF ACCOUNTS FOR NATURAL GAS COMPANIES (CLASS A AND CLASS B)

(C) The Commission's Uniform System of Accounts for Class A and Class B for Natural Gas Companies prescribed by Part 201, Chapter I, Title 18 of the Code of Federal Regulations is amended as follows:

(1) Immediately following General Instruction "17. *Long-Term Debt: Premium, Discount and Expense, and Gain or Loss on Reacquisition,*" add General Instruction 18. *Comprehensive Interperiod Income Tax Allocation.* As amended, this portion of the General Instructions reads:

General Instructions

* * * * *

18. *Comprehensive Interperiod Income Tax Allocation.*

A. Where there are timing differences between the periods in which transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income, the income tax effects of such transactions are to be recognized in the periods in which the differences between book accounting income and taxable income arise and in the periods in which the differences reverse using the deferred tax method. In general, comprehensive interperiod tax allocation should be followed whenever transactions enter into the determination of pretax accounting income for the period even though some transactions may affect the determination of taxes payable in a different period, as further qualified below.

B. Utilities are not required to utilize comprehensive interperiod income tax allocation until the deferred income taxes are included as an expense in the rate level by the regulatory authority having rate jurisdiction over the utility. Where comprehensive interperiod tax allocation accounting is not practiced the utility shall include as a note to each financial statement, prepared for public use, a footnote explanation setting forth the utility's accounting policies with respect to interperiod tax allocation and describing the treatment for ratemaking purposes of the tax timing differences by regulatory authorities having rate jurisdiction.

C. Should the utility be subject to more than one agency having rate jurisdiction, its accounts shall appropriately reflect the ratemaking treatment (deferral or flow through) of each jurisdiction.

D. Once comprehensive interperiod tax allocation has been initiated either in whole or in part it shall be practiced on a consistent basis and shall not be changed or discontinued without prior Commission approval.

E. Tax effects deferred currently will be recorded as deferred debits or deferred credits in accounts 190, Accumulated Deferred Income Taxes, 281, Accumulated Deferred Income Taxes—Accelerated Amortization Property, 282, Accumulated Deferred Income Taxes—Other Property, and 283, Accumulated Deferred Income Taxes—Other, as appropriate. The resulting amounts recorded in these accounts shall be disposed of as prescribed in this system of accounts or as otherwise authorized by the Commission.

(2) The Chart of Balance Sheet Accounts is amended as follows:

(a) Revise title of account "281, Accumulated Deferred Income Taxes—Accelerated Amortization" to read "281, Accumulated Deferred Income Taxes—Accelerated Amortization Property."

(b) Revise title of account "282, Accumulated Deferred Income Taxes—Liberalized Depreciation" to read "282, Accumulated Deferred Income Taxes—Other Property."

As amended this portion of the Chart of Balance Sheet Accounts reads:

BALANCE SHEET ACCOUNTS

(Chart of Accounts)

* * * * *

LIABILITIES AND OTHER CREDITS

* * * * *

8. Deferred Credits

* * * * *

281 Accumulated deferred income taxes—Accelerated amortization property.

282 Accumulated deferred income taxes—Other property.

* * * * *

(3) The Balance Sheet Accounts are amended as follows:

(a) Amend account "190, Accumulated Deferred Income Taxes":

(1) Amend paragraph A by deleting the phrase "when its use has been authorized by the Commission," and deleting the last sentence.

(2) Amend paragraph D by adding "(See General Instruction 18)" at the end of paragraph.

(3) Delete "Item" found at the bottom of the account.

As amended the account reads:

190 Accumulated deferred income taxes.

A. This account shall be debited and account 411.1, Provision for Deferred Income Taxes—Credit, Utility Operating Income, or account 411.2, Provision for Deferred Income Taxes—Credit, Other Income and Deductions, as appropriate, shall be credited with an amount equal to that by which income taxes payable for the year are higher because of the inclusion of certain items in income for tax purposes, which items for general accounting purposes will not be fully reflected in the utility's determination of annual net income until subsequent years.

* * * * *

D. The utility is restricted in its use of this account to the purpose set forth above. It shall not make use of the balance in this account or any portion thereof except as provided in the text of this account, without prior approval of the Commission. Any remaining deferred tax account balance with respect to an amount for any prior year's tax deferral, the amortization of which or other recognition in the utility's income accounts has been completed, or other disposition made, shall be debited to account 410.1, Provision for Deferred Income Taxes, Utility Operating Income, or account 410.2, Provision for Deferred Income Taxes, Other Income and Deductions, as appropriate, or otherwise disposed of as the Commission may authorize or direct. (See General Instruction 18.)

(b) Immediately following account "257, Unamortized Gain on Reacquired Debt," amend "SPECIAL INSTRUCTIONS—Accumulated Deferred Income Taxes" by revising the first paragraph to read "Before using the deferred tax accounts provided below refer to General Instruction 18. *Comprehensive Interperiod Income Tax Allocation,*" and by deleting the last paragraph. As amended the Special Instructions read:

SPECIAL INSTRUCTIONS

Accumulated Deferred Income Taxes

Before using the deferred tax accounts provided below refer to General Instruction 18. *Comprehensive Interperiod Income Tax Allocation.*

* * * * *

(c) Amend account "281, Accumulated Deferred Income Taxes—Accelerated Amortization" as follows:

(1) Revise account title to read "281, Accumulated Deferred Income Taxes—Accelerated Amortization Property."

(2) Revise paragraphs A, B, C, and D. As amended account 281 reads:

281 Accumulated deferred income taxes—Accelerated amortization property.

A. This account shall include tax deferrals resulting from adoption of the principles of comprehensive interperiod tax allocation described in General Instruction 18 of this system of accounts that relate to property for which the utility has availed itself of the use of accelerated (5-year) amortization of (1) certified defense facilities as permitted by Section 168 of the Internal Revenue Code and (2) certified pollution control facilities as permitted by Section 169 of the Internal Revenue Code.

B. This account shall be credited and accounts 410.1, Provision for Deferred Income Taxes, Utility Operating Income, or 410.2, Provision for Deferred Income Taxes, Other Income and Deductions, as appropriate, shall be debited with tax effects related to property described in paragraph A above where taxable income is lower than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

C. This account shall be debited and accounts 411.1, Provision for Deferred Income Taxes—Credit, Utility Operating Income, or 411.2, Provision for Deferred Income Taxes—Credit, Other Income and Deductions, as appropriate, shall be credited with tax effects related to property described in paragraph A above where taxable income is higher than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

D. Records with respect to entries to this account, as described above, and the account balance, shall be so maintained as to show the factors of calculation and the separate amounts applicable to the plant additions of each vintage year for each class, group, or unit.

The underlying calculations to segregate and associate deferred tax amounts with the respective vintage years may be based on reasonable methods of approximation, if necessary, consistently applied.

* * * * *

(d) Amend account "282, Accumulated Deferred Income Taxes—Liberalized Depreciation" as follows:

(1) Revise account title to read "282, Accumulated Deferred Income Taxes—Other Property."

(2) Revise paragraphs A, B, C, and D.

As amended account 282 reads:

282 Accumulated deferred income taxes—Other property.

A. This account shall include the tax deferrals resulting from adoption of the principle of comprehensive interperiod income tax allocation described in General Instruction 18 of this system of accounts which are related to all property other than accelerated amortization property.

B. This account shall be credited and accounts 410.1, Provision for Deferred Income Taxes, Utility Operating Income, or 410.2, Provision for Deferred Income Taxes, Other Income and Deductions, as appropriate, shall be debited with tax effects related to property described in paragraph A above where taxable income is lower than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

C. This account shall be debited and accounts 411.1, Provision for Deferred Income Taxes—Credit, Utility Operating Income, or 411.2, Provision for Deferred Income Taxes—Credit, Other Income and Deductions, as appropriate, shall be credited with tax effects related to property described in paragraph A above where taxable income is higher than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

D. Records with respect to entries to this account, as described above, and the account balance, shall be so maintained as to show the factors of calculation and the separate amounts applicable to the plant additions of each vintage year for each class, group, or unit. The underlying calculations to segregate and associate deferred tax amounts with the respective vintage years may be based on reasonable methods of approximation, if necessary, consistently applied.

* * * * *

(e) Amend account "283, Accumulated Deferred Income Taxes—Other" as follows:

(1) Revise paragraphs A and B.

(2) Add a new paragraph C.

(3) Redesignate present paragraph C as paragraph D and present Paragraph D as Paragraph E.

(4) Delete the list of "Items" at the end.

As amended account 283 reads:

283 Accumulated deferred income taxes—Other.

A. This account shall include all credit tax deferrals resulting from the adoption of the principles of comprehensive interperiod income tax allocation described in General Instruction 18 of this system of accounts other than those deferrals which are includible in Accounts 281, Accumulated Deferred Income Taxes—Accelerated Amortization Property and 282, Accumulated Deferred Income Taxes—Other Property.

B. This account shall be credited and accounts 410.1 Provision for Deferred Income Taxes, Utility Operating Income, or 410.2, Provision for Deferred Income Taxes, Other Income and Deductions, as appropriate, shall be debited with tax effects related to items described in paragraph A above where taxable income is lower than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

C. This account shall be debited and accounts 411.1, Provision for Deferred Income Taxes—Credit, Utility Operating Income or 411.2, Provision for Deferred Income Taxes—Credit, Other Income and Deductions, as appropriate shall be credited with tax effects related to items described in paragraph A above where taxable income is higher than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

D. Records with respect to entries to this account, as described above, and the account balance, shall be so maintained as to show the factors of calculation with respect to each annual amount of the item or class of items.

E. The utility is restricted in its use of this account to the purposes set forth above. It shall not transfer the balance in the account or any portion thereof to retained earnings or to any other account or make any use thereof except as provided in the text of this account, without prior approval of the Commission. Upon the disposition by sale, exchange, transfer, abandonment or premature retirement of items on which there is a related balance herein, this account shall be charged with an amount equal to the related income tax effect, if any, arising from such disposition and account 411.1, Provision For Deferred Income Taxes—Credit, Utility Operating Income, or 411.2, Provision For Deferred Income Taxes—Credit, Other Income and Deductions, as appropriate, shall be credited. When the remaining balance, after consideration of any related tax expenses, is less than $25,000, this account shall be charged and account 411.1 or 411.2, as appropriate, credited with such balance. If after consideration of any related income tax expense, there is a remaining amount of $25,000 or more, the Commission shall authorize or direct how such amount shall be accounted for at the time approval for the disposition of accounting is granted.

When plant is disposed of by transfer to a wholly owned subsidiary, the related balance in this account shall also be transferred. When the disposition relates to retirement of an item or items under a group method of depreciation where there is no tax effect in the year of retirement, no entries are required in this account if it can be determined that the related balance would be necessary to be retained to offset future group item tax deficiencies.

PART 204—UNIFORM SYSTEM OF ACCOUNTS FOR NATURAL GAS COMPANIES (CLASS C AND CLASS D)

(D) The Commission's Uniform System of Accounts for Class C and Class D for Natural Gas Companies prescribed by Part 204, Chapter I, Title 18 of the Code of Federal Regulations is amended as follows:

(1) Immediately following General Instruction "15. *Long-Term Debt: Premium, Discount and Expense, and Gain or Loss on Reacquisition,*" add General Instruction 16. *Comprehensive Interperiod Income Tax Allocation.* As amended, this portion of the General Instructions reads:

General Instructions

* * * * *

16. *Comprehensive Interperiod Income Tax Allocation.*

A. Where there are timing differences between the periods in which transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income, the income tax effects of such transactions are to be recognized in the periods in which the differences between book accounting income and taxable income arise and in the periods in which the differences reverse using the deferred tax method. In general, comprehensive interperiod tax allocation should be followed whenever transactions enter into the determination of pretax accounting income for the period even though some transactions may affect the determination of taxes payable in a different period, as further qualified below.

B. Utilities are not required to utilize comprehensive interperiod income tax allocation until the deferred income taxes are included as an expense in the rate level by the regulatory authority having rate jurisdiction over the utility. Where comprehensive interperiod tax allocation accounting is not practiced the utility shall include as a note to each financial statement, prepared for public use, a footnote explanation setting forth the utility's accounting policies with respect to interperiod tax allocation and describing the treatment for ratemaking purposes of the tax timing differences by regulatory authorities having rate jurisdiction.

C. Should the utility be subject to more than one agency having rate jurisdiction, its accounts shall appropriately reflect the ratemaking treatment (deferral or flow through) of each jurisdiction.

D. Once comprehensive interperiod tax allocation has been initiated either in whole or in part it shall be practiced on a consistent basis and shall not be changed or discontinued without prior Commission approval.

E. Tax effects deferred currently will be recorded as deferred debits or deferred credits in accounts 190, Accumulated Deferred Income Taxes, 281, Accumulated Deferred Income Taxes—Accelerated Amortization Property, 282, Accumulated Deferred Income Taxes—Other Property, and 283, Accumulated Deferred Income Taxes—Other, as appropriate. The resulting amounts recorded in these accounts shall be disposed of as prescribed in this system of accounts or as otherwise authorized by the Commission.

(2) The Chart of Balance Sheet Accounts is amended as follows:

(a) Revise title of account "281, Accumulated Deferred Income Taxes—Accelerated Amortization" to read "281, Accumulated Deferred Income Taxes—Accelerated Amortization Property."

(b) Revise title of account "282, Accumulated Deferred Income Taxes—Liberalized Depreciation" to read "282, Accumulated Deferred Income Taxes—Other Property."

As amended this portion of the Chart of Balance Sheet Accounts reads:

BALANCE SHEET ACCOUNTS

(Chart of Accounts)

* * * * *

LIABILITIES AND OTHER CREDITS

* * * * *

8. Deferred Credits

* * * * *

281 Accumulated deferred income taxes—Accelerated amortization property.

282 Accumulated deferred income taxes—Other property.

* * * * *

(3) The Balance Sheet Accounts are amended as follows:

(a) Amend account "190, Accumulated Deferred Income Taxes":

(1) Amend paragraph A by deleting the phrase "when its use has been authorized by the Commission," and deleting the last sentence.

(2) Amend paragraph D by adding "(See General Instruction 16)" at the end of paragraph.

(3) Delete "Item" found at the bottom of the account.

As amended the account reads:

190 Accumulated deferred income taxes.

A. This account shall be debited and account 411.1, Provision for Deferred Income Taxes—Credit, Utility Operating Income, or account 411.2, Provision for Deferred Income Taxes—Credit, Other Income and Deductions, as appropriate, shall be credited with an amount equal to that by which income taxes payable for the year are higher because of the inclusion of certain items in income for tax purposes, which items for general accounting purposes will not be fully reflected in the utility's determination of annual net income until subsequent years.

* * * * *

D. The utility is restricted in its use of this account to the purpose set forth above. It shall not make use of the balance in this account or any portion thereof except as provided in the text of this account, without prior approval of the Commission. Any remaining deferred tax account balance with respect to an amount for any prior year's tax deferral, the amortization of which or other recognition in the utility's income accounts has been completed, or other disposition made, shall be debited to account 410.1, Provision for Deferred Income Taxes, Utility Operating Income, or account 410.2, Provision for Deferred Income Taxes, Other Income and Deductions, as appropriate, or otherwise disposed of as the Commission may authorize or direct. (See General Instruction 16.)

(b) Immediately following account "257, Unamortized Gain on Reacquired Debt," amend "SPECIAL INSTRUCTIONS—Accumulated Deferred Income Taxes" by revising the first paragraph to read "Before using the deferred tax accounts provided below refer to General Instruction 16. *Comprehensive Interperiod Income Tax Allocation.*" and by deleting the last paragraph. As amended the Special Instructions read:

SPECIAL INSTRUCTIONS

Accumulated Deferred Income Taxes

Before using the deferred tax accounts provided below refer to General Instruction 16. *Comprehensive Interperiod Income Tax Allocation.*

* * * * *

(c) Amend account "281, Accumulated Deferred Income Taxes—Accelerated Amortization" as follows:

(1) Revise account title to read "281, Accumulated Deferred Income Taxes—Accelerated Amortization Property."

(2) Revise paragraphs A, B, C and D. As amended account 281 reads:

281 Accumulated deferred income taxes—Accelerated amortization property.

A. This account shall include tax deferrals resulting from adoption of the principles of comprehensive interperiod tax allocation described in General Instruction 16 of this system of accounts that relate to property for which the utility has availed itself of the use of accelerated (5-year) amortization of (1) certified defense facilities as permitted by Section 168 of the Internal Revenue Code and (2) certified pollution control facilities as permitted by Section 169 of the Internal Revenue Code.

B. This account shall be credited and accounts 410.1, Provision for Deferred Income Taxes, Utility Operating Income, or 410.2, Provision for Deferred Income Taxes, Other Income and Deductions, as appropriate, shall be debited with tax effects related to property described in paragraph A above where taxable income is lower than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

C. This account shall be debited and accounts 411.1, Provision for Deferred Income Taxes—Credit, Utility Operating Income, or 411.2, Provision for Deferred Income Taxes—Credit, Other Income

and Deductions, as appropriate, shall be credited with tax effects related to property described in paragraph A above where taxable income is higher than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

D. Records with respect to entries to this account, as described above, and the account balance, shall be so maintained as to show the factors of calculation and the separate amounts applicable to the plant additions of each vintage year for each class, group, or unit.

The underlying calculations to segregate and associate deferred tax amounts with the respective vintage years may be based on reasonable methods of approximation, if necessary, consistently applied.

* * * * *

(d) Amend account "282, Accumulated Deferred Income Taxes—Liberalized Depreciation" as follows:

(1) Revise account title to read "282, Accumulated Deferred Income Taxes—Other Property."

(2) Revise paragraphs A, B, C, and D. As amended account 282 reads:

282 Accumulated deferred income taxes—Other property.

A. This account shall include the tax deferrals resulting from adoption of the principle of comprehensive interperiod income tax allocation described in General Instruction 16 of this system of account which are related to all property other than accelerated amortization property.

B. This account shall be credited and accounts 410.1, Provision for Deferred Income Taxes, Utility Operating Income, or 410.2, Provision for Deferred Income Taxes, Other Income and Deductions, as appropriate, shall be debited with tax effects related to property described in paragraph A above where taxable income is lower than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

C. This account shall be debited and accounts 411.1, Provision for Deferred Income Taxes—Credit, Utility Operating Income, or 411.2, Provision for Deferred Income Taxes—Credit, Other Income and Deductions, as appropriate, shall be credited with tax effects related to property described in paragraph A above where taxable income is higher than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

D. Records with respect to entries to this account, as described above, and the account balance, shall be so maintained as to show the factors of calculation and the separate amounts applicable to the plant additions of each vintage year for each class, group, or unit. The underlying calculations to segregate and associate deferred tax amounts with the respective vintage years may be based on reasonable methods of approximation, if necessary, consistently applied.

* * * * *

(e) Amend account "283, Accumulated Deferred Income Taxes—Other" as follows:

(1) Revise paragraphs A and B.

(2) Add a new paragraph C.

(3) Redesignate present paragraph C as paragraph D and present Paragraph D as Paragraph E.

(4) Delete the list of "Items" at the end.

As amended account 283 reads:

283 Accumulated deferred income taxes—Other.

A. This account shall include all credit tax deferrals resulting from the adoption of the principles of comprehensive interperiod income tax allocation described in General Instruction 16 of this system of accounts other than those deferrals which are includible in Accounts 281, Accumulated Deferred Income Taxes—Accelerated Amortization Property and 282, Accumulated Deferred Income Taxes—Other Property.

B. This account shall be credited and accounts 410.1 Provision for Deferred Income Taxes, Utility Operating Income, or 410.2, Provision for Deferred Income Taxes, Other Income and Deductions, as appropriate, shall be debited with tax effects related to items described in paragraph A above where taxable income is lower than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

C. This account shall be debited and accounts 411.1, Provision for Deferred Income Taxes—Credit, Utility Operating Income or 411.2, Provision for Deferred Income Taxes—Credit, Other Income and Deductions, as appropriate shall be credited with tax effects related to items described in paragraph A above where taxable income is higher than pretax accounting income due to differences between the periods in which revenue and expense transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income.

D. Records with respect to entries to this account, as described above, and the account balance, shall be so maintained as to show the factors of calculation with respect to each annual amount of the item or class of items.

E. The utility is restricted in its use of this account to the purposes set forth above. It shall not transfer the balance in the account or any portion thereof to retained earnings or to any other account or make any use thereof except as provided in the text of this account, without prior approval of the Commission. Upon the disposition by sale, exchange, transfer, abandonment or premature retirement of items on which there is a related balance herein, this account shall be charged with an amount equal to the related income tax effect, if any, arising from such disposition and account 411.1, Provision For Deferred Income Taxes—Credit, Utility Operating Income, or 411.2, Provision For Deferred Income Taxes—Credit, Other Income and Deductions, as appropriate, shall be credited. When the remaining balance, after consideration of any related tax expenses, is less than $25,000, this account shall be charged and account 411.1 or 411.2, as appropriate, credited with such balance. If after consideration of any related income tax expense, there is a remaining amount of $25,000 or more, the Commission shall authorize or direct how such amount shall be accounted for at the time approval for the disposition of accounting is granted.

When plant is disposed of by transfer to a wholly owned subsidiary, the related balance in this account shall also be transferred. When the disposition relates to retirement of an item or items under a group method of depreciation where there is no tax effect in the year of retirement, no entries are required in this account if it can be determined that the related balance would be necessary to be retained to offset future group item tax deficiencies.

(E) Schedule pages 214C and 214D, Accumulated Deferred Income Taxes (Account 190); 227 and 227A, Accumulated Deferred Income Taxes—Accelerated Amortization Property (Account 281); 227B and 227C, Accumulated Deferred Income Taxes—Other Property (Account 282); and 227D and 227E, Accumulated Deferred Income Taxes—Other (Account 283) in FPC Form No. 1, Annual Report prescribed by § 141.1, Chapter I, Title 18 of the Code of Federal Regulations and in FPC Form No. 2, Annual Report for Natural Gas Companies (Class A and Class B) prescribed by § 260.1, Chapter I, Title 18 of the Code of Federal Regulations are amended as set forth in Attachment C hereto.

(F) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-16410 Filed 6-25-75;8:45 am]

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Entire Executive Civil Service

Section 213.3102 is amended to show that employment in positions providing direct services to Indo-Chinese refugees or directly aiding the refugee resettlement program of noncitizens previously employed by the United States in Vietnam and Cambodia is authorized under Schedule A.

Effective June 26, 1975, § 213.3102(gg) is added as set out below:

§ 213.3102 Entire Executive Civil Service.

* * * * *

(gg) Positions providing direct services to Indo-Chinese refugees or directly aiding the refugee resettlement program when filled by noncitizens previously employed by the United States in Vietnam and Cambodia. Service under this authority may not exceed 2 years. No new appointments may be made under this authority after June 30, 1976.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-16681 Filed 6-25-75;8:45 am]

Title 11—Federal Elections

CHAPTER II—FEDERAL ELECTION COMMISSION

[Notice 1975–6]

INTERIM GUIDELINE: MULTI-CANDIDATE COMMITTEES

Deadline for Filing Reports

1. Political committees supporting more than one candidate (multi-candidate committees) which have heretofore reported to two or more supervisory officers or which, if new, would have had to file with more than one supervisory officer (as, for example, a committee supporting candidates for both the Senate and the Presidency), should file their July 10, 1975 report with the Federal Election Commission, 1325 K Street, NW., Washington, D.C. 20463. Multi-candidate committees supporting only candidates for the House of Representatives should file their July 10, 1975 report with the Clerk of the House of Representatives. Multi-candidate committees supporting only candidates for the Senate should file their July 10, 1975 report with the Secretary of the Senate. Multi-candidate committees which have heretofore filed only with the General Accounting Office or which, if new, would have filed only with the General Accounting Office, should file the July 10, 1975 report with the Federal Election Commission at the above address.

2. No multi-candidate committee described in the foregoing paragraph need file with the principal campaign committees of the candidates supported, except that:

a. such multi-candidate committee which receives contributions earmarked by the contributor for any individual candidate or an authorized committee thereof shall report such contribution to that candidate's principal campaign committee and the Commission, and

b. any such multi-candidate committee which is authorized to make expenditures in behalf of a candidate should report any such expenditures to that candidate's principal campaign committee and the Commission. If no principal campaign committee has been designated, contributions and expenditures to be reported under this paragraph should be reported to the Commission in a form which clearly identifies the candidate to whom they relate.

3. Multi-candidate committees which have not heretofore filed with any supervisory officer should additionally file a registration statement under 2 U.S.C. Section 433. Such committees which support only candidates for the House of Representatives should register with the Clerk thereof. Such committees which support only candidates for the Senate should register with the Secretary thereof. All other such committees should register with the Commission.

Dated: June 20, 1975.

THOMAS B. CURTIS,
Chairman, for the Federal Election Commission.

[FR Doc.75-16533 Filed 6-25-75;8:45 am]

Title 47—Telecommunications

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 20027; FCC 75-611, RM 2050]

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

PART 91—INDUSTRIAL RADIO SERVICES

Frequency Allocation for Oil Spill Cleanup Operations

Correction

In FR Doc. 75-15067 appearing at page 24735 in the issue for Tuesday, June 10, 1975, under § 2.106, reverse the order of appearance for the sixth and seventh lines of the second footnote.

Title 24—Housing and Urban Development

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

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-603]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

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

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

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

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

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence new entries to the table. In each entry, a complete chronology of effective dates appears for each listed community. The date that appears in the fourth column of the table is provided in the order to designate (1) the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program; (2) the effective date on which the community became ineligible for the sale of flood insurance because of its failure to submit land use and control measures as required pursuant to § 1909.24(a); or (3) the effective date of a community's formal reinstatement in the program pursuant to § 1909.24(b). These dates serve notice only for the purposes of granting relief, and not for the application of sanctions, within the meaning of 5 U.S.C. 551. The entry reads as follows:

§ 1914.4 List of eligible communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
*	*	*	*	*	*	*
Alabama	Lee	Opelika, city of	June 20, 1975, emergency	July 26, 1974		
Alaska	Kodiak Island Borough	Kodiak, city of	do	May 31, 1974		
Arkansas	Saline	Bryant, city of	do	June 27, 1975		
Do	Jackson	Newport, city of	do	Nov. 16, 1973		
California	Fresno	Firebaugh, city of	do	Mar. 1, 1974		
Georgia	Stephens	Toccoa, city of	do	June 28, 1974		
Illinois	Cook	Melrose Park, village of	do	Apr. 5, 1974		
Do	Moultrie	Sullivan, city of	do	Sept. 20, 1974		
Kentucky	Madison	Richmond, city of	do	May 10, 1974		
Maine	Somerset	Bingham, town of	do	July 19, 1974		
Do	Cumberland	Casco, town of	do	July 26, 1974		
Massachusetts	Norfolk	Foxborough, town of	do	do		
Do	Hampden	Palmer, town of	do	Apr. 5, 1974		
Do	Dukes	Tisbury, town of	do	Mar. 22, 1974		
Michigan	Oakland	Keego Harbor, city of	do	May 24, 1974		
Do	Lenawee	Hudson, city of	do	May 17, 1974		
Minnesota	Faribault	Wells, city of	do	May 10, 1974		
Missouri	St. Francois	Bonne Terre, city of	do	May 31, 1974		
Montana	Blaine	Harlem, city of	do	Dec. 28, 1973		
Nebraska	Thayer	Hubbell, village of	do			
New Hampshire	Cheshire	Winchester, town of	do	Mar. 15, 1974		
New Jersey	Burlington	Hainesport, township of	do	June 28, 1974		
New Mexico	Quay	San Jon, village of	do	Nov. 22, 1974		
New York	Ulster	Hurley, town of	do	May 31, 1974		
Do	Warren	Lake Luzerne, town of	do	Sept. 6, 1974		
Do	Seneca	Seneca Falls, town of	do	June 28, 1974		
Do	Steuben	Woodhull, village of	do	Aug. 9, 1974		
North Carolina	Craven	Havelock, city of	do	Sept. 13, 1974		
Ohio	Sandusky	Lindsey, village of	do	Mar. 15, 1974		
Do	Butler	Oxford, city of	do	May 10, 1974		
Oklahoma	Carter	Wilson, city of	do	June 28, 1974		
Oregon	Clackamas	Molalla, city of	do	May 24, 1974		
Pennsylvania	Columbia	Berwick, borough of	do	June 28, 1974		
Do	Allegheny	Emsworth, borough of	do	Feb. 8, 1974		
Do	Huntingdon	Wood, township of	do	Dec. 20, 1974		
South Carolina	Hampton	Estill, town of	do	May 31, 1974		
Do	Darlington	Hartsville, city of	do	June 7, 1974		
Do	York	York, city of	do	May 17, 1974		
South Dakota	Hamlin	Estelline, city of	do	May 10, 1974		
Texas	Brown	Brownwood, city of	do	May 24, 1974		
Do	Cherokee	Rusk, city of	do	Aug. 9, 1974		
Do	Ellis	Waxahachie, city of	do	June 28, 1974		
Vermont	Washington	Waitsfield, town of	do	do		
Virginia	Pittsylvania	Hurt, town of	do	Nov. 1, 1974		
Washington	King	Bothell, city of	do	May 24, 1974		
Wisconsin	Ashland	Mellen, city of	do	Dec. 17, 1973		

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
*	*	*	*	*	*	
Alabama	Covington	Florala, city of	June 19, 1975, emergency			
Arkansas	Jefferson	Sherrill, town of	do	Aug. 30, 1974		
Colorado	Mineral	Creede, town of	do	Aug. 16, 1974		
Do	Jefferson	Golden, city of	do	Feb. 8, 1974		
Do	Moffat	Unincorporated areas	do			
Idaho	Bingham	Blackfoot, city of	do	Jan. 23, 1974		
Illinois	McLean	Normal, town of	do	June 21, 1974		
Indiana	Parke	Montezuma, town of	do	Dec. 17, 1973		
Iowa	Van Buren	Farmington, city of	do	Jan. 9, 1974		
Maine	Piscataquis	Brownville, town of	do	Sept. 6, 1974		
Maryland	Allegany	Lonaconing, town of	do	Sept. 20, 1974		
Massachusetts	Essex	Groveland, town of	do	June 28, 1974		
Minnesota	Kittson	Lancaster, city of	do	Aug. 16, 1974		
Mississippi	Choctaw and Webster.	Mathiston, town of	do	Jan. 31, 1975		
Missouri	Harrison	Bethany, city of	do	Jan. 23, 1974		
Nebraska	Nuckolls	Superior, city of	do	June 28, 1974		
New Hampshire	Grafton	Enfield, town of	do	Mar. 8, 1974		
New Jersey	Monmouth	Atlantic Highlands, Borough of.	do	Feb. 8, 1974		
New Mexico	San Juan	Bloomfield, city of	do	May 17, 1974		
New York	Sullivan	Callicoon, town of	do	June 14, 1974		
Do	Chautauqua	Cassadaga, village of	do	May 31, 1974		
Do	Delaware	Hancock, village of	do	do		
Do	St. Lawrence	Heuvelton, village of	do	May 24, 1974		
Do	Sullivan	Jeffersonville, village of	do	Nov. 22, 1974		
Do	Chautauqua	Lakewood, village of	do	Feb. 8, 1974		
Do	Nassau	Mill Neck, village of	do	Mar. 8, 1974		
Do	Cortland	Preble, town of	do	Feb. 15, 1974		
Do	Broome	Windsor, village of	do	May 3, 1974		
Ohio	Allen	Bluffton, village of	do	Jan. 23, 1974		
Do	Greene	Fairborn, city of	do	Mar. 15, 1974		
Pennsylvania	Lancaster	Upper Leacock, township of	do	May 24, 1974		
South Carolina	Union	Union, city of	do	June 28, 1974		
Vermont	Rutland	Mendon, town of	do	Aug. 16, 1974		
Washington	Lincoln	Davenport, city of	do	May 24, 1974		

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Arizona	Maricopa	Peoria, city of	June 18, 1975, emergency	Mar. 8, 1974		
Do.	Yavapai	Chino Valley, town of	do.	May 3, 1974		
Arkansas	Lafayette	Bradley, city of	do.	Mar. 29, 1974		
Do.	Cross	Cherry Valley, city of	do.	Mar. 15, 1974		
Do.	Lawrence	Black Rock, city of	do.	Apr. 12, 1974		
Do.	Arkansas	Dewitt, city of	do.	Oct. 12, 1973		
California	Napa	Calistoga, city of	do.	May 10, 1974		
Do.	Contra Costa	Clayton, city of	do.	May 17, 1974		
Do.	San Mateo	Hillsborough, town of	do.	May 31, 1974		
Do.	Ventura	Ojai, city of	do.	May 3, 1974		
Do.	Shasta	Redding, city of	do.	Dec. 20, 1974		
Colorado	Morgan	Brush, city of	do.	Nov. 23, 1973		
Do.	Gilpin	Central, city of	do.	Aug. 30, 1974		
Do.	Gunnison	Gunnison, city of	do.	Mar. 22, 1974		
Do.	Montrose	Naturita, town of	do.	May 17, 1974		
Connecticut	New Haven	Woodbridge, town of	do.	June 28, 1974		
Florida	Polk	Bartow, city of	do.	Jan. 23, 1974		
Georgia	Troup	Hogansville, city of	do.	May 10, 1974		
Do.	Gwinett	Lilburn, city of	do.	June 7, 1974		
Idaho	Madison	Rexburg, city of	do.	Dec. 17, 1973		
Indiana	Clinton	Frankfort, city of	do.	May 10, 1974		
Iowa	Winnebago	Forest City, city of	do.	May 17, 1974		
Do.	Fayette	Elgin, city of	do.	Feb. 8, 1974		
Maine	Aroostook	Limestone, town of	do.	June 7, 1974		
Massachusetts	Middlesex	Tyngsborough, town of	do.	Aug. 2, 1974		
Michigan	Eaton	Eaton Rapids, city of	do.	May 24, 1974		
Minnesota	Traverse	Tintah, city of	do.	Aug. 9, 1974		
Mississippi	Scott	Morton, city of	do.	June 7, 1974		
Missouri	St. Louis	Bella Villa, city of	do.	July 25, 1974		
Do.	do.	Winchester, city of	do.	Dec. 17, 1973		
New Hampshire	Merrimack	Bow, town of	do.	May 3, 1974		
New Jersey	Passaic	Ringwood, borough of	do.	June 28, 1974		
Do.	Bergen	Wallington, borough of	do.	June 14, 1974		
New York	Montgomery	Hagaman, village of	do.	Mar. 8, 1974		
Do.	Rockland	Hillburn, village of	do.	Mar. 15, 1974		
Do.	Genesee	LeRoy, town of	do.	Mar. 8, 1974		
Do.	Nassau	Plandome, village of	do.	June 14, 1974		
Do.	Yates	Penn Yan, village of	do.	May 31, 1974		
Do.	Allegany	Scio, town of	do.	May 3, 1974		
North Dakota	Pembina	Cavalier, city of	do.	May 24, 1974		
Ohio	Delaware	Sunbury, village of	do.	May 31, 1974		
Do.	Licking	Utica, village of	do.	Feb. 8, 1974		
Oklahoma	Harmon	Hollis, city of	do.	June 28, 1974		
Do.	Garfield	North Enid, town of	do.	Jan. 24, 1975		
Pennsylvania	Mercer	Stoneboro, borough of	do.	July 26, 1974		
South Carolina	Colleton	Unincorporated areas	do.	Sept. 6, 1974		
Do.	York	do.	do.			
South Dakota	Haakon	Philip, city of	do.	June 7, 1974		
Texas	Childress	Childress, city of	do.	June 14, 1974		
Do.	Crosby	Crosbyton, city of	do.	May 10, 1974		
Do.	Van Zandt	Van, city of	do.	Aug. 30, 1974		
Do.	Orange	Unincorporated areas	Nov. 6, 1970, emergency. May 14, 1971, regular. Dec. 31, 1971, suspended. June 11, 1975, reinstated.	May 14, 1971		
Virginia	Independent City	Colonial Heights, city of	June 18, 1975, emergency	June 14, 1974		
Do.	Franklin	Rocky Mount, town of	do.	Jan. 17, 1975		
Wisconsin	Taylor	Stetsonville, village of	do.	May 17, 1974		

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Arkansas	St. Francis	Palestine, city of	June 17, 1975, emergency			
California	Contra Costa	Pittsburg, city of	do.	June 21, 1975		
Do.	Orange	Tustin, city of	do.	do.		
Do.	Stanislaus	Waterford, city of	do.	May 24, 1974		
Colorado	Hinsdale	Lake City, city of	do.			
Florida	Orange	Apopka, city of	do.	July 19, 1974		
Georgia	Gwinnett	Snellville, city of	do.	June 14, 1974		
Idaho	Canyon	Unincorporated areas	do.			
Illinois	McLean	Colfax, village of	do.	June 7, 1974		
Do.	White	Grayville, city of	do.	May 31, 1974		
Do.	Crawford	Hutsonville, village of	do.	Dec. 17, 1973		
Do.	Tazewell	Minier, village of	do.	Nov. 29, 1974		
Do.	Woodford	Roanoke, village of	do.	Mar. 1, 1974		
Do.	DeKalb	Shabbona, village of	do.	June 7, 1974		
Do.	Johnson	Vienna, city of	do.	Mar. 29, 1974		
Kansas	Dickinson	Herington, city of	do.	May 1, 1974		
Maine	Piscataquis	Monson, town of	do.	Feb. 14, 1975		
Minnesota	Carver	Victoria, city of	do.	June 7, 1974		
New York	Allegany	Caneadea, town of	do.	May 31, 1975		
Do.	Niagara	Niagara, town of	do.	Mar. 22, 1974		
Do.	Chautauqua	Sheridan, town of	do.	Oct. 18, 1974		
Do.	Albany	Westerlo, town of	do.	June 14, 1974		
North Carolina	Cabarrus	Harrisburg, town of	do.	Apr. 12, 1974		
Do.	Catawba	Long View, town of	do.	June 28, 1974		
Do.	Franklin	Louisburg, town of	do.	June 14, 1974		
Do.	Robeson	Unincorporated areas	do.			
Ohio	Drake	Ansonia, village of	do.	Apr. 5, 1974		
Do.	Guernsey	Byesville, village of	do.	Mar. 29, 1974		
Do.	Mahoning	Campbell, city of	do.	Mar. 1, 1974		
Do.	Harrison	Jewett, village of	do.	May 24, 1974		
Do.	Auglaize	Wapakoneta, city of	do.	Feb. 15, 1974		
Do.	Huron	Willard, city of	do.	Mar. 22, 1974		
Oklahoma	Tulsa	Sperry, town of	do.	Dec. 7, 1973		
Pennsylvania	Bedford	East Providence, township of.	do.	Jan. 17, 1975		
Do.	Dauphin	Halifax, township of	do.	Nov. 15, 1974		
Do.	Adams	Highland, township of	do.	Nov. 29, 1974		
Do.	Centre	Milesburg, borough of	do.	Dec. 28, 1973		
Do.	Bucks	Milford, township of	do.	Dec. 13, 1974		

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Do.	Cambria	Nanty-Glo, borough of	do.	Feb. 8, 1974		
Do.	Chester	Oxford, borough of	do.	July 26, 1974		
Do.	Franklin	South Hampton, township of.	do.	May 31, 1974		
South Carolina	Lee	Bishopville, town of	do.			
Do.	Hampton and Beaufort.	Yemassee, town of	do.	June 21, 1974		
Texas	Bastrop	Elgin, city of	do.	do.		
Do.	Reeves	Pecos City, town of	do.	June 7, 1974		
Do.	Brazoria	Oyster Creek, village of	do.			
Do.	Gonzales	Waelder, city of	do.	July 19, 1974		
Vermont	Franklin	Franklin, town of	do.	Nov. 15, 1974		
Do.	Windsor	Springfield, town of	do.	Feb. 22, 1974		
Virginia	Rockingham	Grottoes, town of	do.	June 28, 1974		
Do.	Lee	Pennington Gap, town of	do.	Mar. 22, 1974		
Do.	Frederick	Stephens City, town of	do.	June 28, 1974		
Wisconsin	Rock	Edgerton, city of	do.	Dec. 17, 1973		

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
*	*	*	*	*	*	*
Alaska	Wrangel Peterson Borough.	Wrangell, city of	June 23, 1975 emergency	June 28, 1974		
Arkansas	Union	Huttig, city of	do.	May 24, 1974		
Do.	Mississippi	Luxora, city of	do.	Oct. 12, 1973		
Georgia	Camden	Kingsland, city of	do.	June 14, 1974		
Do.	Warren	Warrenton, city of	do.			
Illinois	Tazewell	Morton, village of	do.	May 31, 1974		
Iowa	Jones	Oxford Junction, city of	do.	June 21, 1974		
Kansas	Douglas	Baldwin City, city of	do.	Feb. 15, 1974		
Do.	Butler	Unincorporated areas	do.			
Do.	Riley	do.	do.	Feb. 15, 1974		
Louisiana	Acadia	Church Point, town of	do.	Nov. 16, 1973		
Maine	York	Acton, town of	do.	Feb. 21, 1975		
Do.	Aroostook	Amity, town of	do.	Jan. 17, 1975		
Do.	Oxford	Dixfield, town of	do.	June 28, 1974		
Do.	Aroostook	Washburn, town of	do.	Aug. 2, 1974		
Do.	Kennebec	Winthrop, town of	do.	do.		
Massachusetts	Worcester	Dudley, town of	do.	Apr. 5, 1974		
Do.	do.	Hopedale, town of	do.	July 26, 1974		
Do.	Bristol	Raynham, town of	do.	Aug. 9, 1974		
Michigan	Dickinson	Kingsford, city of	do.	May 24, 1974		
Do.	Monroe	Summerfield, township of	do.	Feb. 15, 1974		
Do.	Genesee	Swartz Creek, city of	do.	May 17, 1974		
Minnesota	St. Louise	Biwabik, city of	do.	do.		
Do.	Wright	Cokato, city of	do.	May 24, 1974		
Do.	Carver	Chanhassen, city of	do.	Nov. 9, 1973		
Do.	Winona	Goodview, city of	do.	May 17, 1974		
Do.	Lincoln	Hendricks, city of	do.	Mar. 29, 1974		
Do.	Goodhue	Zumbrota, city of	do.	May 24, 1974		
Mississippi	Montgomery	Duck Hill, town of	do.	June 7, 1974		
Missouri	Crawford	Bourbon, city of	do.	May 24, 1974		
Do.	Cass	Drexel, city of	do.	Mar. 29, 1974		
Do.	Clinton and Buchanan.	Gower, city of	do.	July 26, 1974		
Do.	Stone	Kimberling, city of	do.	June 21, 1974 Feb. 4, 1975		
Do.	Atchison	Tarkio, city of	do.	June 7, 1974		
Do.	St. Louis	Valley Park, city of	do.	Dec. 17, 1973		
Montana	Roosevelt	Culbertson, town of	do.	Mar. 29, 1974		
Nebraska	Buffalo	Kearney, city of	do.	Feb. 8, 1974		
New Jersey	Monmouth	Matawan, borough of	do.	Mar. 1, 1974		
New Mexico	Valencia	Belen, city of	do.	June 7, 1974		
New York	Steuben	Canisteo, village of	do.	Dec. 20, 1974		
Do.	Genesee	Pembroke, town of	do.	Apr. 5, 1974		
North Carolina	Guilford and Alamance.	Gibsonville, town of	do.			
Do.	Chatham	Siler City, town of	do.	Feb. 15, 1974		
Ohio	Stark	Canal Fulton, village of	do.	Jan. 9, 1974		
Do.	Huron	Greenwich, village of	do.	Mar. 15, 1974		
Pennsylvania	Delaware	Lansdowne, borough of	do.	May 31, 1974		
Do.	Venango	Sandycreek, township of	do.	Jan. 31, 1975		
South Carolina	Kershaw	Kershaw, town of	do.	June 21, 1974		
Do.	Oconee	Westminster, town of	do.			
Tennessee	Wilson	Lebanon, city of	do.	Apr. 12, 1974		
Texas	Reagan	Big Lake, city of	do.	May 17, 1974		
Do.	San Augustine	San Augustine, city of	do.	June 7, 1974		
Vermont	Washington	Barre, town of	do.	Aug. 30, 1974		
Do.	Windham	Bellows Falls, village of	do.	Aug. 16, 1974		
Do.	Caledonia	Burke, town of	do.	June 7, 1974		
Do.	Rutland	Fair Haven, town of	do.	July 19, 1974		
Do.	Orleans	Greensboro, town of	do.	do.		
Do.	Rutland	Rutland, town of	do.			
Do.	Orange	Williamstown, town of	do.	June 28, 1974		
Virginia	Washington	Unincorporated areas	do.			
Do.	Independent city.	Martinsville, city of	do.	May 31, 1974		
Washington	Grant	Coulee City, town of	do.	May 24, 1974		
Do.	do.	Quincy, city of	do.	June 7, 1974		
West Virginia	Preston	Albright, town of	do.	Oct. 25, 1974		
Do.	Hancock	Chester, city of	do.	June 7, 1974		
Do.	Putnam	Eleanor, town of	do.	Dec. 20, 1974		
Do.	Tyler	Sistersville, city of	do.	June 21, 1974		
Wisconsin	Dunn	Boyceville, village of	do.	June 14, 1974		
Do.	Forest	Crandon, city of	do.	June 7, 1974		
Do.	Iowa	Dodgeville, city of	do.	Sept. 20, 1974		
Do.	Oconto	Oconto Falls, city of	do.	Jan. 9, 1974		
Do.	Manitowoc	Reedsville, village of	do.	May 3, 1974		

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

Issued: June 13, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-16350 Filed 6-25-75;8:45 am]

[Docket No. FI-604]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

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

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

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

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

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

§ 1914.4 List of eligible communities.

* * * * *

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
*	*	*	*	*	*	*
California	Los Angeles	LaVerne, city of	June 24, 1975, emergency	Jan. 17, 1975		
Do	Santa Clara	Mountain View, city of	do	June 14, 1974		
Do	Sutter	Yuba City, city of	do	do		
Colorado	Montezuma	Cortez, city of	do	May 17, 1974		
Florida	Alachua	Waldo, city of	do	Jan. 9, 1974		
Georgia	Bacon	Alma, city of	do	June 28, 1974		
Idaho	Caribou	Bancroft, city of	do	Aug. 16, 1974		
Maine	Penobscot	East Millinocket, town of	do	Aug. 23, 1974		
Do	Oxford	West Paris, town of	do	July 26, 1974		
		LAND USE REGULATION COMMISSION INCLUDES				
Maine	Piscataquis	Bowdoin College Grant E, T7 R10 NWP, township of.	June 24, 1975, emergency			
Do	do	Cove Point, township of	do			
Do	do	Eagle Lake T08 R13 WELS, township of.	do			
Do	do	East Middlesex Canal Grant, township of.	do			
Do	do	Harfords Point, township of	do			
Do	do	Kineo, township of	do			
Do	do	Kokadjo T01 R13 WELS, township of.	do			
Do	do	Nesourdnahunk T5 R10 WELS, township of.	do			
Do	do	Soper Mountain T8 R12 WELS, township of.	do			
Do	do	Spencer Bay T1 R14 WELS, township of.	do			
Do	do	TB R10 WELS, township of.	do			
Do	do	TB R11 WELS, township of.	do			
Do	do	TX R14 WELS, township of.	do			
Do	do	T01 R10 WELS, township of.	do			
Do	do	T01 R11 WELS, township of.	do			
Do	do	T01 R12 WELS, township of.	do			
Do	do	T02 R09 WELS, township of.	do			

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Do.	do.	T02 R10 WELS, township of.	do.			
Do.	do.	T02 R12 WELS, township of.	do.			
Do.	do.	T03 R13 WELS, township of.	do.			
Do.	do.	T04 R09 NWP, township of.	do.			
Do.	do.	T04 R10 WELS, township of.	do.			
Ro.	do.	T04 R11 WELS, township of.	do.			
Do.	do.	T04 R12 WELS, township of.	do.			
Do.	do.	T04 R13 WELS, township of.	do.			
Do.	do.	T04 R14 WELS, township of.	do.			
Do.	do.	T04 R15 WELS, township of.	do.			
Do.	do.	T05 R12 WELS, township of.	do.			
Do.	do.	T05 R14 WELS, township of.	do.			
Do.	do.	T05 R15 WELS, township of.	do.			
Do.	do.	T06 R12 WELS, township of.	do.			
Do.	do.	T06 R13 WELS, township of.	do.			
Do.	do.	T06 R15 WELS, township of.	do.			
Do.	do.	T07 R09 NWP, township of.	do.			
Do.	do.	T07 R09 WELS, township of.	do.			
Do.	do.	T07 R10 WELS, township of.	do.			
Do.	do.	T07 R11 WELS, township of.	do.			
Do.	do.	T07 R13 WELS, township of.	do.			
Do.	do.	T07 R14 WELS, township of.	do.			
Do.	do.	T08 R09 WELS, township of.	do.			
Do.	do.	T08 R10 WELS, township of.	do.			
Do.	do.	T08 R14 WELS, township of.	do.			
Do.	do.	T08 R15 WELS, township of.	do.			
Do.	do.	T09 R09 WELS, township of.	do.			
Do.	do.	T09 R10 WELS, township of.	do.			
Do.	do.	T09 R11 WELS, township of.	do.			
Do.	do.	T09 R12 WELS, township of.	do.			
Do.	do.	T09 R13 WELS, township of.	do.			
Do.	do.	T09 R14 WELS, township of.	do.			
Do.	do.	T09 R15 WELS, township of.	do.			
Do.	do.	T10 R09 WELS, township of.	do.			
Do.	do.	T10 R10 WELS, township of.	do.			
Do.	do.	T10 R11 WELS, township of.	do.			
Do.	Oxford	Adamstown T04 R02 WBKP, township of.	do.			
Do.	do.	Andover North Surplus, township of.	do.			
Do.	do.	Andover West Surplus, township of.	do.			
Do.	do.	Bowamtown T04 R06 WBKP, township of.	do.			
Do.	do.	C Surplus, township of.	do.			
Do.	do.	Lower Cupsuptic T04 R03 WBKP, township of.	do.			
Do.	do.	Lynchtown T05 R01 R03 WBKP, township of.	do.			
Do.	do.	Mason, township of.	do.			
Do.	do.	Oxbow T04 R05 WBKP, township of.	do.			
Do.	do.	Parkertown T05 R03 WBKP, township of.	do.			
Do.	do.	Parmachenee T05 R05 WBKP, township of.	do.			
Do.	do.	Richardsontown T04 R01 WBKP, township of.	do.			
Do.	do.	Riley TA1, township of.	do.			
Do.	do.	Township C, township of.	do.			
Do.	do.	Upper Cupsuptic T04 R04 WBKP, township of.	do.			
Do.	Hancock	T04 ND, township of.	do.			
Do.	do.	T09 SD, township of.	do.			
Do.	do.	T16 MD, township of.	do.			
Do.	do.	T32 MD, township of.	do.			
Do.	do.	T34 MD, township of.	do.			
Do.	do.	T35 MD, township of.	do.			
Do.	do.	T39 MD, township of.	do.			
Do.	do.	T40 MD, township of.	do.			
Do.	do.	T41 MD, township of.	do.			
Do.	Lincoln	Hilberts Gore, township of.	do.			
Do.	Somerset	Alder Brook T3 R3 NBKP, township of.	do.			
Do.	do.	Appleton T6 R7 BKP WKR, township of.	do.			
Do.	do.	Attean T5 R1 NBKP, township of.	do.			
Do.	do.	Bald Mountain T2 R3 BKP EKR, township of.	do.			
Do.	do.	Bald Mountain T4 R3 NBKP, township of.	do.			
Do.	do.	Bigelow T4 R3 BKP WKR, township of.	do.			
Do.	do.	Big Ten T10 R17 WELS, township of.	do.			
Do.	do.	Blake Gore T5 R4 NBKP, township of.	do.			
Do.	do.	Bowtown T1 R4 BKP WKR, township of.	do.			

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Do	do	Bradstreet T4 R7 BKP WKR, township of.	do			
Do	do	Brassua T2 R2 NBKP, township of.	do			
Do	do	Carrying Place T02 R03 BKP WKR, township of.	do			
Do	do	Comstock T04 R18 WELS, township of.	do			
Do	do	Dead River T03 R03 BKP WKR, township of.	do			
Do	do	Dole Brook T03 R05 NBKP, township of.	do			
Do	do	Elm Stream T04 R16 WELS, township of.	do			
Do	do	Flagstaff T04 R04 BKP WKR, township of.	do			
Do	do	Forsyth T06 R02 NBKP, township of.	do			
Do	do	Hammond T03 R04 NBKP, township of.	do			
Do	do	Hobbstown T04 R06 BKP WKR, township of.	do			
Do	do	Holeb T06 R01 NBKP, township of.	do			
Do	do	King and Bartlett T04 R05 WKR, township of.	do			
Do	do	Little W, township of	do			
Do	do	Lower Enchanted T02 R05 BKP WKR, township of.	do			
Do	do	Mayfield Township T02 R02 BKP EKR, township of.	do			
Do	do	Misery T02 R07 BKP WKR, township of.	do			
Do	do	Pierce Pond T02 R04 BKP WKR, township of.	do			
Do	do	Plymouth T01 R04 NBKP, township of.	do			
Do	do	Prentiss T04 R04 NBKP, township of.	do			
Do	do	Russell Pond T05 R16 WELS, township of.	do			
Do	do	St. John T06 R16 WELS, township of.	do			
Do	do	Sandbar Tract, township of	do			
Do	do	Sandwich Adademy T02 R01 NBKP, township of.	do			
Do	do	Sandy Bay T05 R03 NBKP, township of.	do			
Do	do	Seboomook, township of	do			
Do	do	Soldiertown T02 R03 NBKP, township of.	do			
Do	do	Ten Thousand Acre Tract T1 R6 BKP WKR, township of.	do			
Do	do	Thorndike T03 R02 NBKP, township of.	do			
Do	do	Upper Enchanted T3 R6 BKP WKR, township of.	do			
Do	do	W. Middlesex Canal Grant T1 R3 NBKP, township of.	do			
Do	do	T01 R03 BKP WKR, township of.	do			
Do	do	T03 R05 BKP WKP, township of.	do			
Do	do	T04 R05 NBKP, township of.	do			
Do	do	T04 R17 WELS, township of.	do			
Do	do	T05 R06 BKP WKR, township of.	do			
Do	do	T05 R07 BKP WKR, township of.	do			
Do	do	T06 R17 WELS, township of.	do			
Do	do	T06 R17 WELS, township of	do			
Do	do	T07 R16 WELS, township of	do			
Do	do	T07 R18 WELS, township of	do			
Do	do	T07 R19 WELS, township of	do			
Do	do	T08 R16 WELS, township of	do			
Do	Aroostook	Cox Patent, township of	do			
Do	do	Dudley T07 R03 WELS, township of.	do			
Do	do	Squapan T10 R04 WELS, township of.	do			
Do	do	Upper Molunkus T01 R04 WELS, township of.	do			
Do	do	Webbertown T07 R04 WELS, township of.	do			
Do	do	TA R02 WELS, township of	do			
Do	do	TC R02 WELS, township of	do			
Do	do	T01 R05 WELS, township of	do			
Do	do	T02 R04 WELS, township of	do			
Do	do	T03 R03 WELS, township of	do			
Do	do	T03 R04 WELS, township of	do			
Do	do	T04 R03 WELS, township of	do			
Do	do	T08 R05 WELS, township of	do			
Do	do	T09 R03 WELS, township of	do			
Do	do	T09 R04 WELS (Griswold), township of.	do			
Do	do	T09 R05 WELS, township of	do			
Do	do	T09 R07 WELS, township of	do			
Do	do	T09 R08 WELS, township of	do			
Do	do	T10 R03 WELS, township of	do			
Do	do	T10 R06 WELS, township of	do			
Do	do	T10 R07 WELS, township of	do			
Do	do	T10 R08 WELS, township of	do			
Do	do	T11 R07 WELS, township of	do			
Do	do	T11 R08 WELS, township of	do			

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Do	do	T11 R09 WELS, township of	do			
Do	do	T11 R10 WELS, township of	do			
Do	do	T11 R11 WELS, township of	do			
Do	do	T11 R12 WELS, township of	do			
Do	do	T11 R13 WELS, township of	do			
Do	do	T11 R15 WELS, township of	do			
Do	do	T11 R16 WELS, township of	do			
Do	do	T12 R08 WELS, township of	do			
Do	do	T12 R09 WELS, township of	do			
Do	do	T12 R10 WELS, township of	do			
Do	do	T12 R11 WELS, township of	do			
Do	do	T12 R12 WELS, township of	do			
Do	do	T12 R13 WELS, township of	do			
Do	do	T12 R14 WELS, township of	do			
Do	do	T12 R15 WELS, township of	do			
Do	do	T12 R16 WELS, township of	do			
Do	do	T12 R17 WELS, township of	do			
Do	do	T13 R05 WELS, township of	do			
Do	do	T13 R07 WELS, township of	do			
Do	do	T13 R08 WELS, township of	do			
Do	do	T13 R09 WELS, township of	do			
Do	do	T13 R10 WELS, township of	do			
Do	do	T13 R11 WELS, township of	do			
Do	do	T13 R12 WELS, township of	do			
Do	do	T13 R13 WELS, township of	do			
Do	do	T13 R14 WELS, township of	do			
Do	do	T13 R15 WELS, township of	do			
Do	do	T13 R16 WELS, township of	do			
Do	do	T14 R05 WELS, township of	do			
Do	do	T14 R07 WELS, township of	do			
Do	Washington	T20 MD BPP, township of	do			
Do	do	Dyer T01 R01 TS, township of	do			
Do	do	Fowler T01 R01 TS, township of	do			
Do	do	T05 ND BPP, township of	do			
Do	do	T06 ND BPP, township of	do			
Do	do	T06 R01 NBPP, township of	do			
Do	do	T08 R03 NBPP, township of	do			
Do	do	T11 R03 NBPP, township of	do			
Do	do	T18 MD BPP, township of	do			
Do	do	T19 ED BPP, township of	do			
Do	do	T19 MD BPP, township of	do			
Do	do	T25 MD BPP, township of	do			
Do	do	T30 MD BPP, township of	do			
Do	do	T36 MD BPP, township of	do			
Do	do	T37 MD BPP, township of	do			
Do	do	T42 MD BPP, township of	do			
Do	do	T43 MD BPP, township of	do			
Do	Penobscot	Hopkins Academy Grant East, township of.	do			
Do	do	Hopkins Academy Grant West, township of.	do			
Do	do	Summit T01 ND, township of.	do			
Do	do	Veazie Gore, township of	do			
Do	do	T01 R08 WELS, township of	do			
Do	do	T03 R01 NBPP, township of.	do			
Do	do	T03 R09 N WP, township of	do			
Do	do	T04 R08 WELS, township of	do			
Do	do	T05 R01 NBPP, township of.	do			
Do	do	T05 R07 WELS, township of	do			
Do	do	T07 R06 WELS, township of	do			
Do	do	T07 R07 WELS, township of	do			
Do	do	T07 R08 WELS, township of	do			
Do	do	T08 R06 WELS, township of	do			
Do	do	T08 R07 WELS, township of	do			
Do	do	T08 R08 WELS, township of	do			
Do	Franklin	Alder Stream T02 R05 WBKP, township of.	do			
Do	do	Beattie T02 R05 WBKP, township of.	do			
Do	do	D Township, township of	do			
Do	do	Davis T03 R03 WBKP, township of.	do			
Do	do	Gorham Gore, township of	do			
Do	do	Kibby T01 R06 WBKP, township of.	do			
Do	do	Lowelltown T01 R08 WBKP, township of.	do			
Do	do	Massachusetts Gore, T03 R05 WBKP, township of.	do			
Do	do	Merrill Strip T02 R07 WBKP, township of.	do			
Do	do	Mt. Abraham T04 R01 BKP WKP, township of.	do			
Do	do	Redington T01 R02 WBKP, township of.	do			
Do	do	Seven Ponds T03 R05 WBKP, township of.	do			
Do	do	Skinner T01 R07 WBKP, township of.	do			
Do	do	Sugarloaf T04 R02 BKP WKR, township of.	do			
Do	do	Tim Pond T02 R04 WBKP, township of.	do			
Do	do	Township 6, township of	do		,19	
Minnesota	Polk	Beltrami, city of	June 24, 1975, emergency	Aug. 23, 1974		
Missouri	New Madrid	Unincorporated areas	do			
New Jersey	Hunterdon	Bloomsbury, borough of	do	June 14, 1974		
Do	Sussex	Branchville, borough of	do	May 10, 1974		
Do	Bergen	Demarest, borough of	do	Mar. 15, 1974		
Do	Hunterdon	Holland, township of	do	July 26, 1974		
Do	Bergen	East Rutherford, borough of	do	Apr. 12, 1974		

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Do.	Warren	Washington, borough of	do.	Jan. 3, 1975		
Do.	Camden	Woodlynne, borough of	do.	June 28, 1974		
New York	Genesee	Alexander, town of	do.	May 31, 1974		
Do.	Cortland	Cortlandville, town of	do.	Aug. 30, 1974		
Do.	Dutchess	Millerton, village of	do.	June 21, 1974		
Do.	Saratoga	Stillwater, village of	do.	Apr. 12, 1974		
Do.	do.	Saratoga Springs, city of	do.	Sept. 20, 1974		
Do.	Warren	Glens Falls, city of	do.	May 31, 1974		
Do.	Herkimer	Schuyler, town of	do.	Mar. 15, 1974		
Do.	Jefferson	Philadelphia, village of	do.	May 17, 1974		
Do.	do.	Wilna, town of	do.	July 19, 1974		
Do.	Lewis	Copenhagen, village of	do.	May 10, 1974		
Ohio	Cuyahoga	Fairview Park, city of	do.	Jan. 16, 1974		
Do.	Licking	Johnstown, village of	do.	Apr. 12, 1974		
Do.	Lorain	South Amherst, village of	do.			
Do.	Miami	West Milton, village of	do.	June 7, 1974		
Oklahoma	Coal	Coalgate, city of	do.	Dec. 28, 1973		
Pennsylvania	Juanita	Mifflintown, borough of	do.	Mar. 22, 1974		
South Carolina	Lexington	Swansea, town of	do.	June 7, 1974		
South Dakota	Clay	Vermillion, city of	do.	Mar. 22, 1974		
Tennessee	Scott	Oneida, town of	do.	June 14, 1974		
Texas	Houston	Crockett, city of	do.	May 10, 1974		
Do.	Freestone	Teague, city of	do.	Jan. 9, 1974		
Vermont	Rutland	Benson, town of	do.	Dec. 13, 1974		
Do.	Windham	Putney, town of	do.	June 21, 1974		
Wisconsin	Lafayette	Argyle, village of	do.	Nov. 30, 1973		
Do.	Marathon	Marathon City, village of	do.	do.		
Do.	Grant	Platteville, city of	do.	July 19, 1974		
Do.	Portage	Rosholt, village of	do.	Aug. 30, 1974		
Do.	Waukesha	Sussex, village of	do.	Apr. 12, 1974		
Do.	Kenosha	Twin Lakes, village of	do.	June 7, 1974		
Do.	Dane	Verona, village of	do.	Dec. 7, 1973		
West Virginia	Greenbrier	Unincorporated areas	do.			

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

Issued: June 17, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-16351 Filed 6-25-75;8:45 am]

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-605]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

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

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

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

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

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

§ 1914.4 List of Eligible Communities.

* * * * *

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Alabama	Escambia	East Brewton, city of	June 25, 1975, emergency	Nov. 23, 1973		
Do.	Jefferson	Fultondale, city of	do	May 24, 1974		
Do.	Houston	Unincorporated areas	do	Feb. 14, 1975		
Do.	Calhoun	Piedmont, city of	do	June 7, 1974		
Do.	Etowah	Walnut Grove, town of	do	Jan. 31, 1975		
Do.	Escambia	Riverview, town of	do	Aug. 30, 1974		
California	Riverside	Beaumont, city of	do	Apr. 5, 1974		
Colorado	Fremont	Florence, city of	do	May 17, 1974		
Do.	do	Unincorporated areas	do	Aug. 16, 1974		
Do.	Boulder	Jamestown, town of	do			
Do.	Rio Grande	Unincorporated areas	do			
Connecticut	Fairfield	Brookfield, town of	do	July 26, 1974		
Georgia	Washington	Oconee, city of	do			
Idaho	Latha	Deary, city of	do	Jan. 17, 1975		
Do.	Shoshone	Smeltervile, city of	do	Jan. 14, 1974		
Do.	Kootenai	Coeur d'Alene, city of	do	Mar. 29, 1974		
Do.	Butte	Arco, city of	do	June 28, 1974		
Do.	Shoshone	Wardner, city of	do	Sept. 6, 1974		
Illinois	Clay	Clay City, village of	do	Mar. 22, 1974		
Do.	Winnebago	Durand, village of	do	Apr. 5, 1974		
Do.	Jo Daviess	East Dubuque, city of	do			
Do.	Randolph	Evansville, village of	do	Mar. 1, 1974		
Do.	Bond	Greenville, city of	do	June 14, 1974		
Do.	Lake	Lake Barrington, village of	do	Sept. 13, 1974		
Do.	Wabash	Mount Carmel, city of	do	Mar. 15, 1974		
Do.	De Kalb	Sycamore, city of	do	Apr. 5, 1974		
Do.	Kane	West Dundee, village of	do	do		
Do.	Iroquois	Woodland, village of	do			
Indiana	Boone	Lebanon, city of	do	May 3, 1974		
Do.	Daviess	Plainville, town of	do			
Iowa	Adams	Corning, city of	do	June 21, 1974		
Do.	Harrison	Dunlap, city of	do	May 17, 1974		
Do.	Woodbury	Pierson, city of	do	Sept. 13, 1974		
Do.	Story	Story City, city of	do	May 31, 1974		
Kansas	Butler	Augusta, city of	do	Feb. 1, 1974		
Do.	Doniphan	Unincorporated areas	do			
Do.	Johnson	Gardner, city of	do	May 3, 1974		
Do.	Mitchell	Simpson, city of	do	Jan. 3, 1975		
Kentucky	Scott	Georgetown, city of	do	May 24, 1974		
Louisiana	Livingston	Denham Springs, city of	do	Mar. 15, 1974		
Maryland	Cecil	Cecilton, town of	do	June 28, 1974		
Massachusetts	Worcester	Harvard, town of	do	Aug. 2, 1974		
Do.	do	Royalston, town of	do	May 17, 1974		
Missouri	New Madrid	Lilbourn, city of	do	do		
Do.	St. Louis	Vinita Park, city of	do	Apr. 5, 1974		
Nebraska	Buffalo	Gibbon, city of	do	May 31, 1974		
Nevada	Washoe	Unincorporated areas	do	Dec. 27, 1974		
New Hampshire	Grafton	Bath, town of	do	Mar. 1, 1974		
New Jersey	Monmouth	Bradley Beach, borough of	do	Dec. 28, 1973		
Do.	Ocean	Lakehurst, borough of	do	June 28, 1974		
Do.	Middlesex	Perth Amboy, city of	do	June 21, 1974		
Do.	Passaic	West Paterson, borough of	do	June 28, 1974		
Do.	Salem	Woodstown, borough of	do	June 12, 1974		
New York	Sullivan	Bethel, town of	do	June 28, 1974		
Do.	Herkimer	Norway, town of	do	Nov. 1, 1974		
North Carolina	Bladen	Bladenboro, town of	do	Nov. 30, 1973		
North Dakota	Williams	Tioga, city of	do	June 28, 1974		
Ohio	Summit	Peninsula, village of	do	Mar. 22, 1974		
Do.	Pike	Piketon, village of	do	Nov. 23, 1973		
Do.	Geauga	Chardon, village of	do	Jan. 9, 1974		
Do.	Logan	Russells Point, village of	do	Apr. 5, 1974		
Do.	Fairfield	Sugar Grove, village of	do	Aug. 30, 1974		
Do.	Mahoning	Canfield, city of	do	May 17, 1974		
Oklahoma	Noble	Perry, city of	do	July 26, 1974		
Pennsylvania	Lancaster	Rapho, township of	do	Oct. 18, 1974		
Do.	Wayne	Prompton, borough of	do	Aug. 16, 1974		
South Carolina	Saluda	Saluda, town of	do	June 28, 1974		
Texas	Austin	Wallis, city of	do	May 24, 1974		
Do.	Collin and Denton.	Renner, city of	do	Feb. 7, 1975		
Do.	Dallas	Seagoville, city of	do	Feb. 1, 1974		
Do.	Lubbock	Shalon, city of	do	Mar. 22, 1974		
Do.	Smith	Whitehouse, city of	do	May 17, 1974		
Utah	Morgan	Unincorporated areas	do	Oct. 18, 1974		
Do.	Washington	Virgin, town of	do			
Vermont	Windham	Vernon, town of	do	June 28, 1974		
Do.	Rutland	Wells, town of	do	Jan. 10, 1975		
Do.	do	Shrewsbury, town of	do	June 28, 1974		
Massachusetts	Bristol	Swansea, town of	June 13, 1975, suspension withdrawn.			

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

Issued: June 17, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-16506 Filed 6-25-75;8:45 am]

[Docket No. FI-606]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

The purpose of this notice is the identification of communities with areas of special flood/ or mudslide/ or erosion hazards in accordance with Part 1915 of Title 24 of the Code of Federal Regulations as authorized by the National Flood Insurance Program (42 U.S.C. 4001–4128). The identification of such areas is to provide guidance so that communities may adopt appropriate flood plain management measures to minimize damage caused by flood losses and to guide future construction, where practicable, away from locations which are threatened by flood hazards.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction purposes in an identified flood plain area

having special flood hazards that is located within any community currently participating in the National Flood Insurance Program.

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

Effective July 1, 1975, even though no areas with special flood hazards in the community had previously been identified, the identification of special hazard areas within the community makes mandatory the purchase of insurance. Therefore, the effective date of identification shall be July 28, 1975, or the date which appears in this notice, whichever is later.

This 30 day period does not supersede the statutory requirement that a community, whether or not participating in the program, be given the opportunity for a period of six months to establish that it is not seriously flood prone or that such flood hazards as may have existed have been corrected by floodworks or other flood control methods. Effective July 1, 1975, the six months period shall be considered to begin 30 days after the date of publication in the FEDERAL REGISTER or the effective date of the Flood Hazard Boundary Map, whichever is later. Similarly, the one year period a community has to enter the program under section 201(d) of the Flood Disaster Protection Act of 1973 shall be considered to begin 30 days after publication in the FEDERAL REGISTER or the effective date of the Flood Hazard Boundary Map, whichever is later.

Where several dates appear in the column set forth below marked Effective Date of Identification, the first date is the date of initial identification, and all other dates represent modification by additions or deletions to identified areas with special hazards.

Accordingly, § 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1915.3 List of communities with special hazard areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazard
Alaska	Haines	Haines, city of	H 020008 A 01 through H 020008 A 02	Division of Soil and Water Resources, State Department of Commerce, 1020 West Capitol Ave., Little Rock, Ark. 72201. Arkansas Insurance Department, 400 University Tower Bldg., Little Rock, Ark. 72204.	Mayor, P.O. Box 239, Haines, Ark. 99827.	May 31, 1974
Arkansas	Greene	Paragould, city of	H 050085 B 01 through H 050085 B 08	do	City Clerk's Office, City Hall, 221 West Court St., Paragould, Ark. 72450.	Sept. 7, 1973 Dec. 6, 1974 Aug. 22, 1975
Do	Faulkner	Wooster, city of	H 050802 01	do	Town Council, town of Wooster, Wooster, Ark. 72181.	Do.
Do	Randolph	Biggers, city of	H 050388 01 through H 050388 02	do	Town Council, town of Biggers, Ark. 72413.	Do.
Do	Nevada	Emmet, city of	H 050411 01 through H 050411 02	do	Mayor, City Hall, Emmet, Ark. 71835.	Do.
California	Monterey	Carmel-by-the-Sea, city of.	H 060196 A 01	Department of Water Resources, P.O. Box 388, Sacramento, Calif. 95802. California Insurance Department, 1407 Market St., San Francisco, 94103 and 600 South Commonwealth Ave., Los Angeles, Calif. 90005.	Mayor, City Hall, Monte Verde St., Carmel, Calif. 93921.	June 14, 1974
Do	San Bernardino	Montclair, city of	H 060276 A 01 through H 060276 A 02	do	City Administrator, city of Montclair, Civic Center, 5111 Benoit St., Montclair, Calif. 91763.	Apr. 5, 1974 Aug. 22, 1975
Colorado	Phillips	Haxtun, town of	H 080140 B 01	Colorado Water Conservation Board, Room 102, 1845 Sherman St., Denver, Colo. 80203. Colorado Insurance Commission, 106 State Office Bldg., Denver, Colo. 80203.	Mayor, Hextun, Colo. 80731	May 10, 1974 Aug. 22, 1975
Do	Weld	Gilcrest, town of	H 080213 01	do	Town Council, town of Gilcrest, Gilcrest, Colo. 80623.	Do.
Do	Boulder	Nederland, town of.	H 080355 01	do	Town Council town of Nederland, Nederland, Colo. 80466.	Do.
Do	Adams	Northglenn, city of.	H 080257 01 through H 080257 03	do	Director of Public Works, city of Northglenn, Northglenn Bldg.; 10701 Melody Dr., Northglenn, Colo. 80234.	Do.
Do	Crowley	Ordway, town of	H 080259 01	do	Town Council, town of Ordway, Ordway, Colo. 81063	Do.
Georgia	Jefferson	Bartow, city of	H 130115 01	Department of Natural Resources, Office of Planning and Research, 270 Washington St. SW., Room 707, Atlanta, Ga. 30334. Georgia Insurance Department, State Capitol, Atlanta, Ga. 30334.	Mayor, City Hall, Bartow, Ga. 30413.	Do.
Do	Jefferson	Wadley, city of	H 130116 01 through H 130116 04	do	Mayor, City Hall, Wadley, Ga. 30477.	Do.
Do	Tift	Ty Ty, town of	H 130172 01	do	Mayor, town of Ty Ty, Town Hall, Ty Ty, Ga. 31795.	Do.
Do	Walker	Lafayette, city of	H 130182 A 01 through H 130182 A 06	Department of Natural Resources, Office of Planning and Research, 270 Washington St. SW., Room 707, Atlanta, Ga. 30334. Georgia Insurance Department, State Capitol, Atlanta, Ga. 30334.	Walker County Commissioner, city of Lafayette, P.O. Box 445, Lafayette, Ga. 30728.	May 17, 1974 Aug. 22, 1975
Do	Hall	Gainesville, city of.	H 130263 01 through H 130263 09	do	City Manager, city of Gainesville, Ga. 30501.	Do.
Idaho	Bannock	Arimo, city of	H 160128 01	Department of Water Administration, State House, Annex 2, Boise, Idaho 83707. Idaho Department of Insurance, Room 206, State House, Boise, Idaho 83707.	Mayor, City Hall, Arimo, Idaho 83214.	Do.
Do	Boundary	Moyie Springs, city of.	H 160303 01	do	Mayor, City Hall, Moyie Springs, Idaho 83845.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Illinois	Iroquois	Milford, village of	H 170294 A 01	Governor's Task Force on Flood Control, 300 North State St., P.O. Box 475, Room 1010, Chicago, Ill. 60610. Illinois Insurance Department, 525 Jefferson St., Springfield, Ill. 62702.	Village President, village of Milford, Village Hall, P.O. Box 37, Milford, Ill. 60953.	June 28, 1974 Aug. 22, 1975
Iowa	Adams	Nodaway, town of.	H 190003 01	Iowa Natural Resources Council, James W. Grimes Bldg., Des Moines, Iowa 50319. Iowa Insurance Department, Lucas State Office Bldg., Des Moines, Iowa 50319.	Mayor, City Hall, Nodaway, Iowa 50857.	Do.
Do	Clayton	Elkport, town of	H 190074 01	do	Town Clerk, Town Hall, Elkport, Iowa 52044.	Do.
Do	Keokuk	Sigourney, city of	H 190178 A 01 through H 190178 A 02	do	Mayor, City Hall, Sigourney, Iowa 52591.	Mar. 15, 1974
Do	Shelby	Kirkman, town of	H 190250 01	do	Mayor, Kirkman, Iowa 51447	Aug. 22, 1975
Do	Wright	Belmond, city of	H 190303 A 01 through H 190303 A 02	do	City Clerk-Mayor, Belmond, Iowa 50421.	May 3, 1974 Aug. 22, 1975
Do	Grundy	Beaman, town of	H 190400 01	do	Town Council, town of Beaman, Iowa 50609.	Do.
Do	Adair and Guthrie.	Adair, city of	H 190537 01	do	Mayor, City Hall, Adair, Iowa 50002	Do.
Do	Benton	Atkins, city of	H 190548 01	do	Mayor, City Hall, Atkins, Iowa No ZIP code.	Do.
Do	Dubuque	Epworth, town of	H 190576 01	do	Town Council, town of Epworth, Iowa 52045.	Do.
Do	Buchanan	Aurora, city of	H 190598 01	do	Mayor, City Hall, Aurora, Iowa 50607.	Do.
Do	Cass	Lewis, town of	H 190347 01	do	Town Council, town of Lewis, Lewis, Iowa 51544.	Do.
Do	Clinton	Lost Nation, city of.	H 190611 01	do	Mayor, City Hall, Lost Nation, Iowa 52254.	Do.
Kansas	Sedgwick	Valley Center, city of.	H 200327 A 01	Division of Water Resources, State Department of Agriculture, State Office Bldg., Topeka, Kans. 66612. Kansas Insurance Department, 1st Floor State House, Topeka, Kans. 66612.	City Inspector, City Bldg., 117 North Park, Valley Center, Kans. 67147.	June 28, 1974 Aug. 22, 1975
Do	Crawford	Walnut, city of	H 200373 01	do	Mayor, City Hall, Walnut, Kans. 66780.	Do.
Do	Saline	Assaria, city of	H 200385 01	do	Mayor, City Hall, Assaria, Kans. 67416.	Do.
Do	Washington	Barnes, city of	H 200388 01	do	Mayor, City Hall, Barnes, Kans. 66933.	Do.
Do	Labette	Mound Valley, city of.	H 200439 01	do	Mayor, City Hall, Mound Valley, Kans. 67354.	Do.
Do	Barber	Sharon, city of	H 200458 01	do	Mayor, City Hall, Sharon, Kans. 67138.	Do.
Do	Mitchell	Cawker City, city of.	H 200476 01	do	Mayor, City Hall, Cawker City, Kans. 67430.	Do.
Do	Wabaunsee	Eskridge, city of	H 200493 01	do	Mayor, City Hall, Eskridge, Kans. 66423.	Do.
Do	Kiowa	Haviland, city of	H 200501 01	do	Mayor, City Hall, Haviland, Kans. 67059.	Do.
Do	Jewell	Jewell, city of	H 200510 01	do	Mayor, City Hall, Jewell, Kans. 66949.	Do.
Do	Smith	Kensington, city of.	H 200512 01	do	Mayor, City Hall, Kensington, Kans. 66951.	Do.
Do	Allen	La Harpe, city of	H 200514 01	do	Mayor, City Hall, La Harpe, Kans. 66751.	Do.
Do	Chatauqua	Sedan, city of	H 200528 01	do	Mayor, City Hall, Sedan, Kans. 67361.	Do.
Louisiana	St. Martin	Henderson, town of.	H 220189 A 01	State Department of Public Works, P.O. Box 44155, Capitol Station, Baton Rouge, La. 70804. Louisiana Insurance Commission, Box 44214, Capitol Station, Baton Rouge, La. 70804.	Secretary, Town of Henderson, City Hall, Henderson, La. 70517.	June 7, 1974
Do	Morehouse	Bonita, village of	H 220316 01	do	Village Clerk, village of Bonita, Bonita, La. 71223.	Aug. 22, 1975
Michigan	Lenawee	Adrian, city of	H 260145 A 01 through H 260145 A 04	Water Resources Commission, Bureau of Water Management, Stevens T. Mason Bldg., Lansing, Mich. 48926. Michigan Insurance Bureau, 111 North Hosmer St., Lansing, Mich. 48913.	City Engineer, city of Adrian, 100 East Church St., Adrian, Mich. 49221.	May 31, 1974
Do	Monroe	Erie, township of	H 260145 A 01 through H 260145 A 06	do	Supervisor, Erie Township Hall, 2060 Manhattan St., Erie, Mich. 48133.	June 28, 1974 Aug. 22, 1975
Do	Allegan	Heath, township of.	H 260347 01 through H 260347 12	do	Chairman, Board of Supervisors, township of Heath, Heath, Mich. No ZIP code.	Do.
Do	Saginaw	Albee, township of.	H 260498 01 through H 260498 11	do	Chairman, Board of Supervisors, township of Albee, Albee, Mich. No ZIP code.	Do.
Minnesota	Anoka	Spring Lake Park, city of.	H 270016 A 01	Division of Waters, Soils, and Minerals, Department of Natural Resources, Centennial Office Bldg., St. Paul, Minn. 55101. Minnesota Division of Insurance, R-210 State Office Bldg., St. Paul, Minn. 55101.	Mayor, 8429 Center Drive NE., Spring Lake Park, Minn. 55432.	May 10, 1974
Mississippi	Bolivar	Mound Bayou, town of.	H 280020 A 01	Mississippi Research and Development Center, P.O. Drawer 2470, Jackson, Miss. 39205. Mississippi Insurance Dept., 910 Woolfolk Bldg., P.O. Box 79, Jackson, Miss. 39205.	Building Inspector, P.O. Drawer H, Mound Bayou, Miss. 38762.	June 7, 1974 Aug. 22, 1975
Missouri	Clark	Kahoka, city of	H 290081 A 01	Department of Natural Resources, Division of Program and Policy Development, State of Missouri, 308 East High St., Jefferson, Mo. 65101. Division of Insurance, P.O. Box 690, Jefferson City, Mo. 65101.	Mayor, City Hall, Kahoka, Mo. 63445	May 24, 1974 Aug. 22, 1975

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do	Andrew	Country Club, village of.	H 290004 01	do	Village Clerk, village of Country Club, Country Club, Mo. 64113.	Do.
Montana	Lincoln	Eureka, town of...	H 300112 01	Montana Department of Natural Resources and Conservation, Water Resources Division, 32 South Ewing St., Helena, Mont. 59601. Montana Insurance Department, Capitol Bldg., Helena, Mont. 59601.	Town Council, town of Eureka, Eureka, Mont. 59917.	Do.
Nebraska	Franklin	Campbell, village of.	H 310256 01	Nebraska Natural Resources Commission, Terminal Bldg., 7th Floor, Lincoln, Nebr. 68508, contact: Albert Matthews. Nebraska Insurance Department, 1335 L St., Lincoln, Nebr. 68509.	Village Clerk, village of Campbell, Campbell, Nebr. 68932.	Do.
Do	Clay	Fairfield, village of.	H 310277 01	do	Village Clerk, village of Fairfield, Fairfield, Nebr. 68938.	Do.
Do	Rock	Bassett, city of....	H 310346 01	do	Mayor, City Hall, Bassett, Nebr. 68714.	Do.
New Mexico	Lincoln	Carrizozo, town of.	H 350110 01	State Engineer's Office, Batsan Memorial Bldg., Santa Fe, N. Mex. 87501. New Mexico Department of Insurance, P.O. Box 1269, Santa Fe, N. Mex. 87501.	Town Council, town of Carrizozo, Carrizozo, N. Mex. 88301.	Do.
Do	Dona Ana	Hatch, village of..	H 350013 A 01	do	Mayor, village of Hatch, P.O. Box 225, Hatch, N. Mex. 87937.	Aug. 16, 1974 Aug. 22, 1975
North Carolina	Sampson	Clinton, city of...	H 370263 A 01	Division of Community Assistance, Department of Natural and Economic Resources, P.O. Box 27687, Raleigh, N.C. 27611. North Carolina Insurance Department, P.O. Box 26387, Raleigh, N.C. 27611.	Mayor, City Hall, Clinton, N.C. 28328.	Dec. 6, 1974 Aug. 22, 1975
North Dakota	Logan	Gackle, city of....	H 380172 01	State Water Commission, State Office Bldg., 900 E. Blvd., Bismarck, N. Dak. 58501. North Dakota Insurance Department, State Capitol, Bismarck, N. Dak. 58501.	Mayor, City Hall, Gackle, N. Dak. 58442.	Do.
Ohio	Stark	Massillon, city of..	H 390517 A 01 through H 390517 A 04	Ohio Department of Natural Resources, Flood Insurance Coor. Bldg., Fountain Square, Columbus, Ohio 44646. Ohio Department of Insurance, 447 East Broad St., Columbus, Ohio 43215.	City Engineer, City Hall, Massillon, Ohio 44646.	Jan. 9, 1974 Aug. 22, 1975
Do	Wood	Perrysburg, city of.	H 390588 01 through H 390588 03	do	Mayor, 201 West Indiana, Perrysburg, Ohio 43551.	Mar. 22, 1974 Aug. 22, 1975
Do	Jefferson	Richmond, village of.	H 390724 01 through H 390724 02	do	Village Clerk, village of Richmond, Richmond, Ohio 43944.	Do.
Oklahoma	Logan	Guthrie, city of...	H 400099 A 01 through H 400099 A 04	Oklahoma Water Resources Board, 2241 Northwest 40th St., Oklahoma City, Okla. 73112. Oklahoma Insurance Department, Room 408, Will Rogers Memorial Bldg., Oklahoma City, Okla. 73105.	Mayor, City Hall, Guthrie, Okla. 73044.	Dec. 28, 1973 Aug. 22, 1975
Do	Lincoln	Davenport, town of.	H 400365 01	do	Town Council, town of Davenport, Davenport, Okla. 74026.	Do.
Do	Payne	Yale, city of.....	H 400455 01 through H 400455 02	do	Mayor, City Hall, Yale, Okla.....	Do.
South Carolina	Hampton	Estill, town of.....	H 450097 A 01 through H 450097 A 02	South Carolina Water Resources Commission, P.O. Box 4515, Columbia, S.C. 29240. South Carolina Insurance Department, 2711 Middleburg St., Columbia, S.C. 29204.	Mayor, P.O. Box 415, Estill, S.C. 29918.	May 31, 1974 Aug. 22, 1975
South Dakota	Beadle and Hand	Wessington, town of.	H 460147 01	State Planning Bureau, Office of Executive Management, State Capitol, Pierre, S. Dak. 57501. South Dakota Department of Insurance, Insurance Bldg., Pierre, S. Dak. 57501.	Town Council, town of Wessington, Wessington, S. Dak. 57381.	Aug. 22, 1975
Do	Lincoln	Worthing, town of.	H 460151 01	do	Town Council, town of Worthing, Worthing, S. Dak. 57077.	Do.
Do	Brookings	Elkton, city of....	H 460172 01	do	Mayor, City Hall, Elkton, S. Dak. 57026.	Do.
Do	Gregory	Gregory, city of...	H 460178 01	do	Mayor, City Hall, Gregory, S. Dak. 57533.	Do.
Texas	Bell	Temple, city of....	H 480034 A 01 through H 480034 A 10	Texas Water Development Board, P.O. Box 13087, Capitol Station, Austin, Tex. 78711. Texas Insurance Department, 1110 San Jacinto St., Austin, Tex. 78701.	Director of Public Works, Municipal Bldg., Temple, Tex. 76501.	Mar. 1, 1974 Aug. 22, 1975
Do	Fort Bend	Richmond, city of.	H 480231 A 01 through H 480231 A 02	Texas Water Development Board, P.O. Box 13087, Capitol Station, Austin, Tex. 78711. Texas Insurance Department, 1110 San Jacinto St., Austin, Tex. 78701.	City Manager, Richmond City Hall, 402 Morton, Richmond, Tex. 77469.	June 28, 1974
Do	do	Rosenberg, city of.	H 480232 A 01 through H 480232 A 04	do	Mayor, City Hall, Rosenberg, Tex. 77471.	Do.
Do	do	Sugarland, city of.	H 480234 A 01 through H 480234 A 07	do	Mayor, City Hall, P.O. Box 110, 225 Guenther St., Sugarland, Tex. 77478.	May 21, 1974
Do	Terry	Brownfield, city of.	H 480620 A 01 through H 480620 A 02	do	City Manager, City Hall, 218 West Main St., Brownfield, Tex. 79316.	June 28, 1974 Aug. 22, 1975
Do	Archer	Megargel, town of	H 480700 01	do	Town Council, town of Megargel, Tex. 76370.	Do.
Do	Denton	Ponder, city of....	H 480784 01 through H 480784 02	do	Mayor, City Hall, Ponder, Tex. 76259..	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do	Gregg	White Oak, city of.	H 480841 01 through H 480841 03	do	Mayor, City Hall, White Oak, Tex. 75693.	Do.
Do	Hamilton	Hico, city of	H 480843 01	do	Mayor, City Hall, Hico, Tex. 76457	Do.
Do	Johnson	Godley, town of	H 480880 01	Texas Water Development Board, P.O. Box 13087, Capitol Station, Austin, Tex. 78711. Texas Insurance Department, 1110 San Jacinto St., Austin, Tex. 78701.	Town Council, town of Godley, Godley, Tex. 76044.	Do.
Do	Terry	Meadow, town of	H 481020 01 through H 481020 02	do	Town Council, town of Meadow, Meadow, Tex. 79345.	Do.
Utah	Rich	Woodruff, town of	H 490101 01	Department of Natural Resources, Division of Water Resources, State Capitol Bldg., Room 435, Salt Lake City, Utah 84114. Utah Insurance Department, 115 State Capitol, Salt Lake City, Utah 84114.	Mayor, Woodruff, Utah 84086	Do.
Do	Box Elder	Plymouth, town of.	H 490203 01	do	Town Council, town of Plymouth, Plymouth, Utah 84330.	Do.
Washington	Okanogan	Elmer City, town of.	H 530346 01	Department of Ecology, Olympia, Wash. 98501. Washington Insurance Department, Insurance Bldg., Olympia, Wash. 98501.	Town Council, town of Elmer City, Elmer City, Wash. 99124.	Do.
Wisconsin	Brown	Wrightstown, village of.	H 550025 01	Department of Natural Resources, P.O. Box 450, Madison, Wis. 53701. Wisconsin Insurance Department, 201 East Washington Ave., Madison, Wis. 53703.	Chairman, town of Wrightstown, Wrightstown, Wis. 54180.	Do.
Do	Juneau	Elroy, city of	H 550201 A 01	Department of Natural Resources, P.O. Box 450, Madison, Wis. 53701. Wisconsin Insurance Department, 201 East Washington Ave., Madison, Wis. 53703.	Mayor, City Bldg., Elroy, Wis. 53929.	June 7, 1974 Aug. 22, 1975
Wyoming	Carbon	Hanna, town of	H 560063 01	Wyoming Disaster and Civil Defense Agency, P.O. Box 1709, Cheyenne, Wyo. 82001. Department of Insurance, State of Wyoming, State Office Bldg., Cheyenne, Wyo. 82001.	Town Council, town of Hanna, Hanna, Wyo. 82327.	Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408–410, Public Law 91–152, Dec. 24, 1969), 42 U.S.C. 4001–4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969)

Issued: June 10, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-16509 Filed 6-25-75;8:45 am]

[Docket No. FI-608]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Flood Hazard Areas; Correction

On September 15, 1972, in 37 FR 18726, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Insurance Rate Maps were available for public inspection. This list included the County of Mobile, Alabama, as an eligible community and included Map No. H 015008 24, which indicates that the following lots and parcel in the subdivision called Scenic Hills Estates Unit One, are in their entirety within the Special Flood Hazard Area: Lots 1, 2, and Parcel A, as recorded in Map Book 24, Page 105, and Lots 1 through 15, as recorded in Map Book 25, Page 36, in the Office of the Judge of the Probate Court of Mobile County, Alabama. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above mentioned property is within Zone C, and is not within the Special Flood Hazard Area. Accordingly, effective September 15, 1972, Map No. H 015008 24 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

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

Issued: June 9, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-16613 Filed 6-25-75;8:45 am]

[Docket No. FI-607]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Flood Hazard Areas; Correction

On September 15, 1972, in 37 FR 18726, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Insurance Rate Maps were available for public inspection. This list included the County of Mobile, Alabama, as an eligible community and included Map No. H 015008 20, which indicates that the subdivision called Red Creek Heights, as recorded in Map Book 23, Page 9, in the Office of the Judge of the Probate Court of Mobile County, Alabama, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that Lots 2 through 28, and the structure on Lot 1 of the above mentioned property are within Zone C, and are not within the Special Flood Hazard Area. Accordingly, effective September 15, 1972, Map No. H 015008 20 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968, as amended, 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Adminis-

trator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued June 9, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-16614 Filed 6-25-75;8:45 am]

[Docket No. FI-352]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Flood Hazard Areas; Correction

On September 12, 1974, in 39 FR 32891, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Green Bay, Wisconsin, as an eligible community and included Map No. H 550022 07, which indicates that the warehouse structures known as Beach 1, 2, 3, 4, 5, 6, 7, 8, and 9, located on the property as recorded in Deed Book 364, Page 262, in the Office of the Register of Deeds of Brown County, Wisconsin, are in their entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above mentioned structures are not within the Special Flood Hazard Area. Accordingly, effectvei August 30, 1974, Map No. H 550022 07 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

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

Issued: June 9, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-16615 Filed 6-25-75;8:45 am]

[Docket No. FI-609]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Flood Hazard Areas; Correction

On March 27, 1971, in 36 FR 5786, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Insurance Rate Maps were available for public inspection. This list included the City of Rochester, Minnesota, as an eligible community and included Map No. H 275246 03, which indicates that Viking Village Subdivision, as recorded on Instrument Number 350640, in the Office of the Register of Deeds of Olmsted County, Minnesota, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that Lots 12 through 60 of the above mentioned subdivision are within Zone C, and are not within the Special Flood Hazard Area. Accordingly, effective March 27, 1971, Map No. H 275246 03 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

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

Issued: June 9, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-16616 Filed 6-25-75;8:45 am]

[Docket No. FI-610]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Flood Hazard Areas; Correction

On September 15, 1972, in 37 FR 18726, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Insurance Rate Maps were available for public inspection. This list included the County of Mobile, Alabama, as an eligible community and included Map No. H 015008 15, which indicates that Lots 1 through 15 and Lots 20 through 32 in the subdivision called Leslie Richard's 2nd Addition to Celeste Road, as recorded in Map Book 23, Page 40, in the Office of the Judge of the Probate Court of Mobile County, Alabama, are in their entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above mentioned lots are within Zone C, and are not within the Special Flood Hazard Area. Accordingly, effective September 15, 1972, Map No. H 015008 15 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

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

Issued: June 9, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-16617 Filed 6-25-75;8:45 am]

[Docket No. FI-221]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Flood Hazard Areas; Correction

On March 15, 1974, in 39 FR 9923, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Manhattan, Kansas, as an eligible community and included Map No. H 200300 02 which indicates that Lot 103, Strong Addition, being 1913 Beck Street, Manhattan, Kansas, as recorded in Book B, Page 15 in the office of the Register of Deeds of Riley County, Kansas, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood informaton, that the above property is not within the Special Flood Hazard Area. Accordingly, effective March 8, 1974, Map No. H 200300 02 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

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

Issued: June 9, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-16691 Filed 6-25-75;8:45 am]

[Docket No. FI-270]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Flood Hazard Areas; Correction

On May 17, 1974, in 39 FR 17524, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the Township of Northampton, Pennsylvania, as an eligible community and included Map No. H 420988 05 which indicates that Lots 73 through 77 and Lot 126, Section III, and Lots 93 through 95, 106 through 111 and 123 through 125, Section II, Green Valley Subdivision, Northampton Township, Bucks County, Pennsylvania, as recorded in Plan Book Number 129, Page 27 in the Office of the Recorder of Deeds of Bucks County, are in their entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of

recently acquired flood information, that the above properties are not within the Special Flood Hazard Area. Accordingly, effective May 17, 1974, Map No. H 420988 05 is hereby corrected to reflect that the above properties are not within the Special Flood Hazard Area.

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

Issued: June 9, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-16686 Filed 6-25-75;8:45 am]

[Docket No. FI-285]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Flood Hazard Areas; Correction

On January 23, 1974, in 39 FR 2604, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Forest Hill, Texas, as an eligible community and included Map No. H 480595 02 which indicates that Block No. 1, Lots No. 1 through 4; Block No. 3, Lots No. 2 through 4, 9 through 13, 18, and 19; Block No. 4, Lots No. 2 through 6; Block No. 5, Lots No. 2 through 6, 21, and 22; Block No. 6, Lots No. 1 through 10, and 12 through 24; Block No. 7, Lots No. 1 through 15, and 18 through 27; Block No. 8, Lots No. 1 through 12; and Block No. 9, Lots No. 1 through 8, and 15 through 22, Heritage Heights Addition, Forest Hill, Texas, as recorded in Plat Record Volume 388, Pages 54 and 60 in the office of the Clerk of Tarrant County, Texas, are in their entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is not within the Special Flood Hazard Area. Accordingly, effective January 18, 1974, Map No. H 480595 02 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

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

Issued: June 10, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-16688 Filed 6-25-75;8:45 am]

[Docket No. FI-347]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Flood Hazard Areas; Correction

On August 29, 1974, in 39 FR 31526, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Newport News, Virginia, as an eligible community and included Map No. H 510103 15 which indicates that the structures on Lots 35 and 37, Section 26, Beechwood Subdivision, Newport News, Virginia, as recorded in Plat Book 9, Page 20 in the office of the Clerk of Hustings Court for the City of Newport News, Virginia, are in their entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is not within the Special Flood Hazard Area. Accordingly, effective August 16, 1974, Map No. H 510103 15 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 F.R. 17804, November 28, 1968), as amended, 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974).

Issued: June 9, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-16694 Filed 6-25-75;8:45 am]

[Docket No. FI-611]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Flood Hazard Areas; Correction

On February 8, 1973, in 38 FR 3584, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Insurance Rate Maps were available for public inspection. This list included the Town of East Greenwich, Rhode Island, as an eligible community and included Map No. H 445397 02 which indicates that Lots 92 through 95, the structure on Lot 96, and Lots 97 through 106, Cedar Heights Section 7, East Greenwich, Rhode Island, as recorded in Plan Book 4, Page 223 in the office of the Town Clerk of East Greenwich, Rhode Island, are in their entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is within Zone C, and not within the Special Flood Hazard Area. Accordingly, effective February 2, 1973, Map No. H 445397 02 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

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

Issued: June 9, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-16690 Filed 6-25-75;8:45 am]

[Docket No. FI-612]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Flood Hazard Areas; Correction

The Corrections of the Identification of Special Hazard Areas for Garland, Texas, published on December 12, 1974, in 39 FR 43299, and April 11, 1975, in 40 FR 16303, are hereby corrected to read:

On April 16, 1971, in 36 FR 7239, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Insurance Rate Maps were available for public inspection. This list included the City of Garland, Texas, as an eligible community and included Map Nos. H 485471 05 and 06 which indicates that Gatewood Addition No. 1, as recorded in Volume 72197, Page 0676; Gatewood Addition No. 2, as recorded in Volume 72148, Page 0889; Gatewood Addition No. 2, Second Section, as recorded in Volume 72221, Page 1797; Gatewood Addition No. 3, as recorded in Volume 72181, Page 0740; Block H, Gatewood Addition No. 3, replatted and recorded in Volume 73040, Page 997; and Gatewood Addition No. 3, Second Section, as recorded in Volume 72181, Page 0750 in the office of the Clerk of Dallas County, Texas, are in their entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is within Zone C, and not within the Special Flood Hazard Area. Accordingly, effective August 11, 1970, Map Nos. H 485471 05 and 06 are hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended, 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Ad-

ministrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued June 10, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-16692 Filed 6-25-75;8:45 am]

[Docket No. FI-613]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Flood Hazard Areas; Correction

On January 8, 1972, in 37 FR 281, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included Fairfax County, Virginia, as an eligible community and included Map No. H 515525 19 which indicates that lots 250 through 320, 323 through 331, and 339 through 368 of Section 4, Rolling Valley Subdivision, as recorded in Deed Book 2882, Page 343, and Section Five, Rolling Valley Subdivision, Fairfax County, Virginia, as recorded in Deed Book 3009, Page 287 in the office of the Clerk of the Court of Fairfax County, Virginia, are in their entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is within Zone C, and not within the Special Flood Hazard Area. Accordingly, effective June 17, 1970, Map No. H 515525 19 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

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

Issued: June 10, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-16687 Filed 6-25-75;8:45 am]

[Docket No. FI-614]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Flood Hazard Areas; Correction

On January 8, 1973, in 38 FR 1015, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Insurance Rate Maps were available for public inspection. This list included the City of Alexandria, Virginia, as an eligible community and included Map No. H 515519 04 which indicates that Place One Condominium, Alexandria, Virginia, as recorded in Book 757, Page 710, in the office of the Clerk of the Court of the City of Alexandria, Virginia, is in its entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is not within the Special Flood Hazard Area. Accordingly, effective August 22, 1969, Map No. H 515519 04 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

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

Issued: June 9, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-16693 Filed 6-25-75;8:45 am]

[Docket No. FI-327]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities with Special Flood Hazard Areas; Correction

On August 12, 1974, in 39 FR 28888, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the City of Cedar Rapids, Iowa, as an eligible community and included Map No. H 190187 01 which indicates that Northbrook Subdivision, Cedar Rapids, Iowa, Unit II, Lots 68 through 126, 134, and 135, as recorded in Volume 17, Page 6, and Unit VI, Lots 284 through 327, as recorded in Volume 18, Page 439, in the office of the Recorder of Linn County, Iowa, are in their entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is not within the Special Flood Hazard Area. Accordingly, effective August 2, 1974, Map No. H 190187 01 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

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

Issued: June 9, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-16689 Filed 6-25-75;8:45 am]

[Docket No. FI-321]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities with Special Flood Hazard Areas; Correction

On August 6, 1974, in 39 FR 28253, the Federal Insurance Administrator published a list of communities with Special Flood Hazard Areas and the map number and locations where Flood Hazard Boundary Maps were available for public inspection. This list included the Village of Glenview, Illinois, as an eligible community and included Map No. H 170096 04 which indicates that the structures on Valley Lo Condominium Nos. 1 through 5, Glenview, Illinois, as recorded in Volume 829, Pages 10 through 13, and 16 through 21 in the office of the Registrar of Cook County, Illinois are in their entirety within the Special Flood Hazard Area. It has been determined by the Federal Insurance Administration, after further technical review of the above map in light of additional, recently acquired flood information, that the above property is not within the Special Flood Hazard Area. Accordingly, effective June 28, 1974, Map No. H 170096 04 is hereby corrected to reflect that the above property is not within the Special Flood Hazard Area.

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

Issued: June 9, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-16685 Filed 6-25-75;8:45 am]

Title 7—Agriculture

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

[Valencia Orange Regulation 504]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

Preamble. This regulation fixes the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period June 27-July 3, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 908. The quantity of Valencia oranges so fixed was arrived at after consideration of the total available supply of Valencia oranges, the quantity of Valencia oranges currently available for market, the fresh market demand for Valencia oranges, Valencia orange prices, and the relationship of season average returns to the parity price for Valencia oranges.

§ 908.804 Valencia Orange Regulation 504.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

(i) The committee has submitted its recommendation with respect to the quantities of Valencia oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh market demand for Valencia oranges is slowing somewhat in response to expected arrivals of deciduous fruits and melons. Prices f.o.b. averaged $3.84 per carton on a reported sales volume of 1,130,000 cartons last week, compared with an average f.o.b. price of $3.79 per carton and sales of 987,000 cartons a week earlier. Track and rolling supplies at 589 cars were up 48 cars from last week.

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

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on June 24, 1975.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period June 27, 1975, through July 3, 1975, are hereby fixed as follows:

(i) District 1: 204,000 cartons;

(ii) District 2: 396,000 cartons;

(iii) District 3: Unlimited movement.

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

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

Dated: June 24, 1975.

Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.75-16878 Filed 6-25-75;11:44 am]

CHAPTER XV—FOREIGN AGRICULTURAL SERVICE, DEPARTMENT OF AGRICULTURE

PART 1520—AVAILABILITY OF INFORMATION TO THE PUBLIC

Freedom of Information

Procedures for obtaining records of the Foreign Agricultural Service under the Freedom of Information Act (5 U.S.C. 552) are hereby amended in accordance with the Department's Regulations issued pursuant to the Act, 7 CFR, Part 1, Subpart A (40 FR 7341). This part delineates the procedures to be followed by members of the public in requesting documents under the Freedom of Information Act, and by the Foreign Agricultural Service in searching for and providing documents and for other purposes.

Since a delay in implementing these regulations would be contrary to the public interest, good cause is found that notice and public procedure under 5 U.S.C. 553 are unnecessary, and good cause is found for making these regulations effective less than 30 days after publication in the FEDERAL REGISTER.

The Regulations on Public Information, 7 CFR Part 1520, are revised to read as follows:

PART 1520—AVAILABILITY OF INFORMATION TO THE PUBLIC

Subpart A—General

Sec.
1520.1 General statement.
1520.2 Organizational description.

Subpart B—Availability of Program Information, Staff Manual, and Related Material

Sec.
1520.3 Public inspection and copying.
1520.4 Indexes.

Subpart C—Availability of Identifiable Records

Sec.
1520.5 Request for records.
1520.6 Appeals.

AUTHORITY: 5 U.S.C. 552.

Subpart A—General

§ 1520.1 General Statement.

This part is issued in accordance with the regulations of the Secretary of Agriculture Part 1, Subpart A of Subtitle A, of this title (7 CFR 1.1–1.16 and Appendix A thereto), implementing the Freedom of Information Act (5 U.S.C. 552). The Secretary's Regulations, as implemented by the regulations in this part govern the availability of records of the Foreign Agricultural Service (FAS) to the public.

§ 1520.2 Organizational Description.

The description of the organization of FAS is published as a notice in the FEDERAL REGISTER and may be revised from time to time in like manner. Such description contains a listing of FAS organizational units and their functions.

Subpart B—Availability of Program Information Staff Manuals, and Related Material

§ 1520.3 Public Inspection and Copying.

5 U.S.C. 552(a)(2) requires that certain materials be made available for public inspection and copying. Members of the public may request access to such materials maintained by the Information Division, Foreign Agricultural Service, Room 5076–S, Department of Agriculture, 14th and Independence Avenue, SW., Washington, D.C. 20250. The office will be open from 8:30 a.m. to 5 p.m. Monday through Friday, except legal holidays.

§ 1520.4 Indexes.

5 U.S.C. 552(a)(2) requires that each agency publish or otherwise make available a current index of all materials required to be made available for public inspection and copying. Copies of the Foreign Agricultural Service Index may be obtained free of charge by telephoning (202) 447–3448, or writing to the Director, Information Division, Foreign Agriculutral Service, Room 5076–S, Department of Agriculture, 14th and Independence Avenue, SW., Washington, D.C. 20250.

Subpart C—Availability of Identifiable Records

§ 1520.5 Request for records.

(a) Requests for records under 5 U.S.C. 552(a)(3) shall be made in accordance with 7 CFR 1.3(a) and addressed to the appropriate program area Assistant Administrator. They are:

Assistant Administrator, Commercial Export Programs
Assistant Administrator, Foreign Market Development
Assistant Administrator, PL–480 Programs
Assistant Administrator, Foreign Commodity Analysis
Assistant Administrator, Agricultural Attaches
Assistant Administrator, Management

The mailing address for all the above persons is:

Foreign Agricultural Service
U.S. Department of Agriculture
14th and Independence Avenue, SW.
Washington, D.C. 20250

(b) The above officials are delegated authority to make determinations regarding such requests in accordance with 7 CFR 1.4(c). It will facilitate processing of a request for information if "FOIA REQUEST" is placed in capital letters on the front of envelope and the top of the letter.

(c) In the event a requestor does not know the appropriate program area Assistant Administrator to whom he should address his reqest, he may telephone the Information Division (202) 447–3448 to obtain this information or write to the Director, Information Division, Foreign Agricultural Service, Room 5076–S, Department of Agriculture, 14th and Independence Avenue, S.W., Washington, D.C. 20250.

§ 1520.6 Appeals.

(a) Any person whose request under § 1520.5 is denied shall have the right to appeal such denial. This appeal shall be submitted in accordance with 7 CFR 1.3(e) and addressed to the Administrator, Foreign Agricultural Service, Department of Agriculture, 14th and Independence Avenue, SW., Washington, D.C.

(b) In the event the request is denied and the requestor wishes to appeal such decision, it will facilitate processing such appeal by placing the words "FOIA APPEAL" in capital letters on the front of the envelope and at the top of the appeal letter.

Effective date: This revision shall be effective on June 26, 1975.

Signed at Washington, D.C. on June 23, 1975.

RICHARD J. GOODMAN,
Acting Administrator, Foreign Agricultural Service, U.S. Department of Agriculture.

[FR Doc.75–16715 Filed 6–25–75;8:45 am]

Title 9—Animals and Animal Products

CHAPTER I—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—COOPERATIVE CONTROL AND ERADICATION OF LIVESTOCK OR POULTRY DISEASES

PART 50—CATTLE DESTROYED BECAUSE OF TUBERCULOSIS

Tuberculosis Indemnity Regulations

Statement of considerations. On February 7, 1975, there was published in the FEDERAL REGISTER (40 FR 5784–5786) proposed regulations to appear in a new Part 50 designated "Animals Destroyed Because of Tuberculosis" in Title 9, Code of Federal Regulations.

The purpose of this regulation is to separate indemnity regulations relating to cattle destroyed because of tuberculosis from those which relate to cattle destroyed because of brucellosis, thus establishing a separate set of indemnity regulations for each disease; to provide for the payment of indemnity for steers and nonregistered bulls affected with tuberculosis and for certain cattle which have been exposed to that disease; to provide for the independent appraisal of cattle destroyed; to provide alternate means of identifying tuberculosis exposed cattle being transported; to provide an alternate means of destroying tuberculosis affected cattle; to provide liberalized criteria for requiring cleaning and disinfection of tuberculosis exposed premises and to limit extension of time periods provided for the removal of reactors and the cleaning and disinfection of tuberculosis exposed premises.

A period of 34 days was allowed for submission of comments by interested persons. Only 3 comments were received in response to publication of the proposal, all of which were in favor of the regulations as proposed or which made suggestions for minor changes which have been incorporated in the new Part 50 as follows: In § 50.1(f) the term "State" has been redefined for clarification; In §§ 50.4 (a) and (b)(1) testing required for determination of exposure to tuberculosis has been restated for clarification; In § 50.6(b) the requirement that exposed cattle be identified by an eartag placed in the left ear has been changed to permit tagging in either ear; In § 50.8 the provision that expenses for disposal of carcasses will be paid only when affected or exposed cattle cannot be slaughtered at approved slaughtering establishments has been deleted and the requirement that such payment be approved in advance by the Veterinarian in Charge has been added.

Also, in § 50.7(b) a provision has been added whereby the Deputy Administrator may extend the time limit for destruction of animals that have been appraised more than 30 days, and in § 50.9 a limit of 15 days is specified for appraisal of animals which have been classified as reactors or otherwise condemned because of tuberculosis.

After due consideration of all relevant material, including that submitted in connection with such notice, the proposal is hereby adopted as set forth below. Accordingly, new Part 50, Title 9, Code of Federal Regulations is added to read:

Sec.
50.1 Definitions.
50.2 Cooperation with States.
50.3 Payment to owners for cattle destroyed.
50.4 Determination of existence of or exposure to tuberculosis.
50.5 Record of tests.
50.6 Identification of cattle to be destroyed because of tuberculosis.
50.7 Destruction of cattle.
50.8 Payment of expenses for disposal of carcasses.
50.9 Appraisals.
50.10 Report of appraisals.
50.11 Report of salvage proceeds.
50.12 Claims for indemnity.
50.13 Disinfection of premises, conveyances, and materials.
50.14 Claims not allowed.
50.15 Part 53 of this chapter not applicable.

§ 50.1 Definitions.

For the purposes of this Part, the following terms shall be construed, respectively, to mean:

(a) "Department": The United States Department of Agriculture.

(b) "Veterinary Services": Veterinary Services, Animal and Plant Health Inspection Service, USDA.

(c) "Deputy Administrator": The Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, USDA, or any other Veterinary Services official to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

(d) "Veterinarian in Charge": The Veterinary official of Veterinary Services, Animal and Plant Health Inspection Service, USDA, who is assigned by the Deputy Administrator to supervise and perform official animal health work of the Animal and Plant Health Inspection Service in the State concerned.

(e) "Veterinary Services Representative": A veterinarian or other person employed by Veterinary Services, Animal and Plant Health Inspection Service, USDA, in animal health activities who is authorized to perform the function involved.

(f) "State": Any State, territory, the District of Columbia, or Puerto Rico.

(g) "Accredited Veterinarian": An accredited veterinarian as defined in Part 160 of this chapter.

(h) "Mortgage": Any mortgage, lien or other security or interest that is recorded under State law or identified in the indemnity claim form filed under Section 50.12 and held by any person other than the one claiming indemnity.

(i) "Person": Any individual, corpo-

ration, company, association, firm, partnership, society, or joint stock company, or any organized group of any of the foregoing.

(j) "Owner": Any person who has a legal or rightful title to cattle whether or not they are subject to a mortgage.

(k) "Destroyed": Condemned under State authority and destroyed by slaughter or by death otherwise.

(l) "Animals": Any mammalian species which may serve as a carrier or reservoir of tuberculosis.

(m) "Herd": Any group of animals (of like kind) maintained on common ground for any purpose, or two or more groups of animals (of like kind) under common ownership or supervision, geographically separated but which have an interchange or movement of cattle without regard to health status.

(n) "Herd Depopulation": Removal by slaughter or other means of destruction of all cattle in a herd or from specific premises or under common ownership prior to restocking with new animals.

(o) "Registered Cattle": Cattle for which individual records of ancestry are recorded and maintained, and for which individual registration certificates are issued and recorded by a recognized breed association whose purpose is the improvement of the breed.

(p) "Permit": A permit for movement of cattle direct to slaughter listing the disease, status and identification of the animal, where consigned, cleaning and disinfecting requirements, and proof of slaughter certification.

§ 50.2 Cooperation with States.

The Deputy Administrator has been delegated the authority to cooperate with the proper State authorities in the eradication of tuberculosis and to pay Federal indemnities for the destruction of cattle affected with or exposed to tuberculosis.

§ 50.3 Payment to owners for cattle destroyed.

(a) *Affected cattle.* The Department may pay owners an indemnity for cattle affected with tuberculosis not to exceed 90 percent of the difference between the appraised value of each animal so destroyed and the net salvage received by the owner; *Provided,* That no such payment may exceed $350 for each animal, *And provided, further,* That any joint State-Federal indemnity payment, plus salvage, does not exceed the appraised value of each animal.

(b) *Herd depopulation—cattle.* The Deputy Administrator has been delegated the authority to authorize the payment of Federal indemnity to owners of cattle destroyed because of tuberculosis not to exceed $100 for any nonregistered animal or $200 for any registered animal[1] which has been found to be exposed, is a part of a known infected herd, and when it has been determined by the Deputy Administrator that the destruction of all the cattle in the herd will contribute to the tuberculosis eradication program: *Provided,* That the joint State-Federal indemnity payment, plus salvage, does not exceed the appraised value of each animal.

(c) *Exposed cattle.* The Deputy Administrator has been delegated the authority to authorize the payment of Federal indemnity to owners of cattle destroyed because of tuberculosis not to exceed $100 for any nonregistered animal or $200 for any registered animal[1] which has been found to have been exposed by reason of association with tuberculosis cattle, and when it has been determined by the Deputy Administrator that the destruction of such exposed cattle will contribute to the tuberculosis eradication program: *Provided,* That the joint State-Federal indemnity payment, plus salvage, does not exceed the appraised value of each animal.

§ 50.4 Determination of existence of or exposure to tuberculosis.

(a) Cattle are classified as affected with tuberculosis on the basis of an intradermal tuberculin test applied by a Federal, State, or an accredited veterinarian or by other diagnostic procedure approved in advance by the Deputy Administrator.

(b) Cattle are classified as exposed to tuberculosis when such animals (1) are part of a known infected herd, or (2) are found to have moved from an infected herd before the time infection was disclosed in such herd and after the time such herd had apparently become infected, or (3) are found to have been exposed by virtue of nursing a reactor dam: *Provided,* That cattle classified as exposed to tuberculosis shall be removed direct to slaughter.

§ 50.5 Record of tests.

When any animal in a herd of cattle is classified by a Veterinary Services or State representative or accredited veterinarian as a reactor to a test for tuberculosis, a complete test record shall be made for such herd, including the reactor tag number of each reacting animal and the registration name and number of each reacting registered animal. A form acceptable to Veterinary Services shall be used for the record of any herd having any reactor to a tuberculin test. A copy of the applicable test record shall be given to the owner of any such herd, and one copy of each such record shall be furnished to the appropriate State veterinarian's office.

§ 50.6 Identification of cattle to be destroyed because of tuberculosis.

Cattle to be destroyed because of tuberculosis must be identified within 15 days after being classified as reactors or otherwise condemned because of tuberculosis, except that the appropriate Veterinarian in Charge, for reasons satisfactory to him, may extend the time limit for identification to 30 days when request for such extension is received by him prior to the expiration date of the original 15-day period allowed.

(a) *Reactor cattle.* Reactor cattle shall be identified by branding the letter "T" on the left jaw not less than 2 nor more than 3 inches high and by tagging with an approved metal eartag bearing a serial number and inscription "U.S. Reactor" or a similar State reactor tag suitably attached to the left ear of each animal.

(b) *Exposed cattle.* Exposed cattle shall be identified by branding the letter "S" on the left jaw not less than 2 nor more than 3 inches high and by tagging with an approved metal eartag bearing a serial number attached to either ear of each animal; *Provided, however,* That in lieu of branding they may be accompanied to slaughter by a Veterinary Services or State representative; or be shipped in vehicles closed with official seals.

§ 50.7 Destruction of cattle.

(a) Cattle to be destroyed because of tuberculosis must be shipped direct to slaughter under permit to a Federal or State inspected slaughtering establishment or be disposed of by rendering, burial, or incinerating in an approved manner under supervision of a Veterinary Services or State employee.

(b) *Time limit for destruction of cattle.* Cattle for which Federal indemnity may be paid because of tuberculosis must be destroyed and carcass disposal completed within 15 days after the date of appraisal, except that the appropriate Veterinarian in Charge, for reasons satisfactory to him, may extend the time limit for slaughter to 30 days when request for such extension is received by him prior to the expiration of the original 15-day period allowed, and the Deputy Administrator may extend the time limit for slaughter beyond 30 days, upon request in specific cases and for reasons satisfactory to him.

§ 50.8 Payment of expenses for disposal of carcasses.

The Department may pay, when approved in advance in writing by the Veterinarian in Charge, one-half the expenses for destruction, burial, incineration, rendering, or otherwise disposing of such cattle and one-half the expenses of transportation of such animals to the point where such disposal shall take place. Claims for such payment shall be made on forms furnished by Veterinary Services and shall be signed by a Veterinary Services or State representative or jointly and by the owner certifying his acceptance of the amount claimed. No charges for expenses of disposal or trucking by the owner shall be paid by the Department.

§ 50.9 Appraisals.

Cattle. Cattle to be destroyed because of tuberculosis under § 50.3 (a), (b), or (c) shall be appraised within 15 days

[1] Cattle presented for appraisal as registered shall be accompanied by their registration papers, or shall be paid for as nonregistered; *Provided, however,* That if the registration papers are temporarily not available or if the cattle are less than 3 years old and unregistered, the appropriate Veterinarian in Charge may grant a reasonable time for the presentation of their registration papers.

after being classified as reactors or otherwise condemned because of tuberculosis, by a Veterinary Services or State representative, or by an independent professional appraiser at Veterinary Services expense when the Veterinarian in Charge deems this necessary. When thus appraised, due consideration shall be given to their breeding value as well as to their dairy or meat value. Cattle presented for payment as registered shall be accompanied by their registration papers, or shall be paid for as nonregistered: *Provided*, however, That if the registration papers are temporarily not available or if the cattle are less than 3 years old and unregistered, the appropriate Veterinarian in Charge may grant a reasonable time for the presentation of their registration papers. The appraiser shall be responsible for their verification. Veterinary Services may decline to accept any appraisal that appears to be unreasonable or out of proportion to the market value of cattle of like quality.

§ 50.10 Report of appraisals.

Appraisals of cattle made in accordance with § 50.9 shall be recorded on forms furnished by Veterinary Services. The appraisal form shall be signed by the appraiser and by the owner certifying his acceptance of the appraisal. The "date of appraisal" shall be the date that the owner signs the appraisal form. The original of the appraisal form and as many copies thereof as may be required for Veterinary Services, the State, and the owner of the animals shall be sent to the appropriate Veterinarian in Charge.

§ 50.11 Report of salvage proceeds.

A report of the salvage derived from the sale of each animal on which a claim for indemnity may be made under the provisions of § 50.3 shall be made on a salvage form acceptable to Veterinary Services which shall be signed by the purchaser or his agent or by the selling agent handling the animals. If the cattle are sold by the pound, the salvage form shall show the weight, price per pound, gross receipts, expenses if any, and net proceeds. If the cattle are not sold on a per pound basis, the net purchase price of each animal must be stated on the salvage form and an explanation showing how the amount was arrived at must be submitted. In the event the animals are not disposed of through regular slaughterers or through selling agents, the owner shall furnish, in lieu of the salvage form, an affidavit showing the amount of salvage obtained by him and shall certify that such amount is all that he has received or will receive as salvage for said animals. In an emergency, a certificate executed by the appropriate Veterinarian in Charge will be acceptable in lieu of the owner's affidavit. The salvage shall be considered to be the net amount received for an animal after deducting freight, truckage, yardage, commission, slaughtering charges, and similar costs. The original of the salvage form or the affidavit of the owner or certificate of the appropriate Veterinarian in Charge, furnished in lieu thereof, shall be furnished to the Veterinarian in Charge if it is not already in his possession. Additional copies may be furnished to the State officials, if required. Destruction of animals by burial, incineration or other disposal of carcasses shall be supervised by a Veterinary Services or State representative who shall prepare and transmit to the Veterinarian in Charge a report identifying the animals and showing the disposition thereof.

§ 50.12 Claims for indemnity.

Claims for Federal indemnity for cattle destroyed because of tuberculosis shall be presented on indemnity claim forms furnished by Veterinary Services, on which the owner of the animals covered thereby shall certify that the animals are or are not, subject to any mortgage as defined in this Part. If the owner states there is a mortgage, the Veterinary Services indemnity claim form shall be signed by the owner and by each person holding a mortgage on the animals consenting to the payment of any indemnity allowed to the person specified thereon. Payment will be made only if the Veterinary Services indemnity claim form has been approved by a proper State official and if payment of the claim has been recommended by the appropriate Veterinarian in Charge or an official designated by him. On claims for indemnity made under the provisions of § 50.3, the Veterinarian in Charge or official designated by him shall record on the Veterinary Services indemnity claim form the amount of Federal and State indemnity payments that appear to be due to the owner of the animals. The owner of the animals shall be furnished a copy of the Veterinary Services indemnity claim form. The Veterinarian in Charge or official designated by him shall then forward the Veterinary Services indemnity claim form to the appropriate official for further action on the claim. No charges for holding the cattle on the farm pending slaughter or for trucking by the owner shall be so deducted or otherwise paid by the Department.

§ 50.13 Disinfection of premises, conveyances, and materials.

All premises, including all structures, holding facilities, conveyances, or materials which are determined by the appropriate Veterinarian in Charge to constitute a health hazard to humans or animals because of tuberculosis shall be properly cleaned and disinfected, in accordance with procedures approved by the Department, within 15 days after the removal of tuberculosis affected or exposed cattle except that the Veterinarian in Charge, for reasons satisfactory to him, may extend the time limit for disinfection to 30 days when request for such extension is received by him prior to the expiration date of the original 15-day period allowed.

§ 50.14 Claims not allowed.

Claims for compensation for cattle destroyed because of tuberculosis shall not be allowed if any of the following circumstances exist:

(a) If the claimant has failed to comply with any of the requirements of this Part.

(b) If any part of the claimant's herd has not been tested for tuberculosis under Veterinary Services or State supervision.

(c) If there is substantial evidence that the owner or his agent has in any way been responsible for any attempt unlawfully or improperly to obtain indemnity funds for such animals.

(d) If at the time of test or condemnation, the cattle belonged to or were upon the premises of any person to whom they had been sold, shipped, or delivered for slaughter unless or until all of the cattle remaining on the premises or in the herd from which the tested or condemned cattle originated are tested or otherwise examined for tuberculosis in a manner satisfactory to the Deputy Administrator or his designated representative.

(e) If the cattle affected with tuberculosis have been added to the herd while the herd was under quarantine for tuberculosis.

§ 50.15 Part 53 of this Chapter not applicable.

No claim for Federal indemnity for cattle destroyed because of tuberculosis shall hereafter be paid under the regulations contained in Part 53 of this Chapter, but all such claims shall be presented and paid pursuant to and in compliance with the regulations contained in this Part.

(Secs. 3, 4, 5, 11, and 13, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791–792, as amended; sec. 3, 33 Stat. 1265, as amended; sec. 3, 76 Stat. 130 (21 U.S.C. 111–113, 114, 114a, 114a–1, 120, 121, 125, 134b; 37 FR 28464, 28477; 38 FR 19141.)

Effective date. The foregoing provisions shall become effective June 26, 1975.

Because of the urgency involved in eradicating tuberculosis and preventing the dissemination of this disease among livestock of the country, it is essential that these provisions be placed in effect without delay.

It is believed the provisions will expedite the eradication of tuberculosis and will protect gains made in the State-Federal cooperative tuberculosis eradication program and will therefore be of benefit to affected persons. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the provisions are impracticable and unnecessary, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 20th day of June, 1975.

PIERRE A. CHALOUX,
Acting Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service.

[FR Doc.75–16626 Filed 6–25–75;8:45 am]

PART 51—CATTLE DESTROYED BECAUSE OF BRUCELLOSIS

Brucellosis Indemnity Regulations

Statement of considerations. On February 7, 1975, there was published in the FEDERAL REGISTER (40 FR 5787–5789) a proposed revision of Part 51, Title 9, Code of Federal Regulations, to be designated "Cattle Destroyed Because of Brucellosis."

The purpose of this regulation is to separate indemnity regulations relating to cattle destroyed because of brucellosis from those which relate to cattle destroyed because of tuberculosis, thus establishing a separate set of indemnity regulations for each disease; to clarify existing authority for the payment of brucellosis indemnity for cattle destroyed when certain herds are depopulated; to require appraisal of brucellosis exposed cattle for which indemnity is authorized; to provide for the payment of indemnity for nonregistered bulls destroyed; and to limit the extension of the 15-day periods for identification of reactors, destruction of infected and exposed cattle, and the cleaning and disinfection of infected and exposed premises, to an additional 15-day period.

A period of 34 days was allowed for submission of comments by interested persons. In response to publication of the proposed rulemaking, comments were received from ten different sources. All of these were generally favorable with six suggesting additions to or changes in certain provisions of the proposal. After due consideration of all comments received, it was determined that the following changes suggested would strengthen the regulations and these have been incorporated as follows: (1) That the definition of exposed animals be broadened to include contact with any brucellosis-affected cattle rather than with cattle in marketing channels only; (2) that the permit requirement for movement of cattle be broadened to include movements to approved livestock markets as well as direct to slaughter; and (3) that the provision prohibiting payment of indemnity for cattle which at the time of test or condemnation belonged to or were upon the premises of any person to whom they had been sold, shipped, or delivered for slaughter be added to the regulations.

It was likewise determined that the following suggestions received would not be in the best interest of the eradication program at the present time and should therefore, not be made a part of the regulation: (1) That the extensions of time greater than 15 days be allowed for the identification of reactors, the destruction and disposal of infected and exposed cattle following identification, for the subsequent cleaning and disinfection of contaminated premises following removal of reactors and for requesting such extensions from the Area Veterinarian in Charge; (2) that evidence of slaughter be substituted in lieu of proof of slaughter as a requirement for payment; and (3) that indemnity not be allowed for cattle which are additions to quarantined herds and which subsequently react to the test for brucellosis.

Certain other additional nonsubstantive changes have been made in the regulation for purposes of clarification and updating, one of which is the change in definition of an official vaccinate in § 51.1 (l) to conform to the current Recommended Brucellosis Eradication Uniform Methods and Rules.

After due consideration of all relevant material, including that submitted with such notice, the proposal is hereby adopted as set forth below. Accordingly, Part 51, Title 9, Code of Federal Regulations, is revised to read:

Sec.

51.1 Definitions.
51.2 Cooperation with States.
51.3 Payment to owners for cattle destroyed.
51.4 Determination of existence of or exposure to brucellosis.
51.5 Record of tests.
51.6 Identification of cattle to be destroyed because of brucellosis.
51.7 Destruction of cattle; time limit for slaughter.
51.8 Appraisals.
51.9 Report of appraisals.
51.10 Report of salvage proceeds.
51.11 Claims for indemnity.
51.12 Disinfection of premises, conveyances, and materials.
51.13 Claims not allowed.
51.14 Part 53 of this chapter not applicable.

§ 51.1 Definitions.

For the purposes of this part, the following terms shall be construed, respectively, to mean:

(a) "Department": The United States Department of Agriculture.

(b) "Veterinary Services": Veterinary Services, Animal and Plant Health Inspection Service, USDA.

(c) "Deputy Administrator": The Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, USDA, or any other Veterinary Services official to whom authority has heretofore lawfully been delegated or may hereafter be delegated to act in his stead.

(d) "Veterinarian in Charge": The Veterinary official of Veterinary Services, Animal and Plant Health Inspection Service, USDA, who is assigned by the Deputy Administrator to supervise and perform official animal health work of the Animal and Plant Health Inspection Service in the State concerned.

(e) "Veterinary Services Representative": A veterinarian or other person employed by Veterinary Services, Animal and Plant Health Inspection Service, USDA, in animal health activities who is authorized to perform the function involved.

(f) "State": Any State, Territory, the District of Columbia, or Puerto Rico.

(g) "Accredited Veterinarian": An accredited veterinarian as defined in Part 160 of this chapter.

(h) "Mortgage": Any mortgage, lien or other security or interest that is recorded under State law or identified in the indemnity claim form filed under § 51.11 and held by any person other than the one claiming indemnity.

(i) "Person": Any individual, corporation, company, association, firm, partnership, society, or joint stock company, or other legal entity.

(j) "Owner": Any person who has a legal or rightful title to cattle whether or not they are subject to a mortgage.

(k) "Destroyed": Condemned under State authority and destroyed by slaughter or by death otherwise.

(l) "Official vaccinate": A female bovine animal of a dairy breed vaccinated subcutaneously against brucellosis while from 2 to 6 months (60 to 179 days) of age or a female bovine animal of a beef breed vaccinated subcutaneously against brucellosis while from 2 to 10 months (60 to 299 days) of age, under the supervision of a Federal or State Veterinary official, with a vaccine approved by Veterinary Services, permanently identified as an official vaccinate; and reported at the time of vaccination to the appropriate State or Federal agency cooperating in the eradication of brucellosis: *Provided, however,* That a bovine animal vaccinated prior to June 26, 1975, in accordance with the existing definition of an official vaccinate as set forth in this part at the time of vaccination, shall be deemed to be an official vaccinate.

(m) "Herd": Any group of animals (of like kind) maintained on common ground for any purpose, or two or more groups of animals (of like kind) under common ownership or supervision, geographically separated but which have an interchange or movement of animals without regard to health status.

(n) "Herd depopulation": Removal by slaughter or other means of destruction of all cattle in a herd or from a specific premises or under common ownership prior to restocking with new animals, except that steers and spayed heifers maintained for feeding purposes may be retained on the premises if the Veterinarian in Charge finds such retention to be compatible with eradication efforts.

(o) "Registered cattle": Cattle for which individual records of ancestry are recorded and maintained, and for which individual registration certificates are issued and recorded by a recognized breed association whose purpose is the improvement of the breed.

(p) "Permit": A permit for movement of animals under this Part listing the disease status and identification of the animal, where consigned, cleaning and disinfecting requirements, and proof of slaughter certification.

§ 51.2 Cooperation with States.

The Deputy Administrator has been delegated the authority to cooperate with the proper State authorities in the eradication of brucellosis and to pay indemnities for the destruction of cattle affected with or exposed to brucellosis.

§ 51.3 Payment to owners for cattle destroyed.

(a) *Affected cattle.* Owners of cattle destroyed which are affected with brucel-

losis may be paid an indemnity by the Department not to exceed $50 for any grade animal or $100 for any registered animal, except in Alaska, Hawaii, Puerto Rico, and the Virgin Islands where no payment for any animal destroyed shall exceed $100. Appraisals and reports of salvage are not required. Proof of destruction is required. Postmortem reports will be accepted as proof of slaughter.

(b) *Heard depopulation.* The Deputy Administrator may authorize the payment of Federal indemnity to owners whose cattle are destroyed because of brucellosis not to exceed $50 for any nonregistered animal or $100 for any registered animal which has been found to be exposed, is a part of a known infected herd, and it has been determined by the Deputy Administrator that the destruction of all cattle in the herd will contribute to the brucellosis eradication program. Proof of destruction, appraisals, and reports of salvage are required. Postmortem reports will be accepted as proof of slaughter. The joint State-Federal indemnity payment plus salvage may not exceed the appraised value of each animal.

(c) *Exposed cattle.* The Deputy Administrator may authorize the payment of Federal indemnity to owners for cattle destroyed because of brucellosis not to exceed $50 for any nonregistered animal or $100 for any registered animal which has been found to be exposed by reason of previous association with brucellosis affected cattle and it has been determined by the Deputy Administrator that the destruction of such exposed cattle will contribute to the brucellosis eradication program. Proof of destruction, appraisals, and reports of salvage are required. Postmortem reports will be accepted as proof of slaughter. The joint State-Federal indemnity payment plus salvage may not exceed the appraised value of each animal.

§ 51.4 Determination of existence of or exposure to brucellosis.

Cattle are classified as affected with brucellosis on the basis of an agglutination or other test approved by the Deputy Administrator, applied by a Veterinary Services, State, or accredited veterinarian or by a nonveterinary technician under the supervision of a Veterinary Services or State veterinarian. Cattle are classified as exposed to brucellosis that are part of a known infected herd or that have been in contact with brucellosis affected cattle for periods of 24 hours or for periods of less than 24 hours if any of the affected cattle to which they are exposed have recently aborted, calved, or have a vaginal or uterine discharge.

§ 51.5 Record of tests.

When any animal in a herd of cattle is classified as affected with brucellosis, a complete test record shall be made for such herd, including the reactor tag number of each affected animal and the registration name and number of each affected registered animal. A form acceptable to Veterinary Services shall be used for the record of any herd having a reactor to a brucellosis test. A copy of the applicable test record shall be given to the owner of any such herd, and one copy of each such record shall be furnished to the appropriate State veterinarian's office.

§ 51.6 Identification of cattle to be destroyed because of brucellosis.

Cattle to be destroyed because of brucellosis must be identified within 15 days after being classified as reactors or otherwise condemned because of brucellosis. The appropriate Veterinarian in Charge for reasons satisfactory to him, may extend the time limit to 30 days when request for such extension is received by him prior to the expiration date of the original 15-day period allowed. Such cattle must be identified by branding the letter "B" on the left jaw not less than 2 nor more than 3 inches high and by tagging with an approved metal tag bearing a serial number and inscription "U.S. Reactor" or a similar State reactor tag suitably attached to the left ear of each animal.

§ 51.7 Destruction of cattle; time limit for slaughter.

(a) *Destruction.* Cattle to be destroyed because of brucellosis shall be sold under permit to a State or Federal slaughtering establishment approved for this purpose or to a State or Federal approved market for sale to such slaughtering establishment.

(b) *Time limit for slaughter.* Payment of indemnity may be made under this Part for cattle destroyed because of brucellosis only if the cattle are destroyed, slaughtered, or die otherwise within 15 days after the date of identification, except that the appropriate Veterinarian in Charge, for reasons satisfactory to him, may extend the time limit to 30 days when request for such extension is received from the owner prior to the expiration date of the original 15-day period allowed, or when the cattle were sold for slaughter prior to the expiration date of the original 15-day period.

§ 51.8 Appraisals.

Cattle. Appraisals are not required for cattle affected with brucellosis which are to be destroyed and indemnities paid under § 51.3(a). Cattle affected with or exposed to brucellosis which are to be destroyed and indemnities paid under § 51.3 (b) or (c) shall be appraised by a Veterinary Services or State representative or an independent professional appraiser at Veterinary Services expense when the Veterinarian in Charge deems necessary. When thus appraised, due consideration shall be given to their breeding value as well as to their dairy or meat value. Cattle presented for appraisal as registered shall be accompanied by their registration papers or shall be paid for as grades: *Provided, however,* That if the registration papers are temporarily not available or if the cattle are less than 3 years old and unregistered, the appropriate Veterinarian in Charge may grant a reasonable time for the presentation of their registration papers. The appraiser shall be responsible for their verification. Veterinary Services may decline to accept appraisals that appear to be unreasonable or out of proportion to the market value of cattle of like quality.

§ 51.9 Report of appraisals.

Appraisals of cattle made in accordance with § 51.8 shall be recorded on forms furnished by Veterinary Services. The appraisal form shall be signed by the appraiser and by the owner certifying his acceptance of the appraisal. The "date of appraisal" shall be the date that the owner signs the appraisal form. The original of the appraisal form and as many copies thereof as may be required for Veterinary Services, the State, and the owner of the animals shall be sent to the appropriate Veterinarian in Charge.

§ 51.10 Report of salvage proceeds.

A report of the salvage derived from the sale of cattle on which a claim for indemnity may be made under the provisions of § 51.3 shall be made on a salvage form acceptable to Veterinary Services which shall be signed by the purchaser or his agent or by the selling agent handling the animals. If the cattle are sold by the pound, the salvage form shall show the weight, price per pound, gross receipts, expenses if any, and net proceeds. If the cattle are not sold on a per pound basis, the net purchase price of each animal must be stated on the salvage form and an explanation showing how the amount was arrived at must be submitted. In the event the animals are not disposed of through regular slaughterers or through selling agents, the owner shall furnish, in lieu of the salvage form, an affidavit showing the amount of salvage obtained by him and shall certify that such amount is all that he has received or will receive as salvage for said animals. In an emergency, a certificate executed by the appropriate Veterinarian in Charge will be acceptable in lieu of the owner's affidavit. The salvage shall be considered to be the net amount received for an animal after deducting freight, truckage, yardage, commissions, slaughtering charges, and similar costs. An acceptable form furnished by the purchaser or selling agent, or the affidavit of the owner or certificate of the appropriate Veterinarian in Charge, furnished in lieu thereof, shall be furnished to the Veterinarian in Charge if it is not already in his possession. Additional copies may be furnished to the State officials, if required.

§ 51.11 Claims for indemnity.

Claims for indemnity for cattle destroyed because of brucellosis shall be presented on indemnity claim forms furnished by Veterinary Services on which the owner of the animals covered thereby shall certify that the animals are or are not subject to any mortgage as defined in this part. If the owner states there is a mortgage, the Veterinary Services indemnity claim form shall be signed by the owner and by each person holding a mortgage on the animals, consenting to the payment of any indemnity allowed

to the person specified thereon. Payment will be made only if each Veterinary Services indemnity claim has been approved by a proper State official and if payment of the claim has been recommended by the appropriate Veterinarian in Charge or an official designated by him. On claims for indemnity made under the provisions of § 51.3, the Veterinarian in Charge or official designated by him shall record on the Veterinary Services indemnity claim form the amount of Federal and State indemnity payments that appear to be due to the owner of the animals. The owner of the animals shall be furnished a copy of the Veterinary Services indemnity claim form. The Veterinarian in Charge or official designated by him shall then forward the Veterinary Services indemnity claim form to the appropriate official for further action on the claim. No charges for holding the animals on the farm pending slaughter or for trucking by the owner shall be so deducted or otherwise paid by the Department.

§ 51.12 Disinfection of premises, conveyances, and materials.

All premises, including all structures, holding facilities, conveyances, and materials, contaminated because of occupation or use by brucellosis affected or exposed cattle shall be properly cleaned and disinfected with a disinfectant permitted by Veterinary Services in accordance with recommendations of the Veterinary Services or State inspector within 15 days from the date reactors were removed from the premises, except that the appropriate Veterinarian in Charge, for reasons satisfactory to him, may extend the time limit for disinfection to 30 days when request for such extension is received by him prior to the expiration date of the original 15-day period allowed, and except that certain premises may be exempted from such cleaning and disinfecting requirements by approval of the appropriate Veterinarian in Charge on written recommendations by the Veterinary Services or State inspector or when a written report by the Veterinary Services or State inspector determines that there are no buildings, holding facilities, conveyances, or other materials on the premises that would require such cleaning and disinfection.

§ 51.13 Claims not allowed.

Claims for compensation for cattle destroyed because of brucellosis shall not be allowed if any of the following circumstances exist:

(a) If the claimant has failed to comply with any of the requirements of this Part.

(b) If the existence of any such disease in the cattle was determined as the result of an agglutination test applied by an accredited veterinarian and specific instructions for the administration of such test had not previously been issued to such veterinarian by the proper Veterinary Services and State authorities.

(c) If all eligible cattle in the claimants' herd have not been tested for brucellosis under Veterinary Services or State supervision.

(d) If the cattle are steers unless the steers are work oxen.

(e) If the cattle are classified as reactors and are unofficial vaccinates unless there is either a record of a negative blood agglutination test made not less than 30 days following the date of vaccination, or unless other Veterinary Services approved tests show the vaccinates are affected with virulent Brucellae.

(f) If there is substantial evidence that the owner or his agent has in any way been responsible for any unlawful or improper attempt to obtain indemnity funds for such cattle.

(g) If, at the time of test or condemnation, the cattle belonged to or were upon the premises of any person to whom they had been sold for slaughter; shipped for slaughter, or delivered for slaughter.

§ 51.14 Part 53 of this chapter not applicable.

No claim for indemnity for cattle destroyed because of brucellosis shall hereafter be paid under the regulations contained in Part 53 of this chapter, but all such claims shall be presented and paid pursuant to and in compliance with regulations contained in this part.

(Secs. 3, 4, 5, 11, and 13, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791–792, as amended; sec. 3, 33 Stat. 1265, as amended; sec. 3, 76 Stat. 130 (21 U.S.C. 111–113, 114, 114a, 114a–1, 120, 121, 125, 134b; 37 FR 28464, 28477; 38 FR 19141.)

Effective date. The foregoing amendments shall become effective June 26, 1975.

Because of the urgency involved in eradicating brucellosis and preventing the dissemination of this disease among livestock of the country, it is essential that these provisions be placed in effect without delay.

It is believed the amendments will expedite the eradication of brucellosis and will protect gains made in the State-Federal cooperative brucellosis eradication program and will therefore be of benefit to affected persons. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the provisions are impracticable and unnecessary, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 20th day of June, 1975.

PIERRE H. CHALOUX,
Acting Deputy Administrator, Veterinary Services Animal and Plant Health Inspection Service.

[FR Doc.75-16627 Filed 6-25-75;8:45 am]

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 82—EXOTIC NEWCASTLE DISEASE; AND PSITTACOSIS OR ORNITHOSIS IN POULTRY

Area Quarantined

This amendment quarantines a portion of Hidalgo County in Texas because of the existence of exotic Newcastle disease. Therefore, the restrictions pertaining to the interstate movement of poultry, mynah, and psittacine birds, and birds of all other species under any form of confinement, and their carcasses and parts thereof, and certain other articles, from quarantined areas, as contained in 9 CFR Part 82, as amended, will apply to the quarantined area.

Accordingly, Part 82, Title 9, Code of Federal Regulations, is hereby amended in the folowing respect:

In § 82.3, the introductory portion of paragraph (a) is amended by adding thereto the name of the State of Texas before the reference to "Puerto Rico" and a new paragraph (a)(1) relating to the State of Texas is added to read:

§ 82.3 Areas Quarantined.

(a) * * *

(1) *Texas.* That portion of Hidalgo County bounded by a line beginning at the junction of new U.S. Highway 83 and U.S. Highway 281 (also Cage Boulevard); thence, following the eastern edge of U.S. Highway 281 in a southerly direction to Sam Houston Avenue; thence, following the northern edge of Sam Houston Avenue in an easterly direction to Standard Avenue; thence, following the western edge of Standard Avenue in a northerly direction one block to Tenth Street; thence, following the northern edge of Tenth Street in an easterly direction two blocks to Farm Road 1426 (also Nebraska Avenue); thence, following the western edge of Farm Road 1426 in a northerly direction to new U.S. Highway 83; thence, following the southern edge of new U.S. Highway 83 in a westerly direction to its junction with U.S. Highway 281.

* * * * *

(Secs. 4–7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791–792, as amended; secs. 1–4, 33 Stat. 1264, 1265, as amended; secs. 3 and 11, 76 Stat. 130, 132 (21 U.S.C. 111–113, 115, 117, 120, 123–126, 134b, 134f); 37 FR 28464, 28477; 38 FR 19141)

Effective date. The foregoing amendment shall become effective on June 20, 1975.

The amendment imposes certain restrictions necessary to prevent the interstate spread of exotic Newcastle disease, a communicable disease of poultry, and must be made effective immediately to accomplish its purpose in the public interest. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and

other public procedure with respect to the amendment are impracticable and contrary to the public interest, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 20th day of June, 1975.

PIERRE A. CHALOUX,
Acting Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service.

[FR Doc.75-16741 Filed 6-25-75;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 14766; Amdt. No. 71-9 and 73-3]

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

PART 73—SPECIAL USE AIRSPACE

Elimination of Military Climb Corridor References

The purpose of these amendments to Parts 71 and 73 of the Federal Aviation Regulations is to delete the references to Restricted Area Military Climb Corridors.

The first Restricted Area Military Climb Corridor was designated at the Portland International Airport on August 1, 1958 in Amendment 230 to Part 608 of the Civil Air Regulation (23 FR 5707). During the next seven years 42 of these corridors were designated. Their purpose was to facilitate air defense missions of the Air Defense Command at locations where the lack of radar coverage or other limitations precluded the development of satisfactory departure procedures. Since establishment of the military climb corridors, there has been an extensive change to the Air Traffic Control (ATC) system. Radar coverage has increased dramatically, Area Positive Control has been lowered to 18,000 feet and the entire ATC system has been improved significantly. As a result, the original need for military climb corridors no longer exists and all such corridors have been cancelled at the request of the military. The last military climb corridor at Oscoda, Michigan, Wurtsmith AFB, was cancelled effective April 14, 1970 (35 FR 6047). Therefore, reference to Military Climb Corridors is no longer required and is hereby deleted from the regulations.

Since these amendments are nonsubstantive in nature in that they merely remove references in the regulation to airspace assignments which no longer exist, notice and public procedure are unnecessary.

In consideration of the foregoing, Parts 71 and 73 are amended, effective July 28, 1975, as follows:

(1) Section 71.9(b) is amended to read as follows:

§ 71.9 Continental control area.

* * * * *

(b) Prohibited and restricted areas, other than restricted areas listed in Subpart D of this part.

(2) Section 73.15 is amended by deleting the text of § 73.15(a)(2) and by designating that paragraph "[Reserved]."

(3) Section 73.19 is amended by deleting paragraph (c).

(Secs. 307, 313(a) of the Federal Aviation Act of 1958, 49 U.S.C. 1348 and 1354(a); section 6(c) of the Department of Transportation Act (80 Stat. 937, 49 U.S.C. 1655(c)).)

Issued in Washington, D.C., on June 19, 1975.

JAMES E. DOW,
Acting Administrator.

[FR Doc.75-16610 Filed 6-25-75;8:45 am]

[Airspace Docket No. 75-WA-10]

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

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Extension of Jet Route; Designation of VOR Federal Airway

Correction

In FR Doc. 75-15516 appearing at page 25441, in the issue for Monday, June 16, 1975, the amendment to § 75.100 should have read, "From Peck, Mich., * * *"

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 14768; Amdt. 91-128]

PART 91—GENERAL OPERATING AND FLIGHT RULES

ATC Deviation Authority; Automatic Pressure Altitude Reporting Equipment

The purpose of this amendment to Part 91 of the Federal Aviation Regulations (14 CFR Part 91) is to revoke the provision, in § 91.24(c), that requires requests for authorization to operate in certain controlled airspace, without the required automatic pressure altitude reporting equipment, to be submitted at least four hours before the proposed operation. This amendment permits Air Traffic Control (ATC) to immediately authorize operation without automatic pressure altitude reporting equipment (referred to herein as "encoders"). This relaxation applies to operation in Group I Terminal Control Areas (TCAs) and in controlled airspace above 12,500 feet MSL, and to operation in Group III TCAs when two-way radio communications are not maintained.

On May 25, 1973, the FAA adopted amendments to FAR Parts 71 and 91 (Amendments 71-8 and 91-116; 38 FR 14672; June 4, 1973) to require aircraft operating in TCAs and designated en route airspace to be equipped with improved ATC transponders and with encoders. When it appeared that equipment supply problems prevented aircraft operators from meeting the original compliance schedule, the compliance dates for operation within TCAs were postponed six months by Amendment 91-123 (39 FR 23253; June 27, 1974).

Pursuant to Amendment 91-123, the transponder and encoder requirements of § 91.24 became effective for Group I TCAs on January 1, 1975, and would have become effective on July 1, 1975, for Group II and Group III TCAs. Subsequently, however, after further review, the encoder requirements for Group II TCAs was revoked (Amendment 91-127, 40 FR 16651, April 14, 1975). In summary, that action left encoder requirements effective, after January 1, 1975, for Group I TCAs, and after July 1, 1975, for Group III TCAs (when two-way radio communications are not maintained) and for all controlled airspace of the 84 contiguous States and the District of Columbia, above 12,500 feet MSL, excluding the airspace at and below 2,500 feet AGL.

For all of the above described airspace, § 91.24(c)(2) permits ATC to authorize deviations from both the transponder and encoder requirements for operations (not involving an inoperative transponder), but only upon request at least four hours before the proposed operation.

This amendment does not change the four-hour advance notice requirement as applied to required transponders. One of the reasons for this is that large numbers of aircraft are transponder equipped and the effect of the four-hour advance notice requirement is, therefore, not widespread. However, the FAA has concluded that the four-hour advance notice requirement, as applied to encoders, unduly restricts ATC's flexibility and ability to authorize deviations when circumstances would otherwise permit the safe operation of aircraft within affected airspace without an altitude encoder. This is aggravated by the relative scarcity of encoder-equipped aircraft. Also, because of the vital aircraft tracking and identification functions performed by transponders, the current advance notice requirement is needed to provide ATC with an adequate opportunity to accommodate nontransponder-equipped aircraft in a mix with transponder equipped aircraft. On the other hand, experience has indicated that, under some traffic conditions, controllers can safely admit nonencoder-equipped aircraft, on a moment's notice, based on a judgment that the function of that equipment (i.e., furnishing altitude information) can be safely supplied by voice communications. In view of this, the widespread effect of the advance notice requirement on the large number of nonencoder-equipped aircraft is not justified.

Further, because of the large number of nonencoder-equipped aircraft, the four-hour advance notice requirement results in many operations being conducted on circuitous routings to avoid controlled airspace. In these cases, the advance notice requirement, by preventing ATC from routing such flights through controlled airspace, unnecessarily prevents a savings in time and fuel. Finally, after July 1, 1975, because of the expanded encoder requirement that is effective on that date, ATC will have an increased need to issue encoder deviation authorizations, with less than four hours notice, in response to conditions such as icing, turbulence, or high winds that may justify the rapid routing of aircraft into airspace at altitudes above 12,500 feet, or the vectoring of aircraft through TCAs, for safety purposes.

Consistent with the above, this amendment redesignates paragraph (c)(2) of § 91.24 as paragraph (c)(3) and adds a new paragraph (c)(2) permitting immediate deviations (within the discretion of ATC) for operations without "operating" encoders. This permits immediate deviations for aircraft with inoperative encoders as well as aircraft without encoders. Since paragraph (c)(1) is limited to cases involving inoperative transponders, this limits the scope of the four-hour advance notice provision of paragraph (c)(3) (formerly paragraph (c)(2)) to the operation of aircraft without transponders. Paragraph (c)(3) is so amended.

In summary, operations in an increased amount of controlled airspace will become subject to § 91.24 requirements on July 1, 1975. The FAA has determined that relieving the restriction imposed by the four-hour advance notice requirement, as it applies to encoders, on or before the July 1, 1975, compliance date is necessary to avoid an unwarranted burden on aircraft operators and to permit ATC to deal more flexibly with aircraft routing problems that may involve safety considerations.

Because of these public interest factors involving both efficiency and safety, and since the relief afforded herein must be available to aircraft operators by July 1, 1975, it is concluded that notice and public procedure on this action would be impractical and contrary to the public interest in the execution of FAA's responsibilities under the Federal Aviation Act of 1958. Therefore, good cause is found for dispensing with notice and public procedure under 5 U.S.C. § 553. Further, since this amendment relieves a restriction, it may be made effective in less than 30 days after publication in the FEDERAL REGISTER.

(Sections 307, 313(a), and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354(a), and 1421); and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655 (c)).)

In consideration of the foregoing, § 91.24(c) of the Federal Aviation Regulations (14 CFR Part 91) is amended, effective July 1, 1975, to read as follows:

§ 91.24 ATC transponder equipment.

* * * * *

(c) *ATC authorized deviations.* ATC may authorize deviations from paragraph (b) of this section—

(1) Immediately, to allow an aircraft with an inoperative transponder to continue to the airport of ultimate destination, including any intermediate stops, or to proceed to a place where suitable repairs can be made, or both;

(2) Immediately, for operations of aircraft with an operating transponder but without operating automatic pressure altitude reporting equipment having a Model C capability; and

(3) On a continuing basis, or for individual flights, for operations of aircraft without a transponder, in which case the request for a deviation must be submitted to the ATC facility having jurisdiction over the airspace concerned at least four hours before the proposed operation.

Issued in Washington, D.C., on June 20, 1975.

JAMES E. DOW,
Acting Administrator.

[FR Doc.75-16812 Filed 6-25-75;8:45 am]

[Docket No. 14708; Amdt. No. 974]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Recent Changes and Additions

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAPs) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 8260-3, 8260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 FR 5609).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Information Center, AIS-230, 800 Independence Avenue, SW., Washington, D.C. 20591 or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft, or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of $150.00 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the same address may be ordered for $30.00 each.

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

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 97.23 is amended by originating, amending, or canceling the following VOR-VOR/DME SIAPs, effective August 14, 1975.

Hilo, HI—General Lyman Field, VOR Rwy 26, Amdt. 2.
Hilo, HI—General Lyman Field, VORTAC-A, Amdt. 1.
Hilo, HI—General Lyman Field, VORTAC Rwy 26, Amdt. 3.
Lansing, MI—Capital City Arpt., VOR Rwy 6, Amdt. 14.
Modesto, CA—Modesto City-County Arpt./ Harry Sham Field, VOR Rwy 10L/R, Amdt. 4.
Modesto, CA—Modesto City-County Arpt./ Harry Sham Field, VOR Rwy 28L/R, Amdt. 5.
Presque Isle, ME—Northern Maine Regional Arpt. at Presque Isle, VOR/DME Rwy 1, Amdt. 5.
Presque Isle, ME—Northern Maine Regional Arpt. at Presque Isle, VOR Rwy 19, Amdt. 5.
Terre Haute, IN—Hulman Field, VOR Rwy 5, Amdt. 9.
Waxhaw, NC—Jarrs-Townsend Arpt., VOR/ DME-A, Orig.

* * * effective August 7, 1975.

Neosho, MO—Neosho Memorial Arpt., VOR-A, Amdt. 3.
Rocky Mount, NC—Rocky Mount Downtown Arpt., VOR-A, Amdt. 8.
Rocky Mount, NC—Rocky Mount Downtown Arpt., VOR/DME-B, Amdt. 5.
Springfield, MO—Air Park South Arpt., VOR Rwy 17, Amdt. 1.
Springfield, MO—Springfield Municipal Arpt., VOR Rwy 19, Amdt. 12.

2. Section 97.25 is amended by originating, amending, or canceling the following SDF-LOC-LDA SIAPs, effective August 14, 1975.

Daytona Beach, FL—Daytona Beach Regional Arpt., LOC (BC) Rwy 24R Amdt. 5.
Homer, AK—Homer Arpt., LOC/DME (BC) Rwy 21, Orig.
Homer, AK—Homer Arpt., LOC/DME Rwy 3, Amdt. 2.
Rock Springs, WY—Rock Springs-Sweetwater County Arpt., LOC/DME (BC) Rwy 7, Orig.
Windsor Locks, CT—Bradley Int'l. Arpt., LOC (BC) Rwy 24, Amdt. 13.

* * * effective July 17, 1975.

Jackson, MS—Allen C. Thompson Arpt., LOC Rwy 33L, Orig.

3. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAPs, effective August 14, 1975.

Fort Yukon, AK—Fort Yukon Municipal Arpt., NDB Rwy 21, Amdt. 5.
Georgetown, SC—Georgetown County Arpt., NDB Rwy 5, Orig.
Gwinner, ND—Gwinner Municipal Arpt., NDB Rwy 33, Orig.
Modesto, CA—Modesto City-County Arpt./ Harry Sham Field, NDB Rwy 28R, Orig.

Terre Haute, IN—Hulman Field, NDB Rwy 5, Amdt. 9.

* * * effective August 7, 1975. *

Clemson, SC—Clemson-Oconee County Arpt., NDB-A, Amdt. 1.
Cleveland, OH—Cleveland Hopkins Int'l. Arpt., NDB Rwy 5R/L, Amdt. 10.
Cleveland, OH—Cleveland Hopkins Int'l Arpt., NDB Rwy 23L/R, Amdt. 2.
Florence, SC—Florence City-County Arpt., NDB Rwy 9, Amdt. 6.
Shelby, MT—Shelby Arpt., NDB Rwy 23, Amdt. 2.

* * * effective July 3, 1975.

Ulysses, KS—Ulysses Arpt., NDB Rwy 12, Orig.

4. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAPs, effective August 14, 1975.

Hilo, HI—General Lyman Field, ILS Rwy 26, Amdt. 2.
Modesto, CA—Modesto City-County Arpt./Harry Sham Field, ILS Rwy 28R, Amdt. 4.
Presque Isle, ME—Northern Maine Regional Arpt. at Presque Isle, ILS Rwy 1, Amdt. 1.
Stockton, CA—Stockton Metropolitan Arpt., ILS Rwy 29R, Amdt. 15.
Terre Haute, IN—Hulman Field, ILS Rwy 5, Amdt. 14.

* * * effective August 7, 1975.

Cleveland, OH—Cleveland Hopkins Int'l. Arpt., ILS Rwy 5R, Amdt. 1.
Cleveland, OH—Cleveland Hopkins Int'l. Arpt., ILS Rwy 23L, Amdt. 4.
Florence, SC—Florence City-County Arpt., ILS Rwy 9, Amdt. 6.

* * * effective July 10, 1975.

Boise, ID—Boise Air Terminal, ILS Rwy 10L, Amdt. 24, cancelled.
Boise, ID—Boise Air Terminal, ILS Rwy 10R, Orig.

5. Section 97.31 is amended by originating, amending, or canceling the following RADAR SIAPs, effective August 7, 1975.

Bristol, TN—Tri-City Arpt., RADAR-1, Amdt. 9.
Cleveland, OH—Cleveland Hopkins Int'l. Arpt., RADAR-1, Amdt. 21.

6. Section 97.33 is amended by originating, amending, or canceling the following RNAV SIAPs, effective August 14, 1975.

Stockton, CA—Stockton Metropolitan Arpt., RNAV Rwy 29R, Amdt. 3.

* * * effective August 7, 1975.

Cleveland, OH—Cleveland Hopkins Int'l. Arpt., RNAV Rwy 10L, Amdt. 4.
Cleveland, OH—Cleveland Hopkins Int'l. Arpt., RNAV Rwy 18R, Amdt. 4.
Cleveland, OH—Cleveland Hopkins Int'l. Arpt., RNAV Rwy 36L, Amdt. 4.

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1958; 49 U.S.C. 1438, 1354, 1421, 1510, and Sec. 6(c) Department of Transportation Act, 49 U.S.C. 1655(c).)

NOTE.—Incorporation by reference provisions in §§ 97.10 and 97.20 approved by the Director of the Federal Register on May 12, 1969, (35 FR 5610).

Issued in Washington, D.C., on June 19, 1975.

JAMES M. VINES,
Chief, Aircraft Programs Division.

[FR Doc.75-16611 Filed 6-25-75;8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER A—ECONOMIC REGULATIONS

(Regulation ER-914, Amdt. 4)

PART 240—INSPECTION OF ACCOUNTS AND PROPERTY

Amendment To Clarify Part and To Conform to Recent Legislation

JUNE 23, 1975.

Part 240 of the Board's Economic Regulations provides for Board inspection of the accounts and property of certain persons under the terms of section 407(e) of the Federal Aviation Act.

The Congress, by section 7(b) of the International Air Transportation Fair Competitive Practices Act of 1975, Pub. L. 93-623 (81 Stat. 2105), amended section 407(e) in order to extend the Board's access rights and powers of inspection to encompass the accounts, records, and memorandums, including all documents, papers and correspondence, now or hereafter existing, and kept or required to be kept by foreign air carriers and ticket agents. In addition, section 7(b) clarifies the Board's right of access to all lands, buildings and equipment of any foreign air carrier.

The within amendment incorporates the legislative change, and revises and updates the Part. We are taking this opportunity to delete § 240.1(d) and parts of § 240.1(a), which have become superfluous. We are also undertaking certain revisions and technical changes in Part 240 in order to clarify the impact of section 407(e).

Since the within amendments are either nonsubstantive in nature, rules of agency practice and procedure, or declarative of existing statutory obligations, the Board finds that notice and public procedure are unnecessary, and that they may become effective immediately.

In consideration of the foregoing, the Board hereby amends Part 240 of the Economic Regulations (14 CFR Part 240) as follows:

1. Amend the table of contents, the caption of § 240.2 to read as follows:

§ 240.2 Obligation of air carriers, foreign air carriers, and ticket agents.

2. Amend § 240.1 (a) and (c) to read as follows:

§ 240.1 Interpretation.

(a) In the exercise of the authority granted by Section 407(e) of the Act, the authority of any special agent or auditor to inspect and examine lands, buildings, equipment, accounts, records, memorandums, papers or correspondence shall include the authority to make such notes and copies thereof as he deems appropriate.

* * * * *

(c) The issuance in the form set forth below of an identification card and credentials to any such employee shall be construed to be an order and direction of the Board to such individual to inspect and examine lands, buildings, equipment, accounts, records, and memorandums in accordance with the authority conferred on the Board by the Act.

UNITED STATES OF AMERICA
CIVIL AERONAUTICS BOARD
WASHINGTON, D.C.

Number _____
Expires _____

This is to certify that _____, whose signature and photograph appear hereon is a duly designated _____

_____

[Photo]

_____

[Signature]

CIVIL AERONAUTICS BOARD,
Washington, D.C.

and is authorized and directed to perform the duties of said office in accordance with the laws of the United States and regulations thereunder, and his authority will be respected accordingly.

By authority of the Civil Aeronautics Board.

_____
Secretary,
Civil Aeronautics Board.

Name _____
Date Issued _____
Number _____
Height _____
Weight _____
Hair _____
Eyes _____
Date of Birth _____

The holder hereof is authorized to investigate violations of the Federal Aviation Act, as amended, collect evidence in cases in which the regulatory authority of the Civil Aeronautics Board is or may be involved and perform other duties imposed upon him by law.

Under the Federal Aviation Act and Part 240 of the Economic Regulations of the Civil Aeronautics Board (14 CFR Part 240), the duly accredited special agents and auditors of the Board are empowered at all times to obtain access to all lands, buildings and equipment of any air carrier or foreign air carrier and to inspect, examine, and make notes and copies of all accounts, records, memorandums, documents, papers and correspondence kept or required to be kept by any air carrier, foreign air carrier or ticket agent.

The issuance of these credentials to the holder hereof constitutes an order and direction on the part of the Civil Aeronautics Board to such individual to carry out these duties as aforesaid and as more fully described in Part 240 of the Board's Economic Regulations.

Failure to honor these credentials will result in penalties as provided by law.

UNITED STATES OF AMERICA,
CIVIL AERONAUTICS BOARD,
Washington, D.C.

3. Delete § 240.1(d) in its entirety.

4. Section 240.2 is revised to read as follows:

§ 240.2 Obligation of air carriers, foreign air carriers, and ticket agents.

Upon the demand of a special agent or auditor of the Board, and upon the presentation of the identification card and credentials issued to him in accordance with this Part: (a) any air carrier or foreign air carrier shall forthwith permit such special agent or auditor

to inspect and examine all lands, buildings and equipment; (b) any air carrier, foreign air carrier or ticket agent shall forthwith permit such special agent or auditor to inspect and examine all accounts, records, memorandums, documents, papers and correspondence now or hereafter existing, and kept or required to be kept by the air carrier, foreign air carrier, or ticket agent, and shall permit such special agent or auditor to make such notes and copies thereof as he deems appropriate.

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

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND, *Secretary.*

[FR Doc.75-16700 Filed 6-25-75;8:45 am]

SUBCHAPTER E—ORGANIZATION REGULATIONS

[Regulation OR-97, Amdt. 46]

PART 385—DELEGATIONS AND REVIEW OF ACTION UNDER DELEGATION: NONHEARING MATTERS

Delegation of Authority to Director, Bureau of Enforcement

JUNE 23, 1975.

By ER-914, adopted contemporaneously herewith, the Board is amending Part 240 of the Economic Regulations, in order to reflect the expanded powers of inspection granted to it by the Congress.

The within coordinate amendment to Part 385 delegates to the Director, Bureau of Enforcement, authority with respect to the exercise of the Board's powers of inspection under the Act.

Since the amendment is one of agency practice and procedure, notice and public procedure are unnecessary, and it may be made effective immediately.

In consideration of the foregoing, the Board hereby amends Part 385 of the Organization Regulations (14 CFR Part 385) as follows:

§ 385.22 [Amended]

Amend § 385.22, by adding a new paragraph (e), to read as follows:

(e)(1) Make findings regarding the reasonable necessity for the application of the Board's authority to obtain access to lands, buildings and equipment, and to inspect, examine and make notes and copies of accounts, records, memorandums, documents, papers and correspondence of persons having control over, or affiliated with, any person subject to Board regulation, through issuance of an appropriate order, letter of other transmittal; (2) authorize one or more special agents or auditors to conduct inspections and examinations and to make notes and copies in accordance with such findings.

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

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND, *Secretary.*

[FR Doc.75-16701 Filed 6-25-75;8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. 8941]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Atlantic Industries, Inc., Et Al.

Subpart—Advertising falsely or misleadingly: § 13.10 Advertising falsely or misleadingly; § 13.75 Free goods or services; § 13.125 Limited offers or supply; § 13.155 Prices; 13.155–5 Additional charges unmentioned; 13.155–15 Comparative; 13.155–35 Discount savings; 13.155–40 Exaggerated as regular and customary; 13.155–70 Percentage savings; 13.155–80 Retail as cost, wholesale, discounted, etc.; 13.155–100 Usual as reduced, special, etc.; § 13.160 Promotional sales plans; § 13.205 Scientific or other relevant facts. Subpart—Corrective actions and/or requirements: § 13.533 Corrective actions and/or requirements; 13.533–20 Disclosures. Subpart—Delaying or withholding corrections, adjustments or action owed: § 13.675 Delaying or withholding corrections, adjustments or action owed. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1395—Connections and arrangements with others. Goods: § 13.1625 Free goods or services; § 13.1740 Scientific or other relevant facts; § 13.1747 Special or limited offers; § 13.1760 Terms and conditions; 13.1760–50 Sales contract. Prices: § 13.1778 Additional; § 13.1785 Comparative; § 13.1805 Exaggerated as regular and customary; § 13.1825 Usual as reduced or to be increased. Promotional sales plans: § 13.1830 Promotional sales plans. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1855 Identity; § 13.1882 Prices; 13.1882–10 Additional costs unmentioned; § 13.1892 Sales contract, right-to-cancel provision; § 13.1895 Scientific or other relevant facts; § 13.1905 Terms and conditions; 13.1905–50 Sales contract. Subpart—Offering unfair, improper and deceptive inducements to purchase or deal: § 13.1955 Free goods; § 13.2063 Scientific or other relevant facts; § 13.2070 Special or trial offers, savings and discounts. Subpart—Simulating another or product thereof: § 13.2217 Government insignia, stamps, questionnaires, etc. Subpart—Threatening infringement suits, not in good faith: § 13.2264 Delinquent debt collection.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45).

In the matter of Atlantic Industries, Inc., a corporation trading as Atlantic Portrait Plan and Atlantic Film Club, International Baby Care, Inc., a corporation, Atlantic International Distributors, Inc., a corporation trading as Amalgamated Credit and Collection Bureau, National Direct Corporation, a corporation trading as National Advertised Products and International Album Plan, Jeffrey J. Weiss and Martin Osman, individually and as officers and directors of said corporations, Lawrence Hahn, individually and as director of said corporations and as an officer of Atlantic Industries, Inc., and Richard S. Labovitz, individually and as an officer of International Baby Care, Inc., and Atlantic International Distributors, Inc.

Consent order requiring a Miami, Fla., marketer of a photographic enlargement plan and three wholly-owned subsidiaries, among other things to cease using deceptive means to sell its photographic enlargement plan and to collect accounts.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows: [1]

It is ordered, That respondents Atlantic Industries, Inc., a corporation trading as Atlantic Portrait Plan and Atlantic Film Club, International Baby Care, Inc., National Direct Corporation, a corporation trading as National Advertised Products and International Album Plan or under any other name, its successors and assigns and Jeffrey J. Weiss, Martin Osman and Lawrence Hahn, individually and as officers and directors of said corporations and respondents' agents, representatives and employees, directly or through any corporate or other device in connection with the advertising, offering for sale, sale or distribution of photographs, photograph albums, photograph enlargements, photograph certificates, film or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

I

1. Representing, orally or in writing, directly or by implication:

a. That any customer will receive a free prize, gift, or bonus with the purchase of a photograph enlargement plan or any other merchandise sold by respondents when the cost of such prize, gift or bonus is included in the price of the purchased merchandise.

b. That any offer to sell at a special or reduced price is limited to certain persons and is not available to all persons.

c. That any person not offered the special or reduced price must pay a higher price.

---

[1] Copies of the Complaint, Order Amending Complaint, and Decision and Order filed with the original document.

d. That any price of a product or service is special or reduced unless such price is below the amount at which such product or service has been sold by respondents for a reasonably substantial period of time in the recent regular course of their business.

e. That any product is sold at cost.

f. That any offer is conditioned upon specified action by the customer.

g. That the purpose of respondents' contact or solicitation is other than to sell services or products for profit.

2. Failing, clearly, emphatically and unqualifiedly to reveal, at the outset of the initial and all subsequent contacts or solicitations of purchasers or prospective purchasers, whether directly or indirectly, or by telephone, written or printed communication, or person-to-person, that the purpose of such contract or solicitation is to sell products or services as the case may be, which shall be identified with particularity at the time of each such contact or solicitation.

3. Representing, orally or in writing, directly or by implication, that any amount is respondents' usual and customary retail price for any product or service unless such amount is the price at which such product has been usually and customarily sold at retail by respondents for a reasonable substantial period of time in the recent regular course of business.

4. Representing any price as respondents' usual and customary price to demonstrate the value of a photo enlargement or any other product or service when such price is in excess of the price at which such product has been usually and customarily sold at retail by respondents for a reasonably substantial period of time in the recent regular course of business.

5. Representing, in any manner, that by purchasing any of respondents' merchandise or services, customers are afforded savings, amounting to the difference between respondents' stated price and a compared value price for comparable merchandise or service unless substantial sales of merchandise or services of like grade and quality are made in the trade area at the compared price and unless respondents have in good faith conducted a market survey or obtained a similar representative sample of prices in the trade area in which the comparison is made which establishes the validity of said compared price and it is clearly and conspicuously disclosed that the comparison is with merchandise or services of like grade and quality.

6. Failing to disclose any charges or costs in representing savings to customers in the purchase of any product or service.

7. Misrepresenting in any manner the amount of savings available to purchasers of respondents' products or services.

8. Representing, directly or by implication, in any manner, that any price is reduced from respondents' former price or that any savings will accrue to the customer through purchase of respondents' merchandise or service unless respondents' business records establish and show that such prices constitute a significant reduction from the price at which such merchandise has been sold in substantial quantities or openly and actively offered for sale in good faith for a reasonably substantial period of time by respondents in the recent regular course of their business.

9. Making any statements or representations to film processing customers that "free" film will be given in connection with the sale of such service, unless the price charged therefor is respondents' usual and customary price for the film processing service alone.

II

It is further ordered, That respondents Atlantic Industries, Inc., a corporation trading as Atlantic Portrait Plan and Atlantic Film Club, National Direct Corporation, a corporation trading as National Advertised Products and International Album Plan, or under any other name, International Baby Care, Inc., a corporation, the corporations' successors and assigns, Jeffrey J. Weiss, Martin Osman, Lawrence Hahn and Richard S. Labovitz, individually and as officers or directors of said corporations and respondents' agents, representatives and employees, directly or through any corporate or other device in connection with the advertising, offering for sale, sale or distribution of photographs, photograph albums, photograph enlargements, photograph certificates, film, baby furniture or other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or in any other manner, that contracts entered into between respondents and their customers are noncancellable.

2. Failing to furnish the buyer with a fully completed receipt or copy of any contract pertaining to such sale at the time of its execution, which is in the same language, e.g., Spanish, as that principally used in the oral sales presentation and which shows the date of the transaction and contains the name and address of the seller, and in immediate proximity to the space reserved in the contract for the signature of the buyer or on the front page of the receipt if a contract is not used and in bold face type of a minimum size of 10 points, a statement in substantially the following form:

You, the buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. See the attached notice of cancellation form for an explanation of this right.

3. Failing to furnish each buyer, at the time he signs the door-to-door sales contract or otherwise agrees to buy consumer goods or services from the seller, a completed form in duplicate, captioned "NOTICE OF CANCELLATION," which shall be attached to the contract or receipt and easily detachable, and which shall contain a 10-point bold face type the following information and statements in the same language, e.g., Spanish, as that used in the contract:

NOTICE OF CANCELLATION

(enter date of transaction)

(date)

You may cancel this transaction, without any penalty or obligation, within three (3) business days from the above date.

If you cancel, any property traded in, any payments made by you under the contract or sale, and any negotiable instrument executed by you will be returned within ten (10) business days following receipt by the seller of your cancellation notice, and any security interest arising out of the transaction will be canceled.

If you cancel, you must make available to the seller at your residence, in substantially as good condition as when received, any goods delivered to you under this contract or sale; or you may, if you wish, comply with the instructions of the seller regarding the return shipment of the goods at the seller's expense and risk.

If you do make the goods available to the seller and the seller does not pick them up within twenty (20) days of the date of your notice of cancellation, you may retain or dispose of the goods without any further obligation. If you fail to make the goods available to the seller, or if you agree to return the goods to the seller and fail to do so, then you remain liable for performance of all obligations under the contract.

To cancel this transaction, mail or deliver a signed and dated copy of this cancellation notice or any other written notice, or send a telegram to

---

(name of seller)

at ---

(address of seller's place of business)

not later than midnight of ---

(date)

I hereby cancel this transaction.

(date)

(buyer's signature)

4. Failing, before furnishing copies of the "Notice of Cancellation" to the buyer, to complete both copies by entering the name of the seller, the address of the seller's place of business, the date of the transaction, and the date, not earlier than the third business day following the date of the transaction, by which the buyer may give notice of cancellation.

5. Failing to inform each buyer orally, at the time he signs the contract or purchases the goods or services, of his right to cancel.

6. Misrepresenting in any manner the buyer's right to cancel.

7. Failing or refusing to honor any valid notice of cancellation by a buyer and within ten (10) business days after the receipt of such notice, to: (1) Refund all payments made under the contract or sale; and (2) return any goods or property traded in, in substantially as good condition as when received by the seller.

8. Failing, within (10) business days of receipt of the buyer's notice of cancellation, to notify him whether the sel-

ler intends to repossess or to abandon any shipped or delivered goods.

Provided, however, That nothing contained in Count II of this Order shall relieve respondents of any contractual obligations required by federal law or that law of the state in which the contract is negotiated. When such obligations are inconsistent, respondents may apply to the Commission for relief from this provision with respect to contract executed in the state in which such different obligations are required.

III

It is further ordered, That respondents Atlantic Industries, Inc., trading as Atlantic Portrait Plan and Atlantic Film Club, or under any other name, International Baby Care, Inc., a corporation and Atlantic International Distributors, Inc., a corporation trading as Amalgamated Credit and Collection Bureau, or under any other name, National Direct Corporation, a corporation trading as National Advertised Products and International Album Plan, or under any other name, the corporations' successors and assigns, and Jeffrey J. Weiss, Martin Osman, Lawrence Hahn and Richard S. Labovitz, individually and as officers or directors of said corporations and respondents' agents, representatives and employees, directly or through any corporate or other device in connection with the collection of delinquent accounts in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, in any manner, that an account has been turned over or assigned for value to an independent credit and collection bureau.

2. Representing, orally or in writing, directly or by implication, in order to effect payment of any account, that respondents intend to institute legal action to recover for any payment due, unless respondents establish by adequate records that a prior determination had been made in good faith to institute such legal action.

3. Using the form "Demand for the Payment of Debt" or any other form which misleads or has the tendency to mislead the recipient into believing that such form was sent by a government body or one of its agencies.

IV

It is further ordered, That respondents shall forthwith distribute a copy of this order to each of their operating divisions.

It is further ordered, That respondents shall:

1. Provide each of their present and future branch managers, and other supervisory personnel engaged in the sale or supervision of persons engaged in the sale of respondents' photography products or services, written instructions with respect to the provisions of this order which are applicable to the functions of each such person.

2. Require each person so described in paragraph (1) above to clearly and fully explain the applicable provisions of this order to all sales agents, representatives and other persons engaged in the sale of the respondents' photography products or services.

3. Provide each person so described in paragraphs (1) and (2) above with a form returnable to the respondents clearly stating his intention to be bound by and to conform his business practices to the applicable provisions of this order; retain said statement during the period said person is so engaged and make said available to the Commission's staff for inspection and copying upon request.

4. Inform each person described in paragraphs (1) and (2) above that respondents shall not use any third party, or the services of any third party, if such third party will not agree to so file and does file notice with the respondents that it will be bound by the applicable provisions of this order.

5. If such third party will not agree to so file notice with respondents and be bound by the applicable provisions of the order, respondents shall not use such third party, or the services of such third party to sell respondents' photography products or services.

6. Inform the persons described in paragraphs (1) ad (2) above that respondents are obligated by this order to discontinue dealing with those persons who continue on their own the deceptive acts or practices prohibited by this order.

7. Institute a program of continuing surveillance to reveal whether the business operations of each said person described in paragraphs (1) and (2) above conform to the applicable provisions of this order.

8. Discontinue dealing with the persons so engaged, revealed by the aforesaid program of surveillance, who continue on their own the deceptive acts or practices prohibited by the applicable provisions of this order.

9. Upon receiving information or knowledge from any source concerning two or more bona fide complaints prohibited by the applicable provisions of this order against any of their sales agents or representatives during any one-month period, will be responsible for either ending said practices or securing the termination of the employment of the offending sales agent or representatives.

10. Submit to the Commission a detailed report every six (6) months for a period of three years from the effective date of this order demonstrating the effectiveness of the steps or actions taken with regard to the aforesaid surveillance program.

It is further ordered, That respondents herein shall notify the Commission at least thirty (30) days prior to any proposed change in the structure of the corporate respondents such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the respective corporation which may affect compliance obligations arising out of this order.

It is further ordered, That the individual respondents named herein promptly notify the Commission of the discontinuance of their present business or employment and of their affiliation with a new business or employment. Such notice shall include respondents' current business or employment in which they are engaged as well as a description of their duties and responsibilities.

It is further ordered, That respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

The decision and order was issued by the Commission May 28, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-16647 Filed 6-25-75;8:45 am]

[Docket No. C-2670]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Cubco, Inc., et al.

Subpart—Coercing and intimidating: § 13.358 Distributors. Subpart—Combining or conspiring: § 13.395 To control marketing practices and conditions; § 13.425 To enforce or bring about resale price maintenance; § 13.430 To enhance, maintain or unify prices; § 13.497 To terminate or threaten to terminate contracts, dealings, franchises, etc. Subpart—Corrective actions and/or requirements: § 13.533 Corrective actions and/or requirements; 13.533-20 Disclosures. Subpart—Cutting off supplies or service: § 13.655 Threatening disciplinary action or otherwise. Subpart—Enforcing dealings or payments wrongfully: § 13.1045 Enforcing dealings or payments wrongfully. Subpart—Maintaining resale prices: § 13.1130 Contracts and agreements; § 13.1155 Price schedules and announcements; § 13.1165 Systems of espionage; 13.1165-80 Requiring information of price cutting; 13.1165-90 Spying on and reporting price cutters, in general.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45).

In the matter of Cubco, Inc., a corporation, and Mitchell H. Cubberley, individually and as an officer of said corporation.

Consent order requiring a Nutley, N.J., manufacturer and distributor of ski bindings and related items, among other things to cease anticompetitive practices having the effect of enforcing and fixing the dealers' resale prices for certain of respondents' products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows: [1]

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[1] Copies of the Complaint, Decision and Order, filed with the original document.

I. *It is ordered*, That respondents Cubco, Inc., a corporation, its successors and assigns, and its officers, and Mitchell H. Cubberley, individually and as an officer of said corporation, and respondents' agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the manufacture, distribution, offering for sale or sale of ski bindings, ski equipment and related items or any other product (hereinafter referred to in this order as "said products") in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

A. Establishing, maintaining or enforcing any contract, agreement, understanding or arrangement fixing, establishing, maintaining, controlling, influencing or enforcing in any way or to any extent, directly or indirectly, the price at which any of said products is advertised, sold or offered for sale at retail.

B. Requiring any dealer or prospective dealer to enter into an oral or written agreement or understanding that such dealer or prospective dealer will maintain any resale or retail price for any of said products as a condition of buying any of said products.

C. Requesting or requiring any dealer or prospective dealer, either directly or indirectly, to report any dealer, person or firm who does not adhere to any resale or retail price for any of said products, or acting on reports so obtained by refusing or threatening to refuse sales to any dealer, person or firm so reported.

D. Directing or requiring any of respondents' salesmen, or any other agent, representative, or employee, directly or indirectly, to report any dealer who does not adhere to any resale or retail price for any of said products, or to act on such reports by refusing or threatening to refuse sales to dealers so reported.

E. Refusing or threatening to refuse any sales to any dealer or prospective dealer, either directly or indirectly, or threatening to cancel or terminate, or cancelling or terminating any dealer or prospective dealer because of any resale or retail price observed, maintained, or advertised by the dealer or prospective dealer for any of said products.

F. Suggesting, for three (3) years from the date on which this order becomes final, any resale price whatsoever for any of said products, by price list, discount schedule, invoicing procedure, pre-pricing of commodities or their containers, or by any other means, to any reseller whose resale prices are not or cannot lawfully be controlled by respondents in the manner prescribed by law and this order.

G. Requiring, from any dealer charged with price cutting or failure to adhere to any resale or retail price, a promise or assurance to adhere to any resale or retail price for any of said products as a condition precedent to any future sales to said dealer.

H. Publishing, disseminating or circulating any price list, price book, price tag, advertising or promotional material, or other document indicating any resale or retail price without stating on each page of such list, book, tag, advertising or promotional material or other document that the price is suggested or approximate.

I. Requiring or inducing by any means, any dealer or prospective dealer to refrain, or to agree to refrain from reselling any of said products to any other dealer or distributor.

Provided, however, Nothing hereinabove shall be construed to waive, limit or otherwise affect the right of respondents to enter into, establish, maintain and enforce in any lawful manner any price maintenance agreement excepted from the provisions of Section 5 of the Federal Trade Commission Act by virtue of the McGuire Act amendments to said Act.

II. *It is further ordered*, That the respondent corporation herein shall within sixty (60) days after service upon it of this order, mail a copy of this order to each of its dealers in the States of Alabama, Alaska, Hawaii, Kansas, Mississippi, Missouri, Montana, Nebraska, Nevada, Rhode Island, Texas, Utah, Vermont, Wyoming, and the Commonwealth of Puerto Rico and the District of Columbia, and during the five (5) year period of time following the date of service of this order, to all future dealers in these jurisdictions at the time said dealers are opened as accounts, under cover of the letter annexed hereto as Exhibit A, and furnish the Commission proof of the mailing thereof.

III. *It is further ordered*, That the respondent corporation herein shall forthwith distribute a copy of this order to each of its operating divisions and to all of its sales personnel and shall instruct each sales person employed by it now or in the future to read this order and to be familiar with its provisions.

IV. *It is further ordered*, That respondents notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation of or dissolution of subsidiaries or any other such change in the corporation which may affect compliance obligations arising out of the order.

V. *It is further ordered*, That the respondents herein for a period of five (5) years from the date of this signing establish and maintain a file of all records referring or relating to respondents' refusal to sell said products to any dealer, which file shall contain a record of a communication to each such dealer explaining respondents' refusal to sell, and which file will be made available for Commission inspection on reasonable notice; and, annually, for a period of five (5) years from the date hereof, submit a report to the Commission's Boston Regional Office listing the names and addresses of all dealers with whom respondents have refused to deal over the preceding year, a description of the reason for the refusal and the date of the refusal.

VI. *It is further ordered*, That the individual respondent named herein promptly notify the Commission of the discontinuance of his present business or employment and of his affiliation with a new business or employment. Such notice shall include respondent's current business address and a statement as to the nature of the business or employment in which he is engaged as well as a description of his duties and responsibilities.

VII. *It is further ordered*, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

The Decision and Order was issued by the Commission May 22, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-16648 Filed 6-25-75;8:45 am]

[Docket No. C-2663]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Rouse Co.

Subpart—Combining or conspiring: § 13.395 To control marketing practices and conditions; § 13.430 To enhance, maintain or unify prices; § 13.450 To limit distribution or dealing to regular, established or acceptable channels or classes. Subpart—Controlling, unfairly, seller-supplier: § 13.530 Controlling, unfairly, seller-suppliers. Subpart—Corrective actions and/or requirements: § 13.533 Corrective actions and/or requirements; 13.533-20 Disclosures; 13.-533-60 Release of general, specific, or contractual constrictions, requirements, or restraints. Subpart—Cutting off access to customers or market: § 13.560 Interfering with distributive outlets; § 13.565 Interfering with advertising mediums. Subpart—Maintaining resale prices: § 13.1130 Contracts and agreements.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45).

In the matter of The Rouse Company, a corporation.

Consent order requiring a Columbia, Md., based regional shopping center developer, among other things to cease controlling the pricing and advertising practices of its tenants.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:[1]

I

A. *It is ordered*, That respondent The Rouse Company, a corporation, its successors and assigns, and its officers, agents, representatives and employees, directly or through any corporation, sub-

[1] Copies of the Complaint, Exhibits, Decision and Order, filed with the original document.

sidiary, division, joint venture or other device, do forthwith cease and desist from making, carrying out, or enforcing, directly or indirectly, an agreement or provision of an agreement which:

1. Specifies that any retailer in any of respondent's shopping centers shall or shall not sell merchandise or services at any particular price or within any range of prices;

2. Specifies that any retailer in any of respondent's shopping centers shall not be a discounter or sell merchandise or services at discount prices;

3. Specifies the content of or prohibits any type of advertising by a retailer, other than advertising within any of respondent's shopping centers, except that respondent may require a tenant to include the name, insignia, or other identifying mark of any of respondent's shopping centers in advertising pertaining to the tenant's store in any of respondent's shopping centers; or

4. Prohibits price advertising within any of respondent's shopping centers or controls advertising within any of respondent's shopping centers in such a way as to make it difficult for consumers to discern advertised prices from the common area of such shopping centers, provided that in all other respects respondent may make, carry out and enforce reasonable standards for advertising within any of respondent's shopping centers.

B. *It is further ordered*, That respondent will within sixty (60) days after service of this order mail a copy of Letter "A", attached hereto, to all tenants in respondent's shopping centers whose leases make reference in the use clauses to the price or quality of the merchandise or services to be sold.

C. *It is further ordered*, That respondent cease and desist from entering into any agreement with any tenant that said tenant may:

1. Specify or control or may require respondent to specify or control prices or price ranges of merchandise or services sold by any other retailer;

2. Control or may require respondent to control discounting by any other retailer; or

3. Exclude any retailer from any of respondent's shopping centers by reason of such retailer's discount selling or discount advertising.

D. *It is further ordered*, That respondent advise the Commission in writing within sixty (60) days after respondent has knowledge of any occasion that:

1. A tenant disapproves the admission into any of respondent's shopping centers of any other retailer;

2. A tenant refuses to approve the renewal of another retailer's lease in any of respondent's shopping centers;

3. A tenant approves the admission of another retailer into any of respondent's shopping centers subject to conditions imposed by the tenant relating to the pricing, price ranges, trade names, store names, trade marks, brands or lines of merchandise, or the discounting practices or methods of such other retailer; or

4. A tenant enters into an agreement with respondent to become a tenant in any of respondent's shopping centers on condition that respondent refuse to renew the lease of another retailer.

E. *It is further ordered*, That respondent will not base its decision to grant, renew or extend the lease of a tenant in any of respondent's shopping centers upon the pricing practices of such tenant.

II

It is further ordered, That respondent shall:

A. Distribute a copy of this order to each of its operating divisions within thirty (30) days after service of this Order;

B. Within thirty (30) days after service of this order upon respondent, notify each tenant in any of respondent's shopping centers of this Order by providing each tenant with a copy of this Order by registered or certified mail;

C. Within sixty (60) days after service of this Order upon respondent, file with the Commission a report showing the manner and form in which it has complied and is complying with each and every specific provision of this order; and

D. Notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of this order.

LETTER "A"

[On Official Stationery of the Rouse Company subsidiary or affiliate operating the particular shopping centers affected by this Order]

GENTLEMEN: We have consented to the issuance by the Federal Trade Commission of an Order which, among other things, prohibits us from specifying that our tenants shall or shall not sell merchandise or services at any particular price or within any range or prices. A copy of the Order is enclosed.

Your lease may describe the merchandise or services you are to sell in terms such as "popular priced", "medium priced", "high priced", medium to better quality", or the like. Please be advised that such language is intended only as a description of the general quality of the merchandise or services you sell. It is not intended and will not be enforced to affect the retail selling price of your merchandise or services. Pursuant to the terms of the Order you are free to set the prices for your merchandise and services and are not required to adhere to any particular price or within any range of prices, expressed or implied, in you lease or in any other agreement with the shopping center.

Neither this letter nor the attached Order shall operate as a waiver of any right which we may now have to require you to sell certain merchandise or services at a general quality level or levels.

Sincerely,

_____,
Vice President,
Rouse Subsidiary or Affiliate.

The Decision and Order was issued by the Commission May 7, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-16649 Filed 6-25-75;8:45 am]

Title 19—Customs Duties

CHAPTER I—UNITED STATES CUSTOMS SERVICE

[T.D. 75-145]

PART 151—EXAMINATION, SAMPLING, AND TESTING OF MERCHANDISE

Determination of Excessive Water and Sediment in Petroleum

Section 151.46, Customs Regulations, relating to the criteria used to determine the allowance for excessive water and sediment in petroleum and petroleum products, amended.

On November 27, 1974, a notice of proposed rulemaking was published in the FEDERAL REGISTER (39 FR 41378), which proposed to amend § 151.46 of the Customs Regulations (19 CFR 151.46), to provide that all petroleum products would be characterized only by their American Petroleum Institute (API) gravity at 60° Fahrenheit, an easily determined and widely used measure of the density of the product, and not by their descriptive names. Crude petroleum, because of differences in its physical nature, would continue to be descriptively named.

Interested persons were given 30 days from the date of publication of the notice to submit relevant data, views, or arguments regarding the proposal. After consideration of all comments received, it has been determined that the proposed amendment should be adopted as set forth in the notice.

Accordingly, the proposed amendment to section 151.46 of the Customs Regulations (19 CFR 151.46) is adopted as set forth below.

Effective date. The amendment shall become effective July 28, 1975.

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

Approved: June 16, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

PART 151—EXAMINATION, SAMPLING, AND TESTING OF MERCHANDISE

Section 151.46 is amended to read as follows:

§ 151.46 Allowance for excessive water and sediment.

Allowance for excessive moisture or other impurities in imported petroleum or petroleum products shall be made in accordance with § 158.13 of this chapter for the quantity of water and sediment established to be in excess of that usually found in such merchandise, as set forth in the following table:

Merchandise:	Quantity (percent)
Crude petroleum	0.3
Petroleum products having an API gravity at 60° of less than 22°	0.5
22° to 30°	0.3
More than 30°	0.0

(Sec. 507, 46 Stat. 732 (19 U.S.C. 1507)) (R. S. 251, as amended, sec. 624, 46 Stat. 759, 77A Stat. 14 (19 U.S.C. 66, 1202 (Gen. Hdntes. 11, 12), 1624))

[FR Doc.75-16619 Filed 6-25-75;8:45 am]

Title 21—Food and Drugs

CHAPTER II—DRUG ENFORCEMENT ADMINISTRATION, DEPARTMENT OF JUSTICE

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

Exempt Chemical Preparations

The Administrator of the Drug Enforcement Administration has received applications pursuant to § 1308.23 of Title 21 of the Code of Federal Regulations requesting that several chemical preparations containing controlled substances be granted the exemptions provided for in § 1308.24 of Title 21 of the Code of Federal Regulations.

The Acting Administrator hereby finds that each of the following chemical preparations and mixtures is intended for laboratory, industrial, educational, or special research purposes, is not intended for general administration to a human being or animal, and either (a) contains no narcotic controlled substance and is packaged in such a form or concentration that the package quantity does not present any significant potential for abuse, (b) contains either a narcotic or nonnarcotic controlled substance and one or more adulterating or denaturing agents in such a manner, combination, quantity, proportion or concentration, that the preparation or mixture does not present any potential for abuse, or (c) the formulation of such preparation or mixture incorporates methods of denaturing or other means so that the controlled substance cannot in practice be removed, and therefore the preparation or mixture does not present any significant potential for abuse. The Administrator further finds that exemption of the following chemical preparations and mixtures is consistent with the public health and safety as well as the needs of researchers, chemical analysts, and suppliers of these products.

Therefore, pursuant to section 202(d) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 812(d)), and under the authority vested in the Attorney General by sections 301 and 501(b) of the Act (21 U.S.C. 821 and 871(b)) and delegated to the Administrator of the Drug Enforcement Administration by Section 0.100 of Title 28 of the Code of Federal Regulations (see 38 FR 18380, July 2, 1973) the Acting Administrator hereby orders that Part 1308 of Title 21 of the Code of Federal Regulations be amended as follows: § 1308.24 Exempt chemical preparations.

a. By amending § 1308.24(i) by adding the following chemical preparations: (i) * * *

Manufacturer or supplier	Product name and supplier's catalog number	Form of product	Date of application
Biomedical Products Corp.	Barbiturate stock standard, 3-1303	Bottle: 100 ml	Apr. 18, 1975
Do.	Mayer's hematoxylin solution, 6-1192	Bottle: 100 ml, 500 ml, 1,000 ml., 1 gal.	Do.
The Dow Chemical Co.	Activated charcoal, T3 RIA	Vial: 3 g	May 1, 1975
D. W. Jones Medical Laboratories.	Toxi-Disc™ A, 121-A-1, 122-A-2, 124,A-4.	Disc: ¼ in by 0.2 mm	May 6, 1975
Do.	Toxi-Disc™ B, 125,B-1, 126-B-2, 127,B-3, 128,B-4.	do	Do.
Mallinckrodt Inc.	RIA-MAT T4-I-125 kit	Kits containing: 100 tests and 250 tests.	Apr. 3, 1975
Parke, Davis, & Co.	Barbitone-saline buffer solution	Vial 12 ml	Apr. 17, 1975
Sherwood Medical Industries.	Lancer fibrinogen determination, Reagent kit catalog No. 8880-007608.	Kit	Do.
Wien Laboratories, Inc.	ANS buffer pH 8.6, catalog J-5144	Plastic bottle: 100 ml	May 14, 1975

b. By amending sec. 1308.24(i) by deleting the following chemical preparations:

Manufacturer or supplier	Product name and supplier's catalog number	Form of product	Date of application
Abbott Laboratories	CEP agarose plates, No. 9023-01 and 9023-02.	Foil pouch: 4¼ by 4 in. and 6½ by 5¼ in.	Aug. 21, 1972
American Hospital Supply Corp. (Harleco division).	Barbital buffer B-1, No. 96772	Vial: 12.12 g per 7 dr vial	Sept. 15, 1971
Do.	Barbiturate standards, set No. 64808	Vial: 9 by 3 ml of 8 single and 1 mixed at 15 mg/ml.	Oct. 22, 1971
Do.	Barringer & Woodard buffered substrate, No. 23695.	Vial: 0.73 g per 15 by 45 mm vial.	Sept. 15, 1971
Do.	Buffer barbital, pH 8.6, No. 96804	Vial: 1.51 g per 15 by 45 mm.	Do.
Do.	Buffer barbital, pH 8.8, No. 7691	Vial: 11.76 g per 10 dr vial	Do.
Do.	Buffer salt-barbital acetate mixture, pH 8.6, No. 3787.	Vial: 14.7 g per 29.5 by 80 mm vial.	Do.
Do.	Buffer salt mixture pH 8.8, No. 7644	Vial: 17.85 g per 29.5 by 80 mm vial.	Do.
Do.	Buffered barbital sodium chloride pH 7.5, No. 64647.	Vial: 14.7 g per vial	Do.
Do.	Buffered substrate glycerophosphate, Bodansky No. 23881.	Vial: 0.924 g per 15 by 45 mm vial.	Do.
Do.	Gilleress & Davis buffered substrate, No. 23701.	Vial: 1.228 g per 15 by 45 mm vial.	May 31, 1973
Do.	Hematoxylin, acid-alum solution, No. 64720.	Bottle: 15 and 32 oz and 2.5 gal.	Dec. 29, 1972
Do.	King & Armstrong buffered substrate, No. 23721.	Vial: 1.14 g per 15 by 45 mm vial.	Sept. 15, 1971
Do.	Roo & Whitmore buffered substrate, No. 23686.	Vial: 0.854 g per 15 by 45 mm vial.	Do.
Do.	Shinowara, Jones & Reinhart buffered substrate, No. 23738.	Vial: 0.945 g per 15 by 45 mm vial.	Do.
Do.	Thymol barbital buffer McLagan modified pH 7.8, No. 29044.	Vial: 1.256 g per 15 by 45 mm vial.	Do.
Do.	Thymol buffer 100 ml 100 mg, Huarga & Popper No. 29959.	Vial: 0.964 g per 15 by 45 mm vial.	Do.
Do.	Thymol buffer pH 7.8, MacLagan No. 29949.	Vial: 1.02 g per vial	Do.
Do.	Thymol buffer pH 7.55, Mateer No. 29951.	Vial: 0.96 g per 15 by 45 mm vial.	Do.
Do.	Zinc sulfate, pH 7.5, Kunkel No. 64050.	Vial: 0.514 g per vial	Do.
Clinical Assays, Inc.	Morphine urine standard, No. CA-224.	Vial: 5 or 10 ml	June 13, 1973
Do.	Morphine urine standard, No. CA-225.	do	Do.
Do.	Morphine urine standard, No. CA-226.	do	Do.
Do.	Morphine urine standard, No. CA-227	do	Do.
Do.	Morphine urine standard, No. CA-228	do	Do.
Do.	Morphine urine standard, No. CA-229	do	Do.
Do.	3 H morphine, No. CA-615	do	Do.

Effective date. This order is effective June 26, 1975. Any person interested may file written comments on or objections to the order on or before August 27, 1975. If any such comments or objections raise significant issues regarding any finding of fact or conclusion of law upon which the order is based, the Acting Administrator shall immediately suspend the effectiveness of the order until he may reconsider the application in light of the comments and objections filed. Thereafter, the Acting Administrator shall reinstate, revoke, or amend his original order as he determines appropriate.

Dated: June 16, 1975.

HENRY S. DOGIN,
Acting Administrator,
Drug Enforcement Administration.

[FR Doc.75-16556 Filed 6-25-75;8:45 am]

Title 29—Labor

CHAPTER XVII—OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, DEPARTMENT OF LABOR

PART 1952—APPROVED STATE PLANS FOR ENFORCEMENT OF STATE STANDARDS

South Carolina Plan; Level of Federal Enforcement

1. *Background.* Part 1954 of Title 29, Code of Federal Regulations, sets out procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter referred to as the Act) for the evaluation and monitoring of State plans which have been approved under section 18(c) of the Act and 29 CFR Part 1902. Section 1954.3 of this chapter provides guidelines and procedures for the exercise of discretionary Federal enforcement authority under section 18(e) of the Act with regard to Federal standards in issues covered under an approved State plan. In accordance with § 1954.3(b) of this chapter, Federal enforcement authority will not be exercised as to occupational safety and health issues covered under a State plan where a State is operational. A State is determined to be operational under § 1954.3(b) of this chapter when it has provided for the following requirements: Enacted enabling legislation, approved State standards, a sufficient number of qualified enforcement personnel and provisions for the review of enforcement actions. In determining whether and to what extent a State plan meets the operational guidelines, the results of evaluations conducted under 29 CFR Part 1954 are taken into consideration. Once this determination has been made, under § 1954.3(f) of this chapter, a notice of the determination of the operational status of a State plan as described in an agreement setting forth the Federal-State responsibility is to be published in the FEDERAL REGISTER.

2. *Notice of South Carolina operational agreement.* (a) In accordance with the provisions of § 1954.3 of this chapter, notice is hereby given that it has been determined that South Carolina has met the following conditions for operational status:

(1) Enactment of the Occupational Safety and Health Act of South Carolina (Act 379, South Carolina Labor Laws, section 40) by the South Carolina General Assembly in June 1971, and amended June 12, 1973;

(2) Promulgation, under section 40–262 of the South Carolina Act, of general industry and construction standards by the Commissioner, South Carolina Department of Labor, initially effective December 20, 1972, with revisions through February 14, 1975. The maritime standards of 29 CFR 1910.13 through 1910.16 are excluded as South Carolina has chosen not to assume jurisdiction over maritime or longshoring activities covered by those standards. The general industry and construction standards were found in the professional judgment of the Assistant Regional Director to be identical to the Federal standards in 29 CFR Part 1910 and 29 CFR Part 1926, and to provide overall protection equal to the comparable Federal Standards in such issues. Notice of approval of the South Carolina standards by the Assistant Regional Director was published on April 10, 1975 (40 FR 16257);

(3) A sufficient number of qualified safety and health personnel employed under an approved merit system: Namely, twenty-nine (29) safety inspectors and six (6) health inspectors as of April 1, 1975;

(4) Operation since July 1, 1973, of a review and appeals system before the South Carolina Commissioner of Labor providing the mechanism for employers and employees to contest enforcement actions and/or abatement dates;

(5) State enforcement since January 2, 1973, of the State standards described in (2) above by the South Carolina Department of Labor monitored under Subpart C of 29 CFR Part 1954, including three semi-annual evaluations, covering the period from January 2, 1973, to December 31, 1974.

(b) In addition, the State has provided under its plan for:

(1) Notification to employers and employees since January 8, 1975, of rights and responsibilities under the South Carolina Occupational Safety and Health Act by requiring the display of a State poster in workplaces covered by the plan;

(2) Occupational accident and illness recordkeeping and reporting by employers covered under the plan (Article III of Section II of the Appendix of the South Carolina State Plan as amended);

(3) Responding to complaints filed with the South Carolina Department of Labor for violations of the prohibition against discrimination by employers against employees for exercising their rights under the South Carolina Act, (§§ 40–453.2 and 40–453.3);

(4) Assurance of the rights of employers and employees and their representatives consistent with the provisions of the Federal Act and its implementing regulations.

Pursuant to this finding, an agreement effective May 9, 1975, and incorporated as part of the South Carolina plan has been entered into between Edgar L. McGowan, Commissioner of the South Carolina Department of Labor, and Donald E. MacKenzie, Assistant Regional Director for Occupational Safety and Health of the U.S. Department of Labor providing that Federal enforcement activity under section 18(e) of the Act will not be initiated with regard to Federal occupational safety and health standards in issues covered under 29 CFR Part 1910 and 29 CFR Part 1926 wherever South Carolina occupational safety and health standards are in effect and operational.

Under the agreement, Federal responsibility under the Act will continue to be exercised, among other things, with regard to complaints about violations of the discrimination provisions of section 11(c) of the Act (29 U.S.C. 660(c)); enforcement of standards promulgated under the Act subsequent to the agreement where necessary to protect employees, as in the case of standards promulgated under section 6(c) of the Act (29 U.S.C. 655(c)), until such time as the State shall have adopted equivalent standards in accordance with Subpart C of 29 CFR Part 1953; enforcement of Federal standards in the maritime and longshoring issues covered by 29 CFR 1910.13 through 1910.16 which issues have been specifically excluded from coverage under the plan; and investigations and inspections for the purpose of evaluating the State plan under sections 18 (e) and (f) of the Act (29 U.S.C. 667 (c) and (f)).

The agreement is subject to revision or termination by the Assistant Secretary of Labor for Occupational Safety and Health upon substantial failure by the State to comply with any of its provisions, or when the results of evaluation under 29 CFR Part 1954 reveal that State operations covered by the agreement fail in a substantial manner to be at least as effective as the Federal program.

In accordance with this agreement and effective as of May 9, 1975, Subpart C of 29 CFR Part 1952 is hereby amended as set forth below.

Section 1952.102 is revised to read as follows:

§ 1952.102 Level of Federal enforcement.

Pursuant to §§ 1902.20(b)(1)(iii) and 1954.3 of this chapter under which an agreement has been entered into with South Carolina, effective May 9, 1975, and based on a determination that South Carolina is operational in issues covered by the South Carolina occupational safety and health plan, discretionary Federal enforcement authority under section 18(c) of the Act (29 U.S.C. 667 (c)) will not be initiated with regard to Federal occupational safety and health standards in issues covered under 29 CFR Part 1910 and 29 CFR Part 1926. The U.S. Department of Labor will continue to exercise authority, among other things, with regard to: Complaints filed with the U.S. Department of Labor about violations of the discrimination provisions of section 11(c) of the Act (29 U.S.C. 660(c)); Federal standards promulgated subsequent to the agreement where necessary to protect employees, as in the case of temporary emergency standards promulgated under section 6 (c) of the Act (29 U.S.C. 655(c)), in the issues covered under the plan and the agreement until such time as South Carolina shall have adopted equivalent standards in accordance with Subpart C of 29 CFR Part 1953; Standards in 29 CFR 1910.13 through 1910.16, which issues have been specifically excluded from coverage under South Carolina plan; and investigations and inspections for the purpose of the evaluation of the South Carolina plan under section 18 (e) and (f) of the Act (29 U.S.C. 667 (e) and (f)). The Assistant Regional Director for Occupational Safety and Health will make a prompt recommendation for resumption of exercise of Federal enforcement authority under section 18(e) of the Act (29 U.S.C. 667(e)) whenever, and to the

degree, necessary to assure occupational safety and health protection to employees in South Carolina.

(Secs. 8(g)(2), 18, 84 Stat. 1600, 1608 (29 U.S.C. 257(g)(2), 667))

Signed at Washington, D.C. this 20th day of June 1975.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.75-16675 Filed 6-25-75;8:45 am]

PART 1952—APPROVED STATE PLANS FOR ENFORCEMENT OF STATE STANDARDS

Colorado Plan—Approval of Public Employee Program

1. *Background.* Part 1953 of Title 29, Code of Federal Regulations, prescribes procedures under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667) (hereinafter referred to as the Act) for review of changes and progress in the development and implementation of State plans which have been approved in accordance with section 18(c) of the Act and Part 1902 of this chapter. On September 12, 1973, a notice was published in the FEDERAL REGISTER (39 FR 25172) of the approval of the Colorado plan and of the adoption of Subpart M of Part 1952 containing the decision of approval. On December 24, 1974, the State of Colorado submitted a supplement to the plan involving a developmental change to the plan (see Subpart B of 29 CFR Part 1953). On February 18, 1974, a notice was published in the FEDERAL REGISTER (40 FR 6937) concerning the submission of the supplemental to the Assistant Secretary of Labor for Occupational Safety and Health and the fact that the question of its approval was before him.

2. *Issues.* The supplement contained a description of the Colorado program for public employees. The public employee program consists of three components.

The first component is a plan for State agencies which was implemented on January 1, 1975, pursuant to an Executive Order issued by the Governor on December 23, 1974. The Director of the Division of Labor, Department of Labor and Employment, in cooperation with the Occupational and Radiological Division of the Department of Health, is responsible for the administration of the program. Each State agency is to designate a safety and health officer. There will also be an annual inspection program for all State agencies. State highway projects involving State employees will be inspected on a target basis. No monetary penalties will be imposed against an agency, but each agency shall abate problems and furnish abatement reports and annual reports to the Director of the Division of Labor. In cases of imminent or serious danger, the Division is authorized to shut down operations pursuant to section 80-2-5 of the Colorado Revised Statutes.

A second component of the public employee program is a plan for political subdivisions of the State. This program will also be implemented by the Division of Labor in cooperation with the Division of Occupational and Radiological Health. Effective on January 1, 1975, educational and technical assistance became available to political subdivisions and inspection and enforcement activities were started on February 1, 1975. Political subdivisions will be inspected at least once every three years and will be subject to the same procedures for enforcement of standards as apply to the private sector. Highway and heavy construction activities will be inspected on a target basis. No monetry penalties will be proposed for violations but abatement of hazards may be directed and shut-down authority is provided for imminent or serious dangers pursuant to section 80-2-5 of the Colorado Revised Statutes. The political subdivision program will not be applicable to school employees as such employees are covered by the Public Safety Division of the Division of Labor which conducts annual inspections of schools. In addition, shut-down authority will not be used in such areas as sewage disposal and police and fire protection since the continued operations of these services is essential to the preservation of the public health and welfare. In such cases, the State will work with the political subdivision to ensure that such hazards are abated immediately.

A third component of the program is a plan for the assumption of jurisdiction for the enforcement of occupational safety and health standards by a State political subdivision. The State intends to enter into an agreement with a political subdivision wherein the political subdivision will plan and implement its own program for its own public employees pursuant to section 80-2-24 of the Colorado Revised Statutes. This program is scheduled to be implemented by July 1, 1975.

Interested persons were afforded at least 30 days from the publication of the proposed supplement in the FEDERAL REGISTER to submit written comments or request an informal hearing concerning the supplement. No comments or requests for a hearing were received during the period provided for public comment. Review of the supplement by the Assistant Secretary indicates that the supplement is in accordance with his requirements for a public employee program.

3. *Location of supplement for inspection and copying.* A copy of the supplement, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Associate Assistant Secretary for Regional Programs, Occupational Safety and Health Administration, Room N-3112, 200 Constitution Avenue, NW, Washington, D.C. 20210; Office of the Assistant Regional Director, Occupational Safety and Health Administration, Room 15010, Post Office Box 3588, 1961 Stout Street, Denver, Colorado 80202; and the Office of the Director of Labor, Department of Labor and Employment, 200 East Ninth Avenue, Denver, Colorado 80203.

4. *Decision.* After careful consideration, the Colorado public employee program is approved under Part 1953. However, as indicated in the decision approving the Colorado plan (38 FR 25173) the plan for the assumption of jurisdiction by the State political subdivisions will be subject to close evaluation to ensure that the Colorado Department of Labor and Employment has adequate authority to be responsive to its commitment to ensure safety and health protection to employees of the political subdivision regardless of the outcome of State procedures on approval, disapproval or rejection of political subdivision plans. This decision incorporates the requirements of the Act and implementing regulations applicable to State plans generally. In addition, Subpart M of 29 CFR Part 1952 is amended, effective June 26, 1975, by adding a new § 1952.194, to reflect the completion of a development step as set forth below.

§ 1952.194 Completed developmental steps.

In accordance with § 1952.193(c), as amended, the Colorado public employee program was implemented in two stages: (a) Education and Technical Assistance Activities were started in January 1975; and (b) Enforcement and Inspection Activities were started in February 1975.

(Secs. 8(g)(2), 18, Pub. L. 91-596, 84 Stat. 1600, 1608 (29 U.S.C. 657(g)(2), 667))

Signed at Washington, D.C. this 20th day of June 1975.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.75-16674 Filed 6-25-75;8:45 am]

Title 32—National Defense

CHAPTER I—OFFICE OF THE SECRETARY OF DEFENSE

SUBCHAPTER P—RECORDS

PART 291—AVAILABILITY TO THE PUBLIC OF DEFENSE NUCLEAR AGENCY INFORMATION

Procedure and Requirements

Pursuant to the provisions of Pub. L. 93-502, enacted November 21, 1974, notice is hereby given of revised DNA Instruction 5400.7 implementing 5 U.S.C. 552, as amended by Pub. L. 93-502, Freedom of Information Act. This Part 291 provides overall guidance to Defense Nuclear Agency organization on how it should respond to requests from the public for records under the Freedom of Information Act, as amended. This regulation becomes effective 22 May 1975. However, public comments and recommendations submitted to Defense Nuclear Agency, ATTN: PAO, Washington, D.C. 20305 by August 15, 1975 will be considered in determining the need for modification of the regulation.

Part 291, Subchapter P, Chapter I of Title 32 of the Code of Federal Regulations is revised as follows:

PART 291—AVAILABILITY TO THE PUBLIC OF DEFENSE NUCLEAR AGENCY INFORMATION

Sec.
291.1 Purpose.
292.2 Policy.
291.3 Responsibilities.
291.4 Procedures.
291.5 Information which will be available on request.
291.6 Material which may be withheld from public disclosure.
291.7 For official use only markings.
291.8 Headquarters, DNA and DNA command designated offices.
291.9 Rates for copying and research.
291.10 Identification and marking "For Official Use Only".

AUTHORITY: The provisions of this Part 291 issued under Title 5 (U.S.C. 552), as amended by Pub. L. 93-502.

§ 291.1 Purpose.

To establish policies and procedures for making DNA information available to the public. This Instruction implements 32 CFR 286.

§ 291.2 Policy.

(a) It is DNA policy to make maximum response to public requests for information concerning its operations and activities, consistent with national security objectives. When considering requests for information, all DNA elements will abide by the policy and procedures of this and other applicable DNA Instructions.

(b) A request for a record under the Freedom of Information Act (FOIA) may be denied only upon determining that:

(1) The record is subject to one or more of the exemptions set forth in § 291.6, and a significant and legitimate governmental purpose is served by withholding.

(2) The record cannot be found because it cannot be described with sufficient particularity to enable a responsible authority to locate it with a reasonable amount of effort.

(3) The requester has unreasonably failed to comply with the procedural requirements imposed by this Part.

§ 291.3 Responsibilities.

(a) The Director and heads of DNA components (Commander, FC, and Director, AFRRI) are responsible for determining, based on current Directives and Instructions, what information in their custody may be released to the public. However, the Director has the sole responsibility for withholding any information requested under the FOI Act.

(b) Each component will designate a representative to reply to all requests for public information. Replies should provide the requester as much assistance as possible in locating the document or information requested to include forwarding the request to the proper agency/source.

(c) Components will notify the Director, DNA, ATTN: PAO (FOI Act) of all written requests for records under the FOI Act. When components release information under this FOI Act, they will forward copies of the request and action taken to HQ DNA, ATTN: PAO, for file and compliance with the annual report to Office, Assistant Secretary of Defense (Public Affairs) (OASD(PA)). In all recommendations for denial of a request for a record, the components will immediately forward the request to Director, DNA, ATTN: PAO (FOI Act), and include an explanation of the substantive justification for withholding the information.

(e) An FOI Council will be appointed on orders at HQ, DNA to review all requests for records that a representative recommends not be released or is doubtful regarding releasability of the record. The Council will consist of the Assistant to the Deputy Director for Science and Technology (Theoretical Research) as Chairman; the Chief, Joint Atomic Information Exchange Group; and Director, Intelligence and Security Directorate as members; the Public Affairs Officer (PAO), HQ DNA, as the Secretary/Recorder; and the General Counsel (GC) HQ DNA, as legal advisor. The FOI Council will make its recommendations on such initial requests for records under the FOI Act directly to the Deputy Director (Operations and Administration). Recommendations upon appeals from initial denials of requests for records will be made directly to the Director, DNA.

(f) The PAO, HQ DNA is the point of contact between DNA and the OASD (PA) Freedom of Information Office (FOIO). The PAO, HQ DNA, is responsible:

(1) For advising OASD(PA) (FOIO) of any DNA denial of a request for records or appeals that may affect another DOD component.

(2) For placing in the FEDERAL REGISTER a current description for the guidance of the public, of where, how, and by what authority the DNA performs any of its functions. Components will provide the PAO with appropriate information upon request.

(3) To insure publication of the list of DNA indices in the FEDERAL REGISTER. Changes to the indices will be kept current on a quarterly or sooner basis by the appropriate DNA component/staff/directorate.

(g) The General Counsel, HQ DNA, shall insure uniformity in the legal position and interpretation by DNA of this Part, and coordinate with DOD General Counsel as necessary on all denials of requests for records that are likely to lead to litigation.

(h) The Comptroller, HQ DNA, will insure that fees are properly received and forwarded to the Treasury of the United States.

(i) Any request from a member of Congress or for information under the control of Congress or a Congressional Committee will be processed in accordance with current DNA Instructions.

(j) When requests for a record have other government agency interest (i.e. DNA is not the original classifier in the case of classified records), the representative will insure that all actions are coordinated with those agencies or officials, and there is written agreement before determining what final action will be taken. The HQ, PAO, in coordination with the GC, will notify the Director and OASD(PA) of the coordination and actions taken.

(k) Commander, FC; Director, AFRRI, and Directors and Chiefs of HQ DNA staff elements will insure that all DNA personnel who act in FOI matters will be familiar with all cited references, procedures and contents of this instruction prior to undertaking action on a request involving the FOI Act. A refresher briefing will be conducted by the PAO on an annual basis.

§ 291.4 Procedures.

(a) Any member of the public desiring information should be able to call or write any DNA element and be referred promptly to the representative designated for answering public inquiries. The current designated offices, with telephone numbers and addresses, is listed in § 291.8.

(b) Due to security requirements at HQ DNA and its components, there may not be a reading room for a member of the public to use. However, the representative will assure ready access to the categories of documents requested (i.e., contract announcements, court rulings, etc.) and a place where the requester may review them.

(c) Once the requester has clearly identified the record or information desired (must be in writing if request is based on the FOI Act), the representative will obtain copies of the document. If a search is required for the information, the representative will so inform the requester within 10 working days, giving him the approximate time the information will be available and the cost. Rates for copying material or for researching a subject are in § 291.9. A record will not be released prior to receipt of fees.

(d) The representative's action on each request received under the FOI Act includes attached DNA Form 524; assigning a request number (i.e., 75-1, for year and request number, add FC for Field Command and AF for AFRRI); obtaining the complete information requested; forwarding copies of the request and action taken to HQ DNA, ATTN: PAO (FOI Act); and receiving payment for copying or research charges. The requester should pay by check or money order, payable to "Treasurer of the United States." All collections will be delivered daily to the component's servicing Finance and Accounting Officer. If daily delivery is impracticable, delivery may be made on a weekly basis. With each delivery of funds, the Finance and Accounting Officer will prepare a DD Form 1131 (Cash Collection Voucher), showing the name of the remitter, purpose of the remittance, account or fund to be credited, and the amount. Collections of scheduled fees and charges will be deposited in accordance with paragraph entitled "collections", § 291.9.

(e) A proposed initial denial of a request for records based on the FOI Act must first be reviewed by the FOI Council. The original request and supporting documents to justify withholding of the records are to be forwarded by the HQ PAO to the Council. The Council's recommendations and all procedures are documented and forwarded to the Deputy Director (Operations and Administration) for his decision. The requester must be notified within the time limits set forth in paragraph (f) of this section, and advised of his right to appeal a denial of his request to the Director, DNA. The DNA, PAO will advise OASD (PA) of any denial action taken if circumstances suggest the potential for public controversy or litigation.

(f) The time limitations for responding to legitimate requests for records imposed by the amendments to the FOI Act are:

(1) Initial determination and response are made normally within 10 working days after the request is received by a representative. Time does not start, however, until full assurance is received that the requester is willing to reimburse DNA for any costs incurred for search or duplication.

(2) If additional time is needed, the requester must be notified within the above 10 day period and be advised of the anticipated date of response which may not exceed 10 additional working days.

(3) If a request for a record is denied and the requester appeals the decision to the Diretcor, final determination on the appeal shall normally be made within 20 working days of receipt of the appeal. Additional time needed in an appeal action cannot exceed 10 working days, but only if additional time was not used in responding to the initial request.

(4) The representative will notify the requester within 10 working days if the request has to be forwarded to another agency for action.

(g) The initial denial of all or part of a request for a record under the FOI Act will be in writing to the requester and include all information as to the procedure undergone to arrive at that decision; directives, statutes, public law or other regulations authorizing prohibition of release of the record; a statement as to the requester's right to appeal the decision to the Director, DNA; the name and title of the Director, DNA; and if appropriate, advise the requester of his optional right to seek declassification review of a classified record more than 10 years old.

(h) An appeal to the Director under the FOI Act of an initial decision to withhold all or segregable portions of a record, will be referred through the PAO to the FOI Council. The Council, under the advisement of the General Counsel and if applicable, OASD(PA), will review the basis for the appeal and will recommend to the Director, a final determination. The Director will make the final decision and forward an answer to the requester within 20 working days. If the appeal is denied, the Director will notify the requester of the right to judicial review of the decision.

(i) Requests for records originating from the Directorate for Freedom of Information, OASD(PA), will be directed to the HQ DNA, PAO for action. The PAO will follow the procedures for responding to OASD(PA) as outlined in 32 CFR 286.

(j) The PAO will keep all files of actions taken regarding requests under the FOI Act and submit an annual report to OASD(PA) per 32 CFR Part 286.

§ 291.5 Information which will be available on request.

Subject to the exemptions in §291.6, the following information in the possession of DNA shall be made available upon the written request of any person.

curring and dissenting opinions) and

(a) Final opinions (including concurring and dissenting opinions) and orders in adjudications that may be cited, used, or relied upon as precedents in future adjudications.

(b) Statements of policy and interpretations of less than general applicability affecting the public but not published in the FEDERAL REGISTER.

(c) Administrative staff manuals and instructions, or portions thereof, which establish DNA policy or interpretations of policy that affect a member of the public. This provision does not apply to instructions for employees on the tactics and techniques to be used in performing their duties, or to instructions relating only to the internal management of DNA. Examples of manuals and instructions not normally made available are:

(1) Those issued for audit and inspection purposes or those which prescribe operational tactics, standards of performance, or criteria for defense, prosecution, or settlement of cases.

(2) Operations and maintenance manuals concerning munitions, equipment, and systems.

(3) Technical documents/information within guidelines stated in DOD Directive 5200.20.

(d) Identifying details which, if revealed, would create a clearly unwarranted invasion of personal privacy may be deleted from any final opinion, order statement of policy, interpretation, staff manual, or instruction, made available for inspection and/or copying. In every such case, the justification for the deletion must be fully explained in writing.

(e) HQ DNA and its components shall maintain indices of material issued, adopted or promulgated by DNA after 4 July 1967, which is made available or published under this section.

(1) The indices will be arranged topically or by descriptive words, so that members of the public may be able to locate final opinions, orders, statements of policy, interpretations, staff manuals, technical documents, or instructions by subject, rather than by case name or by numbering system. Case name and numbering arrangements will be included in the index for purposes of the convenience of DNA.

(2) Copies of DNA indices will be provided to a requester through the DNA information representatives listed in § 291.8, at a cost not exceeding the direct cost of duplication. The indices will also be made available for public inspection and copying at the listed designated locations.

(3) No order, opinion, statement of policy, interpretation, staff manual, or instruction issued, promulgated, or adopted after 4 July 1967, which is not indexed and either made available or published, may be relied upon, used, or cited as precedent against any member of the public unless he has actual and timely notice of its terms. If the order, opinion, statement of policy, interpretation, staff manual, or instruction was issued, promulgated, or adopted before 4 July 1967, it need not be indexed but must be made available.

(4) In determining whether an order, opinion, statement of policy, interpretation, staff manual, or instruction is likely to be used or relied upon as precedent, the primary test shall be whether it is intended to provide binding guidance for decisions or evaluations by subordinates or for future decisions by the same authority in adjudications of cases affecting the public, where similar facts or issues are presented.

§ 291.6 Material which may be withheld from public disclosure.

Documentary material may be withheld from public disclosure if it comes within a specific exemption as listed below. Even exempted material should be made available upon request of any member of the public if, in the judgment of the releasing authority, no significant purpose would be served by withholding it from him under an applicable exemption and its release is not inconsistent with current policies. The following types of records may be withheld from public disclosure:

(a) National Defense Information: Those that are properly and currently classified in the interest of national defense or foreign policy.

(b) Statutory Restricted Information: Those containing information which statutes authorize or require be withheld from the public.

(1) For trade, technical, and financial information provided in confidence by businesses.

(2) National Security Agency information.

(3) Any records containing information relating to inventions which are the subject of patent applications on which Patent Secrecy Orders have been issued.

(4) Restricted Data and Formerly Restricted Data.

(5) Records classified by a foreign government.

(6) Technical documents published by DNA that are controlled within the guidelines of DOD Directive 5200.20.

(c) Privileged Information: Those records containing trade secrets or commercial or financial information which a component receives from a person with the understanding that it will be retained on a privileged or confidential basis in accordance with customary handling of

such records. Such records are those the disclosure of which would cause substantial harm to the competitive position of the person providing the information; impair the Government's ability to obtain necessary information in the future; or impair some other legitimate governmental interest. Examples include records which contain:

(1) Information customarily considered privileged or confidential under the rules of evidence in the Federal courts, such as information coming within the doctor-patient, lawyer-client, and priest-penitent privileges.

(2) Commercial or financial information received in confidence in connection with loans, bids, or proposals, as well as other information received in confidence or privileged, such as trade secrets, inventions and discoveries, or other proprietary data.

(3) Statistical data and commercial or financial information concerning contract performance, income, profits, losses and expenditures, if received in confidence from a contractor or potential contractor.

(4) Information such as research data, formulas, designs, drawings, and other technical data and reports which:

(i) are significant as items of valuable property acquired in connection with research, grants, or contracts;

(ii) would likely be held in confidence if owned by private parties.

(5) Personal statements given in the course of inspections or investigations, where such statements are received in confidence from the individual and retained in confidence.

(d) Internal communications within and among agencies/components and offices/directorates:

(1) Those containing rules, regulations, orders, manuals, directives, and instructions relating to the internal personnel rules or to the internal practices of DNA elements if their release would hinder the function of DNA.

(i) Staff papers containing staff advice, opinions or suggestions.

(ii) Information received or generated by a component preliminary to a decision or action including draft versions of documents where premature disclosure would interfere with the authorized purpose for which the records were created.

(iii) Advice, suggestions or reports prepared on behalf of DNA by boards, committees, councils, groups, panels, conferences, commissions, task forces, or other similar groups that are formed by a component to obtain advice and recommendations, or by individual consultants.

(iv) Those portions of DNA evaluations of contractors and their products which contain recommendations or advice by government employees about the contractor or product.

(v) Advance information on such matters as proposed plans to procure, lease, or otherwise acquire and dispose of materials, real estate, facilities, or functions when such information would provide undue or unfair competitive advantage to private personal interests.

(vi) Records which are exchanged among agency personnel or within and among components or agencies preparing for anticipated legal proceedings before any Federal, State, or military court or before any regulatory body.

(vii) Reports of inspections, audits, investigations, or surveys which pertain to safety, security, or the internal management, administration, or operation of the Department of Defense or one of its components.

(2) If any such intra- or inter- agency record, or reasonably segregable portion of such record would routinely be made available through the discovery process in the course or litigation with the agency, (i.e., the process by which litigants obtain information from each other that is relevant to the issues in a trial or hearing) then it should not be withheld from the general public. If, however, the information would only be made available through the discovery process by special order of the court based on the particular needs of a litigant balanced against the interests of the agency in maintaining its confidentiality, then the record or document should not be made available to a member of the general public.

(3) Factual records or segregable portions of intra- or inter-agency memorandums or letters are routinely made available through discovery, and should, therefore, be made available to a requester unless the factual material is otherwise exempt from release.

(4) A direction or order from a superior to a subordinate though contained in internal communication, is generally not withholdable from a requester if it constitutes policy guidance or a decision, as distinguished from a discussion of preliminary matters that would compromise the decision making process.

(5) An internal communication concerning an event or decision which has subsequently been made a matter of public record, or was among officers or employees (or members of the Armed Forces) who no longer are actively employed by DNA, should normally be made available to a requester unless it is determined that because of special circumstances release would prejudice the current decision making process.

(e) Personnel and Medical Information: Information in personnel and medical files, as well as information in similar files that, if disclosed to a member of the public, would result in a clearly unwarranted invasion of personal privacy as determined by 5 U.S.C. 552a (The Privacy Act).

(1) Examples of files similar to personnel and medical files include:

(i) Those compiled to evaluate or adjudicate the suitability of candidates for civilian employment and the eligibility of individuals, civilian, military or industrial, for security clearances.

(ii) Files containing reports, records, and other material pertaining to personnel matters in which administrative action, including disciplinary action, may be taken.

(2) In determining whether the release of information would result in a "clearly unwarranted invasion of personal privacy," consideration should be given, to the stated or assumed purpose of the request. When determining whether a release is "clearly unwarranted," the public interest in satisfying this purpose must be balanced against the sensitivity of the privacy interest being threatened.

(3) When the only basis for withholding information is protection of the personal privacy of an individual who is the subject of the record, the information should not be withheld from him or from his designated legal representative. A clearly unwarranted invasion of the privacy of others discussed in that record may, however, constitute a basis for deleting reasonably segregable portions of the record even when providing it to the subject of the record.

(4) An individual's personnel, medical, or similar files may be withheld from him or from his designated legal representative only to the extent consistent with 5 U.S.C. 552a.

(f) Investigatory Information: Those investigative records compiled for the purpose of enforcing civil, criminal, or military law, including the implementation of Executive Orders, or regulations validly adopted pursuant to law.

(1) But only to the extent that their release would:

(i) Interfere with enforcement proceedings;

(ii) Deprive a person of the right to a fair trial or an impartial adjudication;

(iii) Constitute an unwarranted invasion of personal privacy;

(iv) Disclose the identity of a confidential source;

(v) Disclose confidential information furnished only from a confidential source obtained by a criminal law enforcement authority in a criminal investigation or by an agency conducting a lawful national security intelligence investigation;

(vi) Disclose investigative techniques and procedures not already in the public domain and requiring protection against public disclosure to insure their effectiveness;

(vii) Endanger the life or physical safety of law enforcement personnel.

(2) Examples include: (i) Statements of witnesses and other material based on the information developed during the course of the investigation and all materials prepared in connection with related government litigation of adjudicative proceedings.

(ii) The identity of firms or individuals suspended from contracting with DNA or being investigated for alleged irregularities when no indictment has been obtained nor any civil action filed against them by the United States.

(iii) Information obtained in confidence, expressed or implied, in the course of:

(*a*) A criminal investigation by a criminal law enforcement agency or office within a component; or

(*b*) A lawful national security intelligence investigation conducted by an

authorized agency or office within a component for the purpose of obtaining:

(1) Affirmative or counterintelligence information.

(2) Background investigation information needed to determine suitability for employment or eligibility for access to classified information.

(3) The right of individual litigants to investigate records currently available by law is not diminished.

(4) When the subject of an investigative record is the requester of that record it may be withheld only in accordance with regulations implementing 5 U.S.C. 552a.

§ 291.7 For official use only markings.

All DNA components will follow the guidance at 291.10 when determining if a document should be considered "For Official Use Only" and marked accordingly.

§ 291.8 Headquarters, DNA and DNA Command designated offices.

(a) Headquarters, DNA.

Public Affairs Officer, Headquarters, Defense Nuclear Agency, Washington, D.C. 20305. Duty Telephone: (Area Code 202) 325–7095.

(b) Field Command, DNA, Security Specialists, Support Directorate, Headquarters, Field Command, Defense Nuclear Agency, Kirtland AFB, New Mexico 87115. Duty Telephone: (Area Code 505) 264–1314.

(c) Armed Forces Radiobiology Research Institute. Administrative Officer, Armed Forces Radiobiology Research Institute, National Naval Medical Center, Bethesda, Maryland 20014. Duty Telephone: (Area Code 201) 295–0227.

§ 291.9 Rates for copying and research.

Following are the rates for copying, researching, and certifying records requested under this part.

(a) Duplication. (1) Publications, Forms and Reports: Shelf stock of printed or microfiche medium (requesters may be furnished more than one copy of a publication or form if it does not deplete stock levels below projected planned usage).

Minimum fee, per request plus	$2.00
Forms, per copy	.05
Publications, per printed page	.01
Microfiche, per fiche	.06
Reports, per printed page	.05

(2) Office Copy Reproduction (when shelf stock is not available).

Minimum charge up to 6 reproduced pages	$2.00
Minimum charge, 1 fiche	5.00
Each additional page	.05
Each additional fiche	.10

(3) Other Issuances.

Minimum charge up to 6 pages	$2.00
Each additional page	.05

(b) Search.

Clerical search, per hour	$5.50
Minimum charge	2.75
Professional search (includes computer programmer time and review to determine whether a record comes within the scope of a request) per hour	11.00
Minimum charge	5.50

(c) Computer Service Charges. Computer service charges will be based on actual computer configuration used and be based on direct costs only of the Central Processing Unit, plus Input/Output Devices, plus Memory Capacity. Transportation costs of records and personnel arising from searches for requesting reports will be charged at actual cost.

(d) Audiovisual Documentary Material. Service charges for audiovisual documentary materials will include clerical and professional search fees as listed above as well as the direct costs of reproducing the photography or tape and shipping or mailing charges. Audiovisual materials provided a requester under provisions of this Part need not be in reproducible format or quality.

(e) Waiver of Fees. (1) In general, charges shall be waived or reduced when it is determined that release of a requested record primarily benefits the general public and, therefore, is in the public interest. Examples of common situations in which such a determination may be made include:

(i) The recipient of the benefits is engaged in a nonprofit activity designed for public safety, health or welfare;

(ii) Payment of the full costs or fee by a state, local government or non profit group would not be in the interest of the program;

(iii) The incremental cost of collecting the fees would be an unduly large part of the receipts from the activity;

(iv) The request emanates from a representative of the public information media seeking a reasonable number of records.

(2) A refusal to waive charges by the official responsible for the initial decision on the request for the record may be appealed to the Director, DNA for purposes of final appeal.

(f) Collections. (1) Normally, collection of charges and fees will be made in advance of rendering the service. In some instances, it may be more practical to collect charges and fees at the time of conveying the service or property to the recipient, but only in those instances where the request specifically states that whatever cost involved will be acceptable or acceptable up to a specified limit that covers anticipated costs.

(2) Collection of scheduled fees and charges will normally be deposited to Miscellaneous Receipts of the Treasury.

(3) Search fees are assessable even when no records responsive to the request, or no records not exempt from disclosure are found, provided the requester is advised of the requirement at the time the estimated charges are presented to the requester for approval and he agrees to incur the costs of search.

§ 291.10 Identification and marking "FOR OFFICIAL USE ONLY".

(a) Records which are not classified but which at the time of their origination are authorized to be withheld from general public disclosure under § 291.6 of this part, and which for a significant and legitimate governmental purpose should not be given general circulation, shall be considered as being "FOR OFFICIAL USE ONLY" (FOUO). No other record may be considered as being "FOR OFFICIAL USE ONLY."

(b) A record that is considered "FOR OFFICIAL USE ONLY" may be marked "FOR OFFICIAL USE ONLY" when such marking is deemed necessary or desirable to ensure that all persons having access to the record are aware that it should not be publicly released and should not be handled indiscriminately. Individual folders, records, and files covering specific kinds of subject matter normally falling within the exemptions of § 291.6, such as personnel and medical files, bids, proposals, and the like, which are covered by rules and regulations specifying what may be released publicly, do not require the "FOUO" marking unless handled under circumstances where marking is desirable to ensure protection of the information involved.

(1) The marking may not be used on records or portions of records which are classified for security reasons, but, if otherwise proper under this Part, may be applied to information or material which has been declassified.

(2) The marking may not be employed as a less stringent security designation under conditions where classification is not warranted.

(3) Information contained in a technical document for which a determination has been made that a distribution statement is appropriate shall not be marked "FOUO."

(c) Material which is considered as being "FOR OFFICIAL USE ONLY" must be safeguarded from general disclosure irrespective of whether the material is physically marked with the term "FOR OFFICIAL USE ONLY."

(d) Whenever necessary to assure proper understanding, or appropriate as a means of facilitating segregation of exempt information in a lengthy record, individual paragraphs which contain FOUO information shall be marked with the symbol "FOUO." In classified documents, this marking should be applied only to paragraphs which contain FOUO Information and do not contain classified information.

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

JUNE 23, 1975.

[FR Doc.75-16697 Filed 6-25-75;8:45 am]

Title 36—Park, Forests and Public Property

CHAPTER I—NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SERVICE

Designated Airstrips; Glen Canyon National Recreation Area, Arizona

Pursuant to the authority contained in section 3 of the Act of August 25, 1916, (39 Stat. 535; 16 U.S.C. 3), 245 DM 1 (27 FR 6395), National Park Service Order No. 34 (31 FR 4255), § 7.70 is hereby amended.

The purpose of this amendment is to redesignate those locations where air-

craft may be landed within Glen Canyon National Recreation Area as necessitated by the provisions of § 2.2(a) of Title 36 of the Code of Federal Regulations.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. However, since the regulation will provide for the public use of additional existing facilities and, therefore, constitutes a relaxation of existing restrictions, it is determined that the rulemaking procedure is unnecessary and not in the public interest and this amendment shall become effective on June 26, 1975.

(5 U.S.C. 553)

Section 7.70, paragraph (a) is amended by deleting paragraph (4) and adding the following in lieu thereof:

§ 7.70 Glen Canyon National Recreation Area.

(a) * * *

(4) Hite, latitude 37°57'00" N., longitude 110°23'00" W.

(5) Gordon Flats, latitude 38°10'30" N., longitude 110°09'00" W.

(6) The entire surface of Lake Powell, subject to the restrictions contained in § 2.2(a) of this chapter.

* * * * *

TEMPLE A. REYNOLDS,
Superintendent, Glen Canyon National Recreation Area.

[FR Doc.75-16600 Filed 6-25-75;8:45 am]

Title 38—Pensions, Bonuses and Veterans' Relief

CHAPTER I—VETERANS ADMINISTRATION

PART 3—ADJUDICATION

Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

TERMINATION DATE OF VIETNAM ERA

The Administrator of Veterans' Affairs amends Part 3 of Title 38, Code of Federal Regulations, to reflect the delimiting dates of the Vietnam era.

Section 101(11) of Title 38, United States Code, designates the Vietnam era as a "period of war". Section 101(29) of the code defines the "Vietnam era" as the period beginning on August 5, 1964, and ending on such date as shall be determined by Presidential proclamation or concurrent resolution of Congress. Section 3.2(f) of Title 38, Code of Federal Regulations, incorporated a similar definition in the regulations. Under these provisions veterans who served in the armed forces during the Vietnam era established eligibility to benefits available to wartime veterans which are not available to veterans who serve during peacetime only.

Proclamation 4373 signed by the President on May 7, 1975, establishes May 7, 1975, as the ending date of the Vietnam era. Section 3.2(f) of Title 38, Code of Federal Regulations, is amended to include the ending date of the Vietnam era established by the proclamation. Pursuant to this proclamation service in the Armed Forces of the United States on and after May 8, 1975, constitutes peacetime service.

Compliance with the provisions of § 1.12 of this chapter, as to notice of proposed regulatory development and delayed effective date, is unnecessary in this instance and would serve no useful purpose since the change is mandated by the proclamation and no discretionary authority is vested in the Veterans Administration.

In § 3.2, paragraph (f) is revised to read as follows:

§ 3.2 Periods of war.

* * * * *

(f) *Vietnam era.* August 5, 1964, through May 7, 1975 inclusive.

* * * * *

Effective date. This VA Regulation is effective May 7, 1975.

Approved: June 20, 1975.

By direction of the Administrator.

[SEAL] ODELL W. VAUGHN,
Deputy Administrator.

[FR Doc.75-16588 Filed 6-25-75;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER E—PESTICIDE PROGRAMS

[OPP-260012; (FRL 390-6)]

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

Chevron Chemical Company; Extension of Temporary Tolerances; Correction

In FR Doc. 75-13822 which appeared on May 27, 1975 (40 FR 22879), the word "captatol" in line 4, appearing immediately after the words "residues of the fungicide", is corrected to read "captafol". The word "herbicide" appearing in line 24, immediately before the words "be used in accordance with", is corrected to read "fungicide."

Dated: June 20, 1975.

LOWELL E. MILLER,
Acting Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.75-16582 Filed 6-25-75;8:45 am]

[OPP-260013; (FRL 390-5)]

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

Rohm and Haas Company; Establishment of Temporary Tolerance; Correction

In FR Doc. 75-15000 which appeared on June 9, 1975 (40 FR 24553), the pesticide name given in line 6, immediately following the words "negligible residues of the herbicide", is in error. The name of this herbicide is corrected to read 2-chloro-1-(3-ethoxy-4-nitrophenoxy)-4-(trifluoromethyl) benzene.

Dated: June 20, 1975.

LOWELL E. MILLER,
Acting Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.75-16581 Filed 6-25-75;8:45 am]

Title 45—Public Welfare

CHAPTER II—SOCIAL AND REHABILITATION SERVICE (ASSISTANCE PROGRAMS), DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 220—SERVICE PROGRAMS FOR FAMILIES AND CHILDREN, TITLE IV PARTS A AND B OF SOCIAL SECURITY ACT

Paternity and Support

The regulation appearing in Part 220, Section 220.48, is revoked. Regulations covering the same subject matter appear in Chapter III, Title 45. Part B of Pub. L. 93-647 repeals section 402(a)(17), (18), (21) and (22) of the Social Security Act effective July 1, 1975. This section provided the statutory base for 45 CFR 220.48. Accordingly, § 220.48 is vacated.

Effective date: July 1, 1975.

Dated: June 18, 1975.

JOHN A. SVAHN,
Acting Administrator, Social and Rehabilitation Service.

Approved: June 20, 1975.

CASPAR W. WEINBERGER,
Secretary.

[FR Doc.75-16664 Filed 6-25-75;8:45 am]

CHAPTER X—OFFICE OF ECONOMIC OPPORTUNITY

PART 1067—FUNDING OF COMMUNITY ACTION PROGRAMS

General Conditions Governing Certain CSA Grants Funded

Program funds expended under Titles II, III-B and VII of the EOA of 1964, as amended, have been subject to the General Conditions issued by the Office of Economic Opportunity as well as to provisions of the Economic Opportunity Act of 1964, as amended, OEO directives, and any special conditions attached to a grant.

With the enactment of the Community Services Act of 1974 the Community Services Administration became the successor authority to the Office of Economic Opportunity and all official actions taken by the Director of OEO continued in full force and effect until modified, superseded, or revoked by the Director and all references to the Office of Economic Opportunity deemed to refer to the Community Services Administration (Title VI, sections 601(d)(1) and (2) of the Community Services Act of 1974). Therefore all General Conditions presently attached to grant documents remain in effect until superseded.

Sec.
1067.4–1 Applicability.
1067.4–2 Purpose.
1067.4–3 Policy.

Effective date: This part becomes effective on July 28, 1975.

AUTHORITY: The provisions of this subpart issued under sec. 602, 78 Stat. 530; 42 U.S.C. 2942.

BERT A. GALLEGOS,
Director.

§ 1067.4–1 Applicability.

This subpart applies to all grants funded under Titles II, III–B and VII of the Economic Opportunity Act of 1964 as amended if the assistance is administered by the Community Services Administration.

§ 1067.4–2 Purpose.

(a) The purpose of this subpart is twofold: (1) To promulgate and forward revised General Conditions applicable to CSA grantees (see § 1067.4–1) which reflect the enactment of the Community Services Act of 1974 and the establishment of the Community Services Administration as the successor authority to OEO by changing all references to the Economic Opportunity Act as amended to read Community Services Act of 1974; changing all references to "OEO" in the General Conditions to read "CSA"; and adding item 15 which addresses the legal implications of the successor authority on current and future regulations, grant-making documents, special conditions, etc.; and

(2) To publish for the first time as part of the issuance system an Addendum to the General Conditions for Grants Made Under section 712 of the Community Services Act of 1974. (Although not in the issuance system prior to this publication they have been attached to grants since January 1974.)

(b) The General Conditions for Titles II, III–B, and VII remain substantively unchanged from those issued in January 1972. The Addendum to the General Conditions has been changed to reflect the legislation vis-a-vis assets acquired with grant funds (see item 13).

§ 1067.4–3 Policy.

(a) The attached general conditions and the addendum to general conditions for section 712 grants are in effect for all current grant actions to which they apply as of July 28, 1975. These general conditions also will be attached to all future grants actions. However, grantees should note that even if general conditions are not attached, the program accounts in the grant action remain subject to the applicable general conditions in this subpart.

(b) In accepting the grant, the authorized official of the grantee accepts on behalf of the grantee the limitations of the applicable general conditions.

APPENDIX A

GENERAL CONDITIONS GOVERNING GRANTS UNDER TITLES II, III–B AND VII OF THE ECONOMIC OPPORTUNITY ACT OF 1964, AS AMENDED (INCLUDING AMENDMENTS MADE BY THE COMMUNITY SERVICES ACT OF 1974)

Program funds expended under authority of this funding action are subject to the provisions of the Community Services Act of 1974, the general conditions listed below, any attached special grant conditions, and Community Services Administration (CSA) directives. The grantee is expected to inform CSA promptly if it fails to receive, or has reason to believe it has failed to receive, all CSA applicable directives or any attachments to the Statement of OEO Grant. Many of those provisions do not represent invariable policies of the CSA and exceptions should be requested in cases in which compliance with one or more of them would cause unnecessary difficulties in carrying out the approved program. Requirements found in grant conditions or CSA directives may be waived only by a written notification signed by an authorized CSA official. Any such waiver must be explicit: no waiver may be inferred from the fact that the funding action is responsive to a grant funding request which may have contained material inconsistent with one or more of these conditions.

1. *Definitions.* As used in these conditions:

(a) An "approved program" consists only of those activities described in the grant funding request for which funding is approved in the Statement of OEO Grant and its attachments (which may include modifications of proposed activities) or in CSA approved written amendments to the Statement of OEO Grant.

(b) "Program account funding period" extends from the effective date of a new or refunding action through the termination date or expiration of planned number of months for which funding is provided.

(c) "Total program funds" refers to all amounts approved for expenditure for the approved program as shown on the Statement of OEO Grant, whether such amounts are derived from Federal or non-Federal sources, or whether they are provided in cash or in kind.

(d) "CSA directives" are statements of policy and procedure published in the CSA publications system.

2. *Applicability of conditions to delegate agencies.* These conditions are applicable both to the grantee and to any delegate agency or organization that, pursuant to an agreement with the grantee, undertakes responsibility for any part of the approved program. Such an agreement may be entered into only if (1) the intention to make such a delegation to the particular agency has been set forth in the funding request for this grant action or has otherwise been approved by CSA, and (2) the contract contains all of the provisions found in the approved "Standard Contract Form for Delegation of Program Accounts."

3. *Limitations on expenditure of program funds.* Expenses charged against program funds may not be incurred prior to the effective date of the grant or subsequent to the grant termination date and may be incurred only as necessary to carry out the purposes and activities of the approved program. Such expenditures may not exceed the maximum limits shown on the Statement of OEO Grant or those subsequently approved for that approved program, subject to allowable flexibility guidelines published by CSA. All expenses incurred for the approved program must be supported by approved contracts, purchase orders, requisitions, bills, or other evidence of liability consistent with the grantee or delegate agency's established purchasing procedures. Expenses charged against program funds must also be incurred in accordance with CSA directives. Liabilities of the grantee or its delegate agencies to third parties as a result of termination action which are costs of phasing out in accordance with CSA directives or are specifically approved shall be considered proper expenditures of program funds. CSA will determine the disposition of unexpended funds at the termination of the grant.

4. *Limitations on expenditures of federal funds.* Expenditures of funds derived from Federal grant funds must not exceed in any event the amount of the Federal grant shown in the Statement of OEO Grant, (Column 9, OEO Form 314). Moreover, if a minimum non-Federal percentage of program funds is shown in the Statement of OEO Grant (Column 10, OEO Form 314), the portion of the total expenditures of the approved program derived from non-Federal sources, valuated in accordance with CSA Instructions, must not be less than that minimum percentage of the total program funds for the approved program. This requirement must be met for each program account funding period, and should be substantially true for each financial reporting period. Deficiencies of non-Federal share in one program account may be supplied by an excess in other program accounts consistent with applicable CSA Instructions concerning the pooling of non-Federal share. Further, the amount of total program funds derived from Federal grant funds must not exceed the grantee's allowable costs for the approved program which have been or are to be paid in cash.

5. *Property.* No program funds may be expended or costs incurred for the purchase of real property except as in accordance with regulations on the acquisition, ownership, and disposition of personal property as set forth in CSA directives.

6. *Discrimination prohibited.* No person in the United States shall on the ground of race, color, religion, sex, age, or national origin, be excluded from participation in, be denied the proceeds of, or be subject to discrimination under the program approved as a result of this funding request. The grantee and its delegate agencies will comply with the regulations promulgated by the Director of CSA, pursuant to the Civil Rights Act of 1964, and pursuant to the Community Services Act of 1974.

7. *Discrimination in employment prohibited.* In all hiring or employment made possible by or resulting from this grant action, each employer (1) will not discriminate against any employee or applicant for employment because of race, color, religion, sex, age, or national origin, and (2) will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, age, or national origin. This requirement shall apply to, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates or pay of other forms of compensation; and selection for training, including apprenticeship. The grantee and its delegate agencies shall comply with all applicable Statutes and Executive Orders on equal employment opportunity and this grant action shall be governed by the provisions of all such Statutes and Executive Orders, including enforcement provisions, as implemented by, but not limited to, CSA directives.

8. *Religious institutions.* The grantee and its delegate agencies shall ensure that any part of the approved program that is conducted by a church or church related institution is entirely non-sectarian in content and purpose, and that CSA directives on grants and delegations to churches or church related institutions are satisfied.

9. *Labor standards.* All laborers and mechanics employed by contractors or subcontractors in the construction, alteration or repair, including painting and decorating, of projects, buildings, and works which are federally assisted under this grant shall be paid

wages at rates not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a to 276a–5).

10. *Patents.* Any discovery or invention arising out of or developed in the course of work aided by the grant shall be promptly and fully reported to the Director of CSA for determination as to whether patent protection on such invention or discovery shall be sought and how the rights in the invention or discovery, including rights under any patent issued thereon shall be disposed of and administered, in order to protect the public interest.

11. *Copyrights.* If the grant results in a book or other copyrightable material, the author is free to copyright the work, but CSA reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, all copyrighted material and any material which can be copyrighted resulting from the approved program.

12. *Reports, records, and inspections.* The grantee and its delegate agencies shall submit financial, program progress, evaluation, and other reports as required by CSA directives, and shall maintain such property, personnel, financial and other records and accounts as are deemed necessary by CSA to assure proper accounting for all program funds. The grantee and its delegate agencies and contractors shall permit on-site inspections by CSA representatives, and shall effectively require employees and board members to furnish such information as, in the judgment of the CSA representatives, may be relevant to a question of compliance with grant conditions and CSA directives, or the effectiveness, legality, and achievements of the program. All grant records will be made available to the authorized representatives of CSA or the Comptroller General of the United States, and will be retained for three years after the expiration of this grant unless permission to destroy them is granted by the Director of CSA.

13. *Covenant against contingent fees.* The grantee warrants that no person or selling agency or other organization has been employed or retained to solicit or secure this funding action upon an agreement or understanding for commission, percentage, brokerage, or contingent fee. For breach or violation of this warrant the government shall have the right to annul this funding action without liability or, in its discretion, to deduct from the grant or otherwise recover the full amount of such commission, percentage, brokerage, or contingent fee, or to seek such other remedies as may be legally available.

14. *Suspension and termination.* The Director of CSA may in accordance with published regulations, suspend or terminate this grant in whole or in part for cause, which shall include: (1) Failure or unwillingness of the grantee or its delegate agencies to comply with the approved program including attached conditions, with applicable statutes and Executive Orders, or with such CSA directives as may become generally applicable at anytime; (2) submission by the grantee or its delegate agencies to CSA of reports which are incorrect or incomplete in any material respect; (3) ineffective or improper use of Federal funds by the grantee or its delegate agencies; (4) making any change which significantly impairs the representative character of the grantee's policymaking body or the grantee's capacity to enlist community support; (5) failure of the grantee either to adequately monitor and evaluate program activities delegated to other agencies, or to provide effective guidance to such agencies in carrying out the purpose and activities of the portions of the approved program delegated to them. This grant may also be suspended or terminated in whole or in part in the event the grantee is a Community Action Agency and a new agency is recognized by CSA as the Community Action Agency for all or part of the area served by the grantee in accordance with CSA directives. In such event part of the grant funds and the grantee's or delegate agencies' functions, obligations, records (or copies), authority and property relating to assistance provided to the grantee or its delegate agencies under this funding shall be transferred by the grantee and its delegate agencies to such newly recognized agency. No suspension or termination will effect any expenditures or legally binding commitments made prior to receiving notice of the suspension or termination, provided such expenditures or commitments were made in good faith and not in anticipation of termination and are otherwise allowable. Funds shall not be treated as committed for this purpose solely by virtue of a grantee's contract or other commitment to a delegate agency. Upon suspension or termination, the disposition of unexpended Federal funds and property purchased with program funds will be subject to CSA direction.

15. *Successor authority of Community Services Administration.* By virtue of the Community Services Act of 1974 (P.L. 93–644), the Community Services Administration (CSA) is, in all respects and for all purposes, the successor authority to the Office of Economic Opportunity (OEO).

Pursuant to section 601(d)(2) of the Community Services Act of 1974, all references to the Office of Economic Opportunity, in official documents including but not limited to, grant documents and regulations, shall be deemed to refer to the Community Services Administration, as set forth in OEO Notice 6000-3 "Successor Authority to the Office of Economic Opportunity," dated January 15, 1975 and published in Volume 40 of the FEDERAL REGISTER at page 3213 (January 20, 1975).

All references to "CSA Directives" or "CSA Instructions" in these general conditions, and special conditions attached hereto and the grant-making documents themselves shall be read so as to include all regulations issued by the Office of Economic Opportunity and any subsequent regulations issued by the Community Services Administration. Such regulations, whether referred to as "OEO" or "CSA" regulations, instructions or notice, remain in force and are deemed to be the policy statements of the Community Services Administration until superseded, rescinded, or changed.

All references herein to "Statement of OEO Grant", or a portion thereof, are deemed to refer to the document, regardless of form or title, utilized by the Community Services Administration to make grants under the authority of the Community Services Act of 1974.

All references to the Community Services Act of 1974 shall be read so as to include the Economic Opportunity Act of 1964 as amended.

APPENDIX B

ADDENDUM TO GENERAL CONDITIONS FOR GRANTS MADE UNDER SECTION 712 OF THE ECONOMIC OPPORTUNITY ACT, AS AMENDED (INCLUDING AMENDMENTS MADE BY THE COMMUNITY SERVICES ACT OF 1974)

These conditions are binding both on the grantee and on any delegate agency under this grant. As used in these conditions, the term delegate agency refers to any agency with which the grantee or the delegate agency enters into an agreement for performance of any portion of the grant program. Venture subsidiaries or agencies receiving only venture capital funds (cost category 2.5) are not considered delegate agencies. This grant action specifically recognizes the following delegate agencies:

1. *Applicability of CSA directives.* Any CSA directives applicable to grants made under Section 712 of the Community Services Act of 1974[1] (formerly section 151 of the Economic Opportunity Act) shall be binding on this grantee and any delegate agency until such time as they are specifically revised or superseded by directives applicable to grants made under section 712 of the Community Services Act.

2. *Submission of reports.* Any subsidiary and any individual or organization which receives grant funds or other financial assistance from the grantee or delegate agency shall submit financial, program, progress, evaluation, and other reports as required by CSA and the Office of Economic Development (OED) and shall maintain such property, personnel, financial, and other records deemed necessary by CSA to assure a proper accounting for all grant funds. Decisions made by the grantee or delegate agencies to invest in or to extend financial assistance to any project shall include an agreement between the grantee or delegate agencies and the other parties which effectively requires that the grantee, the appropriate delegate agency, CSA or its successor, CSA contractors performing evaluations of the grant program, and the U.S. General Accounting Office, shall have access to records and information either in writing or through on site inspection as deemed necessary, in the judgment of CSA, for monitoring the effectiveness and legality of the financial assistance.

3. *Review of chief executive officer.* Prior to hiring the Chief Executive Officer the grantee and/or delegate agency shall submit the name and resume of the candidate to OED. The selection of a proposed candidate will be subject to review and comment by OED prior to appointment. OED will have 30 days in which to review and comment on the proposed candidate. However, while seeking a permanent Chief Executive Officer, the grantee may hire, without OED's review, a qualified person on an interim basis for a period not to exceed four months.

4. *Limitation on contracts.* No contract or series of contracts for the performance of any specific task or general service which shall result in an expenditure totaling more than $5,000 in grant funds to any individual or firm in any fiscal year shall be entered into without the prior written approval of OED. Accordingly, the grantee shall submit the following information to OED:

a. A review of the purpose of the proposed contract (or contracts);

b. The time and manner specified for its performance;

c. The breakdown, in the form of a budget, of its costs;

d. A statement of the qualifications and experience of the principal consultants and contractors who will be responsible for its performance;

e. The manner of selection of the consultant(s) or contractor(s) (e.g., sole source, competitive bid, etc.).

5. *Employment contracts.* Any employment contract regardless of cost to which the grantee or a delegate agency is to be a party and which involves the expenditure of grant funds, shall be submitted to OED for review prior to execution. The employment contract shall constitute the entire

[1] All references to the Community Services Act of 1974 shall be read so as to include the Economic Opportunity Act of 1964, as amended.

agreement between the parties; any subsequent amended agreement is also subject to OED review.

6. *Use of consultants.* a. Consultant fees, other than fees for legal services, shall not exceed $100 per day and shall be based on written evidence as to the normal salary or wage level received by the individual consultant; provided, however, that the grantee or delegate agency may compensate consultants at a rate in excess of $100 per day upon the determination of the Chief Executive Officer of the grantee or delegate agency that:

(1) There is a special task which cannot be performed by the salaried staff, that there is a need for consultant services of a special character, and that these services are not readily available through any CSA contracts for technical assistance to Section 712 grantees;

(2) The consultant selected to perform the task is specifically qualified by experience and credentials;

(3) The consultant is normally paid a like amount for similar services; and

(4) There is evidence that no consultant of equal experience and credentials is available for a lesser amount.

b. In addition to the quarterly reports submitted to OED pursuant to OEO Instruction 6807-2, the grantee or delegate agency shall provide the following information with respect to each consultant who has been paid a fee in excess of $100 per day during the quarter covered by the report:

(1) The consultant's name;

(2) The date the employment of the consultant was authorized by the Chief Executive Officer;

(3) A brief description of the task or tasks performed;

(4) The consultant's fee per day;

(5) The total amount of the fee paid to the consultant during the quarter;

(6) The amount paid to the consultant for other expenses; and

(7) The aggregate amount paid to the consultant for the quarter covered by the report and for all previous quarters.

c. The grantee or delegate agency is reminded that, in accordance with Condition 4, any agreement providing for payment in excess of $5,000 during any fiscal year to any consultant must be approved in advance by OED.

7. *Use of grant funds for meals.* No grant funds shall be expended for the cost of meals for employees or officers of the grantee or delegate agency, except when on travel status.

8. *CSA approval of corporate documents.* No funds shall be expended by the grantee, delegate agency, or subsidiaries until the articles of incorporation and by-laws of such entities have been submitted to OED and approved in writing. After initial approval and so long as there is a grant relationship between CSA and the grantee such articles and by-laws shall not be amended without OED's written concurrence.

9. *Use of venture capital funds.* a. No venture capital funds shall be shifted to other cost categories without prior written approval of OED.

b. Funds for venture capital shall be used to provide financial and other assistance, either directly or indirectly, for the creation, acquisition, preservation and expansion of business ventures, subject to the following terms and conditions:

(1) Except as otherwise provided for by the terms of the grant no venture capital funds shall be used without the prior approval of OED.

(2) For each venture, to obtain the approval specified in paragraph (1), the grantee shall submit to OED a full description of the proposed use of financial or other assistance, including an explanation of how it will further grant purposes. Each description shall include:

(a) Appropriate feasibility studies and cost analyses;

(b) Certified balance sheets and profit and loss statements for the immediately preceding three years or from the commencement of its operation, whichever period is shorter, if funds will be used for the acquisition, preservation or expansion of an existing business venture;

(c) Cash-flow projections and pro forma profit and loss statements and balance sheets estimated on a monthly basis for two years;

(d) The estimated purchase price or annual rent for any proposed purchase or lease of real property, accompanied by an independent appraisal of the property establishing that the proposed purchase price or annual rent is reasonable. (For additional information required in the event real property is to be purchased, see Addendum General Conditions 13, 15, and 16).

(e) Resumes of management team

(f) Articles of Incorporation and By-Laws

c. No grant funds shall be expended on any loan or capital investment project or program without evidence that such funds are not available from other private or public sources on terms that are reasonable and consistent with the goals of this grant. Such evidence shall be kept on file during the grant relationship and for at least three years thereafter.

d. Decisions made by the grantee or delegate agencies to invest in or to extend financial assistance to any project shall include an agreement between the grantee or delegate agencies and the other parties which assures that the maximum feasible benefits shall accrue collectively to the poor residents of the target area.

10. *Issuance of public securities.* There shall be no public issuances of securities by a grantee, a delegate agency, or any project utilizing venture capital funds without the prior approval of OED or its successor. Copies of any registration statement or notification or prospectus or offering circular prepared in conjunction with a public issuance should be sent to OED. Copies of any other documents which the issuer is required to file in connection with any public issuance of securities, whether by Federal securities laws or by state blue sky laws, should also be sent to OED.

11. *Accounting procedures and audit requirement for ventures.* a. In order to ensure that the organization operating the venture has established or maintains a satisfactory accounting system, the grantee shall engage an independent certified public accountant to perform a survey to evaluate and review the adequacy of the accounting system, and shall submit to OED a complete copy of the survey report. This report shall be submitted prior to the expenditure of investment capital and the grantee shall keep a copy on file during the grant relationship and for at least three years thereafter.

b. In each case in which the assurances described in paragraph a, above, are required, the grantee shall also ensure that within three (3) months of receipt of assistance by the venture a preliminary audit survey is made to evaluate and review the adequacy of such accounting system. A copy of such audit survey report shall be promptly submitted to CSA, and the grantee shall keep a copy on file during the grant relationship and for at least three (3) years thereafter.

c. The grantee shall also ensure that within one (1) year of the receipt of assistance, and annually thereafter, an audit will be conducted for any venture which was assisted with grant funds. Where the grantee, directly or indirectly, exercises control over such ventures, it shall be responsible for taking the necessary steps to correct any deficiencies disclosed by such audit (including such action as CSA, based on its review of the audit reports, may direct). A copy of such audit report shall be promptly submitted to CSA and the grantee shall keep a copy on file during the grant relationship and for at least three (3) years thereafter.

d. Additional audit requirements applicable to this grant are contained in OEO Instruction 6801-1.

12. *Manpower training programs.* Though training and counseling may be necessary for target area residents employed in ventures assisted with venture capital funds, every reasonable effort should be made to insure that standards of employee performance conform to generally accepted industry practice. Accordingly, no manpower training activity should be assisted with grant funds unless such activity not only complements, but also provides necessary support for grant assisted ventures. (See section 712(a)(3) of the Community Services Act of 1974.)

13. *Assets acquired with grant funds.* a. Grantees (or delegate agencies) shall have a defeasible property right in all assets acquired with venture capital funds. In connection with its approval of a plan for the expenditure of venture capital funds by the grantee (or delegate agency), CSA will require rights or interests in such assets be reserved to CSA as necessary to ensure that these assets are used in a manner consistent with the Community Services Act of 1974. Notwithstanding this reservation, CSA, in order to encourage participation by firms, individuals, private lending institutions and other governmental agencies in ventures financed in whole or in part with grant funds, may execute those documents necessary to demonstrate that any liens, claims, rights or security interests it may have in assets acquired with grant funds, are subordinate to any liens, claims, rights or security interests of any firm, individual, private lending institution or governmental agency participating in such ventures. This subordination of rights and interests by CSA is dependent upon CSA's determination that grant purposes will be furthered through this action.

b. The grantee or delegate agency may not sell, mortgage, or otherwise encumber stock or any other assets acquired with grant funds without the prior written approval of OED. Funds obtained by the sale, mortgage or other encumbrance of such assets shall be used to carry out projects consistent with the purposes of the grant pursuant to Title VII–A of the Community Services Act of 1974; provided that during the grant relationship no such amounts shall be used without the prior written approval of OED.

c. Nothing in this condition shall be construed as being contradictory to Section 714 of the Community Services Act which says "Capital Investments made with funds granted as a result of the Federal share of the costs of programs carried out under this title, and the proceeds from such capital investments, shall not be considered Federal property. Upon investment, title rights vest in the Community Development Corporation." This condition serves only to enable the Federal Government to meet its responsibility under Section 714 to "direct that on severance of the grant relationship the assets purchased continue to be used for the original purpose for which they were granted".

14. *Accounting for income.* The grantee, its subsidiaries, or any delegate agencies performing activities under this grant shall set up separate books for each capital investment project, including loan or loan guarantee programs. The books shall be maintained

so that all income accruing to the grantee, its subsidiaries, or any delegate agencies is clearly identified. Income includes:

a. Interest earned on unexpended grant funds which have been disbursed for a program purpose (e.g., the interest earned on grant funds which have been deposited in a minority bank, or interest earned on grant funds placed in a revolving loan fund account). (If grant funds have not yet been disbursed for a program purpose, then any interest must be returned to the Treasury);

b. Capital gains;

c. Profits; and

d. And interest or deferred income (including unrealized appreciation and retained earnings of it and its subsidiaries) derived from the capital investment projects and loan repayments.

All such income and loan repayments shall be the property of the grantee or delegate agency and may be used in a manner consistent with the intent of Title VII–A of the Community Services Act of 1974 and this grant.

15. *Disposition of assets.* a. It may be determined prior to or during the term of this grant action that there will be no subsequent refunding action. If this grant is the final grant, at least 90 days prior to the end of the formal grantee/grantor relationship, the grantee shall submit for CSA written approval a plan for the disposition of the tangible and intangible assets acquired with grant funds and owned or controlled by the grantee, its delegate agency or its subsidiaries, successors and assignees. This plan shall describe procedures whereby these assets shall be dedicated to use consistent with the grant and Title VII–A, and controlled by the grantee or a similar organization accountable to the target area population.

b. If no plan for disposition is submitted or if the plan as submitted is disapproved, in whole or in part, then the grantee shall transfer or assign these assets to such entity(s) as CSA shall direct in order to ensure their continued use in a manner which is consistent with the intent of this grant and of Title VII–A of the Community Services Act of 1974.

16. *Grant termination for cause.* If this grant is terminated for cause pursuant to CSA regulations, all unexpended grant funds shall be returned to CSA. In addition, in the event of such termination all tangible and intangible assets owned by the grantee or by any delegate agencies, which were derived from or acquired by the use of grant funds, shall be transferred or assigned to such entity as CSA shall direct in order to continue an economic development program pursuant to the purposes of this grant and Title VII–A of the Community Services Act of 1974.

[FR Doc.75–17607 Filed 6–25–75;8:45 am]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Amdt. No. 4 to SO No. 1148]

PART 1033—CAR SERVICE

Graham County Railroad Co.

JUNE 23, 1975.

At a Session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 20th day of June, 1975.

Upon further consideration of Service Order No. 1148 (38 FR 22482, 34664; 39 FR 24016, and 44010), and good cause appearing therefor:

It is ordered, That: § 1033.1148 *Graham County Railroad Company Authorized To Operate Over Trackage In Graham County, North Carolina.*

Service Order No. 1148 be, and it is hereby, amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., September 30, 1975, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., June 30, 1975.

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

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

By the Commission, Railroad Service Board.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.75–16713 Filed 6–25–75;8:45 am]

proposed rules

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

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 221]

FLATHEAD IRRIGATION PROJECT

Proposed Operation and Maintenance Rates

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 by virtue of the authority delegated by the Commissioner of Indian Affairs to the Area Director (10 BIAM-3; 34 FR 637), and by authority delegated to the Project Engineer and to the Superintendent by the Area Director June 11, 1969, Release 10-2, 10 BIAM 7.0, sections 2.70-2.75.

Notice is hereby given that it is proposed to revise §§ 221.24, 221.26, and 221.28, Subchapter T, Chapter 1, of Title 25 of the Code of Federal Regulations. This revision is proposed pursuant to the authority contained in the Acts of August 1, 1914 (38 Stat. 583), May 18, 1916 (39 Stat. 142), and March 7, 1928 (45 Stat. 210).

The purpose of this amendment is to establish the lump sum assessments against the Flathead, Mission, and Jocko Valley Irrigation Districts within the Flathead Irrigation Project for the 1976 season.

Since this revision will change the basic rate of operation and maintenance charges of lands within an Irrigation District, public comment and expression are deemed advisable. Accordingly, interested persons may submit written comments, suggestions, or arguments with respect to the proposed amendment to the Project Engineer, Flathead Irrigation Project, St. Ignatius, Montana 59865, on or before July 28, 1975.

Section 221.24 is amended to read as follows:

PART 221—OPERATION AND MAINTENANCE CHARGES

§ 221.24 Charges.

Pursuant to a contract executed by the Flathead Irrigation District, Flathead Indian Irrigation Project, Montana, on May 12, 1928, as supplemented and amended by later contracts dated February 27, 1929, March 28, 1934, August 26, 1936, and April 5, 1950, there is hereby fixed for the season of 1976 an assessment of $414,017.32 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Flathead Irrigation District. This assessment involves an area of approximately 87,161.54 acres, which does not include any land held in trust for Indians and covers all proper general charges and project overhead.

2. Section 221.26 is amended to read as follows:

§ 221.26 Charges.

Pursuant to a contract executed by the Mission Irrigation District, Flathead Indian Irrigation Project, Montana, on March 7, 1931, approved by the Secretary of the Interior on April 21, 1931, as supplemented and amended by later contracts dated June 2, 1934, June 6, 1936, and May 16, 1951, there is hereby fixed, for the season of 1976 an assessment of $78,137.49 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Mission Irrigation District. This assessment involves an area of approximately 16,244.80 acres, which does not include any land held in trust for Indians and covers all proper general charges and project overhead.

3. Section 221.28 is amended to read as follows:

§ 221.28 Charges.

Pursuant to a contract executed by the Jocko Valley Irrigation District, Flathead Indian Irrigation Project, Montana, on November 13, 1931, approved by the Secretary of the Interior on February 26, 1935, as supplemented and amended by later contracts dated August 26, 1936, April 18, 1950, and August 24, 1967, there is hereby fixed for the season of 1976 an assessment of $42,914.22 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Jocko Valley Irrigation District. This assessment involves an area of approximately 7,528.81 acres, which does not include any lands held in trust for Indians and covers all proper general charges and project overhead.

GEORGE L. MOON,
Project Engineer.

[FR Doc.75-16651 Filed 6-25-75;8:45 am]

EDUCATION, AND WELFARE DEPARTMENT OF HEALTH,

Office of Education

[45 CFR Part 160]

SPECIAL PROJECTS ACT

Proposed Rule Making

Pursuant to the authority contained in the Special Projects Act, as enacted by section 402(a)(1) of Pub. L. 93-380 (20 U.S.C. 1851-53), notice is hereby given that the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to amend Title 45 of the Code of Federal Regulations by revoking existing Part 160, relating to the Manpower Development and Training Act, and by substituting in its place a new Part 160 to read as set forth below.

The proposed regulations would set forth overall provisions for the Special Projects Act related primarily to the administrative framework or structure of the Act, and would include definitions which apply to regulations for the individual priority programs related to the Act. These regulations are being separately promulgated as Parts 160a through 160g of this chapter. Little in the way of substantive program requirements or criteria is included within the sections of this part because:

(1) Substantive regulations for the priority programs which receive statutory earmarkings of funds under the Act are being separately published as Parts 160a through 160g of this chapter; and

(2) Discretionary funds not set aside under the statute for the priority programs will be used for contract activities described in annual spending plans submitted to the pertinent authorizing committees of the Congress under Section 4(b) of the Act and are therefore covered in an appendix to this part.

Regulations for the priority programs which will receive earmarked funds under the Special Projects Act are being published as follows:

(1) Part 160a—the Metric Education Program authorized by section 403 of Pub. L. 93-380;

(2) Part 160b—the Program for Education of Gifted and Talented Children authorized by section 404 of Pub. L. 93-380;

(3) Part 160c—the Community Education Program authorized by section 405 of Pub. L. 93-380;

(4) Part 160d—the Career Education Program authorized by section 406 of Pub. L. 93-380;

(5) Part 160e—the Consumers' Education Program authorized by section 811 of the Elementary and Secondary Education Act of 1965, as amended;

(6) Part 160f—the Women's Educational Equity Program authorized by section 408 of Pub. L. 93-380; and

(7) Part 160g—the Arts Education Program authorized by section 409 of Pub. L. 93-380.

An appendix to the proposed part covers discretionary contract activities

to be carried out in three areas beginning in fiscal year 1976:

(1) The packaging, testing, and dissemination of successful practices and programs for the teaching of children, particularly disadvantaged children and children of limited English-speaking ability;

(2) Support for educational television programming; and

(3) Career education.

This first publication is not the final regulation. It is followed by a thirty-day period which allows interested members of the public to submit comments and recommendations. Each comment will be given careful consideration and will be responded to in substance in the preamble to the final regulation.

Following this review, the regulations will be published in final form, with any appropriate changes, in the FEDERAL REGISTER.

As more fully explained below, no money is available at the present time for awards under the program and no proposals are being accepted.

The publication of proposed regulations is only a beginning step in a series of formal procedures and actions required before funds can begin to flow to recipients. For the present Fiscal Year 1975, no funds were authorized to be appropriated for contracts under the Special Projects Act.

Following an enactment of an appropriation for the program for FY 1976, further administrative steps will have to take place before awards are made, including appropriate solicitations of proposals.

All interested parties are invited to submit written comments and recommendations concerning the proposed rule to the Director, Special Projects Office, Room 3513, ROB Building, 7th and D Streets, SW. Washington, D.C. 20202. Such comments and recommendations will be available for public inspection on Mondays through Fridays between 8:00 a.m. and 4:30 p.m. All relevant material received on or before July 25, 1975, will be considered.

(Catalog of Federal Domestic Assistance Nos. 13.541 Educational Technology Demonstrations, 13.553 Educational Packaging and Field Testing, 13.554 Career Education)

Dated: May 29, 1975.

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

Approved: June 19, 1975.

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

PART 160—SPECIAL PROJECTS ACT

Sec.
160.1 Scope.
160.2 Purposes.
160.3 Definitions.
160.4 Types of projects.
160.5 Use of grants or contracts.
Appendix—Discretionary Activities.

AUTHORITY: The Special Projects Act, as enacted by sec. 402(a)(1) of Pub. L. 93-380 (20 U.S.C. 1851-53, 1861-67, 887d).

§ 160.1 Scope.

(a) This part governs the award of projects with funds appropriated to carry out the Special Projects Act, as enacted by section 402(a)(1) of Pub. L. 93-380.

(b) Projects awarded with funds appropriated to carry out the Special Projects Act are also subject to the following parts, as applicable:

(1) Part 160a—programs to encourage educational agencies and institutions to prepare students to use the metric system of measurement, as provided in section 403 of Pub. L. 93-380;

(2) Part 160b—programs to educate gifted and talented children, as provided in Section 404 of Pub. L. 93-380 (except subsection (f) thereof);

(3) Part 160c—programs to establish, expand, improve, maintain, and provide training for community education programs, as provided in Section 405 of Pub. L. 93-380;

(4) Part 160d—programs to assess and encourage establishment and operation of career education programs, as provided in section 406 of Pub. L. 93-380;

(5) Part 160e—programs to provide consumers' education to the public, as provided in section 811 of the Elementary and Secondary Education Act of 1965, as amended;

(6) Part 160f—programs to provide educational equity for women, as provided in section 408 of Pub. L. 93-380;

(7) Part 160g—programs to encourage and assist the use of arts in elementary and secondary school programs, as provided in section 409 of Pub. L. 93-380.

(20 U.S.C. 1851-53, 1861-67, 887d)

§ 160.2 Purposes.

(a) Except as provided in paragraph (b) of this section, the purposes of the program carried out pursuant to this part are to:

(1) Experiment with new educational and administrative methods, techniques, and practices;

(2) Meet special or unique educational needs or problems; and

(3) Place special emphasis on national educational priorities.

(b) With respect to funds reserved pursuant to § 160.4(a), the purposes of each of the priority programs for which the funds are reserved are set forth in Parts 160a through 160g of this chapter, as applicable.

(20 U.S.C. 1851)

§ 160.3 Definitions.

As used in this part and in Parts 160a through 160g of this chapter, except as otherwise defined by Parts 160a through 160g of this chapter:

"Act" means the Special Projects Act, enacted by section 402(a)(1) of the Education Amendments of 1974, Pub. L. 93-380 (20 U.S.C. 1851-53).

"Institution of higher education" means an educational institution in any State which:

(a) Admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate,

(b) Is legally authorized within the State to provide a program of education beyond secondary education,

(c) Provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree,

(d) Is a public or other nonprofit institution, and

(e) Is accredited by a nationally recognized accrediting agency or association listed by the Commissioner or, if not so accredited:

(1) Is an institution with respect to which the Commissioner has determined that there is satisfactory assurance (considering the resources available to the institution, the period of time, if any, during which it has operated, the effort it is making to meet accreditation standards, and the purpose for which this determination is being made) that the institution will meet the accreditation standards of such an agency or association within a reasonable time, or

(2) Is an institution whose credits are accepted for credit, on transfer, by not less than three accredited institutions, on the same basis as if transferred from an accredited institution. Such an institution also means any school which provides not less than a one year training program to prepare students for gainful employment in a recognized occupation and which meets the provisions of paragraphs (a), (b), (d), and (e) of this section.

"Local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. The term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

"State" means, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

(20 U.S.C. 1851-53)

§ 160.4 Types of projects.

(a) Section 4(b) of the Act provides that not less than 50 percent of the funds

appropriated pursuant to the Act shall be reserved for the following priority programs:

(1) The metric education program authorized by section 403 of Pub. L. 93-380, as described in Part 160a of this chapter;

(2) The program for education of gifted and talented children authorized by section 404 of Pub. L. 93-380, as described in Part 160b of this chapter;

(3) The community education program authorized by section 405 of Pub. L. 93-380, as described in Part 160c of this chapter;

(4) The career education program authorized by section 406 of Pub. L. 93-380, as described in Part 160d of this chapter;

(5) The consumers' education program authorized by section 811 of the Elementary and Secondary Education Act of 1965, as amended, as described in Part 160e of this chapter;

(6) The women's educational equity program authorized by section 408 of Pub. L. 93-380, as described in Part 160f of this chapter; and

(7) The arts in education program authorized by section 409 of Pub. L. 93-380, as described in Part 160g of this chapter.

(b) Funds reserved pursuant to paragraph (a) of this section will be apportioned for each priority program in paragraphs (a) (1) through (7) of this section in the same ratio as the total amount authorized for sections 403, 404, 405, 406, 408 and 409 of Pub. L. 93-380 and section 811 of the Elementary and Secondary Education Act of 1965 as amended, bears to the individual amount authorized for each program in those sections except that not less than $750,000 of the funds reserved pursuant to paragraph (a) of this section will be available for purposes of the program of arts education described in paragraph (a)(7) of this section.

(c) (1) Funds appropriated to carry out the Act which are not reserved pursuant to paragraph (a) of this section will be available for activities described in the appendix to this part.

(2) It is expected that the funding activities described in the appendix to this part will be modified from time to time (with appropriate amendments to the appendix to this part) in accordance with spending plans prepared by the Commissioner pursuant to section 4(b)(1) of the Act.

(20 U.S.C. 1851-53, 1861-67, 887d; Sen. Rep. No. 1026, 93rd Cong., 2d Sess., 172 (1974))

§ 160.5 Use of grants or contracts.

(a) With respect to funds which are reserved for priority programs pursuant to § 160.4(a), the Commissioner will select between grant and contract procedures and instruments in accordance with the provisions of Parts 160a through 160g of this chapter, as applicable.

(b) With respect to funds appropriated to carry out the Act which are not reserved pursuant to § 160.4(a), the Commissioner will utilize contract procedures and instruments, subject to:

(1) the restriction that unsolicited proposals for contract awards will not be accepted and

(2) any requirements and criteria described in the appendix to this part.

(c) Contracts under paragraph (b) of this section may be made by the Commissioner with public and private agencies, organizations, associations, institutions, and individuals.

(20 U.S.C. 1851-53, 1861-67, 887d)

APPENDIX

DISCRETIONARY ACTIVITIES

Funds appropriated to carry out the Special Projects Act which are not reserved pursuant to § 160.4(a) for priority programs will be expended for contracts to carry out the following activities:

I. Packaging and testing of successful educational approaches and products. 1. *General.* The purpose of this activity is to accelerate the replication of successful approaches and products developed and demonstrated in both formula and discretionary grant programs supported by the U.S. Commissioner of Education.

State departments of education, local school districts, and parent advisory councils have requested information from the Commissioner on successful programs for the teaching of children, particularly the disadvantaged. This activity is therefore designed to enable local educational agencies to replicate those practices and projects that have been developed with a Federal investment and which have been validated as successful.

Six distinct steps have been defined to accomplish the goals of this activity:

(1) The systematic search for and identification of effective projects supported by the Commissioner;

(2) Final validation of the apparent success of these projects or components based on learning outcome measures, such as student test scores, and input measures, such as the resource requirements, needed to achieve these measurable results;

(3) The physical accumulation of information on the validated approaches into "project information packages" which include descriptions of the management, instructional, and supplementary resources and strategies deemed essential for achieving success by developers at the original site;

(4) The trial replication of the approaches through the installation of each packaged model in several school sites;

(5) A final revision of the packages based on an evaluation of the replication effort at these school sites; and

(6) The development and implementation in conjunction with State educational agencies of a dissemination strategy whereby packaged programs which are successfully replicated will become available for wider distribution.

2. *First set of packages.* With funds made available in fiscal years 1974 and 1975 under other statutory authorizations, such as the Cooperative Research Act, six project information packages will have been identified, validated, packaged, and field tested in a limited number of school districts, prior to carrying out projects with FY 1976 funds. These packages focus on compensatory reading and math instructional programs for educationally disadvantaged children.

3. *Second set of packages.* With FY 1975 Cooperative Research Act funds and funds under other statutory authorizations, a second set of approximately twelve effective projects will be identified for packaging, field testing, and dissemination. About half of these involve successful educational approaches to teaching basic skills to educationally disadvantaged children; the other half involve successful bilingual education approaches to teaching children of limited English-speaking ability.

4. *FY 1976 contracts.* It is expected that several contracts will be awarded with FY 1976 funds available under this part to develop, carry out, and/or evaluate field tests of the first and second sets of project information packages described in paragraphs 2 and 3 above.

5. *Technical assistance.* It is expected that one contract will be awarded with FY 1976 funds under this part to provide technical assistance to school districts which will be involved in field testing the 12 project information packages described in paragraph 3 above.

II. Educational Television. 1. *General.* This activity is designed to carry out the development, production, evaluation, dissemination, and utilization of innovative educational television programs designed to help children, youths, or adults to learn.

2. *Funding areas.* (a) Activities will be carried out, and project awards will be made with funds available for this activity in FY 1976 in the following areas:

(i) Children's television programming, including the planning, production, evaluation, dissemination, and utilization of the programs "Sesame Street" and "The Electric Company." "Utilization" as used in Part II of this appendix includes activities and materials designed to enhance and reinforce the effectiveness of programs as used in formal and informal educational settings, including the development and implementation of a series of strategies in specific community settings which tap the energy and concern of parents, teachers, and others for using television as a positive force in educational development;

(ii) An assessment of the utility and/or the development potential of audio or television programs to provide supplemental education to adolescents to facilitate interrelationships between the world of education and the world of work;

(iii) The development of educational programs for parents as participants in early childhood education; and

(iv) An assessment of using television in such areas as the conversion to a metric system of weights and measures or assisting the public in understanding issues in consumers' education.

Specific funding areas under subparagraph (a)(iv) of this paragraph for FY 1976 may be identified by the Commissioner in educational priorities which will be separately published in the FEDERAL REGISTER.

(b) Priority areas for all funding pursuant to Part II of this appendix for fiscal years subsequent to FY 1976 will be periodically published in the FEDERAL REGISTER.

(3) *Funding requirements and criteria.* Contract awards will be made in funding areas determined pursuant to paragraph 2 above in accordance with the following requirements and criteria:

(a) *Absence of adequate television programming.* Project proposals must be directed towards subject matter areas or target audiences with respect to which successful educational television programming is lacking in either quantity or quality. The intent is to invest limited Federal resources in efforts which are not duplicative of existing programming.

(b) *Educational impact.* The proposed programming must have a high probability that a substantial percentage of the potential target audience will achieve the learning objectives. Programming of a purely entertainment nature not supported by specific educational objectives will not be considered for support.

(c) *Applicability of subject matter to television.* Television must efficiently and effec-

tively contribute to education of the target audience in the chosen subject matter area.

(d) *Successful models or designs.* The project must involve successful models or designs adaptable and applicable to the television presentation format.

(e) *Cost per potential viewer.* Because of its large production costs, television must reach a sizable audience to be cost effective. An analysis of cost per potential viewer will be a factor in determining the acceptability of proposals.

(f) *Potential for self-support.* One goal for any program (or series of programs) supported under this activity must be the ability to sustain the programming effort beyond the period of Federal funding. Potential for long-term financial independence, as outlined in the proposal, will be a factor in determining acceptability.

(g) *Project scope.* Projects must integrate development, production, formative evaluation, dissemination, and utilization planning. Production can then make full use of the results of development and formative evaluation while providing the framework for specific dissemination, utilization, and evaluation following the production phase.

III. Career Education. Contracts will be awarded to carry out activities authorized by Part 160d of this chapter and for developing information needs for career education for all children and assessing the status of career education programs and practices. Specific requirements and criteria will be developed to govern individual contract awards. It is expected that contracts will focus on areas in which it is determined, based on funding activities in prior fiscal years, that there is a special need for carefully focused career education activities.

(20 U.S.C. 1851–53)

[FR Doc.75-16500 Filed 6-25-75;8:45 am]

Food and Drug Administration

[21 CFR Part 1030]

[Docket No. 75N-0043]

MICROWAVE OVENS

Concealed Interlocks and Insertion of Objects

The Commissioner of Food and Drugs proposes to amend the performance standard for microwave ovens to indicate clearly that concealed interlocks must meet the commonly accepted definition of concealment, i.e., being hidden from view and undisclosed. The amendment would allow microwave ovens to have, as an alternative to a concealed interlock, an interlock which cannot be actuated when access to it is possible. In addition, the requirement concerning insertion of objects is being changed to define better the term "object" and to extend the prohibition against insertion to parts of microwave oven interiors other than the cavity. Comments must be received on or before August 25, 1975.

Section 1030.10(c)(2)(i) presently requires that a concealed interlock on a fully assembled microwave oven not be operable by any part of the human body or by a rod 3 millimeters or greater in diameter, with a useful length of 10 centimeters. Microwave ovens have been manufactured that meet this nonoperability requirement even though the interlock reported to be concealed was in fact visible to the oven user and could be defeated by many common household objects. In such instances, the interlock did not meet the commonly understood definition of concealment.

Therefore, the proposed amendment would revise § 1030.10(c)(2)(i) to indicate that the nonoperability tests are not to be equated with the concept of concealment, but are additional requirements. It is also proposed that as an alternative to a concealed interlock, microwave ovens may have an interlock which cannot be actuated when access to the interlock is possible. Interlock "actuation" as used here refers to a sequence of mechanical and electrical events which would allow generation of microwave energy. The diameter specification for the 10-centimeter-long rod would be deleted and a minor technical inconsistency in the requirements for concealed magnetic interlocks would be corrected. The amendment would assure that any visible interlock actuator of a concealed interlock or a device which prevents actuation of an interlock not be removable without disassembly of the oven door. This would reduce the possibility of interlock defeat.

The present wording of § 1030.10(c)(2)(iv) has lead to interpretive problems and, therefore, to problems in realization of the intent of this section of the standard. This section requires that microwave radiation emission in excess of the limits of the standard shall not be caused by insertion of an object into the oven cavity through any opening while the door is closed. The Food and Drug Administration has found it necessary to define and limit the term "object" through interpretive policy. In addition, it has been recognized that insertion of objects into microwave energy containing spaces, other than the cavity, may result in excessive radiation emission and, therefore, the regulation should be amended to prevent such conditions.

It is thus proposed that in § 1030.10(c)(2)(iv), the limiting phrase ". . . into the oven cavity . . ." be changed to include all microwave energy containing spaces. Also, a standard test probe should be specified that would require any insertion path to necessitate at least 10° offset from straight.

Until now, all instances of microwave ovens being introduced into commerce that clearly did not meet the intent of the standard have been dealt with on a case-by-case basis or by issuing interpretive policies. In order to provide for more effective and uniform compliance with the standard, the Commissioner is proposing this amendment to help clarify and strengthen the requirements concerning interlock concealment and insertion of objects into microwave ovens. To the extent that the requirements are better understood and implemented, the possibility of human exposure to microwave radiation will be lessened.

A draft amendment dealing with this subject was presented at the September 18, 1974 meeting of the Technical Electronic Product Radiation Safety Standards Committee, a permanent statutory advisory committee to the Secretary, Department of Health, Education, and Welfare. The Committee recommended that the Bureau of Radiological Health arrange a meeting with manufacturers and other interested parties to discuss the problems and consider alternative solutions. A public meeting, announced in the FEDERAL REGISTER of October 30, 1974 (39 FR 38270), was held on December 10, 1974.

The transcripts of both meetings and the briefing documents prepared for them, containing the detailed history of events leading to the proposal of these amendments, are on file and available for review in the office of the Hearing Clerk as indicated below.

This proposal to amend the standard at this time should not be interpreted as indicating that ovens previously manufactured under the present standard are unsafe. Most manufacturers have, in the past, correctly interpreted the intent of the standard and have manufactured microwave ovens that would fully meet the requirements of the proposed amendment. It is also important to note that most presently manufactured microwave ovens would meet the proposed amended requirements with little, if any, redesign.

It is proposed that these amendments be made applicable to products manufactured on or after a date which is 1 year following the date of publication of the final regulation in the FEDERAL REGISTER.

Pertinent information and data supporting this proposal are on file in the office of the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852.

Therefore, pursuant to provisions of the Public Health Service Act, as amended by the Radiation Control for Health and Safety Act of 1968 (sec. 358, 82 Stat. 1177-1179 (42 U.S.C. 263f)), and under authority delegated to him (21 CFR 2.120), the Commissioner proposes to amend § 1030.10 by revising paragraphs (c)(2)(i) and (c)(2)(iv) as follows:

PART 1030—PERFORMANCE STANDARDS FOR MICROWAVE AND RADIO FREQUENCY EMITTING PRODUCTS

§ 1030.10 Microwave ovens.

* * * * *

(c) * * *

(2) *Safety interlocks.* (i) Microwave ovens shall have a minimum of two operative safety interlocks. At least one operative safety interlock on a fully assembled microwave oven shall not be operable by any part of the human body, or any object with a straight insertable length of 10 centimeters. Such interlock must also be concealed, unless its actuation is prevented when access to the interlock is possible. Any visible actuator or device to prevent actuation of this safety interlock must not be removable without disassembly of the oven or its door. A magnetically operated interlock is considered to be concealed, or its actuation is considered to be prevented, only if a test magnet held in place on the

oven by gravity or its own attraction cannot operate the safety interlock. The test magnet shall be capable of lifting vertically at zero air gap at least 4.5 kilograms, and at 1 centimeter air gap at least 450 grams when the face of the magnet, which is toward the interlock when the magnet is in test position, is pulling against one of the large faces of a mild steel armature having dimensions of 60 millimeters by 50 millimeters by 8 millimeters.

* * * * *

(iv) Microwave radiation emission in excess of the limits specified in paragraph (c) (1) of this section shall not be caused by insertion of an insulated wire through any opening in the external surfaces of a fully assembled oven into the cavity, waveguide, or other microwave energy containing spaces while the door is closed, provided the wire, when inserted, could consist of two straight segments forming an obtuse angle of not less than 170°.

* * * * *

Interested persons may, on or before August 25, 1975, submit to the Hearing Clerk, Food and Drug Administration, room 4–65, 5600 Fishers Lane, Rockville, MD 20852, written comments regarding this proposal. Comments shall be submitted in quintuplicate and shall be identified with the Hearing Clerk docket number found in brackets in the heading of this document. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: June 20, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-16623 Filed 6-25-75;8:45 am]

Office of the Secretary

[41 CFR Part 3-1]

CONTRACT OPTIONS

Proposed Rule Making

Notice is hereby given in accordance with the administrative provisions in 5 U.S.C. 553 that pursuant to the Federal Property and Administrative Services Act of 1949, as amended, the Office of the Secretary is considering an amendment to 41 CFR, Chapter 3, by adding a new Subpart 3–1.54, Options, to Part 3–1, General.

Any person who wishes to submit written data, views, or objections pertaining to the proposed amendment may do so by filing them in duplicate with the Deputy Assistant Secretary for Grants and Procurement Management, OASAM, Room 3086, HEW Switzer Building, 330 C Street, SW., Washington, D.C. 20201, July 28, 1975. All comments submitted pursuant to this notice will be available for public inspection during business hours in the Office of Grants and Procurement Management.

This amendment will establish policies and procedures relative to the use of options.

Dated: June 19, 1975.

J. OTTINA,
Assistant Secretary for Administration and Management.

As proposed, Subpart 3–1.54 would read as follows:

PART 3–1—GENERAL

Subpart 3–1.54—Options

Sec.

3–1.5400 Scope of subpart.
3–1.5401 Definition of an option.
3–1.5402 Applicability.
3–1.5403 Procedures.
3–1.5404 Exercise of options.
3–1.5405 Examples of option articles.
3–1.5406 Examples of option articles, for use with cost-reimbursement contracts.

AUTHORITY: 5 U.S.C. 553.

§ 3–1.5400 Scope of subpart.

This subpart applies to contracts for supplies and services other than for:

(a) The construction, alteration, or repair of buildings, bridges, roads, or other kinds of real property;

(b) Research and development; or

(c) Contracts to be awarded on a cost-reimbursement basis. However, it does not preclude the use of appropriate option provisions in such contracts. Where options are used in cost-reimbursement contracts, examples of suggested language are included in § 3–1.5406.

§ 3–1.5401 Definition of options.

(a) As used in this subpart, an option is a provision in a contract under which, for a specified time, the Government may elect to purchase at an established price or at a price that can be established by reference to some specific method of calculation which will make the price certain, additional quantities of the supplies or services called for by the contract, or may elect to extend the period of performance of the contract. An option may call for delivery of the option quantity within the initial contract period or may call for delivery of the option quantity subsequent to the initial contract period. In this latter case, the option shall call for the option quantity and extend the initial contract period.

(b) An option must: (1) Identify the supplies or services as a discrete option quantity in addition to the basic quantity of supplies or services to be delivered under the initial contract award; (2) establish a price or specify a method of calculation which will make the price certain; (3) be agreed to and included in the initial contract award; (4) permit the Government the right to exercise the option unilaterally.

(c) Contract provisions which provide the Government the right to buy additional requirements, subject to the written agreement of the contractor, do not meet the requirement of (b) (4) of this section, and are not authorized. Further, any contract provision which extends the initial contract period without requiring delivery of additional supplies or services is not an option but only an extension of the basic requirement.

§ 3–1.5402 Applicability.

(a) Option clauses which require delivery of the option quantity within the initial contract period may be included in contracts only where requirements within the period of initial contract performance are foreseeable. Option clauses which both extend the initial contract period and require delivery of the option quantity during the extended period may be used only when it can be determined, with a high degree of certainty prior to contract award, that there will be a need for additional requirements. Since options require offerors to guarantee prices for definite periods of time with no guarantee that orders will be placed, their improper use could result in prices which are unfair to either the Government or the contractor. Option clauses may require that option quantities be offered at prices no higher than those for the initial quantities or they may allow option quantities to be offered at prices different than the price for the initial quantity. When additional requirements are foreseeable and subsequent competition would be impracticable because of such factors as production lead time and delivery requirements, the use of options which require prices no higher than those for the initial quantities may be preferable to later negotiating a price with the contractor (in lieu of exercising such an option) at a time when he is the only practical source. An option normally should not be used where it can reasonably be foreseen that (1) supplies will have to be procured at some future date in such a quantity that would constitute an economic production run, and (2) startup costs, production lead time, and probable delivery requirements would not preclude adequate future competition.

(b) Option provisions and clauses shall not be included in contracts when:

(1) The supplies or services being purchased are readily available on the open market, except that in the case of services, option clauses may be included for foreseeable requirements if the use of such option is considered to be in the best interest of the Government;

(2) The contractor would be required to incur undue risks; e.g., the price or availability of necessary materials or labor is not reasonably foreseeable;

(3) An indefinite quantity contract or requirements contract is appropriate except that options for continuing performance may be used in such contracts;

(4) Market prices for the supplies or services involved are likely to change substantially;

(5) The option quantities represent known firm requirements for which procurement funds are available unless (i) the basic quantity is a learning or testing quantity and there is some uncertainty as to contractor or equipment performance and (ii) realistic competition for the option quantity is impracticable

once the initial contract is awarded; or

(6) The contract is for ADPE, software, or maintenance services except as provided for in FPMR § 101-32.408-5.

(c) Option provisions which provide for the option quantity to be delivered subsequent to the initial contract period shall not be used to avoid competition, to fund an overrun or excuse a delay in timely performance or delivery, to provide continuing support of a general nature to the contractor, or to provide for requirements which may be only possibly required.

(d) When options are to be evaluated pursuant to § 3-1.5403(d), the total of the basic and option period shall not exceed five years in the case of services, and the total of the basic and option quantities shall not exceed the requirements for two years in the case of supplies.

§ 3-1.5403 Procedures.

(a) When a contract is to contain an option clause, the solicitation must contain an appropriate option provision. If the contract is to be negotiated, the determination and findings shall set forth the approximate quantity to be awarded and the extent of the increase to be permitted by the option. The contract shall limit the additional quantities of supplies or services which may be procured, or the duration of the period for which performance of the contract may be extended under the option and will fix the period within which the option may be exercised. This period shall be set so as to afford the contractor adequate notice of the requirement for performance under the option but with respect to service contracts may extend beyond the contract completion date when funds to pay for services called for in the option are not available in the fiscal year in which the contract would otherwise be completed. In fixing the period within which the option may be exercised, consideration shall be given to (1) necessary lead time in order to assure continuous performance and (2) the time required for additional funding and other necessary procurement action. The period specified for exercising the option shall in all cases be kept to a minimum. When a solicitation contains an option which requires the offering of additional quantities of supplies at unit prices no higher than those of the initial quantities, it shall provide that the option quantities shall not exceed 50 percent of the initial quantity. When unusual circumstances exist, however, the head of the procuring activity or his designee may approve a greater percentage or quantity. The quantities and the period under option and the period during which the option may be exercised shall be justified and documented by the contracting officer in the contract file.

(b) Except as provided in paragraphs (c) and (d) of this section, solicitations containing option provisions shall state that evaluation will be on the basis of the quantity to be awarded exclusive of the option quantity.

(c) When it is anticipated that the Government may exercise the option at time of award, the solicitation shall include an Evaluation of Options provision substantially as follows:

EVALUATION OF OPTIONS

If the Government elects to exercise an option simultaneously with award, bids or proposals will be evaluated for purposes of award on the basis of the total price for the basic quantity and the option quantity exercised with award.

(d) If options are to be evaluated but not exercised at time of award, it must be determined before the issuance of a solicitation, at a level higher than a contracting officer that:

(1) There is a known requirement which exceeds the basic quantity to be awarded, but either (i) the basic quantity is a learning or testing quantity and there is some uncertainty as to contractor or equipment performance, or (ii) due to the unavailability of funds, the option cannot be exercised at the time of award of the basic quantity provided that in this latter case there is reasonable certainty that funds will be available thereafter to permit exercise of the option; and

(2) Realistic competition for the option quantity is impracticable once the initial contract is awarded and hence it is in the best interest of the Government to evaluate options in order to eliminate the possibility of a buy-in. This determination shall be based on factors such as, but not limited to, substantial start-up or phase-in costs, superior technical ability resulting from performance of the initial contract, and long preproduction lead time for a new producer. In such cases, the solicitation shall contain an Evaluation of Options provision substantially as follows:

EVALUATION OF OPTIONS

Bids and proposals will be evaluated for purposes of award by adding the total price for all option quantities to the total price for the basic quantity. Evaluation of options will not obligate the Government to exercise the option or options.

Any bid or proposal which is materially unbalanced as to prices for basic and option quantities will be rejected as nonresponsive. An unbalanced bid or proposal is one which is based on prices significantly less than cost for some work and prices which are significantly overstated for other work.

(e) Solicitations which allow the offer of option quantities at unit prices which differ from the unit prices for the basic contract quantities shall also state that varying prices may be offered for the option quantities depending on the quantities actually ordered and the date or dates when ordered. However, if the solicitation contains an Evaluation of Options provision pursuant to paragraphs (c) and (d) of this section, it shall also specify the price at which the options will be evaluated (e.g., highest option price for specified quantities or dates).

(f) Where exercise of the option would result in increasing quantities of supplies, the option may be expressed in terms of (1) percentage of specific contract line items, (2) a number of additional units of specific contract line items, or (3) additional numbered line items identified as the option quantity with the same nomenclature as line items initially included in the contract. Where exercise of the option would result in an increase in the performance of services by the contractor, the option may similarly be expressed in terms of percentages, increase in specific line items, or additional numbered line items, expressed in terms of the units of work initially used in the contract such as man-hours, man-years, square feet, pounds or tons handled. Where exercise of the option would result in an extension of duration of the contract, the option may be expressed in terms of an extended terminal date or of an additional time period, such as days, weeks, or months.

§ 3-1.5404 Exercise of options.

(a) The exercise of an option by the Government requires the contracting officer's written notification to the contractor within the time period specified in the contract.

(b) Where the contract provides for price escalation and the contractor requests revision of price pursuant to such provision, or the provision applies only to the option quantity, the effect of escalation on prices under the option must be ascertained before the option is exercised.

(c) Options should be exercised only if it is determined that:

(1) Funds are available;

(2) The requirements covered by the option fulfill an existing need of the Government; and

(3) The exercise of the option is most advantageous to the Government, price and other factors considered.

(d) Insofar as price is concerned, the determination under paragraph (c)(3) of this section shall be made on the basis of one of the following:

(1) A new solicitation fails to produce a better price than that offered by the option. When the contracting officer anticipates the option price will be the best price available, he should use one of the methods stated in paragraphs (d) (2), (3), and (4), of this section to test the market before resoliciting bids or proposals.

(2) An informal investigation of prices, or other examination of the market, indicates clearly that a better price than that offered by the option cannot be obtained.

(3) The time between the award of the contract containing the option and the exercise of the option is so short that it indicates the option price is the lowest price obtainable, considering such factors as market stability and a comparison of the time since award with the usual duration of contracts for such supplies and services.

(4) Established prices are readily ascertainable and clearly indicate that formal advertising or informal solicitation can obviously serve no useful purpose.

(e) Insofar as the "other factors" mentioned in paragraph (c)(3) of this section are concerned, the determination should, among other things, take into account the Government's need for continuity of operations and potential costs to the Government of disrupting operations, including the cost of relocating necessary Government furnished equipment.

(f) When it has been determined that an option may properly be exercised in accordance with the principles set forth herein, such determination shall be set forth in writing and made a part of the contract file. Written notification to the contractor of the exercise of the option and any contract modification resulting therefrom shall cite the option clause contained in the original contract as authority for the procurement of the option quantity, and no citation under 41 U.S.C. 252(c) is required.

§ 3–1.5405 Examples of option articles for fixed-price type contracts.

(a) An article substantially as follows may be used where the contract expresses the option quantity as a percentage of the basic contract quantity or as an additional quantity of a specific line item, without separate pricing of the option quantity.

OPTION FOR INCREASED QUANTITY

The Government may increase the quantity of supplies called for herein by any amount of units up to (specify a quantity or a percentage of the basic quantity) at the unit price specified in the contract. The Contracting Officer may exercise this option by giving written notice of the Government's exercise of the option to the Contractor not later than (specify a date certain or a number of days before the last delivery date under the basic contract). Delivery of the items added by the exercise of this option shall continue immediately after, and at the same rate as, delivery of like items called for under this contract (this sentence may be appropriately modified to reflect agreement of the parties on delivery terms).

(b) An article substantially as follows may be used where the contract identifies the option quantity as a separately priced line item having the same nomenclature as a corresponding basic contract line item.

OPTION FOR INCREASED QUANTITY-LINE ITEM

The Government may increase the quantity of supplies called for herein by requiring the delivery of the numbered line item identified in the Schedule or specified in ARTICLE _____ of the Special Provisions as an option item in the quantity and at the price set forth therein. The Contracting Officer may exercise this option by giving written notice of the Government's exercise of such option to the Contractor not later than (specify a date certain or a number of days before the last delivery date under the basic contract). Delivery of the items added by the exercise of this option shall continue immediately after, and at the same rate as, delivery of like items called for under this contract (this sentence may be appropriately modified to reflect agreement of the parties on delivery terms).

(c) An article substantially as follows may be used to provide for continuing performance of the contract beyond its original term.

OPTION TO EXTEND THE TERM OF THE CONTRACT

This contract may be extended for a period of __ (days, months, years) at the option of the Government, by the Contracting Officer giving written notice of the Government's exercise of such option to the Contractor not later than the last day of the term of the contract; provided, that such notice shall have no effect if given less than 60 days prior to the last day of the term of the contract unless the Contracting Officer has given preliminary written notice of an intent to exercise such option at least sixty (60) days prior to the last day of the term of the contract (such preliminary notice shall not be construed as an exercise of the option, and will not bind the Government to exercise the option). If the Government exercises such option, the contract as extended shall be deemed to include this option provision; provided, however, that the total duration of this contract, including the exercise of any options under this clause, shall not exceed __ months. (State terms for pricing of performance under the option, e.g., by inclusion of same price as basic quantity, an escalation provision, definitive option price set forth elsewhere in this contract.)

§ 3–1.5406 Examples of option articles for cost reimbursement contracts.

(a) The following may be used as the article which defines an option, when the contract is a Cost Only Term Form, not involving the use of task orders. This article may be used, with appropriate modifications, when the contract involves payment of fee.

OPTION TO EXTEND THE TERM OF THE CONTRACT

1. At the option of the Government, this contract may be extended, by the Contracting Officer giving written notice of extension to the Contractor prior to the expiration date of this contract. The option may be exercised only if the Contracting Officer gives preliminary notice to the Contractor, not less than sixty (60) days prior to the last day of the term of this contract, of the Government's intention to exercise the option. Such preliminary notice shall not be construed as an exercise of the option, and will not bind the Government to exercise the option. If the Government exercises such option, the contract as extended shall be deemed to include this option provision; provided, however, that the duration of this contract, including the exercise of any options under this clause shall not exceed __ months. (State terms for pricing of performance under the option, e.g., by inclusion of the same price as for the basic period, definitive option price set forth elsewhere in this contract, escalation provisions, etc.).

2. In the event that the contract is extended in accordance with paragraph 1 of this Article, the Contractor shall continue the effort described in ARTICLE I—SCOPE OF WORK, during the __ ( ) month period immediately following that set forth in ARTICLE _____—PERIOD OF PERFORMANCE. The parties hereto agree that upon issuance of the order exercising this option, the following modifications will be made to the contract schedule in effect as of the date that such issuance is made:

(i) The period of performance specified in ARTICLE _____—PERIOD OF PERFORMANCE will be increased by __ months.

(ii) The estimated cost specified in ARTICLE _____—ESTIMATED COST will be increased by $_____.

(b) The following may be used as the article which defines an option, where the contract is a CPFF Completion Form which contains a separate scope of work for the optional effort.

OPTION FOR INCREASED SCOPE OF WORK

1. At the option of the Government, the Scope of Work of this contract may be increased to include the work set forth in (Exhibit __) attached hereto and hereby made a part hereof. This option shall be exercised by the issuance of an order by the Contracting Officer citing the authority of this article. This option may be exercised at any time within (__ months, days) from the effective date of this contract.

2. The parties hereto agree that upon issuance of the order exercising this option, the following modifications will be made to the contract schedule in effect as of the date such issuance is made:

(i) ARTICLE I—SCOPE OF WORK will be modified to incorporate (Exhibit __) attached hereto, into this contract.

(ii) The period of performance specified in ARTICLE _____—PERIOD OF PERFORMANCE will be increased by __ (months, days).

(iii) The Estimated Cost, Fixed Fee, and Total Cost Plus Fixed Fee specified in ARTICLE _____ will be increased by $_____, $_____, and $_____, respectively.

(c) The following may be used as the article which defines an option, when the contract is a Cost Plus Fixed Fee (CPFF) Term Form involving the issuance of task orders.

OPTION TO EXTEND THE TERM OF THE CONTRACT

1. At the option of the Government, this contract may be extended by the Contracting Officer giving written notice of extension to the Contractor prior to the expiration date of this contract; provided, that such notice shall have no effect if given less than sixty (60) days prior to the last day of the term of the contract unless the Contracting Officer has given preliminary notice of the Government's intention to extend at least sixty (60) days before this contract is to expire. (Such a preliminary notice will not be deemed to commit the Government to renewals.)

2. If this option is exercised, the Contractor shall provide approximately___manhours of additional direct labor in pursuit of the effort described in ARTICLE I—SCOPE OF WORK, during the __ ( ) month period immediately following that set forth in ARTICLE _____—PERIOD OF PERFORMANCE. The parties hereto agree that upon issuance of the order exercising this option, the following modifications will be made to the contract schedule, in effect as of the date that such issuance is made:

(i) The period of performance specified in ARTICLE _____—PERIOD OF PERFORMANCE, will be increased by__ ( ) months.

(ii) ARTICLE _____—LEVEL OF EFFORT, will be increased from "approximately __ manhours" to "approximately __ manhours" and the last sentence of Paragraph A will be changed to read "not less than __ nor more than __ manhours."

(iii) The Estimated Cost, Fixed Fee, and Total Cost Plus Fixed Fee specified in ARTICLE _____ will be increased by $_____, $_____, and $_____, respectively.

(d) The period of performance for the option shown in Paragraph 2 of the suggested article may be adjusted to conform to the requirement. Additional op-

tional periods may be included beyond the first option period provided, however, that consideration is given to the prohibitions contained in § 3-1.5402(b).

[FR Doc.75-16666 Filed 6-25-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 75-SO-32]

ADDITIONAL CONTROL AREA AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate control airspace within that part of warning area W-174 that lies within the Miami Oceanic Control Area and alter additional control area and transition area southwest of the Florida Peninsula.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Ga. 30320.

All communications received on or before July 28, 1975 will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, 800 Independence Avenue, SW., Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

As part of this proposal relates to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO international standards and recommended practices.

Applicability of International Standards and Recommended Practices by the Air Traffic Service, FAA, in areas outside domestic airspace of the U.S. is governed by Article 12 of and Annex 11 to the Convention on International Civil Aviation, which pertain to the establishment of air navigation facilities and services necessary to promoting the safe, orderly and expeditious flow of civil air traffic. Their purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply to those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its standards and recommended practices. As a contracting state, the U.S. agreed by Article 3(d) that its state aircraft will be operated in international airspace with due respect for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

The proposed airspace actions in this docket would:

1. Amend § 71.163 by revoking control areas 1230, 1233, and 1488 and adding an additional control area as follows:

SOUTH FLORIDA

That airspace extending upward from 2,000 feet MSL bounded by a line beginning at latitude 27°32'00" N., long. 82°48'00" W., thence southward 3 nautical miles from and parallel to the shoreline to Lat. 24°45'40" N., Long. 80°48'20" W.; to Lat. 24°00'00" N., Long. 80°56'30" W.; to Lat. 24°00'00" N., Long. 83°10'00" W.; to Lat. 27°35'00" N., Long. 83°45'00" W.; to Lat. 27°43'00" N., Long. 83°45'00" W., thence to point of beginning.

2. Amend the Florida transition area in § 71.181 as follows:

a. Delete that paragraph beginning with "Including the additional airspace extending upward from 2,000 feet above the surface bounded by a line beginning at Lat. 27°19'00" N., Long. 82°47'00" W." and ending with "to Lat. 27°19'00" N., Long. 83°42'00" W.; to point of beginning."

b. Delete that portion beginning with "to latitude 24°13'00" N., Longitude 82°03'30" W.; to latitude 24°13'00" N., Longitude 82°21'00" W.; to latitude 24°25'00" N., Longitude 82°32'00" W.;" and substitute "to Latitude 24°02'30" N., Longitude 82°23'00" W.; to Latitude 24°27'30" N., Longitude 82°37'00" W.," therefor.

The nonrule-making action associated with these proposed alterations would modify Warning Area W-174 to read as follows:

WARNING AREA W-174

Boundaries: Beginning at Lat. 25°45'55" N., Long. 81°56'55" W.; to Lat. 25°01'15" N., Long. 81°53'10" W.; to Lat. 25°02'00" N., Long. 81°58'15" W.; to Lat. 24°49'00" N., Long. 81°55'00" W.; to Lat. 24°45'00" N., Long. 81°56'00" W.; to Lat. 24°27'30" N., Long. 82°37'00" W.; to Lat. 24°02'30" N; Long. 82°23'00" W.; to Lat. 24°25'00" N., Long. 81°34'00" W.; to Lat. 24°25'00" N., Long. 81°14'30" W.; to Lat. 23°30'00" N., Long. 81°23'30" W.; to Lat. 23°30'00" N., Long. 82°46'00" W.; to Lat. 24°00'00" N., Long. 83°20'00" W., to Lat. 24°00'00" N., Long. 83°20'00" W., to Lat. 24°00'00" N., Long. 85°00'00" W.; to Lat. 25°22'00" N., Long. 85°00'00" W.; to Lat. 25°45'00" N.; Long. 84°06'00" W.; thence to point of beginning.

Altitude: Surface to FL-700; excluding that airspace from 5,500 feet MSL to FL-410 within 5 statute miles each side of the Fish Hook, Fla. RBN 245° bearing including the additional airspace between lines diverging 5° at the RBN, extending from the RBN to the Miami Oceanic boundary.

Time of Use: Monday thru Saturday, 1000-0600Z; other time by NOTAM.

Controlling Agency: FAA, Miami ARTC Center, Miami, Florida.

Using Agency: Commanding Officer, NAS, Key West, Florida.

The U.S. Navy has agreed to joint use of Warning Area W-174, and the designation of additional controlled airspace and other actions proposed in this docket would:

1. Provide additional radar vectoring area.
2. Provide more direct routes between Key West, Fla., and Mexico.
3. Allow deviation by pilots from G-1 route when required to avoid severe weather.
4. Provide additional transition area protection required by the U.S. Navy for instrument approach procedures.
5. Reduce excessive coordination currently required for Key West, Fla., terminal procedures that overlap and require release of Parts of W-174 by the U.S. Navy.

(Sec. 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1510), Executive Order 10854 (24 FR 9565) and sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Washington D.C., on June 20, 1975.

F. L. CUNNINGHAM,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.75-16612 Filed 6-25-75;8:45 am]

Federal Railroad Administration

[49 CFR Part 212]

[Docket No. RSSP-2, Notice 1]

STATE PARTICIPATION

Proposed Rule Making

The Federal Railroad Administration (FRA) is considering revision and amendment of Part 212 of Title 49 of the Code of Federal Regulations which prescribes the criteria which a State agency must meet in submitting a certification or in applying for an agreement to assist the FRA in investigative and surveillance activities prescribed by the Federal Railroad Administrator (the Administrator) as necessary for the enforcement by him of rules, regulations, orders and standards issued under the authority of the Federal Railroad Safety Act of 1970 (the Act) (84 Stat. 971, 45 USC 421 et seq.). The purpose of this revision is to consolidate in a single document administrative and procedural requirements concerning the State Participation Program which appeared in the FEDERAL REGISTER as Part 212 on December 18, 1973 (39 FR 34782), and as State Participation Program Application Guidelines (Guidelines) on June 13, 1974 (39 FR 20715). In addition, FRA is considering an amendment to Part 212 which will add a new Subpart D to prescribe requirements for a State agency to carry out investigative and surveillance activities by certification or

agreement with respect to the Railroad Freight Car Safety Standards (49 CFR Part 215).

FRA is proposing these revisions as a result of a program review after the first year of operation of the State Participation Program. To comply with the spirit and intent of the Act as expressed in the section 206 State participation concept (84 Stat. 972, 45 USC 435), FRA has decided that greater program flexibility is required to make it possible for additional States to participate. The development of greater State participation has been hampered chiefly by the inability of State agencies to provide personnel who comply with the prescribed inspector qualifications. Part 212 now requires State track inspectors to meet the same qualifications as Federal track inspectors. State and Federal track inspectors conduct the same investigative and surveillance activities to ensure carrier compliance with the Federal Track Safety Standards (49 CFR Part 213). The FRA believes, therefore, that uniformity of qualifications for State and Federal inspectors is essential to an effective and uniform enforcement effort. For this reason, FRA does not propose to lower the level of experience required for a State inspector to qualify as a Track Inspector under Part 212. Instead, the FRA proposes to create, for each set of Federal railroad safety standards subject to the State Participation Program, a category of inspector trainee.

Under the proposed revision, a State agency wishing to achieve initial certification will still be required to provide a minimum of one inspector who meets the qualifications prescribed for an inspector in the appropriate subpart of Part 212. A State having other inspection personnel who do not meet the qualifications prescribed for an inspector, but who do meet the lower qualification level prescribed for a trainee, may enter into an agreement with the FRA. Under such an agreement, a State agency's inspector trainees would be enrolled in an FRA training program which will combine classroom instruction and extensive on-the-job training in the field with qualified Federal and State inspectors. After successfully completing the training program, a State trainee will meet the qualifications prescribed for an inspector in the appropriate subpart of Part 212, and the State agency may then be certified to conduct the pertinent investigative and surveillance activities prescribed by the Administrator.

In addition to these program revisions, FRA is proposing to amend Part 212 by the addition of a new Subpart D to prescribe the level of inspection effort required in each State for the conduct of investigative and surveillance activities prescribed by the Administrator for the enforcement by him of the safety inspection required by the Railroad Freight Car Safety Standards (49 CFR Part 215). Subpart D also contains the proposed qualification requirements for the positions of Equipment Inspector-Safety and Equipment Inspector Trainee-Safety.

The following is a section-by-section analysis of the proposed revisions and amendments to Part 212:

SUBPART A—APPLICABILITY AND DEFINITIONS

Section 212.1 *Purpose and Scope.*

This section has not been changed from the present rule.

Section 212.3 *Definitions.*

This section has been revised by the addition of two new terms. "Fiscal Year" is defined as the new Federal fiscal year from October 1 to September 30. This new fiscal year goes into effect with fiscal year 1977 on October 1, 1976. Fiscal year 1976 will run from July 1, 1975, to June 30, 1976, and will be followed by a three month transition period from July 1, 1976, to September 30, 1976.

The term "man year of inspection effort" is used to define the level of inspection effort required for a State to achieve certification. The term has been defined for program purposes as that level of effort equal to 225 eight-hour man-days of inspection. This corresponds to the 1800 man-hours designated as a man year by the Office of Management and Budget.

Section 212.5 *Waiver.*

This section appears in the present Part 212 as § 212.31. This provision has been included in Subpart A in this revision because it is believed to be more appropriately included with provisions of general applicability.

SUBPART B—STATE CERTIFICATION, AGREEMENT AND PAYMENT

This subpart has been revised to reflect the inclusion of provisions related to Federal payments for the investigative and surveillance activities conducted by a participating State agency. Although a provision for Federal payments is included in the present rule, the Subpart does not reflect this.

Section 212.11 *Filing of Certification, Agreement, and Payment Application.*

This section corresponds to § 212.12 in the present version. The section has been expanded to include a separate paragraph specifying the submissions or applications which must be filed for a certification or agreement and for a Federal payment. It also specifies that these filings must be submitted to the Docket Clerk, rather than the Administrator as now required. Finally, a filing date of August 1 of the fiscal year preceding the fiscal year during which the State agency desires to participate is prescribed.

Section 212.13 *Initial Certification and Report.*

This section corresponds to the present § 212.13 with only two minor revisions. Paragraph 212.13(a)(2) has been revised to provide that a State agency must provide the minimum level of inspection effort required by Part 212, rather than the "sufficient number of qualified inspectors" as now required. This provision relates to changes incorporated in Subpart C which define the required level of State effort in terms of man-years of inspection effort rather than in terms of numbers of inspectors. The second change in this section is the redesignation of the present paragraph (c) as paragraph (d), and the addition of a new paragraph (c) which identifies the FRA office from which required forms may be obtained.

Section 212.15 *Initial Request for Agreement and Report.*

This section corresponds to § 212.15 of the present rule and parallels the content of the proposed § 212.13.

Section 212.17 *Federal Payment for State Participation.*

This section corresponds to § 212.33 in the present rule. Although approval of a certification or execution of an agreement is a prerequisite to Federal funding, a State agency, desiring Federal funds will ordinarily prepare and submit the required forms for both participation and funding in a single filing. Therefore, this section has been incorporated into the proposed rule at this earlier location so that the specific information required to be filed with the FRA by a State agency will be organized in a logical sequence of application for participation, followed by application for funding. Paragraphs (b)(2) and (3) have been added to define in more detail the information to be included in the prescribed form for a payment application. Again, paragraph (c) identifies the FRA office from which required forms may be obtained.

Section 212.19 *FRA Inspection of Personnel Files.*

This section corresponds to § 212.59 of the present rule. This provision now relates specifically to Subpart C—Track Safety Standards. It has been included in Subpart B of the proposed revision because it is intended to have general applicability to participation with respect to all rules, regulations, orders and standards which are the subject of a certification or agreement.

Section 212.21 *Publication of Certification and Agreement.*

This section corresponds to § 212.17 in the present rule. No change has been made in this provision.

Section 212.23 *Levels of State Participation.*

This section incorporates provisions which appeared in the Guidelines at 39 FR 20716. The purpose of this section is to define the relationship between the State agency and the FRA under the three degrees of participation. Under all degrees of participation the Administrator retains the responsibility for monitoring the State's performance of the investigative and surveillance activities he has prescribed for enforcement of Federal safety standards. Federal inspectors

will be present in participating States for such purposes. The Administrator also retains a statutory authority to conduct special investigations as he deems necessary to aid in his enforcement activities. This authority is conferred by section 206(e) of the Act (84 Stat. 972, 45 U.S.C. 435), along with the monitoring responsibility. Such investigations may take place in a participating State; however, the State agency will be notified prior to the conduct of any such special investigation.

Section 212.25 *State Operating Plan and Review.*

This section is derived from provisions which appeared in the Guidelines at 39 FR 20715, although changes have been made. Originally the guidelines required a participating State agency to submit to FRA a quarterly operating plan. This requirement has been revised. Under this new provision, a State agency will submit to the appropriate FRA Regional Director a semi-annual operating plan instead of a quarterly plan. This plan will set out in general terms the investigative and surveillance activities which are planned for a six month period. Specific detail of State activities will be set forth in a monthly work schedule which will be maintained by the agency at its normal place of business. This schedule must be available for inspection by FRA personnel in the course of its monitoring function. In addition to these planning materials, each State agency will be required to submit quarterly to the appropriate FRA Regional Director a review of the investigative and surveillance activities actually accomplished during the preceding quarter. This planning and review procedure will be utilized as a means of coordinating activities of Federal and State inspectors to avoid duplication of effort, and to assist FRA in performance of its monitoring function.

Section 212.27 *Activities Prescribed by FRA.*

This section corresponds to § 212.53 of the present rule. This provision has been transferred from Subpart C to Subpart B because it is intended to have general applicability to participation with respect to all rules, regulations, orders and standards which are the subject of a certification or agreement. Other than the removal of specific references to track, there has been no substantive change in this section.

Section 212.29 *State Coordination.*

This section also incorporates provisions which appeared in the Guidelines at 39 FR 20716. The purpose of this section is to define the relationships among the FRA, the State agency and the State inspector, and to specify that the State agency shall direct the routine investigative and surveillance activities of State inspectors.

Section 212.31 *Notification of Personnel Action.*

This section corresponds to § 212.61 of the present rule. Again, this section has been transferred from Subpart C to Subpart B, and the appropriate revisions have been made, to provide for the general applicability of this provision. No substantive change has been made in the section.

Section 212.33 *Renewal of Certification and Annual Report.*

This section corresponds to § 212.19 of the present rule. Paragraph (a) of the present rule has been revised to make separate provision for the annual certification and the annual report. Paragraph (a) of the proposed rule requires the submission of an annual certification by August 1 so that a renewal of a certification may be issued prior to the beginning of the fiscal year on October 1. Paragraph (b) of the proposed rule requires the submission of an annual report by November 15 which describes the activities of the State agency during the previous fiscal year.

Section 212.35 *Renewal of Agreement and Annual Report.*

This section corresponds to § 212.19(b) of the present rule, and parallels the construction of § 212.33 of the proposed rule.

Section 212.37 *Penalties for Violations.*

This section corresponds to § 212.21 of the present rule. No substantive change has been made in this section.

Section 212.39 *Reporting of Alleged Violations.*

This section corresponds to § 212.65 of the present rule. This section has also been modified to provide for its general applicability to participation with respect to all rules, regulations, orders and standards which are the subject of a certification or agreement. No substantive change has been made in the section.

Section 212.41 *Effect of Non-Compliance by the State Agency.*

This section corresponds to § 212.23 of the present rule. No substantive change has been made in the section.

Section 212.43 *Individuality of Certification or Agreement.*

This section corresponds to § 212.25 of the present rule. No substantive change has been made in the section.

Section 212.45 *Monitoring by the Administrator.*

This section corresponds to § 212.27 of the present rule. This section has been revised by the substitution of the statutory language section 206(e) of the Act (84 Stat. 972, 45 USC 435), for that of the present § 212.27. This revision adds to the present monitoring provision the statutory language authorizing the Administrator to conduct "such other inspection and investigation as may be necessary". Such additional inspection activities will be conducted in a participating State only after notification and coordination with the participating State agency.

Section 212.47 *Effect of New Rules on Certification or Agreement.*

This section corresponds to § 212.29 of the present rule. Paragraph (c) of the present rule relating to new Federal safety rules has been designated as paragraph (a) of this proposed rule. Paragraph (b) of the proposed rule restates paragraph (b) of the present rule with an additional qualification. It is intended that a participating State agency will be required to amend an existing certification or agreement only when the amendment of the Federal safety rule adds substantive requirements which would affect a State agency's ability to conduct investigative and surveillance activities. Paragraph (c) provides that the Administrator shall inform participating State agencies of the issuance of such amendments and of the nature of the supplement which will be required.

Section 212.49 *Notification of Waivers and Exemptions.*

This section corresponds to § 212.67 of the present rule. This section has also been revised to provide for its general applicability to participation with respect to all rules, regulations, orders and standards which are the subject of a certification or agreement. No substantive change has been made in the section.

Section 212.51 *Notification of Termination.*

This section corresponds to § 212.35 of the present rule. No substantive change has been made in the section.

SUBPART C—TRACK SAFETY STANDARDS

Section 212.71 *Scope.*

This section corresponds to § 212.51 of the present rule. No substantive change has been made in the section.

Section 212.73 *Level of Inspection Effort.*

This section corresponds to § 212.53 of the present rule. The intent of the revision of this section is to alter the requirement that a State agency must provide a certain number of track inspectors, to a requirement that the agency must provide a certain level of inspection effort as expressed in man-years of inspection effort. In determining the original level of inspection effort required by each State, FRA used a formula based upon the determination that one inspector can adequately inspect not more than 2,200 miles of track in a year, and that any given point of track must be inspected once every two years. Thus, the minimum number of inspectors in a State was arrived at by dividing the total miles of track in that State by 4,400. The result was then rounded to the next higher unit to determine the number of inspectors required. For example, the formula for Arkansas results in the number 1.11, therefore, that State must now provide two inspectors to be certified.

The proposed revision would eliminate the final step of rounding to the next higher unit to determine the number of inspectors required, and would require a State to provide the fractional man-years of inspection effort resulting from the formula as the minimum level of participation to qualify for certification. At the same time, FRA would maintain the present number of State inspectors,

and would establish this as a maximum level of inspection effort for which FRA would allow reimbursement in a payment agreement. By utilizing this fractional man-years of inspection effort, a State will be able to utilize an inspector for purely State programs, or for participation in the investigative and surveillance activities prescribed by FRA for several Federal rules provided the inspector qualification requirements are met for each Federal rule.

This revision also distinguishes between certification and agreement by requiring that a State agency, to be certified, must have at least one State inspector, who will conduct investigative and surveillance activities, who meets the Track Inspector qualifications. Paragraph (e) provides that the Administrator may enter into an agreement at his discretion.

Section 212.75 *Qualifications for a Track Inspector.*

This section corresponds to § 212.55 of the present rule. Paragraph (a) has been revised by the addition of the qualification of successful completion of the training program prescribed by the Administrator as an alternative to six years of recent experience in track construction and maintenance. Paragraph (b) has been revised to incorporate the provision of the Guidelines (39 FR 20716) which prescribed that a bachelor's degree in engineering or a related technical specialization may be substituted for three of the six years of experience required under paragraph (a) of this section.

Section 212.77 *Qualifications for a Track Track Inspector Trainee.*

This section is a new provision in the proposed revision. The provision for Junior Track Inspectors, § 212.57, has been eliminated. In its place, FRA is proposing an inspector trainee position. A State Track Inspector Trainee will be required to have two years of experience in track maintenance and construction above the level of laborer and must be enrolled in the training program prescribed by the Administrator. This training program will combine classroom instruction and on-the-job technical training, and will be designed to qualify the trainee as a Track Inspector. While enrolled in the training program, a trainee will not conduct independent investigative and surveillance activities, although he may be authorized to do so in the later stages of his training as a means of determining his progress and understanding of the application of the Track Safety Standards.

SUBPART D—RAILROAD FREIGHT CAR SAFETY STANDARDS

This is a new subpart in this proposed rule which prescribes requirements for participation with respect to the Federal Railroad Freight Car Safety Standards (49 CFR Part 215). These standards require rail carriers to perform two types of inspections. At present, under § 215.23, each railroad freight car in a train must be given a safety inspection where the car is placed in the train. In addition, after December 31, 1976, a railroad freight car must receive a periodic inspection as prescribed in § 215.25 of the Railroad Freight Car Safety Standards. This notice sets forth the proposed requirements which a State agency must meet to participate in the investigative and surveillance activities related to the FRA's enforcement of the safety inspection requirement. A later notice will delineate the requirements for participation in the periodic inspection program when that requirement becomes effective during fiscal year 1977.

Section 212.91 *Scope.*

This section defines the applicability of Subpart D requirements to participation related to the Railroad Freight Car Safety Standards (49 CFR Part 215).

Section 212.93 *Level of Inspection Effort.*

This section corresponds to the proposed § 212.73 which relates to the Track Safety Standards. The same concept of a proposed minimum man-years of inspection effort required for certification and a maximum man-years of inspection effort allowable for up to 50 percent Federal reimbursement. In determining the level of inspection effort required in each State the FRA utilized a five step procedure involving the following determinations: (1) The number of cars to be inspected in one year to monitor the safety inspection program; (2) the number of cars one inspector can monitor in one year; (3) the number of man years required to monitor the program; (4) the State-by-State distribution of inspector man-years of effort for a 1 percent program; and (5) the State-by-State distribution of inspector man-years of effort for a .05 percent program.

The determination of the number of cars to be inspected was based upon a formula derived from available statistics of the Association of American Railroads and the Interstate Commerce Commission concerning the number of carloads, the average length of haul, the average length between either inter-or-intra-train switching, and the proportion of both empty and loaded cars in a train. In essence, this formula arrives at the number of cars to be inspected by taking a one percent sample of the number of carloads moved in a year multiplied by the average number of times a carload is inter-or-intra-train switched in the course of its move, and finally adjusting the result upward by a factor which accounts for the movement of empty cars.

The number of cars one inspector can inspect in one year was determined by use of data from FRA's Work Measurement System and a time-motion study conducted to determine the time required to inspect a single freight car. It was thus determined that one inspector could inspect 14,280 cars per year. The number of man-years of inspection effort required was determined by dividing the number of cars to be inspected in a year by the number of cars one inspector can inspect in a year; and the result is a requirement of 107.6 man-years of inspection effort. The State-by-State distribution was based upon the average of the carload originations and terminations in each State as compared to the nationwide carload originations and terminations, plus a weighted factor representing the number of inspection points in each State as compared to the weighted number of inspection points nationwide.

Because Federal Motive Power and Equipment Inspectors will be required to continue regular inspections in all States to enforce Federal regulations related to locomotive inspection, safety appliance and power brake requirements which were not issued under the authority of the Federal Railroad Safety Act and which are, therefore, not subject to inclusion in the State participation program, it is anticipated that they will at the same time inspect railroad freight cars for compliance with the Railroad Freight Car Safety Standards. As a result of this continued Federal effort, the FRA believes that a one-half of one percent inspection program will be adequate as an initial level of inspection effort by the States. Therefore, the number of man-years of inspection effort derived from the one percent formula has been divided by two to result in the level of inspection effort included in § 212.93 of this proposed rule. At this time FRA believes this level of inspection will result in an effective freight car safety inspection enforcement effort. As experience is gained, this assumption will be reviewed to determine if the level of inspection effort should be adjusted upward or downward in order to meet the requirements of safety, or to respond to changes in the size of the freight car fleet.

The remainder of § 212.93 prescribes requirements for participation by both certification and agreement, and parallels the requirements included in § 212.73 with respect to the Track Safety Standards.

Section 212.95 *Qualifications for Equipment Inspector-Safety.*

This section sets forth the experience level and other requirements which must be met by a State inspector in order to qualify as an Equipment Inspector-Safety.

Section 212.97 *Qualifications for Equipment Inspector Trainee-Safety.*

This section sets forth the requirements which a State inspector must meet in order to qualify for the FRA training program which is designed to qualify an individual as an Equipment Inspector-Safety. The provisions of this section parallel those prescribed in § 212.77 for a Track Inspector Trainee.

In consideration of the foregoing it is proposed to revise and amend the State Participation Regulations, Part 212 of Title 49 of the Code of Federal Regulations to read as follows:

PART 212—STATE PARTICIPATION REGULATIONS

Subpart A—Applicability and Definitions

Sec.
212.1 Purpose and scope.
212.3 Definitions.
212.5 Waiver.

Subpart B—State Certification, Agreement and Payment

211.11 Filing of certification, agreement and payment application.
212.13 Initial certification and report.
212.15 Initial request for agreement and report.
212.17 Federal payment for State participation.
212.19 FRA inspection of personnel files.
212.21 Publication of certification and agreement.
212.23 Levels of State participation.
212.25 State operating plan and review.
212.27 Activities prescribed by FRA.
212.29 State coordination.
212.31 Notification of personnel action.
212.33 Renewal of certification and annual report.
212.35 Renewal of agreement and annual report.
212.37 Penalties for violations.
212.39 Reporting of alleged violations.
212.41 Effect of non-compliance by the State agency.
212.43 Individuality of certification or agreement.
212.45 Monitoring by the Administrator.
212.47 Effect of new rules on certification or agreement.
212.49 Notification of waivers and exemptions.
212.51 Notification of termination.

Subpart C—Track Safety Standards

212.71 Scope.
212.73 Level of inspection effort.
212.75 Qualifications for Track Inspector.
212.77 Qualifications for Track Inspector Trainee.

Subpart D—Railroad Freight Car Safety Standards

212.91 Scope.
212.93 Level of inspection effort—safety inspection.
212.95 Qualifications for Equipment Inspector—Safety.
212.97 Qualifications for Equipment Inspector Trainee—Safety.

AUTHORITY: Federal Railroad Safety Act of 1970, 84 Stat. 971 (45 U.S.C. 421, et seq.).

Subpart A—Applicability and Definitions

§ 212.1 Purpose and Scope.

(a) This part prescribes the procedures and requirements by which a State agency must submit initial and annual certifications or enter into agreements to conduct the investigative and surveillance activities prescribed by the Administrator as necessary for the enforcement by him of each rule, regulation, order, and standard promulgated by him under the Federal Railroad Safety Act of 1970.

§ 212.3 Definitions.

As used in this part and in certification, agreement, and payment instruments entered into pursuant to this part:

(a) "Act" means the Federal Railroad Safety Act of 1970 (84 Stat. 971, 45 USC 421 et seq.).

(b) "Administrator" means the Federal Railroad Administrator, or the Deputy Administrator, or any official of the Federal Railroad Administration (FRA) to whom the Administrator has delegated authority to enforce the Act.

(c) "State agency" means a State agency participating in investigative and surveillance activities through certification or agreement.

(d) "Fiscal year" means the Federal government fiscal year from October 1 to September 30, commencing October 1, 1976.

(e) "Man-year of inspection effort" means that level of inspection effort equal to 225, eight-hour man-days of investigative and surveillance activities.

§ 212.5 Waiver.

The Administrator may, upon good cause shown, waive, in whole or in part, compliance with any rule, regulation, order or standard established in this part.

Subpart B—State Certification, Agreement and Payment

§ 212.11 Filing of certification, agreement, and payment application.

(a) Each State agency desiring to conduct investigative or surveillance activities under the Act through certification must submit to the Docket Clerk, Federal Railroad Administration, 400 Seventh Street, SW, Washington, D.C. 20590, a written certification and a report which contains, to the extent available, the information prescribed by § 212.13.

(b) In the event a State agency does not elect to be, or is not certified under this part, the Administrator may at his discretion, enter into an agreement with such agency. An agreement may authorize a State agency to conduct any part of the investigative and surveillance activities prescribed by the Administrator with respect to any rule, regulation, order or standard issued by him under the Act. A request for an agreement must be submitted to the Docket Clerk, Federal Railroad Administration, 400 Seventh Street, SW, Washington, D.C. 20590, and must contain, to the extent available, the information prescribed by § 212.13.

(c) Each State agency desiring a Federal payment for up to 50 percent of the cost of activities performed with respect to a certification or an agreement entered into pursuant to this part must submit to the Docket Clerk, Federal Railroad Administration, 400 Seventh Street, SW, Washington, D.C. 20590, a payment application containing the information prescribed by § 212.17.

(d) A State agency desiring to participate for a full fiscal year must submit to the Docket Clerk, prior to August 1 preceding the October 1 commencement of the fiscal year, the certification and report referred to in paragraph (a) of this section, or the request for an agreement and report referred to in paragraph (b) of this section, and the payment application referred to in paragraph (c) of this section. Applications for participation and Federal payment also may be submitted at any time during the fiscal year and a State agency may commence investigative and surveillance activities following notification of appropriate findings by the Administrator as provided in §§ 212.13 and 212.15 of this Part.

§ 212.13 Initial certification and report.

(a) In submitting an initial certification, a State agency must:

(1) Demonstrate that it has the capability to conduct the investigative and surveillance activities prescribed by the Administrator as necessary for the enforcement by him of the rule, regulation, order or standard for which the certification is submitted; and

(2) Provide the minimum level of inspection effort, as provided in this part, to conduct investigative and surveillance activities prescribed by the Administrator as necessary for the enforcement by him of the rule, regulation, order or standard for which the certification is submitted.

(b) The initial certification submission must include a report to the Administrator containing:

(1) An opinion of the counsel for the agency stating that:

(i) The agency has jurisdiction over safety practices applicable to railroad facilities, equipment, rolling stock, and operations in that State;

(ii) The agency has the authority to conduct investigative and surveillance activities in connection with the rules, regulations, orders, and standards issued by the Administrator under the Act; and

(iii) State funds may be used for this purpose.

(2) A statement that the State agency has been furnished a copy of the Federal safety rule, regulation, order, or standard for which the certification is submitted;

(3) The names of the railroads operating in the State together with the number of miles of main and branch lines operated by each railroad in the State;

(4) The name, title and telephone number of the person designated by the agency to coordinate the certification program;

(5) a description of the organization, programs, and functions of the agency with respect to railroad safety;

(6) The name and qualifications of each inspector of the agency to be assigned to conduct investigative and surveillance activities with respect to the Federal safety rule, regulation, order or standard for which the certification is submitted; and

(7) Compensation levels for railroad safety inspectors by type.

(c) Federal Railroad Administration forms for the submission of an initial certification and report may be obtained from the Office of Federal Assistance, Federal Railroad Administration, 400 Seventh Street SW., Washington, D.C. 20590.

(d) The Administrator will review the submitted materials within 60 days of receipt of the initial certification and report to determine whether the State agency qualifies in accordance with the provisions of the Act and of this part. The Administrator shall notify the State agency of his findings.

§ 212.15 Initial request for agreement and report.

(a) In submitting an initial request for an agreement a State agency must provide, to the extent possible, the information required by § 212.13.

(b) Federal Railroad Administration forms for the submission of an initial request for agreement and report may be obtained from the Office of Federal Assistance, Federal Railroad Administration, 400 Seventh Street, SW, Washington, D.C. 20590.

(c) The Administrator will review the submitted materials within 60 days of receipt of the initial request for agreement and report to determine whether the State agency may be granted an agreement. The Administrator shall notify the State agency of his findings.

§ 212.17 Federal payment for State participation.

(a) The Administrator is authorized to pay, out of funds appropriated for the purpose, up to 50 percent of the cost of the personnel, equipment, and activities reasonably required, during the ensuing fiscal year, by a State agency which is carrying out the investigative and surveillance activities with respect to a certification or agreement entered into pursuant to this part.

(b) Each State agency must submit a payment application containing:

(1) Assurances satisfactory to the Administrator that:

(i) The State agency will provide the remaining cost of the safety program conducted with respect to the certification or agreement entered into pursuant to this part; and

(ii) The aggregate expenditure of funds of the State, exclusive of Federal grants, for the safety program conducted with respect to the certification or agreement entered into pursuant to this part will be maintained at a level which does not fall below the average level of such expenditures for the two fiscal years preceding October 16, 1970.

(2) A description of the State safety program conducted with respect to the certification or agreement entered into pursuant to this part, including a description of the personnel, equipment and activities to be involved in the State program.

(3) A summary of estimated program costs for the fiscal year.

(c) Federal Railroad Administration forms for the submission of a payment application may be obtained from the Office of Federal Assistance, Federal Railroad Administration, 400 Seventh Street, SW, Washington, D.C. 20590.

(d) The Administrator shall make the final determination as to the apportionment of Federal funds to be paid to each State agency which submits a payment application pursuant to this section.

§ 212.19 FRA Inspection of Personnel Files.

A State agency applying for participation under this part must maintain and make available to the Administrator, or his designee, at the State agency's normal place of business, the personnel file of each individual employed for the purposes of State participation as an inspector or inspector trainee in order that the Administrator may determine that the State agency and its employees meet the requirements of this part.

§ 212.21 Publication of certification and agreement.

Notice of each certification and agreement will be published in the FEDERAL REGISTER. Each notice will state the effective date of the certification or agreement, and identify the Federal safety rule, regulation, order or standard to which the certification or agreement applies.

§ 212.23 Level of State participation.

According to the desire and ability of a State, a State agency may participate on three levels in the investigative and surveillance activities prescribed by the Administrator for the enforcement by him of any rule, regulation, order or standard issued under the Act.

(a) Full certification is achieved when a State agency provides the level of inspection effort prescribed in this part as necessary for the enforcement of any rule, regulation, order or standard. When a State agency achieves full certification, it assumes full responsibility for conducting routine investigative and surveillance activities.

(b) Certification (development period) describes that level of participation permitted for three years after an initial certification is approved during which a State agency may provide less than the level of inspection effort prescribed in this part as necessary for the enforcement of any rule, regulation, order or standard. Federal inspectors may be assigned to conduct routine investigative and surveillance activities within such a State to complement State inspection efforts. If, at the end of the three year development period, a State agency fails to provide the prescribed level of inspection effort, the certification shall not be renewed. The State agency may continue to participate under an agreement.

(c) Agreement is utilized when a State chooses to commit less than the level of inspection effort prescribed in this part as necessary for the enforcement of any rule, regulation, order or standard, or otherwise restricts its participation. Federal inspectors may be assigned to conduct routine investigative and surveillance activities within such a State to complement State inspection efforts.

(d) Under all levels of participation, the Federal Railroad Administration retains the authority to monitor State investigative and surveillance activities as provided in the Act and in § 212.45 of this part.

§ 212.25 State operating plan and review.

(a) Each State agency participating by certification or agreement must prepare a semi-annual operating plan which shall delineate in general the investigative and surveillance activities to be conducted by State inspectors during the six month period.

(b) The semi-annual operating plan must be submitted to the appropriate FRA Regional Director with a copy to the Office of Federal Assistance, and the Office of Safety, Federal Railroad Administration, 400 Seventh Street, SW, Washington, D.C. 20590 by October 15 for the period of October 1 to March 31 and by April 15 for the period of April 1 to September 30.

(c) Each State agency participating by certification or agreement must maintain and make available to the Administrator, or his designate, at the State agency's normal place of business, a monthly work schedule which shall delineate the specific investigative and surveillance activities to be conducted by State inspectors during the month.

(d) The monthly work schedule must specify in detail the following:

(1) The inspection activities to be conducted, including the identification and location of specific railroad facilities to be inspected;

(2) The number of man-days of inspection effort to be expended on investigative and surveillance activities; and

(3) Such other information as the Administrator may require.

(e) Within 15 days of the beginning of each quarter, each State agency participating by certification or agreement must submit a quarterly review of the inspection activities accomplished during the preceding quarter. The review must specify in detail at least the following:

(1) The inspection activities conducted, including the identification and location of specific railroad facilities inspected;

(2) The number of man-days of inspection effort expended on investigative and surveillance activities;

(3) The number and nature of complaints relating to matters which are the subject of a certification or agreement which were investigated;

(4) The backlog of complaints relating to matters which are the subject of a certification or agreement which have not been investigated; and

(5) Such other information as the Administrator may require.

(f) Federal Railroad Administration forms for the semi-annual operating plan may be obtained from the Office of Federal Assistance, Federal Railroad Administration, 400 Seventh Street, SW, Washington, D.C. 20590.

§ 212.27 Activities prescribed by FRA.

All investigative and surveillance activities performed by a State agency under this part are to be conducted as prescribed by the Administrator. The investigative and surveillance policies and procedures adopted by him with respect to the inspection activities of Federal inspectors shall apply to the investigative and surveillance activities of State inspectors.

§ 212.29 State coordination.

Each State agency participating by certification or agreement shall designate a specific office to function as the official liaison between the State agency and the FRA with respect to the administration of the investigative and surveillance activities conducted pursuant to this part.

(b) State inspectors qualified under this part to conduct investigative and surveillance activities pursuant to a certification or agreement shall take direction from, report to, and forward all alleged violations to the State office designated in paragraph (a) of this section.

§ 212.31 Notification of personnel action.

A State agency participating under this part must promptly notify the Office of Federal Assistance of the following personnel actions involving inspectors or inspector trainees qualified under this part: hiring, promotion, demotion, or termination. Except as provided in this part, the State retains exclusive rights regarding the acceptance of any individual as an inspector or inspector trainee.

§ 212.33 Renewal of certification and annual report.

(a) Each State agency participating by certification must submit in writing to the Administrator an annual certification stating any changes in the information previously submitted in accordance with the provisions of this part. This annual certification must be submitted together with the payment application, if appropriate, prior to August 1 of the fiscal year preceding the fiscal year to which the renewed certification is to apply.

(b) Each State agency participating by certification must submit in writing to the Administrator an annual report in triplicate, including:

(1) The name and address of each railroad subject to the safety jurisdiction of the State agency;

(2) A summary of the investigation of the State agency into the causes and circumstances surrounding each accident or incident referred to the State agency by the Administrator during the preceding twelve months for investigation; and

(3) The record maintenance, reporting, and inspection practices conducted by the State agency during the preceding twelve months to aid the Administrator in his enforcement of Federal safety rules, regulations, orders or standards prescribed by him under the Act, including a detail of the number of inspections made of rail facilities, equipment, rolling stock, and operations to which the certification entered into pursuant to this part applies.

(c) Annual reports must be submitted not later than November 15 of the fiscal year following the fiscal year to which the certification relates. Within 30 days of receipt, the Administrator will approve the report or notify the appropriate State agency of any defect in the annual report. Any defect must be corrected by the State agency within 30 days of receipt of notice of the defect.

§ 212.35 Renewal of agreement and annual report.

(a) Each State agency participating by agreement must submit in writing to the Administrator a request for renewal of the agreement stating any changes in the information previously submitted pursuant to this part. This request for renewal of an agreement must be submitted together with the payment application, if appropriate, prior to August 1 of the fiscal year preceding the fiscal year to which the renewed agreement is to apply.

(b) Each State agency participating by agreement must submit in writing to the Administrator an annual report, in triplicate, including, to the extent possible, the information required by § 212.33(b).

(c) Annual reports must be submitted in accordance with the requirements of § 212.33(c).

§ 212.37 Penalties for violations.

The Administrator retains the exclusive authority (except as otherwise provided by section 207 of the Act) to access and compromise penalties and to request injunctive relief for violations of Federal safety rules, regulations, orders and standards to recommend appropriate action as provided by sections 209 and 210 of the Act.

§ 212.39 Reporting of alleged violations.

A State agency participating in investigative and surveillance activities in accordance with the provisions of this part must submit a written report of each alleged violation to the Office of Chief Counsel, Federal Railroad Administration, 400 Seventh Street, SW, Washington, D.C. 20590, Attention: RCC–40, and a copy of the report to the appropriate FRA Regional Director. The report must be submitted within 15 days of determination of the alleged violation.

§ 212.41 Effect of non-compliance by the State agency.

If the Administrator determines that the State agency is not satisfactorily complying with the investigative and surveillance activities prescribed by him with respect to Federal safety rules, regulations, orders and standards, he may, on reasonable notice and after opportunity for hearing in accordance with the provisions of section 553 of Title 5 of the United States Code (The Administrative Procedure Act), reject the certification or terminate the agreement, in whole or in part, or take such other action as he deems appropriate. When such notice is given by the Administrator, the burden of proof shall be upon the State agency to show it is satisfactorily complying with the investigative and surveillance activities prescribed by the Administrator with respect to such safety rules, regulations, orders and standards. The findings shall be published in the FEDERAL REGISTER, and shall become effective not sooner than 15 days after the date of publication as provided in section 206 of the Act (84 Stat. 972, 45 USC 435).

§ 212.43 Individuality of certification or agreement.

Each submission for certification or request for agreement by a State agency is considered on an individual basis, taking into account the circumstances of each case. The Administrator determines the validity of each certification and prescribes the terms and conditions of each agreement.

§ 212.45 Monitoring by the Administrator.

The Administrator may conduct such monitoring of State investigative and surveillance practices and such other inspection and investigation as may be necessary to aid in the enforcement of Federal safety rules, regulations, orders and standards issued under the Act.

§ 212.47 Effect of new rules on certification or agreement.

(a) A State agency participating by certification or agreement must submit an appropriate certification or enter into an agreement as provided in this part before it may participate in any investigative and surveillance activities involving a new Federal safety rule, regulation, order, or standard issued under the Act.

(b) A State agency participating by certification or agreement must submit an appropriate supplement to an existing certification or agreement before it may participate in any investigative and surveillance activities involving an amendment of a Federal safety rule, regulation, order or standard issued under the Act which affects a State agency's qualification to perform investigative and surveillance activities prescribed by the Administrator.

(c) The Administrator shall notify a State agency participating by certification or agreement of the issuance of each amendment of a Federal safety rule, regulation, order or standard under the Act which affects a State agency's qualification to perform investigative and surveillance activities, and shall prescribe the appropriate supplement to an existing certification or agreement which is required.

§ 212.49 Notification of waivers and exemptions.

The Administrator shall notify a State agency participating under this part of each waiver or exemption of a Federal safety rule, regulation, order or standard issued under the Act which affects the participation of that State prior to the effective date of such waiver or exemption.

§ 212.51 Notification of termination.

A State agency must submit in writing to the Administrator its notice of termination of a certification or an agreement at least 30 days prior to the effective date of the termination.

Subpart C—Track Safety Standards

§ 212.71 Scope.

This subpart prescribes requirements for a State agency to carry out investigative and surveillance activities by certification or agreement with respect to the Track Safety Standards (49 CFR Part 213).

§ 212.73 Level of Inspection Effort.

(a) To qualify for certification to carry out investigative and surveillance activities with respect to the Track Safety Standards, a State agency must provide the minimum level of man-years of effort prescribed in paragraph (c).

(b) Reimbursement for the Federal share of up to 50 percent of the cost of investigative and surveillance activities with respect to the Track Safety Standards will be allowed up to a maximum reimbursement of man-years of effort prescribed in paragraph (c).

(c)

State	Minimum inspection effort	Maximum reimbursement level
Alabama	1.64	2
Arizona	.71	1
Arkansas	1.11	2
California	2.61	3
Colorado	1.32	2
Connecticut	.30	1
Delaware	.13	1
Florida	1.49	2
Georgia	1.89	2
Idaho	.95	1
Illinois	4.70	5
Indiana	2.84	3
Iowa	2.72	3
Kansas	2.69	3
Kentucky	1.36	2
Louisiana	1.47	2
Maine	.53	1
Maryland	.49	1
Massachusetts	.62	1
Michigan	2.58	3
Minnesota	2.69	3
Mississippi	1.31	2
Missouri	2.27	3
Montana	1.53	2
Nebraska	1.79	2
Nevada	.53	1
New Hampshire	.29	1
New Jersey	.65	1
New Mexico	.78	1
New York	2.39	3
North Carolina	1.32	2
North Dakota	1.53	2
Ohio	3.71	4
Oklahoma	1.70	2
Oregon	1.09	2
Pennsylvania	3.40	4
Rhode Island	.06	1
South Carolina	1.04	2
South Dakota	1.14	2
Tennessee	1.11	2
Texas	4.85	5
Utah	.58	1
Vermont	.26	1
Virginia	1.62	2
Washington	1.83	2
West Virginia	1.55	2
Wisconsin	1.83	2
Wyoming	.62	1

(d) A State agency may not submit an initial certification under this subpart unless at least one State agency employee who will conduct investigative and surveillance activities with respect to the Track Safety Standards meets the qualifications prescribed for a Track Inspector in § 212.75 of this part. After submitting the initial certification, a State agency must comply within three years with paragraph (c) of this section with respect to the minimum level of man-years of effort involved in track inspection within that State.

(e) The Administrator may, at his discretion, enter into an agreement with a State agency to provide all or any part of the investigation and surveillance activities prescribed by him to obtain compliance with the Track Safety Standards, including an agreement for the training of a State Track Inspector Trainee.

§ 212.75 Qualifications for Track Inspectors.

A Track Inspector must meet the following minimum qualifications:

(a) Six years of recent experience showing that he has engaged in progressively responsible work in track construction and maintenance, or successful completion of the training program prescribed by the Adminstrator;

(b) A bachelors degree in engineering or a related technical specialization may be substituted for three years of the six years of experience prescribed in paragraph (a) of this section;

(c) A comprehensive knowledge of track inspection, track maintenance methods, and track equipment;

(d) The ability to understand railroad maintenance standards and to detect deviations therefrom;

(e) The ability to direct the work necessary to achieve standard conditions;

(f) The ability to examine records and make inspections of track to determine adequacy for the prescribed speeds in accordance with the provisions of the Federal Track Safety Standards;

(g) The ability to conduct investigations of railroad accidents referred to the State agency by the Federal Railroad Administration; and

(h) Be a full-time bona fide employee of the State.

§ 212.77 Qualifications for a Track Inspector Trainee.

(a) A Track Inspector Trainee must meet the following qualifications:

(1) Two years of recent experience in track construction and maintenance above the level of laborer;

(2) Be a full-time bona fide employee of the State; and

(3) Be enrolled in the training program prescribed by the Administrator.

(b) A Track Inspector Trainee may not conduct independent investigative and surveillance activities while enrolled in the prescribed training program, except at the written direction of an authorized Track Inspector Instructor.

Subpart D—Railroad Freight Car Safety Standards

§ 212.91 Scope.

This subpart prescribes requirements for a State agency to carry out investigative and surveillance activities by certification or agreement with respect to the Railroad Freight Car Safety Standards (49 CFR Part 215).

§ 212.93 Level of inspection effort—safety inspection.

(a) To qualify for certification to carry out investigative and surveillance activities with respect to the Safety Inspection required under the Railroad Freight Car Safety Standards, (49 CFR 212.23) a State agency must provide the minimum level of man-years of effort prescribed in paragraph (c).

(b) Reimbursement for the Federal share up to 50 percent of the cost of investigative and surveillance activities with respect to the Safety Inspection required under the Federal Railroad Freight Car Safety Standards will be allowed up to a maximum reimbursement level prescribed in paragraph (c).

(c)

State	Minimum inspection effort	Maximum reimbursement level
Alabama	1.38	2
Arizona	.31	1
Arkansas	.56	1
California	1.96	2
Colorado	.57	1
Connecticut	.21	1
Delaware	.16	1
Florida	2.08	3
Georgia	1.32	2
Idaho	.46	1
Illinois	3.88	4
Indiana	1.97	2
Iowa	.91	1
Kansas	.82	1
Kentucky	1.50	2
Louisiana	1.13	2
Maine	.37	1
Maryland	.60	1
Massachusetts	.45	1
Michigan	1.71	2
Minnesota	1.85	2
Mississippi	.52	1
Missouri	1.19	2
Montana	.74	1
Nebraska	.60	1
Nevada	.15	1
New Hampshire	.08	1
New Jersey	.86	1
New Mexico	.20	1
New York	2.07	3
North Carolina	.88	1
North Dakota	.26	1
Ohio	5.19	6
Oklahoma	.45	1
Oregon	.73	1
Pennsylvania	3.86	4
Rhode Island	.05	1
South Carolina	.49	1
South Dakota	.17	1
Tennessee	.94	1
Texas	3.27	4
Utah	.65	1
Vermont	.11	1
Virginia	1.85	2
Washington	1.21	2
West Virginia	1.56	2
Wisconsin	1.29	2
Wyoming	.44	1

(d) A State agency may not submit an initial certification under this subpart unless at least one State agency employee who will conduct the investigative and surveillance activities with respect to the Safety Inspection required under the Railroad Freight Car Safety Standards meets the qualifications prescribed for an Equipment Inspector—Safety in § 212.95 of this part. After submitting the initial certification, a State agency must comply within three years with paragraph (c) of this section with respect to the minimum level of man-years of effort involved in freight car safety inspection within that State.

(e) The Administrator may, at his discretion, enter into an agreement with a State agency to provide all or any part of the investigative and surveillance activities prescribed by him to obtain compliance with the Safety Inspection required under the Railroad Freight Car Safety Standards, including an agreement for the training of a State Equipment Inspector Trainee—Safety.

§ 212.95 Qualifications for Equipment Inspector—Safety.

An Equipment Inspector—Safety must meet the following minimum qualifications:

(a) Two years of recent experience in railroad freight car inspection, or successful completion of the training program prescribed by the Administrator;

(b) The ability to examine records, and make inspections of freight cars to determine compliance with Federal Railroad Freight Car Safety Standards;

(c) The ability to conduct investigations of railroad accidents referred to the State agency by the Federal Railroad Administrator; and

(d) Be a full-time bona fide employee of the State.

§ 212.97 Qualifications for Equipment Inspector Trainee—Safety.

(a) An Equipment Inspector Trainee—Safety must meet the following qualifications:

(1) One year of recent experience in railroad freight car inspection;

(2) Be a full-time bona fide employee of the State; and

(3) Be enrolled in the training program prescribed by the Administrator.

(b) An Equipment Inspector Trainee—Safety may not conduct independent investigative and surveillance activities while enrolled in the prescribed training program, except at the written direction of an authorized Equipment Inspector instructor.

Interested persons are invited to participate in this rulemaking proceeding by submitting written data, views, or comments. Communications should identify the regulatory docket number and should be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Attention: Docket No. RSSP-2, 400 Seventh Street, SW., Washington, D.C. 20590. Communications received before August 15, 1975 will be considered by the Federal Railroad Administrator before taking final action on the proposed revisions and amendments. All comments received will be available for examination by interested persons at any time during regular working hours in Room 5101, Nassif Building, 400 Seventh Street, SW., Washington, D.C. The proposals contained in this notice may be changed in light of comments received.

The provisions of this Part 212 are issued under the authority of sections 202 and 206 of the Federal Railroad Safety Act of 1970 (84 Stat. 971, 45 USC 421 et seq.) and § 1.49(n) of the regulations of the Office of the Secretary of Transportation (49 CFR 1.49(n)).

Issued in Washington, D.C., on June 20, 1975.

ASAPH H. HALL,
Deputy Administrator.

[FR Doc.75-16587 Filed 6-25-75;8:45 am]

DEPARTMENT OF LABOR

Manpower Administration

[20 CFR Part 602]

PUBLIC EMPLOYMENT OFFICES

Minimum Wage Rates for Temporary Foreign Agricultural Labor

Pursuant to section 1184 of title 8, United States Code, § 214.2(h) of title 8, Code of Federal Regulations, and Secretary's Order No. 4-75, I hereby propose to amend 20 CFR 602.10b(a)(1) as set forth below.

The "adverse effect" rates, which the proposed amendment would revise, are the hourly minimum wage rates which an employer must offer to U.S. workers in order to be eligible to apply for a labor certification for the temporary use of foreign workers. Since the influx of temporary foreign labor has the effect of lowering prevailing wage rates, the Secretary has constructed these minimum wage rates for agriculture to reflect and rectify the adverse effect of the importation of alien workers. The rates are revised on an annual basis to reflect changing economic conditions in each State wherein a significant number of nonimmigrant alien workers are employed. Except for Florida sugarcane, the rates set forth herein were revised on the basis of the same formula which has been used since 1968. The prior year's rate was adjusted by the percentage change in the United States Department of Agriculture hourly farm wage rate (without room or board).

This year no adverse effect rate is being published for the State of Rhode Island because it has been determined that the number of alien workers imported into that State is not sufficient to adversely effect the wages of domestic workers. Conversely, the adverse effect rate is being published for the State of Maryland because it is believed that the importation of alien workers could impact upon the wages otherwise payable to domestic workers. An adverse effect rate is also being published for the State of Florida for sugarcane only. This addition is necessitated by the expiration of the Sugar Act under which the Department of Agriculture determined minimum wage rates, among other things, for sugarcane harvesting. Since sugarcane is the only crop in Florida for which the importation of alien workers would adversely effect the wages that would otherwise be paid to domestic workers, it is the only crop rate determined. The 1975 proposed rate for Florida sugarcane was determined by adjusting the U.S. Department of Agriculture 1974-75 rate for Florida sugarcane cutting, by the percentage change in the USDA hourly rate for the State of Florida.

Any person interested in this proposal may file a written statement of data, views, or arguments to the Assistant Secretary for Manpower, United States Department of Labor, 6th and D Streets, NW., Washington, D.C. 20213. Attention: William B. Lewis, Associate Manpower Administrator for the United States Employment Service, on or before July 28, 1975.

As amended, subparagraph (1) of paragraph (a) in 20 CFR 602.10b would read as follows:

PART 602—COOPERATION OF THE UNITED STATES TRAINING AND EMPLOYMENT SERVICE AND STATES IN ESTABLISHING AND MAINTAINING A NATIONAL SYSTEM OF PUBLIC EMPLOYMENT OFFICES

§ 602.10b Wage rates.

(a)(1) Except as otherwise provided in this section, the following hourly wage rates (which have been found to be the rates necessary to prevent adverse effect upon U.S. workers) shall be offered to agricultural workers in accordance with § 602.10a(j):

State:	*Rate*
Connecticut	$2.39
Florida (sugarcane only)	2.84
Maine	2.46
Maryland	2.36
Massachusetts	2.34
New Hampshire	2.58
New York	2.49
Vermont	2.54
Virginia	2.52
West Virginia	2.48

* * * * *

(8 U.S.C. 1184, 8 CFR 214.2(h))

Signed in Washington, D.C., this 18th day of June, 1975.

W. H. KOLBERG,
Assistant Secretary for Manpower.

[FR Doc.75-16595 Filed 6-25-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

[FRL 391-2]

APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Proposed Revision to Oregon Implementation Plan

Section 110 of the Clean Air Act, as amended, and the implementing regulations of 40 CFR Part 51, require each state to submit a plan which provides for the attainment and maintenance of the national ambient air quality standards throughout the State. On May 31, 1972 (37 FR 10842), the Administrator of the Environmental Protection Agency (EPA) approved the State of Oregon Clean Air Act Implementation Plan (SIP) in its entirety. Contained in that approved plan is Chapter 340 of the Oregon Administrative Rules (OAR), Department of Environmental Quality.

On February 19, 1975 the Director of the Department of Environmental Quality (DEQ) submitted to the Administrator revisions to OAR Chapter 340, Sec-

tions 12–030 through 12–055, Civil Penalties; Section 31–005, Ambient Air Standard for Lead; and Sections 20–100 through 20–135, Rules for Indirect Sources, as proposed revisions to the Oregon SIP. Subsequently, DEQ withdrew the Rules for Indirect Sources as a proposed SIP revision. In addition, because lead is a pollutant for which no national ambient air quality standard has been set, the Administrator's action today does not include the approval or disapproval of the State-adopted standard for lead. This section of the OAR is not to be considered as an official portion of the SIP, nor is the State standard enforceable by EPA.

The Oregon Environmental Quality Commission repealed the former rules pertaining to Civil Penalties (Sections 12–005 through 12–025) and adopted the new Civil Penalty Rules on September 4, 1974 after proper notice and public hearing in accordance with 40 CFR 51.4 and 51.6. The proposed revision for Civil Penalties is summarized as follows:

1. Each violation is considered a separate and distinct offense and, in cases of continued violation, each day's continuance shall be so considered. Proceedings for the assessment of multiple penalties for multiple violations may, however, be consolidated into a single proceeding.

2. Prior to the assessment of Civil Penalties, the DEQ shall serve written notice of violation and state that the DEQ will assess a civil penalty if the violation continues five days following service of the notice. Written notice shall not be required in cases where the respondent has otherwise received actual notice of the violation not less than five days prior to the violation for which a penalty is assessed. Advance notice will not be required where the pollution or contaminant source would normally not be in existence for five days, or where the source might leave or be removed from the DEQ's jurisdiction.

3. Factors considered in the levying of penalties include the following:

a. Whether the respondent has committed any prior violation, regardless of whether any action was commenced.

b. The history of the respondent in the matter of taking all feasible steps to correct the violation.

c. The economic and financial condition of the respondent.

d. The seriousness of the violation.

e. Whether the violation was continuous, and repeated.

f. Whether the cause of violation was accidental and unavoidable, or occurred through negligence or deliberate action on the part of the respondent.

g. The opportunity and degree of difficulty to correct the violation.

h. The cooperativeness of the respondent in efforts to correct the cause of the violation.

i. The cost to the Department of investigation and correction procedures prior to receipt of the respondent's answer to written notice.

j. Unless discussed in the respondent's answer to written notice of violation, the Commission presumes that the economic/financial conditions of the respondent will allow imposition of the penalty assessed. Burden of proof regarding economic conditions will rest with the respondent.

4. *Air quality schedule of penalties.* The Civil Penalties schedules in the approved implementation plan provide specific penalties for certain violations. The revised regulation consolidates these into three basic types and is summarized as follows. In addition to any liability, duty, or other penalty provided by law, the appropriate authorities may assess a Civil Penalty for any violation pertaining to air quality by service of a written notice of assessment of civil penalty upon the respondent. The amount of penalty shall be determined by the following schedule:

1. Not less than $100 nor more than $500 for violation of an order of the Commission, DEQ, or regional air quality control authority.

2. Not less than $25 nor more than $500 for any violation which causes, contributes to, or threatens the emission of an air contaminant into the outdoor atmosphere.

3. Not less than $25 nor more than $300 for any other violations.

The Administrator is required by Section 110 of the federal Clean Air Act to approve or disapprove any proposed revision to an implementation plan submitted by a State. Interested persons are invited to participate in this rulemaking by submitting written comments, preferably in triplicate, to the Regional Administrator, Environmental Protection Agency, Region X, 1200 Sixth Avenue, Seattle, Washington 98101. Attention: K. Higley, M/S 629. Relevant comments received on or before July 28, 1975, will be considered and will also be available for public review during normal working hours at the Region X Office and EPA Headquarters at the addresses noted below. Copies of the proposed revision are available for public inspection during normal working hours at the following locations:

Environmental Protection Agency
Region X
1200 Sixth Avenue
Seattle, Washington 98101

State of Oregon Department of Environmental Quality
1234 SW Morrison Street
Portland, Oregon 97205

Environmental Protection Agency
Freedom of Information Center
Room 329
401 M Street SW
Washington, D.C. 20460

This notice of proposed rulemaking is issued under the authority of Section 110(a) of the Clean Air Act as amended (42 U.S.C. 1857c–5(a)).

Date: June 16, 1975.

C. V. SMITH, Jr.,
Regional Administrator,
Region X.

[FR Doc.75–16583 Filed 6–25–75;8:45 am]

[47 CFR Part 76]

[Docket No. 20523; FCC 75–729]

APPLICATION FOR AUTHORIZATIONS IN THE CABLE TELEVISION RELAY SERVICE

Proposed Adoption of Form

1. Notice is hereby given of proposed rule making in the above-captioned matter.

2. Applicants seeking construction permits, licenses, and various other authorizations for facilities in the Cable Television Relay Service (CARS) currently make application on FCC Form 402, the application form for microwave station authorization in the Safety and Special Radio Services, as they have done since the establishment of CARS in 1965. As a result of experience gained in processing CARS applications during the past several years and in response to informal suggestions from various interested parties, we are initiating this rule making for the purpose of adopting a new CARS application form. The need for an application form especially designed to solicit the information required to process CARS applications efficiently seems incontrovertible. FCC Form 402 does not satisfy that requirement. Applications and problems confronted by the Cable Bureau's CARS staff are increasingly numerous and complex. Moreover we anticipate the filing of in excess of 400 license renewal applications on or before February 1, 1976. In order to process the applications thoroughly and efficiently, and also so that the staff can integrate the information which will be forthcoming into an automatic data processing base, we propose to adopt the attached FCC Form 327 as the form to be used when applying for a CARS authorization.

3. Proposed FCC Form 327 solicits in one package data currently received as answers to FCC Form 402 questions and in replies to Commission inquiries for information necessary to satisfy the requirements of Parts 1, 17, 76, and 78 of the Rules. The present procedure often results in incomplete submittals which cause the staff routinely to request additional information. Processing delays flow inevitably from the incompleteness of the present CARS application form. The purpose of the proposed form is to assist applicants in filing a complete CARS application and thus expedite the processing cycle.

4. Authority for the proposed rule making instituted herein is contained in sections 4 (i) and (j), 303(r) and 403 of the Communications Act of 1934, as amended.

5. All interested parties are invited to file written comments on proposed FCC Form 327 on or before July 11, 1975, and reply comments on or before July 16, 1975. In view of the time constraints within which the Commission is working, and because the information proposed FCC Form 327 seeks is substantially the same as that now received, extensions of time are not contemplated. In addition to the specific comments filed

pursuant to this Notice, the Commission also may take into account other relevant information before reaching a decision on the proposed form. In this regard, interested parties also are invited to meet with members of the Commission's staff on July 8, 1975, at 2:00 P.M. in Room 8210, at 2025 M Street, NW., Washington, D.C. 20554, for the purpose of discussing informally the merits of the attached proposed FCC Form 327.

6. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and fourteen copies of all comments, replies, pleadings, briefs, or other documents filed in this proceeding shall be furnished to the Commission. Responses will be available for public inspection during regular business hours in the Commission's Docket Reference Room (Room 239) at its Headquarters in Washington, D.C. (1919 M Street, NW.).

Adopted: June 17, 1975.

Released: June 20, 1975.

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

GENERAL INSTRUCTIONS

A. This form shall be used when applying for a Cable Television Relay Service (CARS) station authorization.

B. Applicants for: *New Station or License Renewal.* File a complete set of schedules and requested exhibits.

Modification. File with Schedule A its requested exhibits if no other changes have been made from the most recent filings.

License or Reinstatement. File only Schedule A if no other changes have been made from the most recent filings.

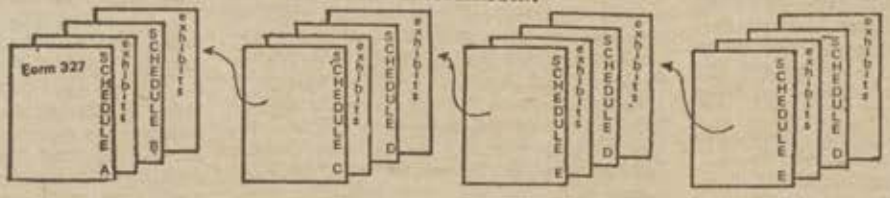
Transfer of Control or Assignment of Authorization. File only Schedule B (Ownership Information), and the requested exhibits, if no other changes have been made from the most recent filings. If the transferee or assignee has not previously filed an FCC Cable Television Annual Report Form 325 or if the transferee's or assignee's Form 325 ownership information has changed from the most recent filing, attach new Form 325 ownership information for the transferee or assignee.

C. This form should be filed with the Federal Communications Commission, Washington, D.C. 20554. Submit three copies of each Schedule A, B, C, and E, and the exhibits associated therewith. Submit five copies of each Schedule D (Site Sketch and Data) and the exhibits associated therewith. The applications shall be accompanied by the appropriate fee pursuant to the Commission's rules.

D. Number the pages serially in the space provided in the upper right corner in the following order:

Schedule A
Exhibits requested in Schedule A
Schedule B (Ownership Information)
Exhibits requested in Schedule B
Schedule C (Transmitter and Signal Data)
Exhibits requested in Schedule C
Additional Schedule C's and requested exhibits
Schedule D (Site Sketch and Data) for transmit site
Exhibits requested in Schedule D
Schedule E (Path Data)
Exhibits requested in Schedule E
Schedule D (Site Sketch and Data) associated with Schedule E for receive or passive repeater site
Exhibits requested in Schedule D
Additional Schedules E, requested exhibits, associated Schedules D and requested exhibits for other receive or passive repeater sites

PICTORIAL ILLUSTRATION:



E. Place all requested exhibits directly after the schedule which requests the exhibits. If additional supplemental information is to be filed, attach it as an exhibit following the appropriate schedule.

F. If the applicant is:

An Individual: This form shall be signed by the applicant personally.

A Partnership: This form shall be signed by one of the partners.

A Corporation or Association: This form shall be signed by an officer of the applicant.

A Governmental Entity: This form shall be signed by an official of the applicant.

The form shall be signed in the space provided on the bottom of page 1. Signing of this form is a representation that the person who signs the form is familiar with the contents of this form and all associated exhibits, and supports and approves the representation made therein on behalf of the applicant.

G. All items must be answered fully and all necessary information furnished. If any items of the application are not applicable, write N.A. Defective or incomplete applications may be returned without consideration. Applicants, however, are hereby notified that when this form requests a Social Security Account Number in lieu of an Internal Revenue Service Employer Identification Number, they may withhold the Social Security Number without prejudice to the merits of the application. When supplied, the Social Security Number will be used soley as a unique identifier within the Commission's system of records alone. Sections 4(i), 4(j), 303(r) and 308 of the Communications Act of 1934, as amended, is authority for soliciting applicants' Social Security Account Numbers to the extent indicated above.

H. When an abbreviation of a state is required, use the United States Postal Service abbreviation.

I. Use only the indicated number of spaces when answering each question. If insufficient spaces are available, abbreviate or truncate the information to fit. For example, operator's legal name must fit in 36 spaces.

J. Specific instructions for each schedule may be found on the back of the schedule.

FCC Form 327
Schedule A
1975
Form Approved
GAO No.

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION

CABLE TELEVISION RELAY SERVICE APPLICATION

[8.1] page of pages

1. a) Application for: (Check one)
- [ ] NEW STATION
- [ ] LICENSE
- [ ] MODIFICATION
- [ ] LICENSE RENEWAL
- [ ] ASSIGNMENT OF AUTHORIZATION
- [ ] TRANSFER OF CONTROL
- [ ] REINSTATEMENT

b) If this application refers to an existing station, give the call sign:

c) If for a modification, check the appropriate description and attach as Exhibit A-1 a complete explanation of the modification.
- [ ] ADD CHANNEL(S)
- [ ] DELETE CHANNEL(S)
- [ ] CHANGE TRANSMITTER
- [ ] CHANGE CONTROL SYSTEM
- [ ] CHANGE TRANSMITTER SITE
- [ ] OTHER
- [ ] ADD RECEIVE SITE(S)
- [ ] DELETE RECEIVE SITE(S)
- [ ] CHANGE RECEIVE SITE(S)
- [ ] EXTENSION OF TIME
- [ ] CHANGE ANTENNA SYSTEM
- [ ] CHANGE OPERATING POWER
- [ ] CHANGE HEIGHT OF ANTENNA STRUCTURE
- [ ] CHANGE HORIZONTAL LOCATION OF ANTENNA

2. a) Indicate the name, mailing address, and telephone number of the applicant:

Legal name of applicant:
Name for doing business (if different from legal name):
Mailing Address — P. O. Box or Street Address | Area Code | Telephone Number
City | State | Zip Code

b) Indicate the name, mailing address, and telephone number of person to contact, if other than applicant:

Name:
Firm or Company Name:
Mailing Address — P. O. Box or Street Address | Area Code | Telephone Number
City | State | Zip Code

c) Indicate the address at which the station's records will be maintained:

Street Address
City | State | Zip Code

d) E. I. Number — Indicate the Internal Revenue Service Employer Identification (E.I.) Number used by the applicant. If the applicant has no E.I. Number, use Social Security Number.

All the statements made in the application and attached exhibits are considered material representations, and all the exhibits are a material part hereof and are incorporated herein as if set out in full in the application.
The applicant certifies that he has a current copy of the Commission's Rules governing the Cable Television Relay Service (CARS).
The applicant waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application.
I CERTIFY that the statements in this application are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT, U. S. CODE, TITLE 18, SECTION 1001.

SIGNATURE: _____ DATE: _____

Check appropriate classification:
- [ ] INDIVIDUAL APPLICANT
- [ ] MEMBER OF APPLICANT PARTNERSHIP
- [ ] OFFICER OF APPLICANT CORPORATION
- [ ] OFFICER OF APPLICANT ASSOCIATION
- [ ] OFFICER OF A GOVERNMENTAL ENTITY

3. a) Will the applicant provide program material to cable television systems either without charge or on a nonprofit, cost-sharing basis pursuant to a written contract? [ ] YES [ ] NO
(If service will be provided on a nonprofit, cost-sharing basis pursuant to a written contract, attach as Exhibit A-2 a copy of the contract.)

b) Will the applicant own the radio equipment? [ ] YES [ ] NO
(If no, give name of owner:)

c) Will the applicant be a party to a lease or other agreement under which control will be exercised in the same manner as if the equipment were owned by the applicant? [ ] YES [ ] NO

d) Will the applicant have unlimited access to the equipment and will effective measures be taken to prevent use of the radio equipment by unauthorized persons? [ ] YES [ ] NO

e) Has the applicant or any party to this application had any FCC station license, permit, or any other authorization revoked or had any application for permit, license, renewal, or any other authorization denied by this Commission? [ ] YES [ ] NO
(If yes, attach as Exhibit A-3 a statement identifying the license, permit, application or other authorization revoked or denied, and the circumstances relevant to the revocation or denial.)

4. Attach statement of eligibility as Exhibit A-4.

5. Attach as Exhibit A-5 a map or drawing of appropriate scale and detail showing the complete proposed relay system including interconnections, if any, with other cable television relay stations, common carrier stations, and/or other stations. The map or drawing should show the following:

(1) Direction of true north
(2) Location of transmitting site(s), the location of any intermediate relay station(s), passive repeater(s) and terminal receiving point(s) accurately plotted.
(3) Call sign(s) and licensee(s) of any station(s) to which applicant's proposed station will be interconnected.

6. Check below the schedules of this form and requested exhibits that have been completed and filed with this application:

- [ ] Schedule A
  - [ ] Exhibit A-1
  - [ ] Exhibit A-2
  - [ ] Exhibit A-3
  - [ ] Exhibit A-4
  - [ ] Exhibit A-5
- [ ] Schedule B
  - [ ] Exhibit B-1
  - [ ] Exhibit B-2
  - [ ] Exhibit B-3
  - [ ] Exhibit B-4
  - [ ] Exhibit B-5
- [ ] Schedule C
  - [ ] Exhibit C-1
  - [ ] Exhibit C-2
  - [ ] Exhibit C-3
  - [ ] Exhibit C-4
  - [ ] Exhibit C-5
  - [ ] Exhibit C-6
  - [ ] Exhibit C-7
- [ ] Schedule D
  - [ ] Exhibit D-1
  - [ ] Exhibit D-2
  - [ ] Exhibit D-3
  - [ ] Exhibit D-4
  - [ ] Exhibit D-5
- [ ] Schedule E
  - [ ] Exhibit E-1
  - [ ] Exhibit E-2
- [ ] _____ (other)
- [ ] _____
- [ ] _____
- [ ] _____
- [ ] _____

Schedule B
(FCC Form 2271)

OWNERSHIP INFORMATION (Each applicant must complete Schedule B and requested exhibits as needed. The information submitted in this schedule will enable the Commission to identify all entities which control the applicant.)

page of
Begin

1. Indicate by the appropriate number whether applicant is:

1. Individual
2. Partnership
3. Corporation
4. Association
5. Governmental Entity

Number

2. If the applicant is a nongovernmental corporation, answer the following questions:

a) Under the laws of what state is it organized? State

b) Is the applicant directly or indirectly controlled by an unincorporated association(s) or partnership(s)? YES NO
(If yes, answer question 3 below. If there is more than one controlling unincorporated association or partnership, attach as Exhibit B-1 a statement containing the information requested in question 3 for each such entity.)

Is the applicant directly or indirectly controlled by any other nongovernmental corporation(s)? YES NO
(If yes, answer question 4 below. If there is more than one controlling nongovernmental corporation, attach as Exhibit B-2 a statement containing the information requested in question 4 for each controlling nongovernmental corporation.)

3. If the applicant is an unincorporated association or partnership, or if reporting on a controlling entity pursuant to Section 2b above, answer the following questions:

a) List the applicant's members or principals and their respective Employer Identification Number(s). If the applicant's members or principals do not have E. I. Numbers, use Social Security Number(s).

Name
E. I. Number

Name
E. I. Number

Name
E. I. Number

(If there are more than three members or principals, file additional Schedules B.)

b) Is the association or partnership, or any of its principals or members, directly or indirectly controlled by an unincorporated association, partnership or individual(s)? YES NO
(If yes, attach as Exhibit B-3 a statement with the information requested in question 3 for each controlling unincorporated association(s) or partnership(s). If an individual(s) directly or indirectly controls the association or partnership, or any of the principals or members, also attach as Exhibit B-3, or as part of Exhibit B-3, a statement identifying the individual by legal name and E. I. Number. Use Social Security Number(s) if the controlling individual(s) does not have an E. I. Number. If the controlling unincorporated association(s) or partnership(s) is in turn controlled by other entities or individual(s), attach as Exhibit B-4 a statement with the information requested in question 3 or 4, whichever is appropriate, for each controlling entity. Provide the controlling individual's legal name and E. I. Number. Use Social Security Number(s) if the controlling individual(s) does not have an E. I. Number.)

c) Is the association or partnership, or any of its principals or members directly or indirectly controlled by a nongovernmental corporation? YES NO
(If yes, answer question 4 below.)

4. For each controlling nongovernmental corporation, answer the following questions:

a) State the controlling nongovernmental corporation's name and Employer Identification Number.
Name
E. I. Number

b) Under the laws of what state is it organized? State

c) Is the controlling nongovernmental corporation controlled by another organization(s) or individual(s)? YES NO
(If yes, attach as Exhibit B-5 a statement with the information requested in question 3 or 4, whichever is appropriate, or both, for each controlling entity. If the controlling nongovernmental corporation is in turn controlled by an individual(s), attach also as Exhibit B-5 or as part of Exhibit B-5 a statement identifying the individual by legal name and E. I. Number. Use Social Security Number(s) if controlling individual(s) does not have an E. I. Number.

Schedule C (FCC Form 327)

TRANSMITTER AND SIGNAL DATA (Each Schedule C should indicate the requested information for each model of transmitter which will transmit channels of the same channel group. Further instructions are on the reverse side.)

page of
dates

Number 1/ FCC Type Acceptance Number

Make (Manufacturer)

Emission Designator 2/

Class of Station: F=Fixed, M=Mobile. If mobile attach as Exhibit C-1 a statement indicating the service area.

Mode: A=Attended Operation, U=Unattended Operation, R=Remote Control Operation. If unattended or remote control operation, attach as Exhibit C-2 the appropriate showing as to the manner of compliance with Section 78.51 or 78.53 of the Rules.

Check the path numbers that this transmitter feeds:

Channel Group: Indicate the microwave channel group.

Microwave Channels	Call Sign of Television Broadcast Station to be Relayed or the Appropriate Code 3/	Source of Signal 4/: code	Source of Signal 4/: microwave station call sign	Authorization 5/: code
01				
02				
03				
04				
05				
06				
07				
08				
09				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				

Microwave Channels	Call Sign of Television Broadcast Station to be Relayed or the Appropriate Code 3/	Source of Signal 4/: code	Source of Signal 4/: microwave station call sign	Authorization 5/: code
22				
23				
24				
25				
26				
27				
28				
29				
30				
31				
32				
33				
34				
35				
36				
37				
38				
39				
40				
41				
42				

[1] Indicate the number of transmitters with the same FCC type acceptance number which will transmit channels of the same channel group.

[2] Indicate the emission designator of the transmitter. If the transmitter will operate with more than one emission designator, for example if it will have different emissions for aural and visual components of the signal(s) relayed, indicate all designators, separating the designators by an oblique line (/).

[3] Indicate the call sign of the television broadcast station to be relayed on each microwave channel during the majority of the transmitting hours. If more than one television broadcast station is to be carried on a microwave channel, attach as Exhibit C-3 a statement indicating the call sign(s) of the additional television broadcast station(s) relayed on each microwave channel(s). If a microwave channel(s) will relay the signals of standard or FM radio broadcast stations during the majority of the transmitting hours, enter the code letters AM or FM, whichever is appropriate, adjacent to the microwave channel so used; and attach as Exhibit C-4 a statement indicating whether the radio signals relayed will be all-band or the signals of particular standard or FM radio stations. If a microwave channel(s) will relay nonbroadcast programming, enter the appropriate code adjacent to the microwave channel so used. The nonbroadcast codes are as follows:

Non-automated Origination—NO
Pay Cable—PC
Control Signal—CS
Other—OH
Public Access—PA
Governmental Access—GA
Educational Access—EA
Leased Access—LA
Automated Origination—AO

If nonbroadcast programming will be relayed, include as Exhibit C-5 a statement indicating nature and source of the programming.

[4] Indicate the source of the signal at the proposed station by the appropriate code (1=off air, 2=CARS, 3=Common Carrier, 4=pending, 5=other) and give the call sign of the microwave station if the source is a CARS or Common Carrier station. If the source of the signal at the proposed station is a CARS or Common Carrier station for which an application is pending, enter code 4, and indicate the file number of the pending application. If other, enter code 5 and attach as Exhibit C-6 a complete explanation.

[5] Indicate by the appropriate code the authorization for the cable television system(s) to carry the signal(s) relayed (1=Certificate of Compliance, 2=Pre-February 15, 1966, 3=Former Section 74.1105, 4=more than one of the foregoing codes, 5=other). If the authorization is not the same for each cable television system, enter code 4. If the appropriate code is 4 or 5, attach as Exhibit C-7 a complete explanation.

Schedule D (FCC Form 327) SITE SKETCH AND DATA (File a separate Schedule D for each transmit receive, and passive repeater site. Further instructions are on the reverse side.)

Page of
Date

Draw a vertical profile sketch of the complete antenna support structure.

If the applicant proposes construction of a major communications facility as defined in Part 1, Subpart I, of the Commission's Rules, attach as Exhibit D-1 a statement containing the information required in Subpart I

If these facilities will be mounted on an antenna support structure previously authorized by the Commission, include as Exhibit D-2 a statement identifying the licensee or permittee, call sign, and service of station and current obstruction lighting (list by reference applicable paragraphs of FCC Form 715).

Construction of certain structures and alterations to structures may require notification to the Federal Aviation Administration (FAA). (See Section 17.7 of the Rules) If such a notification was made, and the construction or alteration is proposed, attach as Exhibit D-3 a copy of such notification.

If the structure will be located on land under the jurisdiction of the U.S. Forest Service, the U.S. Department of Agriculture, or the Bureau of Land Management, the U.S. Department of Interior, certification shall be made as Exhibit D-4 that approval has been received from the appropriate agency for the use of the site, subject to the granting of this application.

If the structure will be within 0.5 mile of any Standard Broadcast station, attach as Exhibit D-5 an engineering statement detailing the effect (if any) on that station.

OHAGL of complete structure (ft.)

OHAGL of building (if any) (ft.)

Height of ground AMSL

COORDINATES latitude and longitude ° ' " N ° ' " W

Community County

IF A RECEIVE OR PASSIVE REPEATER SITE, INDICATE THE PATH WHICH FEEDS THIS SITE BY NUMBER.

Location (street address or distance outside of the community) State

Sketch: The sketch should be a vertical profile of the antenna support structure. The sketch should show the antenna support structure in its entirety, whether it is a tower, building, or other. If the antenna support structure is to be mounted on a building, include the complete structure, e.g., penthouses and chimneys. The sketch should include:

1. Proposed and existing CARS station antenna installation including parabolic dishes and passive reflectors. In the case of a periscope configuration where the antenna and reflector are not co-mounted on the same structure, include both antenna support structures.

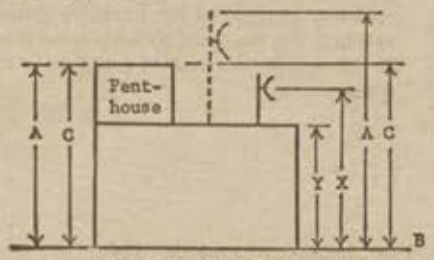
2. All other top-mounted devices, e.g., whip or search antenna(s) or obstruction lighting which contribute to the overall height of the structure.

3. Any base on which the support structure is mounted.

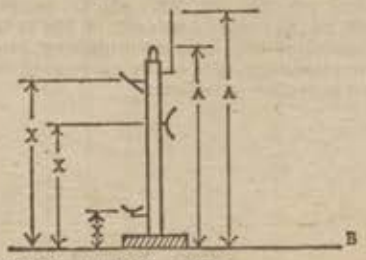
If a particular site will have two or more antenna support structures associated with this application, e.g., two towers in close proximity or two separate buildings, submit a separate sketch for each support structure.

Representative sketches showing components whose elevations should be included are given below:

Sketch 1: Applies to antenna structures mounted on buildings, water or fire towers, etc.



Sketch 2: Applies to antennas mounted on conventional towers, masts, poles, etc.



A is the total overall height above ground level (OHAGL) of the antenna support structure and all appurtenances. A includes all penthouses and chimneys if the support structure is a building as in sketch 1, and all top mounted devices on a tower such as whip antennas as in sketch 2. Note that A includes any base that the tower might be mounted on. If whip antenna were not present in sketch 2, A would be measured to the top of the beacon. (See dotted portion of sketch 2.) Obstruction lighting which contributes to the overall height of the antenna support structure should always be included in A.

B is the elevation of the ground above mean sea level (AMSL) at the antenna support structure site.

C is the overall height above ground level (AGL) of the building, if applicable. Note that C will not equal A if the antenna tower extends above the topmost point of the building (see dotted portion of sketch 1).

Y is the height above ground level of the point of the building at which the antenna tower is mounted, if applicable.

X's indicate the center heights (AGL) of the antenna(s) and reflector(s) which should be used when stating the height(s) of these components.

Schedule E (FCC Form 327)

PATH DATA (Each Schedule E should contain information for one path only, should list all the cable television systems served by this path, and should list all the microwave channels transmitted on this path and the transmit antenna input power for each channel. Further instructions are on the reverse side.)

page ___ of ___ pages

PATH NUMBER 1/

TRANSMIT ANTENNA 2/ — Model Number — Make — Height Above Ground Level (AGL) (ft.)

Size (ft.) — Height AGL (ft.) — Type

Reflector (if any) — Size (ft.) — Height AGL (ft.) — Type

second transmit antenna (if used) — Model Number — Make — Height AGL (ft.)

RECEIVE ANTENNA 2/ — Model Number — Make — Height AGL (ft.)

Reflector (if any) — Size (ft.) — Height AGL (ft.) — Type

PATH DATA 3/ — Path (mi.) Distance — Transmitting Azimuth

INDICATE THE MICROWAVE CHANNELS TO BE RELAYED ON THIS PATH AND THE ANTENNA INPUT POWER. 4/

channel designator	antenna input power

If the Rules require a statement that the applicant has investigated the possibility of using cable rather than microwave and the reasons why it was decided to use microwave rather than cable, attach as Exhibit E-1 such a statement.

If any of the programming relayed on this path will not be delivered to a cable television system(s), attach as Exhibit E-2 a statement identifying such cable system(s) and identifying what programming the cable system(s) will receive.

INDICATE ALL CABLE TELEVISION SYSTEMS TO BE SERVED BY THIS PATH 5/

Community Served — FCC System Code
Legal Name of Operator
Name for Doing Business in System Community (if different from legal name)

Community Served — FCC System Code
Legal Name of Operator
Name for Doing Business in System Community (if different from legal name)

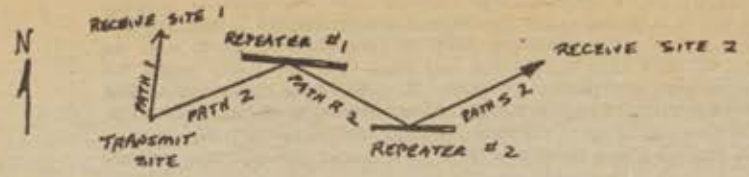
Community Served — FCC System Code
Legal Name of Operator
Name for Doing Business in System Community (if different from legal name)

Community Served — FCC System Code
Legal Name of Operator
Name for Doing Business in System Community (if different from legal name)

Community Served — FCC System Code
Legal Name of Operator
Name for Doing Business in System Community (if different from legal name)

[1] *Path Number:* Paths shall be numbered consecutively. In the case of a path which utilizes a passive repeater(s), each component path to and from the repeater(s) shall be considered separately. The path from the transmitting antenna to the first passive repeater shall be numbered in accordance with the procedure given above; the path from the first repeater to the receiving antenna or second repeater (if any) shall be labeled with the same path number as the initial portion of the total path but shall be prefixed with an R; the path from the second repeater to the receive antenna should be numbered similarly but prefixed with an S. See below:

Example:



If the application proposes to add an additional receive site(s) to an existing station, the new path(s) shall be numbered sequentially.

	Type
Shape:	*Curvature*
1—round or elliptical	F—flat
2—square or rectangular	P—parabolic
3—truncated round or elliptical.	
4—truncated square or rectangular.	

If a passive repeater will be utilized on the path, include (in the spaces set aside for reflector) data as to the repeater's size and the height above ground level of the center of the repeater.

---

[3] *Transmit and Receive Antennas:* For the antennas used to transmit and receive on a particular path, the antenna manufacturer, model number, and height of the center of the antenna above ground level (AGL) shall be stated in the appropriate spaces. If a second transmit antenna will be utilized on the path, include the foregoing information in the spaces provided. If a periscope configuration will be utilized for either the transmit or receive antennas, the following information shall be provided in the appropriate spaces: size of reflector (give smallest and largest dimension in feet), height above ground level of center of reflector, and reflector configuration. Use the two character code given below, e.g. 2F.

[3] *Path Data:* The following information shall be provided in the appropriate spaces: path distance (from transmit antenna to receive antenna in miles to nearest tenth—if there is an intervening passive repeater(s), do not use total path length; use distance to or from repeater as appropriate), and azimuthal angle of path (to nearest tenth of a degree—again in the case of a passive repeater(s), use azimuth of correct portion of total path).

[4] *Channel Designator and Antenna Input Power:* The microwave channel(s) to be transmitted along a particular path should be listed by its proper designator(s) including channel group, number, and polarization. Associate with each channel designator the antenna input power (after waveguide and multiplexing losses) for that particular channel.

[5] *Cable Television Systems to be Served by Path:* Include cable television systems that will be served from the path's receive site. If the path will perform a repeater function, i.e., will serve no cable television system at the receive site, no system should be listed for the path. For each cable television system listed, include the following in the appropriate spaces: name of community served by the cable television system, FCC cable television system code, legal name of operator (if individual, last name first), and name for doing business in cable television system community (if different from legal name). If more space is needed for listing the cable television systems served or the microwave channels to be relayed, use additional Schedules D.

[FR Doc.75-16525 Filed 6-25-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION

[10 CFR Part 212]

IMPORTED CRUDE OIL

Determination of Representative and Maximum Prices, January 1975

Notice is hereby given of the representative and maximum prices as determined by FEA for certain crude oils when imported pursuant to a transaction between affiliated entities for the month of January 1975. These prices, as set out in Appendix A, have been calculated pursuant to § 212.84(e) as modified by this notice and order.

For countries for which a reference crude is designated, FEA has calculated representative and maximum prices pursuant to § 212.84(e)(3) on the basis of all transactions reported to FEA for the reference and related crude oils loaded during January 1975.

For Venezuela, FEA has used three generalized reference crudes:

Light, 34.0° (Related crudes 29.0° and above).
Medium, 26.0° (Related crudes 21.0° to 28.9°).
Heavy, 20.0° (Related crudes 20.9° and below).

All Venezuela reference crudes are assumed to have a sulphur value greater than 1.7 percent. For computational simplicity, FEA has used a constant gravity adjustment for related crudes of 6 cents per degree API. Further, the discontinuity at 25° in the schedule for tax export values has not been recognized. Examination of market data indicates that this procedure results in relative values which more closely conform to the market, and pursuant to § 212.84(e)(7), FEA hereby orders the use of such adjustments.

For countries for which no reference crude is designated, FEA has calculated representative and maximum prices pursuant to § 212.84(e)(6) as modified herein.

In making the transportation adjustment required by § 212.84(e)(6)(i), Philadelphia has been used as the point of landing for products shipped to the East Coast. For the West Coast, Los Angeles has been used. When the two crudes being compared are landed on different coasts, the relative transportation advantages from the Persian Gulf have been compared. Since AFRA is calculated from mid-month to mid-month, FEA has used the weighted average of the two relevant AFRA periods to calculate each month's transportation cost. In all cases FEA has used the Large I class.

In applying its methodology for calculating quality differences, FEA has found that the regulations can produce significant deviations from relative market values when the yield distribution between clean and dirty products for the crudes being compared differs significantly.

The gravity adjustment is supposed to correct this, but although the gravity adjustment is a rough approximation for yield within a particular crude stream, it does not work well in comparing different crude oils. To remedy this, FEA, pursuant to the authority of § 212.84(e)(7), hereby orders the use of a new method for calculating the premium value for crude oil producing larger quantities of clean product in lieu of the gravity adjustment of § 212.84(e)(6)(ii).

The clean product premium of one crude compared to another shall be two dollars per barrel (the average per barrel premium for clean products, computed as set out below) times the difference between the fraction of clean product produced by the first crude and that produced by the second. Thus, if crude A produces 60 percent clean products, and crude B 50 percent, crude A has a clean product premium of 20 cents per barrel compared to crude B. FEA will consider the yield of clean products as equal to one minus the residual fuel oil yield as defined in § 212.84(b).

Use of this modified method requires calculation of the average per barrel premium for clean products over fuel oil. Because observed market values during this period have been affected by FEA price regulations, FEA has had to derive the appropriate premium from general considerations. Most producing countries, including the Persian Gulf countries, Venezuela, and Nigeria have throughout this period used a gravity adjustment of approximately 6 cents per degree in calculating tax reference prices. Further, a one degree increase in gravity within a crude stream is roughly equivalent to a decrease in the fuel oil yield of 3 percent. This implies that each percent decrease in fuel oil yield is equivalent to a two-cent change in value, and thus the average premium of clean products over fuel oil is $2.00 per barrel. In the absence of better data, FEA is now adopting this premium for use in calculating relative values.

The sulphur adjustment of § 212.84(e)(6)(iii) is retained unchanged, and the total quality differential remains the sum of the low sulphur premium and the revised clean product premium.

The errors in any of these methods are minimized by the selection of crudes which are substantially similar, and FEA has endeavored to select for comparison crude oils having similar residual fuel oil yields with similar sulphur value in the residual fuel. Where individual companies have provided alternative crudes for comparison or where the data submitted by the companies concerning residual fuel oil yield and sulphur content differs, FEA has made computations using the data as provided by each company separately. FEA has then used as

its value the arithmetic average of the different calculations.

To prevent the disclosure of proprietary information, prices are being published only for crude streams in which sales (including sales in related crudes) have been reported to FEA by three or more sellers, including, for this purpose, sales by host governments or by companies buying from a host government and reselling in an arms-length transaction. Prices are also being published when sales have been reported to FEA by three or more purchasers except when less than three persons generally make sales of the particular reference and related crudes. Reference to general information on sellers in this latter case is necessary because the way in which FEA collects purchase information pursuant to Form M-701 does not identify the seller to FEA.

FEA will continue to publish aggregate prices for future months when publication would not reveal proprietary information, but FEA may delay publication, if necessary, in order to prevent any untoward effects on competition which such publication might cause. In particular, FEA is concerned that its representative and maximum prices not be utilized by companies as settlement prices since such use might tend to peg prices or otherwise reduce pressures for competitive reductions.

Issued in Washington, D.C. June 20, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel.

APPENDIX A.—*Reference and maximum prices January 1975*

Reference crude	Representative	Maximum
Abu Dhabi (TC-010)	11.42	11.57
Algeria (AG-020)	12.07	12.17
Angola (AO-030) [1]		
Dubai (TC-015) [2]		
Ecuador (EC-050)	[3] 11.91	[3] 12.01
Indonesia (ID-070) [2]	12.60	12.60
Iranian light (IR-080)	10.67	10.77
Iranian heavy (IR-082)	10.49	10.59
Kuwait (KU-110)	10.41	10.51
Libya (LY-120)	11.95	12.05
Nigeria (NI-140)	11.74	11.84
Saudi Arabia light (SA-180)	10.46	10.56
Saudi Arabia medium (SA-182)	10.39	10.49
Saudi Arabia heavy (SA-181)	10.27	10.37
Trinidad (TD-190)	[3] 12.97	[3] 13.07
Venezuela light (VE-234)	11.75	11.85
Venezuela medium (VE-235)	10.37	10.53
Venezuela heavy (VE-236)	9.76	9.86

[1] Proprietary.
[2] Less than 4 transactions; figures are based on comparison to most similar crude in same geographical region.
[3] Price set by regulation at official selling price.

[FR Doc.75-16592 Filed 6-23-75;10:20 am]

[10 CFR Part 212]

LANDED COSTS

Establishment of Costs for Certain Crude Oils, October 1973–April 1974

Notice is hereby given of the proper measurement of costs as determined by FEA for certain crude oils when imported pursuant to a transaction between affiliated entities. Pursuant to § 212.83(f), FEA intends to disallow costs in excess of those set out in Appendix A to this notice.

Section 212.83(f) provides:

> Whenever a firm uses a landed cost which is computed by use of its customary accounting procedures, the FEA may allocate such costs between tthe affiliated entities if it determines that such allocation is necessary to reflect the actual costs of these entities or the FEA may disallow costs which it determines to be in excess of the proper measurement of costs.

This section was first issued by the Cost of Living Council as part of an amendment to § 150.363 of its Phase IV Price Regulations, September 12, 1973 (38 FR 25688) and has been continued in force by the Federal Energy Administration, first as 10 CFR § 212.83(e) and as 10 CFR § 212.83(f).

To establish standards for applying this section and to adopt more definitive regulations in this area, FEA went through two proposed rulemakings culminating in the promulgation of 10 CFR § 212.84. See 39 FR 17771 (May 20, 1974), 39 FR 32310 (September 5, 1974), 39 FR 38364 (October 31, 1974). In its proposed rulemakings and in its preamble to § 212.84, FEA indicated its intent to apply the standards in § 212.84 as interpretative of "actual costs" and the "proper measurement of costs" as used in §212.83 (f).

To the extent that the standards in these regulations are applied to months earlier than October 1974, they are not intended to alter or to expand in any way the authority which FEA presently has under its existing regulations. Rather the proposed regulations are interpretative in nature, setting out with more precision the methods for measurement of actual landed costs, which is required in any application of [§ 212.83(f)]

FEA will compute representative arms-length prices for the period from October 1973 through September 1974 and use such prices as standards for disallowing costs pursuant to § 212.83(e) as it always read. Because § 212.83 provided only general guidance, however, and because of great price uncertainty during much of this period, FEA may allow somewhat greater leeway in determining appropriate transfer prices for this period than is provided for in the new regulation and FEA may permit some form of offset. In addition, the form of remedy may differ from that for the prospective months. 39 FR 38365 (October 31, 1974)

The prices in Appendix A have been calculated on the basis of data submitted pursuant to FEA Form F701-M-O and constitute in general "maximum" prices as defined in § 212.84(e)(2). They represent, except for Indonesia, the higher of: (i) The lowest price, plus 10 cents per barrel, at which fifty percent or more (as measured by volume) of arms-length transactions in that reference crude oil and related crude oils, loaded during the particular month and reported to FEA, took place, or (ii) the lowest price at which 65 percent or more (as measured by volume) of the arms-length transactions, in that reference and related crude oils, loaded during the particular month and reported to FEA, took place. The Indonesian price is the official selling price.

Maximum prices (except for Venezuela) for other crudes ("related" crudes) from a particular country are equal to the maximum price for the reference crude adjusted for the difference between the posted prices, tax reference prices or other official selling prices as established by the host government, for the reference crude and the related crude.

For Venezuela adjustments for related crudes have been made using with slight modification the differences in the tax-export values in effect since January 1974. These values ascribe a premium for low-sulphur crude oils (those with a sulphur content of 1.6 percent or less) whereas the values before that period did not. In view of the fact that low-sulphur oils did enjoy a market premium during the period covered by this notice, FEA has determined that the relative differences in tax-export values in the schedule for January 1974 are more reflective of relative market values. FEA has further used for Venezeula crudes an average adjustment of 6¢ per API degree of gravity.

In accordance with § 212.84(f), no designation of a reference crude has been made whenever the number of arms-length transactions of at least 100,000 barrels is less than four. Further, in the single instance when the maximum price would, through the application of the procedures set out in § 212.84, be determined by a spot transaction, FEA has decided not to designate the crude for that month as a reference crude. This is in accord with the consistent position taken by FEA in developing standards to be used in applying § 212.83, that spot sales are not representative of the type of arms-length price which would prevail between entities dealing on a continuous basis. See 39 FR 17772 (May 20, 1974); 39 FR 32311 (September 5, 1974). Rather affiliate pricing should be based upon term prices, and the regulations established in § 212.84 are designated to calculate a representative price which is typical of term prices in arms-length transactions. Although FEA has chosen to allow companies somewhat greater latitude during the embargo for the reasons set out below, FEA does not believe this latitude should extend to the use of spot prices.

For the purposes of § 212.83(f), FEA has utilized "maximum" prices, rather than lower "representative" prices as currently required. The maximum price by definition embraces at least 65 percent of all reported arms-length transactions vice the 50 percent included within the representative price. Thus the maximum price takes account of the greater dispersion in prices which existed during this time.

Prices have been computed on a country-by-country basis. This conforms with § 212.84, and is particularly important during this period since traditional value relationships were not maintained and significant variations in crude oil prices developed based upon individual producing government actions. As an additional

degree of freedom, FEA is permitting any overages to be first offset against any undercharges for imported crude oils from the same country of origin.

For the month of October 1973 in which most producing governments changed their tax reference prices in mid-month, FEA is using for purposes of disallowance the maximum prices calculated for November 1973.

In the few instances in which the volume or nature of third party transactions is insufficient to permit the direct calculation of arms-length prices, prices have been calculated in accordance with the procedures of § 212.84(e)(6), as modified in the Notice and Order on the Determination of Maximum and Representative Prices for January 1975, dated June 20, 1975 (—— FR ——, June —, 1975).

In one country, Ecuador, FEA has sufficient data to calculate arms-length prices for most, but not all, months. Rather than calculating a price by reference to a crude from another country for the months for which there is insufficient data, FEA has decided to use as the allowed cost in such month the average of the maximum prices for the immediately preceding and succeeding months. FEA believes that this procedure provides a better estimate of arms-length prices since it is based directly upon arms-length sales of the crude for which the price is being calculated.

To prevent the disclosure of proprietary information, prices are being published only for crude streams in which sales (including sales in related crudes) have been reported to FEA by three or more sellers, including, for this purpose, sales by host governments or by companies buying from a host government and reselling in an arms-length transaction. Prices are also being published when sales have been reported to FEA by three or more purchasers except when less than three persons generally make sales of the particular reference and related crudes. Reference to general information on sellers in this latter case is necessary because the way in which FEA collects purchase information pursuant to Form M-701 does not identify the seller to FEA.

Issued in Washington, D.C. June 20, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel.

APPENDIX A

Reference crude	October 1973	November 1973	December 1973	January 1974	February 1974	March 1974	April 1974
Abu Dhabi (TL-010)	4.84	4.84	4.74	11.73	11.80	11.90	11.72
Algeria (AG-020)	8.54	8.54	8.19	14.22	14.25	14.23	14.06
Angola [1] (AO-030)							
Dubai [1] (TL-015)							
Ecuador [1] (EL-050)							
Indonesia [2] (ID-070)	6.00	6.00	6.00	10.80	10.80	10.80	11.70
Iranian (IR-080)	4.26	4.26	4.14	10.49	11.00	10.40	10.48
Kuwait (KU-110)	3.67	3.67	3.58	9.75	9.85	9.87	9.73
Libya (LY-120)	7.50	7.50	8.26	14.32	14.67	13.96	13.32
Nigeria (NI-140)	6.42	6.42	6.95	12.60	12.60	12.60	13.35
Saudi Arabia (SA-180)	3.84	3.84	3.89	9.57	9.56	9.74	9.70
Trinidad [3] (TD-190)	6.87	6.87	7.17	10.88	11.37	11.81	11.26
Venezuela (VE-235)	5.19	5.19	5.49	9.20	9.69	10.13	9.66

[1] Less than 3 sellers; data treated as proprietary.
[2] Price set by regulation at official selling price.
[3] Less than 4 transactions; figures are based on comparison to most similar crude in same geographic region.

[FR Doc.75-16601 Filed 6-23-75;10:02 am]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 1056]

[Ex Parte No. MC-19 (Sub-No. 26)]

PRACTICES OF MOTOR COMMON CARRIERS OF HOUSEHOLD GOODS USE OF VEHICLE-LOAD MANIFEST

Notice of Filing Petition

JUNE 23, 1975.

● **Purpose. The purpose of this document is to seek public comment on a petition seeking a rule modification so as to eliminate use by household goods carriers of the vehicle-load manifest and to substitute therefor a prescribed Driver's Weight Certificate.** ●

Petitioner: American Movers Conference, 1117 North 19th Street, Arlington, Va. 22209.

Petitioner's representative: Russell S. Bernhard, 1625 K Street, NW., Washington, D.C. 20006.

By petition filed June 4, 1975, the above-named petitioner requests that the Interstate Commerce Commission institute a rulemaking proceeding for the purpose of amending Section 1056.11 of the Commission's general rules and regulations (49 CFR § 1056.11) to eliminate the use of the vehicle-load manifest and to substitute therefor a prescribed form of Driver's Weight Certificate. A copy of this proposed form, together with the proposed language for a new Section 1056.11, is set forth below.

Petitioner contends that the proposed change will result in the presentation of a simpler document to the shipper, and at the same time will eliminate the unnecessary multiplicity of documents required by use of the Vehicle-Load Manifest. Petitioner asserts that the Vehicle-Load Manifest concept has proved to be impractical and ineffective in actual operations, resulting in a cumbersome and burdensome obligation for the carriers and drivers, as well as a serious source of inadvertent error and technical violation of the Commission's rules. It avers that the proposed Driver's Weight Certificate will provide the shipper with all that he requires concerning the weight and handling of his shipment; will simplify driver preparation of the document; and will avoid duplication and retention of unnecessary and meaningless documents.

To insure the development of a complete record in this proceeding upon which the Commission may arrive at a proper determination, petitioner is expected to submit data relating to the following: (1) the method by which the proposed Driver's Weight Certificate will better prevent dishonesty by drivers, as alleged by petitioner, (2) the ways in which, if any, the proposed change will better enable the principal carriers of household goods, which are responsible for the acts and omissions of their agents and employees, to police their drivers and dismiss those guilty of dishonesty, and (3) the extent to which petitioner can appropriately document problems in this area which would be specifically resolved by the Commission's adopting the relief proposed. Documentation may be in the form of consumer complaints, internal memoranda from the the carrier to a driver or union, etc.

No oral hearing is contemplated at this time, but any person (including petitioner) wishing to make representations in favor of, or against, the relief sought in the petition may do so by the submission of written data, views, or arguments. An original and fifteen (15) copies of such data, views, or arguments should be filed with the Commission on or before August 15, 1975, which date will not be extended. A copy of each representation must be served upon petitioner's representative. Written material or suggestions submitted will be available for public inspection at the Offices of the Interstate Commerce Commission, 12th Street and Constitution Avenue, Washington, D.C., during regular business hours. Notice to the general public of the matter herein under consideration will be given by depositing a copy of this notice in the Office of the Secertary of the Commission for public inspection and by filing a copy thereof with the Director, Office of Federal Register.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

A new § 1056.11 is proposed to read as follows:

§ 1056.11 Driver's weight certificate.

Whenever weights are required to be obtained pursuant to these rules, the carrier shall cause to be executed a weight certificate for each shipment in the form specified below, at the time the gross weight is obtained, and the original or true copy of such certificate shall be carried in the vehicle transporting the shipment and shall be delivered to the party paying the carrier's charges. The original or true copy of such certificate shall be maintained by the carrier as part of its record of shipment.

PROPOSED DRIVER'S WEIGHT CERTIFICATE

Carrier's Name _____ Tractor No. _____
Carrier's Address _____ Trailer No. _____
Truck No. _____
Shipper's Name _____ Carrier's Ref. No. _____
Origin _____ Destination _____
(City/Stae) (City/State)

Gross weight of loaded vehicle with the driver thereon _____ _____ pounds

Gross weight obtained at _____ in _____ on _____
(Name of Scales) City/State (Date)

Tare weight of vehicle with the driver thereon, including full fuel tanks and all necessary pads, chains, dollies, hand trucks, and other equipment and previously loaded shipments, if any _____ _____ pounds

Tare weight obtained at _____ in _____ on _____
(Name of Scales) City/State (Date

Net weight (Gross weight minus tare weight) _____ _____ pounds

List other shipments on board vehicle at time above weights were obtained. If no other shipments, enter "None".

Carrier's Ref. No.	Shipper's Name
_____	_____
_____	_____
_____	_____
_____	_____

THE USE OF THIS FORM IS REQUIRED BY THE INTERSTATE COMMERCE COMMISSION

_____
Driver's Signature

WARNING—Driver's signature hereon shall be a certification by him that the entries are true and correct to the best of his knowledge. Any MOTOR CARRIER, WEIGHMASTER, OR OTHER PERSON, OR ANY OFFICER, AGENT, EMPLOYEE, OR REPRESENTATIVE THEREOF, who shall knowingly and willfully neglect or fail to make full, true, and correct entries or shall knowingly and willfully falsify, destroy, mutilate, or alter this certificate shall be subject to a maximum penalty of $5,000 for each such offense.

[FR Doc.75-16711 Filed 6-25-75;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

[T. D. 75-150]

FOREIGN CURRENCIES—CERTIFICATION OF RATES

Rates of Exchange Certified to the Secretary of the Treasury by the Federal Reserve Bank of New York

Customs Service

JUNE 8, 1975.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange which varied by 5 per centum or more from the quarterly rate published in Treasury Decision 75-24 for the following country. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following daily rates:

France franc:
May 27, 1975 ..... $0.2520

[SEAL] R. N. MARRA,
Director,
Duty Assessment Division.

[FR Doc.75-16621 Filed 6-25-75;8:45 am]

[T.D. 75-149]

FOREIGN CURRENCIES—CERTIFICATION OF RATES

Rates of Exchange Certified to the Secretary of the Treasury by the Federal Reserve Bank of New York

JUNE 8, 1975.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372(c)), has certified the following rates of exchange which varied by 5 per centum or more from the quarterly rate published in Treasury Decision 75-24 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following daily rates:

France franc:
May 23, 1975 ..... $0.2507
India rupee:
May 19-23, 1975 ..... $0.1225

[SEAL] R. N. MARRA,
Director,
Duty Assessment Division.

[FR Doc.75-16620 Filed 6-25-75;8:45 am]

DEPARTMENT OF DEFENSE

Office of the Secretary

DOD ADVISORY GROUP ON ELECTRON DEVICES

Advisory Committee Meeting

Working Group B (Mainly Low Power Devices) of the DoD Advisory Group on Electron Devices (AGED) will meet in closed session at 201 Varick Street, 9th Floor, New York, New York 10014, July 15-16, 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 B 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 low-power devices area includes such programs as integrated circuits, charge-coupled devices and memories. 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).

JUNE 20, 1975.

[FR Doc.75-16631 Filed 6-25-75;8:45 am]

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 74-23]

JOHN LOUIS CARROLL, M.D.

Revocation of Registration

On October 30, 1974, the Administrator of the Drug Enforcement Administration (DEA) issued to John Louis Carroll, M.D., of Sandusky, Ohio, an order to show cause as to why DEA Registration AC 2866056, previously issued to him pursuant to section 303 of the Controlled Substances Act (21 U.S.C. 823), should not be revoked pursuant to section 304 of that Act (21 U.S.C. 824), for reason that on June 21, 1974, Dr. Carroll was convicted of unlawfully dispensing or distributing controlled substances in violation of 21 U.S.C. 841(a)(1), a felony, and that he had materially falsified his application for registration filed on July 10, 1974, in that he failed to report that he had been convicted of a controlled substance-related felony.

On November 26, 1974, Dr. Carroll (hereinafter "Respondent") requested a hearing on the order to show cause. A hearing was scheduled for January 13, 1975, but was subsequently delayed at the request of Respondent's counsel. On April 14, 1975, the hearing on the order to show cause was held in Washington, D.C., and, although Respondent had notice thereof, neither he nor his representative appeared. Administrative Law Judge Lewis F. Parker presided and permitted the Government to offer testimony and exhibits for the record. After conclusion of the hearing, Respondent was again notified and given an opportunity to comment on the Government's evidence. The Respondent did not comment and, therefore, the Administrative Law Judge was able to consider only that evidence presented by the Government.

On May 8, 1975, Judge Parker filed, pursuant to 21 CFR 1316.65, his report containing his recommended findings of fact and conclusions of law, his recommended decision, and the complete record of these proceedings. The Administrator, pursuant to 21 CFR 1316.66, hereby publishes his final order in the proceeding based upon the findings of fact and conclusions of law set forth below.

The Administrative Law Judge found that on June 21, 1974, Respondent was convicted in the United States District Court for the Northern District of Ohio of six counts of unlawfully dispensing or causing to be distributed a controlled substance, to wit: Seconal, in violation of 21 U.S.C. 841(a)(1), and that Respondent was thereafter sentenced to pay a fine of $15,000 and was placed on probation for a period of two years. Evidence adduced at Respondent's trial showed that on several occasions during October 1973, Respondent issued prescriptions for various amounts of Seconal, for no legitimate medical purpose and therefore outside the course of his professional practice, which prescriptions were written for various fictitious persons, including the undercover identities provided by DEA special agents and

several others whom the Respondent did not know and had never seen professionally. It was further found that Respondent, in completing an application for registration which was filed July 10, 1974, subsequent to his conviction, answered "No" to the question "Has the applicant been convicted of a felony under state or federal law relating to the manufacture, distribution or dispensing of controlled substances?" This answer was materially false since Respondent had theretofore been convicted of six felony violations of the Controlled Substances Act. The Administrator adopts these findings of fact.

The Administrative Law Judge concluded that since under section 304(a) of the Controlled Substances Act (21 U.S.C. 824(a)), a registration to "manufacture, distribute or dispense a controlled substance, may be suspended or revoked by the Attorney General upon a finding that the registrant . . . (1) has materially falsified any application filed pursuant to or required by this title or title III; or (2) has been convicted of a felony under this title or title III or any other law of the United States, or of any State, relating to any substance defined in this title as a controlled substance . . . ," and since Respondent was convicted of six felony violations of 21 U.S.C. 841(a)(1), the Administrator has authority to revoke his registration pursuant to section 824(a). The Administrator agrees with this conclusion but further concludes that this registration would also be subject to revocation solely on the ground of material falsification.

Judge Parker concluded that although the Administrator could enter a default judgment against the Respondent because of his failure to appear, ample evidence was adduced by the Government to justify revocation of Respondent's registration and that by refusing to appear, Respondent has waived any right to present evidence justifying retention of his registration. The Administrator accepts Judge Parker's recommendation that Respondent's registration be revoked as to all controlled substance.

Therefore, under the authority vested in the Attorney General by section 304 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 824), and redelegated to the Administrator of the Drug Enforcement Administration by § 0.100, as amended, Title 28, Code of Federal Regulations, the Administrator hereby orders that the Certificate of Registration of John Louis Carroll, M.D., (DEA Registration AC 2866056) be, and hereby is, revoked, effective July 15, 1975.

Dated: June 18, 1975.

HENRY S. DOGIN,
Acting Administrator.

[FR Doc.75-16636 Filed 6-25-75;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. F-45]

ALASKA DEPARTMENT OF PUBLIC WORKS, DIVISION OF AVIATION

Application for Airport Lease

JUNE 19, 1975.

Notice is hereby given that pursuant to the Act of May 24, 1928 (49 U.S.C. 211-214) the State of Alaska, Department of Public Works, Division of Aviation, has applied for an Airport Lease to be located at Ambler, Alaska for the following described land:

KATEEL RIVER MERIDIAN, ALASKA

T. 20 N., R. 5 E.,
Protracted Secs. 19, 20, 29, 30, 31

Commencing at the TRUE POINT OF BEGINNING being common to Corner No. 4 of Tract "E" of U.S. Survey No. 4392, Alaska, also being common to Corner No. 11 of Tract "B" of U.S. Survey No. 4392, and from which U.S.L.M. No. 4392 bears N 00°07'51" E a distance of 3,198.07 feet (a computed tie);
thence N 44°40'00" W along a line common to a portion of survey line 4-3 of Tract "E" of U.S. Survey No. 4392 a distance of 1,667.22 feet to a point;
thence N 22°25'22" E a distance of 5,371.68 feet to a point;
thence S 67°34'39" E a distance of 1,535.70 feet to a point;
thence S 22°25'22" W a distance of 6,020.72 feet to the TRUE POINT OF BEGINNING.

This tract having an area of 200.82 acres, more or less.

(The parcel described above is designated as Tract I, Ambler Airport, according to the State of Alaska, Department of Public Works, Division of Aviation, Ambler Airport Property Plan, Dated April 10, 1973, revised through October 25, 1974, ADA 11043.)

And

Commencing at the TRUE POINT OF BEGINNING, being common to Corner No. 4 of Tract "E" of U.S. Survey No. 4392, Alaska, also being common to Corner No. 11 of Tract "B" of U.S. Survey No. 4392, and from which U.S.L.M. No. 4392 bears N 00°07'51" E a distance of 3,198.07 feet (a computed tie);
thence N 44°40'00" W along a line common to a portion of survey line 4-3 of Tract "E" of U.S. Survey No. 4392 and identical with the Southwesterly boundary line of Tract I, Ambler Airport, a distance of 1,667.22 feet to a point;
thence S 22°25'22" W a distance of 628.32 feet to a point;
thence S 67°34'39" E a distance of 500.00 feet to a point, from which U.S.L.M. No. 4392 bears N 14°37'08" W a distance of 3,733.12 feet (a computed tie);
thence S 66°25'53" E a distance of 1,035.90 feet to the TRUE POINT OF BEGINNING.

This tract having an area of 10.96 acres, more or less.

(Designated as Tract II on the State of Alaska, Department of Public Works, Division of Aviation, Ambler Airport Property Plan dated April 10, 1973, revised through October 25, 1974.)

And

Commencing at U.S.L.M. 4392, Alaska, being common to Corner No. 2 of U.S. Survey No. 5013, Alaska, proceed N 14°37'08" W a distance of 3,733.12 feet to a point of intersection with the Southwesterly boundary of Tract II, Ambler Airport, said point being the TRUE POINT OF BEGINNING;
thence S 66°25'53" E a distance of 50.1 feet to a point;
thence S 20°03'55" W a distance of 1,071.82 feet to a point;
thence around a curve with a center angle of 53°31'37" to the left, a tangent of 263.75 feet, a radius of 522.96 feet, a deflection angle of 10°, an arc distance of 488.50 feet to a point;
thence S 33°27'43" E a distance of 88.30 feet to a point;
thence S 45°20'00" W a distance of 101.94 feet to a point;
thence N 33°27'43" W a distance of 109.10 feet to a point;
thence around a curve with a center angle of 53°31'37", to the right, a tangent of 314.18 feet, a radius of 622.96 feet, a deflection angle of 10°, an arc distance of 581.91 feet to a point;
thence N 20°03'55" E a distance of 1,072.82 feet to a point of intersection with the Southwesterly boundary of Tract II, Ambler Airport;
thence S 67°34'39" E a distance of 50 feet to the TRUE POINT OF BEGINNING.

This tract having an area of 3.92 acres, more or less.

(The parcel described above is designated as Tract III on the State of Alaska, Department of Public Works, Division of Aviation, Ambler Airport Property Plan, dated April 10, 1973, revised through October 25, 1974).

And

Commencing at U.S.L.M. No. 4392, being common to Corner No. 2 of U.S. Survey No. 5013, Alaska, proceed N 30°03'29" W a distance of 1,863.64 feet to a point of intersection with survey line 6-5 of U.S. Survey No. 5013, being the TRUE POINT OF BEGINNING;
thence N 44°40'00" W along a common boundary line with a portion of survey line 6-5 of U.S. Survey No. 5013, a distance of 257.31 feet to a point;
thence S 33°27'43" E a distance of 2,389.23 feet to a point of intersection with survey line 2-1 of U.S. Survey No. 5013 and being common to the Northeasterly boundary of Waring Street, located in U.S. Survey No. 4392, Alaska, Ambler Townsite, Tract "C";
thence S 44°40' E along a portion of survey line 2-1 of U.S. Survey No. 5013 a distance of 120 feet, more or less, to Corner No. 1 of U.S. Survey No. 5013;
thence N 39°23' E along a portion of survey line 1-8 of U.S. Survey No. 5013 a distance of 80 feet, more or less, to a point;
thence N 33°27'43" W a distance of 1,984.41 feet, more or less, to a point of intersection with survey line 6-5 of U.S. Survey No. 5013;
thence N 44°40'00" W along a common boundary line with a portion of survey line 6-5 of U.S. Survey No. 5013, a distance of 257.31 feet to the TRUE POINT OF BEGINNING, with the side lines of this tract which intersect with a portion of survey line 1-2 and a portion of survey line 1-8 of U.S. Survey No. 5013 to be prolonged or

shortened as necessary to complete the intersection of this tract with U.S. Survey No. 4392, Alaska, Ambler Townsite Tract "C".

This tract having an area of 5.22 acres, more or less.

(The parcel described above is designated as Tract V on the State of Alaska, Department of Public Works, Division of Aviation, Ambler Airport Property Plan, dated April 10, 1973, revised through October 25, 1974, ADA 10147.)

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 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.75-16652 Filed 6-25-75;8:45 am]

[NM 25728]

NEW MEXICO

Application

JUNE 19, 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 one 12¾ inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 21 S., R. 26 E.
Sec. 21, E½SW¼ and SW¼SW¼;
Sec. 28, N½NW¼, SW¼NW¼ and NW¼SW¼;
Sec. 29, E½SE¼.
T. 22 S., R. 26 E.,
Sec. 9, SW¼NW¼;
Sec. 17, E½E½;
Sec. 34, NE¼SW¼, W½SE¼ and SE¼SE¼.

This pipeline will convey natural gas across 3.484 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, PO Box 1397, Roswell, NM 88201.

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

[FR Doc.75-16661 Filed 6-25-75;8:45 am]

[Wyoming 51380]

WYOMING

Application

JUNE 19, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), Colorado Interstate Corporation has applied for a natural gas pipeline right-of-way across the following lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 15 N., R. 92 W.,
Secs. 17 and 18.

The pipeline will convey natural gas from a well in Sec. 18 to a proposed pipeline in Sec. 17, all in T. 15 N., R. 92 W., 6th P.M. Wyoming.

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 send their name and address to the District Manager, Bureau of Land Management, P.O. Box 670, Rawlins, WY 82301.

PHILIP C. HAMILTON,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc.75-16653 Filed 6-25-75;8:45 am]

[Wyoming 51382]

WYOMING

Application

JUNE 19, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), Coastal States Gas Corporation has applied for a natural gas pipeline right-of-way across the following lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 52 N., R. 101 W.,
Sec. 6, lots 3 and 4.

The pipeline will convey natural gas to residents of the City of Cody, in Park County, Wyoming.

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 send their name and address to the Regional Director, Region 6, Bureau of Reclamation, P.O. Box 2553, Billings, MT 59103.

PHILIP C. HAMILTON,
Chief, Branch of Lands
and Mineral Operations.

[FR Doc.75-16654 Filed 6-25-75;8:45 am]

OUTER CONTINENTAL SHELF OFFSHORE NORTHERN GULF OF ALASKA

Availability of Draft Environmental Impact Statement and of Public Hearing Regarding Proposed Oil and Gas Lease Sale

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental impact statement relating to a proposed Outer Continental Shelf general oil and gas lease sale of 330 tracts of submerged lands on the Outer Continental Shelf offshore northern Gulf of Alaska.

Single copies of the draft environmental statement can be obtained from the Office of the Manager, Alaska Outer Continental Shelf Office, Bureau of Land Management, P.O. Box 1159, Anchorage, Alaska 99510 and from the Office of Public Affairs, Bureau of Land Management (130), Washington, D.C. 20240.

Copies of the draft environmental statement will also be available for review in the main public libraries in various coastal communities in the sale area.

In accordance with 43 CFR 3301.4, a public hearing will be held in the Anchorage area in August, 1975, for the purpose of receiving comments and suggestions relating to the proposed lease sale. The exact location and dates of this hearing will be announced at a later date.

Review comments on the draft environmental statement will be accepted by the Department until August 29, 1975. These comments should be addressed to the Manager, Alaska Outer Continental Shelf Office, Bureau of Land Management, at the above listed address.

After a public hearing is held and comments have been received and analyzed a final environmental statement will be prepared.

CURT BERKLUND,
Director,
Bureau of Land Management.

Approved: June 23, 1975.

STANLEY D. DOREMUS,
Deputy Assistant
Secretary of the Interior

[FR Doc.75-16807 Filed 6-25-75;8:45 am]

Geological Survey

CRUMP GEYSER, OREGON

Known Geothermal Resources Area

Pursuant to the authority vested in the Secretary of the Interior by section 21(a) of the Geothermal Steam Act of 1970 (84 Stat. 1566, 1572; 30 U.S.C. 1020), and delegations of authority in 220 Departmental Manual 4.1 H, Geological Survey Manual 220.2.3, and Conservation Division Supplement (Geological Survey Manual) 220.2.1 G, the following described lands are hereby defined as an addition to the Crump Geyser Known Geothermal Resources Area, effective February 1, 1974:

(37) OREGON

CRUMP GEYSER KNOWN GEOTHERMAL RESOURCES AREA WILLAMETTE MERIDIAN, OREGON

T. 40 S., R. 23 E.
Secs. 12, 13, 23 through 26, 35, and 36.
T. 41 S., R. 23 E.
Sec. 1.
T. 38 S., R. 24 E.
Secs. 1, 2, 3, 10, 11, and 12.
T. 39 S., R. 24 E.
Secs. 17, 20, 29, 31, and 32.
T. 40 S., R. 24 E.
Secs. 1 through 35.
T. 41 S., R. 24 E.
Secs. 2 through 6, 9 through 11.
T. 38 S., R. 25 E.
Secs. 3 through 10, 15 through 22, 28 through 33.
T. 39 S., R. 25 E.
Secs. 4 through 9, 16 through 21, 28 through 31.

The area described aggregates 64,359 acres, more or less.

Dated: May 29, 1975.

WILLARD C. GERE,
Conservation Manager,
Western Region.

[FR Doc.75-16655 Filed 6-25-75;8:45 am]

MARYSVILLE, MONTANA

Known Geothermal Resources Area

Pursuant to the authority vested in the Secretary of the Interior by section 21(a) of the Geothermal Steam Act of 1970 (84 Stat. 1566, 1572; 30 U.S.C. 1020), and delegations of authority in 220 Departmental Manual 4.1 H, Geological Survey Manual, 220.2.3, and Conservation Division Supplement (Geological Survey Manual 220.2.3, and Conservation Division) scribed lands are hereby defined as a known geothermal resources area, effective February 1, 1974:

(26) MONTANA

MARYSVILLE KNOWN GEOTHERMAL RESOURCES AREA

Principal Meridian

T. 11 N., R. 6 W.,
Secs 2 to 11, inclusive, 14 to 18, inclusive, 20 and 21.
T. 12 N., R. 6 W.,
Secs. 19 to 22, inclusive, and 27 to 35, inclusive.

The area described aggregates 19,200 acres (7,770 ha), more or less.

Dated: May 29, 1975.

GEORGE H. HORN,
Conservation Manager,
Central Region.

[FR Doc.75-16656 Filed 6-25-75;8:45 am]

WITTER SPRINGS, CALIFORNIA

Known Geothermal Resources Area

Pursuant to the authority vested in the Secretary of the Interior by section 21(a) of the Geothermal Steam Act of 1970 (84 Stat. 1566, 1572; 30 U.S.C. 1020), the delegations of authority in 220 Departmental Manual 4.1 H, Geological Survey Manual 220.2.3, and Conservation Division Supplement (Geological Survey Manual) 220.2.1 G, the following described lands are hereby defined as the Witter Springs known geothermal resources area, effective February 1, 1974.

(5) CALIFORNIA

WITTER SPRINGS KNOWN GEOTHERMAL RESOURCES AREA

Mt. Diablo Meridian, California

T. 15 N., R. 10 W.
Secs. 2 through 10: All;
Secs. 15 through 17: All.
T. 15 N., R. 11 W.
Secs. 1 and 2: All;
Sec. 3: SE¼SE¼;
Sec. 10: NE¼NE¼;
Secs. 11 through 13: All;
Sec. 14: NE¼, N½NW¼, N½SE¼, SE¼SE¼;
Sec. 24: Lot 1, NW¼NW¼.
T. 16 N., R. 11 W.
Secs. 13 through 15: All;
Secs. 22 through 27: All;
Sec. 34: N½, NW¼SW¼;
Secs. 35 and 36: All.

The area described aggregates 18,152 acres, more or less.

Dated: May 30, 1975.

WILLARD C. GERE,
Conservation Manager,
Western Region.

[FR Doc.75-16657 Filed 6-25-75;8:45 am]

National Park Service

CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

Notice of Meeting

Notice is hereby given in accordance with Public Law 92-463 that a meeting of the Cape Cod National Seashore Advisory Commission will be held on Friday, July 11, 1975, at 1:30 p.m., at the Headquarters Building, Cape Cod National Seashore, Marconi Station Area, South Wellfleet, Massachusetts.

The Commission was established by Public Law 87-126 to meet and consult with the Secretary of the Interior on general policies and specific matters relating to the development of Cape Cod National Seashore.

The purpose of the meeting is to consider the following Agenda items: (1) Report of research study team of project of effects of oversand vehicles on beach and dunes, and (2) Superintendent's Report which will cover current problems and items of interests, to be reviewed and discussed.

The meeting is open to the public. It is expected that 15 persons will be able to attend the session in addition to Commission members. Interested persons may make oral/written presentations to the Commission or file written statements. Such requests should be made to the official listed below at least seven days prior to the meeting.

Further information concerning this meeting may be obtained from Lawrence C. Hadley, Superintendent, Cape Cod National Seashore, South Wellfleet, Massachusetts 02663 (telephone: 617-349-3785). Minutes of the meeting will be available for public inspection and copying four weeks after the meeting at the Office of the Superintendent, Cape Cod National Seashore, South Wellfleet, Massachusetts.

Dated: June 16, 1975.

JERRY D. WAGERS,
Regional Director,
North Atlantic Region.

[FR Doc.75-16820 Filed 6-25-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Forest Service

GRAND MESA-UNCOMPAHGRE NATIONAL FOREST

Revised Timber Management Plan; 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 Timber Management Plan for the Grand Mesa-Uncompahgre National Forest. The Forest Service report number is USDA-FS-R2-FES(Adm) FY-75-03.

This proposal is to revise the 1961 (Rev.) Timber Management Plan for the Grand Mesa-Uncompahgre National Forest in west-central Colorado. Such plans are required to regulate the flow of timber products and to regulate the acres of silvicultural treatment on National Forest lands.

The draft environmental statement was transmitted to CEQ on December 13, 1974.

This final environmental statement was transmitted to CEQ on June 20, 1975.

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

USDA, Forest Service
So. Agriculture Bldg., Room 3230
12th St. and Independence Ave., SW
Washington, D.C. 20250

USDA, Forest Service
11177 West 8th Avenue
P.O. Box 25127
Denver, Colorado 80225

USDA, Forest Service
Grand Mesa-Uncompahgre National Forest
P.O. Box 138
11th and Main Street
Delta, Colorado 81416

A limited number of single copies are available upon request to W. J. Lucas, Regional Forester, USDA Forest Service, 11177 West 8th Avenue, P.O. Box 25127, Denver, Colorado 80225.

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

JUNE 20, 1975.

CLAYTON B. PIERCE,
Director, Multiple Use and
Environmental Quality Coordination.

[FR Doc.75-16639 Filed 6-25-75;8:45 am]

HIWASSEE UNIT PLAN

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 Hiwassee Unit Plan, Cherokee National Forest, Cleveland, TN, USDA-FS-R8-FES (ADM.) 75-10.

The proposed action is to manage, administer and utilize the forest resources of the Hiwassee Unit, located in Monroe, McMinn and Polk Counties, TN. The Unit consists of 39,023 acres of National Forest land. This statement recognizes the recently enacted Federal legislation for classification of 2570-acre Gee Creek drainage as wilderness.

This final environmental statement was transmitted to CEQ June 20, 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, DC 20250

USDA, Forest Service
1720 Peachtree Rd., NW, Rm. 804
Atlanta, GA 30309

Hiwassee Ranger District
Box 349
Etowah, TN 37311

A limited number of single copies are available upon request to Forest Supervisor Robert R. Lusk, Cherokee National Forest, P.O. Box 400, Cleveland, TN 37311.

Dated: June 20, 1975.

THOMAS W. SEARS,
Acting Regional Environmental Coordinator.

[FR Doc.75-16660 Filed 6-25-75;8:45 am]

LAKEVIEW PLANNING UNIT

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for Lakeview Planning Unit, Forest Service Report Number USDA-FS-DES (Adm) R1-75-10.

The environmental statement concerns a proposed land use plan for the Lakeview Planning Unit, Bonner County, Idaho. Approximately 63,060 acres are included in the planning unit of which 57,120 acres are National Forest lands. This plan allocates resources and specifies land use prescriptions for National Forest land. Resource information is also provided for private land which is available to owners to use as they wish.

The proposed plan emphasizes management of high scenic quality, fisheries habitat, recreation and wildlife habitat uses on most of the planning unit while providing timber, forage, and water uses to the extent possible without degrading or detracting from emphasized values.

This draft environmental statement was filed with CEQ on June 18, 1975.

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

USDA Forest Service
South Agriculture Bldg., Room 3230
12th St. & Independence Ave., SW
Washington, DC 20250

USDA Forest Service
Northern Region
Federal Building
Missoula, MT 59801

USDA Forest Service
Idaho Panhandle National Forests
218 North 23rd
Coeur d'Alene, ID 83814

USDA Forest Service
Sandpoint Ranger District
Federal Building
Sandpoint, ID 83864

A limited number of single copies are available upon request to Forest Supervisor Ralph Kizer, Idaho Panhandle National Forests, 218 North 23rd, Coeur d'Alene, ID 83814.

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

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor Ralph Kizer, Idaho Panhandle National Forests, 218 North 23rd, Coeur d'Alene, ID 83814.

Comments must be received by August 18, 1975, in order to be considered in the preparation of the final environmental statement.

June 18, 1975.

KEITH M. THOMPSON,
Acting Regional Forester,
Northern Region, Forest Service.

[FR Doc.75-16659 Filed 6-25-75;8:45 am]

SALMON WILD AND SCENIC RIVER PROPOSAL

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the Salmon Wild and Scenic River Proposal, Idaho. The Forest Service report number is USDA-FS-DES (Leg) 75-07.

The environmental statement concerns a proposal for inclusion of 237 miles of the Salmon River, from North Fork, Idaho, to its confluence with the Snake River, in the National Wild and Scenic Rivers System.

This draft environmental statement was transmitted to CEQ on June 20, 1975.

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

USDA, Forest Service
South Agriculture Bldg., Room 3028
12th St. & Independence Ave., SW
Washington, D.C. 20250

USDA, Forest Service
Intermountain Region
Federal Building, Room 4403
324 25th Street
Ogden, Utah 84401

USDA, Forest Service
Northern Region
Federal Building
Missoula, Montana 59801

A limited number of single copies are available upon request to Regional Forester Vern Hamre, Intermountain Region, 324 25th Street, Ogden, Utah 84401 and Regional Forester Steve Yurich, Northern Region, Federal Building, Missoula, Montana 59801.

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

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Regional Forester Vern Hamre, Intermountain Region, 324 25th Street, Ogden, Utah 84401 and Regional Forester Steve Yurich, Northern Region, Federal Building, Missoula, Montana 59801. Comments must be received by August 31, 1975, in order to be considered in the preparation of the final environmental statement.

Dated: June 20, 1975.

ADRIAN M. GILBERT,
Acting Deputy Chief for Programs and Legislation.

[FR Doc.75-16629 Filed 6-25-75;8:45 am]

OIL AND GAS LEASE APPLICATION, EXPLORATION AND DEVELOPMENT

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the Oil and Gas Lease Application, Exploration and Development, Report Number USDA-FS-DES (Adm) R1-75-11.

The environmental statement concerns the proposed recommendations from the USDA, Forest Service to the USDI, Bureau of Land Management pursuant to applications received for oil and gas lease exploration and development on 236,000 acres of National Forest land in Flathead County, Montana. Applications were made in accordance with the Mineral Leasing Act of February 25, 1920.

The draft environmental statement was filed with CEQ on June 19, 1975.

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

USDA, Forest Service
South Agriculture Bldg., Room 3230
12th St. & Independence Ave., SW
Washington, DC 20250

USDA, Forest Service
Region 1—Northern Region
200 East Broadway
Missoula, MT 59801

USDA, Forest Service
Flathead National Forest
P.O. Box 147
Kalispell, MT 59901

A limited number of single copies are available upon request to Edsel L. Corpe, Forest Supervisor, Flathead National Forest, 290 North Main, Kalispell, Montana 59901.

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

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Edsel L. Corpe, Forest Supervisor, Flathead National Forest, P.O. Box 147, Kalispell, Montana 59901. Comments must be received by October 1, 1975, in order to be considered in the preparation of the final environmental statement.

June 19, 1975.

KEITH M. THOMPSON,
Acting Regional Forester, Northern Region, Forest Service.

[FR Doc.75-16672 Filed 6-25-75;8:45 am]

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

FISHERMEN'S MARKETING ASSOCIATION OF WASHINGTON

General Permit Issued

A general permit was issued on June 12, 1975 to the Fishermen's Marketing Association of Seattle, Washington to take marine mammals incidental to commercial fishing operations under category (i) Towed and Dragged Gear, pursuant to 50 CFR 216.24 (39 FR 32117-32124), as amended.

The permit is available for public inspection in the office of the Director, National Marine Fisheries Service, Washington, D.C. 20235 and in the office of the Regional Director, Northwest Region, 2725 Montlake Boulevard East, Seattle, Washington 98112.

ROBERT W. SCHONING,
Acting Director, National Marine Fisheries Service.

JUNE 19, 1975.

[FR Doc.75-16605 Filed 6-25-75;8:45 am]

SEA WORLD, INC.

Issuance of Permit for Marine Mammals

On May 16, 1975, notice was published in the FEDERAL REGISTER (40 FR 21506), that an application had been filed with the National Marine Fisheries Service by Sea World, Incorporated, San Diego, California 92109, for a permit to take and import six northern elephant seals (*Mirounga angustirostris*) for the purpose of public display.

Notice is hereby given that, on June 18, 1975, and as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), the National Marine Fisheries Service issued a permit for the above mentioned taking to Sea World, Incorporated, subject to certain conditions set forth therein. The permit is available for review by interested persons in the Office of the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, and the Offices of the Regional Director, National Marine Fisheries Service, Southeast Region, Duval Building, 9450 Gandy Boulevard, St. Petersburg, Florida 33702, the Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731, and the Regional Director, National Marine Fisheries Service, Northeast Region, Federal Building, 14 Elm Street, Gloucester, Massachusetts 01930.

JUNE 18, 1975.

ROBERT W. SCHONING,
Director, National Marine Fisheries Service.

[FR Doc.75-16603 Filed 6-25-75;8:45 am]

SENECA PARK ZOO

Issuance of a Permit To Take Marine Mammals

On May 9, 1975, notice was published in the FEDERAL REGISTER (40 FR 20334) that an application had been filed with the National Marine Fisheries Service, by Seneca Park Zoo, 2222 St. Paul Street, Rochester, New York 14621, to take two (2) California sea lions (*Zalophus californianus*) for the purpose of public display.

Notice is hereby given that on June 17, 1975, and as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), the National Marine Fisheries Service issued a permit to Seneca Park Zoo for the above taking, subject to certain conditions set forth therein. The Permit is available for review by interested persons in the Office of the Director, National Marine Fisheries Service, Washington, D.C. 20235 and in the Office of the Regional Director, Northeast Region, Federal Building, 14 Elm Street, Gloucester, Massachusetts 01930.

JUNE 17, 1975.

ROBERT W. SCHONING,
Director, National Marine Fisheries Service.

[FR Doc.75-16604 Filed 6-25-75;8:45 am]

DR. WARREN M. ZAPOL

Receipt of Application for a Marine Mammal Permit; Correction

On June 10, 1975, notice was published in the FEDERAL REGISTER (40 FR 24762) that Warren M. Zapol had applied in due form for a permit to take marine mammals for scientific research, as authorized by the Marine Mammal Protection Act of 1972 and the Regulations Governing the Taking and Importing of Marine Mammals.

The National Marine Fisheries Service now desires to correct the notice of receipt in the following aspects:

1. The address of the Applicant should have read Dr. Warren M. Zapol, Department of Anesthesia, Massachusetts General Hospital, Boston, Massachusetts 02114;

2. The Applicant desires to take a total of fifty-one (51) Weddell seals (*Leptonychotes weddelli*), of which thirteen (13) will be males or non-pregnant females to be utilized as controls, nineteen (19) will be pregnant females, and nineteen (19) will be new-born pups of the 19 pregnant females;

3. The 13 control animals will be sacrificed by means of barbiturate overdose, as will 7 of the 19 pregnant females and 17 of the 19 new-born pups. Those animals not sacrificed will be released near the site of their capture.

Documents submitted in connection with this application as corrected are available for review in the Office of the Director, National Marine Fisheries Service, Washington, D.C. 20235, and the Office of the Regional Director, National Marine Fisheries Service, Northeast Region, Federal Building, 14 Elm Street, Gloucester, Massachusetts 01930.

Concurrent with publication of this notice in the FEDERAL REGISTER, the Secretary of Commerce is notifying the Marine Mammal Commission and the Committee of Scientific Advisors of these corrections.

Written views or data, or requests for a public hearing, on this application as corrected should be submitted to the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, on or before July 28, 1975. The holding of such hearing is at the discretion of the Director.

RICHARD H. SCHAEFER,
Acting Associate Director for Resource Management, National Marine Fisheries Service.

JUNE 18, 1975.

[FR Doc.75-16602 Filed 6-25-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

NATIONAL ADVISORY COMMITTEE ON THE HANDICAPPED

Meeting

Notice is hereby given, pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), that the next meeting of the National Advisory Committee on the Handicapped will be held on August 6-8, 1975, 8:30 a.m., in Room 1134, Federal Office Building 6, 400 Maryland Avenue, SW, Washington, D.C. Preceding the meeting, on August 5, new members of the Committee will meet at 9 a.m. in this same place for orientation sessions focused on Office of Education organization and responsibilities of advisory committee members.

The National Advisory Committee on the Handicapped is established under (20 U.S.C. 123g) section 448(b) of the Gen-

eral Education Provisions Act. The Committee is established to review the administration and operation of programs for the handicapped in the Office of Education, and make recommendations for their improvement.

The meeting of the Committee will be open to the public. The proposed agenda includes the swearing in of new Committee members, Committee organization, subcommittee assignments and reports, discussion of Committee priorities and annual report themes, and a meeting of the executive committee. Records will be kept of all Committee proceedings and will be available for public inspection at the Office of the Deputy Commissioner, Bureau of Education for the Handicapped, located in Room 2100, Regional Office Building 3, 7th and D Streets, SW, Washington, D.C. 20202.

Signed at Washington, D.C. on June 18, 1975.

EDWIN W. MARTIN,
Acting Deputy Commissioner, Bureau of Education for the Handicapped.

[FR Doc.75-16650 Filed 6-25-75;8:45 am]

Food and Drug Administration

ADVISORY COMMITTEES

Meetings

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)), the Food and Drug Administration announces the following public advisory committee meetings and other required information in accordance with provisions set forth in section 10(a) (1) and (2) of the act:

Committee name	Date, time, place	Type of meeting and contact person
1. Ophthalmic Drugs Advisory Committee.	July 14, 9 a.m., Conference Room G-H, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open—Mary K. Bruch (HFD-140), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4310.

Purpose. Advises the Commissioner of Food and Drugs regarding safety and efficacy of drugs employed in the treatment of diseases and disorders of the eye.

Agenda. The safety and effectiveness of the Softcon hydrophylic contact lens (NDA's 17-375 and 17-554): Introduction by FDA personnel; presentation by Warner-Lambert personnel; presentations by FDA consultants and guests; presentation by FDA personnel.

Committee name	Date, time, place	Type of meeting and contact person
2. Obstetrics and Gynecology Advisor Committee.	July 17 and 18, 9 a.m., Conference Room G-H, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open July 17, open July 18, 9 a.m. to 11 a.m., closed July 18 after 11 a.m., A. T. Gregoire, Ph.D. (HFD-130), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3519.

Purpose. Advises the Commissioner of Food and Drugs regarding the safety and efficacy of drugs employed in the practice of obstetrics and gynecology.

Agenda. Open session: Discussion of certain thiazides and their use in pregnancy; oral contraceptive labeling; the relation of clomiphene citrate use and Down's syndrome; the administration of Tocosamine (Sterile Solution), Sparteine Sulfate, (NDA 12-374) for the induction of labor. Closed session: Pre-NDA conference (IND 8876, The Upjohn Co.), intravaginal suppositories, PGE_2 for intravaginal induction of abortion.

Committee name	Date, time, place	Type of meeting and contact person
3. Oncologic Drugs Advisory Committee.	July 31 and August 1, 9 a.m., Conference Room G, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open July 31, closed August 1, Cyrus H. Maxwell, M.D. (HFD-150), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-5197.

Purpose. Reviews and evaluates all available data concerning the safety and effectiveness of presently marketed and new prescription drug products proposed for marketing for the treatment of cancer.

Agenda. Open session: Discussion of clinical guidelines for anticancer drugs—Dr. Charles G. Moertel, Dr. Melvin J. Krant, and Dr. Milan Slavik; preclinical pharmacology guidelines—Dr. Philip S. Schein and Dr. Milan Slavik; guidelines for the selection of drugs for clinical testing—Dr. Milan Slavik and Dr. Philip S. Schein; guidelines for the testing of anticancer drugs in children and infants—Dr. Margaret P. Sullivan; Mitocin, NDA 50-450 (Mitomycin); Blenoxane, NDA 50-443 (Bleomycin). Closed session: Summary of pending IND's and NDA's.

Agenda items are subject to change as priorities dictate.

During the open sessions shown above, interested persons may present relevant information or views orally to any committee for its consideration. Information or views submitted to any committee in writing before or during a meeting shall also be considered by the committee.

A list of committee members and summary minutes of meetings may be obtained from the contact person for the committee both for meetings open to the public and those meetings closed to the public in accordance with section 10(d) of the Federal Advisory Committee Act.

Most Food and Drug Administration advisory committees are created to advise the Commissioner of Food and Drugs on pending regulatory matters. Recommendations made by the committees on these matters are intended to result in action under the Federal Food, Drug, and Cosmetic Act, and these committees thus necessarily participate with the Commissioner in exercising his law enforcement responsibilities.

The Freedom of Information Act recognized that the premature disclosure of regulatory plans, or indeed internal discussions of alternative regulatory approaches to a specific problem, could have adverse effects upon both public and private interests. Congress recognized that such plans, even when finalized, may not be made fully available in advance of the effective date without damage to such interests, and therefore provided for this type of discussion to remain confidential. Thus, law enforcement activities have long been recognized as a legitimate subject for confidential consideration.

These committees often must consider trade secrets and other confidential information submitted by particular manufacturers which the Food and Drug Administration by law may not disclose, and which Congress has included within th exemptions from the Freedom of Information Act. Such information includes safety and effectiveness information, product formulation, and manufacturing methods and procedures, all of which are of substantial competitive importance.

In addition, to operate most effectively, the evaluation of specific drug or device products requires that members of committees considering such regulatory matters be free to engage in full and frank discussion. Members of committees have frequently agreed to serve and to provide their most candid advice on the understanding that the discussion would be private in nature. Many experts would be unwilling to engage in candid public discussion advocating regulatory action against a specific product. If the committees were not to engage in the deliberative portions of their work on a confidential basis, the consequent loss of frank and full discussion among committee members would severely hamper the value of these committees.

The Food and Drug Administration is relying heavily on the use of outside experts to assist in regulatory decisions. The Agency's regulatory actions uniquely affect the health and safety of every citizen, and it is imperative that the best advice be made available to it on a continuing basis in order that it may most effectively carry out its mission.

A determination to close part of an advisory committee meeting does not mean that the public should not have ready access to these advisory committees considering regulatory issues. A determination to close the meeting is subject to the following conditions: First, any interested person may submit written data or information to any committee, for its consideration. This information will be accepted and will be considered by the committee. Second, a portion of every committee meeting will be open to the public, so that interested

persons may present any relevant information or views orally to the committee. The period for open discussion will be designated in any announcement of a committee meeting. Third, only the deliberative portion of a committee meeting, and the portion dealing with trade secret and confidential information, will be closed to the public. The portion of any meeting during which nonconfidential information is made available to the committee will be open for public participation. Fourth, after the committee makes its recommendations and the Commissioner either accepts or rejects them, the public and the individuals affected by the regulatory decision involved will have an opportunity to express their views on the decision. If the decision results in promulgation of a regulation, for example, the proposed regulation will be published for public comment. Closing a committee meeting for deliberations on regulatory matters will therefore in no way preclude public access to the committee itself or full public comment with respect to the decisions made based upon the committee's recommendation.

The Commissioner has been delegated the authority under section 10(d) of the Federal Advisory Committee Act to issue a determination in writing, containing the reasons therefor, that any advisory committee meeting is concerned with matters listed in 5 U.S.C. 552(b), which contains the exemptions from the public disclosure requirements of the Freedom of Information Act. Pursuant to this authority, the Commissioner hereby determines, for the reasons set out above, that the portions of the advisory committee meetings designated in this notice as closed to the public involve discussion of existing documents falling within one of the exemptions set forth in 5 U.S.C. 552 (b), or matters that, if in writing, would fall within 5 U.S.C. 552(b), and that it is essential to close such portions of such meetings to protect the free exchange of internal views and to avoid undue interference with Agency and committee operations. This determination shall apply only to the designated portions of such meetings which relate to trade secrets and confidential information or to committee deliberations.

Dated: June 20, 1975.

A. M. SCHMIDT,
Commissioner of Food and Drugs.

[FR Doc.75-16624 Filed 6-25-75;8:45 am]

[FDA-225-75-4046]

TELEX TELECOMMUNICATION EQUIPMENT

Memorandum of Understanding With the Hawaii State Department of Health

Pursuant to the notice published in the FEDERAL REGISTER of October 3, 1974 (39 FR 35697), stating that future memoranda of understanding between the Food and Drug Administration and others would be published in the FEDERAL REGISTER, the Commissioner of Food and Drugs issues the following notice:

The Food and Drug Administration executed a Memorandum of Understanding with the Hawaii State Department of Health on May 1, 1975. The purpose of the memorandum is to establish the procedures and guidelines for the operation, maintenance, and protection of FDA-rented TELEX Telecommunication Equipment. It reads as follows:

MEMORANDUM OF UNDERSTANDING BETWEEN THE HAWAII STATE DEPARTMENT OF HEALTH AND THE FOOD AND DRUG ADMINISTRATION

I. *Purpose.* To establish the procedures and guidelines for the operation, maintenance and protection of FDA-rented TELEX Telecommunication Equipment located in the offices of the Food and Drug Branch, Environmental Protection & Health Services Division, Hawaii Department of Health.

II. *Background.* The FDA, Assistant Secretary for Health, Department of HEW, and the General Services Administration have approved a program to install full telecommunication transmit and receive terminals in a number of prime state food and drug agencies. Although terminals will be placed in a number of prime food and drug regulatory agencies, there are a number of other agencies with food and drug responsibilities in each state, where no terminal will be installed. Therefore, your agency, being one that received a terminal, must agree to share the terminal with other food and drug agencies in your state to assure that the communication system is accessible to all agencies with food and drug related responsibilities.

In addition to terminal-sharing, it is necessary for our two agencies to assure that proper operation and necessary supporting requirements for the equipment is maintained and proper security is provided for the equipment.

III. *Substance of Agreement.* A. The Food and Drug Administration agrees:

1. To arrange for the installation of the equipment in the location designated by your agency.

2. To support financially the cost of initial installation of the equipment and pay directly to vendor the monthly rental cost. After the initial installation, the state will be responsible for relocation installation cost, unless relocation is in conjunction with a major move of the terminal agency to a new location address.

3. To identify for you those units in your state on which terminal-sharing must be accomplished.

4. To require that the terminal location agency (your agency) submit to FDA a terminal-sharing plan to be developed by you and other sharing units in your state.

5. To arrange through the vendor for training of terminal operators.

6. To provide operation instruction manual.

7. To withdraw financial support for the terminal if gross misuse of the terminal is practiced after due notice.

B. The State Terminal Agency agrees:

1. To provide suitable physical location for equipment with adequate security protection.

2. To provide and pay for electric power source to operate the terminal. (110 volts)

3. To provide for paper, tape and other material necessary for the operation of the equipment.

4. To share the terminal with other food and drug agencies in the state according to a terminal-sharing plan agreed to by each potential user.

5. To submit to the FDA Regional Office monthly traffic log. (Form to be furnished by FDA)

6. To submit promptly all messages received for addressees other than your agencies. Transmit promptly messages to FDA received from other appropriate agencies.

7. Maintain operator coverage for the terminal between normal working hours of your agency.

8. Notify vendor of any breakdown of the equipment or other needs for maintenance.

9. Notify FDA (Regional or Headquarters) of periods that the equipment is out-of-service.

10. That the system will be used *only* for communication between your state and FDA (Regional, District, or Headquarters Office). It is understood that the equipment is not to be used for communication between state agencies.

IV. *Name and Address of Terminal Agency.* Hawaii State Department of Health, 1250 Punchbowl Street, P.O. Box 3378, Honolulu, Hawaii 96801.

V. *Liaison Officers.* For Hawaii State Department of Health: Ying Sing Lee, Chief, Food and Drug Branch.

Address: Same as Agency.

Telephone No.: (808) 548-3260.

For FDA: John S. Rynd, Director, Investigations Branch.

Address: Food and Drug Administration.

Telephone No.: (415) 556-8576.

VI. *Period of Agreement.* This agreement, when accepted by both parties, will have an effective period of performance three (3) years from date of signature and may be modified by mutual consent by both parties or may be terminated by either party upon a thirty (30) day advance written notice to the other.

Approved and accepted for the Hawaii State Department of Health:

Dated: April 8, 1975.

GEORGE A. L. YUEN,
Director of Health.

Approved and accepted for the Food and Drug Administration:

Dated: May 1, 1975.

IRWIN B. BERCH,
Regional Food and Drug Director, Food and Drug Administration, Reg. IX.

Effective Date. This Memorandum of Understanding became effective May 1, 1975.

Dated: June 20, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-16625 Filed 6-25-75;8:45 am]

Office of the Assistant Secretary for Health

NATIONAL COMMISSION FOR THE PROTECTION OF HUMAN SUBJECTS OF BIOMEDICAL AND BEHAVIORAL RESEARCH

Meeting

Notice is hereby given that the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research will meet on July 11 and 12, 1975, in Conference Room 6, C Wing, Building 31, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20014. The meeting will convene at 9 a.m. each day and will be open to the public, subject to the limitations of available space. Because the Commission meeting in June is being held late

in the month, it is possible that this July meeting may be rescheduled. If this becomes necessary, notice of rescheduling will be published in the FEDERAL REGISTER following the Commission meeting on June 27 and 28, 1975.

The agenda will include discussion of issues identified in the legislative mandate to the Commission under Pub. L. 93-348 and further planning of studies to be undertaken by the Commission.

Requests for information should be directed to Ms. Anne Ballard (301-496-7776), Room 125, Westwood Building, 5333 Westbard Avenue, Bethesda, Maryland 20016.

CHARLES U. LOWE, M.D.,
Executive Director, National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research.

JUNE 20, 1975.

[FR Doc.75-16622 Filed 6-25-75;8:45 am]

Office of the Secretary

CONSUMER ADVISORY COUNCIL

Meeting Open to the Public

Pursuant to Pub. L. 92-463 of October 8, 1972, notice is hereby given that there will be a public meeting of the Consumer Advisory Council to the Office of Consumer Affairs, U.S. Department of Health, Education, and Welfare, which will commence at 10 a.m. on July 14 in Room 5104, New Executive Office Building, 17th and H Streets, NW., Washington, D.C. 20506 and continue on the morning of July 15 in the same location.

The Consumer Advisory Council was established under Section 5 of Executive Order No. 11583 issued February 24, 1971, to advise the Director of the Office of Consumer Affairs with respect to policy matters relating to consumer interests, the effectiveness of Federal programs and operation which affect the interests of consumers, problems of primary importance to consumers and ways in which unmet consumer needs can appropriately be met through Federal Government action.

The meeting is open to the public with the number of persons admitted subject to reasonable limitation according to space available.

The agenda will include discussions of the consumers interest in food grading, energy programs, warranties, financial institutions and related services, and current activities of the Office of Consumer Affairs.

Signed in Washington, D.C. this 19th day of June, 1975.

VIRGINIA H. KNAUER,
Director, Office of Consumer Affairs and Executive Secretary, Consumer Advisory Council.

[FR Doc.75-16682 Filed 6-25-75;8:45 am]

REVIEW PANEL ON NEW DRUG REGULATION

Meeting

Notice is hereby given, pursuant to Pub. L. 92-463, that the Review Panel on New Drug Regulation, established pursuant to Pub. L. 92-463 by the Secretary, Department of Health, Education, and Welfare, on February 21, 1975, will meet on Thursday, July 10, 1975, at 9:15 a.m. and Friday, July 11, 1975, at 8:30 a.m. in Room 5051 of the Department of Health, Education, and Welfare's North Building, 330 Independence Avenue, SW., Washington, D.C. The Review Panel will consider matters pertaining to its study of existing policies and procedures for the regulation of new drugs by the Food and Drug Administration.

The meeting is open to the public.

Further information on the Review Panel may be obtained from Dr. Lionel M. Bernstein, Executive Secretary, Review Panel on New Drug Regulation, Room 4617, HEW North Building, 330 Independence Avenue, SW., Washington, D.C. 20201, telephone (202) 245-7510.

Dated: June 23, 1975.

LIONEL M. BERNSTEIN,
Executive Secretary, Review Panel on New Drug Regulation.

[FR Doc.75-16638 Filed 6-25-75;8:45 am]

Social Security Administration

SUPPLEMENTAL SECURITY INCOME STUDY GROUP

Meeting

Notice is hereby given pursuant to Pub. L. 92-463, that the Supplemental Security Income Study Group will hold meetings on Wednesday, July 16 and Thursday, July 17 from 9 a.m. to 5 p.m. The meeting on July 16 will be held in Room 171, Altmeyer Building, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland. The meeting on July 17 will be held in Room 611, 1620 I Street NW., Washington, D.C. Both meetings are open to the public.

Further information on the Study Group may be obtained from Nelson Sabatini, Executive Secretary of the Study Group, Room 945, Altmeyer Building, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235, telephone (301) 594-2330. Members of the public planning to attend should send written notice of intent to the Executive Secretary.

(Catalog of Federal Domestic Assistance Program Number 13.807, Supplemental Security Income for the Aged, Blind, and Disabled)

Dated: June 20, 1975.

NELSON SABATINI,
Executive Secretary, Supplemental Security Income Study Group.

[FR Doc.75-16638 Filed 6-25-75;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Interstate Land Sales Registration

[OILSR No. 0-1995-32-12; Docket No. 75-33-IS, N 75-377]

LAKELAND ESTATES

Hearing

Pursuant to 15 U.S.C. 1706(d) and 24 CFR 1720.160(d) notice is hereby given that:

1. Lakeland Development Co., Ronald A. Henn, President, its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. Law 90-448) (15 U.S.C. 1701 et seq.), received a Notice of Proceedings and Opportunity for Hearing issued May 5, 1975, which was sent to the developer pursuant to 15 U.S.C. 1706(d), 24 CFR 1710.45(b)(1) and 1720.125 informing the developer of information obtained by the Office of Interstate Land Sales Registration alleging that the Statement of Record and Property Report for Lakeland Estates, located in Washington County, Nebraska, contain untrue statement of material fact or omit to state material facts required to be stated therein as necessary to make the statements therein not misleading.

2. The Respondent filed an Answer received May 16, 1975, in response to the Notice of Proceedings and Opportunity for Hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Proceedings and Opportunity for Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(d), it is hereby ordered that a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Judge James W. Mast, in Room 7146, Department of HUD, 451 7th Street, S.W., Washington, D.C., on July 7, 1975, at 10:00 a.m.

5. The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C., 20410 on or before June 29, 1975.

6. The Respondent is hereby notified that failure to appear at the above scheduled hearing shall be deemed a default and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to be true, and an order Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45(b)(1).

This Notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

Dated: June 20, 1975.

By the Secretary.

JAMES W. MAST,
Administrative Law Judge.

[FR Doc.75-16684 Filed 6-25-75;8:45 am]

CIVIL AERONAUTICS BOARD

HAWAII FARES INVESTIGATION

[Dockets 25474, 27330; Order 75-6-106]

Domestic Common Fares Investigation; Order Granting Motion for Severance and Consolidation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 23rd day of June, 1975.

By motion, dated May 28, 1975, the Bureau of Economics has requested: (1) that the Board sever from the Hawaiian Fares Investigation and consolidate into the Domestic Common Fares Investigation the issue of whether it is lawful for carriers to apply common-faring for services between West Coast and Hawaiian points; and (2) that, pending resolution of this issue in the Common Fares case, the existing common-faring in the Mainland-Hawaii market should be permitted to continue. No answers have been filed.[1]

Upon consideration of the motion, the Board has determined to grant the Bureau's request.[2] The issue of common-faring in the Mainland-Hawaii market does not appear to have been fully considered in the Hawaii Fares case, neither by the parties nor by the Administrative Law Judge in his initial decision; nor does there appear to be any sound reason why we should attempt to resolve the issue for the Mainland-Hawaii market separately, rather than in the course of the proceeding which we have specifically instituted to investigate the general issue of common-faring in the 48-state domestic markets. By the same token, no reason suggests itself, at this time, for refusing to permit the existing common-faring to continue in this particular market, as it does in other domestic markets, pending the outcome of the Common Fares Investigation.

Accordingly, *it is ordered*, That: 1. The issue of common-faring in the Mainland-Hawaii market be and it is hereby severed from the Hawaii Fares Investigation and consolidated into the Domestic Common Fares Investigation; and

2. Existing common-faring between West Coast points and Hawaiian points may continue, pending our final decision in the Domestic Common Fares Investigation, unless we sooner order otherwise.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-16699 Filed 6-25-75;8:45 am]

[1] By its instant motion, the Bureau of Economics has formalized its earlier suggestion in the Hawaii Fares case as to its recommended disposition of this issue, as set forth in its Brief to the Board, pp. 22-23. No objections to the Bureau's suggestion were made by any of the parties to that case in their reply briefs, or at the oral argument held on April 30, 1975; and indeed the Puget Sound Traffic Association, the only other party which specifically focused on this issue, indicated its support for this suggestion. (Oral Argument Transcript, p. 162.)

[2] Common-faring points within Hawaii is not an issue in the Hawaii Fares case and is not encompassed by the Bureau's motion or our action herein.

[Dockets 27990, 27340, and 27731; Order 75-6-104]

NORTH CENTRAL AIRLINES, INC.
NORTHWEST AIRLINES, INC.

Chicago-New Orleans Nonstop Route Proceeding

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 23rd day of June, 1975.

Applications for new nonstop authority in the Chicago-New Orleans market have been filed by North Central Airlines (Docket 27340) and Northwest Airlines (Docket 27731). In addition, North Central has filed a motion for an immediate hearing on its application for such authority.

In support of its motion, North Central states, inter alia, that Chicago-New Orleans has, in effect, been a Delta nonstop monopoly market due to the grant of a suspension to the other incumbent carrier in the market, Eastern Air Lines[1]; that the market is much larger today than it was when Eastern received its award in 1969 and requires competitive nonstop service; and that North Central would operate three daily nonstops at a substantial profit and with little impact on Delta.

Answers in support of North Central's motion were filed by the Lansing Regional Chamber of Commerce; the Michigan Aeronautics Commission; Milwaukee County and the Air Service Division of the Metropolitan Milwaukee Association of Commerce; the City of Chicago; the City and Chamber of Commerce of Grand Rapids and the County of Kent, Michigan; Brown County, Wisconsin and the City and Chamber of Commerce of Green Bay; the City and Chamber of Commerce of Kalamazoo, Michigan; the City and Chamber of Commerce of Grand Forks, North Dakota; the City and Chamber of Commerce of New Orleans; and the State of Wisconsin and the Wisconsin Department of Transportation (Division of Aeronautics).

[1] Eastern's suspension, first granted in January 1974, has been renewed until July 4, 1975, or the recognized end of the fuel shortage, whichever first occurs (Order 74-11-59, November 13, 1974).

Answers in opposition to North Central's request were filed by Eastern and Delta Air Lines. Both carriers contend that Eastern is only temporarily suspended in the Chicago-New Orleans market for fuel-connected reasons and, therefore, that no monopoly exists; that Delta is providing ample service; and that North Central has not met the tests for expedited consideration of competitive route authority.

In its reply [2] and further reply [3] North Central contends, among other things, that Eastern has left the Chicago-New Orleans market, not due to fuel shortages, but because it cannot compete with Delta and has given no indication that it will reenter, and that Delta's service segment data for 1974 indicates that it had an average on-board load factor of 67.01 percent and a coach load factor of 72.06 percent, demonstrating the need for competition in the market.

Upon consideration of the above pleadings and of all relevant facts, we have decided to institute an investigation, to be set down for immediate hearing, for the purpose of considering the need for new nonstop service in the Chicago-New Orleans market. We will also place in issue in that proceeding the question of whether Eastern's nonstop Chicago-New Orleans authority should be altered, amended, modified or suspended pursuant to section 401(g) [4] of the Act, or whether it should be suspended pursuant to section 401(j). Accordingly, we are consolidating for hearing the applications of North Central and Northwest in, respectively, Dockets 27340 and 27731.

Moreover, we have determined that the proceeding instituted herein is by its very nature not one which could lead to a "major Federal action significantly affecting the quality of the environment" within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA). In a case such as the instant one all prospective environmental effects, direct and secondary, proceed in the first instance from changes in aircraft schedules and levels of service. Our conclusion in regard to the environment is largely based, therefore, upon our finding that there are unlikely to be environmentally significant changes in such schedules and service levels should additional nonstop service be authorized. In its motion for expedited hearing, North Central proposes two daily nonstop round trips and one which will operate six days a week. In view of the size of the Chicago-New Orleans market (238,670 O&D plus single-carrier connecting passengers in fiscal year 1974) and the level of existing serv-

[2] North Central accompanied its reply with a motion to file an unauthorized document. The motion will be granted.

[3] By Order 75-3-34, March 11, 1975, the Board granted North Central's motion for disclosure of Delta's service-segment and load-factor data for 1974. On March 28, 1975, North Central filed a further reply based upon such data.

[4] This issue will include the question of the deletion of Eastern's nonstop authority.

ice [5], it is unlikely that any other candidate for new Chicago-New Orleans nonstop authority would offer significantly more service. Such a service change must be placed against the large overall level of traffic at Chicago and New Orleans. In 1973 there were 870,000 aircraft operations at Chicago's O'Hare and Midway Airports, with 900,000 projected for 1975 and 921,000 for 1976. In the same year, there were 426,000 aircraft operations at New Orleans International and Lakefront Airports, with 435,000 projected for 1975 and 459,000 for 1976.[6] Therefore, it is unreasonable to suppose on the face of the matter that authorization of new nonstop service in the Chicago-New Orleans market will lead to more than very minor environmental changes.

Accordingly, we are not directing our staff to undertake the preparation of an environmental assessment. Our conclusion herein is not intended to foreclose any party from presenting evidence (subject to the usual evidentiary rules in force in C.A.B. proceedings) or from making arguments with respect to relevant environmental issues. Nor is our conclusion intended to foreclose our consideration of environmental impacts resulting from the contemplated licensing action which, although of a lesser magnitude than those required to trigger the NEPA procedures, might nonetheless be relevant to our decision.

Accordingly, *it is ordered*, That: 1. A proceeding to be known as the Chicago-New Orleans Nonstop Route Proceeding, Docket 27990, be and it hereby is instituted and shall be set down for hearing before an Administrative Law Judge of the Board at a time and place hereafter designated;

2. The proceeding instituted by paragraph 1, above, shall include consideration of the following issues:

(a) Do the public convenience and necessity require the certification of an air carrier or air carriers to engage in competitive nonstop air transportation between Chicago, Illinois, and New Orleans, Louisiana?

(b) If the answer to (a) is in the affirmative, which air carrier(s) should be authorized to engage in such service?

(c) What conditions, if any, should be placed on the operation of such carrier(s)?

(d) Should Eastern Air Lines' nonstop authority between Chicago and New Orleans be altered, amended, modified or suspended pursuant to section 401(g) of the Act? [7]

[5] The Chicago-New Orleans market is currently served by three daily Delta nonstop round trips, four Delta one-stop round trips (with an extra one-stop New Orleans-bound) and a daily Eastern one-stop Chicago-bound. OAG, May 15, 1975.

[6] Terminal Area Forecast, 1975–1985, Department of Transportation, FAA Office of Aviation Economics, Aviation Forecast Division, July 1973, pages GL-6-7 and SW 11. (The forecasts in this study were prepared before the energy crisis in the fall of 1973 and therefore do not reflect its impact on future activity levels.)

[7] This issue will include the question of the deletion of Eastern's nonstop authority.

(e) Should Eastern Air Lines' nonstop authority between Chicago and New Orleans be suspended pursuant to section 401(j) of the Act?

3. Authority awarded in this proceeding shall be granted without eligibility for subsidy;

4. The applications of North Central Airlines, Inc., in Docket 27340, and Northwest Airlines, Inc. in Docket 27731, be and they hereby are consolidated with the proceeding instituted by paragraph (1) above;

5. The motions of North Central Airlines for an immediate hearing and for leave to file an unauthorized document be and they hereby are granted; and

6. Applications, motions to consolidate and petitions for reconsideration of this order shall be filed within twenty days from the service date of this order and answers thereto shall be filed within ten days thereafter.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-16698 Filed 6-25-75;8:45 am]

CIVIL RIGHTS COMMISSION

MAINE STATE ADVISORY COMMITTEE

Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Maine State Advisory Committee (SAC) to this Commission will convene at 7:30 p.m. on July 16, 1975, at Maine Teachers Association, 35 Community Drive, Augusta, Maine.

Persons wishing to attend this meeting should contact the Committee Chairperson, or the Northeastern Regional Office of the Commission, Room 1639, 26 Federal Plaza, New York, New York 10007.

The purpose of this meeting is to discuss Franco American project.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C. June 20, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.75-16632 Filed 6-25-75;8:45 am]

MASSACHUSETTS STATE ADVISORY COMMITTEE

Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Massachusetts State Advisory Committee (SAC) to this Commission will convene at 12 noon and end at 6 p.m. on July 10, 1975, at the Jewish Labor Committee, 27 School Street, Boston, Massachusetts 02108.

Persons wishing to attend this meeting should contact the Committee Chairperson or the Northeastern Regional Office of the Commission, Room1639, 26 Federal Plaza, New York, New York 10007.

The purpose of this meeting is an evaluation of Commission hearing on school desegregation and follow-up plan.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., June 20, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.75-16633 Filed 6-25-75;8:45 am]

MICHIGAN STATE ADVISORY COMMITTEE

Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Michigan State Advisory Committee (SAC) to this Commission will convene at 1:30 p.m. and end at 5 p.m. on July 18, 1975, at 1435 Lakeshore Road North, Port Sanalic, Michigan 48469.

Persons wishing to attend this meeting should contact the Committee Chairperson or the Midwestern Regional Office of the Commission, Room 1428, 230 South Dearborn Street, 32nd Floor, Chicago, Illinois 60604.

The purpose of this meeting is to review impact of the Community Development Report on Livonia, review results of the Community Development Hearing on Model Cities transition, plan report on the Model Cities hearing, plan third Community Development Hearing and input from the public if requested. The order of the agenda items may vary.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., June 20, 1975.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.75-16634 Filed 6-25-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 389-8]

DEPARTMENT OF AGRICULTURE

Establishment of Temporary Exemption from Requirement of Tolerances for Microbial Pesticide

The United States Department of Agriculture, Agricultural Research Service, Washington, D.C. 20250, submitted a petition (PP 5G1620) requesting establishment of a temporary exemption from requirement of tolerances for residues of the microbial insecticide *Nosema locustae* in or on rangeland grass and hay.

It has been determined that a temporary exemption for residues of the microbial insecticide in or on the above raw agricultural commodities will protect the public health. It is therefore established as requested on the following conditions:

1. The microbial insecticide be used in accordance with the temporary permits being issued concurrently and which provide for distribution under the USDA-ARS name.

2. Each production batch will be tested for safety on laboratory animals as demonstrated by standardized interperitoneal injections and a standardized 21-day feeding study.

This temporary exemption expires June 20, 1976. Residues remaining in or on the above raw agricultural commodities after expiration of this exemption will not be considered actionable if the pesticide is legally applied during the term, and in accordance with provisions of the temporary permits/exemption.

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. 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: June 20, 1975.

LOWELL E. MILLER,
Acting Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.75-16586 Filed 6-25-75;8:45 am]

[FRL 390-8; OPP—33000/270 and 271]

NOTICE OF RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(d) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by applicant will be available for examination at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street, SW, Washington DC 20460.

On or before August 25, 1975 any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street, SW, Washington DC 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after August 25, 1975.

Dated: June 20, 1975.

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

APPLICATIONS RECEIVED (OPP-33000/270)

EPA File Symbol 1022-UOA. Chapman Chem. Co., 416 E. Brooks Rd., Memphis TN 38109. POL-NU 20-20. Active Ingredients: Pentachlorophenol 17.60%; Tetrachlorophenol 2.40%; Creosote 20.00%; Aromatic Petroleum Derivative Solvent 52.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM24

EPA File Symbol 192-REU. Dexol Industries, 1450 W. 228th St., Torrance CA 90501. DEXOL RODENT GASSER. Active Ingredients: Sodium Nitrate 47%; Sulphur 35%; Charcoal 9%; Paraffin Oil 7%. Method of Support: Application proceeds under 2(c) of interim policy. PM11

EPA File Symbol 6621-LG. Eagle Chem. Co., 2819 W. Lake St., Chicago IL 60612. S.A.I.D. II. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzly ammonium chlorides 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA Reg. No. 279-2025. FMC Corp., Agricultural Chem. Div., 100 Niagara St., Middleport NY 14105. KOLO-100 FUNGICIDE. Active Ingredients: Sulfur 75.4%; Dichlone (2,3-Dichloro-1,4-naphthoquinone) 3.5%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Added uses. PM21

EPA File Symbol 10700-E. Galaxy Chem. Co., Inc., 167 N. Racine Ave., Chicago IL 60607. GALAXY ROOT DESTROYER. Active Ingredients: Sodium Hydroxide 85.00%; Copper sulfate 0.30%. Method of Support: Application proceeds under 2(c) of interim policy. PM24

EPA File Symbol 6980-A. KDI Paragon Inc., 12 Paulding St., Pleasantville NY 10570. ALGITROL. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) Dimethyl Benzyl Ammonium Chloride 8.4%; n-di-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) Methyl Benzyl Ammonium Chloride 1.6%. Method of Support: Application proceeds under 2(b) of interim policy. PM24

EPA File Symbol 35929-U. M.R.M. Chem. Co., 505 Merwins La., Fairfield CT 06430. ODOR-GARD BRAND SPRAY SH. Active Ingredients: 5-chloro-2-(2,4-dichlorophenoxy) phenol 0.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM32

EPA File Symbol 1266-RLO. Malter International, PO Box 6099, New Orleans LA 70174. SHIELD NO. 2. Active Ingredients: N, N-diethyl-m-toluamide 9.98%; Other isomers 0.52%; N-octyl bicycloheptene dicarboximide 3.00%; 2,3:4,5-Bis (2-butylene) tetrahydro-2-furaldehyde 0.75%; Di-n-propyl isocinchomeronate 0.75%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA File Symbol 12204-E. Mid-American Research Chem. Corp., Box 458, Columbus NB 68601. MARC 86 MARCICIDE. Active Ingredients: Poly[oxyethylene(dimethyliminio) ethylene (dimethyliminio) ethylene dichloride] 10.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM34

EPA File Symbol 12204-G. Mid-American Research Chem. Corp., MARC 86 MARCICIDE CONCENTRATE. Active Ingredients: Poly [oxyethylene(dimethyliminio)ethylene(dimethyliminio)ethylene dichloride] 60.0%. Application proceeds under 2(b) of interim policy. PM34

EPA File Symbol 12204-U. Mid-American Research Chem. Corp. COOLING TOWER CHEMICAL CONDITIONER. Active Ingredients: Poly[oxyethylene(dimethyliminio) ethylene (dimethyliminio) ethylene dichloride] 10.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM34

EPA Reg. No. 524-285. Monsanto Co., Agricultural Div., 800 N. Lindbergh Ave., St. Louis MO 63166. LASSO. Active Ingredients: Alachlor 43.0%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Added uses. PM25

EPA File Symbol 10290-GN. Professional Chem. Co., Inc., 4517 Yale St., Houston TX 77018. TOXAPHENE 10 GRANULES. Active Ingredients: Toxaphene 10%. Method of Support: Application proceeds under 2(c) of interim policy. PM12

EPA File Symbol 11273-RT. Sandoz, Inc., PO Box 1489, Homestead FL 33030. ELCAR. Active Ingredients: Polyhedral Inclusion Bodies of Heliothis Nuclear-Polyhedrosis Virus 0.4%. Method of Support: Application proceeds under 2(b) of interim policy. PM17

EPA File Symbol 2155-II. I. Schneid, Inc., PO Box 93188, Martech Station, Atlanta GA 30318. VITA-PINE-II. Active Ingredients: Pine Oil 14.46%; Soap 5.44%; Sodium Orthobenzyl-para-chlorophenate 4.20%; Isopropanol 2.00%. Method of Support: Application proceeds under 2(b) of interim policy. PM32

EPA File Symbol 8636-R. Scion Inc., 1139 N. Niagara St., Burbank CA 91505. ALGAECIDE WT-140. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chloride 3.64%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chloride 3.64%; Isopropanol 2.80%; n-Alkyl (55% C14, 25% C12, 17% C16, 3% C18) methyl iso quinolium chloride 2.42%. Method of Support: Application proceeds under 2(c) of interim policy. PM31

EPA File Symbol 34740-R. Sherwood Pharmaceutical Co., 62 Madison St., Hackensack NJ 07601. PHARMADINE POVIDONE-IODINE. Active Ingredients: Povidone-iodine (polyvinylpyrrolidone-iodine) 10%. Method of Support: Application proceeds under 2(a) of interim policy. PM34

EPA File Symbol 11656-LA. Western Farm Service, c/o Shell Chemical Co., Suite 200, 1025 Conn. Ave., NW., Washington DC 20036. THIODAN 50 WETTABLE POWDER INSECTICIDE. Active Ingredients: Endosulfan; Hexachlorohexahydromethano-2,4,3-benzodioxathiepin oxide 50.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM13

APPLICATIONS RECEIVED (OPP-33000/271)

EPA File Symbol 3314-GU. Colonial Products, Inc., 1830 10th Ave. N, Lake Worth FL 33460. CP WEATHER RESISTANT PELLETS. (CONTAINS ROZOL) KILLS RATS AND MICE. Active Ingredients: 2-[(p-chlorophenyl) phenylacelyl] 1,3-indandione (Rozol) 0.005%. Method of Support: Application proceeds under 2(c) of interim policy. PM11

EPA File Symbol 35951-R. Condition-Air Co., Inc., 7015 Wing Lake Rd., Birmingham MI 48010. R.E.P.-60. Active Ingredients: 2,2'-Methylenebis (4-Chlorophenol) 4%. Method of Support: Application proceeds under 2(c) of interim policy. PM32

EPA File Symbol 9898-U. E-Z Chem., Co., 6751-53 Holabird Ave., Baltimore MD 21222. AQUA-KLEEN WINTERIZER. Active Ingredients: Copper sulfate anhydrous 10%; Methyl dodecyl benzyl trimethyl ammonium chloride 8%; Method dodecyl xylylene bis trimethyl ammonium chloride 2%. Method of Support: Application proceeds under 2(c) of interim policy. PM24

EPA File Symbol-35955-R. Electro Chem., PO Box 11091, Fort Worth TX 76109. ELECTRO CHEM MICROBIOCIDE CB-440. Active Ingredients: Didecyl dimethyl ammonium chloride 12.5%; Isopropyl alcohol 5.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA File Symbol 10163-TR. Jessen & Co., Inc., DBA The Dune Co., PO Box 458, 340 E. Main St., Calipatria CA 92233. PROKIL THIODAN 3 EC. Active Ingredients: Endosulfan (Hexachlorohexahydromethano-2,4,3-benzodioxathiepin oxide) 33.70%; Xylene base aromatic petroleum solvent 60.50%. Method of Support: Application proceeds under 2(c) of interim policy. PM15

EPA File Symbol 36334-R. Konalrod Products, Inc., 501 S. Basinger Rd., Pandora OH 45877. ECOLO-G BRAND DISINFECTANT CLEANER [47-5] Active Ingredients: Didecyl dimethyl ammonium chloride 2.5%; Tetrasodium ethylenediamine tetraacetate 2.0%; Sodium carbonate 1.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA File Symbol 12367-RU. Lico Chem., 929 5th Ave., McKeesport PA 15132. LICO BIO-SOFT. Active Ingredients: Octyl decyl dimethyl ammonium chloride 15.0%; Dioctyl dimethyl ammonium chloride 7.5%; Didecyl dimethyl ammonium chloride 7.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA File Symbol 2296-TL. National Chemical Lab. of Pennsylvania, 10th & Callowhill Sts., Philadelphia, PA 19123. IODOREX CLEANER-SANITIZER. Active Ingredients: Butoxy polypropoxy polyethoxy ethanol-iodine complex 12.47%; Polyethoxy polypropoxy polyethoxy ethanol-iodine complex 0.37%. Method of Support: Application proceeds under 2(b) of interim policy. PM34

EPA File Symbol 397-RE. Noble Pine Products Co., PO Box 41, Centuck Sta., Yonkers NY 10710. DAC MILDEW PREVENTATIVE. Active Ingredients: Didecyl dimethyl ammonium chloride 50%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA Reg. No. 7001-77. Occidental Chem. Co., PO Box 198, Lathrop CA 95330. CONTACT WEEDKILLER. Active Ingredients: 4,6-Dinitro-o-sec-butylphenol 30.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM23

EPA File Symbol 7401-ETO. Voluntary Purchasing Groups, Inc., PO Box 460, Bonham TX 75418. HI-YIELD LIVESTOCK DUST. Active Ingredients: Toxaphene (Technical Chlorinated Camphene containing 67-69% Chlorine) 5%; Methoxychlor, Technical 5%. Method of Support: Application proceeds under 2(c) of interim policy. PM13

EPA File Symbol 7401-EIN. Voluntary Purchasing Groups, Inc., PO Box 460, Bonham TX 75418. FERTI-LOME READY-TO-USE BORER KILLER. Active Ingredients: Ethylene dichloride 1.25%; Petroleum Oil 98.60%. Method of Support: Application proceeds under 2(c) of interim policy. PM11

EPA File Symbol 34743-R. Wal-Ben Industries, Inc., 516 Chicopee St., Chicopee MA 01013. DU-WELL CHLORINE. Active Ingredients: Sodium Hypochlorite 12.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM34

[FR Doc.75-16585 Filed 6-25-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION

WHOLESALE PETROLEUM ADVISORY COMMITTEE

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is hereby given that the Wholesale Petroleum Advisory Committee will meet Monday, July 14, 1975, at 9:30 a.m., in the Senator Brooke Conference Room, JFK Federal Building, Government Center, Room 2003A, Cambridge Street, Boston, Massachusetts.

The Committee was established to provide advice and information to the Federal Energy Administration concerning the wholesale trade of selling heating oil, residual fuel, and gasoline.

The agenda for the meeting is as follows:

1. Discussion of Market Share Update (Normal Business Practices).
2. Discussion of Extension of Emergency Petroleum Allocation Act of 1973.
3. Remarks from the Floor (10 minute rule).
4. Discussion of Supplier-Purchaser Relationships for Motor Gasoline.
5. Discussion of Once-a-Month Pricing (Pass through).
6. Discussion of FEA Consumer Affairs/Special Impact Advisory Committee Resolution of May 15, 1975.
7. Discussion of Tank Wagon vs. Rack Prices.

The meeting is open to the public. The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Committee will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should inform Lois Weeks, Advisory Committee Management Officer, (202) 961-7022 at least 5 days before the meeting and reasonable provision will be made for their appearance on the agenda.

Further information concerning this meeting may be obtained from the Advisory Committee Management Office.

Minutes of the meeting will be made available for public inspection at the Federal Energy Administration, Washington, D.C.

Issued at Washington, D.C. on June 23, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel.

[FR Doc.75-16637 Filed 6-25-75;8:45 am]

FEDERAL MARITIME COMMISSION

MARSEILLES/NORTH ATLANTIC USA FREIGHT CONFERENCE

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 July 16, 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:

Stanley O. Sher, Esquire, Billig, Sher & Jones, P.C., Suite 300, 1126 Sixteenth Street NW., Washington, D.C. 20036.

Agreement No. 5660-19, among the members of the above-named Conference, amends the basic agreement by providing that the agreement shall also extend to arrangements or agreements among the parties (1) with other modes of transportation concerning inland movements, (2) concerning intermodel shipments, inland rates, rules, charges and other practices and conditions as enumerated therein concerning inland movements and (3) such other matters as may be ancillary to the transportation of intermodal shipments.

The agreement further provides that any member line desiring to establish its own rates, charges or practices or issue bills of lading individually, must first apply to the Conference to provide this capability; and if, within 120 days, the Conference cannot or will not provide for such action in concert, the member is free to proceed unilaterally.

By Order of the Federal Maritime Commission,

FRANCIS C. HURNEY,
Secretary.

Dated: June 23, 1975.

[FR Doc.75-16705 Filed 6-25-75;8:45 am]

MED-GULF CONFERENCE

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 July 16, 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:

Stanley O. Sher, Esquire, Billig, Sher & Jones, P.C., Suite 300, 1126 Sixteenth Street NW., Washington, D.C. 20036.

Agreement No. 9522-23 among the members of the above-named Conference amends the basic agreement by enlarging the Conference's geographic scope to encompass Spanish ports north of Portugal relative to the Puerto Rican Section only.

By Order of the Federal Maritime Commission.

Dated: June 23, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-16704 Filed 6-25-75;8:45 am]

MED-GULF CONFERENCE

Petition Filed

Notice is hereby given that the following petition has been filed with the Commission for approval pursuant to section 14b of the Shipping Act, 1916, as amended (75 Stat. 762, 46 U.S.C. 813a).

Interested parties may inspect a copy of the current contract form and of the petition, reflecting the changes proposed to be made in the language of said contract, at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126 or at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments with reference to the proposed changes and the petition, including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, 1100 L Street, NW., Washington, D.C. 20573, on or before July 16, 1975. Any person desiring a hearing on the proposed modification of the contract form and/or the approved contract system 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 petition (as indicated hereinafter), and the statement should indicate that this has been done.

Notice of agreement filed by:

Stanley O. Sher, Esquire
Billig, Sher & Jones, P.C.
Suite 300
1126 Sixteenth Street, NW.
Washington, D.C. 20036

Agreement No. 9522 D.R.-8 enlarges the geographic scope of the Conference's Dual Rate Contract applicable to the Puerto Rican Section to encompass ports north of Portugal.

By Order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

Dated: June 23, 1975.

[FR Doc.75-16707 Filed 6-25-75;8:45 am]

NORTH ATLANTIC MEDITERRANEAN FREIGHT CONFERENCE

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 July 16, 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:

Stanley O. Sher, Esquire
Billing, Sher & Jones, P.C.
Suite 300
1126 Sixteenth Street, NW.
Washington, D.C. 20036

Agreement No. 9548-9, among the members of the above-named Conference, amends the basic agreement by providing that the agreement shall also extend to arrangements or agreements among the parties (1) with other modes of transportation concerning inland movements, (2) concerning intermodal shipments, inland rates, rules, charges and other practices and conditions as enumerated therein concerning inland movements and, (3) such other matters as may be ancillary to the transportation of intermodal shipments.

The agreement further provides that any member line desiring to establish its own rates, charges or practices or issue bills of lading individually, must first apply to the Conference to provide this capability; and if, within 120 days, the Conference cannot or will not provide for such action in concert, the member is free to proceed unilaterally.

By Order of the Federal Maritime Commission.

Dated: June 23, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-16706 Filed 6-25-75;8:45 am]

THE WEST COAST OF ITALY, SICILIAN, AND ADRIATIC PORTS/NORTH ATLANTIC RANGE CONFERENCE (WINAC)

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 July 16, 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 the this has been done.

Notice of agreement filed by:

Stanley O. Sher, Esquire
Billig, Sher & Jones, P.C.
Suite 300
1126 Sixteenth Street, NW.
Washington, D.C. 20036

Agreement No. 2846-26, among the members of the above-named Conference, amends the basic agreement by providing that the agreement shall also extend to arrangements or agreements among the parties (1) with other modes of transportation concerning inland movements, (2) concerning intermodal shipments, inland rates, rules, charges and other practices and conditions as enumerated therein concerning inland movements and, (3) such other matters as may be ancillary to the transportation of intermodal shipments.

The agreement further provides that any member line desiring to establish its own rates, charges or practices or issue bills of lading individually, must first apply to the Conference to provide this capability; and if, within 120 days, the Conference cannot or will not provide for such action in concert, the member is free to proceed unilaterally.

By order of the Federal Maritime Commission.

Dated: June 23, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-16703 Filed 6-25-75;8:45 am]

PHILADELPHIA PORT CORP. AND I.T.O. CORP. OF AMERIPORT, INC.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission 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 N.W., Room 10126; or may inspect the agreement at the Field Offices located 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, within 7 days after publication of this notice in the Federal Register. 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:

Edward Schmeltzer, Esquire, Morgan, Lewis & Bocklus, 1140 Connecticut Avenue NW., Washington, D.C. 20036.

Agreement No. T-3092, between the Philadelphia Port Corporation (PPC) and I.T.O. Corporation of Ameriport, Inc. (ITO), provides for ITO's five-year lease (with renewal options for three additional five-year terms) of the Tioga I Marine Terminal for the handling of waterborne commerce and purposes incidental thereto. As compensation, PPC is to receive a minimum annual rental starting at $1,488,316 per annum at the commencement of the lease term and escalating to $2,067,550 per annum for the period August 1, 1983-July 31, 1985.

By Order of the Federal Maritime Commission.

Dated: June 24, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-16801 Filed 6-25-75;8:45 am]

FEDERAL RESERVE SYSTEM

AMERIBANC INC.

Acquisition of Bank

Ameribanc Inc., St. Joseph, Missouri, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 90 per cent or more of the voting shares of Farmers State Bank of Princeton, Princeton, Missouri. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than July 9, 1975.

Board of Governors of the Federal Reserve System, June 18, 1975.

[SEAL] ROBERT SMITH, III,
Assistant Secretary of the Board.

[FR Doc.75-16640 Filed 6-25-75;8:45 am]

COLUMBIA BANCSHARES, INC.

Formation of Bank Holding Company

Columbia Bancshares, Inc., El Paso, Texas, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 100 percent of the voting shares (less directors' qualifying shares) of First State Bank, Crane, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than July 14, 1975.

Board of Governors of the Federal Reserve System, June 19, 1975.

[SEAL] ROBERT SMITH, III,
Assistant Secretary of the Board.

[FR Doc.75-16641 Filed 6-25-75;8:45 am]

FIRST HAWAIIAN, INC.

Order Approving Acquisition of Hawaii Thrift & Loan, Inc.

First Hawaiian, Inc., Honolulu, Hawaii, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c)(8) of the Act and § 225.4(b)(2) of the Board's regulation Y, to acquire, through a newly-formed wholly-owned subsidiary, certain assets and to assume certain liabilities of Hawaii Thrift & Loan, Inc., Honolulu, Hawaii ("HT&L"), a company that operates as an industrial loan company under chapter 408 of the Hawaii Revised Statutes and does not accept demand deposits. Such activity has been determined by the Board to be closely related to banking (12 CFR 225.4(a)(2)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (40 FR 25042 (1975)). The time for filing comments and views has expired, and the Board has considered all comments received, including those of the Governor of Hawaii, the Hawaii Consumer Finance Association, and Mr. Ezau Hoogs in the light of the public interest

factors set forth in section 4(c)(8) of the Act (12 U.S.C. 1843(c)(8)).

Applicant, the second largest banking organization in the State of Hawaii, controls First Hawaiian Bank ("Bank") with total deposits of approximately $813 million, representing approximately 33 per cent of total deposits in the eight commercial banks located in Hawaii.[1] Bank is Applicant's only subsidiary.

HT&L, as an industrial loan company, accepts thrift deposits in the form of investment certificates and debentures, and with the proceeds of such deposits makes real estate, consumer, and commercial loans. As of April 30, 1975, HT&L had total assets of $96.8 million. Applicant would acquire a substantial portion of these assets.

HT&L has experienced consistent net operating losses since 1970. On May 21, 1975, it was announced that HT&L's auditor withdrew its 1972 and 1973 audit reports and declined to issue an audit report for 1974 in view of certain transactions between HT&L, on the one hand, and its principal shareholder and affiliates of that shareholder, on the other.[2] That announcement caused substantial withdrawals of funds from HT&L by investment certificate holders and HT&L has been unable to borrow, other than from Applicant, to meet commitments or to operate properly as an industrial loan company. The Governor of the State of Hawaii has, by telegram, requested that the Board expedite its consideration of the instant application and favors approval for the protection of the approximately 30,000 holders of investment certificates and debentures issued by HT&L.

HT&L operates eleven offices in the State of Hawaii, including eight on the island of Oahu,[3] one on the island of Kauai, one on the island of Maui, and one on the island of Hawaii. Bank operates branch offices on each of these islands, from which offices it accepts savings and time deposits and makes commercial, consumer, and real estate loans. The investment certificates and debentures issued by HT&L are similar to deposits accepted by Bank, but HT&L's investment certificates and debentures are uninsured and involve considerably higher risk than deposits accepted by Bank (and, accordingly, the certificates and debentures, on the one hand, and deposits of Bank, on the other, may not be reasonable substitutes for one another.) While for some "depositors", it is clear that Bank and HT&L are in direct competition with one another, for others the risk exposure may be understood.[4] It is clear, also, that Bank and HT&L, but for the present financial condition of HT&L, would be direct competitors in commercial, consumer, and real estate loan markets in Hawaii. (However, HT&L, in view of its present financial condition, is no longer an effective competitor in those markets and accordingly, consummation of the proposed acquisition would not carry an adverse effect on competition, existing or potential, in any market.)

Hawaiian governmental authorities have expressed the view that, absent consummation of the proposed acquisition, a serious danger would exist that HT&L would fail. The consequences of failure of HT&L would be serious financial loss to some 30,000 uninsured investment certificate and debenture holders, as well as possible liquidity problems at other Hawaiian financial institutions, possible harm to certificate holders in such institution, and serious consequences to Hawaii's economy, according to the Governor of that State. These consequences would be avoided by consummation of the proposed acquisition.

Based upon the foregoing and other considerations reflected in the record, the Board has determined, in accordance with the provisions of section 4(c)(8) that the public benefits that can be reasonably expected from consummation of the proposed acquisition outweigh the adverse competitive effects of such consummation. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in section 225.4(c) of regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

The transaction shall be consummated not later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of San Francisco, pursuant to authority hereby delegated.

By order of the Board of Governors,[5] effective June 18, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.75-16642 Filed 6-25-75;8:45 am]

[1] All banking data are as of December 31, 1974.

[2] That shareholder and its affiliates are neither parties to, nor the subject of the instant application.

[3] The opening of a ninth office on Oahu is pending.

[4] In any event, consummation would eliminate potential competition between Applicant and HT&L. Applicant has made efforts to form an industrial loan company in Hawaii, but those efforts were unsuccessful due to the refusal of the Hawaii Director of Regulatory Institutions to grant the necessary license. It is estimated that HT&L held, on June 30, 1974, 28 per cent of investment certificates issued by Hawaiian industrial loan companies. Thus, but for HT&L's present financial condition, the instant application would raise significant problems related to potential competition in Hawaiian markets for non-insured lendable funds, apart from its effect in Hawaiian loan markets.

[5] Voting for this action: Chairman Burns and Governors Mitchell, Holland, Wallich and Coldwell. Absent and not voting: Governor Bucher.

FIRST NATIONAL INSURANCE AGENCY, INC.

Order Approving Continuation of Certain Insurance Activities

First National Insurance Agency, Incorporated, Exeter, Nebraska, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c)(8) of the Act and § 225.4(b)(2) of the Board's regulation Y, to continue to engage in the sale as agent of fire and casualty insurance in Exeter, Nebraska, a town of less than 5,000 population.[1] Such activities have been determined by the Board to be closely related to banking (12 CFR 225.4(a)(9)(iii)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (40 FR 17884). The time for filing comments and views has expired and the Board has considered all comments received in the light of the public interest factors set forth in section 4(c)(8) of the Act (12 U.S.C. 1843(c)(8)).

Applicant, a one-bank holding company, controls First National Bank in Exeter ("Bank"), the only bank located in Exeter, Nebraska, a town of 759 persons. Bank (deposits of $5.0 million) is the fourth largest of eight banks located in the Fillmore County banking market[2] (approximated by Fillmore County and the extreme western portion of Saline County, Nebraska) and controls 9.5 percent of total commercial bank deposits in the market.[3]

Applicant itself acts as an insurance agent solely for the sale of fire and casualty insurance. Annual net commission revenues from the sale of such insurance during the period 1968 through 1973 averaged $22,456, and ranged from $17 287 in 1968 to $27,471 in 1973.

The standards under section 4(c)(8) govern continuation of activities as well as de novo entry and proposed acquisitions.[4] In 1968, there were approximately 16 insurance agencies operating in the relevant market. At the time of acquisition of Bank by Applicant, Bank was not engaged in the sale of insurance. Accordingly, it does not appear that existing

[1] Upon incorporation on March 13, 1964, Applicant acquired the assets of E. L. McCabe Agency, Exeter, Nebraska, and, on August 31, 1967, Applicant acquired the assets of the A. B. & C. Becker Agency. These acquisitions were effected prior to Applicant's acquisition of 28.6 per cent of First National Bank on November 9, 1968. Under the provisions of section 4(a)(2) of the Act, Applicant may not continue to engage in these insurance activities beyond December 31, 1980, without Board approval.

[2] It is presumed that relevant geographic markets for consumer insurance services, like banking markets, are local.

[3] Banking data are as of June 30, 1974.

[4] See Board's Order of May 1, 1972, approving the application of Marine Bancorporation, Seattle, Washington, to retain shares of Coast Mortgage Company, Seattle, Washington.

competition was eliminated as a result of the acquisition. Bank presently acts as agent solely for the sale of credit life insurance (net commissions of $260 in 1973), a type of insurance which Applicant itself does not sell. Bank could, under the National Banking Act (12 U.S.C. 92), engage de novo in the sale of types of insurance sold by Applicant were this application to be denied. However, in view of the relatively small size of the market for such insurance, the number of competitors presently providing such insurance sales services,[2] and Applicant's apparently slight market share, Applicant's continued provision of insurance sales services is not expected to adversely effect future competition.

The record contains no evidence suggesting that Applicant's continuation of activities earlier commenced may result in undue concentration of resources, conflicts of interests, unsound banking practices, or other adverse effects. On the basis of the facts of record, the Board concludes that the benefits to the public resulting from Applicant's continued offering of fire and casualty insurance in the Exeter community are consistent with approval of the application.

Based upon the foregoing and other considerations reflected in the record, the Board has determined, in accordance with the provisions of section 4(c)(8), that the application should be approved. This determination is subject to the conditions set forth in § 225.4(c) of regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

By order of the Board of Governors,[4] effective June 18, 1975.

[SEAL] THEODORE E. ALLISON, *Secretary of the Board.*

[FR Doc.75-16643 Filed 6-25-75;8:45 am]

FIRST PENN CORP.

Formation of Bank Holding Company

First Penn Corporation, Oklahoma City, Oklahoma, has applied for the Board's approval under Section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of an additional 50,929 voting shares of Penn Square Bank, N.A., Oklahoma City, Oklahoma ("Bank"). Upon consummation of the proposal, Applicant would own approximately 80 percent of the voting shares of Bank. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received not later than July 22, 1975.

Board of Governors of the Federal Reserve System, June 19, 1975.

[SEAL] ROBERT SMITH, III, *Assistant Secretary of the Board.*

[FR Doc.75-16644 Filed 6-25-75;8:45 am]

PEOPLES BANKING CORP.

Order Approving Acquisition of Bank

Peoples Banking Corporation, Bay City, Michigan, a bank holding company within the meaning of the Bank Holding Company Act, has applied for Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares of the successor by consolidation to Frankenmuth Bank & Trust, Frankenmuth, Michigan ("Bank"). The bank into which Bank is to be consolidated has no significance except as a means to facilitate the acquisition of the voting shares of Bank. Accordingly, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has expired and this Reserve Bank has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant ranks 18th among banking organizations in Michigan by the control of four banks, holding aggregate deposits of $235.7 million,[1] which represent 0.9 percent of the total commercial bank deposits in the State. Upon acquisition of Bank, which ranks 30th in the State, Applicant's rank would rise to 13th and Applicant's share of commercial bank deposits in Michigan would rise to 1.3 percent. Applicant's acquisition of Bank would not significantly increase the concentration of banking resources in Michigan.

Bank (deposits $121.2 million) has 13 branches which are widely dispersed throughout the region between Flint and Saginaw with locations in mostly rural communities. Consequently, Bank's offices compete in the three banking markets of Saginaw, Tuscola, and Flint.[2] Upon consummation of this proposal, Applicant would control approximately 12.5, 18.2, and 3 percent of the Saginaw, Tuscola, and Flint banking markets, respectively. Applicant's lead bank and three smaller bank subsidiaries all are located in different and separate markets from Bank and, although Applicant's lead bank operates in an adjacent market, no significant direct competition would be eliminated upon consummation of this proposal. The mostly small, low-growth rural communities in which Bank operates make it unlikely that Applicant would enter de novo into Bank's areas of operation. Moreover, Bank's control of deposits in the Saginaw market is relatively small in comparison to the first and second largest banking organizations which hold approximately 48 and 31 percent, respectively; and the relatively low banking concentration in the Tuscola market mitigates any probable adverse effects of the proposal on potential competition. Consummation of this proposal would eliminate no significant present or future competition. On balance, the present proposal should have an overall positive effect on competition in the State in the future by creating a stronger banking competitor that would be capable of competing with the largest banking organizations in Michigan. Competitive considerations are consistent with approval.

The financial and managerial resources and future prospects of Applicant, its subsidiary banks and Bank, are satisfactory. Accordingly, banking factors are consistent with approval of the application.

Some public benefits should ensue upon consummation of this proposal. Applicant proposes to lower checking charges, raise the passbook savings rate, increase bank hours at selected offices, and introduce a credit card system into Bank's operations. Moreover, beneficial effects should accrue to the public from cooperative efforts between Bank and Applicant applied in the areas of loans and trust services. Considerations of convenience and needs are consistent with and lend some weight toward approval.

On the basis of the record as summarized above, the Federal Reserve Bank of Chicago approves the application, provided the transaction should not be consummated (a) before the thirtieth calendar day following the effective date of this Order, or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Chicago, pursuant to delegated authority.

By order of the Federal Reserve Bank of Chicago, acting pursuant to delegated authority for the Board of Governors of

[2] The instant application names nineteen such firms and suggests that the list is not exhaustive.

[4] Voting for this action: Chairman Burns and Governors Mitchell, Holland, Wallich, and Coldwell. Absent and not voting: Governor Bucher.

[1] All banking data are as of June 30, 1974, and reflect holding company formation and acquisitions approved through January 1975.

[2] The Saginaw banking market is approximated by the Saginaw RMA; the Flint banking market is approximated by the Flint RMA, excluding that portion of the RMA in Shiawassee County; the Tuscola banking market is approximated by Tuscola County, excluding the Gagetown branch of the Farmers & Merchants State Bank of Sebewaing, Mich., Sebewaing, Michigan, and the Millington branch of the Frankenmuth Bank & Trust, Frankenmuth, Michigan, but includes the Munger branch of Frankenmuth Bank & Trust in southeastern Bay County.

the Federal Reserve System, effective June 16, 1975.

[SEAL] DANIEL M. DOYLE,
First Vice President.

[FR Doc.75-16645 Filed 6-25-75;8:45 am]

WINTERS NATIONAL CORP.

Acquisition of Bank

JUNE 18, 1975.

Winters National Corporation, Dayton, Ohio, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 per cent of the voting shares (less directors' qualifying shares) of the successor by merger to Euclid National Bank, Euclid, Ohio. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Cleveland. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than July 11, 1975.

Board of Governors of the Federal Reserve System, June 18, 1975.

[SEAL] ROBERT SMITH, III,
Assistant Secretary of the Board.

[FR Doc.75-16646 Filed 6-25-75;8:45 am]

INTERNATIONAL TRADE COMMISSION

[TA-201-2]

BOLTS, NUTS AND SCREWS OF IRON OR STEEL

Investigation and Hearing

Investigation instituted. Following receipt of a petition filed by Russell, Burdsall & Ward, Inc., the Industrial Fasteners Institute, and the Cap Screw and Special Threaded Products Bureau, the U.S. International Trade Commission, on June 13, 1975, instituted an investigation under section 201(b) of the Trade Act of 1974 to determine whether wood screws and bolts, nuts and screws (including bolts and their nuts imported in the same shipment), all the foregoing of iron or steel, provided for in items 646.49, 646.54, 646.56, 646.58, 646.60, 646.63, and 646.79 of the Tariff Schedules of the United States, are being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or threat thereof, to the domestic industry producing an article like or directly competitive with the imported article.

Public hearing ordered. A public hearing in connection with this investigation will be held beginning at 10 a.m., e.d.t., Tuesday, August 19, 1975, in the Hearing Room, U.S. International Trade Commission, Eighth and E Streets, NW., Washington, D.C. Requests for appearances at the hearing should be received in writing by the Secretary of the Commission at his offices in Washington not later than noon, Thursday, August 14, 1975.

Inspection of petition. The petition filed in this case is available for public inspection at the Office of the Secretary, U.S. International Trade Commission, and at the New York City office of the U.S. International Trade Commission located at 6 World Trade Center.

By order of the Commission:

Issued: June 23, 1975.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.75-16677 Filed 6-25-75;8:45 am]

[AA1921-147]

ELECTRIC GOLF CARS FROM POLAND

Investigation and Hearing

Having received advice from the Department of the Treasury on June 16, 1975, that electric golf cars from Poland are being, or are likely to be, sold at less than fair value, the United States International Trade Commission on June 20, 1975, instituted investigation No. AA1921-147 under section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Hearing. A public hearing in connection with the investigation will be held in the Commission's Hearing Room, U.S. International Trade Commission Building, 8th and E Streets, NW., Washington, D.C. 20436, beginning at 10 a.m., e.d.t., on Tuesday, July 29, 1975. All parties will be given an opportunity to be present, to produce evidence, and to be heard at such hearing. Requests to appear at the public hearing should be received by the Secretary of the Commission, in writing, at its office in Washington, D.C., not later than noon Friday, July 25, 1975.

By order of the Commission:

Issued: June 23, 1975.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.75-16678 Filed 6-25-75;8:45 am]

[AA1921-145]

PORTABLE ELECTRIC TYPEWRITERS FROM JAPAN

Determination of No Injury or Likelihood Thereof or Prevention of Establishment of an Industry

JUNE 19, 1975.

On March 19, 1975, the United States International Trade Commission received advice from the Department of the Treasury that portable electric typewriters from Japan are being, or are likely to be, sold in the United States at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). Accordingly, on March 27, 1975, the Commission instituted investigation No. AA1921-145 under section 201(a) of said act to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such portable electric typewriters into the United States.

Notice of the institution of the investigation and of a public hearing to be held in connection therewith was published in the FEDERAL REGISTER of April 3, 1975 (40 FR 15013). The hearing was held on May 13 and 14, 1975.

In arriving at its determination, the Commission gave due consideration to written submissions from interested parties which were accepted by the Commission, evidence adduced at the hearing, and all factual information obtained by the Commission's staff from questionnaires, personal interviews, and other sources.

On the basis of the investigation, the Commission has determined, by a vote of 3 to 2,[1] that an industry in the United State is not being injured or is not likely to be injured, or is not prevented from being established, by reason of the importation of portable electric typewriters from Japan that are being, or are likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

STATEMENT OF REASONS FOR NEGATIVE DETERMINATION OF CHAIRMAN LEONARD AND COMMISSIONERS BEDELL AND PARKER

The Antidumping Act, 1921, as amended, requires that the U.S. International Trade Commission find two conditions satisfied before an affirmative determination can be made. First, there must be injury, or likelihood of injury, to an industry in the United States, or an industry in the United States must be prevented from being established.[2] Second, such injury or likelihood of injury must be "by reason of" the importation into the United States of the class or kind of foreign merchandise which the Secretary of the Treasury has determined is being, or is likely to be, sold at less than fair value (LTFV) within the meaning of the Antidumping Act, 1921, as amended.

On the basis of the investigation, we have determined that an industry in the United States is not being or is not likely to be injured by reason of the importation of portable electric typewriters from Japan sold or

[1] Chairman Leonard and Commissioners Bedell and Parker determined in the negative. Commissioner Moore determined that an industry is being injured or is prevented from being established. Commissioner Ablondi determined that an industry is being injured. Vice Chairman Minchew abstained from voting.

[2] We find that prevention of the establishment of an industry is not an issue in the instant case and will not be discussed further.

likely to be sold at LTFV. Since we find that the first criterion for an affirmative determination is not satisfied, we do not need to consider the second criterion.

INDUSTRY

In this case the imported articles found to be sold at LTFV by the Treasury and the imported articles covered by the Commission's notice of investigation are portable electric typewriters. However, with regard to what is the industry most likely to be affected by the subject imported articles, we have considered whether that industry is, in the alternative, the facilities devoted to the production of all portable typewriters (both electric and manual) or the facilities devoted to the production of only portable electric typewriters. In either instance the industry is the U.S. facilities of SCM Corporation, the sole U.S. producer of portable electric and portable manual typewriters.

Our determination in this case would be the same irrespective of whether we considered the U.S. industry to consist of the facilities used in the production of all portable typewriters or only portable electric typewriters.

NO INJURY

It is acknowledged that imports of portable electric typewriters from Japan, sold at LTFV, obtained a significant share of the U.S. market for portable typewriters during the period of the Treasury investigation—October 1973-March 1974. However, imports penetration alone is not an adequate basis for determining injury.[3] None of the other tests of injury applied in this case showed that an industry in the United States is being injured or is likely to be injured; to the contrary, they indicated that the domestic industry has prospered and is likely to continue to grow and expand notwithstanding the fact that it does not produce certain types of low end portable electric typewriters.

SCM Corporation, the sole U.S. producer of portable typewriters,[4] reported that during the years 1972–74, its production, its domestic shipments, and its exports of all portable typewriters and of portable electric typewriters increased annually. This firm also reported increased employment and an increased number of man-hours worked in the production both of all portable typewriters and of portable electric typewriters in each of the years examined. In addition, the firm's net sales and net operating profit with respect to both of the typewriter categories increased significantly in comparison with the previous year's results in fiscal years 1972, 1973, and 1974.

A comparison of the domestic industry's performance during the 6-month period in which the Treasury Department made its investigation (October 1973–March 1974) with its performance in the previous corresponding period (October 1972–March 1973) shows, with respect to each of the indexes of injury discussed in the previous paragraph, that the performance was better during the period of LTFV sales than in the earlier period.

We were unable to find any substantial evidence that the LTFV imports of portable electric typewriters resulted in the depression or suppression of the prices of the U.S. producer. Information on prices developed by the Commission showed that the U.S. producer's prices for portable typewriters increased throughout the period for which data were collected (January 1972–March 1975). Furthermore, wholesale price indexes published by the U.S. Bureau of Labor Statistics disclosed that changes in the price index for portable typewriters closely paralleled changes in the index for all office and store machines and equipment. This indicates that the factors influencing prices for office and store machines in general applied to portable typewriters and that the presence of LTFV imports of portable electric typewriters had no measurable impact on the U.S. producer's price for those articles or on the prices of all portable typewriters.

NO LIKELIHOOD OF INJURY

Japanese imports of portable electric typewriters by quantity and as a share of the total U.S. market declined significantly in 1974 compared with those in 1973 and again declined in the first quarter of 1975 compared with those in the first quarter of 1974. Furthermore, the margins by which Japanese imports have undersold domestically produced typewriters have been reduced as the average unit value of the Japanese imports increased from $44.83 in 1972 to $80.50 in 1974, or by 80 percent. As the Japanese producers have lost market share in the United States as a result of rapidly rising production costs in Japan and two devaluations of the dollar, they have met increasingly intense competition from the U.S. producer, SCM Corporation. That firm began large-scale marketing of typewriters featuring a patented cartridge-ribbon system in 1974. This is a highly desirable feature which will particularly benefit SCM in the sale of its higher priced typewriters.

CONCLUSION

We conclude, therefore, that an industry in the United States is not being or is not likely to be injured by reason of the importation of portable electric typewriters from Japan that are being, or are likely to be, sold at LTFV within the meaning of the Antidumping Act, 1921, as amended.

STATEMENT OF REASONS FOR THE AFFIRMATIVE DETERMINATION OF COMMISSIONERS MOORE[5] AND ABLONDI

This is an investigation under section 201 (a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a) to determine whether an industry in the United States is being or is likely to be injured or is prevented from being established by reason of the importation from Japan of portable electric typewriters which the Secretary of the Treasury has detemined are being, or are likely to be, sold at less than fair value within the meaning of the act.

The Antidumping Act, 1921, as amended, requires that the Commission find two conditions satisfied before an affirmative determination can be made. First, there must be injury or likelihood of injury to an industry in the United States, or an industry in the United States must be prevented from being established. Second, such injury or likelihood of injury or prevention of establishment of an industry must be "by reason of" the importation into the United States of the class or kind of foreign merchandise which the Secretary of the Treasury has determined is being, or is likely to be, sold at less than fair value (LTFV).

In its report No. 93–1298, the Committee on Finance of the Senate commented on these criteria, at page 179, as follows:

* * * the Act is primarily concerned with the situation in which the margin of dumping contributes to underselling the U.S. product in the domestic market, resulting in injury or likelihood of injury to a domestic industry. Such injury may be manifested by such indicators as suppression or depression of prices, loss of customers, and penetration of the U.S. market.

The record in this case reveals that the domestic industry consists of one producer, the complainant. This firm, in 1957, became the first company to develop a portable electric typewriter for sale in the United States. Thereafter, the complainant consistently developed and improved its portable electric typewriter and concentrated its marketing policies on that product long before any other firm was able to develop a comparable product.

One of the largest United States producers of typewriters sought to develop a portable electric typewriter for sale in the United States, but for technical reasons was unsuccessful. The respondent importers readily admit that the complainant dominated this market for nearly a decade despite the continuing attempt by several other companies to develop and market a competing product. Finally, the competing domestic company abandoned its attempts to domestically produce a portable electric typewriter and began the importation of machines from Japan under its own brand name. This company, other United States firms, and foreign suppliers are now major importers of portable electric typewriters from Japan.

Admittedly unable to compete with the complainant on a performance basis, the importers turned to the avenue of price differential. As part of their attempt to compete with the complainant on the basis of price these importers engaged in LTFV sales. The record reveals that during the period of the Treasury investigation the LTFV sales accounted for virtually all (97 percent) of the sales of portable electric typewriters from Japan. In some cases, substantial percentages (even as high as 100 percent) of the amount of the price differential between the comparable domestic product and the imported item were accounted for by the margin of LTFV sales. Without this inducement of a lower price point, the importers admit, they could not have been competitive. The record indicates that when the price differential between the domestic product and the imported product narrowed, the consumers, quite naturally, chose the superior machine, which, all parties apparently admit, was the domestically produced machine.

Primarily on the basis of underselling the domestic product and using LTFV margins to accomplish much of that underselling, the foreign suppliers were able to erode the domestic industry's previous market position. After five years, from 1969 through 1973, the imports achieved a market penetration of 37 percent. It was not until the filing of the dumping complaint in this case in early 1974 that their market penetration declined.

It is true that the instant case is somewhat unique in that the domestic producer continues to operate on a profitable basis despite the fact that it has clearly lost a consider-

[3] Chairman Leonard considers that import penetration indicates injury only when it is established that the penetration is at the expense of the domestic industry and causes lost sales.

[4] Royal Typewriter Co. discontinued the production of portable typewriters in the United States in May 1972.

[5] Commissioner Moore concurs in the affirmative determination that an industry in the United States is being injured. Also, Commissioner Moore believes, based upon the evidence before the Commission, that a completely integrated industry is prevented from being established in the United States by reason of the importation of "a class or kind of foreign merchandise" (low-end portable electric typewriters from Japan) which the Treasury Department found to be sold in the United States at less than fair value.

able share of the market and consequently lost considerable sales.[6] Nevertheless, it is our opinion that the criteria for an affirmative determination, as outlined above, have been satisfied.

On the basis of this investigation, therefore, we determine that an industry in the United States is being injured by reason of the importation of portable electric typewriters from Japan, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

STATEMENT OF REASONS FOR ABSTENTION OF VICE CHAIRMAN MINCHEW

The basic reason for my abstention is that upon close examination of the procedures used I realized that unintentionally different treatment was accorded the domestic industry and in importer with respect to the treatment of efforts to submit confidential data from Trendex, Inc. The domestic industry's counsel withdrew his Trendex data after questioning during the hearing of whether it could be accepted as a "confidential" exhibit. This occurred on May 13, 1975. The importer wrote a letter to the Commission on May 19, 1975, after the public hearing, marked "confidential" and enclosed Trendex data.

The Trendex material of the importer was retained and, in my opinion, used on a confidential-type basis by the Commission until June 18, 1975, when it was belatedly rejected as a "confidential" submission and returned to the importer.

There is no way of determining whether the Trendex data of the domestic industry and the importer were one and the same data, and the apparent, or possible, different treatment extended to the domestic industry and the importer attempts to supply Trendex data, in combination, offends my sense of fairness, especially since the material of the importer was available for a considerable period to the Commission.

On the basis of the foregoing, over which I have struggled greatly, I think that the proper course for me is to abstain from the vote. As the Commissioner who originally questioned the propriety of accepting Trendex data on a "confidential" basis, I accept and acknowledge a special responsibility to have been more diligent, and I shall strive to assure that the error herein described is not repeated.

By order of the Commission.

[SEAL] KENNETH R. MASON, *Secretary.*

[FR Doc.75-16593 Filed 6-25-75;8:45 am]

NATIONAL SCIENCE FOUNDATION

AD HOC TASK GROUP 11 OF THE ADVISORY COMMITTEE FOR RESEARCH

Open Meeting

A two-day meeting of Task Group 11 of the Advisory Committee for Research will be held on July 21 and 22, 1975, beginning at 9 a.m. on both days, in Room 543 at the National Science Foundation, 1800 G Street, NW., Washington, D.C.

The purpose of the ad hoc task groups of the Advisory Committee for Research is to provide the Committee with a mechanism to consider numerous issues of interest to the full Committee. The task groups are composed of members of the Advisory Committee for Research and function in accordance with the Federal Advisory Committee Act, Pub. L. 92-463.

The agenda for this meeting of Task Group 11 will be to discuss the prospective contents of its report to the full Committee on, "Review and Evaluation of Committee Operation."

Anyone who plans to attend this open meeting or would like more information about Task Group 11, should contact Mr. Leonard Gardner, Executive Secretary, Advisory Committee for Research, Room 320, National Science Foundation, Washington, D.C. 20550.

Summary minutes of this meeting may be obtained from the Committee Management Coordination Staff, Management Analysis Office, Room 248, National Science Foundation, Washington, D.C. 20550.

FRED K. MURAKAMI, *Committee Management Officer.*

JUNE 23, 1975.

[FR Doc.75-16608 Filed 6-25-75;8:45 am]

ADVISORY PANEL FOR MOLECULAR BIOLOGY

Meeting

The Advisory Panel for Molecular Biology will hold its meeting on July 21 and 22 in Room 338 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 Biochemistry and Biophysics Programs. 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. Walter D. Bonner, Program Director for Biochemistry, Room 329, National Science Foundation, Washington, D.C. 20550, telephone 202/632-4260.

FRED K. MURAKAMI, *Committee Management Officer.*

JUNE 23, 1975.

[FR Doc.75-16609 Filed 6-25-75;8:45 am]

NATIONAL TRANSPORTATION SAFETY BOARD

[1493,1381A]

RAILROAD ACCIDENT REPORTS

Availability

The National Transportation Safety Board last week released two railroad accident reports, each containing safety recommendations.

Report No. NTSB RAR-75-3, released June 15, 1975, concerns the collision of Penn Central freight train OV-8 with an open drawbridge on the Cuyahoga River at Cleveland, Ohio, May 8, 1974. The Safety Board determined that the probable cause was the failure of the crewmembers to obey a stop signal, and the concurrent opening of the drawbridge after the operator had given the all-clear by radio. Contributing to the accident was "the absence of specific rules that either prohibited such a radio message or described the circumstances under which such a radio transmittal could be accepted as an operational control."

The report contains Safety Recommendations R-75-11 through 15. The three recommendations to the Penn Central Transportation Company were to (1) review its rule enforcement program and act to insure that its employees understand and comply with its operating rules; (2) write operating rules which give "specific guidance for the use of radio in railroad operations"; and (3) "provide specific, current operational criteria to drawbridge operators to guide them in the reasonable accommodation of both trains and ships." (R-75-11, 12, 13) The Safety Board also recommended to the Coast Guard the review of operating conditions at the accident crossing and the adoption of appropriate regulations to handle both river and rail traffic safely. (R-75-14) The Board recommended that the Federal Railroad Administration require railroads to adopt "formal locomotive cab management procedures" specifying individual crewmember duties and insuring "appropriate crew action when the engineer does not function in a manner consistent with the safety of the train" and that such procedures "should be integrated with the results of the ongoing FRA/industry locomotive-cab design project. (R-75-15)

Also in this report, the Board reiterates a recommendation (R-72-9) made 3 years ago to the FRA to issue as soon as possible regulations for the use of radios in railroad operations, such regulations to "include the traditional safeguards found in existing railroad operating rules where they apply to train movements." Further, the Board repeats Safety Recommendation R-75-9 made last year to FRA to issue regulations that, in effect, would prohibit the use of narcotics and intoxicants by railroad employees while on duty and during specific preduty periods.

Report No. NTSB RAR-75-4, released June 18, 1975, resulted from the Board's investigation of an open-air explosion in

[6] Innovation helped the domestic producer maintain its market position. Without the addition of at least one innovative feature (the cartridge ribbon system) to its product, it is likely that the sales of the domestic producer would have shown a sharp decline.

the Norfolk and Western Railway switching yard at Decatur, Illinois, on July 19, 1974. The Safety Board determined that the probable cause was the overspeed impact between the heavy cut of jumbo tank cars and the uncoupled light boxcar, resulting from the release of the tank cars by a switching crew "at a higher-than-acceptable switching speed" for their free roll down the track. Contributing factors cited were the "lack of written guidelines to assist the switchman in determining the proper switching speed" for the tank cars, and the yard crewmembers' "lack of understanding of the risks involved in switching hazardous materials."

The report contains Safety Recommendations R–75–18 through 22. The Safety Board recommends that the Federal Railroad Administration, cooperating with rail industry groups, (1) write regulations "to limit losses in accidents involving the transportation of bulk hazardous materials by rail" and (2) determine the capabilities of top and bottom shelf couplers, head shields, and a combination of both, and require that jumbo tank cars be equipped with "the best practical combination." (R–75–18 and 19) The Board also recommends that the Norfolk and Western Railway Company (1) insure that its employees who handle hazardous materials shipments know the risks involved in switching same, and require switchmen "to switch hazardous materials cars accordingly," and (2) establish a Decatur Yard emergency plan and include in it "an adequate fire control system." Further, the Board recommends to the U.S. Secretary of Transportation the revision of the DOT accident report form to cover "at least the delineation of the danger zone, and types and degree of injury or damages experienced by the various kinds of parties at risk." (R–75–22) The Board also reiterates and reemphasizes a March 1973 recommendation (R–73–4) that FRA make any necessary revisions of its accident reporting requirements to give it the detailed community loss data it needs to assess such damage and tailor its safety rulemaking accordingly.

These reports are available to the general public. Single copies may be obtained without charge by writing to the Publications Unit, National Transportation Safety Board, Washington, D.C. 20594. Multiple copies of these reports may be purchased from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151.

(Sec. 304(a)(2) of the Independent Safety Board Act of 1974 (Pub. L. 93–633, 88 Stat. 2169 (49 U.S.C. 1903).)

MARGARET L. FISHER,
Federal Register Liaison Officer.

June 23, 1975.

[FR Doc.75–16696 Filed 6–25–75;8:45 am]

NUCLEAR REGULATORY COMMISSION

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE ON VERMONT YANKEE NUCLEAR POWER STATION

Notice of Meeting Cancellation

The ACRS Vermont Yankee Subcommittee meeting scheduled for June 30, 1975 in Washington, D.C. has been cancelled. The postponement is to allow the NRC staff to complete its review of the application of the Vermont Yankee Nuclear Power Corporation for a license modification to operate the Vermont Yankee Nuclear Power Station at an increased linear heat generation rate. The notice of this meeting was previously published at 40 FR 25522 on June 16, 1975. A new expected date for this meeting has not been established. Notice will be published later.

Dated: June 20, 1975.

JOHN C. HOYLE,
Advisory Committee Management Officer.

[FR Doc.75–16591 Filed 6–25–75;8:45 am]

[Docket No. 70–1100]

COMBUSTION ENGINEERING, INC. NUCLEAR FUEL FABRICATION FACILITY AND NUCLEAR LABORATORIES

Negative Declaration Regarding Proposed Renewal of License

The Nuclear Regulatory Commission (the Commission) has considered the renewal of Special Nuclear Materials License SNM–1067 for the continued operation of the Nuclear Fuel Fabrication Facility and Nuclear Laboratories at Windsor, Connecticut.

The U.S. Nuclear Regulatory Commission, Division of Materials and Fuel Cycle Facility Licensing has prepared an environmental impact appraisal for the proposed renewal of license SNM–1067. On the basis of this appraisal, the Commission has concluded that an environmental impact statement for this particular license renewal action is not warranted because there will be no environmental impact attributable to the proposed action. The environmental impact appraisal is available for public inspection at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C.

Dated at Bethesda, Maryland, this 19th day of June 1975.

For the Nuclear Regulatory Commission.

RICHARD B. CHITWOOD,
Chief, Fuel Cycle Environmental Projects Branch Division of Materials and Fuel Cycle Facility Licensing.

[FR Doc.75–16590 Filed 6–25–75;8:45 am]

REGULATORY GUIDES

Issuance and Availability

The Nuclear Regulatory Commission has issued two new guides in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations, and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 1.70.35, "Information for Safety Analysis Reports—Internally Generated Missiles," and Regulatory Guide 1.70.36, "Information for Safety Analysis Reports—Electric Power," identify information that is needed in safety analysis reports at the construction permit and operating license stages of review.

These guides are two of a number being issued in the 1.70.X series to identify information that has often been missing from applicants' safety analysis reports or to present revisions necessary to make a portion of the "Standard Format and Content of Safety Analysis Reports for Nuclear Power Plants," Revision 1, October 1972 (Regulatory Guide 1.70), consistent with the appropriate Standard Review Plan. Standard Review Plans (SRPs) are being prepared by the NRC staff for the guidance of staff reviewers who perform the detailed safety review of applications to construct or operate nuclear power plants. A primary purpose of SRPs is to improve the quality and uniformity of staff reviews and to provide a well-defined base from which to evaluate proposed changes in the scope and requirements of reviews. A complete Revision 2 of the Standard Format incorporating the changes presented in this 1.70.X series will be issued following completion of publication of the SRPs.

Comments and suggestions in connection with improvements in all published guides are encouraged at any time. Public comments on Regulatory Guides 1.70.35 and 1.70.36 will, however, be particularly useful in developing the forthcoming revision of the Standard Format if received by August 25, 1975.

Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section.

Regulatory Guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides should be made in writing to the Director, Office of Standards Development, U.S. Nuclear Regulatory

Commission, Washington, D.C. 20555. Telephone requests cannot be accommodated. Regulatory Guides are not copyrighted and Commission approval is not required to reproduce them.

(5 U.S.C. 522(a))

Dated at Rockville, Maryland this 19th day of June 1975.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
Acting Director,
Office of Standards Development.

[FR Doc.75-16671 Filed 6-25-75;8:45 am]

[Docket No. 50-334]

DUQUESNE LIGHT CO., ET AL.

Order Extending Completion Date

Duquesne Light Company, Pennsylvania Power Company, and Ohio Edison Company are the holders of Construction Permit No. CPPR-75 issued by the Commission on June 26, 1970, for construction of the Beaver Valley Power Station, Unit 1, a 2660 thermal megawatt pressurized water nuclear reactor presently under construction at the applicants' site on the south bank of the Ohio River in Shippingport Borough, Beaver County, Pennsylvania.

On April 15, 1975, Duquesne Light Company filed a request for an extension of the completion date because construction has been delayed. On May 27, 1975 Duquesne Light Company filed additional information in support of its request. It has been determined that the delay is due to, among other things, unexpected work resulting from changes in design of equipment supplied by a major supplier and changes in plant design to meet current safety standards.

This action involves no significant hazards consideration, and good cause has been shown for the delay, the bases for which are set forth in a staff evaluation dated June 13, 1975.

It is hereby ordered, That the latest completion date for Construction Permit No. CPPR-75 is extended from June 30, 1975 to March 31, 1976.

Date of Issuance: June 17, 1975.

For the Nuclear Regulatory Commission.

R. C. DEYOUNG,
Assistant Director, for Light Water Reactors Group 1, Division of Reactor Licensing.

[FR Doc.75-16669 Filed 6-25-75;8:45 am]

[Docket No. 40-6659]

PETROTOMICS CO. URANIUM MILLING FACILITY

Negative Declaration

The Nuclear Regulatory Commission (the Commission) has considered the renewal of Source Material License No. SUA-551 for the Petrotomics Company Uranium Milling Facility, Shirley Basin Area, Wyoming. This license authorizes the operation of a uranium mill at Shirley Basin, Wyoming. The mill is designed as an acid-leach, solvent extraction uranium ore processing plant with a design capacity of 1500 tons of ore per day.

The U.S. Nuclear Regulatory Commission, Division of Materials and Fuel Cycle Facility Licensing, has prepared an environmental impact appraisal for the proposed renewal of Source Material License No. SUA-551 for the Uranium Milling Facility. On the basis of this appraisal, the Commission has concluded that the environmental impact created by the renewal of the license is of a magnitude not warranting an environmental impact statement for the proposed action, and that a negative declaration to this effect is appropriate. The environmental impact appraisal is available for public inspection at the Commission's Public Document Room at 1717 H Street, NW, Washington, D.C.

Dated at Bethesda, Maryland, this 20th day of June 1975.

For the Nuclear Regulatory Commission.

RICHARD B. CHITWOOD,
Chief, Fuel Cycle Environmental Projects Branch, Division of Materials and Fuel Cycle Facility Licensing.

[FR Doc.75-16670 Filed 6-25-75;8:45]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

Lists 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 June 23, 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

NATIONAL ACADEMY OF SCIENCES

Protocol to assess U.S. veterans utilization of health care services, CHCRVA-031, single-time, veterans in six selected geographic areas, Human Resources Division, Dick Eisinger, 395-3532.

DEPARTMENT OF AGRICULTURE

Forest Service, recreation experience in southeastern Alaska, single-time, individuals on ferries and tourships, Planchon, P., 395-6140.

DEPARTMENT OF DEFENSE

Department of the Air Force, OSHA and NEPA study, single-time, defense aerospace contractors, National Security Division, Lowry, R.L., 395-4734.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institutes of Health, a study of low fertility cohorts in the United States, NIH-CH-26, single-time, evermarried women, white, born 1901-1910, George Hall, 395-6140.

National Institutes of Health, perceived advantages and disadvantages of childbearing: strength of motivation for fertility control, NIH-CH-27, single-time, 200 currently mated adults age 20-30 in Manhattan, Kan. George Hall, 395-6140.

Center for Disease Control, the health consequences of shiftwork, NIOSH 0510, single-time, Dick Eisinger, 395-6140.

Health Resources Administration, resurvey of primary care physicians and analysis of factors affecting physician care production decisions, HRARAS 0602, single-time, receptionists of primary care physicians, Dick Eisinger, 395-6140.

Office of Education, a survey of the impact of late Federal funding on State and local education agencies, OE-424, OE-424-1, single-time, State and local education agencies, Human Resources Division, Planchon, P., 395-3532.

DEPARTMENT OF THE INTERIOR

Geological Survey, meter proving reports A and B, monthly, offshore oil and gas operators, Lowry, R.L., 395-3772.

Mining Enforcement and Safety Administration, work area Radon Daughter concentration, and individual, exposure to Radon Daughters, Y-4000-8, X-4000-9, monthly, metal and nonmetal mining and milling operations, Lowry, R. L., 395-3772.

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration, procedural guide for speed monitoring (annual and quarterly reporting requirements), single-time, Government agencies, Strasser, A., Lowry, R. L., 395-5867.

REVISIONS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources Administration, predictors of successful nursing performance, single-time, schools of nursing and employers of grads, Dick Eisinger, 395-6140.

National Institutes of Health, Federal support for medical and health-related research, PHS-3886-1, annually, Federal agencies sponsoring health R. & D., Dick Eisinger, 395-6140.

Office of Education, nomination for graduate fellowship, OE-1048, on occasion, graduate fellowship nominees, Lowry, R. L., 395-3772.

Office of Education, financial status and performance reports for discretionary grants: Vocational and educational professions development programs, OE 360, quarterly, Government agencies, Lowry, R. L., 395-3772.

EXTENSIONS

Office of Education, instructions for financial status report for the part B, EHA and P.L. 89-313, ESEA programs, OE-9039-1, annually, State agencies, Lowry, R. L., 395-3772.

Office of Education, foreign language graduate fellowship forms (NDEA), OE7632, annually, program administrator, Marsha Traynham, 395-4529.

Office of Education, application for Federal assistance (nonconstruction), bilingual vocational education, OE 3176, annually, Government agencies, Marsha Traynham, 395-4529.

Office of Education, terminal report for holders of National Defense Foreign Language Fellowships (undergraduates), OE7613, annually, individuals, Marsha Traynham, 395-4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75-16758 Filed 6-25-75;8:45 am]

DEPARTMENT OF LABOR

Office of the Secretary

[TA-W-35-44]

CHRYSLER CORPORATION

Eligibility To Apply for Adjustment Assistance; Notice of Hearing

The Department of Labor has ordered a public hearing in connection with the investigation instituted on June 2, 1975, under section 221(a) of the Trade Act of 1974 on the basis of a petition filed on behalf of the workers and former workers of Chrysler Corporation's Detroit Trim plant, Detroit, Michigan (TA-W-35); Mound Road Engine plant, Detroit, Michigan (TA-W-36); Newark Assembly plant, Newark, Delaware (TA-W-37); St. Louis Assembly plant, Fenton, Missouri (TA-W-38); Hamtramck Assembly plant, Hamtramck, Michigan (TA-W-39); Jefferson Assembly plant, Detroit, Michigan (TA-W-40); Belvidere Assembly plant, Belvidere, Illinois (TA-W-41); Trenton Engine plant, Trenton, Michigan (TA-W-42); Lynch Road Assembly plant, Detroit, Michigan (TA-W-43); and Lyons Trim plant, Lyons, Michigan (TA-W-44). Notice of receipt of the petition and the institution of this investigation was published in the FEDERAL REGISTER on June 11, 1975 (40 FR 24965-24966).

This public hearing is being held on request of the petitioners and will be held beginning at 10 a.m., e.s.t. on July 7, 1975 in Room N3437AD U.S. Department of Labor Building, 200 Constitution Avenue, NW., Washington, D.C. Interested parties desiring to appear and be heard should send written notification, at least three days in advance of the hearing, to the Acting Director, Office of Trade Adjustment Assistance, at his office in Washington, D.C. no later than noon, July 3, 1975.

Signed at Washington, D.C. this 20th day of June 1975.

JOEL SEGALL,
Deputy Under Secretary, International Affairs.

[FR Doc.75-16596 Filed 6-25-75;8:45 am]

PHILADELPHIA DIVISION OF TRW, INC. PHILADELPHIA, PENNSYLVANIA

Notice of Determination Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-11; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on April 21, 1975 in response to a worker petition filed on that date on behalf of workers and former workers producing carbon composition resistors at the Philadelphia, Pennsylvania Division of TRW, Incorporated, Cleveland, Ohio.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 18517) on April 28, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of the Philadelphia Division of TRW, Inc., the Division's major customers, industry analysts, the U.S. International Trade Commission, U.S. Department of Commerce, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) that a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated.

(2) that sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) that increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant total or partial separations. TRW's Philadelphia Division began reducing employment levels in August 1974. A major layoff of workers in November 1974 caused employment to decline 11 percent in the fourth quarter of 1974 from the same period in 1973. Employment declined 43 percent in the first quarter of 1975 from the comparable period of the previous year.

Sales or production, or both, have decreased absolutely. Sales of carbon composition resistors produced by TRW's Philadelphia Division declined absolutely in the third and fourth quarters of 1974 and the first quarter of 1975. Since the Division produced large quantities for inventory in late 1974, absolute production declines did not occur until the last quarter of 1974. Production declined 60 percent in the first quarter of 1975.

Increased imports contributed importantly. Imports of articles like or directly competitive with carbon composition resistors produced by the Philadelphia Division of TRW, Inc. increased both absolutely and relatively in each year during 1970-1974. Such imports increased from 989 million units comprising 21 percent of domestic consumption in 1970 to more than 4 billion units comprising 44 percent of domestic consumption in 1974. Imports as a proportion of domestic production increased from 25 percent in 1970 to 73 percent in 1974.

The evidence developed in the Department's investigation indicates that the worldwide demand for resistors in late 1973 and early 1974 was so great that purchases were based primarily on availability rather than price considerations. The economic slowdown of late 1974 reduced the demand for resistors and manufacturers accumulated large inventories.

As the demand for resistors decreased and the supply increased, purchasers become more price conscious. The significantly lower price at which imported resistors were available caused reduced purchases of domestic resistors and increased purchases of foreign-made resistors. As a result domestic production of resistors declined 11 percent in 1974 while imports increased 28 percent. Several of TRW-Philadelphia's most important customers sharply reduced purchases from the Division and increased their purchases of imported resistors. The customers cited the fact that imported resistors were often offered at nearly half the price of TRW's resistors as the chief reason for their shift to imports.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with carbon composition resistors produced by the Philadelphia Division of TRW, Inc. contributed importantly to the total or partial separation of the workers of that firm. Section 223(b)(2) of the Trade Act of 1974 provides that a certification of eligibility to apply for worker adjustment assistance may not apply to any worker who was last separated from the firm or subdivision more than six months before April 3, 1975, the effective date of the new program. In accordance with this provision of the Act, I make the following certification:

All hourly and salaried employees of the Philadelphia Division of TRW, Incorporated, Philadelphia and Downington, Pennsylvania who became or will become totally or partially separated from employment on or after November 4, 1974, are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 19th day of June 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.75-16597 Filed 6-25-75;8:45 am]

[TA-W-56]

RICHARD MILLER ENTERPRISES, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On June 16, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Richard Miller Enterprises, Inc., Lynn, Massachusetts (TA-W-56).

Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with heels for women's footwear produced by Richard Miller Enterprises, Inc., or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 7, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave. NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 16th day of June 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-16598 Filed 6-25-75;8:45 am]

Wage and Hour Division

FULL-TIME STUDENTS OF HIGHER EDUCATION INSTITUTIONS

Certificates Authorizing Employment at Subminimum Wages

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended, the regulation on employment of full-time students at subminimum wages (29 CFR 519), and Administrative Order No. 621 (36 FR 12819), the institutions of higher education listed in this notice have been granted authority to employ their full-time students outside of the individual student's regularly scheduled hours of instruction at hourly rates not less than 85 percent of the applicable statutory minimum rate specified under section 6 of the Act.

The regulation provides for the authority to be effective on the date a properly completed application is forwarded to the Wage and Hour Division provided applicable conditions of the regulation are met. After review by the Division, the authority may be continued in effect for up to one year from the date the application was forwarded to the Division. Since there was insufficient time before the effective date of the Fair Labor Standards Amendments of 1974 for application forms to be distributed, completed, and acted on, a grace period through August 31, 1974, permitted authority to be effective May 1, 1974, provided the specific conditions of the grace period were met and a proper application was made to the Division before the end of the grace period. The expiration date of the authority granted to a particular institution of higher education listed in this notice occurs between April 29, 1975 and August 26, 1975.

The terms and conditions of the regulation further limit the authority to employ full-time students at subminimum wages to not more than 20 hours per week when school is in session, prohibit subminimum wage employment in unrelated trades or businesses such as apartment houses, stores, or other businesses not primarily catering to the students of the institution, and prohibit the hiring of full-time students at subminimum wages for work in a unit or units of the campus where abnormal labor conditions, such as a strike or lockout exist. The authority does not excuse noncompliance with higher standards applicable to full-time students under any other Federal law, State law, local ordinance, or union or other agreement.

Adams State College, Alamosa, CO.
Agnes Scott College, Decatur, GA.
Albany State College, Albany, GA.
Albemarle, The College of, Elizabeth City, NC.
Allegheny County Community College: Allegheny Campus, College Center North, Pittsburgh, PA, South Campus, West Mifflin, PA.
Anderson College, Anderson, SC.
Andrew College, Cuthbert, GA.
Atlantic Christian College, Wilson, NC.
Augustana College, Sioux Falls, SD.
Bainbridge Junior College, Bainbridge, GA.
Bennett College, Greensboro, NC.
Berry College, Mount Berry, GA.
Bismarck Junior College, Bismarck, ND.
Black Hills State College, Spearfish, SD.
Blinn College: Brenham, TX; Bryan, TX; Washington, TX.
Bloomsburg State College, Bloomsburg, PA.
Boyce Campus, Monroeville, PA.
Brevard College, Brevard, NC.
Brewton Parker College, Mount Vernon, GA.
Campbell College, Buies Creek, NC.
Catawba College, Salisbury, NC.
Charleston, College of, Charleston, SC.
Chatman College, Pittsburgh, PA.
Cheyney State College, Cheyney, PA.
Chowan College, Murfreesboro, NC.
Coastal Carolina Community College, Jacksonville, NC.
The Colorado College, Colorado Springs, CO.
Colorado Mountain Junior College, Leadville, CO.
Colorado State University, Fort Collins, CO.
Colorado Women's College, Denver, CO.
Columbia Bible College, Columbia, SC.
Columbia College, Columbia, SC.
Commonwealth of Pennsylvania, California State College, California, PA.
Dakota State College, Madison, SD.
Dakota Wesleyan University, Mitchell, SD.
Davidson College, Davidson, NC.
Dean Institute of Technology, Pittsburgh, PA.
Delaware State College, Dover, DE.
Denver, Community College of: Auraria Campus, Central Campus and North Campus, Denver, CO; Red Rocks Campus, Golden, CO.
Denver, University of, Denver, CO.
Dominican College of San Rafael, San Rafael, CA.

Durham College, Durham, NC.
East Stroudsburg State College, East Stroudsburg, PA.
Eckerd College, St. Petersburg, FL.
Elon College, Elon College, NC.
El Paso Community College, Colorado Springs, CO.
Emanuel County Junior College, Swainsboro, GA.
Embry-Riddle Aeronautical University, Daytona Beach, FL.
Emmanuel College, Franklin Springs, GA.
Flagler College, Inc., St. Augustine, FL.
Florida Institute of Technology: School of Marine and Environmental Technology, Jensen, FL; Country Club Road Campus and School of Aeronautics Campus, Melbourne, FL; Medical Research Institute, West Melbourne, FL.
Florida Memorial College, Miami, FL.
Florida Southern College, Lakeland, FL.
Florida State University, Tallahasse, FL.
Gardner-Webb College, Inc., Boiling Springs, NC.
Georgia College, Milledgeville, GA.
Georgia Southern College, Statesboro, GA.
Georgia Southwestern College, Americus, GA.
Georgia, University of, Athens, GA.
Gordon Junior College, Barnesville, GA.
Guilford College, Greensboro, NC.
Hampton Institute, Hampton, VA.
High Point College, High Point, NC.
Huron College, Huron, SD.
Jacksonville University, Jacksonville, FL.
John B. Stetson University, DeLand, FL.
LaGrange College, LaGrange, GA.
Lake Region Junior College, Devils Lake, ND.
Lamar Community College, Lamar, CO.
Lander College, Greenwood, SC.
Laredo Junior College, Laredo, TX.
Lebanon Valley College, Annville, PA.
Lees-McRae College, Banner Elk, NC.
Limestone College, Gaffney, SC.
Lincoln University, Lincoln University, PA.
Livingstone College, Salisbury, NC.
Lock Haven State College, Lock Haven, PA.
Louisburg College, Louisburg, NC.
Macon Junior College, Macon, GA.
Marist College, Poughkeepsie, NY.
Mars Hill College, Mars Hill, NC.
Mary College, Bismarck, ND.
Marywood College, Scranton, PA.
Mayville State College, Mayville, ND.
Medical College of Georgia, Augusta, GA.
Mercer University: Atlanta, GA.; Macon, GA.
Meredith College, Raleigh, NC.
Messiah College, Grantham, PA.
Methodist College, Fayetteville, NC.
Millersville State College, Millersville, PA.
Moravian College, Bethlehem, PA.
Mount Marty College, Yankton, SD.
Newberry College, Newberry, SC.
New College, Sarasota, FL.
North American Baptist Seminary, Sioux Falls, SD.
North Carolina Wesleyan College, Rocky Mount, NC.
North Dakota State School of Science, Wahpeton, ND.
North Dakota State University, Fargo, ND.
North Florida Junior College, Madison, FL.
North Georgia College, Dahlonega, GA.
North Georgia Technical and Vocational School, Clarkesville, GA.
North Greenville College, Tigerville, SC.
Northern State College, Aberdeen, SD.
Northwest Christian College, Eugene, OR.
Notre Dame, College of, Belmont, CA.
Notre Dame of Maryland, College of, Baltimore, MD.
Oblate College of the Southwest, San Antonio, TX.
Okaloosa-Walton Junior College, Niceville, FL.
The Oklahoma State University, Okmulgee, OK.
Pacific College of Fresno, Fresno, CA.
Peace College of Raleigh, Raleigh, NC.
Piedmont College, Demorest, GA.
Presbyterian College, Clinton, SC.
Presentation College, Aberdeen, SD.
Radford College, Radford, VA.
Regis College, Denver, CO.
Reinhardt College, Waleska, GA.
Ricks College, Rexburg, ID.
Rollins College, Winter Park, FL.
St. Andrews College, Laurinburg, NC.
St. Augustine's College, Raleigh, NC.
St. John's College, Annapolis, MD.
St. Johns River Junior College, Palatka, FL.
St. Joseph's College, Philadelphia, PA.
St. Mary's College, Raleigh, NC.
St. Mary's College of Maryland, St. Mary's City, MD.
Salem College, Winston-Salem, NC.
Seattle Pacific College: Coupeville, WA; Seattle, WA.
Seton Hill College, Greensburg, PA.
Shenandoah College and Shenandoah Conservatory of Music, Winchester, VA.
Shorter College, Rome, GA.
Sioux Falls College, Sioux Falls, SD.
Slippery Rock State College, Slippery Rock, PA.
South Carolina State College, Orangeburg, SC.
South Dakota State University, Brookings, SD.
South Dakota, The University of, Vermillion, SD.
South Dakota at Springfield, The University of, Springfield, SD.
South Florida, University of, Tampa, FL.
Spartanburg Junior College, Spartanburg, SC.
Sullins College, Bristol, VA.
Tampa, University of, Tampa, FL.
Tift College, Forsyth, GA.
Trinity College, Washington, DC.
Union College, Nursing Department, Denver, CO.
Valdosta State College, Valdosta, GA.
Valley City State College, Valley City, ND.
Virginia Commonwealth University, Richmond, VA.
Wake Forest University, Winston-Salem, NC.
Warner Southern College, Lake Wales, FL.
Washington and Jefferson College, Washington, PA.
Wesleyan College, Macon, GA.
West Chester State College, West Chester, PA.
Western State College, Gunnison, CO.
West Georgia College, Carrollton, GA.
West Virginia Institute of Technology, Montgomery, WV.
West Virginia University, Morgantown, WV.
West Virginia University, Potomac State College of, Keyser, WV.
Wilkes College, Wilkes-Barre, PA.
Wofford College, Spartanburg, SC.
Yankton College, Yankton, SD.
York College of Pennsylvania, York, PA.
Young Harris College, Young Harris, GA.

The authority has been granted to each institution of higher education upon the representations of the institution which, among other things, were that employment of full-time students at subminimum wages is necessary to prevent curtailment of opportunities for employment, the hiring of full-time students at subminimum wages will not create a substantial probability of reducing the full-time employment opportunities of persons other than those employed under the authority, and such authority will not result in a reduction of the wage rate paid to a current employee. The authority may be annulled or withdrawn in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the granting of the authority to any of the institutions listed may seek a review or reconsideration thereof on or before August 11, 1975.

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

ARTHUR H. KORN,
Authorized Representative of the Administrator.

[FR Doc.75-16599 Filed 6-25-75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 797]

ASSIGNMENT OF HEARINGS

JUNE 23, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 61592 Sub 324, Jenkins Truck Line, Inc. now being assigned September 16, 1975 (2 days) at Birmingham, Alabama; in a hearing room to be designated later.

MC 73165 Sub 361, Eagle Motor Lines, Inc., now being assigned September 18, 1975 (2 days) at Birmingham, Alabama; in a hearing room to be designated later.

MC 135797 Sub 30, J. B. Hunt Transport, Inc., now being assigned September 22, 1975 (1 day) at New Orleans, Louisiana; in a hearing room to be designated later.

MC 63792 Sub 24, Tom Hicks Transfer Company, Inc., now being assigned September 23, 1975 (2 days) at New Orleans, Louisiana; in a hearing room to be designated later.

MC 61592 Sub 335, Jenkins Truck Line, Inc., now being assigned September 25, 1975 (2 days) at New Orleans, Louisiana; in a hearing room to be designated later.

MC 105457 Sub 83, Thurston Motor Lines, Inc., now being assigned September 22, 1975, (2 weeks), at Atlanta, Ga.; in a hearing room to be later designated.

MC 100666 Sub 286, Melton Truck Lines, Inc., now being assigned September 30, 1975 (1 day) at New Orleans, Louisiana; in a hearing room to be designated later.

MC 109326 Sub 112, C & D Transportation Co., Inc., now being assigned October 1, 1975 (3 days) at New Orleans, Louisiana; in a hearing room to be designated later.

MC 140466, W. H. Mccann, M. B. Ethridge, and Mrs. R. E. Prince, dba Prince Truck Line, now being assigned October 6, 1975 (1 week) at New Orleans, Louisiana; in a hearing room to be designated later.

MC 140217 Sub 1, Clyde Hunsaker, DBA Hunsaker Trucking now assigned September 9, 1975, at Chicago, Ill., is postponed indefinitely.

MC 138896 Sub 6, Ajax Transfer Company, now assigned July 21, 1975 at St. Paul, Minnesota; will be held in Courtroom No. 2, Federal Building, 316 N. Robert Street.

MC 134974 Sub 3, Be-Well Farms, Inc., now assigned July 22, 1975 at Boston, Massachusetts; will be held on the 5th Floor, 150 Causeway.

MC 139561, Hub Bus Lines, Inc., now assigned July 23, 1975 at Boston, Massachusetts; will be held on the 5th Floor, 150 Causeway.

MC 136647 Sub 17, Green Mountain Carriers, Inc., now assigned July 28, 1975 at Burlington, Vermont; will be held in the Bankruptcy Court, Room 533, Post Office & Federal Building, Building 11, Elmwood Avenue.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.75-16709 Filed 6-25-75;8:45 am]

[AB 18 (Sub-No. 13)]

CHESAPEAKE AND OHIO RAILWAY CO.

Abandonment at Ashland, Boyd County, Kentucky

JUNE 23, 1975.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It appearing, That no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, *et seq.*; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Boyd County, Ky., on or before July 7, 1975 and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by forwarding a copy to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 19th day of June, 1975.

By the Commission, Commissioner Tuggle.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

CHESAPEAKE AND OHIO RAILWAY COMPANY ABANDONMENT PORTION OF EASTBOUND PASSENGER MAIN TRACK AND PORTION OF THE WESTBOUND MAIN PASSENGER TRACK, AT ASHLAND, BOYD COUNTY, KENTUCKY

The Interstate Commerce Commission hereby gives notice that by order dated June 19, 1975, it has been determined that the proposed abandonment by the Chesapeake and Ohio Railway Company of portions of its eastbound and westbound main passenger tracks and associated side and yard tracks totalling 11.75 miles, all in Ashland, Boyd County, Ky., if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq. and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the environmental impacts of the proposed action are considered insignificant because passenger service will still be provided to the area by a new passenger terminal located at Catlettsburg, and no major salvaging operations will be required on the subject line. An environmental benefit of this action will be the elimination of 11 grade crossings in the downtown Ashland area.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-2086.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C. 20423, on or before July 14, 1975.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

[FR Doc.75-16712 Filed 6-25-75;8:45 am]

[Notice No. 15]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

JUNE 26, 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 July 16, 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-75877. By order of June 18, 1975, the Motor Carrier Board approved the transfer to Masgai Contractors, Inc., 2963 E. Venango Street, Philadelphia, Pa. 19134 of Certificate No. MC 29291 issued February 23, 1942, to Paul Masgai, Philadelphia, Pa., authorizing the transportation of such bulk commodities as are transported in dump trucks between Philadelphia, Pa., on the one hand, and, on the other, points in Camden, Burlington, and Gloucester Counties, N.J.

No. MC-FC-75897. By order of June 18, 1975, the Motor Carrier Board approved the transfer to Michael Zaluzny, Vernon, Vt., of the operating rights in Certificate No. MC 33785 issued May 30, 1942, to Robert E. Wood, Springfield, Mass., authorizing the transportation of lime, granite, phosphate, farm machinery, ag-

ricultural commodities, forest products, scrap iron, and household goods, to and from, and between, points as specified in Connecticut, Massachusetts, Vermont, New Hampshire, New York, and New Jersey. David M. Marshall, 135 State Street, Springfield, Mass. 01103 Attorney for applicants.

No. MC-FC-75899. By order entered June 18, 1975, the Motor Carrier Board approved the transfer to Keightley Bros., Inc., a Delaware corporation, St. Louis, Mo., of the operating rights set forth in Certificates Nos. MC 41849, MC 41849 (Sub-No. 6), MC 41849 (Sub-No. 7), MC 41849 (Sub-No. 8), MC 41849 (Sub-No. 11), MC 41849 (Sub-No. 12), MC 41849 (Sub-No. 13), MC 41849 (Sub-No. 15), MC 41849 (Sub-No. 16), MC 41849 (Sub-No. 17), MC 41849 (Sub-No. 21), MC 41849 (Sub-No. 22), MC 41849 (Sub-No. 23), MC 41849 (Sub-No. 25), MC 41849 (Sub-No. 26), and MC 41849 (Sub-No. 29), issued by the Commission, October 7, 1964, May 1, 1957, April 13, 1959, July 18, 1961, March 23, 1962, May 28, 1962, July 16, 1962, February 4, 1963, February 23, 1965, June 10, 1964, June 22, 1966, December 31, 1968, March 30, 1966, May 28, 1968, April 17, 1968, and April 27, 1972, respectively, to Keightley Bros., Inc., a Missouri corporation, St. Louis, Mo., authorizing the transportation of dry bulk commodities, liquid acids and chemicals, in bulk, and various specified commodities, from, to, or between points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Missouri, Nebraska, Oklahoma, Tennessee, and Wisconsin. Ernest A. Brooks, II, 1301-02 Ambassador Building, St. Louis, MO 63101, attorney for applicants.

No. MC-FC-75902. By order entered June 17, 1975, the Motor Carrier Board approved the transfer to C N C Freight, Inc., Little Neck, N.Y., of that portion of the operating rights set forth in Certificate No. MC 44523, issued June 16, 1971, to Red Arrow Trucking Co., Belleville, N.J., authorizing the transportation of general commodities, with the usual exceptions, between points in Essex, Hudson, and Passaic Counties, N.J., on the one hand, and, on the other, New York, N.Y. A. David Millner, 744 Broad St., Newark, N.J. 07102 and Victor De Lucia, 17 Ames Ave., Rutherford, N.J. 07070, attorneys for transferee and transferor, respectively.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.75-16710 Filed 6-25-75;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

JUNE 23, 1975.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's *Gateway Elimination* Rules (49 CFR Part 1065), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before July 7, 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 29079 (Sub-No. E38), filed January 23, 1975. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., 1210 So. Union Street, Kokomo, Ind. 46901. Applicant's representative: Edward K. Wheeler, Southern Bldg. 15th and H St. NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* between Louisville, Ky., on the one hand, and, on the other, those points in Michigan south of Mason, Lake, Oscola, Clare, Gladwin, and Arenac Counties, and Saginaw Bay. The purpose of this filing is to eliminate the gateway of Tipton County, Ind.

No. MC 31600 (Sub-No. E2), filed June 4, 1974. Applicant: P. B. MULTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass. 02154. Applicant's representative: Marshall Kragen, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum products* (except gasoline, kerosene, and fuel oil), in bulk, in tank vehicles, from Jersey City, Bayway, and Bayonne, N.J., to (a) points in New Hampshire on and south of U.S. Highway 302 (Worcester, Springfield, Boston, Mass., or points within ten miles thereof)*, (b) points in New Hampshire east of a line beginning at the Massachusetts-New Hampshire State line and extending along U.S. Highway 202 to junction New Hampshire Highway 114, thence along New Hampshire Highway 114 to junction U.S. Highway 4, thence along U.S. Highway 4 to junction New Hampshire Highway 104, thence along New Hampshire Highway 104 to junction New Hampshire Highway 25, thence along New Hampshire Highway 25 to the New Hampshire-Maine State line (Boston, Mass., or points within 20 miles thereof)*, (c) points in Maine on and south of a line beginning at the New Hampshire-Maine State line and extending along U.S. Highway 2 to junction U.S. Highway 1, thence along U.S. Highway 1 to the Atlantic Ocean and points in Vermont on and east of a line beginning at the Vermont-Massachusetts State line and extending along Vermont Highway 110 to junction U.S. Highway 5, thence along U.S. Highway 5 to the United States-Canada International Boundary line (except points on the West River in Windham County) (Boston, Mass., or points within 15 miles thereof)*, and (d) points in Orange, Windham (except points on the West River), and Windsor Counties, Vt. (Worcester or Springfield, Mass.)*; and (2) *Foodstuffs* (except in bulk), *display and advertising articles*, and *empty containers*, from New York, N.Y., to points in New Hampshire on and south of U.S. Highway 302 and points in Maine on and south of a line beginning at the Maine-New Hampshire State line and extending along U.S. Highway 202 to junction Maine Highway 17, thence along Maine Highway 17 to the Atlantic Ocean (Providence, R.I., or points within 15 miles thereof)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 31600 (Sub-No. E7), filed June 4, 1974. Applicant: P. B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass. 02154. Applicant's representative: Marshall Kragen, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, except petroleum and petroleum products, and bituminous materials and bituminous products, between points in Belknap, Grafton, Merrimack, Rockingham, and Strafford Counties, N.H., on the one hand, and, on the other, points in New York on, south, and west of a line beginning at the New York-Connecticut State line and extending along U.S. Highway 6 to junction New York Highway 17, thence along New York Highway 17 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction New York Highway 39, thence along New York Highway 39 to Lake Erie (except points in the New York, N.Y., commercial zone). The purpose of this filing is to eliminate the gateway of points in Essex, Hudson, or Union Counties, N.J., points in Bergen County, N.J., south of New Jersey Highway 4 or points in Middlesex County, N.J., north of the Raritan River (except points in the New York, N.Y., commercial zone).

No. MC 49052 (Sub-No. E10) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER May 9, 1975. Applicant: MACON TRADING POST, INC., 103 Cherry St., Macon, Ga. 31208. Applicant's representative: Thomas R. Kingsley, 1819 H St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Kentucky, in and west of Calloway and Marshall Counties, on the one hand, and, on the other, Virginia Beach, Chesapeake, Portsmouth, Newport News, Hampton, Norfolk and Northampton, Mathews, Gloucester, York, James City, Surrey, Isle of Wight and Nansemond Counties, Va. The purpose of this file is to eliminate the gateway of Baldwin County, Ga. The purpose of this correction is to clarify the authority sought.

No. MC 49052 (Sub-No. E11), filed June 4, 1974. Applicant: MACON TRADING POST, INC., 103 Cherry Street, Macon, Ga. 31208. Applicant's representative: Thomas R. Kingsley, 1819 H St.

NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission: (1) between points in Mississippi, on the one hand, and, on the other, points in North Carolina, except those in and west of Cleveland, Burke, Caldwell, and Watauga Counties; and (2) between points in North Carolina in and west of Cleveland, Burke, Caldwell and Watauga Counties, on the one hand, and, on the other, points in Mississippi in and south of Lowndes, Clay, Chickasaw, Calhoun, Yalobusha, Tallahatchie, Quitman, and Coahoma Counties. The purpose of this filing is to eliminate the gateway of Jasper Co., Ga.

No. MC 49052 (Sub-No. E12), filed June 4, 1974. Applicant: MACON TRADING POST, INC., 103 Cherry Street, Macon, Ga. 31208. Applicant's representative: Thomas R. Kingsley, 1819 H St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission: (1) between points in Mississippi, on the one hand, and, on the other, points in Barbour, Russell, Lee, and Chambers Counties, Ala.; and (2) between points in Henry, Dale, Houston and Geneva Counties, Ala., on the one hand, and, on the other, points in Mississippi in and north of Warren, Yazoo, Holmes, Carroll, Montgomery, Webster, Clay and Monroe Counties. The purpose of this filing is to eliminate the gateway of Muscogee Co., Ga.

No. MC 49052 (Sub-No. E19) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER May 9, 1975. Applicant: MACON TRADING POST, INC., 103 Cherry St., Macon, Ga. 31208. Applicant's representative: Thomas R. Kingsley, 1819 H St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (1) between points in Kentucky in and west of Logan, Muhlenberg, McLean, and Davies Counties, on the one hand, and, on the other, points in Mecklenburg, Union, Cabarrus, Stanly, Anson, Montgomery, Moore, Richmond, Scotland, Hoke, Lee, Robeson, Cumberland, Lee, Harnett, Wake, Johnston, Franklin, Nash, Wilson, Warren, Halifax, Edgecomb, Hertford, Bertie, Martin, Gates, Chowan, Perquimans, Pasquotank, Camden, and Currituck Counties, N.C., and (2) between points in Monroe, Allen, Simpson, Barren, Warren, Edmonston, Butler, Ohio and Hancock Counties, Ky., on the one hand, and, on the other, points in North Carolina in and east of Brunswick, Columbus, Braden, Sampson, Wayne, Greene, Pitt, Beaufort, and Washington Counties. The purpose of this filing is to eliminate the gateway of Jasper County, Ga. The purpose of this correction is to clarify the authority sought.

No. MC 49052 (Sub-No. E22), filed June 4, 1974. Applicant: MACON TRADING POST, INC. 103 Cherry Street, Macon, Ga. 31208. Applicant's representative: Thomas R. Kingsley, 1819 H St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in McCracken, Ballard, Carlisle, Hickman, and Fulton Counties, Ky., on the one hand, and, on the other, points in South Carolina (except Oconee, Pickens, Greenville, Spartanburg, Cherokee, York, Union and Chester Counties); between points in Trigg, Lyon, Livingston, Crittenden, Caldwell, Christian, Hopkins, Webster, Union, Henderson, McLean, Muhlenberg, Todd, Logan, Butler, Ohio, Daviess, Hancock, Breckinridge, Meade, Grayson, Butler, Edmonson, Warren, Simpson, Logan, Allen, Barren, Hart, Hardin, Bullitt, Jefferson, Oldham, Trimble, Henry, Shelby, Anderson, Spencer, Nelson, Washington, Marion, Larue, Taylor, Green, Adair, Metcalfe, Cumberland, Monroe, Graves, Calloway and Marshall Counties, Ky., on the one hand, and, on the other, points in South Carolina (except Abbeville, Laurens, Union, Chester, York, Cherokee, Spartanburg, Greenville, Anderson, Pickens, and Oconee Counties); between points in McCreary, Pulaski, Casey, Lincoln, Rockcastle, Boyle, Garrard, Madison, Mercer, Jessamine, Clark, Fayette, Woodford, Scott, Franklin, Bourbon, Nicholas, Harrison, Owen, Grant, Pendleton, Robertson, Bracken, Gallatin, Carroll, Boone, Kenton, and Campbell Counties, Ky., on the one hand, and, on the other, Beaufort, Jasper, Hampton, Allendale, Barnwell, Bamberg, Colleton, Orangeburg, Charleston, Dorchester, Berkeley, Williamsburg and Georgetown Counties, S.C.; between points in Whitley, Knox, Laurel, Clay, Jackson, Owsley, Estill, Lee, Wolfe, Powell, Menifee, Montgomery, Bath, Rowan, Fleming, Mason, and Lewis Counties, Ky., on the one hand, and, on the other, Beaufort, Jasper, Hampton, Colleton, and Charleston Counties, S.C.; and between points in Kentucky in and east of Bell, Leslie, Perry, Breathitt, Magoffin, Morgan, Elliott, Carter and Greenup Counties, Ky., on the one hand, and, on the other, Beaufort, Jasper, Hampton, and Colleton Counties, S.C. The purpose of this filing is to eliminate the gateway of Jasper Co., Ga.

No. MC 49052 (Sub-No. E23), filed June 4, 1974, Applicant: MACON TRADING POST, INC., 103 Cherry Street, Macon, Ga. 31208. Applicant's representative: Thomas R. Kingsley, 1819 H St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Lee, Russell, Barbour, Henry, and Houston Counties, Ala., on the one hand, and, on the other, points in Tennessee in and west of Lincoln, Marshall, Maury, Hickman, Perry, Decatur, Carroll and Weakley Counties; between points in Lee, Macon, Russell, Bullock, Pike, Barbour, Coffee, Dale, Henry, Geneva, and Houston Counties, Ala., on the one hand, and, on the other, points in Franklin, Moore, Coffee, Bedford, Canon, Rutherford, Williamson, Wilson, Dickson, Humphreys, Benton, Houston, Henry, Stewart, Montgomery, Cheatham, Robertson, Davidson, and Sumner Counties, Tenn.; between points in Alabama in and south of Lee, Macon, Bullock, Pike, Crenshaw, Butler, Monroe, Baldwin, and Mobile Counties, on the one hand, and, on the other, points in Marion, Hamilton, Bradley, Polk, Grundy, Sequatchie, Rhea, McMinn, Loudon, Roane, Morgan, Anderson, Campbell, Scott, Fentress, Cumberland, Morgan, Anderson, Putnam, Jackson, Macon, Overton, Fentress, Scott, Campbell, Clay, and Pickett Counties, Tenn. The purpose of this filing is to eliminate the gateway of Muscogee County, Ga.

No. MC 60131 (Sub-No. E1), filed June 4, 1974. Applicant: ROCKY FORD MOVING VANS, INC., P.O. Box 11, Midland, Tex. 79701. Applicant's representative: Robert J. Gallagher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in California, Utah, Nevada, Arizona, New Mexico, Colorado, Kansas, Oklahoma, Texas, Louisiana, Arkansas, and Missouri, on the one hand, and, on the other, points in Georgia, Florida, North Carolina, South Carolina, Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, Michigan, Ohio, Indiana, Illinois, Kentucky, Tennessee, Alabama, Mississippi, Wisconsin, Minnesota, Missouri, Kansas, Arkansas, Louisiana, Texas, and the District of Columbia. The purpose of this filing is to eliminate the gateways of Kansas, Arkansas, Louisiana, Texas, and Missouri.

No. MC 61231 (Sub-No. E10), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43d St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel mill products* that are building materials, (except commodities in bulk, and those requiring special equipment), from Gary, Ind., to points in Kansas. The purpose of this filing is to eliminate the gateways of Marshalltown, and Des Moines, Iowa.

No. MC 61231 (Sub-No. E27), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43d St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except commodities in bulk and those requiring special equipment), from Kansas City, Mo., and Kansas City, Kans., to points in Wyoming and Montana. Restriction: The authority authorized above is restricted against the transportation of cement from the plant site of the Lone Star Cement Corp., at Bonner Springs, Kans. The purpose of this filing is to eliminate the gateways of Marshalltown and Des Moines, Iowa.

No. MC 61231 (Sub-No. E28), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43d St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, from points in the Kansas City, Mo.-Kansas City, Kans., commercial zone to points in LaCrosse, Vernon, Crawford, Richland, Sauk, Columbia, Dodge, Washington, Ozaukee, Grant, Iowa, Dane, Jefferson, Waukesha, Milwaukee, Lafayette, Green, Rock, Walworth, Racine, and Kenosha Counties, Wis. Restriction: The authority authorized above is restricted (1) against the transportation of mineral filler, lime, limestone and limestone products, in bulk, and (2) against the transportation of cement from the plant site of the Lone Star Cement Corp., at Bonner Springs, Kans. The purpose of this filing is to eliminate the gateway of the plant site of the U.S. Gypsum Co., located approximately 2 miles northwest of Mediapolis, Iowa.

No. MC 61231 (Sub-No. E30), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43d St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum products, composition boards, insulating materials, roofing* and *roofing materials*, and *urethane* and *urethane products*, that are building materials, from points in the Kansas City, Mo.-Kansas City, Kans., commercial zone, to points in Wisconsin. Restriction: The authority authorized above is restricted (1) against the transportation of cement from the plant site of the Lone Star Cement Corporation at Bonner Springs, Kans., and (2) against the transportation of mineral filler, lime, limestone, and limestone products, in bulk. The purpose of this filing is to eliminate the gateway of the plant site of the Celotex Corp., at Dubuque, Iowa.

No. MC 61231 (Sub-No. E66), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43d St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel building materials*, including *road building materials, structural steel*, and *steel tanks* (except commodities which, because of size or weight, require the use of special equipment), from the plant site of Bethlehem Steel Corporation in Burns Harbor, Porter County, Ind., to that portion of Missouri on and west of a line beginning at the Iowa-Missouri State line and extending along U.S. Highway 69 to junction Missouri Highway 13, thence along Missouri Highway 13 to junction U.S. Highway 65, thence along U.S. Highway 65 to the Missouri-Arkansas State line. Restriction: The authority authorized above is (1) restricted to the transportation of shipments originating at the plant site of Bethlehem Steel Corp., at Burns Harbor, Porter County, Ind., and (2) against the transportation of mineral filler, lime, limestone, and limestone products, in bulk. The purpose of this filing is to eliminate the gateway of Kansas City, Mo.

No. MC 61231 (Sub-No. E77), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43d St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except commodities in bulk and those requiring special equipment), from points in that part of Missouri on and south of Missouri Highway 24, to Omaha, Nebr. The purpose of this filing is to eliminate the gateways of Kansas City, Mo., and Council Bluffs, Iowa.

No. MC 61231 (Sub-No. E79), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43d St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel building materials*, including road building materials, structural steel, and steel tanks, from points in Missouri on and south of U.S. Highway 36 to points in North Dakota and South Dakota. The purpose of this filing is to eliminate the gateway of the facilities of Aimeo Steel Corp., at Kansas City, Mo.

No. MC 61231 (Sub-No. E81), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 East 43d St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron* and *steel building materials*, including road building materials, *structural steel*, and *steel tanks*, from points in Platte, Clay, Ray, Jackson, Lafayette, Cass, Johnson, Bates, Henry, St. Clair, Vernon, Cedar, Barton, Dade, Jasper, Lawrence, Newton, Barry, and McDonald Counties, Mo., to points in Iowa. The purpose of this filing is to eliminate the gateway of the facilities of Aimco Steel Corp., at Kansas City, Mo.

No. MC 61231 (Sub-No. E82), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 East 43d St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel building materials*, including road building materials, *structural steel and steel tanks*, from points in Buchanan, Clinton, Caldwell, Platte, Clay, Ray, Jackson, Lafayette, Cass, Johnson, Bates, and Henry Counties, Mo., to points in Illinois, including the Chicago Commercial Zone, and to points in Wisconsin. The purpose of this filing is to eliminate the gateway of the facilities of Aimco Steel Corp., in Kansas City, Mo.

No. MC 61231 (Sub-No. E84), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 East 43d St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel building materials*, from the plant site of Mid-States Steel & Wire Division of Keystone Consolidated Industries, at Crawfordsville, Ind., to points in Texas on and west of U.S. Highway 28, and points in Arizona, Colorado, Montana, New Mexico, and Wyoming. Restriction: The authority authorized herein is restricted to the transportation of traffic originating at the above-named plant site. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa.

No. MC 61231 (Sub-No. E85), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 East 43d St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Packinghouse products* (except commodities in bulk, and commodities requiring special equipment), from points within 10 miles of Omaha, Nebr., and Avoca, Corley, Carson, Griswold, Harlan, Hancock, Henderson, Lewis, Minden, Oakland, Red Oak, Shelby, Stanton, Stennett, Tennant, Wales, and Walnut, Iowa, to Chicago, Ill. The purpose of this filing is to eliminate the gateway of Omaha, Nebr.

No. MC 61231 (Sub-No. E92), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 East 43d St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed*, from Burlington, Wis., to points in Missouri on and west of U.S. Highway 71, and Omaha, Nebr. The purpose of this filing is to eliminate the gateways of Atlantic, Iowa, and points within 10 miles of Council Bluffs, Iowa which are within 50 miles of Cumberland, Iowa.

No. MC 61825 (Sub-No. E4), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Joe Clyde Wilson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading); (1) from New York, N.Y., and Newark, N.J., and points in New Jersey within 15 miles of Newark, to points in South Carolina (Baltimore, Md., and Lynchburg, Va.)*; (2) from New

York, N.Y., to points in North Carolina on, south, and west of a line beginning at the Virginia-North Carolina State line extending along U.S. Highway 1 to junction U.S. Highway 401, thence along U.S. Highway 401 to junction North Carolina Highway 58, thence along North Carolina Highway 58 to junction North Carolina Highway 43, thence along North Carolina Highway 43 to junction U.S. Highway 64, thence along U.S. Highway 64 to junction U.S. Highway 13, thence along U.S. Highway 13 to junction U.S. Highway 264, thence along U.S. Highway 264 to the Pamlico River, and east along the Pamlico River and Pamlico Sound to the Atlantic Ocean (Lynchburg, Va.)*; (3) from New York, N.Y., Newark, N.J., and points in New Jersey within 15 miles of Newark to points in West Virginia located on and south of a line beginning at the Virginia-West Virginia State line and extending along West Virginia Highway 39 to junction West Virginia Highway 16 to junction West Virginia Highway 16, to junction West Virginia Highway 4, thence along West Virginia Highway 4 to junction U.S. Highway 119, thence along U.S. Highway 119 to junction Interstate Highway 64, thence along Interstate Highway 64 to junction U.S. Highway 60, thence along U.S. Highway 60 to the West Virginia-Kentucky State line (Baltimore, Md., and Lynchburg, Va.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 61825 (Sub-No. E12), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Joe Clyde Wilson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Veneer*, from Rock Island, Ill., to (1) the District of Columbia and points in Maryland located on and south of a line beginning near Washington, D.C., to U.S. Highway 50, thence along U.S. Highway 50 through Annapolis, Md., to junction Maryland Highway 404, thence along Maryland Highway 404 to the Maryland-Delaware State line; (2) points in South Carolina located on and east of a line beginning at the North Carolina-South Carolina State line at South Carolina Highway 198 (near Blacksburg, S.C.), thence along South Carolina Highway 198 to Blacksburg, S.C., thence along South Carolina Highway 97 to Che-ter, S.C., thence along U.S. Highway 321 to junction U.S. Highway 301, thence along U.S. Highway 301 to Allendale, S.C., thence along U.S. Highway 278 to junction South Carolina Highway 68 (near Varnville, S.C.), thence along South Carolina Highway 68 to Yemassee, S.C., thence along U.S. Highway 21 to the Atlantic Ocean; and (3) points in North Carolina located on and east of a line beginning at the Virginia-North Carolina State line at U.S. Highway 52 (near Mount Airy, N.C.), thence along U.S. Highway 52 to Mount Airy, N.C., thence along U.S. Highway 601 to junction North Carolina Highway 268, thence along North Carolina Highway 268 to Elkin, N.C., thence along U.S. Highway 21 to Statesville, N.C., thence along Interstate Highway 40 to Hickory, N.C., thence along U.S. Highway 321 to Lincolnton, N.C., thence along North Carolina Highway 150 to Shelby, N.C., thence along North Carolina Highway 198 to the North Carolina-South Carolina State line. The purpose of this filing is to eliminate the gateway of Lynchburg, Va.

No. MC 61825 (Sub-No. E30), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Joe Clyde Wilson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral wool and mineral wood products*, from Birmingham and Leeds, Ala., to points in Maryland, the District of Columbia, and points in West Virginia located on and east of a line beginning at the West Virginia-Pennsylvania State line at West Virginia Highway 69, thence along West Virginia Highway 69 to Hundred, W. Va., thence along U.S. Highway 250 to junction unnumbered highway at Farmington, W. Va., thence along unnumbered highway to junction U.S. Highway 19, thence along U.S. Highway 19 through Clarksburg, W. Va., to junction West Virginia Highway 4, thence along West Virginia Highway 4 to junction West Virginia Highway 20, thence along West Virginia Highway 20 to Webster Springs, W. Va., thence along West Virginia Highway 15 to Valley Head, W. Va., thence along U.S. Highway 219 to Mariinton, W. Va., thence along West Virginia Highway 39 to the West Virginia-Virginia State line. The purpose of this filing is to eliminate the gateway of Lynchburg, Va.

No. MC 61825 (Sub-No. E35), filed May 13, 1974. Applicant: ROY STONE TRANSFER CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Joe Clyde Wilson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Packing pads, cartons*, and *woodworking machinery*, from Louisville, Ky., to (1) points in North Carolina located on and east of a line beginning at the North Carolina-Virginia State line at North Carolina Highway 86, thence along North Carolina Highway 86 to Chapel Hill, N.C., thence along North Carolina Highway 54 to junction North Carolina Highway 55, thence along North Carolina Highway 55 to Lillington, N.C., thence along U.S. Highway 421 to the Atlantic Ocean; and (2) points in Virginia located on and east of a line beginning at the Maryland-Virginia State line at Interstate Highway 495, thence along Interstate Highway 495 to junction U.S. Highway 29, thence along U.S. Highway 29 to the Virginia-North Carolina State line. The purpose of this filing is to eliminate the gateways of Martinsville and Lynchburg, Va.

No. MC 61825 (Sub-No. E36), filed May 13, 1974. Applicant: ROY STONE CORPORATION, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Joe Clyde Wilson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture materials*, namely veneer and veneer tape, plywood, glue, varnish, lacquers, paint, shellac, alcohol, filling and reducing compounds, paper, packing pads and cartons, glass, nails, wire, screws, furniture, hardware, bed fasteners, casters, chemicals, cotton waste, jute rubbing tow, steel bands, and table slides, woodworking machinery, lumber, squares, and drawer sides and backs, from Louisville, Ky., to (1) points in Virginia located on and east of a line beginning at the Virginia-Maryland State line extending along U.S. Highway 15 to Culpeper, Va., thence along U.S. Highway 29 to Lynchburg, Va., thence along U.S. Highway 460 to Roanoke, Va., thence along U.S. Highway 221 to Floyd, Va., thence along Virginia Highway 8 to the Virginia-North Carolina State line; (2) points in South Carolina located on and east of a line beginning at the South Carolina-North Carolina State line at U.S. Highway 601, thence along U.S. Highway 601 to Pageland, S.C., thence along South Carolina Highway 151 to McBee, S.C., thence along U.S. Highway 1 to Bethune, S.C., thence along South Carolina Highway 341 to Bishopville, S.C., thence along South Carolina Highway 527 to Sardinia, S.C., thence along U.S. Highway 301 to Manning, S.C., thence along U.S. Highway 521 to junction South Carolina Highway 375, thence along South Carolina Highway 375 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction South Carolina Highway 402, thence along South Carolina Highway 420 to Huger, S.C., thence along South Carolina Highway 41 to the Atlantic Ocean; and (3) points in North Carolina located on and east of a line beginning at the North Carolina-Virginia State line at North Carolina Highway 8, thence along North Carolina Highway 8 to Winston-Salem, N.C., thence along U.S. Highway 159 to Mocksville, N.C., thence along U.S. Highway 601 to the North Carolina-South Carolina State line. The purpose of this filing is to eliminate the gateway of Martinsville, Va.

No. MC 72243 (Sub-No. E3), filed May 30, 1974. Applicant: AETNA FREIGHT LINES, INC., P.O. Box 350, Warren, Ohio 44482. Applicant's representative: Edward G. Villalon, Suite 1032 Pennsylvania Bldg., 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. 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, including the stringing and picking up thereof (except in connection

with main pipelines), restricted to commodities which because of size or weight, require special equipment; (a) between points in New Mexico, Texas, and Oklahoma, on the one hand, and, on the other, points in Indiana on and north of U.S. Highway 64, points in Illinois on and north of U.S. Highway 15, points in the Lower Peninsula of Michigan, points in Michigan on and south of a line beginning at Lake Superior and extending along U.S. Highway 41 to junction U.S. Highway 28, thence along U.S. Highway 28 to the Wisconsin-Michigan State line, points in Iowa on and east of U.S. Highway 35 and points in Wisconsin on and south of a line beginning at the Michigan-Wisconsin State line and extending along U.S. Highway 77 to junction U.S. Highway 63, thence along U.S. Highway 63 to the Minnesota-Wisconsin State line; (b) between points in Texas on and south of U.S. Highway 66, on the one hand, and, on the other, points in Colorado on, east, and north of a line beginning at the Colorado-Kansas State line and extending along U.S. Highway 50 to junction U.S. Highway 25, thence along U.S. Highway 25 to the Colorado-Wyoming State line; (c) between points in Texas, on the one hand, and, on the other, points in Nebraska, South Dakota, and points in Wyoming on and north of a line beginning at the Wyoming-Idaho State line and extending along U.S. Highway 20 to junction U.S. Highway 25, thence along U.S. Highway 25 to the Colorado-Wyoming State line; and (d) between points in Texas and Oklahoma, on the one hand, and, on the other, points in Iowa and Minnesota. The purpose of this filing is to eliminate the gateway of Kansas.

No. MC 72243 (Sub-No. E4), filed May 30, 1974. Applicant: AETNA FREIGHT LINES, INC., P.O. Box 350, Warren, Ohio 44482. Applicant's representative: Edward G. Villalon, Suite 1032 Pennsylvania Bldg., 13th & Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel products* and *machinery*, restricted to commodities which because of size or weight require special equipment, between points in New York on, east, and north of a line beginning at the New York-Pennsylvania State line and extending along New York Highway 14 to junction New York Highway 17, thence along New York Highway 17 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction New York Highway 63, thence along New York Highway 63 to junction U.S. Alternate Highway 20 to Lake Erie, on the one hand, and, on the other, Richmond, Va. (New Castle County, Del.)*; and (2) *Iron, steel,* and *iron or steel articles, and machinery*, restricted to commodities which because of size or weight require special equipment, between points in Ohio on and north of U.S. Highway 50, on the one hand, and, on the other, points in Delaware points in Accomack and Northampton Counties, Va., and points in Cecil, Kent, Queen Annes, Talbot, Caroline, Dorchester, Wicomico, Worcester, and Somerset Counties, Md. (Philadelphia, Pa.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 72243 (Sub-No. E15), filed May 30, 1974. Applicant: AETNA FREIGHT LINES, INC., P.O. Box 350, Warren, Ohio 44482. Applicant's representative: Edward G. Villalon, Suite 1032 Pennsylvania Bldg., 13th St. and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron, steel,* and *iron and steel articles*, restricted to commodities which because of size or weight require special equipment, between points in New York on and east of a line beginning at Lake Ontario and extending along New York Highway 14 to junction New York Highway 31, thence along New York Highway 31 to junction New York Highway 21, thence along New York Highway 21 to junction U.S. Alternate Highway 20, thence along U.S. Alternate Highway 20 to junction New York Highway 39, thence along New York Highway 39 to junction New York Highway 219, thence along New York Highway 219 to junction New York Highway 17, thence along New York Highway 17 to junction New York Highway 62, thence along New York Highway 62 to the Pennsylvania-New York State line, on the one hand, and, on the other, points in Tennessee on and west of a line beginning at the Tennessee-Kentucky State line and extending along U.S. Highway 75 to junction U.S. Highway 25, thence along U.S. Highway 25 to junction Tennessee Highway 61, thence along Tennessee Highway 61 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Tennessee-Alabama State line, and points in Kentucky on and west of a line beginning at the Kentucky-Ohio State line and extending along U.S. Highway 75, thence along U.S. Highway 75 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction Mountain Parkway, thence along Mountain Parkway to junction U.S. Highway 460, thence along U.S. Highway 460 to the Virginia-Kentucky State line; restricted against (1) aircraft, missiles, and parts thereof, and (2) pipe, pipeline dope, and valves used in connection with pipeline. The purpose of this filing is to eliminate the gateway of points in the Cincinnati, Ohio, commercial zone which are in Kentucky.

No. MC 72243 (Sub-No. E16), filed May 30, 1974. Applicant: AETNA FREIGHT LINES, INC., P.O. Box 350, Warren, Ohio 44482. Applicant's representative: Edward G. Villalon, Suite 1032 Pennsylvania Bldg., 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron, steel,* and *iron and steel articles* (except (1) aircraft and missiles and parts thereof, and (2) pipe, pipeline dope, and valves used in connection with pipelines), restricted to commodities which because of size or weight require special equipment, between points in New York west of a line beginning at Lake Ontario and extending along New York Highway 250 to junction New York Highway 104, thence along New York Highway 104 to junction New York Highway 33, thence along New York Highway 33 to junction New York Highway 98, thence along New York Highway 98 to junction U.S. Alternate Highway 20, thence along U.S. Alternate Highway 20 to junction U.S. Highway 90 to Lake Erie, on the one hand, and, on the other, points in Tennessee and points in Kentucky on and west of a line beginning at the Kentucky-Ohio State line and extending along U.S. Highway 75 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction Mountain Parkway, thence along Mountain Parkway to junction U.S. Highway 460, thence along U.S. Highway 460 to the Kentucky-Virginia State line. The purpose of this filing is to eliminate the gateway of points in the Cincinnati, Ohio, commercial zone which are in Kentucky.

No. MC 72243 (Sub-No. E17), filed May 30, 1974. Applicant: AETNA FREIGHT LINES, INC., P.O. Box 350, Warren, Ohio 44482. Applicant's representative: Edward G. Villalon, Suite 1032 Pennsylvania Bldg., 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron, steel,* and *iron and steel articles*, restricted to commodities which because of size or weight require special equipment, (a) between points in Alabama, on the one hand, and, on the other, points in Lake County, Ind., points in Illinois on, east, and north of a line beginning at the Indiana-Illinois State line and extending along U.S. Highway 30 to junction U.S. Highway 47, thence along U.S. Highway 47 to the Wisconsin-Illinois State line, points in Wisconsin on and west of a line beginning at the Illinois-Wisconsin State line and extending along U.S. Highway 120 to junction Wisconsin Highway 67, thence along Wisconsin Highway 67 to the Wisconsin-Michigan State line; restricted against (1) shipments originating at Anniston, Birmingham, Decatur, Gadsden, and Tuscaloosa, Ala., or points within ten miles thereof, (2) aircraft, missiles, and parts thereof, and (3) pipe, pipeline dope, and valves used in connection with pipelines; and (b) between points in Tennessee on and bounded by a line beginning at the Tennessee-Alabama State line and extending along U.S. Highway 43 to junction U.S. Highway 99, thence along U.S. Highway 99 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Tennessee-Alabama State line, on the one hand, and, on the other, points in Lake County, Ind., points in Illinois on and north of a line beginning at the Indiana-Illinois State line and extending along U.S. Highway 30 to junction U.S. Highway 47, thence along U.S. Highway 47 to the Wisconsin-Illinois State line

and points in Wisconsin on and west of a line beginning at the Wisconsin-Illinois State line and extending along U.S. Highway 120 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction U.S. Highway 16, thence along U.S. Highway 16 to the Wisconsin-Michigan State line. The purpose of this filing is to eliminate the gateway of points in the Cincinnati, Ohio, commercial zone which are in Kentucky and Chicago, Ill.

No. MC 72243 (Sub-No. E18), filed May 30, 1974. Applicant: AETNA FREIGHT LINES, INC., P.O. Box 350, Warren, Ohio 44480. Applicant's representative: Edward G. Villalon, Suite 1032 Pennsylvania Bldg., 13th St. and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority to sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron, steel*, and *iron and steel articles*, restricted to commodities which because of size or weight require special equipment, between points in Arkansas, Louisiana, Mississippi, and Alabama (except Houston, Russell, Barbour, Henry, and Lee Counties), on the one hand, and, on the other, points in New Jersey, restricted against (1) shipments originating at Anniston, Birmingham, Decatur, Gadsden, and Tuscaloosa, Ala., or points within ten miles thereof, (2) aircraft and missiles and parts thereof, and (3) pipe, pipeline dope, and valves used in connection with pipelines. The purpose of this filing is to eliminate the gateway of points in the Cincinnati, Ohio, commercial zone which are in Kentucky, and points in Pennsylvania within 150 miles of Philadelphia.

No. MC 72243 (Sub-No. E19), filed May 30, 1974. Applicant: AETNA FREIGHT LINES, INC., P.O. Box 350, Warren, Ohio 44482. Applicant's representative: Edward G. Villalon, Suite 1032 Pennsylvania Bldg., Pennsylvania Ave. and 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron, steel*, and *iron and steel articles*, restricted to commodities which because of size or weight require the use of special equipment, between points in Mississippi, Arkansas, Louisiana, and Alabama, on the one hand, and, on the other, points in Connecticut and Massachusetts, restricted against (1) shipments originating at Anniston, Birmingham, Decatur, Gadsden, and Tuscaloosa, Ala., or points within ten miles thereof, (2) aircraft and missiles, and parts thereof, and (3) pipe, pipeline dope, and valves used in connection with pipeline. The purpose of this filing is to eliminate the gateways of points in the Cincinnati, Ohio, commercial zone, which are in Kentucky, and points in the New York, N.Y., commercial zone.

No. MC 72243 (Sub-No. E20), filed May 30, 1974. Applicant: AETNA FREIGHT LINES, INC., P.O. Box 350, Warren, Ohio 44482. Applicant's representative: Edward G. Villalon, Suite 1032 Pennsylvania Bldg., 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron, steel*, and *iron and steel articles*, restricted to commodities which because of size or weight require the use of special equipment, between points in Arkansas, Louisiana, Mississippi, and Alabama (except Houston, Russell, Barbour, Lee, and Henry Counties), on the one hand, and, on the other, points in Pennsylvania, restricted against (1) shipments originating at Anniston, Birmingham, Decatur, Gadsden, and Tuscaloosa, Ala., or points within 10 miles thereof, (2) aircraft, missiles, and parts thereof, and (3) pipe, pipeline dope, and valves used in connection with pipelines. The purpose of this filing is to eliminate the gateway of points in the Cincinnati, Ohio, commercial zone which are in Kentucky.

No. MC 72243 (Sub-No. E21), filed May 30, 1974. Applicant: AETNA FREIGHT LINES, INC., P.O. Box 350, Warren, Ohio 44482. Applicant's representative: Edward G. Villalon, Suite 1032 Pennsylvania Bldg., 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron, steel*, and *iron and steel* articles, restricted to commodities which because of size or weight require special equipment, between points in Arkansas, Louisiana, and Shelby, Tipton, and Lafayette Counties, Tenn., on the one hand, and, on the other, points in West Virginia on and north of a line beginning at the West Virginia-Kentucky State line and extending along U.S. Highway 64 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Virginia-West Virginia State line. The purpose of this filing is to eliminate the gateway of points in the Cincinnati, Ohio, commercial zone which are in Kentucky.

No. MC 72243 (Sub-No. E22), filed May 30, 1974. Applicant: AETNA FREIGHT LINES, INC., P.O. Box 350, Warren, Ohio 44482. Applicant's representative: Edward G. Villalon, Suite 1032 Pennsylvania Bldg., 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron, steel*, and *iron and steel articles* [except (1) aircraft and missiles and parts thereof, and (2) pipe, pipeline dope, and valves used in connection with pipeline], restricted to commodities which because of size or weight require special equipment, between points in Kentucky on and west of U.S. Highway 75 and points in Tennessee on and west of a line beginning at the Kentucky-Tennessee State line and extending along Tennessee Highway 42 to junction U.S. Highway 70S, thence along U.S. Highway 70S to junction Tennessee Highway 55, thence along Tennessee Highway 55 to junction U.S. Alternate Highway 41, thence along U.S. Alternate Highway 41 to junction U.S. Highway 64, thence along U.S. Highway 64 to junction Tennessee Highway 97, thence along Tennessee Highway 97 to the Alabama-Tennessee State line, on the one hand, and, on the other; (a) points in Pennsylvania; (b) points in Ohio on and north of U.S. Highway 50; and (c) points in West Virginia on and north of a line beginning at the West Virginia-Ohio State line and extending along U.S. Alternate Highway 50 to junction U.S. Highway 16, thence along U.S. Highway 16 to junction U.S. Highway 33, thence along U.S. Highway 33 to the Virginia-West Virginia State line. The purpose of this filing is to eliminate the gateway of points in the Cincinnati, Ohio, commercial zone, which are in Kentucky.

No. MC 75110 (Sub-No. E20), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert J. Gallagher, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Nebraska on and west of U.S. Highway 385, on the one hand, and, on the other, points in Arkansas, south of Interstate Highway 40 and east of U.S. Highway 65. The purpose of this filing is to eliminate the gateway of points within 20 miles of Clay Center, Kans., 25 miles of Kansas City, Kans., and 25 miles of St. Louis, Mo.

No. MC 75110 (Sub-No. E21), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert J. Gallagher, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Kansas on and north of Interstate Highway 70, on the one hand, and, on the other, points in Arkansas, on and south of Interstate Highway 40 and on and east of U.S. Highway 65. The purpose of this filing is to eliminate the gateway of points within 25 miles of Kansas City, Kans., and within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub-No. E24), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert J. Gallagher, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Nebraska on and west of U.S. Highway 81, on the one hand, and, on the other, points in Illinois on and east of U.S. Highway 66. The purpose of this filing is to eliminate the gateway of points within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub-No. E35), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert J. Gallagher, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as

defined by the Commission, between points in Missouri on and south of Interstate Highway 70, on the one hand, and, on the other, points in Michigan. The purpose of this filing is to eliminate the gateway of points within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E37), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert 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 defined by the Commission, between points in Indiana, on the one hand, and, on the other, points in Missouri on or south of Interstate Highway 70 and on or north of U.S. Highway 66. The purpose of this filing is to eliminate the gateway of points within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E38), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert 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 defined by the Commission, between points in Nebraska on and west of U.S. Highway 83, on the one hand, and, on the other, points in New York. The purpose of this filing is to eliminate the gateway of points within 20 miles Clay Center, Kans., points within 25 miles of Kansas City, Kans., and points within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E39), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert 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 defined by the Commission, between points in Missouri on and north of Interstate Highway 70, on the one hand, and, on the other, points in Tennessee on and south of Interestate Highway 40 and on and south of Interstate Highway 65. The purpose of this filing is to eliminate the gateway of points within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E40), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert 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 defined by the Commission, between points in Oklahoma on and west of Interstate Highway 35, on the one hand, and, on the other, points in Tennessee on and east of U.S. Highway 25. The purpose of this filing is to eliminate the gateway of points within 20 miles of Clay Center, Kans., points within 25 miles of Kansas City, Kans., and points within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E41), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert 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 defined by the Commission, between points in Colorado, on the one hand, and, on the other, points in Ohio. The purpose of this filing is to eliminate the gateway of points within 20 miles of Clay Center, Kans., points within 25 miles of Kansas City, Kans., points within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E42), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert 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 defined by the Commission, between points in Colorado, on the one hand, and, on the other, points in New York. The purpose of this filing is to eliminate the gateway of points within 20 miles of Clay Center, Kans., points within 25 miles of Kansas City, Kans., and points within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E43), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma, City, Okla. 73125. Applicant's representative: Robert 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 defined by the Commission, between points in Oklahoma on and west of Interstate Highway 35, on the one hand, and, on the other, points in New York. The purpose of this filing is to eliminate the gateway of points within 20 miles of Clay Center, Kans., points within 25 miles of Kansas City, Kans., and points within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E44), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert 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 defined by the Commission, between points in Illinois on and north of U.S. Highway 20, on and north of U.S. Highway 20, on the one hand, and, on the other, points in Kentucky on and west of a line beginning at the Kentucky-Indiana State line and extending along the Green River Parkway to its junction with Interstate Highway 65 to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateway of points within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E45), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert 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 defined by the Commission, between points in Nebraska on and west of U.S. Highway 83, on the one hand, and, on the other, points in Tennessee on and east of Interstate Highway 65. The purpose of this filing is to eliminate the gateway of points within 20 miles of Clay Center, Kans., points within 25 miles of Kansas City, Kans., and points within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E46), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert 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 defined by the Commission, between points in Nebraska on and west of U.S. Highway 83, on the one hand, and, on the other, points in Kentucky on and east of Interstate Highway 71 and Interstate Highway 65. The purpose of this filing is to eliminate the gateway of points within 20 miles of Clay Center, Kans., points within 25 miles of Kansas City, Kans., and points within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E47), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert 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 defined by the Commission, between points in Colorado, on the one hand, and on the other, points in Kentucky. The purpose of this filing is to eliminate the gateway of points within 20 miles of Clay Center, Kans., points within 25 miles of Kansas City, Mo., and points within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E48), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert 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 defined by the Commission, between points in Illinois on and west of Interstate Highway 57 and on and south of U.S. Highway 50, on the one hand, and, on the other, points in Michigan. The purpose of this filing is to eliminate the gateway of points within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E49), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert 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 de-

fined by the Commission, between points in Oklahoma on or west of Interstate Highway 35, on the one hand, and, on the other, points in Indiana on or north of Interstate Highway 70. The purpose of this filing is to eliminate the gateway of points within 20 miles of Clay Center, Kans., points within 25 miles of Kansas City, Kans., and points within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E50), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert 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 defined by the Commission, between points in Kansas, on the one hand, and, on the other, points in Indiana. The purpose of this filing is to eliminate the gateway of points within 25 miles of Kansas City and points within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E51), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert Gallgher, 1776 Broadway, New York, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Missouri on and south of U.S. Highway 36, on the one hand, and, on the other, points in Ohio. The purpose of this filing is to eliminate the gateway of points within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E52), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma, City, Okla. 73125. Applicant's representative: Robert 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 defined by the Commission, between points in Oklahoma on and west of Interstate Highway 35, on the one hand, and, on the other, points in Ohio. The purpose of this filing is to eliminate the gateways of points within 20 miles of Clay Center, Kans., points within 25 miles of Kansas City, Kans., and points within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E53), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert 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 defined by the Commission, between points in Kansas, on the one hand, and, on the other, points in Ohio. The purpose of filing is to eliminate the gateway of points within 25 miles of Kansas City, Kans., and within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E54), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert 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 defined by the Commission, between points in Oklahoma on and west of Interstate Highway 35, on the one hand, and, on the other, points in Michigan on and east of U.S. Highway 31. The purpose of this filing is to eliminate the gateway of points within 20 miles of Clay Center, Kans., within 25 miles of Kansas City, Kans., and within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E55), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert 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 defined by the Commission, between points in Kansas, on the one hand, and, on the other, points in Michigan. The purpose of this filing is to eliminate the gateway of points within 25 miles of Kansas City, Kans., and within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E56), filed May 16, 1974. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert 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 defined by the Commission, between points in Colorado, on the one hand, and, on the other, points in Michigan on and east of U.S. Highway 31. The purpose of this filing is to eliminate the gateway of points within 20 miles of Clay Center, Kansas, within 25 miles of Kansas City, Kans., and within 25 miles of St. Louis, Mo.

No. MC 75110 (Sub E57), filed May 16, 1975. Applicant: ATLANTIC & PACIFIC MOVING CO., P.O. Box 25085, Oklahoma City, Okla. 73125. Applicant's representative: Robert 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 defined by the Commission, between points in Kansas, on the one hand, and, on the other, points in Tennessee on and east of Interstate Highway 65. The purpose of this filing is to eliminate the gateway of points within 25 miles of Kansas City, Kans., and points within 25 miles of St. Louis, Mo.

No. MC 109397 (Sub-No. E59), filed May 14, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Explosives* (except nitroglycerin), between points in Louisiana, on the one hand, and, on the other, points in Montana. The purpose of this filing is to eliminate the gateway of points in Mississippi.

No. MC 109397 (Sub-No. E63), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aerospace craft* and *aerospace craft parts;* (a) between points in Missouri (except points in Atchison, Holt, Nodaway, Andrew, Gentry, and Worth Counties, on the one hand, and, on the other, points in Washington and Oregon on and west of U.S. Highway 97; and (b) between points in Missouri on and east of U.S. Highway 63, on the one hand, and, on the other, points in California, restricted in (a) and (b) above to the transportation of such described parts which because of size, weight, or fragile character, require the use of special equipment or handling. The purpose of this filing is to eliminate the gateways of points in Illinois, Kentucky, or Tennessee.

No. MC 109397 (Sub-No. E64), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aerospace craft* and *aerospace craft parts*, between points in Iowa on and east of U.S. Highway 69, on the one hand, and, on the other, points in California, Oregon, and Washington, restricted to the transportation of such described parts which because of size, weight, or fragile character, require the use of special equipment or handling. The purpose of this filing is to eliminate the gateway of points in Illinois or Wisconsin east of the Mississippi River.

No. MC 109397 (Sub-No. E65), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aerospace craft* and *aerospace craft parts*, between points in that part of Minnesota on and east of a line beginning at the United States-Canada International Boundary line and extending along Minneosta Highway 72 to junction U.S. Highway 71, and thence along U.S. Highway 71 to the Minnesota-Iowa State line, on the one hand, and, on the other, points in California, Oregon, and Washington, restricted to the transportation of such described parts which because of size, weight, or fragile character, require the use of special equipment or handling. The purpose of this filing is to eliminate the gateway of

points in Wisconsin east of the Mississippi River.

No. MC 109397 (Sub-No. E66), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aerospace craft* and *aerospace craft parts*, between points in Arkansas on and east of U.S. Highway 167, on the one hand, and, on the other, points in California, Oregon, and Washington, restricted to the transportation of such described parts which because of size, weight, or fragile character, require the use of special equipment or handling. The purpose of this filing is to eliminate the gateways of points in Tennessee and Mississippi.

No. MC 109397 (Sub-No. E67), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aerospace craft* and *aerospace craft parts*, between points in Louisiana on and east of a line beginning at the Arkansas-Louisiana State line and extending along U.S. Highway 167 to Alexandria, thence along U.S. Highway 165 to junction U.S. Highway 190, thence along U.S. Highway 190 to junction Louisiana Highway 12, thence along Louisiana Highway 12 to the Texas-Louisiana State line, on the one hand, and, on the other, points in California, Oregon, and Washington, restricted to the transportation of such described parts which because of size, weight, or fragile character, require the use of special equipment or handling. The purpose of this filing is to eliminate the gateway of points in Mississippi.

No. MC 109397 (Sub-No. E68), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Antipollution systems*, and *antipollution system parts* which require special handling or rigging, and *antipollution system equipment, materials, supplies, and tools* used in the installation and operation of antipollution systems and antipollution system parts when moving in connection therewith, from points in Connecticut, Massachusetts, and Rhode Island, to points in Kentucky, Wisconsin, Minnesota, Iowa, Missouri, Arkansas, Nebraska, Kansas, Oklahoma, Texas, Wyoming, Colorado, New Mexico, Utah, Arizona, and Nevada. The purpose of this filing is to eliminate the gateway of points in New Jersey.

No. MC 109397 (Sub-No. E69), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Antipollution systems* and *antipollution system parts* which require special handling or rigging and *antipollution system equipment, materials, supplies, and tools* used in the installation and operation of antipollution systems and antipollution system parts when moving in connection therewith, from points in the Lower Peninsula of Michigan, Illinois, Indiana, Ohio, Pennsylvania, West Virginia, Maryland, Delaware, Virginia, North Carolina, and the District of Columbia to points in Vermont, New Hampshire, and Maine. The purpose of this filing is to eliminate the gateway of points in New Jersey or points in Lucas County, Ohio.

No. MC 109397 (Sub-No. E70), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aircraft ground support equipment* (except commodities in bulk and automobiles, trucks, and buses as defined in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766), between points in Wisconsin, Michigan, Indiana, Ohio, Kentucky, West Virginia, Mississippi, Alabama, South Carolina, North Carolina, Maryland, Delaware, Pennsylvania, New Jersey, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, and the District of Columbia, on the one hand, and, on the other, points in Arizona. The purpose of this filing is to eliminate the gateway of points in Texas.

No. MC 109397 (Sub-No. E71), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aircraft gound support equipment* (except commodities in bulk, automobiles, trucks, and buses as defined in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766), between points in North Dakota, and South Dakota on the one hand, and, on the other, points in Arizona. The purpose of this filing is to eliminate the gateway of points in Colorado.

No. MC 109397 (Sub-No. E72), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate a a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel bar joists and long spans* requiring special handling or rigging, from Cangaree, S.C., to Connecticut, Massachusetts, New Jersey, New York, Pennsylvania, and Rhode Island. The purpose of this filing is to eliminate the gateway of points in West Virginia.

No. MC 109397 (Sub-No. E73), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electric controllers and instruments*, requiring special equipment or handling by reason of size or weight, from Delaware and Maryland, to Minnesota, North Dakota, South Dakota, Nebraska, and Montana. The purpose of this filing is to eliminate the gateway of Roanoke County, Va.

No. MC 109397 (Sub-No. E74), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electric controllers and instruments*, requiring special equipment or handling by reason of size or weight, from points in Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, Maryland, West Virginia, Virginia, and the District of Columbia, to points in Alabama, Mississippi, and Georgia. The purpose of this filing is to eliminate the gateway of points in Roanoke County, Va.

No. MC 109397 (Sub-No. E75), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electric controllers and instruments*, requiring special equipment or handling by reason of size or weight, from points in North Carolina and Virginia on and west of a line beginning at the North Carolina-South Carolina State line and extending along U.S. Highway 501 to Lexington, Va., thence along U.S. Highway 60 to the West Virginia-Virginia State line, to points in Vermont, New Hampshire, and Maine. The purpose of this filing is to eliminate the gateway of Roanoke County, Va.

No. MC 109397 (Sub-No. E76), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electronic equipment, electronic machinery*, and *electronic systems*, requiring special handling or rigging, between points in New Jersey, on the one hand, and, on the other, points in Montana, Wyoming, Colorado, New Mexico, Idaho, Nevada, Utah, Arizona, Washington, Oregon, and California. The purpose of this filing is to eliminate the gateway of Massachusetts.

No. MC 109397 (Sub-No. E77), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over ir-

regular routes, transporting: *Electronic equipment, electronic machinery,* and *electronic systems,* requiring special handling or rigging, between points in Connecticut and Rhode Island, on the one hand, and, on the other, points in the United States (except Alaska, Hawaii, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Massachusetts .

No. MC 109397 (Sub-No. E78), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (1) *Turbines, steam condensers, feed water heaters, weldments,* and *heat exchangers,* (2) *Parts* of the commodities in (1) above, and (3) *Iron and steel castings and forgings,* restricted to the transportation of commodities which because of size and weight require the use of special equipment, between points in Massachusetts, Connecticut, Rhode Island, New Jersey, and Delaware, on the one hand, and, on the other, points in the United States (except Alaska, Hawaii, Illinois, Indiana, Ohio, Michigan, New York, Pennsylvania, Vermont, New Hampshire, Maine, West Virginia, Virginia, Maryland, North Carolina, and South Carolina. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

No. MC 111401 (Sub-No. E35) (Correction), filed May 12, 1974, published in the FEDERAL REGISTER, May 28, 1975. Applicant: GROENDYKE TRANSPORT, INC., P.O. Box 632, Enid, Okla. 73701. Applicant's representative: Victor R. Comstock (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Chemicals,* in bulk, in tank or hopper-type vehicles, from points in Arkansas on and south of a line beginning at the Arkansas-Texas State line and extending along Interstate Highway 30 to junction Arkansas Highway 4, thence along Arkansas Highway 4 to junction Arkansas Highway 81, thence along Arkansas Highway 81 to the Arkansas-Louisiana State line to points in Arizona, Connecticut, Idaho, Maine, Massachusetts, Montana, Nevada, New Hampshire, New Jersey, New Mexico, North Dakota, Rhode Island, South Dakota, Utah, Vermont, and Wyoming. The purpose of this filing is to eliminate the gateway of Longview, Tex. The purpose of this correction is to include the destination states above.

No. MC 113459 (Sub-No. E108), filed May 14, 1975. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert Fisher (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (1) *Machinery, equipment, materials,* and *supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products (except in connection with main or trunk pipelines), and *machinery, equipment, materials,* and *supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines (except in connection with main or trunk pipelines), between points in Montana on and east of a line beginning at the Montana-Wyoming State line and extending along U.S. Highway 212 to junction U.S. Highway 312, thence along U.S. Highway 312 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction Montana Highway 200, thence along Montana Highway 200 to the Montana-North Dakota State line, on the one hand, and, on the other, points in Nevada on and west of a line beginning at the Nevada-Idaho State line and extending along Nevada Highway 51 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Nevada-Utah State line. The purpose of this filing is to eliminate the gateway of points in Colorado east of U.S. Highway 87.

No. MC 115840 (Sub-No. E53), filed December 30, 1974. Applicant: COLONIAL FAST FREIGHT, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Cast iron and brass valves* which are materials and supplies (except in bulk), used in the operation, production, processing, or transportation of iron articles, cranes, sand hoppers, elevators, conveyors, dust collectors, and meter boxes; (1) from points in Alabama to points in Arkansas, Oklahoma, Texas, and Louisiana; (2) from points in that portion of Alabama beginning at the Alabama-Georgia State line on and south of Interstate Highway 20 bounded on the north by Interstate Highway 20, thence along Interstate Highway 20 (including Anniston, Birmingham, and 25 miles thereof, Bessemer, and Tuscaloosa, Ala.) to junction U.S. Highway 82, thence along U.S. Highway 82 bounded on the north by U.S. Highway 82 to the Alabama-Mississippi State line to points in Tennessee; (3) from points in that portion of Alabama beginning at the Alabama-Mississippi State line on and north of U.S. Highway 82 bounded on the south by U.S. Highway 82, thence along U.S. Highway 82 (including Tuscaloosa, Ala.), to junction Alabama Highway 25, thence along Alabama Highway 25 bounded on the southeast by Alabama Highway 25 (including Centreville, Calera, Columbiana, and Harpersville, Ala.) to junction U.S. Highway 231, thence along U.S. Highway 231 bounded on the east by U.S. Highway 231 to junction Interstate Highway 20, thence along Interstate Highway 20 bounded on the south by Interstate Highway 20 (including Anniston, and Oxford, Ala.), to the Alabama-Georgia State line, to points in Florida.

(4) From points in that portion of Alabama beginning at the Alabama-Georgia State line on and south of Interstate Highway 59 bounded on the north by Interstate Highway 59 (including Attalla and Gadsden, Ala.), thence along Interstate Highway 59 to (and including) (and points within 30 miles thereof) Birmingham, Ala., and junction Interstate Highway 65, thence along Interstate Highway 65 bounded on the west by Interstate Highway 65 to junction Alabama Highway 22, thence along Alabama Highway 22 bounded on the south by Alabama Highway 22 to the Georgia-Alabama State line to points in Mississippi; (5) and from points in that portion of Alabama beginning at the Alabama-Florida State line on and east of U.S. Highway 231 bounded on the west by U.S. Highway 231 (including Dothan and Montgomery, Ala.), to junction Interstate Highway 65, thence along Interstate Highway 65 bounded on the west by Interstate Highway 65 to junction Alabama Highway 22, thence along Alabama Highway 22 bounded on the north by Alabama Highway 22 to the Alabama-Georgia State line to points in Mississippi beginning at the Mississippi-Alabama State line on and north of U.S. Highway 82 bounded on the south by U.S. Highway 82, thence along U.S. Highway 82 to the Mississippi-Arkansas State line located at (and including) Greenville, Miss.; and (6) from those points in Alabama beginning at the Alabama-Mississippi State line on and south of U.S. Highway 78 bounded on the north by U.S. Highway 78, thence along U.S. Highway 78 to junction U.S. Highway 278, thence along U.S. Highway 278 bounded on the north by U.S. Highway 278 to junction Interstate Highway 65, thence along Interstate Highway 65 bounded on the east by Interstate Highway 65 to (and points within 30 miles thereof) Birmingham, Ala., and junction terstate Highway 20 bounded on the south by Interstate Highway 20 to junction (including Tuscaloosa, Ala.) U.S. Highway 82, thence along U.S. Highway 82 bounded on the south by U.S. Highway 82 to the Alabama-Mississippi State line to points in Georgia.

(7) From points in North Carolina, South Carolina, and Georgia to points in Texas, Arkansas, Oklahoma, Louisiana, and Mississippi; (8) from points in Louisiana east of the Mississippi River to points in Georgia and that portion of Tennessee on and east of Interstate Highway 65 beginning at the Alabama-Tennessee State line (including Nashville and Davidson County, Tenn.) to the Kentucky-Tennessee State line, and points in that portion of Alabama beginning at the Georgia-Alabama State line on and north of Interstate Highway 20, thence along Interstate Highway 20 to junction with (including Anniston, Birmingham, and 30 miles thereof, Bessemer, and Tuscaloosa, Ala.) U.S. Highway 82, thence along U.S. Highway 82 to the Alabama-Mississippi State line; (9) from points in Georgia beginning at the Georgia-Alabama State line on and south

of U.S. Highway 78 bounded on the north by U.S. Highway 78, thence along U.S. Highway 78 to the junction with Interstate Highway 20, thence along Interstate Highway 20 bounded on the north by Interstate Highway 20 (including Atlanta, Ga.) to the Georgia-South Carolina State line located at Augusta, Ga., to points in that portion of Tennessee beginning at the Tennessee-Alabama State line on and west of Interstate Highway 65 bounded on the east by Interstate Highway 65 (including Nashville and Davidson County, Tenn.), thence along Interstate Highway 65 to the Tennessee-Kentucky State line and points in that portion of Alabama beginning at the Alabama-Tennessee State line and extending along Interstate Highway 65 bounded on the east by Interstate Highway 65, thence along Interstate Highway 65 to junction with (including Birmingham, Ala., and 30 miles thereof), Interstate Highway 20, thence along Interstate Highway 20 bounded on the east by Interstate Highway 20 to (including Tuscaloosa, Ala.) junction U.S. Highway 82, thence along U.S. Highway 82 bounded on the south by U.S. Highway 82 to the Alabama-Mississippi State line.

(10) From points in Arkansas to points in Alabama, Georgia, and Florida, and from points in Tennessee beginning at the Tennessee-Alabama State line on and east of Interstate Highway 65 bounded on the west by Interstate Highway 65 (but including Nashville and Davidson County, Tenn.) to the Tennessee-Kentucky State line to points in Louisiana, Tex., and points in that portion of Mississippi beginning at the Mississippi-Alabama State line on and south of Interstate Highway 20 bounded on the west by Interstate Highway 20 (including Jackson and Vicksburg, Miss.), thence along Interstate Highway 20 to the Mississippi-Louisiana State line located at Vicksburg, Miss., and points in that portion of Alabama on and south of Interstate Highway 20 (including Birmingham, Bessemer, Anniston, and Tuscaloosa, Ala.), and from points in that portion of Tennessee on and east of U.S. Highway 127 to points in Oklahoma, and from points in that portion of Tennessee on and west of Interstate Highway 65 (including Nashville and Davidson County, Tenn.) to points in Florida; and (11) from points in that portion of Mississippi beginning at the Alabama-Mississippi State line on and south of Interstate Highway 20 bounded on the north by Interstate Highway 20 (including Jackson, Meridian, and Vicksburg, Miss.), thence along Interstate Highway 20 to the Mississippi-Louisiana State line located at Vicksburg, Miss., to points in Alabama beginning at the Alabama-Tennessee State line on and east of Interstate Highway 65, thence along Interstate Highway 65 to junction Interstate Highway 20 (including Birmingham, Ala., and 30 miles thereof), thence along Interstate Highway 20 to the Alabama-Georgia State line and points in that portion of Georgia beginning at the Georgia-Alabama State line on and north of U.S. Highway 78, thence along U.S. Highway 78 to junction Interstate Highway 20 (including Atlanta, Ga., and its commercial zone), thence along Interstate Highway 20 to the Georgia-South Carolina State line located at (and including) Augusta, Ga., and that portion of Tennessee on and east of Interstate Highway 65 (including Nashville and Davidson County, Tenn.), to the Tennessee-Kentucky State line, and from points in that portion of Mississippi beginning at the Mississippi-Alabama State line on and north of U.S. Highway 82 to points in Florida on and east of U.S. Highway 231 and points in that portion of Georgia beginning at the Georgia-Alabama State line on and south of U.S. Highway 78 and Interstate Highway 20. The purpose of this filing is to eliminate the gateway of Birmingham, Ala.

No. MC 115840 (Sub-No. E74), filed December 30, 1974. Applicant: COLONIAL FAST FREIGHT, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except commodities which because of size or weight require the use of special equipment); (1) from those points in Louisiana located on the Mississippi River south of Torras, La., to points in Kentucky, Virginia, West Virginia, Pennsylvania, New Jersey, Delaware, Maryland, New York, Rhode Island, Connecticut, Massachusetts, Vermont, New Hampshire, and Maine; (2) from those points on the Mississippi River from Natchez to Vicksburg, Miss., to points in Kentucky east of Interstate Highway 65, West Virginia, Virginia, Pennsylvania, Maryland, Delaware, New Jersey, New York, Rhode Island, Connecticut, Massachusetts, Vermont, New Hampshire, and Maine; (4) from those points on the Mississippi River from Greenville, Miss., to Memphis, Tenn., to points in New York, and Pennsylvania on and east of Interstate Highway 81 from the Pennsylvania-Maryland State line to the Canada Border, Connecticut, New Jersey, Delaware, Maryland, Virginia, Vermont, Massachusetts, New Hampshire, Maine, and Rhode Island; and (5) from those points on the Tennessee River from Florence, Ala., to (and including) Chattanooga, Tenn., to points in Maine. The purpose of this filing is to eliminate the gateways of Anniston and Birmingham, Ala.

No. MC 115840 (Sub-No. E75), filed December 30, 1974. Applicant: COLONIAL FAST FREIGHT, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum cranes, sand hoppers, elevators, conveyors, dust collectors*, and *meter boxes*, from Anniston, Ala., to points in Texas, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, Louisiana, Arkansas, Missouri, Iowa, Wisconsin, Minnesota, Mississippi, Illinois, Michigan, Indiana, Ohio, Pennsylvania, New York, Massachusetts, Rhode Island, Connecticut, Vermont, New Hampshire, Maine, New Jersey, Delaware, the District of Columbia, Virginia, Florida, and that portion of Kentucky on and west of Interstate Highway 65 and that portion of Alabama on and west of Interstate Highway 65 (including Jefferson and Shelby Counties, Ala.). The purpose of this filing is to eliminate the gateway of the facilities of Planet Corporation, Inc., at Birmingham, Ala.

No. MC 115840 (Sub-No. E76), filed December 30, 1974. Applicant: COLONIAL FAST FREIGHT, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such aluminum articles* as are embraced in materials and supplies (except in bulk) used in the operation, production, processing, or transportation of iron and steel articles, cranes, sand hoppers, elevators, conveyors, dust collectors, and meter boxes; (1) from points in Texas, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Mississippi, Tennessee, Kentucky, Illinois, Wisconsin, Michigan, Ohio, Maine, Vermont, New Hampshire, Massachusetts, New York, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Indiana, Florida, Georgia, and Alabama, to Bessemer and Birmingham, Ala.; and (2) from that portion of Alabama on and west of Interstate Highway 65 to junction U.S. Highway 80 (including Jeffer, Shelby, Montgomery, and Chilton Counties, Ala.), thence along U.S. Highway 80 to the Alabama-Georgia State line, to Anniston, Ala. The purpose of this filing is to eliminate the gateway of the facilities of Planet Corp., Inc., at Birmingham, Ala.

No. MC 115840 (Sub-No. E86), filed December 30, 1974. Applicant: COLONIAL FAST FREIGHT, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such plastic pipe, plastic fittings, connections, valves, hydrants, extrusions, and gaskets* (except commodities in bulk) as are embraced in materials and supplies (except in bulk) used in the operation, production, processing, or transportation of iron and steel articles, cranes, sand hoppers, elevators, conveyors, dust collectors, and meter boxes, from Rockaway, N.J., to Anniston, Bessemer and Birmingham, Ala. The purpose of this filing is to eliminate the gateway of points in Tennessee.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.75-16708 Filed 6-25-75;8:45 am]

[Notice Number 63]

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
Bulk Transport Co., MC-112893 Sub-48	MC-112893 Sub-49	Jan. 10, 1975
Roy Bros. Inc., MC-112993 Sub-36	MC-112993 Sub-42	Jan. 24, 1975
Ellsworth Freight Lines, MC-113362	MC-113362 Sub-296	Jan. 28, 1975
Mercury Freight Lines, MC-113528 Sub-18	MC-113528 Sub-18	Jan. 30, 1975
O'Boyle Tank Lines, MC-113828 Sub-212	MC-113828 Sub-215	Do.
Wooten Transports, Inc., MC-113861 Sub-60	MC-113861 Sub-61	Jan. 9, 1975
Builders Transportation Co., MC-114334 Sub-25	MC-114334 Sub-26	Jan. 31, 1975
Bankers Dispatch, MC-114533 Sub-283	MC-114533 Sub-293	Jan. 13, 1975
Tennessee Cartage Co., MC-115654 Sub-21	MC-115654 Sub-23	Jan. 10, 1975
Sugar Transport, Inc., MC-115924 Sub-23	MC-115924 Sub-24	Jan. 30, 1975
D. & L Transport, Inc., MC-116273 Sub-174	MC-116273 Sub-175	Do.
Lester Novotny, d.b.a. Chatfield Trucking MC-117322 Sub-8	MC-117322 Sub-9	Jan. 13, 1975
Bill Meeker, MC-118178 Sub-16, Sub-18	MC-118178 Sub-15	Jan. 20, 1975
Schultz Transit, Inc., MC-118202 Sub-11	MC-118202 Sub-13	Do.
Miller Transfer & Rigging, MC-119302 Sub-15	MC-119302 Sub-17	Jan. 10, 1975
Miller Transfer & Rigging, MC-119302 Sub-16	MC-119302 Sub-18	Do.
Hi-Way Dispatch, Inc., MC-119654 Sub-22	MC-119654 Sub-23	Jan. 20, 1975
Hi-Way Dispatch, Inc., MC-119654 Sub-25	MC-119654 Sub-28	Jan. 13, 1975
D.b.a. Mayer Truck Line, MC-120678 Sub-6	MC-120678 Sub-8	Do.
B & L Motor Freight, Inc., MC-123255 Sub-42	MC-123255 Sub-43	Jan. 20, 1975
David Tesone Trucking, MC-123841 Sub-3	MC-123841 Sub-4	Jan. 24, 1975
Schwerman Trucking Co., MC-124078 Sub-573	MC-124078 Sub-576	Jan. 20, 1975
Cayuga Bulk Service, Inc., MC-125701 Sub-4	MC-125701 Sub-5	Jan. 7, 1975
Palmer Transportation, Inc., MC-126427 Sub-10	MC-126427 Sub-9	Jan. 24, 1975
Usher Transport, Inc., MC-126899 Sub-72	MC-126899 Sub-73	Jan. 30, 1975
May Trucking Co., MC-128527 Sub-19, Sub-39	MC-128527 Sub-24	Jan. 7, 1975
D.b.a. Gibbons Trucking Service, MC-128857 Sub-6	MC-128857 Sub-6	Jan. 28, 1975
D.b.a. Evergreen Express, MC-129350 Sub-33	MC-129350 Sub-38	Do.
DuBois Trucking, Inc., MC-129876 Sub-9	MC-129876 Sub-11	Jan. 7, 1975
National Carriers, Inc., MC-133106 Sub-32	MC-133106 Sub-28	Jan. 9, 1975
Heyl Truck Lines, Inc., MC-133119 Sub-36	MC-133119 Sub-34	Jan. 7, 1975
The Fortanova Trucking Co., MC-133145 Sub-1	MC-133145 Sub-2	Jan. 29, 1975
Courier Express Corp., MC-133207 Sub-2	MC-133207 Sub-3	Do.
Commercial Services, Inc., MC-133377 Sub-4	MC-133377 Sub-5	Jan. 15, 1975
Petro Transport, Inc., MC-133491 Sub-3	MC-133491 Sub-2	Jan. 7, 1975

[SEAL]

JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.75-16573 Filed 6-25-75;8:45 am]

[Notice Number 62]

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
Tajon, Inc., MC-5470 Sub-83	MC-5470 Sub-84	Jan. 23, 1975
D.b.a. The Wagoners, MC-26396 Sub-86, Sub-88	MC-26396 Sub-104	Jan. 24, 1975
Southern Pacific Transport, MC-30319 Sub-144	MC-30319 Sub-144	Jan. 13, 1975
L. & M. Express Co., MC-44639 Sub-79	MC-44639 Sub-81	Jan. 28, 1975
Hugh Breeding, Inc., MC-52460 Sub-115	MC-52460 Sub-117	Jan. 3, 1975
Arco Auto Carriers, Inc., MC-52657 Sub-708	MC-52657 Sub-708	Jan. 15, 1975
Flood Transfer Co., MC-59150 Sub-84	MC-59150 Sub-85	Jan. 24, 1975
Pauls Trucking Co., MC-59640 Sub-39	MC-59640 Sub-38	Jan. 9, 1975
Liberty Trucking Co., MC-72097 Sub-22	MC-72097 Sub-23	Jan. 13, 1975
Mutual Transportation, Inc., MC-92068 Sub-9	MC-92068 Sub-10	Jan. 9, 1975
General Delivery Inc., MC-96324 Sub-21	MC-96324 Sub-23	Jan. 28, 1975
Cleveland Express, Inc., MC-98701 Sub-4	MC-98701 Sub-3	Jan. 27, 1975
Costal Tank Lines, Inc., MC-102616 Sub-894	MC-102616 Sub-898	Jan. 15, 1975
Fleet Transport Co., MC-103051 Sub-280	MC-103051 Sub-287	Jan. 31, 1975
Pre-Fab Transit Co., MC-107295 Sub-671	MC-107295 Sub-675	Jan. 22, 1975
Pre-Fab Transit Co., MC-107295 Sub-690	MC-107295 Sub-704	Jan. 31, 1975
Refrigerated Transport Co., MC-107515 Sub-901	MC-107515 Sub-862	Jan. 16, 1975
Signal Delivery Service, MC-108393 Sub-73	MC-108393 Sub-74	Jan. 31, 1975
Chemical Leaman Trucking Lines Inc., MC-110525 Sub-1090, Sub-1091, Sub-1092.	MC-110525 Sub-1093	Jan. 30, 1975
Purolator Courier Corp., MC-12750 Sub-306	MC-12750 Sub-312	Jan. 21, 1975
D.b.a. Russell Bartlett Trucking Co., MC-134365 Sub-4	MC-134365 Sub-3	Jan. 10, 1975
Bacon Transport Co., MC-134405 Sub-18, Sub-20	MC-134405 Sub-16	Jan. 24, 1975
Morosa Bros., MC-134888	MC-134888 Sub-3	Jan. 21, 1975
Casket Distributors, Inc., MC-135152 Sub-13, Sub-15	MC-135152 Sub-14	Jan. 30, 1975
El Dorado Transportation, MC-135535 Sub-5	MC-135535 Sub-6	Jan. 28, 1975
Coast Refrig. Trucking Co., MC-135760 Sub-9	MC-135760 Sub-13	Jan. 24, 1975

Temporary authority application	Final action or certificate or permit	Date of action
D.b.a. K. M. Moody, MC-135902 Sub-2	MC-135902 Sub-3	Jan. 9, 1975
Independent Transportation, MC-136176 Sub-4	MC-136176 Sub-3	Jan. 30, 1975
Coyote Truck Line, Inc., MC-136318 Sub-11	MC-136318 Sub-13	Jan. 29, 1975
Missouri Beef Packers, Inc., MC-136529 Sub-2	MC-136529 Sub-3	Jan. 22, 1975
C. I. Whitten Transfer, MC-138030 Sub-1	MC-138030 Sub-2	Jan. 28, 1975
Conejo Enterprises, Inc., MC-138343	MC-13843 Sub-1	Jan. 15, 1975
D.b.a. Leonard Trucking, MC-138471	MC-138471 Sub-1	Jan. 28, 1975
Brunswick Petroleum Trans., MC-138572 Sub-1	MC-138572 Sub-3	Jan. 10, 1975
Lawrence J. Goater, Inc., MC-138637	MC-138637 Sub-2	Jan. 21, 1975
Ralph Hyder, Inc., MC-138651	MC-138651 Sub-1	Jan. 20, 1975
Minatta Transportation Co., MC-138837	MC-138837 Sub-1	Jan. 21, 1975
Nasykens Transport, Ltd., MC-139268	MC-139268 Sub-1	Jan. 15, 1975
D.b.a. Wego, MC-139352 Sub-1	MC-139352 Sub-2	Jan. 21, 1975

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.75-16574 Filed 6-25-75;8:45 am]

[Notice No. 61]

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
Van Derhule Moving & Storage, Inc., MC-51824 Sub-3	MC-51824 Sub-4	Dec. 26, 1974
Ellex Transportation, Inc., MC-52460 Sub-136	MC-52460 Sub-139	Dec. 31, 1974
Arco Auto Carriers, Inc., MC-52657 Sub-710, Sub-711	MC-52657 Sub-712	Dec. 4, 1974
Ehrlich-Newmark Trucking Co., Inc., MC-76065 Sub-22	MC-76065 Sub-21	Dec. 2, 1974
Inland Transportation Co., Inc., MC-88161 Sub-88	MC-88161 Sub-87	Dec. 11, 1974
Indian Valley Bulk Carriers, Inc., MC-103721 Sub-23	MC-103721 Sub-24	July 13, 1974
Pre-Fab Transit Co., MC-107295 Sub-654	MC-107295 Sub-676	Dec. 11, 1974
Matlack, Inc., MC-107403 Sub-864, Sub-867	MC-107403 Sub-890	Do.
Post Transportation Co., MC-107527 Sub-51	MC-107527 Sub-52	Dec. 2, 1974
Indianhead Truck Lines, Inc., MC-108449 Sub-367	MC-108448 Sub-373	Dec. 6, 1974
Rogers Transfer, Inc., MC-108884 Sub-26, Sub-29	MC-108884 Sub-27	Dec. 2, 1974

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.75-16575 Filed 6-25-75;8:45 am]

[NOTICE NO. 50]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

JUNE 20, 1975.

The following applications are governed by Special Rule 1100.247[1] of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission on or before July 28, 1975. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and on or before August 25, 1975, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the Federal Register of a notice that the proceeding has been assigned for oral hearing.*

Evidence respecting how equipment is expected to be returned to an origin point, as well as other data relating to operational feasibility (including the need for dead-head operations), must be presented as part of an applicant's initial evidentiary presentation (either at oral hearing or in its opening verified statement under the modified procedure) with respect to all applications filed on or after December 1, 1973.

If an applicant states in its initial evidentiary presentation that empty or partially empty vehicle movements will result upon a grant of its application, applicant will be expected (1) to specify the extent of such empty operations, by mileages and the number of vehicles, that would be incurred, and (2) to designate where such empty vehicle operations will be conducted.

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.

No. MC 1263 (Sub-No. 19), filed May 29, 1975. Applicant: McCARTY TRUCK LINE, INC., 17th and Harris, Trenton, Mo. 64683. Applicant's representative: James M. McCarty (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden pallets*, from Trenton, Mo., to points in Iowa and Kansas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.

No. MC 2202 (Sub-No. 488), filed May 27, 1975. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Blvd., P.O. Box 471, Akron, Ohio 44309. Applicant's representative: William O. Turney, 2001 Massachusetts Ave. N.W., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Potlatch Corporation in Desha County, Ark. as an off-route point in connection with applicant's authorized regular routes.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Memphis, Tenn. or Washington, D.C.

No. MC 2860 (Sub-No. 149), filed May 30, 1975. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Applicant's representative: W. Randall Tye, 1400 Candler Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in and sold by retail chain grocery and department stores (except commodities in bulk), between points in Florida, on the one hand, and, on the other, points in Alabama, Georgia,

[1] Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

North Carolina, South Carolina and Virginia, restricted to the transportation of traffic originating at or destined to the stores, warehouses or storage facilities of Food Fair Stores, Inc.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C. or Atlanta, Ga.

No. MC 50069 (Sub-No. 498) (Amendment), filed April 2, 1975, published in the FEDERAL REGISTER issue of May 8, 1975, and republished as amended this issue. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Ave., Oregon, Ohio 43616. Applicant's representative: J. A. Kundtz, 1100 National City Bank Bldg., Cleveland, Ohio 44114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Waste oil and recycled hydraulic oil*, in bulk, in tank vehicles, between Grand Rapids, Mich., and Indianapolis, Ind.; (2) *Used cutting oil*, in bulk, in tank vehicles, from Hamilton, Ala., to points in Indianapolis, Ind.; and (3) *Gasoline*, in bulk, in tank vehicles, from Peoria and Haven, Ill., to points in Marion, Davenport, Dubuque, Coralville, Keokuk and Burlington, Iowa.

NOTE.—The purpose of this republication is to broaden the commodity description in (1) above to include recycled hydraulic oil. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 8497 (Sub-No. 1), filed May 19, 1975. Applicant: GLASGOW HAULING, INC., Willow Grove and Limekiln Pike, Glenside, Pa. 19038. Applicant's representative: E. Stephen Heisley, Suite 805, 666 Eleventh Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Contractors equipment, materials and supplies, and building materials* (except liquid commodities in bulk), between points in Montgomery, Delaware, Philadelphia, Berks, Chester and Bucks Counties, Pa., on the one hand, and, on the other, points in Delaware and New Jersey.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Philadelphia, Pa.

No. MC 94201 (Sub-No. 134), filed May 28, 1975. Applicant: BOWMAN TRANSPORTATION, INC., P.O. Box 17744, Atlanta, Ga. 30316. Applicant's representative: Maurice F. Bishop, 601–09 Frank Nelson Bldg., Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale, retail and chain grocery and food business houses (except in bulk or frozen), from the plantsite, warehouse and storage facilities of The Clorox Company located at or near Atlanta, Ga., to points in Alabama, Tennessee, Florida, Mississippi and Kentucky.

NOTE.—If a hearing is deemed necessary the applicant requests it be held at Atlanta, Ga.

No. MC 11207 (Sub-No. 356) (Correction), filed May 5, 1975, published in the FEDERAL REGISTER issue of June 12, 1975, and republished, as corrected this issue. Applicant: DEATON, INC., 317 Avenue W, P.O. Box 938, Birmingham, Ala. 35201. Applicant's representative: Kim D. Mann, 702 World Center Building, 918 16th Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles, aluminum articles, zinc and zinc articles, containers, pipe, iron and steel tanks, aluminum tanks, and parts, attachments, accessories* for iron and steel tanks and aluminum tanks, (1) from points in Texas on and east of a line beginning at the United States-Mexico Boundary line and extending along Interstate Highway 35 to junction Interstate Highway 35W near Hillsboro, Tex., thence along Interstate Highway 35W to junction Interstate Highway 35 at or near Denton, Tex., and thence along Interstate Highway 35 to the Texas-Oklahoma State line, to points in Alabama, Arkansas, Louisiana, Mississippi, Oklahoma, Florida, Georgia, North Carolina, South Carolina and Tennessee; and (2) from points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee to points in Texas on and east of a line beginning at the United States-Mexico Boundary line and extending along Interstate Highway 35 to junction Interstate Highway W near Hillsboro, Tex., thence along Interstate Highway 35W to junction Interstate Highway 35 at or near Denton, Tex., and thence along Interstate Highway 35 to the Texas-Oklahoma State line.

NOTE.—The purpose of this republication is to correct the territorial description. If a hearing is deemed necessary, the applicant requests it be held at either Birmingham, Ala. or New Orleans, La.

No. MC 21135 (Sub-No. 8), filed May 22, 1975. Applicant: M. L. KESTER TRANSPORTATION, INC., 51st Street and Columbia Avenue, Philadelphia, Pa. 19131. Applicant's representative: Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Floor tile* and other types of *floor covering and supplies and materials* used in the installation thereof, between the facilities of Armstrong Cork Company, located in Lancaster and East Donegal Township, Pa., on the one hand, and, on the other, points in Delaware, Maryland, New Jersey, and New York; and (2) *supplies and materials* used in the installation of the above described commodities, from points in New Jersey to the facilities of Raymond Rosen & Co., Inc. located in Philadelphia and Wilkes-Barre, Pa.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Philadelphia, Pa., or Washington, D.C.

No. MC 26739 (Sub-No. 85), filed May 21, 1975. Applicant: CROUCH FREIGHT SYSTEM INC., P.O. Box 1059, St. Joseph, Mo. 64502. Applicant's representative: Roland Rice, 1111 E Street NW., Suite 618, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment); (1) Between Bridgeport, Conn. and Hartford, Conn.: From Bridgeport, Conn. over Connecticut Highway 8 to Waterbury, Conn., thence over Interstate Highway 84 to Hartford, Conn., and return over the same route, serving all intermediate points, and points in Connecticut as off-route points; (2) Between Greenwich, Conn. and junction Interstate Highway 95 and Connecticut Highway 216, serving all intermediate points, and points in Connecticut as off-route points: From Greenwich, Conn. over Interstate Highway 95 to junction Connecticut Highway 216; and (3) Between New Haven, Conn. and Hartford, Conn., serving all intermediate points and points in Connecticut as off-route points: From New Haven, Conn. over Interstate Highway 91 to Hartford, Conn.

NOTE.—By instant application, applicant seeks to convert existing irregular routes authority in (Sub-No. 71) to regular route authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either Hartford, Conn. or Washington, D.C.

No. MC 31389 (Sub-No. 199), filed May 27, 1975. Applicant: McLEAN TRUCKING COMPANY, 617 Waughtown Street, Winston-Salem, N.C. 27107. Applicant's representative: David F. Eshelman, P.O. Box 213, Winston-Salem, N.C. 27102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), Serving the plantsite of Potlatch Corporation located in Desha County, Ark., having a railroad designation of Cypress Bend, Ark., as an off-route point in conjunction with applicant's regular route operation.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Little Rock, Ark. or Washington, D.C.

No. MC 33919 (Sub-No. 11), filed May 29, 1975. Applicant: FAIRCHILD GENERAL FREIGHT, INC., P.O. Box 1649, Yakima, Wash. 98907. Applicant's representative: George H. Hart, 1100 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned goods*, in containers or in trailers, having a subsequent movement by water, from points in Yakima County, Wash., to Portland, Oreg., Vancouver, Seattle and Tacoma, Wash.; and (2) *empty used containers, used trailers and used trailer chassis*, from Seattle, Tacoma and Van-

couver, Wash., and Portland, Oreg., to points in Yakima County, Wash.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Seattle, Wash. or Portland, Oreg.

No. MC 44538 (Sub-No. 2), filed May 22, 1975. Applicant: NEW BREED MOVING CORP., 3 Lucon Drive, Deer Park, N.Y. 11729. Applicant's representative: Arthur J. Piken, One Lefrak City Plaza, Flushing, N.Y. 11368. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electronic equipment* consisting of, but not limited to, navigational ground support including marker beacons and instrument-handling systems and shelters, between points in the Kansas City, Kans-Mo. Commercial Zone, as defined by the Commission, and Nassau and Suffolk County, N.Y., on the one hand, and, on the other, points in Anchorage, Alaska.

NOTE.—Applicant holds motor contract carrier authority in MC-134115. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 51146 (Sub-No. 429), filed May 22, 1975. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, Wis. 54304. Applicant's representative: Neil A. DuJardin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such merchandise* as is dealt in by department stores (except foodstuffs, furniture, and commodities in bulk); and (2) *Foodstuffs* (except in bulk), and *furniture*, in mixed loads with the commodities in (1) above, from points in Kentucky, Tennessee, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, and Mississippi, to the facilities of the J. L. Hudson Company located at Grand Rapids, Ann Arbor, Flint, Pontiac, and Detroit, Mich., and Toledo, Ohio; and (3) *returned and rejected shipments* of the commodities described in (1) and (2) above, from the facilities of the J. L. Hudson Company located at Grand Rapids, Ann Arbor, Flint, Pontiac, and Detroit, Mich., and Toledo, Ohio to the origin states named above, restricted to the transportation of traffic originating at the above-named origins and destined to the above-named destinations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 51146 (Sub-No. 431), filed May 30, 1975. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, Wis. 54304. Applicant's representative: Neil A. DuJardin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products, plastic products,* and *aluminum foil backed with paper*, from the facilities of Georgia Pacific Corporation located at or near Norwood, Ohio, and Cincinnati, Ohio, to points in Washington, Oregon, California, Nevada, Arizona, New Mexico, Colorado, Utah, Idaho, Wyoming, and Montana; and (2) *materials, equipment, and supplies* (except in bulk) used in the production or distribution of paper products, plastic products, and aluminum foil backed with paper, from the destination points in (1) above to the facilities of Georgia Pacific Corporation located at or near Norwood, Ohio, and Cincinnati, Ohio, restricted to the transportation of shipments originating at or destined to the facilities of Georgia Pacific Corporation located at or near Norwood, Ohio, and Cincinnati, Ohio.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 59124 (Sub-No. 18), filed May 21, 1975. Applicant: MAIERS MOTOR FREIGHT COMPANY, 875 East Huron Avenue, Vassar, Mich. 48768. Applicant's representative: Walter N. Bieneman, 100 West Long Lake Road, Suite 102, Bloomfield Hills, Mich. 48013. 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 commodities requiring special equipment), serving the distribution center of S. S. Kresge Company located near the intersection of Joy Road and Haggerty Road in Canton Township (Wayne County), Mich., as an off-route point in connection with authorized regular route operations at Detroit, Mich.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Lansing, Mich.

No. MC 61403 (Sub-No. 233), filed May 23, 1975. Applicant: THE MASON AND DIXON TANK LINES, INC., Highway 11-W, Kingsport, Tenn. 37662. Applicant's representative: W. C. Mitchell, 370 Lexington Avenue, Suite 1201, New York, N.Y. 10017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Solvents*, in bulk, in tank vehicles, from Smithfield, Ky., to Brownwood (Brown County), Tex., and (2) *scrap solvents*, in bulk, in tank vehicles, from Brownwood (Brown County), Tex., to Smithfield, Ky.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 61592 (Sub-No. 352), filed May 13, 1975. Applicant: JENKINS TRUCK LINE, INC., P.O. Box 697, R.R. 3, Jeffersonvile, Ind. 47130. Applicant's representative: E. A. DeVine, P.O. Box 101 First Avenue, Moline, Ill. 61265. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Rough lumber, wooden pallets and wooden pallet parts*, from Bruce, Wyo., to Dubuque, Iowa; (2) *veneer*, from Dubuque, Iowa, to New York, N.Y. and points in North Carolina and Virginia; (3) *wood chips*, (a) from Dubuque, Iowa, to Peoria, Ill., and (b) from Anamosa, Dubuque, Edgewood, Guttenberg, LaMotte and Oxford Junction, Iowa, to Joliet and Peoria, Ill.; and (4) *wooden pallets and wooden pallet parts*, from Dubuque, Iowa, to Stockton, Ill.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 61592 (Sub-No. 356), filed May 27, 1975. Applicant: JENKINS TRUCK LINE, INC., P.O. Box 697, Jeffersonville, Ind. 47130. Applicant's representative: E. A. DeVine, P.O. Box 737, Moline, Ill. 61265. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Charcoal and charcoal briquettes*, from Jacksonville, Tex., to points in the United States (except Alaska and Hawaii); and (2) *materials, equipment and supplies* used in the manufacture and distribution of charcoal and charcoal briquettes, from points in the United States (except Alaska and Hawaii), to Jacksonville, Tex.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 61592 (Sub-No. 357), filed May 27, 1975. Applicant: JENKINS TRUCK LINE, INC., P.O. Box 697, R.R. No. 3, Jeffersonville, Ind. 47130. Applicant's representative: E. A. DeVine, P.O. Box 737, 101 First Avenue, Moline, Ill. 61265. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Polyurethane ceiling beams and polyurethane siding and polyurethane molded products and compounds*, from Dunbar, W. Va., to points in Arizona, New Mexico, California, Oregon, Washington, Idaho, Utah, Nevada, Montana, Oklahoma, North Dakota, and South Dakota.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or Charleston, W. Va.

No. MC 61592 (Sub-No. 358), filed May 27, 1975. Applicant: JENKINS TRUCK LINE, INC., P.O. Box 697, Jeffersonville, Ind. 47130. Applicant's representative: E. A. DeVine, P.O. Box 737, 101 First Avenue, Moline, Ill. 61265. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tile and materials and supplies* used in the application thereof, from Lexington, N.C., to points in Minnesota, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Indiana, Mississippi, Michigan, Illinois, Kentucky, Tennessee, Alabama, Ohio, Virginia, West Virginia, South Carolina, Georgia, Florida, Maryland, Delaware, New Jersey, Pennsylvania, New York, Rhode Island, Connecticut, Massachusetts, New Hampshire, Vermont, Maine, and the District of Columbia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Charlotte, N.C. or Greensboro, N.C.

No. MC 72997 (Sub-No. 26), filed October 15, 1974. Applicant: LIBERTY TRUCKING COMPANY, a Corporation, 1401 West Fulton Street, Chicago, Ill. 60607. Applicant's representative: Michael J. Wyngaard, 329 West Wilson Street, Madison, Wis. 53703. 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, and commodities requiring special equipment), (1) Between Waterford, Wis. and Chicago, Ill.: (A) From Waterford, Wis., east over Wisconsin Highway 20 to junction Interstate 94, thence south over Interstate 94 to Chicago, Ill., and return over the same route; and (B) From Waterford, Wis., easterly over Wisconsin Highway 20 to junction U.S. Highway 45, thence southerly over U.S. Highway 45 to Chicago, Ill., and return over the same route; and (2) Between Burlington, Wis. and Chicago, Ill.: (A) From Burlington, Wis., easterly over Wisconsin Highway 11 to junction Interstate 94, thence southerly over Interstate 94 to Chicago, Ill., and return over the same route; (B) From Burlington, Wis., east over Wisconsin Highway 11 to junction U.S. Highway 45, thence southerly over U.S. Highway 45 to Chicago, Ill., and return over the same route.

(C) From Burlington, Wis., easterly over Wisconsin Highway 43 to junction Interstate 94, thence southerly over Interstate Highway to Chicago, Ill., and return over the same route; (D) From Burlington, Wis., easterly over Wisconsin Highway 43 to junction U.S. Highway 45, thence southerly over U.S. Highway 45 to Chicago, Ill., and return over the same route; (E) From Burlington, Wis., southerly over Wisconsin Highway 83 to junction Wisconsin Highway 50 at or near New Munster, Wis., thence easterly over Wisconsin Highway 50 to junction Interstate 94, thence southerly over Interstate 94 to Chicago, Ill., and return over the same route; and (F) From Burlington, Wis., southerly over Wisconsin Highway 83 to junction Wisconsin Highway 50 at or near Munster, Wis., thence easterly over Wisconsin Highway 50 to junction U.S. Highway 45, thence southerly over U.S. Highway 45 to Chicago, Ill., and return over the same route, (3) Between Waterford, Wis. and Burlington, Wis.; From Waterford, Wis., southerly over Wisconsin Highway 83 to Burlington, Wis., and return over the same route, (4) Between Burlington, Wis. and junction Wisconsin Highway 36 and U.S. Highway 12; From Burlington, Wis. over Wisconsin Highway 36 to junction U.S. Highway 12, and return over the same route, (5) Between Burlington, Wis. and Elkhorn, Wis.; From Burlington, Wis. over Wisconsin Highway 11 to Elkhorn, Wis., and return over the same route, (6) Between Waterford, Wis. and junction Wisconsin Highway 20 and U.S. Highway 12; From Waterford, Wis. westerly over Wisconsin Highway 20 to junction U.S. Highway 12, and return over the same route.

(7) Between junction U.S. Highway 41 and Interstate 94 and Chicago, Ill.: From junction U.S. Highway 41 and Interstate 94 southerly over U.S. Highway 41 to Chicago, Ill., and return over the same route; and (8) Between junction Wisconsin Highway 50 and U.S. Highway 12, and junction Wisconsin Highway 50 and Wisconsin Highway 83 at or near New Munster, Wis.: From junction Wisconsin Highway 50 and U.S. Highway 12 easterly over Wisconsin Highway 50 to junction Wisconsin Highway 83, at or near New Munster, Wis., and return over the same route..

NOTE.—Applicant does not seek duplicating authority. If a hearing is deemed necessary, applicant requests it be held at either Milwaukee or Madison, Wis.

No. MC 77972 (Sub-No. 28), filed May 16, 1975. Applicant: MERCHANTS TRUCK LINE, INC., P.O. Box 908, New Albany, Miss. 38652. Applicant's representative: Donald B. Morrison, P.O. Box 22628, Jackson, Miss. 39205. 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 commodities requiring special equipment); (1) Between Hattiesburg, Miss., and Gulfport, Miss.: From Hattiesburg over U.S. Highway 49 to Gulfport, and return over the same route, serving all intermediate points; (2) Between Hattiesburg, Miss., and Piscayune, Miss.: From Hattiesburg over U.S. Highway 11 and/or Interstate Highway 59 to Piscayune and return over the same route, serving all intermediate points; (3) Between Poplarville, Mississippi and Lucedale, Miss.: From Poplarville over Mississippi Highway 36 to Lucedale and return over the same route, serving all intermediate points; (4) Between Hattiesburg, Miss., and Pascagoula, Miss.: From Hattiesburg over U.S. Highway 98 to Lucedale; thence over Mississippi Highway 63 to Pascagoula, and return over the same route serving all intermediate points.

(5) Between Pascagoula, Miss., and Pearlington, Miss.: From Pascagoula over U.S. Highway 90 and/or Interstate Highway 10 to Pearlington, and return over the same route serving all intermediate points and Kiln, Miss. and the facilities of the Hancock County Port authority near Pearlington as off-route points; (6) Between Waynesboro, Miss., and Lucedale, Miss.: From Waynesboro over Mississippi Highway 63 to its junction with U.S. Highway 98; thence over U.S. Highway 98 to Lucedale and return over the same route, serving all intermediate points; (7) Between Laurel, Miss., and Beaumont, Miss.: From Laurel over Mississippi Highway 15 to Beaumont and return over the same route, serving all intermediate points; and (8) Between Leakesville, Miss., and McLain, Miss.: From Leakesville over Mississippi Highway 57 to McLain and return over the same routes serving all intermediate points and Neeley, Miss. an off-route point.

NOTE.—Applicant proposes to join this requested authority at all common points of authorized regular route service, including Hattiesburg, Laurel and Waynesboro, Miss. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Memphis, Tenn. or Gulfport, Miss.

No. MC 82841 (Sub-No. 156), filed May 27, 1975. Applicant: HUNT TRANSPORTATION, INC., 10770 "I" Street, Omaha, Nebr. 68127. Applicant's representative: Donald L. Stern, 530 Univac Bldg., 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, equipment and supplies*, used in the manufacture of hay unloading equipment, snow blowers, and farm forage equipment (except commodities in bulk), from points in Illinois, Missouri, Kansas, Minnesota, Michigan, Oklahoma, Pennsylvania, Iowa, Indiana, Ohio, Wisconsin, and New York, to Lincoln, Nebr., restricted to shipments destined to the plantsite and facilities of McKee Bros., Ltd.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 82841 (Sub-No. 157), filed May 29, 1975. Applicant: HUNT TRANSPORTATION, INC., 10770 I Street, Omaha, Nebr. 68127. Applicant's representative: Donald L. Stern, 7100 West Center Road, 530 Univac Bldg., Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Junk, scrap metals, and metal articles* (except in bulk), and (except hides), between points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 82841 (Sub-No. 158), filed May 29, 1975. Applicant: HUNT TRANSPORTATION, INC., 10770 I Street, Omaha, Nebr. 68127. Applicant's representative: Donald L. Stern, 7100 West Center Road, 530 Univac Bldg., Omaha, Nebr. 68127. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fireplace logs*, from Montrose, Colo., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 82841 (Sub-No. 159), filed May 29, 1975. Applicant: HUNT TRANSPORTATION, INC., 10770 "I" Street, Omaha, Nebr. 68127. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bulk material handling equipment, parts and components; playground equipment and accessories; truck platforms, sides and accessories*, from Council Bluffs, Iowa, to points in the United States (except Alaska and Hawaii); and (2) *materials and supplies* used in the manufacture of the commodities in part (1) above, from points in Washington, Oregon, Utah, Minnesota, Missouri, Arkansas, Louisiana, Mississippi, Tennessee, Illinois, Indiana, Ohio and Pennsylvania, to Council Bluffs, Iowa.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr.

No. MC 89716 (Sub-No. 50), filed March 20, 1975. Applicant: DICK JONES TRUCKING, a Corporation, P.O. Box 965, Powell, Wyo. 82435. Applicant's representative: John H. Lewis, The 1650 Grant Street Building, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural commodities*, (a) between points in Wyoming within 175 miles of Powell, Wyo. (except Big Horn, Hot Springs, Park and Washakie Counties) on the one hand, and, on the other points in Montana (except those points in Montana located within 175 miles of Powell, Wyo.); (2) *Asphalt and asphalt compounds and derivatives*, in cartons and containers, when used as a building material, (a) Between points in Wyoming within 175 miles of Powell, Wyo. (except Meeteetse, Wyo., and points other than incorporated towns and cities in Big Horn, Hot Springs, Park and Washakie Counties, Wyo.), on the one hand, and, on the other, points in Montana (except those points located within 175 miles of Powell); (b) From points in Montana and points in Wyoming within 175 miles of Powell, Wyo., (except Cody, Wyo.), to points in Nebraska, Utah, Washington, Oregon, Idaho, North Dakota, South Dakota and Colorado; (3) *Building materials*, (a) between points in Wyoming within 175 miles of Powell, Wyo. (except Meeteetse, Wyo., and points other than incorporated towns and cities in Big Horn, Hot Springs, Park and Washakie Counties, Wyo.), on the one hand, and, on the other, points in Montana (except those points located within 175 miles of Powell);

(b) From points in Montana and points in Wyoming within 175 miles of Powell, Wyo. (except Cody, Wyo.), to points in Nebraska, Utah, Washington, Oregon, Idaho, North Dakota, and South Dakota; (4) *Clay, diatomaceous earth and drilling mud conditioners*, when used as a "Mercer" commodity as defined in *Mercer Ext.-Oil Field Commodities*, 74 M.C.C. 459, (a) from the plant site of International Minerals and Chemical Corp. at or near Belle Fourche, S. Dak., to points in Colorado and Montana; (5) *Farm machinery, equipment and parts* thereof, (a) between points in Wyoming within 175 miles of Powell, Wyo. (except Meeteetse, Wyo., and points other than incorporated towns and cities in Big Horn, Hot Springs, Park and Washakie Counties, Wyo.), on the one hand, and, on the other, points in Montana (except those points located within 175 miles of Powell); (6) *Feed*, (a) between points in Wyoming within 175 miles of Powell, Wyo. (except Meeteetse, Wyo., and points other than incorporated towns and cities in Big Horn, Hot Springs, Park and Washakie Counties, Wyo.), on the one hand, and, on the other, points in Montana (except those points located within 175 miles of Powell); (b) from Denver, Colo., to points in Wyoming within 175 miles of Powell (except Park, Big Horn, Hot Springs Counties) and points in Montana; (7) *Fertilizer*, (a) from Anaconda, Mont., to points in Wyoming within 175 miles of Powell, Wyo. (except those points in Wyoming located within 50 miles of Powell); (8) *Gypsum board, gypsum sheathing, gypsum lath, plaster and accessories*, when used as a building material, (a) from points in Montana and points in Wyoming within 175 miles of Powell (except Cody, Wyo.) to points in Colorado.

(9) *Materials and supplies* used in the manufacture or installation of gypsum board, gypsum sheathing, gypsum lath, plaster and accessories, (a) from points in Colorado to points in Washington, Oregon, Idaho, North Dakota, South Dakota, Nebraska and Utah; (10) *Materials and supplies* used in the manufacture or installation of gypsum board, gypsum sheathing, gypsum lath, plaster and accessories, when used as a building material (a) from points in Colorado to points in Wyoming within 175 miles of Powell, Wyoming (except Cody, Wyo.) and points in Montana; (11) *Livestock*, (a) Between points in Wyoming within 175 miles of Powell, Wyo. (except Big Horn, Hot Springs, Park and Washakie Counties, Wyo.), on the one hand, and, on the other, points in Montana (except those points located within 175 miles of Powell, Wyo.), (b) between points in Wyoming within 175 miles of Powell, Wyo. (except Big Horn, Hot Springs, Park and Washakie Counties, Wyo.), and points in Montana, on the one hand, and, on the other, points in Colorado, Idaho, Nebraska, South Dakota and Utah; (12) *Plaster*, (a) From Trident and Hanover, Mont., to points in Colorado; (13) *Poles, posts, lumber, structural wood beams, laminated wood beams, plywood, sheeting, shingles and flooring*, when used as a building material, (a) from points in Washington and Idaho, to points in Montana, North Dakota, South Dakota, Nebraska, and points in Wyoming within 175 miles of Powell, Wyo. (except Fremont, Hot Springs, Washakie, Big Horn and Park Counties, Wyo.).

(14) *Poles, posts, lumber, structural wood beams, laminated wood beams, plywood, sheeting, shingles and flooring*, when made of wood, (a) from points in Washington and Idaho to points in Wyoming and Montana within 175 miles of Powell, Wyo. (except Fremont, Hot Springs, Washakie, Big Horn and Park Counties, Wyo.); and (15) *Seed*, Between the incorporated towns and cities (except Meeteetse, Wyo.) in Big Horn, Hot Springs, Park and Washakie Counties, on the one hand, and, on the other, points in Montana.

NOTE.—The purpose of this application is to eliminate duplicating authority of commodities and territories that applicant presently holds. If a hearing is deemed necessary, the applicant requests it be held at Billings, Mont. or Denver, Colo.

No. MC 94201 (Sub-No. 132), filed April 16, 1975. Applicant: BOWMAN TRANSPORTATION, INC., P.O. Box 17744, Atlanta, Ga. 30316. Applicant's representative: Maurice F. Bishop, 601-09 Frank Nelson Building, Birmingham, Ala. 35203. 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, commodities requiring special equipment, and commodities in vehicles equipped with mechanical refrigeration), (1) between Birmingham, Alabama and Miami, Florida: (a) From Birmingham over U.S. Highway 31 to Montgomery, Ala., thence over U.S. Highway 231 to Dothan, Ala., thence over U.S. Highway 84 to Bainbridge, Ga., thence over U.S. Highway 27 to Capps, Fla., thence over U.S. Highways 19 and 27 to Perry, Fla., thence over U.S. Highway 98 to Brooksville, Fla., thence over U.S. Highway 41 to Miami, and return over the same route; (b) From Birmingham over U.S. Highway 280 to Richland, Ga., thence over Georgia Highway 55 to Sasser, Ga., thence over U.S. Highway 82 to Albany, Ga., thence over U.S. Highway 82 to junction Interstate Highway 75, near Tifton, thence over Interstate 75 to junction U.S. Highway 27, near Ocala, thence over U.S. Highway 27 to Miami, and return over the same route; (c) From Birmingham over U.S. Highway 280 to Richland, Ga., thence over Georgia Highway 55 to Dawson, Ga., thence over U.S. Highway 82 to Waycross, Ga., thence over U.S. Highway 1 to Miami, and return over the same route.

(2) Between Jacksonville, Fla. and Miami, Fla.: From Jacksonville over Interstate 95 to Miami, and return over the same route; (3) Between Tampa, Fla. and Miami, Fla.: From Tampa over U.S. Highway 60 to junction U.S. Highway 27 at or near Lake Wales, Fla., thence over U.S. Highway 27 to Miami, and return over the same route; (4) Between junction Interstate 75 and 10, near Lake City, Fla. and Jacksonville, Fla.: From junction Interstate 75 and 10 near Lake City, Fla., thence over Interstate 10 to Jacksonville, and return over the same route; (5) Between Leesburg, Fla. and Orlando, Fla.: From Leesburg, over U.S. Highway 441 to Orlando, Fla. and return over the same route; (6) Between Orlando, Fla. and junction U.S. Highways 27 and 441: From Orlando over U.S. Highway 441 to junction U.S. Highway 27, and return over the same route; (7) Between Orlando, Fla. and Jacksonville, Fla.: From Orlando over U.S. Highway 17 to Jacksonville, and return over the same route; (8) Between Orlando, Fla. and Daytona Beach, Fla.: From Orlando over Interstate Highway 4 to Daytona Beach, Fla., and return over the same route; (9) Between Orlando, Fla. and junction Florida Highway 50 and U.S. Highway 1: From Orlando over Florida Highway 50 to junction U.S. Highway 1, and return over the same route; (10) Between Ocala, Fla. and junction Interstate Highway 75 and U.S. Highway 441: From Ocala over U.S. Highway 441 to junction Interstate Highway 75, and return over the same route; (11) Between Ocala, Fla. and junction U.S. Highways 301 and 90: From Ocala over U.S. Highway 301 to junction U.S. Highway 90, and return over the same route; (12) Between Tampa Fla.

and the Sunshine State Parkway, Fla.: From Tampa over Florida Highway 60 to the Sunshine State Parkway, and return over the same route.

(13) Between junction U.S. Highway 27 and the Sunshine State Parkway and Miami, Fla.: From junction U.S. Highway 27 and the Sunshine State Parkway, near Leesburg, over the Sunshine State Parkway to Miami, and return over the same route, service, in connection with the above routes, is authorized to and from all intermediate and off-route points in Alabama within 65 miles of Birmingham, including Birmingham, on the one hand, and, on the other, all intermediate and off-route points in that part of Florida south and east of a line beginning at Clearwater, Fla., extending along Florida Highway 590 to junction Florida Highway 580, thence along Florida Highway 580 to Tampa, thence along U.S. Highway 92 to Orlando, thence along U.S. Highway 441 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction U.S. Highway 129, thence along U.S. Highway 129 to the Florida/Georgia State line.

NOTE.—Applicant intends to join the requested authority at Birmingham, Ala. and points within a 65 mile radius thereof to provide a through service; between points and area in Florida, on the one hand, and, on the other, points in Tennessee and Indiana; Louisville, Ky.; those points in that part of Illinois on and bounded by a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to Springfield, Ill., thence along Illinois Highway 29 to Peoria, Ill., thence along Illinois Highway 116 to Metamore, Ill., thence along Illinois Highway 89 to junction U.S. Highway 34 thence along U.S. Highway 34 to junction Illinois Highway 31, thence along Illinois Highway 31 to unnumbered highway (referred to as Aurora Avenue), thence along said unnumbered highway to junction with U.S. Highway 34, thence along U.S. Highway 34, to Chicago, Ill., thence along Lake Michigan to the Illinois-Indiana State line, and thence along the Illinois-Indiana State line to points of beginning; those 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., and extending along U.S. Highway 62 to Columbus, Ohio, thence along U.S. Highway 23 to Circleville, Ohio, and thence along U.S. Highway 22 to Cincinnati, Ohio; and the following points authorized in the Bowman Sub-No. 56 proceeding: Camden, Crossett, El Dorado, Jonesboro, Little Rock, Texarkana, and West Memphis, Ark.; Kansas City and Topeka, Kans.; Baton Rouge, Golden Meadow, Grand Isle, Lake Charles, Lockport, Monroe, New Orleans, Rushton and Shreveport, La.; Columbus, Greenville, Greenwood, Hattiesburg, Jackson, Laurel, Meridian, Moss Point, Pascagoula and Vicksburg, Miss.; Carthage, Kansas City and Springfield, Mo.; and Bayton Beaumont, Dallas, Fort Worth, Garland, Gladewater, Greenville, Houston, Longview, Marshall, Orange, Plano, Port Arthur, Texas City and Texarkana, Tex. If a hearing is deemed necessary, the applicant requests it be held at either Atlanta, Ga. or Washington, D.C.

No. MC 94635 (Sub-No. 5), filed May 19, 1975. Applicant: INTERSTATE SAND & GRAVEL TRANSPORTATION, INC., 717 Elmer Street, Vineland, N.J. 08360. Applicant's representative: Jacob P. Billig, 1126–16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sand, stone, gravel and clay*, from points in Burlington, Camden, Gloucester, Salem, Cumberland, Cape May, and Atlantic Counties, N.J., to points in Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New York, Rhode Island, Vermont, and Pennsylvania (except points in Bucks, Burks, Lehigh, Lebanon, Lancaster, Chester, Delaware, Montgomery, and Philadelphia Counties, Pa.), restricted to transportation services to be performed under a continuing contract or contracts with Whitehead Brothers.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 95876 (Sub-No. 175), filed May 30, 1975. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, P.O. Box 1377, St. Cloud, Minn. 56301. Applicant's representative: Charles W. Singer, 327 South LaSalle St., Chicago, Ill. 60604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cast iron pipe and fittings and accessories*, from Lynchburg, Va., to points in the United States (except Alaska and Hawaii); and (2) *materials, equipment and supplies* used or useful in the manufacture, distribution or installation of the commodities in (1) above (except commodities in bulk), from points in the United States (except Alaska and Hawaii) to Lynchburg, Va.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Chicago, Ill. or Washington, D.C.

No. MC 99625 (Sub-No. 4), filed May 21, 1975. Applicant: LUCIEN BISSON, INC., Post Office Box 262, West Bath, Maine 04530. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in or distributed by wholesale, retail, and chain construction material or hardware stores, from West Bath, Maine, to points in Maine, restricted to the transportation of shipments having a prior movement by rail.

NOTE.—Applicant holds Certificates of Registration in MC 99625 (Sub-Nos. 1 and 2) to transport freight or merchandise over regular routes between various points in Maine, including West Bath, Maine. Applicant intends to tack the above requested authority with the authority held in its state certificates so as to perform a through service from the various specified points in Maine authorized to be served in its state certificates, to points in Maine. Copies of applicant's certificates of registration are on file and may be viewed at the offices of the Interstate Commerce Commission, Washington, D.C. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 99695 (Sub-No. 9), filed May 12, 1975. Applicant: ATLAS TRANSIT, INC., P.O. Box 471, Akron, Ohio 44309. Applicant's representative: James W. Conner (same address as applicant). 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, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Union County, Ark., as an off-route point in connection with applicant's presently authorized regular routes via El Dorado, Ark.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Little Rock, Ark., or Washington, D.C.

No. MC 100666 (Sub-No. 298), filed May 27, 1975. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Bldg., 3535 Northwest 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, aluminum articles, iron and steel tanks, aluminum tanks, used contractors' equipment, and parts attachments and accessories* for iron and steel tanks and aluminum tanks, between points in Liberty County, Tex., on the one hand, and, on the other, points in Alabama, Arkansas, Louisiana, Mississippi, New Mexico and Oklahoma.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 100666 (Sub-No. 299), filed May 27, 1975. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 3535 Northwest 58th, 280 National Foundation Life, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Folding attic stairs*, from Panola County, Miss. and Memphis, Tenn., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Ohio, Oklahoma, North Carolina, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Memphis, Tenn. or Jackson, Miss.

No. MC 10547 (Sub-No. 84), filed May 27, 1975. Applicant: THURSTON MOTOR LINES, INC., 600 Johnston Road, P.O. Box 10638, Charlotte, N.C. 28234. Applicant's representative: J. V. Luckadoo (same address as applicant). 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, commodities in bulk, and those which require the use of special equipment): (1) Between Columbus, Ga. and Meridian, Miss.: From Columbus over U.S. Highway 80 to Meridian, and return over the same route, serving all intermediate points; (2) Between Montgomery, Ala. and Tupelo, Miss.: From Montgomery over U.S. Highway 82 to Columbus, Miss., thence over U.S. Highway 45 to Tupelo, and return over the same route, serving all intermediate points in Alabama; (3) Between Montgomery, Ala. and Pulaski, Tenn.: From Montgomery over U.S. Highway 31 to Pulaski, and return over the same route, serving all intermediate points; (4) Between Montgomery, Ala. and the junction of Interstate Highway 65 and U.S. Highway 64: From Montgomery over Interstate Highway 65 to junction U.S. Highway 64, and return over the same route, serving all intermediate points; (5) Between Atlanta, Ga. and Birmingham, Ala.: From Atlanta over U.S. Highway 78 (also over Interstate Highway 20) to Birmingham, and return over the same route, serving all intermediate points; (6) Between Chattanooga, Tenn. and Meridian, Miss.: From Chattanooga over U.S. Highway 11 (also over Interstate Highway 59) to Meridian, and return over the same route, serving all intermediate points;

(7) Between Atlanta, Ga., and Tuskegee, Ala.: From Atlanta over U.S. Highway 29 to Tuskegee, and return over the same route, serving all intermediate points; (8) Between Atlanta Ga., and Montgomery, Ala.: From Atlanta over Interstate Highway 85 to Montgomery, and return over the same route, serving all intermediate points; (9) Between Decatur, Ala., and Fayette, Tenn.: From Decatur over U.S. Highway Alternate 72 to Huntsville, Ala., thence over U.S. Highway 231 to Fayetteville, and return over the same route, serving all intermediate points; (10) Between Birmingham, Ala., and Tupelo, Miss.: From Birmingham over U.S. Highway 78 to Tupelo, and return over the same route, serving all intermediate points in Alabama; (11) Between Tuscaloosa, Ala., and Lawrenceburg, Tenn.: From Tuscaloosa over U.S. Highway 43 to Lawrenceburg, and return over the same route, serving all intermediate points; (12) Between Columbus, Ga., and Birmingham, Ala.: From Columbus over U.S. Highway 280 to Birmingham, and return over the same route, serving all intermediate points; (13) Between Centre, Ala., and Gadsden, Ala.: From Centre over U.S. Highway 411 to Gadsden, and return over the same route, serving all intermediate points; (14) Between Hamilton, Ala., and Gadsden, Ala.: From Hamilton over U.S. Highway 278 to Gadsden, and return over the same route, serving all intermediate points; and (15) Serving points in Alabama north of U.S. Highway 80 as off-route points in connection with the routes described in (1) through (14) above.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it begin at Birmingham, Ala., and end at Charlotte, N.C.

No. MC 105881 (Sub-No. 50), filed May 27, 1975. Applicant: M.R. & R. TRUCKING COMPANY, a Corporation, 715 North Ferdon Boulevard, Crestview, Fla. 32536. Applicant's representative: W. Guy McKenzie, Jr., P.O. Box 1200, Tallahassee, Fla. 32302. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value and household goods as defined by the Commission), (a) Between Houston, Tex., and Mobile, Ala.: From Houston over Interstate Highway 10 (and also over U.S. Highway 90) to Lafayette, La., thence over U.S. Highway 167 to Opelousas, La., thence over U.S. Highway 190 to Baton Rouge, La., thence over U.S. Highway 61 to New Orleans, La., thence over U.S. Highway 90 (and also Interstate Highway 10) to Mobile, Ala., and return over the same route, serving all intermediate points, and serving the off route points of Port Arthur and Port Neches, Tex.; Lemoyne and Calvert, Ala., and the plant site of Dow Badische Company at or near Calvert, Ala.; (b) Between the junction of Interstate Highway 12 and Interstate Highway 10 at or near Pearl River, La., and the junction of Interstate Highway 12 and Interstate Highway 10 at or near Baton Rouge, La.: From the junction of Interstate Highway 12 and Interstate Highway 10 at or near Pearl River, La., over Interstate Highway 12 to junction Interstate Highway 10 at or near Baton Rouge, La., and return over the same route, serving all intermediate points.

(c) Between the junction of U.S. Highway 190 and U.S. Highway 90 near Slidell, La., and Baton Rouge, La.: From the junction of U.S. Highway 190 and U.S. Highway 90 near Slidell, La., over U.S. Highway 190 to Baton Rouge, La., and return over the same route, serving all intermediate points; (d) Between New Orleans, La., and Lafayette, La.: From New Orleans, La., over Interstate Highway 10 to Lafayette, La., and return over the same route, serving all intermediate points; and (e) Between Savannah, Ga. and Waycross, Ga.: From Savannah over U.S. Highway 17 to the junction of U.S. Highway 17 and U.S. Highway 82 approximately one (1) mile south of Midway, Ga., thence over U.S. Highway 82 to Waycross, and return over the same route; and also from Savannah over Interstate Highway 16 to the junction of Interstate Highway 16 and Interstate Highway 95, thence over Interstate Highway 95 to the junction of Interstate Highway 95 and U.S. Highway 17 approximately two (2) miles north of Belfast, Ga., thence over U.S. Highway 17 to the junction of U.S. Highway 17 and U.S. Highway 82 approximately one (1) mile south of Midway, Ga., thence over U.S. Highway 82 to Waycross, and return over the same route.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests that this application be assigned for oral hearing, and that it be consolidated with the similar applications of Overnite Transportation Company, and Roadway Express, Inc. at Jacksonville, Fla.; Mobile, Ala.; New Orleans, La.; or Houston, Tex.

No. MC 106674 (Sub-No. 164), filed May 22, 1975. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, Remington, Ind. 47977. Applicant's representative: Jerry L. Johnson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plumbing supplies and accessories*, from Monroe, Ohio, to points in Nebraska, Rhode Island, and New Jersey, restricted to the transportation of shipments originating at the plant site and warehouse facilities of Powers Flat Corporation, in Monroe, Ohio; (2) *Limestone products*, from Luttrel, Tenn. (Union County), to points in Alabama, Arkansas, Georgia, Indiana, Illinois, Kentucky, Mississippi, Missouri, North Carolina, Ohio, South Carolina, Virginia, and West Virginia, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Chicago, Ill., or Indianapolis, Ind.

No. MC 106941 (Sub-No. 5), filed May 8, 1975. Applicant: WILLIAM H. OTT, doing business as, TEXAS HOT SHOT COMPANY, P.O. Box 8587, Houston, Tex. 77009. Applicant's representative: Mike Cotten, P.O. Box 1148, Austin, Tex. 78767. 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 construction, operation, repair, servicing, maintenance or dismantling of (1) refineries and cracking plants, (2) chemical plants and petrochemical plants, (3) shipbuilders, marine service companies and shipyards, (4) sulphur plants, steel plants, rubber plants and aluminum plants, (5) electrical power and transmission plants and transmission lines, (6) pipelines and pipeline pumping or compressor stations, (7) welding and machine shops, (8) pipe fabricators, (9) tool grinders, (10) air conditioning and boiler repair service companies, (11) casting manufacturers and (12) paper companies, restricted to the transportation of shipments originating at or destined to the plantsites or facilities of the types enumerated above, (a) between Houston, Tex., on the one hand, and, on the other, points in Louisiana and Oklahoma; and (b) from Houston, Tex., to points in Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Houston, Tex.

No. MC 107012 (Sub-No.), filed May 16, 1975. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Lincoln Highway and Meyer Road, Fort Wayne, Ind. 46801. Applicant's representative: Michael L. Harvey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lawn mowers*, from McCrae and Swainboro, Ga., to points in the United States (except Alaska, Hawaii, Ohio,

Michigan, Indiana, Illinois, Wisconsin, Missouri and Nebraska.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga. or Washington, D.C.

No. MC 107993 (Sub-No. 38), filed May 27, 1975. Applicant: J. J. WILLIS TRUCKING COMPANY, P.O. Box 5328, Dallas, Tex. 75222. Applicant's representative: J. G. Dail, Jr., 1111 E Street NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, aluminum articles, iron and steel tanks, aluminum tanks, and parts, attachments, and accessories* for iron and steel tanks and aluminum tanks, between points in Liberty County, Tex., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Houston or Dallas, Tex.

No. MC 108676 (Sub-No. 76) (Correction), filed December 16, 1974, published in the FEDERAL REGISTER issues of January 23, 1975, February 20, 1975 and May 8, 1975 and in fourth publication, as corrected this issue. Applicant: A. J. METLER HAULING AND RIGGING, INC., 117 Chicamauga Avenue, Knoxville, Tenn. 37917. Applicant's representative: William T. McManus (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Junk motor vehicles, compacted and crushed motor vehicles, bodies, engines, and parts; and recycled non-ferrous or ferrous articles and materials, metal articles, and materials and supplies* used in the production of recycled metal articles and recycled materials (except commodities in bulk, in tank or dump vehicles), between points in Iowa, Wisconsin, Missouri, Oklahoma, Michigan, Texas and points in the United States east thereof, on the one hand, and, on the other, Huntsville, Ala.; Knoxville and Chattanooga, Tenn. and Atlanta, Ga., restricted against shipments originating at or destined to the facilities of Shredded Steel Products Company.

NOTE.—The purpose of this republication is to correct the commodity description stated above. If a hearing is deemed necessary, the applicant requests it be held at Knoxville, Tenn.

No. MC 109914 (Sub-No. 29), filed May 27, 1975. Applicant: DUNDEE TRUCK LINE, INC., 1831 Manhattan Blvd., Toledo, Ohio 43608. Applicant's representative: W. A. Myllenbeck, 1947 West County Road C, St. Paul, Minn. 55113. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving the S. S. Kresge Company located at Haggerty and Joy Road, Canton Township (Wayne County), Mich. as an off-route point in connection with regular route authority at Detroit, Mich.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Detroit, Mich. or Chicago, Ill.

No. MC 110325 (Sub-No. 65), filed May 16, 1975. Applicant: TRANSCON LINES, a Corporation, 101 Continental Boulevard, El Segundo, Calif. 90245. Applicant's representative: Jerome Biniasz, P.O. Box 92220, Los Angeles, Calif. 90009. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silver bullion*, from Amarillo, Tex., to New York City, Niagara Falls, and Rochester, N.Y., Newark, N.J., and Philadelphia, Pa.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Washington, D.C., or New York, N.Y.

No. MC 111231 (Sub-No. 193), filed May 29, 1975. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. 72764. Applicant's representative: James B. Blair, 111 Holcomb Street, P.O. Box 869, Springdale, Ark. 72764. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Skylights, firedomes and parts, attachments, and accessories*, from points in Dallas County, Tex., to points in the United States (except Alaska, Hawaii, and Texas).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Little Rock, Ark., or Dallas, Tex.

No. MC 111729 (Sub-No. 542), filed May 7, 1975. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, moving in courier service (except household goods, commodities in bulk, explosives, articles of unusual value, commodities which because of size or weight require special equipment, and commercial papers, documents and written instruments as are used in the business of banks and banking institutions), between points in Connecticut, New Jersey, and New York, on the one hand, and, on the other, points in Delaware, Maryland, and the District of Columbia, restricted against the transportation of packages weighing more than 50 pounds, with each package or article considered a separate and distinct shipment, and further restricted against the transportation of packages or articles weighing in the aggregate more than 100 pounds from one consignor at one location to one consignee at one location, in any one day.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.; Hartford, Conn.; and New York, N.Y.

No. MC 111729 (Sub-No. 547), filed May 27, 1975. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, moving in courier service (except household goods, commodities in bulk, explosives, articles of unusual value, and commodities which because of their size and weight require special equipment; and commercial papers, documents and written instruments as are used in the business of banks and banking institutions): (1) between points in Georgia, North Carolina, South Carolina and Virginia; and (2) between points in North Carolina and South Carolina, on the one hand, and, on the other, points in West Virginia, restricted against the transportation of packages weighing more than 50 pounds, with each package or article considered to be a separate and distinct shipment, and further restricted against the transportation of packages or articles weighing in the aggregate more than 100 pounds from one consignor at one location to one consignee at one location, in any one day.

NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., Washington, D.C., or Charlotte, N.C.

No. MC 112713 (Sub-No. 181), filed May 22, 1975. Applicant: YELLOW FREIGHT SYSTEM, INC., P.O. Box 7270, 10990 Roe Avenue, Shawnee Mission, Kans. 66207. Applicant's representative: David B. Schneider (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silver bullion*, from the plantsite and warehouse facility of American Smelting and Refining Company at Amarillo, Tex., to New York, Rochester and Niagara Falls, N.Y., Philadelphia, Pa., and Newark, N.J.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 112713 (Sub-No. 182), filed May 22, 1975. Applicant: YELLOW FREIGHT SYSTEM, INC., P.O. Box 7270, Shawnee Mission, Kans. 66207. Applicant's representative: David B. Schneider (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite and warehouse facilities of Essex International located at Hoisington, Kans., as an off-route point in connection with carrier's regular route operations, between Abilene and Wichita, Kans.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.

No. MC 113528 (Sub-No. 26), filed May 29, 1975. Applicant: MERCURY FREIGHT LINES, INC., 67 Midtown Park East, P.O. Box 1247, Mobile, Ala.

36601. Applicant's representative: Drew L. Carraway, 618 Perpetual Building, Washington, D.C. 20004. 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, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment): (1) Between Houston, Tex. and Jacksonville, Fla.: From Houston over Interstate Highway 10 (also over U.S. Highway 90) to Lafayette, La., thence over U.S. Highway 167 to Opelousas, La., thence over U.S. Highway 190 to Baton Rouge, La., thence over U.S. Highway 61 (also over Interstate Highway 10), to New Orleans, La., thence over U.S. Highway 90 (and also Interstate Highway 10) to Jacksonville, and return over the same route, serving all intermediate points, and serving Silsbee, Tex. and the Allen's Creek Nuclear Project located approximately 3 miles northwest of Wallis, Tex., as off-route points; (2) Between the junction of Interstate Highway 12 and Interstate Highway 10 at or near Pearl River, La., and Lafayette, La.: From the junction of Interstate Highway 12 and Interstate Highway 10 over Interstate Highway 12 to junction Interstate Highway 10 at or near Baton Rouge, La., thence over Interstate Highway 10 to Lafayette, and return over the same route, serving all intermediate points; (3) Between the junction of U.S. Highway 190 and U.S. Highway 90 near Slidell, La., and Baton Rouge, La.: From the junction of U.S. Highway 190 and U.S. Highway 90 over U.S. Highway 190 to Baton Rouge, and return over the same route, serving all intermediate points.

(4) Between Houston, Tex. and Texas City, Tex.: (a) From Houston over Texas Highway 35 to Alvin, Tex., thence over Texas Highway 6 to Texas City, and return over the same route, serving all intermediate points, and serving the Amoco Plantsite and the Monsanto Company Plantsite at or near Chocolate Bayou, Tex., as off-route points; and (b) From Houston over Interstate Highway 45 to Texas City, and return over the same route, serving all intermediate points, and serving the Amoco Plantsite and the Monsanto Company Plantsite at or near Chocolate Bayou, Tex., as off-route points; (5) Between Alvin, Tex. and Freeport, Tex.: From Alvin over Texas Highway 35 to Angleton, Tex., thence over Texas Highway 288 to Freeport, and return over the same route, serving all intermediate points, and serving Bay City, Tex. as an off-route point; (6) Between Tallahassee, Fla. and Tampa, Fla.: From Tallahassee over U.S. Highway 27 to junction U.S. Highway 19 at or near Capps, Fla., thence over U.S. Highway 19 to junction U.S. Highway 98 at or near Chassahowitzka, Fla., thence over U.S. Highway 98 to Brooksville, Fla., thence over U.S. Highway 41 to Tampa, and return over the same route, serving all intermediate points; (7) Between the junction of U.S. Highway 19 and U.S. Highway 98 at or near Chassahowitzka, Fla., and St. Petersburg, Fla.: From the junction of U.S. Highway 19 and U.S. Highway 98 over U.S. Highway 19 to St. Petersburg, and return over the same route, serving all intermediate points; (8) Between the junction of Interstate Highway 10 and Interstate Highway 75 approximately 7 miles northwest of Lake City, Fla., and Tampa, Fla.: From the junction of Interstate Highway 10 and Interstate Highway 75 over Interstate Highway 75 to Tampa, and return over the same route, serving all intermediate points; (9) Between the junction of Interstate Highway 10 and U.S. Highway 441 at or near Winfield, Fla., and Orlando, Fla.: From the junction of Interstate Highway 10 and U.S. Highway 441 over U.S. Highway 441 to Orlando, and return over the same route, serving all intermediate points.

(10) Between the junction of U.S. Highway 27 and U.S. Highway 441 at or near Leesburg, Fla., and Miami, Fla.: From the junction of U.S. Highway 27 and U.S. Highway 441 over U.S. Highway 27 to junction Florida's Turnpike south of Leesburg, thence over the Florida's Turnpike to Miami, and return over the same route, serving all intermediate points; (11) Between Tampa, Fla. and Miami, Fla.: From Tampa over U.S. Highway 41 to Naples, Fla., thence over Secondary State or County Highway 858 to junction Florida Highway 84, thence over Florida Highway 84 to junction U.S. Highway 27, thence over U.S. Highway 27 to Miami, and return over the same route, serving all intermediate points; (12) Between Orlando, Fla., and junction of U.S. Highway 92 and Florida's Turnpike near Taft, Fla.: From Orlando over U.S. Highway 92 to junction Florida's Turnpike, and return over the same route, serving all intermediate points; (13) Between Tampa, Fla., and St. Petersburg, Fla.: (a) From Tampa over U.S. Highway 92 to St. Petersburg, and return over the same route, serving all intermediate points; and (b) From Tampa over Interstate Highway 75 to St. Petersburg, and return over the same route, serving all intermediate points.

(14) Between Tampa, Fla., and the junction of Florida Highway 60 and U.S. Highway 19: From Tampa over Florida Highway 60 to junction U.S. Highway 19, and return over the same route, serving all intermediate points; (15) Between Atlanta, Ga., and Mobile, Ala.: From Atlanta over U.S. Highway 29 (also over Interstate Highway 85) to La Grange, Ga., thence over Georgia Highway 219 to junction Interstate Highway 85, thence over Interstate Highway 85 to junction Interstate Highway 65, thence over Interstate 65 to junction Alabama Highway 59, thence over Alabama Highway 59 to junction U.S. Highway 31, thence over U.S. Highway 31 to Mobile, and return over the same route, serving La Grange, Ga., as an intermediate point, and serving Columbus, Ga., and Phenix City, Ala., as off-route points; and (16) Serving points in Florida on and east of U.S. Highway 319 as off-route points in connection with the routes requested in (1), (6), (7), (8), (9), (10), (11), (12), (13), and (14) above.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held on consolidated record with the similar applications filed by Overnite Transportation Company in MC 109533 (Sub-No. 67) and Roadway Express, Inc. in MC 2202 (Sub-No. 481) at Houston, Tex., New Orleans, La., and Jacksonville, Fla.

No. MC 113651 (Sub-No. 184), filed May 30, 1975. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. 47303. Applicant's representative: Daniel C. Sullivan, 327 S. LaSalle St., Suite 1000, Chicago, Ill. 60604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned goods and dried packaged foods*, from Eaton, Ind., to points in Alabama, Georgia, Florida, North Carolina, South Carolina, Tennessee, West Virginia, Virginia, Kentucky, Texas, Kansas, Indiana, Missouri, Nebraska, Iowa, South Dakota, Minnesota, Wisconsin, Illinois, Michigan, Ohio, Pennsylvania, New York, New Jersey, Maryland, Delaware, Massachusetts and the District of Columbia; and (2) *returned or rejected shipments of canned goods and dried packaged foods*, from the destination points named in (1) above, to Eaton, Ind.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113908 (Sub-No. 344), filed May 22, 1975. Applicant: ERICKSON TRANSPORT CORPORATION, a Corporation, 2105 East Dale Street, P.O. Box 3180 G.S.S., Springfield, Mo. 65804. Applicant's representative: B. B. Whitehead (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Neutral spirits, distilled spirits and alcohol*, in bulk, from Roberta, Ga., to Chicago, Ill.; (2) *wine and wine products*, in bulk, from Westfield, N.Y., to Roberta, Ga.; (3) *neutral spirits, distilled spirits and alcohol*, in bulk, from Roberta, Ga., to Westfield, N.Y.; and (4) *wine and wine products*, in bulk, from Atlanta, Ga., to Baltimore, Md., Danville, Va. and Church Point, La.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Kansas City, Mo., Chicago, Ill. or Washington, D.C.

No. MC 114273 (Sub-No. 233), filed May 27, 1975. Applicant: CRST, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Robert E. Konchar, Suite 315 Commerce Exchange Bldg., 2720 First Ave. NE., P.O. Box 1943, Cedar Rapids, Iowa 52406. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from the plantsite and storage facilities of North Star Steel Company, at or near Wilton, Iowa, to points in Colorado, Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio and Wisconsin; and (2) *materials, equipment and supplies*, used in the manufacture of iron and steel articles, from points in the states named in part (1) above, to the plantsite and storage facilities of North

Star Steel Company, at or near Wilton, Iowa, restricted to traffic originating at and destined to the above named points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114457 (Sub-No. 237), filed May 27, 1975. Applicant: DART TRANSIT COMPANY, 780 North Prior Avenue, St. Paul, Minn. 55104. Applicant's representative: James C. Hardman, 33 North LaSalle St., Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Metal containers and container ends*, from Whitehouse, Ohio, to points in the United States (except Alaska and Hawaii); and (2) *equipment, materials, and supplies* used in the manufacture of metal containers and container ends, from points in the United States (except Alaska and Hawaii), to Whitehouse, Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115523 (Sub-No. 175), filed May 28, 1975. Applicant: CLARK TANK LINES COMPANY, INC., 1450 Beck Street, Salt Lake City, Utah 84110. Applicant's representative: F. Robert Reeder, P.O. Box 11898, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid asphalt*, in bulk, in tank vehicles, from Fredonia, Ariz., to points in Utah.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Salt Lake City, Utah.

No. MC 115654 (Sub-No. 36), filed May 1, 1975. Applicant: TENNESSEE CARTAGE CO., INC., No. 1 Candy Lane, P.O. Box 1193, Nashville, Tenn. 37202. Applicant's representative: Walter Harwood, P.O. Box 15214, Nashville, Tenn. 37215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* exempt from regulation under the provisions of 203(b)(6) of the Act, when moving with regulated commodities, between points in Tennessee, Kentucky, Alabama, Georgia and Cincinnati, Ohio; St. Louis, Mo.; Indianapolis and Evansville, Ind.; and the commercial zones of Memphis, Bristol and Chattanooga, Tenn.; and Louisville, Ky.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Nashville, Tenn., or Atlanta, Ga.

No. MC 115654 (Sub-No. 39), filed May 19, 1975. Applicant: TENNESSEE CARTAGE CO., INC., P.O. Box 1193, Nashville, Tenn. 37202. Applicant's representative: Walter Harwood, P.O. Box 15214, Nashville, Tenn. 37215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen bakery products*, moving in vehicles equipped with mechanical refrigeration (except in bulk), from the plantsite and warehouse facilities of European Bakers, Ltd., located at or near Atlanta, Ga., to points in Tennessee, Kentucky, Alabama, the commercial zones of Louisville, Ky., Bristol, Tenn., Chattanooga, Tenn., Memphis, Tenn., Evansville, and Indianapolis, Ind.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Nashville, Tenn., or Atlanta, Ga.

No. MC 115841 (Sub-No. 504), filed May 9, 1975. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., Suite 200, 105 Vulcan Road, P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Candy, confectionery products, and equipment, materials, and supplies*, used in the production and transportation thereof; and (2) *advertising and promotional materials*, when moving in mixed loads, one or more of the commodities specified in (1) above, between the plantsite and storage facilities utilized by Charms Company, at or near Covington, Tenn., on the one hand, and, on the other, the plantsite and storage facilities utilized by Charms Company, at or near Freehold, N.J., restricted to traffic originating at or destined to the named points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 116063 (Sub-No. 138), filed May 27, 1975. Applicant: WESTERN-COMMERCIAL TRANSPORT, INC., P.O. Box 270, Fort Worth, Tex. 76101. Applicant's representative: W. Harold Cole (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils, animal fats, and blends* thereof, in bulk, in tank vehicles, from Fort Worth, Tex., to points in California and Florida.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Fort Worth or Dallas, Tex.

No. MC 116254 (Sub-No. 151), filed May 27, 1975. Applicant: CHEM-HAULERS, INC., P.O. Box 245, Sheffield, Ala. 35660. Applicant's representative: Walter Harwood, P.O. Box 15214, Nashville, Tenn. 37215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Processed kaolin clay*, in bulk, in tank vehicles, from Hackleburg, Ala., to the plantsite of Owens-Corning Company at or near Jackson, Tenn.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala. or Nashville, Tenn.

No. MC 116923 (Sub-No. 6), filed May 23, 1975. Applicant: KRAMER TRUCKING CO., INC., 275 Trumbull Street, Elizabeth, N.J. 07206. Applicant's representative: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, N.J. 08904. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile Carbon Adsorption Water Treatment Unit* on a U.S. Environmental Protection Agency's trailer, between points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Newark, N.J. or New York, N.Y.

No. MC 118038 (Sub-No. 8), filed May 6, 1975. Applicant: EASLEY HAULING SERVICE, INC., P.O. Box 1261, Yakima, Wash. 98907. Applicant's representative: Douglas A. Wilson, Suite No. 2, Yakima Legal Center, 303 East "D" Street, Yakima, Wash. 98901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Empty containers and parts thereof*, weighing less than 100 lbs. per container, between points in Oregon, Washington and Idaho (excluding service between Portland, Oreg., and Seattle, Wash.); and (b) *insulation*, in bags, between Portland, Oreg., and points in Washington and Idaho.

NOTE.—Applicant holds contract carrier authority in MC 103194 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Portland, Oreg., or Seattle, Wash.

No. MC 119302 (Sub-No. 22), filed May 19, 1975. Applicant: MILLER TRANSFER AND RIGGING CO., a Corporation, P.O. Box 6077, Akron, Ohio 44312. Applicant's representative: A. David Milliner, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by a manufacturer of power tools and of lawn, home and garden equipment, and *materials, supplies and equipment* used in the conduct of such business (except in bulk), between points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia and Wisconsin, restricted to a transportation service to be performed under a continuing contract or contracts with The Black and Decker Manufacturing Co., Towson, Md.

NOTE.—Common control may be involved. Applicant holds common carrier authority in MC 87103 therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 119399 (Sub-No. 53), filed June 2, 1975. Applicant: CONTRACT FREIGHTERS, INC., 2900 Davis Boulevard, Joplin, Mo. 64801. Applicant's representative: David L. Sitton (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, *and related advertising matter* (1) from Ft. Worth, Tex., to St. Joseph, Mo., and Pine Bluff, Ark.; (2) from San Antonio, Tex., to points in Arkansas, Oklahoma, and Missouri; (3) from Pabst (Houston

County), Ga., to points in Arkansas, Missouri, and Oklahoma; and (4) from Belleville, Ill., and St. Paul, Minn., to Hannibal, Mo.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.; Oklahoma City, Okla.; or Little Rock, Ark.

No. MC 119547 (Sub-No. 41), filed May 21, 1975. Applicant: EDGAR W. LONG, INC., Route 4, Zanesville, Ohio 43701. Applicant's representative: Richard H. Brandon, 220 West Bridge Street, P.O. Box 97, Dublin, Ohio 43017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick and clay products* (except in bulk), from Ava, Ohio, to that part of the United States east of the Western boundaries of Wisconsin, Illinois, Kentucky, Tennessee, and Mississippi.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Columbus, Ohio, or Washington, D.C.

No. MC 119615 (Sub-No. 6), filed May 15, 1975. Applicant: ALEXANDER TRUCK LINES, INC., P.O. Box 303, Edinburg, Tex. 78539. Applicant's representative: Clayte Binion, 1108 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Olives* and *materials and supplies* used in the sale and distribution of olives; and (2) *those commodities described in (1) above* when transported mixed loads with agricultural commodities exempt from economic regulation under Section 203(b)(6) of the Act, between Houston, Tex., and Los Angeles, Calif., restricted to the transportation of shipments moving to or from the facilities of Spencer Food Co.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests that it be held at Houston or Dallas, Tex.

No. MC 119880 (Sub-No. 67), filed May 8, 1975. Applicant: DRUM TRANSPORT, INC. (NEBR. CORP.), P.O. Box 2056, East Peoria, Ill. 61611. Applicant's representative: Donald L. Stern, 530 Univac Bldg., 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic liquors*, in bulk, in tank vehicles, from Newark, N.J.; Bardstown, Ky.; Weston, Mo.; New Orleans, La.; and Lake Alfred, Fla.; to Portland, Oreg.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Omaha, Nebr.

No. MC 119988 (Sub-No. 82), filed May 30, 1975. Applicant: GREAT WESTERN TRUCKING CO., INC., Highway 103 East, P.O. Box 1384, Lufkin, Tex. 75901. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Texas 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper mill products, pulp mill products and materials, equipment and supplies* used in the manufacture and/or distribution thereof (except commodities in bulk), between the plant site and storage facilities of Potlatch Corporation in Desha County, Ark., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 121306 (Sub-No. 10), filed May 27, 1975. Applicant: SUPERIOR MOTOR EXPRESS, INC., P.O. Box 98, Gold Hill, N.C. 28071. Applicant's representative: Francis J. Ortman, 1100 17th St. NW., Suite 613, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel pipe, tubing and conduit*, from Wheatland, Penn., to points in South Carolina, Georgia, and Florida.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 123255 (Sub-No. 53), filed May 30, 1975. Applicant: B & L MOTOR FREIGHT, INC., 140 Everett Ave., Newark, Ohio 43055. Applicant's representative: C. F. Schnee, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles*, distributed or dealt in by food distributors or wholesale or retail grocers (except frozen foods and commodities in bulk), from the plantsite and warehouse facilities of Retail Merchants Consolidation & Distribution Center, a Division of Columbus Retail Merchants Delivery, Inc., located at or near Columbus, Ohio to points in Illinois, Indiana, Kentucky, Lower Peninsula of Michigan, New York, Ohio, Pennslyvania and West Virginia.

NOTE.—Applicant holds contract carrier authority in MC 81968 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio.

No. MC 123407 (Sub-No. 240), filed May 27, 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: *Lumber, lumber products, and particle board*, from the facilities of Southwest Forest Industries, Inc., located at Flagstaff, Ariz., to points in the United States, including Alaska, but excluding Hawaii.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Phoenix, Ariz.

No. MC 123407 (Sub-No. 241), filed May 29, 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: (1) *Iron and steel articles*, from the plantsite and storage facilities of North Star Steel Company, located at or near Wilton, Iowa, to points in the United States (except Hawaii); and (2) *materials, equipment and supplies* used in the manufacture and distribution of iron and steel articles, from points in the United States, to the plantsite and storage facilities of North Star Steel Company, located at or near Wilton, Iowa, restricted to traffic originating at and destined to the above-named points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either St. Paul, Minn., or Washington, D.C.

No. MC 123819 (Sub-No. 39), filed May 22, 1975. Applicant: ACE FREIGHT LINE, INC., P.O. Box 16589, Memphis, Tenn. 38116. Applicant's representative: Bill R. Davis, Emerson Center, Suite 101, 2814 New Spring Rd., Atlanta, Ga. 30339. Authority sought to operates as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hides, hide trimmings, and tails*, between Tupelo, Miss., on the one hand, and, on the other, points in Texas, Louisiana, Wisconsin, Pennsylvania, New Jersey, New York, Illinois, Massachusetts, Maine, Maryland, Indiana, Kentucky, Mississippi, West Virginia, Virginia, Alabama, Michigan, Georgia, Vermont, and Tennessee (except Memphis).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Memphis, Tenn., or Washington, D.C.

No. MC 124071 (Sub-No. 10), filed May 27, 1975. Applicant: LIVESTOCK SERVICE, INC., 1420 Second Avenue South, St. Cloud, Minn. 56301. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates 61 M.C.C. 209 and 799, from the plant site and storage facilities of Long Prairie Packing Co., located at Long Prairie, Minn., and the storage facilities of Long Prairie Packing Co., located at St. Paul, Minn., to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Michigan, Massachusetts, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Vermont, Wisconsin, and the District of Columbia, restricted against the transportation of commodities in bulk and hides, and further restricted to the transportation of shipments originating at the above named plant site and storage facilities, under a continuing contract or contracts with Long Prairie Packing Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 124078 (Sub-No. 652), filed May 27, 1975. Applicant: SCHWERMAN TRUCKING CO., a Corporation, 611

South 28th Street, Milwaukee, Wis. 53215. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Vegetable oils, vegetable oil products, and blends thereof*, in bulk, in tank vehicles, from Marks, Miss., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi and Tennessee; (2) *materials and supplies* used in the manufacture of vegetable oils, vegetable oil products and blends thereof, from points in Alabama, Florida, Georgia, Kentucky, Louisiana, and Tennessee, to Marks, Miss.; (3) *clay slurry*, in bulk, from Huber, Ga., to Ashland, Ohio; (4) *cement*, in bulk, from Erie, Pa., to points in New York, Ohio and Pennsylvania; and (5) *fly ash*, in bulk, in tank vehicles, from Louisville, Ky., to the site of the Gathright Dam (Alleghany County), Va.

NOTE.—Applicant holds contract carrier authority in MC 113832 (Sub-No. 68), therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at either Memphis, Tenn. or Chicago, Ill.

No. MC 124211 (Sub-No. 265), filed May 23, 1975. Applicant: HILT TRUCK LINE, INC., P.O. Box 988, Omaha, Nebr. 68101. Applicant's representative: Thomas L. Hilt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such commodities* as are dealt in and used by producers and distributors of beverages (except commodities in bulk, when moving in mixed loads with beverages), from points in Kentucky, to points in the United States on and west of U.S. Highway 75 (except points in Oklahoma, Texas, Alaska and Hawaii); and (2) *such commodities* as are dealt in and used by banking and financial institutions (except commodities in bulk), between points in Otoe and Seward Counties, Nebr., on the one hand, and, on the other, points in Idaho, Minnesota, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington and Wyoming.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Lincoln or Omaha, Nebr.

No. MC 124579 (Sub-No. 15), filed May 30, 1975. Applicant: WIKEL BULK EXPRESS, INC., Route 2, Huron, Ohio 44839. Applicant's representative: James Duvall, 220 West Bridge St., P.O. Box 97, Dublin, Ohio 43017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats and oils*, (1) from points in Erie County, Ohio, to points in Delaware, Maryland, Michigan, New Jersey, New York, Ohio and Pennsylvania; and (2) from Detroit, Mich., to points in Ohio.

NOTE.—Applicant holds motor contract carrier authority in MC 114377, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either, Columbus, Ohio or Washington, D.C.

No. MC 124947 (Sub-No. 40), filed May 29, 1975. Applicant: MACHINERY TRANSPORTS, INC., P.O. Box 417, Stroud, Okla. 74079. Applicant's representative: T. M. Brown, 223 Ciudad Bldg., Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Boilers, steam turbines, incinerators, and accessories and parts therefor;* and (2) materials, equipment, and supplies used or useful in the manufacture, sale, and distribution of the commodities in (1) above, between the facilities of the Trane Company located in Des Moines County, Iowa, on the one hand, and, on the other, points in the United States, including Alaska, excluding Hawaii.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Chicago, Ill.; Washington, D.C.; or St. Louis, Mo.

No. MC 126899 (Sub-No. 85), filed May 23, 1975. Applicant: USHER TRANSPORT, INC., 3925 Old Benton Road, P.O. Box 3051, Paducah, Ky. 42001. Applicant's representative: George M. Catlett, 703–706 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages*, and *related advertising material* when shipped with malt beverages, from Detroit, Mich., to Memphis, Tenn., and (2) *empty malt beverage containers*, on return.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Memphis or Nashville, Tenn.

No. MC 127811 (Sub-No. 6), filed May 27, 1975. Applicant: BRYNWOOD TRANSFER, INC., 175–8th Avenue SW., New Brighton, Minn. 55112. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from the plant site and storage facilities of North Star Steel Company, located at or near Wilton, Iowa, to points in Illinois, Indiana, Michigan, Minnesota, North Dakota, South Dakota, and Wisconsin and (2) *materials, equipment and supplies* used in the manufacture and distribution of iron and steel articles, from points in the states named in (1) above, to the plant site and storage facilities of North Star Steel Company, located at or near Wilton, Iowa, restricted to traffic originating at and destined to the above named points.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 128273 (Sub-No. 188), filed May 28, 1975. Applicant: MIDWESTERN DISTRIBUTION, INC., P.O. Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross, 1403 South Horton Street, Fort Scott, Kans. 66701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper mill products and pulp mill products;* and (2) *materials, equipment and supplies* used in the manufacture and or distribution of paper mill products and pulp mill products (except commodities in bulk), between the plant site and storage facilities of Potlatch Corporation located in Desha County, Ark., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be heard on a consolidated basis with Diamond Transportation System, Inc., Melton Truck Lines, Inc., and Great Western Trucking Company, Inc.

No. MC 128320 (Sub-No. 7), filed May 16, 1975. Applicant: ART QUIRING, 118½ West Fourth Street, P.O. Box 1481, Grand Island, Nebr. 68801. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Candy, cookies, nuts, confectionaries, edible baking supplies, beverage preparations, and related commodities*, from Davenport, Iowa and Rock Island and Moline, Ill., to points in the United States (except Alaska and Hawaii); and (2) *commodities named in (1) above, and materials, equipment and supplies* used in the manufacturing, production and distribution of the commodities named in (1) above, from points in the United States (except Alaska and Hawaii), to Davenport, Iowa and Rock Island and Moline, Ill., restricted against the transportation of commodities in bulk, and further restricted to a transportation service to be performed under a continuing contract, or contracts, with Lusk Candy Co., and Fresh Pak Candy Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Des Moines, Iowa or Chicago, Ill.

No. MC 128555 (Sub-No. 9) (correction), filed April 17, 1975, published in the FEDERAL REGISTER issue of May 22, 1975, republished as corrected, this issue. Applicant: MEAT DISPATCH, INC., 2103 17th Street East, Palmetto, Fla. 33561. Applicant's representative: S. Michael Richards, 44 North Avenue, Webster, N.Y. 14580. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except frozen), from Rochester, N.Y., to points in Virginia, North Carolina, South Carolina, Georgia and Florida, under a contract with Ragu Foods, Inc.; (2) (a) *malt beverages*, from Natick, Mass., and Baltimore, Md., to Rochester, N.Y.; and (b) *return empty containers and pallets*, from Rochester, N.Y., to Natick, Mass., and Baltimore, Md., under contract with Rochester Beer & Beverage, Inc.

NOTE.—The purpose of this republication is to correct the requested authority in this proceeding. Applicant holds common carrier authority in MC 136123, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Rochester or Buffalo, N.Y.

No. MC 129679 (Sub-No. 1), filed May 19, 1975. Applicant: ROSS COUNTY TRANSPORTATION, INC., 8 Coventry Court, Chillicothe, Ohio 45601. Appli-

cant's representative: John G. Blair, 6 West Main Street, P.O. Box 1610, Chillicothe, Ohio 45601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, bottles, cans and cooperage*, not in bulk; and *related advertising materials and sales promotional items* when moved in mixed loads with malt beverages, (1) from Milwaukee, Wis., to Lucasville and Athens, Ohio; and (2) from Pittsburgh, Pa., to Lucasville, Ohio, under a continuing contract or contracts with Union Coal Company, Holzapfel Distributing Co., Kerr Wholesale Co., Keck Distributing Co., Athens, Ohio and Keck Distributing Co., Lucasville, Ohio.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chillicothe, Columbus, or Cincinnati, Ohio.

No. MC 134238 (Sub-No. 9), filed May 27, 1975. Applicant: GENE'S, INC., 10115 Brookville-Salem Road, Clayton, Ohio 45315. Applicant's representative: Paul F. Berry, 8 East Broad Street, Ninth Floor, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dairy products and water ices*, in vehicles equipped with mechanical refrigeration: (a) from the facilities of Kroger Co. at or near Cincinnati, Ohio, to points in Missouri and Arkansas; and (b) from the warehouse of Home Dairy Co. at Berne, Ind., to points in Arkansas, Georgia, Illinois, Kentucky, Michigan, Missouri, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia; and (2) *returned, rejected, or damaged shipments* of the commodities named in (1) above, from the above named destinations, to the above named origins, under a continuing contract or contracts with Kroger Co. of Cincinnati, Ohio.

NOTE.—Applicant holds common carrier authority in MC 133977 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 135518 (Sub-No. 3), filed May 22, 1975. Applicant: EVERETT TRUCKING, INC., P.O. Box 56, Mount Vernon, Wash. 98273. Applicant's representative: George Kargianis, 2120 Pacific Bldg., Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, requiring mechanical refrigerated equipment, from Los Angeles, San Francisco, and Bakersfield, Calif., and their commercial zones, to points in Washington, Oregon and Alaska, and their commercial zones.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 135895 (Sub-No. 7), filed May 23, 1975. Applicant: DON RAY BOYD AND JACKIE ROGERS, a partnership, doing business as, B & R DRAYAGE COMPANY, P.O. Box 8534, Jackson, Miss. 39208. Applicant's representative: Douglas C. Wynn, P.O. Box 1295, Greenville, Miss. 38701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Sand, sand products and mineral fillers*, between the plantsites and facilities of Mississippi Valley Silica Company located in St. Tammany Parish, La., on the one hand, and, on the other, points in Arkansas, Tennessee and Texas; (2) *agricultural insecticides* (except in bulk), between the plantsites and facilities of Allied Chemical Corp. located at or near Prairie, Miss., on the one hand, and, on the other, points in Arkansas, Florida, North Carolina, Oklahoma, South Carolina and Tennessee; and (3) *paper and paper articles and equipment, materials and supplies* used in the manufacture of paper and paper articles (except commodities in bulk), between the plantsites and facilities of The Weyerhaeuser Company located at or near Florence, Ala., Houston, Tex. and North Valliant, Okla., on the one hand, and, on the other, points in Alabama, Arkansas, Louisiana, Mississippi, Oklahoma, Tennessee and Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Jackson, Miss.; New Orleans, La.; Memphis, Tenn. or Houston, Tex.

No. MC 136032 (Sub-No. 11), filed May 9, 1975. Applicant: TEXAS-CONTINENTAL EXPRESS, INC., P.O. Box 434, Euless, Tex. 76039. Applicant's representative: Rocky Moore (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tillers*, from Statesville, N.C., to points in Florida, Georgia, Alabama, Mississippi, South Carolina, Tennessee, Kentucky, Virginia, West Virginia, Ohio, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, New Hampshire, Vermont and Maine, under contract with Western Auto Supply Company.

NOTE.—Applicant holds common carrier authority in MC 133095 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Kansas City, Mo.

No. MC 136212 (Sub-No. 14), filed May 23, 1975. Applicant: JENSEN TRUCKING COMPANY, INC., P.O. Box 349, Gothenburg, Nebr. 69138. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rubber, rubber packing, rubber products, materials, equipment, machinery, mixed compounds and supplies* used in the manufacture of the above named commodities, *paper, tubes, boxes* and *repair parts* for machinery (except commodities in bulk, in tank vehicles), between Wilson, N.C., Goshen, Ind., and Gothenburg, Nebr., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), restricted to traffic originating at or destined to the facilities of Goshen Rubber Company.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Lincoln or Omaha, Nebr.

No. MC 136226 (Sub-No. 1), filed May 9, 1975. Applicant: BOB DANIELS, 430 South 3rd St., P.O. Box 696, Montesano, Wash. 98563. Applicant's representative: Bob Daniels (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Alcoholic beverages*, from points in California, to points in King County, Wash.; and (2) *red cedar shakes, shingles, ridge and trim*, from points in Grays Harbor County, Wash., to points in California.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash., or Portland, Oreg.

No. MC 136343 (Sub-No. 45), filed May 28, 1975. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, Pa. 17847. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printing paper*, other than newsprint, from the plant site of Finch, Pruyn & Company, Inc., located at Glens Falls, N.Y., to points in Pennsylvania (on and east of U.S. Highway 15), and Baltimore, Md., and points within 10 miles of Baltimore, Md., and Virginia, North Carolina, South Carolina, Georgia and Tennessee.

NOTE.—Common control may be involved. Applicant holds motor contract carrier authority in MC 96098, and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either Albany, N.Y., or Washington, D.C.

No. MC 136509 (Sub-No. 2), filed May 28, 1975. Applicant: JAMES R. COLELLO, INC., 174 Plain Street, Millis, Mass. 02054. Applicant's representative: William P. Sullivan, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Insulating materials, asbestos, asphalt, cement, roofing and building materials;* and (2) *materials and supplies* (except liquid commodities in bulk) used in the manufacture, installation and distribution of the commodities described in (1) above, between the plant site of GAF Corporation located at Millis, Mass., on the one hand, and, on the other, points in Connecticut, Maine, Massachusetts, New Jersey, New Hampshire, Rhode Island and Vermont, under a continuing contract or contracts with GAF Corporation of South Bound Brook, N.J.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C., or Boston, Mass.

No. MC 136713 (Sub-No. 5), filed May 27, 1975. Applicant: AERO LIQUID TRANSIT, INC., 834 W. Main Street, Lowell, Mich. 49331. Applicant's representative: Daniel J. Kozera, Jr., 715 McKay Tower, Grand Rapids, Mich. 49502. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Propane and butane gas*, in bulk, in tank vehicles, from the port of entry on the International Boundary line between the United States

and Canada at or near Port Huron, Mich., to points in Michigan, restricted to traffic originating at Sarnia, Ontario, Canada and points within a five mile radius thereof.

NOTE.—Applicant holds motor contract carrier authority in MC 135012, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich., Detroit, Mich., or Chicago, Ill.

No. MC 138555 (Sub-No. 4), filed May 23, 1975. Applicant: ROBERT H. COWEN, doing business as COWEN TRUCK LINE, Route 2, Perrysville, Ohio 44864. Applicant's representative: David A. Turano, 100 E. Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Household appliances and materials, equipment and supplies* (except commodities in bulk) used in the manufacture of household appliances (a) from St. Louis, Mo., to Holly Springs, Miss.; North Canton, Ohio and Chicago, Ill.; (b) from Chicago, Ill. to North Canton, Ohio and St. Louis, Mo.; (c) from North Canton, Ohio to St. Louis, Mo. and Chicago, Ill.; (d) from Holly Springs, Miss. to St. Louis, Mo.; (e) between the ports of entry on the International Boundary line between the United States and Canada located at Buffalo and Niagara Falls, N.Y., on the one hand, and, on the other, points in North Canton, Ohio, restricted to shipments originating at or destined to points in Ontario, Canada and further restricted to a service to be performed under a continuing contract or contracts with The Hoover Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio.

No. MC 138304 (Sub-No. 10), filed May 30, 1975. Applicant: NATIONAL PACKERS EXPRESS, INC., 29 South LaSalle St., Chicago, Ill. 60603. Applicant's representative: Craig B. Sherman (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, malt beverage dispensing equipment and advertising materials and supplies* (except commodities in bulk), from Houston, Tex.; New Orleans, La.; and Mobile, Ala., to points in New Mexico, Texas, Arizona, California, Washington, Oregon, Nevada, Utah, Idaho, Colorado, Tennessee, Kentucky, Missouri, Iowa, Nebraska, Wisconsin, Minnesota, Louisiana, and Arkansas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Chicago, Ill., New York, N.Y., or Washington, D.C.

No. MC 138807 (Sub-No. 9), filed May 27, 1975. Applicant: ZIP TRUCKING, INC., P.O. Box 5717, Jackson, Miss. 39208. Applicant's representative: K. Edward Wolcott, 1600 First Federal Bldg., Atlanta, Ga. 30303. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Covered copper wire and florescent lamp ballasts*, from Mendenhall, Miss., to points in Arizona, New Mexico, Utah, Colorado and those points in and south of San Luis Obispo, Kern and San Bernardino Counties, Calif., under a continuing contract with Universal Manufacturing Corp.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held either Jackson, Miss., or New Orleans, La.

No. MC 139010 (Sub-No. 3), filed May 28, 1975. Applicant: BLACKLINE AMERICAN CORPORATION, 1918 West Grant Street, Phoenix, Ariz. 85009. Applicant's representative: A. Michael Bernstein, 1327 United Bank Bldg., 3550 North Central, Phoenix, Ariz. 85012. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Concrete roofing tile and related accessories*, from the plant site of Monier-Raymond Tile Company, located in Phoenix, Ariz., to points in New Mexico, Utah, Colorado, Nevada, California, and Texas, under a continuing contract with Monier-Raymond Tile Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Phoenix, or Tucson, Ariz.

No. MC 139174 (Sub-No. 1), May 30, 1975. Applicant: J. C. DUDA, 119 Huntington Drive, San Francisco, Calif. 94132. Applicant's representative: Kenneth R. Davis, 121 South Main Street, Taylor, Penn. 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *School supplies*, from Jersey City, N.J., to points in California, Oregon, Washington, Colorado, Wyoming and Utah; and (2) *drafting equipment and supplies* from Bloomfield, Conn., to points in California, Oregon, Washington, Colorado, Wyoming and Utah.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 139396 (Sub-No. 5), filed May 28, 1975. Applicant: MITCHELL & SON, INC., 1940 Carolyn Lane, Pearl, Miss. 39208. Applicant's representative: Morton E. Kiel, Suite 6193—5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from New Albany, Okolona, Tupelo, and Guntown, Miss., and Turkey and Rocky Mount, N.C., to points in and west of Louisiana, Arkansas, Missouri, Iowa and Minnesota, under a continuing contract with Futorian Corp.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Memphis, Tenn.

No. MC 139495 (Sub-No. 71), filed May 16, 1975. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Finished knit cloth and sewing mill machinery and supplies*, from the plant site and storage facilities of the William Carter Company at or near Barnesville, Ga., to the plantsites and storage facilities of the William Carter Company at or near Harligen, Tex. and Senatobia and Centreville, Miss.

NOTE.—Applicant holds contract carrier authority in MC 133106 and subs thereunder, therefore dual operations may be involved. Applicant further states no duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 139495 (Sub-No. 72), filed May 23, 1975. Applicant: NATIONAL CARRIERS, INC., P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stoves*, from Columbus, Ga., to points in the United States (except Alaska and Hawaii).

NOTE.—Applicant holds contract carrier authority in MC 133106 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 139495 (Sub-No. 73), filed May 28, 1975. Applicant: NATIONAL CARRIERS, INC., P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned foodstuffs and pet and animal foods*, from Atlanta, Ga., to points in Arkansas, Arizona, Colorado, California, Kansas, Nebraska, New Mexico, Texas, Oklahoma, Iowa and Missouri.

NOTE.—Applicant holds contract carrier authority in MC 133106 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 139906 (Sub-No. 2), filed May 21, 1975. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, P.O. Box 748, Salt Lake City, Utah 84110. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Sewing machines, record players, radios, phonographs, recordings*, (sound, disc type and plastic), (except commodities in bulk in tank vehicles); (2) *accessories, components and parts* (except commodities in bulk in tank vehicles) for the commodities set forth in (1) above; and (3) *materials supplies and equipment* (except commodities in bulk in tank vehicles) used in the manufacture, production, and distribution of the commodities set forth in (1) and (2) from the plant sites of Morse Industries in Pacoima and Chatsworth, Calif., to Atlanta, Ga.; Chicago, Ill.; Dallas, Tex.; Cleveland, Ohio; and New York City, N.Y.

NOTE.—Applicant holds motor contract carrier authority in MC 134599 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either Lincoln, Nebr. or Salt Lake City, Utah.

No. MC 140318 (Sub-No. 1), filed May 28, 1975. Applicant: PARKER'S VAN & STORAGE, INC., 705 North Daisy Street, Goldsboro, N.C. 27530. Applicant's representative: Lindsay C. Warren, Jr., P.O. Box 1616, Goldsboro, N.C. 27530. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Wayne, Lenoir, Johnston, Greene, Pitt, Martin Edgecombe Wilson, Nash, Halifax, Wake, Durham, Orange, Person, Granville, Vance, Franklin and Warren Counties, N.C., restricted to the transportation of traffic having a prior or subsequent movement in containers beyond the points above and further restricted to the performance of pickup and delivery service in connection with packing, crating and containerization or unpacking, uncrating and decontainerization of such traffic.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Raleigh, or Greensboro, N.C.

No. MC 140461 (Sub-No. 1) filed May 30, 1975. Applicant: ELECTRO-MATIC, INC., 6110 Northeast Union Avenue, Portland, Oregon 97211. Applicant's representative: Thomas E. Maddocks (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Television sets* and *combination television-radio phonograph sets* and *stereo sets*, (1) from points in Clark County, Wash., to points in Multnomah, Clackamas, Columbia and Washington Counties, Oreg.; and (2) from points in Washington County, Oreg. to points in Cowlitz, Clark and Skamania Counties, Wash., under a continuing contract or contracts with S. S. Kresge Company, d/b/a K Mart.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 140484 (Sub-No. 3), filed May 27, 1975. Applicant: LESTER COGGINS TRUCKING, INC., P.O. Box 69, Ft. Myers, Fla. 33902. Applicant's representative: Clayton Geer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Organic potting soil, fresh mushrooms*, and *materials and supplies* used in the sale or production of mushrooms and potting soil (except commodities in bulk), between points in Armstrong and Butler Counties, Pa., on the one hand, and on the other points in the United States (except Alaska and Hawaii).

NOTE.—Applicant holds motor contract carrier authority in MC 134443 (Sub-No. 1), therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa. or Washington, D.C.

No. MC 140499 (Amendment), filed December 13, 1974, published in the FEDERAL REGISTER issues of March 27, 1975, and May 29, 1975, and republished as amended this issue. Applicant: RANDOLPH COUNTY HAULING CO., INC., 819 Opdyke, Chester, Ill. 62233. Applicant's representative: John R. Bauer, 424 Lebanon Avenue, Belleville, Ill. 62222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone*, in bulk, from points in Perry County, Mo., to points in Madison, St. Clair, Monroe, Washington, Randolph, Perry and Jackson Counties, Ill.

NOTE.—The purpose of this amendment is to include Monroe County, Ill. in the destination territory. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 140772 (Sub-No. 2) (Correction), filed April 21, 1975, published in the FEDERAL REGISTER issue, May 22, 1975, and republished as corrected this issue. Applicant: JOHN H. THOMASON, doing business as, DIXIE AIR FREIGHT, P.O. Box 823, Augusta, Ga. 30903. Applicant's representative: Virgil H. Smith, 1587 Phoenix Boulevard, Suite 12, Atlanta, Ga. 30349. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, Classes A and B explosives, household goods as defined by the Commission, and those requiring special equipment), between Bush Field located at Richmond County, Ga., on the one hand, and, on the other, Richmond, Columbia, McDuffie, Lincoln, Wilkes, Oglethorpe, Elbert, Greene, Taliaferror, Hancock, Warren, Glascock, Washington, Jefferson, Burke, Jenkins, Emanuel, Johnson, Bulloch, Candler, and Screven Counties, Ga., and points in Aiken, Barnwell, Allendale, Bamberg, Hampton, Orangeburg, Edgefield, Saluda, McCormick, Greenwood, Newberry and Abbeville Counties, S.C., restricted to traffic having an immediate prior or subsequent movement by air.

NOTE.—The purpose of this republication is to correct the territorial description. If a hearing is demed necessary, the applicant requests it be held at either Atlanta, or Augusta, Ga.

No. MC 140787 (Sub-No. 1), filed May 15, 1975. Applicant: GIVENS TRUCKING COMPANY, INC., 1720 South Military Highway, P.O. Box 1406, Chesapeake, Va. 23320. Applicant's representative: Frank B. Hand, Jr., P.O. Box 187, Berryville, Va. 22611. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Motorcycles, generators and outboard marine gasoline motors*, from the facilities of Givens, Inc., located at Chesapeake, Va., to points in Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, Missouri, New Jersey, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, West Virginia and Wisconsin, under a continuing contract or contracts with Givens, Inc.

NOTE.—Applicant has concurrently filed a motion to dismiss this application on the grounds that it can transport motorcycles as a private carrier in compliance with the Interstate Commerce Commission. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 140806 (Sub-No. 2), filed May 23, 1975. Applicant: HERMS TRUCKING, INC., 58-64 Ward Ave., Trenton, N.J. 08609. Applicant's representative: Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, Pa. 19102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Limestone*, in bags, from Canaan, Conn., to the facilities of American Biltrite, Inc. located in Hamilton Township (Mercer County), N.J., under a continuing contract with American Biltrite, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Trenton, N.J. or Washington, D.C.

No. MC 140812 (Sub-No. 1), filed May 30, 1975. Applicant: ANTHONY T. NASCO, doing business as CENTRAL AUTO POOL, 1510 West Washington Street, South Bend, Ind. 46625. Applicant's representative: Bernice A. Carney (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked or demolished cars, trucks*, and *recreation vehicles*, between South Bend, Ind., on the one hand, and, on the other, points in Illinois, Kentucky, Lower Peninsula of Michigan, Ohio, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill. or Indianapolis, Ind.

No. MC 140846 (Sub-No. 2), filed May 27, 1975. Applicant: CENTRAL DELIVERY SERVICE OF MASSACHUSETTS, INC., 125 Magazine Street, Boston, Mass. 02119. Applicant's representative: Jeremy Kahn, Suite 733 Investment Building, Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Polaroid land instant camera parts, such as lenses, shutters, apertures, springs*, (except cases), (1) between Norwood, Mass., on the one hand, and, on the other, Meridan, Cheshire, Bridgeport, Beacon Falls, Prospect, Wallingford, Wolcott, Milford and Stamford, Conn.; (2) between Providence, R.I., on the one hand, and, on the other, Boston, Lawrence and Norwood, Mass.; and (3) between Warwick, R.I., on the one hand, and, on the other, Boston, Lawrence, and Norwood, Mass., (1) restricted to the transportation of any package or article weighing more than 50 pounds or exceeding 108 inches in length and girth combined and each package or article shall be considered as a separate and distinct shipment; (2) restricted to the transportation of packages or articles weighing in the aggregate more than 150 pounds from one consignor at one location to one consignee at one location on any one day; and further restricted to the (3) transportation of packages or articles herein shall be accomplished on the same day upon which the package or article is tendered for transportation, under a continuing contract or contracts with the Polaroid Corporation.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Boston, Mass.

No. MC 140953, filed May 1, 1975. Applicant: CITIZENS TRANSPORT, INC., Jackson Street, Evans City, Pa. 16033. Applicant's representative: James F. Malone, III, 3131 U.S. Steel Building, 600 Grant Street, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Currency, coin, checks, negotiable instruments and other documents, coin wrappers and containers, securities, books of account, statements, drafts, security interests, and other valuables*, between points in Allegheny, Armstrong, Beaver, Butler, Clarion, Lawrence, Mercer, Venango and Westmoreland Counties, Pa., on the one hand, and, on the other, points in that part of Ohio on and east of U.S. Highway 23, under a continuing contract or contracts with Citizens National Bank of Evans City, Pa.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Pittsburgh, Pa.

No. MC 140966 (Sub-No. 1), filed May 19, 1975. Applicant: MOORE'S TRANSFER, INC., Box 1151, Norfolk, Nebr. 68701. Applicant's representative: Einar Viren, 904 City National Bank Bldg., Omaha, Nebr. 68102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cellulose insulating material*, in bags; and (2) *liquid glue*, in 55 gallon drums, from the plantsites of National Cellulose Corporation located at or near Houston, Tex., and Diversified Insulation Company at Wellsville, Kans., to points in Nebraska, under a continuing contract or contracts with the Acoustical Spray Insulation Company, Inc.

NOTE.—Applicant holds common carrier authority in MC 125470 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr.

No. MC 140973, filed May 16, 1975. Applicant: LEMAN KNIGHT, doing business as, PETE KNIGHT TRUCKING COMPANY, Rural Free Delivery 1, Detroit, Ala. 35552. Applicant's representative: Donald B. Morrison, 717 Deposit Guaranty Bank Building, P.O. Box 22628, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone*, in dump vehicles, from points in Bibb, Colbert, Franklin, Jefferson and Shelby Counties, Ala., to points in Mississippi.

NOTE.—Applicant holds contract carrier authority in MC 127726 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Jackson, Miss.

No. MC 140987 (Sub-No. 1), filed May 23, 1975. Applicant: WILLIAM FREDERICK, P.O. Box 161, Leominster, Mass. 01453. Applicant's representative: David M. Marshall, 135 State Street, Suite 200, Springfield, Mass. 01103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic and plastic articles, and supplies and materials* used in the manufacture and distribution of such commodities, between Leominster, Mass., on the one hand, and, on the other, points in the United States east of Minnesota, Iowa, Missouri, Arkansas, and Louisiana, under a continuing contract or contracts with Plastican, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Boston, Mass.; Providence, R.I. or Hartford, Conn.

No. MC 140990, filed May 9, 1975. Applicant: CORKREN AND COMPANY, INC., P.O. Box 182, Brilliant, Ala. 35548. Applicant's representative: John "Pete" Self, P.O. Box 597, Hamilton, Ala. 35570. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bulk, in dump vehicles, from points in Fayette, Marion, Winston and Walker Counties, Ala., to points in Mississippi, Tennessee and Georgia.

NOTE.—Applicant holds contract carrier authority in MC-129965 (Sub-No. 1), therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Hamilton or Birmingham, Ala.

No. MC 141001, filed May 21, 1975. Applicant: B & M TRUCKING, INC., 3027 South 224, Kent, Wash. 98031. Applicant's representative: R. W. Domonoske (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over, irregular routes, transporting: *Such commodities* as may be dealt in by manufacturers, distributors and contractors of fabricated metal products, boilers and machinery (including but not limited to generators, packaging machines and heaters), between points in Washington, Oregon, California, Idaho, Nevada, Utah, Arizona, Montana, Wyoming, Colorado and New Mexico, under a continuing contract or contracts with CAM Industries, Ind., Pacific Ventures, Inc., and West Coast Electric.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Seattle, or Olympia, Wash.

No. MC 141002, filed May 23, 1975. Applicant: NATIONWIDE COACHES, INC., 229 Peachtree Street NE., Suite 1413, Atlanta, Ga. 30303. Applicant's representative: Bruce E. Mitchell, 3379 Peachtree Road NE., Suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in special and charter operations, from points in Fulton, De Kalb, Clayton, Douglas, Cobb and Gwinnett Counties, Ga., to points in the United States, including Alaska but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 141005, filed May 16, 1975. Applicant: ALBERT REITER, 158 Brian Drive, Willowdale, Ontario, Canada M2J 3Z1. Applicant's representative: William J. Hirsch, Suite 1125, 43 Court Street, Buffalo, N.Y. 14202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New furniture and toys, and parts thereof*, between the ports of entry along the International Boundary line between the United States and Canada in Michigan and New York, on the one hand, and, on the other, points in Georgia, Illinois, Indiana, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New York, North Carolina, Ohio, Pennsylvania, West Virginia and Wisconsin, under a continuing contract or contracts with C.C.C. Limited, Heath Manufacturing Limited, International Games Ltd., Jetco Mfg. Ltd., Jet Metal Products Ltd., T. G. Metal Mfg. LTD., and Toronto Chair Ltd. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 140105 (Sub-No. 1), filed May 16, 1975. Applicant: BUILDING MATERIAL TRANSPORT CO., a Corporation, 3034 Knights Road, Cornwell Heights, Pa. 19020. Applicant's representative: John W. Frame, Box 626–2207 Old Gettysburg Road, Camp Hill, Pa. 17011. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, (1) from Philadelphia, Pa., to Fairless Hills, Pa., and points in Northampton, Lehigh, Berks, Bucks, Montgomery, Delaware, Chester and Lancaster Counties, Pa.; points in that part of New Jersey on and south of Interstate Highway 78 to its intersection with Interstate Highway 287, and thence southeast on Interstate Highway 287 to the Atlantic Ocean near or at Perth Amboy, N.J., and to points in New Castle and Kent Counties, Del., restricted to traffic having a prior movement by rail; (2) from Camden, N.J., and Wilmington, Del., to Fairless Hills, Pa., and points in Northampton, Lehigh, Berks, Bucks, Montgomery, Delaware, Chester, and Lancaster Counties, Pa., points in that part of New Jersey on and south of Interstate Highway 78 to its intersection with Interstate Highway 287, and thence southeast on Interstate Highway 287 to the Atlantic Ocean near or at Perth Amboy, N.J., and to points in New Castle and Kent Counties, Del., restricted to traffic having a prior movement by water, under a continuing contract or contracts with Graeber's Lumber Co., Fairless Hills, Pa.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Harrisburg or Philadelphia, Pa.

No. MC 141006, filed May 16, 1975. Applicant: ENDO FREIGHT FORWARDERS (N.Y.) INC., 35–27 Vernon Blvd., Long Island City, N.Y. 11106. Applicant's representative: Arthur Kulik, 1182 Broadway, New York, N.Y. 10001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Nassau, Suffolk, Dutchess, Orange, Putnam, Rockland, Westchester, New York, Kings, Queens, Bronx, and Richmond Counties, N.Y., and points in New Jersey, restricted to the transportation of traffic having a prior or subsequent movement in containers, beyond the points authorized,

and further restricted to the performance of pickup and delivery service in connection with packing, crating and containerization or unpacking, uncrating and decontainerization of such traffic.

NOTE.—If a hearing is deemed necessary, the applicant does not specify a location.

No. MC 141007, filed May 29, 1975. Applicant: WAYNE AKINS AND MALCOLM AKINS, a partnership, doing business as AKINS BROTHERS, Michigan City, Miss. 38647. Applicant's representative: Wayne Akins (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime, gravel, fertilizer, bagging and ties*, from Ashland, Miss., to Cherokee, Ala.; Atkins, Ark.; New Albany, Pascagoula and Yazoo City, Miss.; and Memphis, Savannah and Michie, Tenn.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Memphis, Tenn.

No. MC 141008, filed May 22, 1975. Applicant: AIR TRANSPORT, INC., 66 Von Hilleron Street, Boston, Mass. 02125. Applicant's representative: Frederick T. O'Sullivan, P.O. Box 2184, Peabody, Mass. 01960. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by manufacturers of cans, and supplies, materials and equipment used in connection therewith, between Peabody, Mass., on the one hand, and, on the other, points in the United States in and east of Wisconsin, Illinois, Missouri, Arkansas and Texas, under a continuing contract or contracts with Eagle Can Co., Inc., and Stern Can Co., Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 141010, filed May 15, 1975. Applicant: CONTRACT TRANSPORT, INC., Rural Route 3, Norwalk, Iowa 50211. Applicant's representative: Willaim L. Fairbank, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products, paint, and lubricating equipment* (except commodities in bulk), from Walcott, Iowa, to points in Illinois and Minnesota, under a continuing contract or contracts with Central Petroleum Company.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Des Moines, Iowa or Chicago, Ill.

No. MC 141011, filed May 16, 1975. Applicant: SAM CROWDER AND SAM CROWDER, JR., doing business as, CROWDER AND CROWDER, 3705 Doris Drive, Tallahassee, Fla. 32303. Applicant's representative: W. Guy McKenzie, Jr., P.O. Box 1200, Tallahassee, Fla. 32302. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Clay*, in bulk, in dump vehicles, from points in Gadsden County, Fla., to Attapulgus, Ga., under a continuing contract with Engelhard Minerals & Chemical Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Tallahassee, Fla. or Atlanta, Ga.

No. MC 141012, filed May 15, 1975. Applicant: BINGHAM TRANSPORTATION, INC., 2005 East Avenue, Baxter Springs, Kans. 66713. Applicant's representative: J. Max Harding, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, from Hutchinson, Lyons and Kanopolis, Kans., to points in Missouri, under a continuing contract or contracts with Bingham Sand & Gravel Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla.

No. MC 141013, filed May 12, 1975. Applicant: VINCENT GANDUGLIA, INC., 4746 East Florence, Fresno, Calif. 92725. Applicant's representative: Thomas M. Loughran, 100 Bush Street, 21st floor, San Francisco, Calif. 94104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, in bulk, in tank trailers equipped with pneumatic unloading equipment, from Simplot mining area, near Overton, Nev., to the Johns-Manville, Buckner foundry at Fresno, Calif.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Fresno, Calif.

No. MC 141014, filed May 9, 1975. Applicant: SWANNER TRANSFER & STORAGE CO., INC., 3445 Aronov Avenue, Montgomery, Ala. 36108. Applicant's representative: Alan F. Wohlstetter, 1700 K St. N.W., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Autauga, Bullock, Butler, Chilton, Coosa, Crenshaw, Elmore, Lowndes, Macon, Montgomery, Perry, Tallapoosa, and Wilcox Counties, Ala., restricted to the transportation of traffic having a prior or subsequent movement, in containers, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating and decontainerization of such traffic.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Montgomery, Ala.

No. MC 141015, filed May 8, 1975. Applicant: TRIANGLE TRUCKING CO., INC., P.O. Box 4059, Baltimore, Md. 21222. Applicant's representative: Maxwell A. Howell, 1511 K St. NW., Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Carbonated beverages*, between points within the Baltimore, Md. Commercial Zone, restricted to a transportation service to be performed under a continuing contract or contracts with Canners for Coca Cola Bottlers, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Baltimore, Md.

APPLICATIONS OF PASSENGERS

No. MC 100327 (Sub-No. 7), filed May 27, 1975. Applicant: LONGUEIL TRANSPORTATION, INC., 144 Shaker Road, East Longmeadow, Mass. 01028. Applicant's representative: David M. Marshall, 135 State Street, Suite 200, Springfield, Mass. 01103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special operations, beginning and ending at points in Hampden County, Mass., and extending to the plant and facilities of Hamilton Standard Division, United Technologies Corporation, at Windsor Locks, Conn.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Springfield, Mass., Hartford, Conn., or Boston, Mass.

BROKER APPLICATION

No. MC 130321, filed May 6, 1975. Applicant: FRED BUNGE TOURS, 1311 Tourmaline Street, San Diego, Calif. 92109. Applicant's representative: Frederick Bunge (same address as applicant). Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at San Diego, Calif., to sell or offer to sell the transportation of: *Individual passengers and groups of passengers, and their baggage*, in special and charter operations, in sightseeing and pleasure tours, by motor, rail, water, or air carriers, between points in the United States including Alaska and Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at San Diego, Los Angeles, or San Francisco, Calif.

By the Commisison.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.75-16566 Filed 6-25-75;8:45 am]

[NOTICE 58]

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
Peake Transport Service, MC-1641 Sub-68	MC-1641 Sub-69	Dec. 30, 1974
Manhattan Transit Co., MC-3700 Sub-70	MC-3700 Sub-71	Jan. 8, 1975
J. C. Trucking Co., MC-3991 Sub-4	MC-3991 Sub-5	June 11, 1974
Dealers Transit, Inc., MC-4405 Sub-503	MC-4405 Sub-504	June 13, 1974
D.b.a Bracht Trans., Co., MC-10095 Sub-31	MC-10095 Sub-4	Dec. 10, 1974
Grant Trucking, Inc., MC-13134 Sub-31	MC-13134 Sub-34	Jan. 6, 1975
Popelka Trucking Co., d.b.a., MC-26396 Sub-87	MC-26396 Sub-103	Dec. 30, 1974
Glendenning Motorways, MC-43475 Sub-59	MC-43475 Sub-60	Do.
E. Roscoe Willey, Inc., MC-44913 Sub-10	MC-44913 Sub-12	June 27, 1974
E. Roscoe Willey, Inc., MC-44913 Sub-11	MC-44913 Sub-13	June 26, 1974
D.b.a. Vesely Brothers, MC-51518 Sub-5	MC-51518 Sub-4	June 13, 1974
Motor Freight Express, MC-59957 Sub-41	MC-59957 Sub-42	Do.
Nelson Freightways, Inc., MC-60186 Sub-48	MC-60186 Sub-50	June 11, 1974
Herman Bros., Inc., MC-61396 Sub-250	MC-61396 Sub-242	June 27, 1974
Beaufort Transfer Co., MC-78400 Sub-36	MC-78400 Sub-37	Jan. 8, 1975
White Truck Line, Inc., MC-98499 Sub-11	MC-98499 Sub-9	May 14, 1973
Chipper Cartage Co., MC-99780 Sub-28	MC-99780 Sub-30	June 13, 1974
Refrigerated Transport Co., MC-107515 Sub-882	MC-107515 Sub-880	Jan. 6, 1975
Chemical Leaman Tank Lines, MC-110525 Sub-1079	MC-110525 Sub-1074	Jan. 8, 1975
L. P. Transportation, Inc., MC-109649 Sub-16	MC-109649 Sub-15	Dec. 4, 1974
Redwing Carriers, Inc., MC-111045 Sub-103	MC-111045 Sub-107	Dec. 6, 1974
D.b.a. Kreutzer Motor Express, MC-111301 Sub-18	MC-111301 Sub-17	Jan. 6, 1975
Purolator Courier Corp., MC-111729 Sub-390	MC-111729 Sub-513	Dec. 11, 1974
Purolator Courier Corp., MC-111729 Sub-391	MC-111729 Sub-405	Dec. 9, 1974
Purolator Courier Corp., MC-111729 Sub-394	MC-111729 Sub-403	Do.
Owens Bros., Inc., MC-112627 Sub-15	MC-112627 Sub-16	Dec. 10, 1974
O'Boyle Tank Lines, MC-113828 Sub-213	MC-113828 Sub-218	Jan. 8, 1975

[SEAL]

JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.75-16439 Filed 6-25-75;8:45 am]

[NOTICE 59]

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
Erickson Transport Corp., MC-113908 Sub-267, Sub-268, Sub-269	MC-113908 Sub-275	Dec. 2, 1974
Erickson Transport Corp., MC-113908 Sub-299	MC-113908 Sub-299	Dec. 10, 1974
Delaware Express Co., MC-114301 Sub-69	MC-114301 Sub-73	Dec. 19, 1974
Neil's Bakery Products, MC-116282 Sub-26, Sub-27, Sub-28	MC-116282 Sub-29	Do.
Koubenec Motor Service, Inc., MC-117730 Sub-13	MC-117730 Sub-15	Dec. 3, 1974
Dba Fuller Transfer Co., MC-118561 Sub-17	MC-118561 Sub-18	Dec. 6, 1974
Eagle Transfer Co., MC-119038 Sub-1	MC-119038 Sub-2	Dec. 19, 1974
A-1 Transportation Co., MC-119897 Sub-15	MC-119897 Sub-16	Dec. 20, 1974
Peoples Cartage, Inc., MC-123685 Sub-19	MC-123685 Sub-18	Dec. 17, 1974
Merlin Herrmann, MC-124054 Sub-3	MC-124054 Sub-4	Dec. 30, 1974
Brader Hauling Service, MC-124658 Sub-5	MC-124658 Sub-6	Dec. 30, 1974
Becker and Sons, Inc., MC-124711 Sub-26	MC-124711 Sub-28	Dec. 17, 1974
Transport Dallaire, Ltd., MC-126882 Sub-2	MC-126882 Sub-3	Dec. 27, 1974
Dorothy R. Zummo, d.b.a. Air Delivery Service, MC-127238 Sub-7	MC-127238 Sub-8	Dec. 2, 1974
Clear Water Truck Co., MC-127304 Sub-11	MC-127304 Sub-6	Dec. 18, 1974
Tri-Line Expressways, Ltd., MC-129480 Sub-9	MC-129480 Sub-5	Dec. 20, 1974
Englund Equipment Co., MC-129510 Sub-8	MC-129510 Sub-7	Dec. 24, 1974
Arthur H. Fulton, MC-129613 Sub-12, Sub-13	MC-129613 Sub-14	Dec. 27, 1974
Cheese Express, Inc., MC-129675 Sub-2	MC-129675 Sub-3	Dec. 30, 1974
Consolidated Carriers, Corp., MC-133265 Sub-4	MC-133265 Sub-3	Do.
William Pfohl Trucking Corp., MC-133419 Sub-6	MC-133419 Sub-7	Dec. 10, 1974
Hearin Trans., Inc., MC-133478 Sub-7, Sub-9	MC-133478 Sub-8	Dec. 11, 1974
Cecil Claxton, MC-133492 Sub-8	MC-133492 Sub-9	Dec. 16, 1974
Buboom Trucking, Inc., MC-133576 Sub-1	MC-133576 Sub-2	Dec. 6, 1974
Polar Express, Inc., MC-134467 Sub-7	MC-134467 Sub-6	Dec. 9, 1974

[SEAL]

JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.75-16440 Filed 6-25-75;8:45 am]

[NOTICE 60]

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
Schanno Transportation, MC–134477 Sub-31	MC–134477 Sub-36	Dec. 19, 1974
B–D–R–Transport, Inc., MC–134806 Sub-16	MC–134806 Sub-20	Dec. 24, 1974
Marion Transfer, Inc., MC–134860 Sub-1	MC–134860 Sub-4	Do.
Daggett Truck Line, Inc., MC–134979 Sub-2	MC–134979 Sub-1	Dec. 30, 1974
American Transport, Inc., MC–135007 Sub-34	MC–135007 Sub-36	Jan. 3, 1975
D.b.a. Dick Carlton Trucking, MC–135488 Sub-3	MC–135488 Sub-1	Dec. 10, 1974
Merchants House Delivery, MC–136211 Sub-19	MC–136211 Sub-21	Do.
Cargo Contract, MC–136498 Sub-6	MC–136498 Sub-7	Dec. 20, 1973
Lynn Moving and Storage, MC–136659	MC–136659 Sub-1	Dec. 31, 1974
Mesantico Transport Co., MC–138016 Sub-1	MC–138016 Sub-2	Dec. 9, 1974
D.b.a. Bob Wood Trucking Co., MC–138507 Sub-1	MC–138507 Sub-2	Dec. 17, 1974
D.b.a. Hensley Trucking Co., MC–138523 Sub-3	MC–138523 Sub-1	Dec. 19, 1974
Trekamerica, Inc., MC–138666 Sub-1	MC–138666 Sub-2	Jan. 6, 1975
Art Armitage Trucking, MC–138872	MC–138872 Sub-1	Jan. 2, 1975
Ideal Transport Co., MC–139076 Sub-1	MC–139076 Sub-2	Dec. 3, 1974
D.b.a. Shoe Nail Supply, MC–139135	MC–139135 Sub-1	Dec. 23, 1974
D.b.a. Puritan Express Co., MC–139167	MC–139167 Sub-1	Dec. 11, 1974
Albert Bieber, MC–139214 Sub-1	MC–139214 Sub-2	Dec. 19, 1974
D.b.a. Frank C. Fleeger, MC–139256 Sub-1	MC–139256	Dec. 24, 1974
Minuteman Express, MC–139263 Sub-1	MC–139263 Sub-2	Do.
D.b.a. V. Clark & Son Trucking, MC–139368	MC–139368 Sub-1	Dec. 3, 1974
Distributing Service, Inc., MC–139415 Sub-1	MC–139415 Sub-2	Jan. 6, 1975
Sunrise Transportation, MC–139432	MC–139432 Sub-1	Dec. 10, 1974
D.b.a. Bronco Van & Storage, MC–139462	MC–139462 Sub-1	Dec. 20, 1974
Molasses Transporters, MC–139543 Sub-1	MC–139543	Do.
Glenn David Cowan and James Estill Cowan, MC–139628 Sub-1	MC–139628 Sub-2	Dec. 12, 1974
D.b.a. Steger Bus Lines, MC–139673 Sub-1	MC–139673	Dec. 13, 1974

[SEAL]

JOSEPH M. HARRINGTON,
Acting Secretary.

[FR Doc.75-16441 Filed 6-25-75;8:45 am]

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THURSDAY, JUNE 26, 1975

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PART II

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social and Rehabilitation Service and Office of Child Support Enforcement

■

CHILD SUPPORT ENFORCEMENT PROGRAM

Title 45—Public Welfare

CHAPTER II—SOCIAL AND REHABILITATION SERVICE (ASSISTANCE PROGRAMS), DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

CHILD SUPPORT ENFORCEMENT PROGRAM

General Administration

Notice of proposed rule making implementing certain provisions of Part B of Pub. L. 93-647 which impose new requirements under title IV-A of the Social Security Act as it relates to Child Support Enforcement was published in the FEDERAL REGISTER on May 2, 1975 (40 FR 19207).

We received 156 responses to the notice of proposed rule making from public welfare agencies, District Attorneys, private citizens, advocate groups, a Governor, and State Attorneys General. Most comments suggested improvements and clarifications in the regulations. Many of these suggestions are reflected in the final regulations. For example, several comments recommended a more precise definition of "cooperation" in § 232.12. The definition of "cooperation" in the final regulation has been expanded to provide better guidelines to agencies administering this AFDC requirement. However, a substantial number of comments raised objections which could only be resolved by amending the legislation upon which the regulations are based. For example, 85 identical letters were received from private citizens objecting to the requirement of furnishing social security account numbers in § 232.10. Since furnishing these numbers is specifically required by section 402(a)(25) of the Social Security Act as amended by Pub. L. 93-647, this requirement could not be deleted from the final regulation.

The vast majority of the changes made in the final regulations are either technical in nature or represent clarification of certain provisions of the proposed regulations. Major changes include the following:

1. Paragraph (a)(1)(i)(A) of § 205.50 has been changed to define a public official.

2. Paragraph (c) has been added to § 205.50 to conform the safeguarding of information regulation to the requirements contained in title XX of the Social Security Act relating to disclosure of information.

3. Paragraph (a)(2) of § 232.10 has been changed to specify that applicants and recipients are to comply with enumeration procedures that have been established with the Social Security Administration, or to apply for social security account numbers directly if such procedures are not in effect.

4. Paragraph (b) of § 232.11 has been added to specify that the requirement of this section may be met if the State has a statute that causes support rights to be assigned by operation of law.

5. Paragraph (b) of § 232.12 is added to further define cooperation. The provisions lists with greater specificity the requirements for cooperation in securing support.

6. Paragraph (c) of § 232.12 is added to specify that evidence of failure to cooperate submitted by the Child Support Agency to the IV-A agency shall be utilized by the IV-A agency to determine if the applicant or recipient is eligible for assistance.

7. Section 232.20 has been expanded to specify the treatment that the IV-A agency shall give to amounts of child support collections that have been made in a month and when such amounts shall or shall not be treated as income. Such amounts shall be treated as income in the month they are paid to the family by the IV-D agency. If these amounts are sufficient to make the family ineligible for an assistance payment, they will be paid to the family in the month for which the IV-A agency utilized these amounts to determine eligibility for an assistance payment and they will be income in that month (See 45 CFR 302.32). If these amounts are not sufficient to make the family ineligible for an assistance payment, they will be paid to the family in accordance with 45 CFR 302.51. The IV-A agency is also required to pay to the Federal government its share of collections made.

8. Technical amendments have been made to §§ 233.20 and 233.90 so they will conform to the provisions of Part 232.

9. Paragraph (a) of § 235.70 has been clarified by adding a definition of the terms "furnishing" and "aid" to specify the precise time at which the IV-A agency must notify the IV-D agency that aid has been furnished under the IV-A program.

Accordingly, after considering all the comments, the proposed regulations, as modified, are adopted.

Chapter II, Title 45 of the Code of Federal Regulations is revised as follows:

PART 205—GENERAL ADMINISTRATION—PUBLIC ASSISTANCE PROGRAM

1. Section 205.50 is amended by revising paragraph (a); redesignating paragraph (b) as (d) and adding a new paragraph (b) and (c) as set forth below:

§ 205.50 Safeguarding information for the financial assistance and social services programs.

(a) *State plan requirements.* A State plan under title I, IV-A, IV-D, VI, X, XIV, or XVI, of the Social Security Act, except as provided in paragraph (c) of this section, must provide that:*

(1) Pursuant to State statute which imposes legal sanctions:

(i) The use or disclosure of information concerning applicants and recipients will be limited to public officials who require such information in connection with their official duties, except that use or disclosure of information provided under 20 CFR Part 401 shall be limited to purposes directly connected with the administration of the program; and to other persons for purposes directly connected with the administration of the program. Such purposes include establishing eligibility, determining amount of assistance, and providing services for applicants and recipients. Under the requirement concerning the use or disclosure of information to public officials, such information shall be available only to public officials who certify in writing that:

(A) They are public officials as defined by State or Federal laws of general applicability; and

(B) The information to be disclosed or used is required in connection with their official duties.

* * * * *

(b) *State plan requirements for the medical assistance programs.* A State plan under title XIX of the Social Security Act must meet all the requirements of paragraph (a) of this section, except that disclosure shall be limited to purposes directly connected with the administration of the program.

(c) State administrative plan requirements for the Social Service program. A State administrative plan under title XX of the Social Security Act must meet all the requirements of paragraph (a) of this section, except that disclosure shall be limited to purposes directly connected with the purposes of that program, the plan of the State approved under Part A of title IV, the plan of the State developed under Part B of that title, the Supplemental Security Income program established by title XVI, or the plan of the State approved under title XIX;

* * * * *

2. A new Part 232 is added to read as follows:

PART 232—SPECIAL PROVISIONS APPLICABLE TO TITLE IV-A OF THE SOCIAL SECURITY ACT

Sec.

232.1 Scope.
232.2 Child support program; State plan requirement.
232.10 Furnishing of social security numbers.
232.11 Assignment of rights to support.
232.12 Cooperation in obtaining support.
232.20 Disregard of payments under section 457 of the Act.

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

§ 232.1 Scope.

This part implements provisions of Part B of P.L. 93-647 that are applicable only to title IV-A.

§ 232.2 Child support program; State plan requirements.

The State plan must specify that the State:

(a) Has in effect a plan approved under part D of title IV of the Act; and

(b) Operates a child support program in conformity with such plan.

§ 232.10 Furnishing of social security numbers.

The State plan must provide that:

(a) As a condition of eligibility, each applicant for or recipient of aid will be required:

(1) To furnish to the State or local agency a social security account number, hereinafter referred to as the SSN (or numbers, if more than one has been issued); and

(2) If he cannot furnish a SSN (either because such SSN has not been issued or is not known), to apply for such number through procedures adopted by the State or local agency with the Social Security Administration. If such procedures are not in effect, the applicant or recipient shall apply directly for such number, submit verification of such application, and provide the number upon its receipt.

(b) For new applicants, the requirements of paragraph (a) of this section shall be effective July 1, 1975; and, for current recipients, it shall be effective as determined by the State agency but not later than the time of the next redetermination of eligibility required by § 206.10(a)(9) of this chapter.

(c) The State or local agency will assist the applicant or recipient in making applications for SSNs and will comply with the procedures and requirements established by the Social Security Administration for application, issuance, and verification of social security account numbers. For purposes of AFDC foster care, the application for the SSN will be made by the State or local agency.

(d) The State or local agency will not deny, delay, or discontinue assistance pending the issuance or verification of such numbers if the applicant or recipient has complied with the requirements of paragraph (a) of this section.

(e) The State or local agency will use such account numbers, in addition to any other means of identification it may determine to employ, in the administration of the plan.

(f) "Applicant" and "recipient" include the caretaker relative, the children, and any other individual whose needs are considered in determining the amount of assistance.

(g) The State or local agency shall notify the applicant or recipient that the furnishing of the SSN is a condition of eligibility for assistance required by section 402(a)(25) of the Social Security Act and that the SSN will be utilized in the administration of the AFDC program.

§ 232.11 Assignment of rights to support.

(a) The State plan must provide that:

(1) As a condition of eligibility for assistance, each applicant for or recipient of AFDC shall assign to the State any rights to support from any other person as such applicant or recipient may have:

(i) In his own behalf or in behalf of any other family member for whom the applicant or recipient is applying for or receiving assistance; and

(ii) Which have accrued at the time such assignment is executed.

(2) If the relative with whom a child is living fails to comply with the requirements of paragraph (a) (1), (2), or (3) of this section, such relative shall be denied eligibility without regard to other eligibility factors.

(3) If the relative with whom a child is living is found to be ineligible for assistance because of failure to comply with the requirements of paragraph (a)(1), (2), or (3) of this section, any aid for which such child is eligible (determined without regard to the needs of the ineligible relative) will be provided in the form of protective payments as described in § 234.60 of this chapter.

(4) For new applicants, the requirements of paragraph (a) of this section shall be effective July 1, 1975; and, for current recipients, it shall be effective as determined by the State agency but not later than the time of the next redetermination of eligibility required by § 206.10(a)(9) of this chapter.

(b) An assignment by operation of State law which is substantially identical to the requirements of paragraph (a)(1) may be utilized in lieu of the assignment described in that paragraph.

(c) If there is a failure to execute an assignment pursuant to this section, the State may attempt to establish paternity and collect child support pursuant to appropriate State statutes and regulations.

§ 232.12 Cooperation in obtaining support.

The State plan must provide that:

(a) As a condition of eligibility for assistance, each applicant for or recipient of AFDC will be required to cooperate with the State in:

(1) Identifying and locating the parent of a child with respect to whom aid is claimed;

(2) Establishing the paternity of a child born out of wedlock with respect to whom aid is claimed;

(3) Obtaining support payments for such applicant or recipient and for a child with respect to whom aid is claimed; and

(4) Obtaining any other payments or property due such applicant or recipient of such child.

(b) "Cooperate" includes the following:

(1) Appearing at the offices of the State or local agency or the child support agency as necessary to provide verbal or written information, or documentary evidence, known to, possessed by, or reasonably obtainable by him, that is relevant to achieving the objectives of paragraph (a) of this section;

(2) Appearing as a witness at court or other hearings or proceedings necessary to achieving the objectives of paragraph (a) of this section;

(3) Providing information, or attesting to the lack of information, under penalty of perjury; and

(4) After an assignment under § 232.11 has been made, paying to the child support agency any child support payments received from the absent parent which are covered by such assignment.

(c) If the child support agency notifies the State or local agency of evidence of failure to cooperate, the State or local agency shall act upon such information in order to enforce the eligibility requirements of this section.

(d) If the relative with whom a child is living fails to comply with the requirements of paragraph (a) of this section, such relative shall be denied eligibility without regard to other eligibility factors.

(e) If the relative with whom a child is living is found to be ineligible for assistance because of failure to comply with the requirements of paragraph (a) of this section, any aid for which such child is eligible (determined without regard to the needs of the caretaker relative) will be provided in the form of protective payments as described in § 234.60 of this chapter.

§ 232.20 Treatment of child support collections made in the Child Support Enforcement Program as income and resources in the Title IV–A Program.

(a) The State plan must provide that in any case in which child support payments are collected for a recipient of AFDC with respect to whom an assignment under section 232.11 is effective:

(1) Upon notification to the IV–A agency by the IV–D agency of the amount of a child support collection, such amount will be used to redetermine eligibility for an assistance payment the first time it is feasible for the IV–A agency to consider such collections in redetermining eligibility for and the amount of the assistance payment. This use of these amounts so collected shall not be later than the second month after the month in which the collections were made by the IV–D agency. In determining whether a child support collection made by the State's IV–D agency, which represents support amounts for a month as determined pursuant to § 302.51(a) of this title, is sufficient to make the family ineligible for an assistance payment for the month to which the redetermination applies, the State will determine if such collection, when treated as if it were income, makes the family ineligible for an assistance payment. If such treatment makes the family ineligible, the child support for the month will be considered to be income and the IV–A agency will notify the family and will inform the IV–D agency to pay such collection to the family in the month for which the family was determined to be ineligible. If such treatment does not make the family ineligible for an assistance payment, such collection will not be considered to be income and will be retained by the State's IV–D agency for distribution pursuant to § 302.51 of Chapter III of this title and the assistance payment will be calculated without regard to such collection.

(2) Any payment received pursuant to § 302.51(b)(1) shall not be considered as income or as a resource.

(3) Any payment received pursuant to § 302.51(b) (3) or (5) shall be treated as income in the month following the month to which the redetermination in paragraph (1) applies.

(b) From any amounts of assistance payments which are reimbursed by child support collections made by the IV–D agency, the IV–A agency shall pay the Federal government its share of the collections made, after the incentive payments, if any, have been made pursuant to § 302.52 of Chapter III of this title.

PART 233—COVERAGE AND CONDITIONS OF ELIGIBILITY IN FINANCIAL ASSISTANCE PROGRAMS

3. Section 233.20 is amended by revising paragraphs (a)(3) (v) and (vi), and revoking paragraph (b)(4) to read as follows:

§ 233.20 Need and amount of assistance.

(a) *Requirements for State plans.*

* * * * *

(3) Income and resources; OAA, AFDC, AB, APTD, and AABD. * * *

(v) Provide that agency policies will assure that in determining the eligibility of an individual for an assistance payment or the amount of such payment, child support amounts which are collected as part of the State's child support enforcement program will be treated in accordance with § 232.20. Any child support amounts for which an assignment pursuant to § 232.11 is effective, which are received directly by the assistance unit shall be paid to the State child support enforcement unit. Whether or not the support payments are received regularly, the agency does not delay or reduce public assistance payments on the basis of assumed support which is not actually available.

(vi) Except for child support obligations assigned pursuant to § 232.11 of this chapter, if the State agency holds relatives responsible for the support of applicants and recipients, (*a*) include an income scale for use in determining whether responsible relatives have sufficient income to warrant expectation that they can contribute to the support of applicants or recipients, which income scale exceeds a minimum level of living and at least represents a minimum level of adequacy that takes account of the needs and other obligations of the relatives; and (*b*) provide that no request will be made for contributions from relatives whose net cash income is below the income scale. In family groups living together, income of the spouse is considered available is considered available for children under 21.

* * * * *

(b)(4) Revoked.

* * * * *

4. Section 233.90 is amended by revising paragraph (b)(4) to read as follows:

§ 233.90 Factors specific to AFDC.

* * * * *

(b) Conditions for plan approval.

* * * * *

(4) (i) A child may not be denied AFDC either initially or subsequently because a parent or other caretaker relative fails to cooperate with the child support agency in performing any of the activities needed to:

(A) Establish the paternity of a child born out of wedlock; or

(B) Obtain support from a person having a legal duty to support the child.

(ii) Any parent or caretaker relative who fails to so cooperate shall be treated in accordance with § 232.12 of this chapter.

PART 234—FINANCIAL ASSISTANCE TO INDIVIDUALS

5. Section 234.60 is amended by revising paragraph (a)(1), adding a new paragraph (a)(13). As amended, § 234.60 reads as follows:

§ 234.60 Protective and vendor payments for dependent children.

(a) *State plan requirements.* (1) If a State plan for AFDC under title IV–A of the Social Security Act provides for protective and vendor payments for other than WIN cases and cases in which the caretaker relative fails to meet the eligibility requirements of §§ 232.11 or 232.12 of this chapter, it must meet the requirements in paragraph (a)(2) through (11) of this section.

* * * * *

(13) For cases in which a caretaker relative fails to meet the eligibility requirements of § 232.11 or § 232.12 of this chapter by failing to assign rights to support or cooperate in determining paternity and securing support, the State plan must provide that only the requirements of paragraph (a)(7) and (9)(ii) of this section will be applicable. For such cases the entire amount of the assistance payment will be in the form of protective or vendor payments. These protective or vendor payments will be terminated, with return to money payment status, only upon compliance by the caretaker relative with the eligibility requirements of §§ 232.11 and 232.12 of this chapter.

* * * * *

PART 235—ADMINISTRATION OF FINANCIAL ASSISTANCE PROGRAMS

6. Section 235.70 is revised to read as follows:

§ 235.70 Prompt notice to child support agency.

A State plan under title IV–A of the Social Security Act must provide for prompt notice to the State or local child support agency designated pursuant to section 454(3) of the Social Security Act whenever AFDC is furnished with respect to a child who has been deserted or abandoned by a parent. Under this requirement:

(a) "Prompt notice" means written notice within two working days of the furnishing of aid including, a copy of the AFDC case record, or all relevant information as prescribed by the child support agency. The title IV–A agency and the child support agency may agree to provide notice immediately upon the filing of an application for assistance.

Under this definition:

(1) "Furnish" means the date on which cash is given to the family, a check or warrant is mailed to the family, a deposit is made in a bank for the family, or other similar circumstances in which an assistance payment is made to the family; and

(2) "Aid" means Aid to Families with Dependent Children, emergency assistance, or AFDC Foster Care.

(b) "A child who has been deserted or abandoned by a parent" means any child whose eligibility for AFDC is based on continued absence of a parent from the home, and includes a child born out of wedlock without regard to whether the paternity of such child has been established.

Effective date: The regulations in these parts shall be effective on July 1, 1975.

Dated: June 12, 1975.

JOHN A. SVAHN,
Acting Administrator, Social and Rehabilitation Service.

Approved: June 20, 1975.

CASPAR W. WEINBERGER,
Secretary.

[FR Doc.75-16662 Filed 6-25-75;8:45 am]

CHAPTER III—OFFICE OF CHILD SUPPORT ENFORCEMENT (CHILD SUPPORT ENFORCEMENT PROGRAM), DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

CHILD SUPPORT ENFORCEMENT PROGRAM

State Plan Requirements

Notice of proposed rule making to implement the Child Support Enforcement Program established by Part B of Pub. L. 93-647 was published in the FEDERAL REGISTER for Parts 301, 302, and 303 on May 8, 1975 (40 FR 20096) and Part 304 on May 9, 1975 (40 FR 20286). Part B of Pub. L. 93-647 repeals section 402(a)(17), (18), (21), and (22) of the Social Security Act effective July 1, 1975. This section provided the statutory basis for 45 CFR 220.48, which will be revoked.

We received 76 responses from public welfare agencies, private citizens, advocate groups, Federal agencies, District Attorneys, State Attorney Generals, and a court. Many comments suggested improvements and clarifications in the regulations. For example, a number of comments suggested that the procedures for treatment and distribution of child support collections be clarified. Sections 302.32 and 302.51 have been expanded to provide more specific guidelines for treatment of child support collections. However, a substantial number of comments raised objections that could only be resolved by amending the legislation upon which the regulations are based. For example, several comments recommended that the incentive payment provided for in § 302.52 be made available to States for intra-State collections and that the amount of the incentive payment be changed to a flat 15 or 20 per-

cent. However, section 458 of the Act precludes States' participation in incentive payments except when they collect on behalf of other States and mandates a 25 percent and 10 percent incentive payment amount. Therefore the Department would have no authority to adopt such recommended changes in the final regulations.

The vast majority of the changes being made in the final regulations are either technical in nature or represent clarification of certain provisions of the proposed regulations. Major changes include the following:

1. Section 302.17 of the proposed regulations relating to standards of personnel administration has been deleted, based on a determination that such standards are not required by title IV–D of the Act.

2. Sections 302.32 and 302.51 have been amended to describe with greater specificity the system for treatment and distribution of child support collections. The system provides that amounts collected as child support in a month which represent the child support obligation for that month will be identified by the Child Support Enforcement Agency (IV–D agency). The IV–D agency will inform the State's IV–A agency of the amount of child support representing a month's obligation as soon after the close of the month as is possible. The IV–A agency will utilize this amount to determine if the family is eligible for an assistance payment in the first assistance payment redetermination it makes after being notified of the amount of the monthly collection. In no case will this redetermination be more than 2 months after the close of the month in which the collection was made (See also 45 CFR 232.20). The IV–A agency will inform the IV–D agency if the amount causes the family to be ineligible for an assistance payment, in which case the IV–A agency will notify the family of this fact and the IV–D agency will pay the family the amount of the child support collection in the month for which the IV–A agency had determined that the family is ineligible for an assistance payment. If the amount of the child support collection for the month does not make the family ineligible for an assistance payment for the month to which the redetermination applies, the collection shall be distributed pursuant to the requirements of § 302.51. Any payment to the family pursuant to § 302.51(b)(3) or (5) will be made in the month after the month in which the amount of the collection was used to redetermine the family's eligibility for an assistance payment.

3. Paragraph (d) has been added to § 302.33 to specify that the State may take an assignment of support rights from an individual who is not a recipient of aid, but that such an assignment may not be a requirement for receipt of child support services nor may it constitute an assignment for purposes of 45 CFR 232.11.

4. Section 302.34 has been amended to specify that cooperative agreements may be entered into with a single official covering more than one court or agency, if the official has authority to enter into agreements on their behalf.

5. Paragraph (a)(2) of § 302.50 has been clarified by providing two examples of "other legal process" for purposes of establishing the support obligation, and paragraph (b)(2) has been clarified by indicating that the support formula must be utilized in conjunction with "other legal process."

6. Paragraph (f) has been added to § 302.51 to incorporate the provisions contained in § 302.50(d) of the proposed regulations and to specify that amounts collected which exceed the amount of unreimbursed past assistance must be paid to the family, and that for those cases in which current support collections are authorized under § 302.51(e), priority must be given to collecting current support.

7. Paragraph (c) has been added to § 302.52 to prescribe time periods within which the child support collection must be forwarded to the appropriate IV–D agency and within which the incentive payment must be made to the collecting jurisdiction.

8. Paragraph (d) has been added to § 302.52 to prescribe the use of the Federal Information Processing Standards Publication (FIPS) as a tracking device for purposes of making incentive payments.

9. Paragraph (b)(3) of § 302.72 has been modified to require that, prior to making a request for use of the United States District Courts, the IV–D agency must wait 60 days after its original request to the other State and then provide 30 days notice to such other State of its intent to seek use of the United States District Courts.

10. Section 303.3 has been amended to permit use of both State and local locator resources within a total of 60 days.

11. Section 303.5 has been amended to specify that in cases of rape, incest, or adoption, a State need not attempt to establish paternity if it would not be in the best interests of the child.

12. Section 303.20 has been amended to make the organizational requirements consistent with the provisions for Federal financial participation in Part 304. The IV–D agency may not delegate any of the IV–D functions to IV–A caseworkers, except upon approval of the Office of Child Support Enforcement for sparsely populated geographic areas.

13. Section 304.26 has been amended to provide alternatives in determining the amount of Federal reimbursement for those States that utilize section 403(a) of the Act in computing the Federal share of assistance payments.

Accordingly, after considering all the comments, the proposed regulations, as modified, are adopted.

1. Title 45 of the Code of Federal Regulations is amended by establishing a new Chapter III consisting of Parts 301 and 302, 303 and 304 as set forth below:

PART 301—STATE PLAN APPROVAL AND GRANT PROCEDURES

Sec.
301.0 Scope and applicability of this part.
301.1 General definitions.
301.10 State plan.
301.11 State plan; format.
301.12 Submittal of State plan for Governor's review.
301.13 Approval of State plans and amendments.
301.14 Administrative review of certain administrative decisions.
301.15 Grants.

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

§ 301.0 Scope and applicability of this part.

This part deals with the administration of title IV–D of the Social Security Act by the Federal Government including actions on the State plan and amendments thereto and review of such actions; grants under the approved plan; review and audit of State and local expenditures; and reconsideration of disallowances of expenditures for Federal financial participation.

§ 301.1 General definitions.

When used in this chapter, unless the context otherwise indicates:

(a) "Act" means the Social Security Act, and the title referred to is title IV–D of that Act;

(b) "Department" means the Department of Health, Education, and Welfare;

(c) "Director" means the Director, Office of Child Support Enforcement, who is the Secretary's designee to administer the Child Support Enforcement program under title IV–D;

(d) "Secretary" means the Secretary of Health, Education, and Welfare;

(e) "Office" means the Office of Child Support Enforcement which is the separate organizational unit within the Department with the responsibility for the administration of the program under this title;

(f) "State" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam;

(g) "IV–D Agency" means the single and separate organizational unit in the State that has the responsibility for administering or supervising the administration of the State plan under title IV–D of the Act;

(h) The terms "Regional Office" and fices and the central office of the Office of Child Support Enforcement, respectively;

(i) The "State plan" means the State plan for child support under section 454 of the Act;

(j) "Federal PLS" means the Parent Locator Service operated by the Office of Child Support Enforcement pursuant to section 452(a)(9) of the Act.

(k) "State PLS" means the service established by the IV–D agency pursuant to section 454(8) of the Act to locate absent parents.

§ 301.10 State plan.

The State plan is a comprehensive statement submitted by the IV–D agency

describing the nature and scope of its program and giving assurance that it will be administered in conformity with the specific requirements stipulated in title IV–D, the regulations in Subtitle A and this chapter of this title, and other applicable official issuances of the Department. The State plan contains all information necessary for the Office to determine whether the plan can be approved, as a basis for Federal financial participation in the State program.

§ 301.11 State plan; format.

The State plan must be submitted to the Office in the format and containing the information prescribed by the Office, and within time limits set in implementing instructions issued by the Office. Such time limits will be adequate for proper preparation of plans and submittal in accordance with the requirements for State Governors' review (see section 301.12 of this chapter).

§ 301.12 Submittal of State plan for Governor's review.

The State plan must be submitted to the State Governor for his review and comments, and the State plan must provide that the Governor will be given opportunity to review State plan amendments and long-range program planning projections or other periodic reports thereon. This requirement does not apply to periodic statistical or budget and other fiscal reports. Under this requirement, the Office of the Governor will be afforded a specified period in which to review the material. Any comments made will be transmitted to the Office with the documents.

§ 301.13 Approval of State plans and amendments.

The State plan consists of written documents furnished by the State to cover its Child Support Enforcement program under title IV–D of the Act. After approval of the original plan by the Office, all relevant changes, required by new statutes, rules, regulations, interpretations, and court decisions, are required to be submitted currently so that the Office may determine whether the plan continues to meet Federal requirements and policies.

(a) *Submittal.* State plans and revisions of the plans are submitted first to the State governor or his designee for review in accordance with § 301.12, and then to the regional office. The States are encouraged to obtain consultation of the regional staff when a plan is in process of preparation or revision.

(b) *Review.* The Office of Child Support Enforcement in the regional offices is responsible for review of State plans and amendments. It also initiates discussion with the IV–D agency on clarification of significant aspects of the plan which come to its attention in the course of this review. State plan material on which the regional staff has questions concerning the application of Federal policy is referred with recommendations as required to the Office of Child Support Enforcement in the central office for technical assistance. Comments and suggestions, including those of consultants in specified areas, may be prepared by the central office for use by the regional staff in negotiations with the IV–D agency.

(c) *Action.* The Regional Office exercises delegated authority to take affirmative action on the State plan and amendments thereto on the basis of policy statements or precedents previously approved by the Director. The Director retains authority for determining that proposed plan material is not approvable, or that a previously approved plan no longer meets the requirements for approval, except that a final determination of disapproval may not be made without prior consultation and discussion by the Director with the Secretary. The Regional Office or the Director formally notifies the IV–D agency of the actions taken on the State plan or revisions thereto.

(d) *Basis for approval.* Determinations as to whether the State plan (including plan amendments and administrative practice under the plan) originally meets or continues to meet the requirements for approval are based on relevant Federal statutes and regulations. Guidelines are furnished to assist in the interpretation of the regulations.

(e) *Prompt approval of the State plan.* The determination as to whether the State plan submitted for approval conforms to the requirements for approval under the Act and regulations issued pursuant thereto shall be made promptly and not later than the 90th day following the date on which the plan submittal is received in the regional office, unless the Regional Office has secured from the IV–D agency a written agreement to extend that period.

(f) *Prompt approval of plan amendments.* Any amendment of an approved State plan may, at the option of the State, be considered as a submission of a new State plan. If the State requests that such amendments be so considered, the determination as to its conformity with the requirements for approval shall be made promptly and not later than the 90th day following the date on which such a request is received in the Regional Office with respect to an amendment that has been received in such office, unless the Regional Commissioner has secured from the State agency a written agreement to extend that period.

(g) *Effective date.* The effective date of a new plan may not be earlier than the first day of the calendar quarter in which an approvable plan is submitted.

§ 301.14 Administrative review of certain administrative decisions.

Any State dissatisfied with a determination of the Director pursuant to § 301.13 (e) or (f) with respect to any plan or amendment may, within 60 days after the date of receipt of notification of such determination, file a petition with the Regional Office asking the Director for reconsideration of the issue of whether such plan or amendment conforms to the requirements for approval under the Act and pertinent Federal requirements. Within 30 days after receipt of such a petition, the Director shall notify the State of the time and place at which the hearing for the purpose of reconsidering such issue will be held. Such hearing shall be held not less than 30 days nor more than 60 days after the date notice of such hearing is furnished to the State, unless the Director and the State agree in writing on another time. The hearing procedures contained in 45 CFR Part 213 applicable to § 201.4 of this title shall apply to reconsiderations brought under this section. A determination affirming, modifying, or reversing the Director's original decision will be made within 60 days of the conclusion of the hearing. Action pursuant to an initial determination by the Director described in such § 301.1 (e) or (f) that a plan or amendment is not approvable shall not be stayed pending the reconsideration, but in the event that the Director subsequently determines that his original decision was incorrect he shall certify restitution forthwith in a lump sum of any funds incorrectly withheld or otherwise denied.

§ 301.15 Grants.

To States with approved plans, a grant is made each quarter for expenditures under the plan for the administration of the Child Support Enforcement program. The determination as to the amount of a grant to be made to a State is based upon documents submitted by the IV–D agency containing information required under the Act and such other pertinent facts as may be found necessary.

(a) *Form and manner of submittal.* (1) Time and place: An estimate for a grant for each quarterly period must be forwarded to the Regional Office 45 days prior to the period of the estimate. It includes a certification of State funds and a justification statement in support of the estimate. A statement of quarterly expenditures and any necessary supporting schedules must be forwarded to the Department of Health, Education, and Welfare, Social and Rehabilitation Service, Attention: Finance Division, Washington, D.C. 20201, not later than 30 days after the end of the quarter.

(2) *Description of forms:* "State Agency Expenditure Projection—Quarterly Projection by Program" represents the IV–D agency's estimate of the total amount and the Federal share of expenditures for the administration of the title IV–D program for the quarter. From this estimate the State and Federal shares of the total expenditures are computed. The State's computed share of total estimated expenditures is the amount of State and local funds necessary for the quarter. The Federal share is the basis for the funds to be advanced for the quarter. The agency must also certify, on this form or otherwise, the amount of State funds (exclusive of any balance of advances received from the Federal Government) actually on hand and available for expenditure; this certification must be signed by the executive officer of the IV–D agency submitting the estimate or a person officially desig-

nated by him, or by a fiscal officer of the State if required by State law or regulation. (A form "Certificate of Availability of State Funds for Assistance and Administration during Quarter" is available for submitting this information, but its use is optional.) If the amount of State funds (or State and local funds if localities participate in the program), shown as available for expenditures is not sufficient to cover the State's proportionate share of the amount estimated to be expended, the certification must contain a statement showing the source from which the amount of the deficiency is expected to be derived and the time when this amount is expected to be made available.

(3) The IV-D agency must also submit a quarterly statement of expenditures for the title IV-D program. This is an accounting statement of the disposition of the Federal funds granted for past periods and provides the basis for making the adjustments necessary when the State's estimate for any prior quarter was greater or less than the amount the State actually expended in that quarter. The statement of expenditures also shows the share of the Federal Government in any recoupment, from whatever source, of expenditures claimed in any prior period, and also in expenditures not properly subject to Federal financial participation which are acknowledged by the IV-D agency or have been revealed in the course of an audit.

(b) *Review.* The State's estimate is analyzed by the regional office and is forwarded with recommendations as required to the central office. The central office reviews the State's estimate, other relevant information, and any adjustments to be made for prior periods, and computes the grant.

(c) *Grant award.* The grant award computation form shows the amount of the estimate for the ensuing quarter, and the amounts by which the estimate is reduced or increased because of over- or under-estimate for the prior quarter and for other adjustments. This form is transmitted to the IV-D agency to draw the amount of the grant award as needed, to meet the Federal share of disbursements. The draw is through a commercial bank and the Federal Reserve system against a continuing letter of credit certified to the Secretary of the Treasury in favor of the State payee. A notice of the amount of the grant award is sent to the State Central Information Reception Agency in accord with section 201 of the Intergovernmental Cooperation Act of 1968.

(d) *Letter of credit payment system.* The letter of credit system for payment of advances of Federal funds was established pursuant to Treasury Department regulations (Circular No. 1075), published in the FEDERAL REGISTER on July 11, 1967 (32 FR 10201). The HEW "Instructions to Recipient Organizations for Use of Letter of Credit" was transmitted to all grantees by memorandum from the Assistant Secretary-Comptroller on January 15, 1968.

(e) *General administrative requirements.* With the following exceptions, the provisions of Part 74 of this title, establishing uniform administrative requirements and cost principles, shall apply to all grants made to States under this part:

45 CFR Part 74

Subpart G Matching and Cost Sharing.
Subpart I Financial Reporting Requirements.

PART 302—STATE PLAN REQUIREMENTS

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302.72 Applications to use the courts of the United States to enforce court orders.

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

§ 302.0 Scope of this part.

This part defines the State plan provisions required for an approved plan under title IV-D of the Act.

§ 302.1 Definitions.

The definitions found in section 301.1 of this Chapter also are applicable to this part.

§ 302.10 Statewide operations.

The State plan shall provide that:

(a) It will be in operation on a statewide basis in accordance with equitable standards for administration that are mandatory throughout the State;

(b) If administered by a political subdivision of the State, the plan will be mandatory on such political subdivision;

(c) The IV-D agency will assure that the plan is continuously in operation in all appropriate offices or agencies through:

(1) Methods for informing staff of State policies, standards, procedures and instructions; and

(2) Regular planned examination and evaluation of operations in local offices by regularly assigned State staff, including regular visits by such staff; and through reports, controls, or other necessary methods.

§ 302.11 State financial participation.

The State plan shall provide that the State will participate financially in the program.

§ 302.12 Single and separate organizational unit.

(a) The State plan shall provide for the establishment or designation of a single and separate organizational unit to administer the IV-D plan. Such unit is referred to as the IV-D agency. Under this requirement:

(1) The IV-D agency may be:

(i) Located in the single State agency designated pursuant to § 205.100 to administer title IV-A of the Act;

(ii) Located in any other agency of the State; or,

(iii) Established as a new agency of the State.

(2) The IV-D agency shall be responsible and accountable for the operation of the IV-D program. Except as provided in § 303.20 of this Part, the agency need not perform all the functions of the IV-D program so long as it insures that all these functions are being carried out properly, efficiently, and effectively;

(3) If the IV-D agency delegates any of the functions of the IV-D program to any other State or local agency or official, or any official with whom a cooperative agreement as described in § 302.34 has been entered into or purchases services from any person or private agency pursuant to § 304.22 of this Part, the IV-D agency shall have responsibility for securing compliance with the requirements of the State plan by such agency or officials.

(b) The State plan shall describe the structure of the IV-D agency and the distribution of responsibilities among the major divisions within the unit, and if it is located within another agency, show its place in such agency. If any of the IV-D program functions are to be performed outside of the IV-D agency then these functions shall be listed with the name of the organization responsible for performing them.

§ 302.13 Plan amendments.

(a) The State plan shall provide that the plan will be amended whenever necessary to reflect new or revised Federal statutes or regulations, or material change in any phase of State law, organization, policy or IV-D agency operation.

(b) *Federal financial participation.* Except where otherwise provided, Federal financial participation is available in the additional expenditures resulting from an amended provision of the State plan as of the first day of the calendar quarter in which an approvable amendment is submitted or the date on which the amended provision becomes effective in the State, whichever is later.

§ 302.14 Fiscal policies and accountability.

The State plan shall provide that the IV–D agency, in discharging its fiscal accountability, will maintain an accounting system and supporting fiscal records adequate to assure that claims for Federal funds are in accord with applicable Federal requirements. The retention and custodial requirements for these records are prescribed in 45 CFR Part 74.

§ 302.15 Reports and maintenance of records.

(a) The State plan shall provide that:

(1) The IV–D agency will maintain records necessary for the proper and efficient operation of the plan, including records regarding:

(i) Applications pursuant to § 302.33 for child support services available under the State plan;

(ii) Location of absent parents, actions to establish paternity and obtain and enforce child support, and the costs incurred in such actions;

(iii) Amount and sources of child support collections and the distribution of these collections;

(iv) Any fees charged or paid for child support enforcement services;

(v) Any other administrative costs;

(vi) Any other information required by the Office; and,

(vii) Statistical, fiscal, and other records necessary for reporting and accountability required by the Secretary.

The retention and custodial requirements for these records are prescribed in 45 CFR Part 74.

(2) The IV–D agency will make such reports in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as he may from time to time find necessary to assure the correctness and verification of such reports.

(b) *Conditions for optional use of microfilm copies.* Certified microfilm copies of the substantiating documents required for Federal audit and review purposes may be substituted for the originals (i.e., the originals may be destroyed), provided that:

(1) The IV–D agency can show, on the basis of a study of its record storage situation, that the use of microfilm copies is in the interest of efficiency and economy;

(2) The proposed microfilm system is adequate:

(i) To enable the IV–D agency to discharge its own audit responsibility for propriety of expenditures for which Federal financial participation is claimed and in no way hinders the IV–D agency's supervision and control of the programs; and

(ii) To enable the HEW Audit Agency and the Office to properly discharge their respective responsibilities for reviewing the manner in which all aspects of the Child Support Enforcement program are being administered in the State; and

(3) Prior approval is obtained from the regional office indicating that the system meets the conditions in paragraph (b)(2) of this section and that the proposed microfilming procedures are reliable and are supported by an adequate retrieval system.

§ 302.16 Cost allocation.

(a) The State plan shall provide that:

(1) The IV–D agency has an approved cost allocation plan on file with the Regional Office which identifies and describes the methods and procedures the State has established for properly charging the costs of administration, services, (excluding purchased services), and training activities under the plan in accordance with the Federal requirements set out in 45 CFR Part 74, Appendix C, and in Department and Office regulations and instructions.

(2) The cost allocation plan includes description of the functions and activities by organizational units or other cost centers prescribed in the State plan; estimated costs for an annual period by organizational units or other cost centers (unless specifically waived by the Regional Office); and the basis used for allocating the various pools of costs to programs and activities (with justification for each).

(3) The cost allocation plan contains such other information as is necessary to document the validity of the cost allocation methods and procedures and must include methods and procedures for:

(i) Allocating all such administrative costs of the State Department in which the IV–D agency is located between Federal and non-Federal programs;

(ii) Identifying, of the costs applicable to more than one of the Federal programs, those applicable to each of the separate programs, in accordance with program classifications specified by the Secretary; and

(iii) Segregating costs in paragraph (a)(3)(ii) of this section by classifications as are found necessary by the Secretary.

(4) The estimated costs are included solely to permit evaluation of the methods of allocation, and therefore approval of the cost allocation plan shall not constitute approval of these estimated costs for use in calculating claims for Federal financial participation.

(5) A State shall revise its cost allocation plan when the allocation method shown in the existing plan is outdated due to organizational changes within the IV–D agency, changes in Federal law or regulations, or other similar changes.

(b) *Federal financial participation.* (1) As a condition for receipt of Federal financial participation in administration of the IV–D program for any quarterly period, a IV–D agency's claim for such expenditures must be in accord with a cost allocation plan on file with and approved by the Regional Office for that period.

(2) If a IV–D agency fails to revise its cost allocation plan as required by paragraph (a)(2) of this section within the quarter that such changes are effective, the Regional Office will defer payment of any overstated portions of expenditures which he determines to result from the IV–D agency using an outdated cost allocation method until the IV–D agency has submitted a revised cost allocation plan which is approved by him and the IV–D agency has revised its claim accordingly.

(3) If a IV–D agency does not have any cost allocation plan on file with the Regional Office, payment will not be made for those costs of administration which require an allocation method. Such payments will be deferred until such time as a cost allocation plan has been submitted and is approved by the Regional Office.

§ 302.17 Inclusion of State statutes.

The State plan shall provide a copy of State statutes, or regulations promulgated pursuant to such statutes and having the force of law (including citations of such statutes and regulations), that provide procedures to be used in the determination of paternity of a child born out of wedlock, and to establish the child support obligation of a responsible parent, and to enforce such child support obligations.

§ 302.31 Establishing paternity and securing support.

The State plan shall provide that the IV–D agency will undertake:

(a) In the case of a child born out of wedlock with respect to whom an assignment under § 232.11 of this title is effective, to establish the paternity of such child; and

(b) In the case of any child with respect to whom such assignment is effective, to secure support for such child from any person who is legally liable for such support, utilizing reciprocal arrangements adopted with other States when appropriate.

§ 302.32 Child support payments to the IV–D agency.

The State plan shall provide that:

(a) In any case in which child support payments are collected for a recipient of aid under the State's title IV–A plan with respect to whom an assignment under § 232.11 is effective, such payments shall be made to the IV–D agency and shall not be paid directly to the family except as provided in paragraph (b).

(b) As soon as possible but not later than 30 days after the end of a month, the IV–D agency will inform the agency administering the State's title IV–A plan of the amount of the collection which represents payment on the required support obligation for that month as determined in § 302.51(a). Upon being informed of this amount, the IV–A agency will determine if such amount is sufficient to make the family ineligible for an assistance payment pursuant to the State's IV–A plan (See § 232.20 of Chapter II of this title). If such amount is sufficient to make the family ineligible for an assistance payment, the IV–A agency will notify the IV–D agency of such fact and the IV–D agency must pay such amount to the family in the month for which the IV–A agency had determined that the family is ineligible for an assistance payment except in those

cases pursuant to § 205.10 of this title in which a family is nevertheless entitled to an assistance payment pending the result of a hearing. With such payment the IV–D agency will notify the family if it will continue to collect and distribute current support payments pursuant to § 302.51(e)(1) of this part.

(c) If the IV–A agency determines that the amount of the collection which represents payment on the required support obligation for the month does not make the family ineligible for an assistance payment, or if a hearing is requested pursuant to § 205.10 of this title, the IV–A agency will notify the IV–D agency of such fact and the IV–D agency will distribute such amount pursuant to § 302.51 of this part.

(d) To the extent any amount collected in a month includes payment on required support obligations for past months, that portion of such amount will be distributed by the IV–D agency pursuant to § 302.51(b) (4) and (5) of this part.

(e) Child support collected in a month after any month in which the child support collected makes the family ineligible for an assistance payment (pursuant to § 232.20 of this title) but prior to or in the month in which the family receives its last assistance payment, shall be used to reimburse the State for any assistance paid in such months with any excess being paid to the family. This provision will not apply when a hearing is requested pursuant to § 205.10 of this title. In these cases, when the hearing results in a determination that the family was ineligible for an assistance payment, the IV–D agency will determine the amount by which the entire child support collection for a month that the family would have received pursuant to paragraph (b) above exceeds the amount the family actually received for a month as an assistance payment and pursuant to § 302.51. Such excess shall be paid to the family. If the family is determined to be eligible, distribution will continue to be made pursuant to § 302.51.

§ 302.33 Individuals not otherwise eligible for paternity and child support services.

(a) The State plan shall provide that the child support collection or paternity determination services established under the plan shall be made available to any individual not otherwise eligible for such services upon application filed by such individual with the IV–D agency.

(b) The State plan may provide for an application fee to be charged each individual who applies for services under this section. If the State elects to charge a fee, the State plan shall specify either:

(1) A flat dollar amount not to exceed $20 to be charged each applicant; or,

(2) A fee schedule to be used to determine the fee to be charged each applicant. Such fee schedule will be based on each applicant's income and will be designed so as not to discourage the application for such services by those most in need of them.

(c) The State plan may provide for recovery of any costs incurred in excess of the application fee in collection of child support. If the State elects to recover such costs they shall be deducted from the amount of such recovery. In a particular case, large initial costs of establishing paternity or collecting child support may be prorated over a period of months for purposes of recovering such costs. If the State elects to recover costs under this paragraph, the individual for whom child support services are provided shall be informed of such fact.

(d) The IV–D agency may take an assignment of support rights from an individual applying for paternity or child support services under this section. However, such assignment shall not constitute an assignment for purposes of § 232.11 of this title and may not be a condition of receipt of such services.

§ 302.34 Cooperative arrangements.

The State plan shall provide that the State will enter into written agreements for cooperative arrangements with appropriate courts and law-enforcement officials. Such agreements may be entered into with a single official covering more than one court, official, or agency, if such single official has the legal authority to enter into agreements on behalf of such courts, officials, or agencies. Such agreements shall contain provisions for providing courts and law-enforcement officials with pertinent information needed in locating absent parents, establishing paternity and securing support, including the immediate transfer of the information obtained under § 235.70 of this title to the court or law-enforcement official, to the extent that such information is relevant to the duties to be performed pursuant to the agreement. They shall also provide for assistance to the IV–D agency in carrying out the program, and may relate to any other matters of common concern. Under this requirement such agreements may include provisions:

(a) For the investigation and prosecution of fraud directly related to paternity and child support;

(b) To reimburse courts and law-enforcement officials for their assistance.

§ 302.35 State parent locator service.

The State plan shall provide that:

(a) The IV–D agency will establish a parent locator service utilizing:

(1) All sources of information and records available in the State, and in other States as appropriate; and

(2) The Federal PLS of the Department of Health, Education, and Welfare.

(b) The State PLS will have a central State office and may also establish or designate offices at the local level.

(c) The IV–D agency will accept applications to utilize the Federal PLS from:

(1) Any State or local agency or official seeking to collect child support obligations pursuant to the State plan;

(2) A court which has authority to issue an order against an absent parent for the support and maintenance of a child, or any agency of such court; or

(3) The resident parent, legal guardian, attorney, or agent of a child who is not receiving aid under title IV–A of the Act.

However, prior to the submission of any request to the Federal PLS, the State PLS must first make diligent and reasonable efforts to exhaust the State and local parent locator resources;

(d) Any requests to the Federal PLS under section 453 of the Act will be submitted only by the central State office in accordance with the manner and form prescribed by the Secretary.

(e) The IV–D agency will collect or pay the fee which is required by section 453(e)(2) of the Act to be charged the individuals described in paragraph (c)(3) of this section.

§ 302.36 Cooperation with other States.

The State plan shall provide that the State will cooperate with any other State:

(a) In establishing paternity, if necessary;

(b) In locating an absent parent who is present in the State and against whom any action is being taken under a IV–D program in any other State;

(c) In securing compliance by an absent parent who is present in the State with an order issued by a court of competent jurisdiction against such parent for the support and maintenance of a child or children of such parent with respect to whom aid is being provided under the plan approved under title IV–A of the Social Security Act in any other State; and,

(d) In carrying out any other function required under a plan approved under title IV–D.

§ 302.37 Distribution of child support payments.

The State plan shall provide that, pursuant to the requirements of § 302.32 of this Part, amounts collected as child support will be distributed as provided in § 302.51 of this Part.

§ 302.38 Payments to the family.

The State plan shall provide that any payment required to be made under §§ 302.32 and 302.51 of this Part to a family will be made to the resident parent, legal guardian, or caretaker relative having custody of or responsibility for the child or children.

§ 302.39 Standards for an effective program.

The State plan shall provide that the IV–D agency will comply with the standards for an effective program and the organizational and staffing requirements prescribed by Part 303 of this Chapter.

§ 302.50 Support obligations.

The State plan shall provide as follows:

(a) The support rights assigned to the IV–D agency pursuant to § 232.11 of this title constitute an obligation owed to the State by the individual responsible for providing such support. Such obligation shall be established by:

(1) Order of a court of competent jurisdiction,

(2) Other legal process as established by State laws, such as an administrative hearing process or a legally enforceable and binding agreement; or,

(3) For cases receiving child support services under the provisions of section 402(a) (17) and (18) of the Act prior to July 1, 1975, the obligation may be that established by an agreement which was entered into prior to July 1, 1975 which does not meet the requirement of paragraph (a) (2) of this section. In the event of a breach of the agreement, such agreement must be superseded pursuant to paragraph (a) (1) or (2) of this section as soon as possible. All agreements not meeting the requirements of paragraph (a) (2) of this section must be superseded pursuant to paragraph (a) (1) or (2) of this section on the basis of one-third by January 1, 1976, two-thirds by July 1, 1976, and all by January 1, 1977;

(b) The amount of the obligation described in paragraph (a) of this section shall be:

(1) The amount specified in the order of a court of competent jurisdiction which covers the assigned support rights; or

(2) If there is no court order, an amount determined in writing by the IV-D agency as part of the legal process referred to in paragraph (a) (2) of this section in accordance with a formula which meets the criteria prescribed in § 302.53.

(c) The obligation described in paragraph (a) of this section shall be deemed for collection purposes to be collectible under all applicable State and local processes.

(d) Any amounts which represent support payments collected from an individual responsible for providing support under the State plan shall reduce, dollar for dollar, the amount of his obligation under this section.

§ 302.51 Distribution of child support collections.

The State plan shall provide as follows:

(a) For the purposes of distribution under this section, amounts collected shall be treated first as payment on the required support obligation for the month in which the support was collected and if any amounts are collected which are in excess of such amount, these excess amounts shall be treated as amounts which represent payment on the required support obligation for previous months. (The IV-D agency may if it so desires round off the converted amount to whole dollar amounts for the purposes of distribution under this section and § 302.52). The date of collection shall be the date on which the payment is received by the IV-D agency or the legal entity of the State or political subdivision actually making the collection on behalf of the IV-D agency. For purposes of interstate collections, the date of collection shall be the date on which the payment is received by the IV-D agency of the State in which the family is receiving aid.

(b) The amounts collected as support by the IV-D agency pursuant to the State plan for children who are current recipients of aid under the State's title IV-A plan and for whom an assignment under § 232.11 of this title is effective shall be distributed as follows:

(1) Of any amount that is collected in a month which represents payment on the required support obligation for that month, 40 percent of the first $50 of such amount shall be paid to the family. This payment may not be used in determining the amount paid, if any, to the family in paragraph (b) (3) of this section. If the amount collected includes payment on the required support obligation for a previous month or months, the family shall only receive 40 percent of the first $50 of the amount which represents the required support obligation for the month in which the support was collected. If amounts are collected for one family which represents support payments from two or more absent parents, only 40 percent of the first $50 of the amount collected which represents the total required support obligation for the month in which the support was collected shall be paid to the family under this paragraph. No payment shall be made to a family under this paragraph for a month in which there is no child support collection. The requirements of this paragraph shall not be applicable after September 30, 1976.

(2) Any amount that is collected in a month which represents payment on the required support obligation for that month (and, prior to October 1, 1976, is in excess of the amount paid to the family under paragraph (b) (1) of this section) shall be retained by the State to reimburse, in whole or in part, the assistance payment for the month in which the child support was collected or the next month. Of the amount retained by the State as reimbursement for that month's assistance payment, the IV-D agency shall determine the Federal Government's share of the amount so retained so the IV-A agency may reimburse the Federal Government to the extent of its participation in the financing of the assistance payment. From the Federal government's share, the IV-D agency shall deduct and pay the incentive payments, if any, prescribed in § 302.52.

(3) If the amount collected is in excess of the amount required to be distributed under paragraphs (b) (1) and (2) of this section, the family shall be paid such excess up to the difference between the assistance payment for the month in which the amount of the collection was used to redetermine eligibility for an assistance payment under the State's title IV-A plan (see § 302.32) and the court ordered amount for that month. This payment shall be made in the month following the month in which the amount of the collection was used to redetermine eligibility for an assistance payment under the State's title IV-A plan. If such court ordered amount is less than such assistance payment, no amount shall be paid to the family under this paragraph. In cases in which there is no court order, the family shall not be paid any amount under this paragraph.

(4) If the amount collected is in excess of the amounts required to be distributed under paragraphs (b) (1)-(3) of this section, any such excess shall be retained by the State as reimbursement for past assistance payments made to the family for which the State has not been reimbursed. The State may apply the amount retained to any sequence of months for which it has not yet been reimbursed. Of the amount retained by the State as reimbursement of past assistance payments, the IV-D agency shall determine the Federal Government's share of the amounts so retained so the IV-A agency may reimburse the Federal Government to the extent of its participation in the financing of the assistance payments. From the Federal government's share, the IV-D agency shall deduct and pay the incentive payment, if any, prescribed in § 302.52. If past assistance payments are greater than the total support obligation owed, the maximum amount the State may retain as reimbursement for such assistance payments is the amount of such obligation, unless amounts are collected which represent the required support obligation for periods prior to the first month in which the family received assistance under the State's title IV-A plan, in which case such amounts may be retained by the State to reimburse the difference between such support obligation and such assistance payments.

(5) If the amount collected is in excess of the amounts required to be distributed under paragraphs (b) (1)-(4) of this section, such excess shall be paid to the family. This payment shall be made in the month following the month in which the amount of the collection was used to redetermine eligibility for an assistance payment under the State's title IV-A plan.

(c) If an amount collected as child support represents payment on the required support obligation for future months, the amount shall be applied to such future months. However, no such amounts shall be applied to future months unless amounts have been collected which fully satisfy the support obligation assigned under section 402(a) (26) of the Act for the current month and all past months.

(d) Any amount paid under paragraph (b) (1), (3) or (5) of this section shall be identified as not being an assistance payment.

(e) Whenever a family for whom child support payments have been collected and distributed under the title IV-D State plan ceases to receive assistance under the title IV-A State plan, the IV-D agency may:

(1) Continue to collect current support payments from the absent parent for a period of not to exceed three months from the month following the month in

which such family ceased to receive assistance under the title IV–A State plan, and pay all amounts so collected to the family; and,

(2) At the end of such three month period, if the IV–D agency is authorized to do so by the individual on whose behalf the collection will be made, continue to collect such support payments from the absent parent and pay the net amount of any amount so collected to the family after deducting any costs incurred in making the collection from the amount of any recovery made.

(f) When a family ceases receiving assistance under the State's title IV–A plan, the assignment of support rights under § 232.11 of this title terminates, except with respect to the amount of any unpaid support obligation that has accrued under such assignment. From this accrued amount, the IV–D agency shall attempt to collect such unpaid obligation. Under this requirement:

(1) Such collections shall be used to reimburse any amounts of past assistance which have not been reimbursed under paragraph (b)(4) of this section;

(2) Of the amount collected, the IV–D agency shall determine the Federal Government's share of the collection so the IV–A agency may reimburse the Federal Government to the extent of its participation in the financing of the assistance payments. From the Federal Government's share the IV–D agency shall deduct and pay the incentive payment, if any, prescribed in § 302.52;

(3) Only amounts collected pursuant to this paragraph which exceed the amount of unreimbursed past assistance shall be paid to the family;

(4) For those cases in which collections are authorized under paragraph (e) of this section, priority shall be given to collection of current support.

§ 302.52 Incentive payments to political subdivisions and other States.

The State plan shall provide as follows:

(a) When, pursuant to the State plan, a political subdivision of the State (or a legal entity of the political subdivision, such as a Prosecuting or District Attorney or a Friend of the Court) makes, for the State of which it is a political subdivision, or one State makes, for another State, the enforcement and collection of the support rights assigned under § 232.11 of this title (either within or outside of the State making the enforcement or collection), the IV–D agency making the distribution pursuant to § 302.51 of this Chapter of the amounts collected shall pay to the political subdivision or State making the enforcement and collection from the amounts which would otherwise represent the Federal share of the assistance payments to the family of the absent parent:

(1) An amount equal to 25 percent of any amount collected (and required to be retained by the State to reduce or repay assistance payments in accordance with § 302.51(b) (2) or (4)) which represents payment on the required support obligation owed for 12 months; and

(2) An amount equal to 10 percent of any amount collected (and required to be retained by the State to reduce or repay assistance payments in accordance with § 302.51(b) (2) or (4)) which is attributable to the support obligation owed for any month after the first 12 months for which collections are made.

(b) The 25 percent incentive described in paragraph (a)(1) of this section shall be paid for any month in which amounts are collected (pursuant to an assignment under § 232.11 of this title) which represent payments on the required monthly support obligation owed for 12 months and shall continue to be paid for such amounts until the amounts that are collected equal the amount owed on the required support obligation for 12 months, even if the months during which such collections are made are not consecutive. In the case of a family who ceases receiving aid under the State's title IV–A plan, if such family begins receiving such aid again at a later date, a new 12 month period for payment of the 25 percent incentive shall commence.

(c) The jurisdiction making the collection shall transmit, no later than 10 days after the end of the month in which the collection was made, the entire amount of the collection to the appropriate IV–D agency. Such IV–D agency shall calculate and pay the incentive, if any, described in paragraph (a) of this section, within 60 days after the end of the month in which the collection was made by the collecting jurisdiction.

(d) In forwarding the child support collection to the appropriated IV–D agency, the collecting jurisdiction shall include, as appropriate, either a two digit code identifying the collecting State or a five digit code identifying the collecting county. Such codes shall be those defined in the Federal Information Processing Standards Publication (FIPS) by the National Bureau of Standards and also promulgated by the General Services Administration in *Worldwide Geographical Location Codes* and shall be used by the IV–D agency to track the collection and pay the incentive.

(e) Where more than one jurisdiction within the State is involved in the enforcement or collection, or more than one State is involved in the enforcement or collection, the amount of the incentive payment determined in paragraph (a) of this section shall be allocated among such jurisdictions in a manner prescribed by instructions issued by the Office.

§ 302.53 Formula for determining the amount of the obligation.

The State plan shall provide as follows:

(a) There shall be a formula to be utilized by the IV–D agency in determining the amount of the support obligation pursuant to § 302.50 when there is no court order covering the obligation. Such formula must take into consideration the following criteria:

(1) All earnings, income and resources of the absent parent including real and personal property;

(2) The earnings potential of the absent parent;

(3) The reasonable necessities of the absent parent;

(4) The ability of the absent parent to borrow;

(5) The needs of the child for whom the support is sought;

(6) The amount of assistance which would be paid to the child under the full standard of need of the State's IV–A plan;

(7) The existence of other dependents; and

(8) Other reasonable criteria which the State may choose to incorporate.

(b) The formula described in paragraph (a) of this section must be designed to insure, as a minimum, that the child for whom support is sought benefits from the income and resources of the absent parent on an equitable basis in comparison with any other minor children of the absent parent.

(c) The formula described in paragraph (a) of this section shall be utilized to determine the required monthly support obligation, the amount of support obligation arrearage, if any, and the amount to be paid periodically against such arrearage.

§ 302.70 Requests for information from the Federal Parent Locator Service (PLS).

The State plan shall provide as follows:

(a) All requests for information from the Federal PLS will originate from the central office of the State PLS.

(b) Diligent and reasonable efforts to exhaust all appropriate State and local locate sources will be made prior to requesting information from the Federal PLS.

(c) All requests will be on such forms and in such format as may be prescribed by the Office.

(d) Each request to the Federal PLS must contain the following information:

(1) The absent parent's name;

(2) The absent parent's social security account number (SSN). If the SSN is unknown, the IV–D agency must make every reasonable effort to ascertain the individual's SSN before submitting the request to the Federal PLS;

(3) Whether the individual is or has been a member of the armed services, if known;

(4) Whether the individual is receiving, or has received, any Federal compensation or benefits, if known; and,

(5) Any other information prescribed by the Office.

(e) All requests to the Federal PLS will be accompanied by a statement, signed by the head of the IV–D agency or his designee, attesting to the following:

(1) That request is being made to locate an individual for the purpose of establishing paternity or securing child support, and for no other purpose.

(2) That any information obtained through the Federal PLS shall be treated as confidential and shall be safeguarded pursuant to the requirements of § 205.50 of this title.

(3) That the IV–D agency will take protective measures to safeguard per-

sonal information transmitted and received through use of the Federal PLS.

(f) The State PLS shall collect such fee as the Office may from time to time establish for each request to the Federal PLS pursuant to § 302.35(c)(3). This fee will be collected by the Office from the IV–D agency by an offset of the quarterly awards.

§ 302.71 Requests for collection by the Secretary of the Treasury

(a) The State plan shall provide that the IV–D agency may request the Secretary to certify the amount of any child support obligation assigned to the IV–D agency to the Secretary of the Treasury or his delegate for collection pursuant to the provisions of section 6305 of the Internal Revenue Code of 1954. Such requests shall be submitted to the Regional Office, using such forms as may be prescribed by the Office of Child Support Enforcement, signed by the head of the IV–D agency or his designee, attesting to the following:

(1) The amount of the delinquency under a court order for support, which shall not be less than the amount owed for three months and in no case less than $75, and whether such amount is in lieu of, or in addition to, any previous amounts which have been certified.

(2) There has not been a request for certification to the Secretary of the Treasury or his delegate in the case during the previous 6 months. If there has been a request for certification in the case prior to such 6 month period, the date of such request must be specified.

(3) The IV–D agency agrees to reimburse the United States for costs involved in making the collection.

(4) The IV–D agency has made diligent and reasonable efforts to collect such amounts utilizing its own collection mechanisms as set forth in the State plan. Under this requirement, the following must be provided:

(i) A certified copy of the court order for support;

(ii) A description of action taken under any collection mechanisms described in the State plan, including certified copies of court orders if applicable;

(iii) An explanation as to why the State collection mechanisms were not utilized, or why such mechanisms failed to collect the amount of the delinquency and why further State action would be unproductive.

(5) The reasonable belief that the delinquent support obligee possesses assets which could be levied upon by the Secretary of the Treasury or his delegate to collect the delinquency, the nature of such assets and their location, if known.

(6) Sufficient information to enable the Secretary of the Treasury or his delegate to identify and locate the delinquent support obligee including:

(i) The individual's name and social security number, if known; and,

(ii) The individual's last known address and place of employment.

(b) The Regional Office will review each request for certification to determine if the request meets the requirements of paragraph (a) of this section.

(1) If the request meets such requirements it will promptly be certified and transmitted together with a copy of the documents submitted by the State under paragraph (a) of this section, to the Secretary of the Treasury or his delegate. The IV–D agency will then be notified of such action.

(2) If the request does not meet such requirements, it will be returned to the IV–D agency with an explanation of the refusal to certify.

(c) The State plan shall provide that after a case has been certified under this section, and prior to a distribution of the delinquent amount to the State by the Secretary of the Treasury or his delegate, any change in the status of the case that would affect the amount of the delinquency, or a change in the location or nature of the assets or address of the delinquent support obligee, shall be reported by the IV–D agency to the Regional Office. (Such information will be transmitted to the Secretary of the Treasury or his delegate by the Regional Child Support Office.)

§ 302.72 Applications to use the courts of the United States to enforce court orders.

(a) The State plan shall provide that the IV–D agency may apply to the Secretary for permission to utilize a United States district court to enforce a child support order of a court of competent jurisdiction against an absent parent who is present in another State when the IV–D agency can furnish evidence to demonstrate that:

(1) The State in which the absent parent is present has not undertaken to enforce such order against such parent within 60 days of the receipt of a request by the originating State under uniform reciprocal enforcement of support procedures or other legal processes required by § 303.7(a)(3); and,

(2) Utilization of the United States district court is the only reasonable method of enforcing such order.

(b) The State plan shall provide that such applications will be submitted to the Regional Office, using such forms as may be prescribed, signed by the head of the IV–D agency or his designee, attesting to the following:

(1) The requesting IV–D agency has undertaken to obtain the assistance of such other State to enforce such order;

(2) Such other State has failed to secure compliance with such order;

(3) The requesting IV–D agency has provided notice to the State-level central office of the IV–D agency of the other State 60 days or more after requesting the other State's assistance that it would request the Secretary to certify the case for use of a United States district court if such other State did not respond to the request for assistance within 30 days of the notice, and that an unsatisfactory response would not preclude a request to the Secretary. Copies of the original request, the notice, and any response thereto shall be furnished with the application.

(c) The Regional Office will review each application to determine if it meets the requirements of paragraphs (a) and (b) of this section. If a request meets such requirements, the case will promptly be certified for enforcement in the United States district court. If the request fails to meet such requirements, the application shall be denied and returned to the IV–D agency with an explanation of the refusal to certify.

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

PART 303—STANDARDS FOR AN EFFECTIVE PROGRAM

Sec.

303.0 Scope and applicability of this part.
303.1 Definitions.
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303.4 Establishment of support obligation.
303.5 Establishment of paternity.
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303.7 Cooperation with other States.
303.20 Minimum organizational and staffing requirements.

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

§ 303.0 Scope and applicability of this part.

This part prescribes:

(a) The minimum organizational and staffing requirements the State IV–D agency must meet in carrying out the IV–D program, effective July 1, 1975; and,

(b) The standards which the IV–D agency must meet to be determined by the Office to have an effective program. The standards in this part must be met:

(1) By July 1, 1976, for all cases in which action has been taken prior to July 1, 1975 on behalf of individuals receiving assistance under the State IV–A plan or other individuals to either determine paternity or establish and enforce a support obligation by the State agency designated under Title IV–A of the Act or some other public agency such as a district attorney, State's attorney or other entity providing such services.

(2) Within 90 days for all cases referred to the IV–D agency pursuant to § 235.70 of this title or applying under § 302.33 of this Chapter between July 1 and September 30, 1975;

(3) Within 60 days for all such cases referred or applying between October 1 and December 31, 1975;

(4) Within 30 days for all such cases referred or applying between January 1 and March 31, 1976;

(5) Within 15 days for all cases referred or applying between April 1 and June 30, 1976;

(6) Within 10 days for all such cases referred or applying between July 1 and September 30, 1976;

(7) Immediately for all such cases referred or applying after September 30, 1976.

§ 303.1 Definitions.

The definitions found in section 301.1 of this Chapter also are applicable to this part

§ 303.2 Maintenance of case records.

For all cases referred to the IV–D agency pursuant to § 235.70 of this title or applying under § 302.33 of this Chapter, the IV–D agency must immediately establish a case record which will contain all information collected pertaining to the case. When applicable, such information will include, but not be limited to the following:

(a) The referral document or documents received from the IV–A agency or the application for IV–D services of any other individual;

(b) A record of any contacts with an applicant or recipient of assistance under Title IV–A who is required to cooperate pursuant to § 232.11 of this title, the date and reason therefor and the results of such contact;

(c) A record of any contacts with an individual who has applied for services under § 302.33, the date and reason therefor and the results of such contact;

(d) A record of any contacts with the absent parent, the date and reason therefor and the results of such contact;

(e) A record of efforts to utilize local locate resources and the dates and the results of these efforts;

(f) A record of efforts to utilize State locate resources and the dates and the results of these efforts;

(g) A record identifying the court order or, if there is no court order, the calculation of the amount of the obligation utilizing the formula prescribed in the State plan pursuant to § 302.53 of this Chapter.

(h) A record of any actions taken under § 303.3–303.6, and the dates and results thereof;

(i) A record of communications to and from the State or local agency administering the State's title IV–A plan;

(j) A record of communications to and from any other IV–D agencies;

(k) A record of communications to and from the Regional Office and the Federal PLS; and,

(l) A notation in the case record of the closing of the case, the date thereof, and the reason for taking the action.

§ 303.3 Location of absent parents.

For all cases referred to the IV–D agency pursuant to § 235.70 of this title or applying under § 302.33 of this Chapter, the IV–D agency must attempt to locate all absent parents when their location is unknown. Under this standard, the IV–D agency must:

(a) Use appropriate local locate sources such as officials and employees administering public assistance, general assistance, medical assistance, food stamps and social services (whether such individuals are employed by the State or a political subdivision), relatives and friends of the absent parent, current or past employers, the local telephone company, the U.S. Postal Service, financial references, unions, fraternal organizations, and police, parole, and probation records if appropriate;

(b) Establish working relationships with all appropriate local agencies in order to utilize local locate resources effectively;

(c) Use appropriate State agencies and departments, which as a minimum must include those departments which maintain records of public assistance, unemployment insurance, income taxation, driver's licenses, vehicle registration, and criminal records;

(d) Utilize all appropriate State and local locate sources within 60 days of referral of the case pursuant to § 235.70 of this title or application under § 302.33;

(e) Transmit cases to the Federal PLS if a reasonable and diligent State and local locate effort has failed to locate the absent parent;

(f) Refer cases to the IV–D agency of any other State if there is reasonable belief that the absent parent may be present in such State. The IV–D agency of such other State shall follow the procedures prescribed in paragraphs (a)–(d) of this section for such cases.

§ 303.4 Establishment of support obligations.

For all cases referred to the IV–D agency pursuant to § 235.70 of this title or applying under § 302.33 of this Chapter, the IV–D Agency must:

(a) When necessary, establish paternity pursuant to the standards of § 303.5;

(b) Utilize appropriate State statutes and legal processes in establishing the support obligation pursuant to § 302.50 of this chapter.

(c) Review the support obligation periodically and whenever the IV–D agency becomes aware of changes in the factors which determine the amount of the support obligation.

§ 303.5 Establishment of paternity.

(a) For all cases referred to the IV–D agency pursuant to § 235.70 of this title or applying under § 302.33 of this chapter in which paternity has not yet been established, the IV–D agency must:

(1) Attempt to establish paternity by court order or other legal process established under State law; or

(2) Establish paternity by acknowledgment if under the State law such acknowledgment has the same legal effect as court-ordered paternity, including the right to benefits other than child support.

(b) The IV–D agency need not attempt to establish paternity in any case involving incest or forcible rape, or in any case in which legal proceedings for adoption are pending, if, in the opinion of the IV–D agency, it would not be in the best interests of the child to establish paternity.

(c) The IV–D agency shall identify laboratories within the State which perform legally and medically acceptable tests, including blood tests, which tend to identify the father or exclude the alleged father from paternity. A list of such laboratories shall be available to appropriate courts and law enforcement officials, and to the public upon request.

§ 303.6 Enforcement of support obligations.

For all cases under the State plan in which the obligation to support and the amount of the obligation have been established, the IV–D agency must maintain an effective system for identifying, within 30 days, those cases in which there is a failure to comply with the support obligation and to contact such delinquent individuals as soon as possible in order to enforce the obligation and obtain the current support obligation and any arrearages. Such attempts to collect support must include the institution of the following procedures as applicable and necessary:

(a) Contempt proceedings to enforce an extant court order;

(b) Garnishment or similar proceedings if the State's statutes and constitution permit such a procedure and the individual can be brought under the jurisdiction of the courts of the State;

(c) Proceedings to attach real or personal property if the State's law provides for such a procedure and the individual is subject to such procedure;

(d) Any other collection or enforcement procedure described in the State plan pursuant to § 302.17 of this chapter;

(e) Applications to utilize the courts of the United States pursuant to § 302.72 of this chapter, and proceedings to enforce an order in the courts of the United States if such application is certified; and,

(f) Applications for collection of the delinquent child support obligation by the Secretary of the Treasury pursuant to § 302.71 of this chapter.

§ 303.7 Cooperation with other States.

(a) For all cases referred to the IV–D agency under the State plan of another State, the IV–D agency must assist the other State in locating an absent parent, establishing paternity, or securing support for a child in the other State. Under this standard, the IV–D agency must:

(1) When necessary, locate the putative father or absent parent utilizing the standards prescribed in § 303.3;

(2) When necessary, establish paternity or assist the other State in establishing paternity;

(3) Process and enforce all court orders referred by another State, whether pursuant to the Uniform Reciprocal Enforcement of Support Act or other legal processes. The IV–D agency shall utilize the same remedies normally applied to its own cases.

(4) Collect any support payments from the absent parent and forward them to the State to whom they are owed; and,

(5) Inform the State which initiated the action of the status of the case periodically and on request.

(b) For all cases referred for securing support by the IV–D agency under the State plan to the IV–D agency of another State, the IV–D agency must provide the IV–D agency of the other State sufficient information to act on the case, including but not limited to the following:

(1) Whether the case involves a recipient of aid under the State's title IV–A plan;

(2) The amount of the current assistance payment, if any;

(3) Notice of any termination of eligibility for assistance; and

(4) Any other information prescribed by instructions of the Office.

(c) For all cases referred by the IV–D agency under the State plan to the IV–D agency of another State which require location activities, the IV–D agency shall provide sufficient information to assist the IV–D agency of the other State, such as the absent parent's social security account number and other identifying information to the extent it is available.

§ 303.20 Minimum organizational and staffing requirements.

(a) The organizational structure of the IV–D agency (See § 302.12) provides for administration or supervision of all the functions for which it is responsible under the State plan, is appropriate to the size and scope of the program in the State, and contains clearly established lines for administrative and supervisory authority

(b) There is an organizational structure and sufficient staff to fulfill the following required State level functions:

(1) The establishment and administration of the State plan.

(2) Formal evaluation of the quality, efficiency, effectiveness, and scope of services provided under the plan.

(3) Coordination of activities pursuant to, and assurance of compliance with, the requirements of the State's Reciprocal Enforcement of Support Act for cases pursuant to a State plan.

(4) Requests to the DHEW Office of Child Support Enforcement for use of the Federal Parent Locator Service, the U.S. District Courts, and IRS collection procedures.

(5) Preparation and submission of reports required by the Office.

(6) Financial control of the operation of the plan.

(7) Operation of the State Parent Locator Service as required under § 302.35 of this chapter.

(c) There is an organizational structure and sufficient staff, at the State or local level, to provide for the administration or supervision of the following child support enforcement functions:

(1) *Intake*. activities associated with initial child support case opening.

(2) *Establishing the legal obligation to support*. activities related to determining the absent parent's legal obligation to support his or her dependent children, including paternity determination when necessary.

(3) *Locate*. activities associated with locating an absent parent.

(4) *Financial assessment*. activities related to determining an absent parent's ability to provide support.

(5) *Establishment of the amount of support*. activities related to determining an absent parent's support obligation, including methods and terms of payment.

(6) *Collection*. activities related to monitoring payment activities and processing cash flow.

(7) *Enforcement*. activities to enforce collection of support, including but not limited to and executing contempt proceedings, wage assignments, obtaining garnishment orders, attaching real and personal property, criminal prosecution and executing judgments.

(8) *Investigation*. activities related to investigation necessary to accomplish the functions of this paragraph.

(d) The functions referred to in paragraph (b) (1), (2) and (6) of this section may not be delegated by the IV–D agency. The functions referred to in paragraph (b) (5) of this section may be delegated to the extent necessary to report on activities delegated by the IV–D agency.

(e) No functions under the State plan may be delegated by the IV–D agency if such functions are to be performed by caseworkers who are also performing the assistance payments or social services functions under title IV–A or XX of the Act.

In the case of a sparsely populated geographic area, upon justification by the IV–D agency documenting a lack of administrative feasibility in not utilizing staff of the IV–A agency, the Office may approve alternate arrangements that include sufficient reporting and cost allocation methods that will assure compliance with Federal requirements and proper claims for Federal financial participation. Under this provision:

(1) "Caseworker" means any person who has decision-making authority over individual cases on a day-to-day basis and includes, but is not limited to such designations as intake worker, eligibility technician, caseworker, and social worker.

(2) The "assistance payments function" means activities related to determination of eligibility for, and amount of financial assistance under the approved State plan under title I, IV–A, X, XIV, or XVI, State Supplemental income payments under title XVI of the Act, and State or local General Assistance programs. It includes the complete process of determining initial and continuing eligibility for financial and medical assistance and commodities distribution or food stamps.

(3) The "social services function" means those activities included in the approved State plan and carried out pursuant to Parts 220, 222 and 226 of this title or carried out pursuant to title XX of the Act. It includes determination of eligibility for, and delivery of services to, families and individuals under the approved State plan or under title XX of the Act.

(f) There are the following types of staff in sufficient numbers to achieve the standards for an effective program prescribed in this Part:

(1) Attorneys or prosecutors to represent the agency in court or administrative proceedings with respect to the establishment and enforcement of orders of paternity and support, and

(2) Other personnel such as legal, interviewer, investigative, accounting, clerical, and other supportive staff.

PART 304—FEDERAL FINANCIAL PARTICIPATION

Sec.

304.10 General administrative requirements.
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AUTHORITY: Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302).

§ 304.10 General administrative requirements.

As a condition for Federal financial participation, the provisions of Part 74 of this title (with the exception of Subpart G, Matching and Cost Sharing and Subpart I, Financial Reporting Requirements) establishing uniform administrative requirements and cost principles shall apply to all grants made to States under this part.

§ 304.11 Effect of State rules.

Subject to the provisions and limitations of Title IV–D of the Act and Chapter III, Federal financial participation will be available in expenditures made under the State plan (including the administration thereof) in accordance with applicable State laws, rules, regulations, and standards governing expenditures by State and local child support enforcement agencies.

§ 304.20 Availability and rate of Federal financial participation.

(a) Federal financial participation at the 75 percent rate is available for:

(1) Necessary expenditures under the State title IV–D plan for the child support enforcement services and activities specified in this section and § 304.21 provided to individuals from whom an assignment of support rights has been obtained pursuant to § 232.11 of this title;

(2) Collection services pursuant to § 302.51(e)(1) of this chapter; and

(3) Parent locator services for individuals eligible pursuant to § 302.33 of this title;

(4) During any period prior to July 1, 1976, paternity and child support services under the State plan for individuals

eligible pursuant to § 302.33 of this chapter.

(b) Services and activities for which Federal financial participation will be available shall be those made pursuant to the approved title IV–D State plan which are determined by the Secretary to be necessary expenditures properly attributable to the child support enforcement program including the following:

(1) The administration of the State Child Support Enforcement Program, including, but not limited to the following:

(i) The establishment and administration of the State plan;

(ii) Monitoring the progress of program development and operations and evaluating the quality, efficiency, effectiveness and scope of child support enforcement services available in each political subdivision;

(iii) The establishment of all necessary agreements with other State and local agencies or private providers for the provision of services in support of child support enforcement in accordance with Subpart P, Procurement Standards, 45 CFR Part 74. These agreements may include:

(A) Necessary administrative agreements for support services;

(B) Utilization of State and local information resources;

(C) Cooperation with courts and law enforcement officials pursuant to § 302.34 of this chapter;

(iv) Securing compliance with the requirements of the State plan in operations under any agreements;

(v) The development and maintenance of systems for fiscal and program records and reports required to be made to the Office based on these records;

(vi) The development of a cost allocation system pursuant to § 302.16 of this chapter;

(vii) The financial control of the State plan including the administration of Federal grants pursuant to § 301.15 of this chapter;

(viii) The establishment of agreements with agencies administering the State's Title IV–A plan in order to establish criteria for:

(A) Referral of cases to the IV–D agency;

(B) Reporting on a timely basis information necessary to the determination and redetermination of eligibility and amount of assistance payments;

(C) Determining if individuals receiving assistance under the IV–A plan are cooperating adequately as required in § 232.12 of this title;

(D) The procedures to be used to transfer collections from the IV–D agency to the IV–A agency before or after the distribution described in § 302.51 of this chapter.

(2) The establishment of paternity including:

(i) Reasonable attempts to determine the identity of the child's father such as:

(A) Investigation

(B) The development of evidence including the use of the polygraph and blood tests;

(C) Pre-trial discovery;

(ii) Court or other actions to establish paternity pursuant to procedures established under State statutes or regulations having the effect of law;

(iii) Identifying competent laboratories that perform blood tests as described in § 303.5(b) of this part and making a list of those laboratories available;

(iv) Referral of cases to the IV–D agency of another State to establish paternity when appropriate;

(v) Cooperation with other States in determining paternity;

(3) The establishment and enforcement of support obligations including:

(i) Investigation, the development of evidence and when appropriate, bringing court actions;

(ii) Determination of the amount of the support obligation including developing the information needed for a financial assessment;

(iii) Referral of cases to the IV–D agency of another State to establish a support obligation when appropriate;

(iv) Enforcement of the support obligation including those activities associated with collections and the enforcement of court orders, such as contempt citations, issuance of warrants, investigation, wage attachment and processing, and the obtaining and enforcing of court-ordered support through civil or criminal proceedings either in the State that granted the order or in another State;

(v) Investigation and prosecution of fraud related to child support.

(4) The collection and distribution of support payments including:

(i) An effective system for making collections of established support obligations and identifying delinquent cases and attempting to collect support from these cases;

(ii) Collection of child support pursuant to § 302.51(e)(1) of this chapter;

(iii) Referral of cases to the IV–D agency of another State for collection when appropriate;

(iv) Making collections for another State;

(v) The distribution of funds as required by this chapter;

(vi) Making the IV–A agency aware of the amounts collected and distributed to the family for the purposes of determining eligibility for, and amount of, assistance under the State title IV–A plan;

(5) The establishment and operation of the State parent locator service including:

(i) Utilization of appropriate State and local locate sources to locate absent parents;

(ii) Utilization of the Federal Parent Locator Service;

(iii) Collection of the fee pursuant to §§ 302.35(e) and 302.70(f) of this chapter;

(iv) Referral of requests for location of an absent parent to the IV–D agency of another State;

(v) Cooperation with another State in locating an absent parent;

(6) Activities related to requests for certification of collection of child support delinquencies by the Secretary of the Treasury pursuant to § 302.71 of this chapter.

(7) Activities related to requests for utilization of the United States district courts pursuant to § 302.72 of this chapter.

(8) Establishing and maintaining case records as required by § 302.2 of this chapter.

§ 304.21 Federal financial participation in the costs of cooperative agreements with courts and law enforcement officials.

(a) Federal financial participation at the 75 percent rate is available in the costs of cooperative agreements with appropriate courts and law enforcement officials pursuant to § 302.34 of this chapter. "Law-enforcement officials" means district attorneys, attorneys general, and similar public attorneys and prosecutors and their staff. Federal financial participation is available for costs incurred consistent with the agreement as of the first day of a calendar quarter if the agreement is executed prior to the end of the quarter. When performed pursuant to written agreement, cost of the following activities are subject to reimbursement:

(1) Subject to the conditions of § 304.20(a) of this chapter, the activities, including administration of such activities, specified in § 304.20(b)(2)–(8) of this chapter;

(2) Reasonable and essential short term training of law enforcement staff assigned on a full or part time basis to child support enforcement functions pursuant to the cooperative agreement.

(b) Federal financial participation is not available for the ordinary administrative costs of the judiciary system. Under this provision:

(1) Service of process and court filing fees are reimbursable only if the law enforcement agency would normally be required to pay the cost of such fees;

(2) Compensation of individuals (other than judges) employed by a court is reimbursable at the 75 percent rate if such individual performs any of the activities described in paragraph (b)(2)–(8) of § 304.20 of this chapter;

(3) No other court or judicial costs are subject to Federal financial participation.

§ 304.22 Federal financial participation in purchased child support enforcement services.

Federal financial participation is available at the 75 percent rate for the purchase of child support enforcement services as provided for in the State plan to the extent that payment for such purchased services is in accordance with rates of payment established by the State which do not exceed the amounts reasonable and necessary to assure quality of such service and in the case of such services purchased from other public agencies, the cost reasonably assignable to such services. The determination that the amounts are reasonable and necessary and that the costs are reasonably

assignable must be fully documented in the IV–D agency records. Child support enforcement services which may be purchased with Federal financial participation are those for which Federal financial participation is otherwise available under § 304.20 and which are included under the approved State plan.

§ 304.23 Expenditures for which Federal financial participation is not available.

Federal financial participation is not available under this part for:

(a) Activities related to administering title I, IV–A, X, XIV, XVI, XIX or XX of the Act.

(b) Purchased child support enforcement services which are not secured in accordance with § 304.22.

(c) Construction and major renovations.

(d) Education and training programs and educational services except direct cost of short term training provided to IV–D agency staff or pursuant to § 304.21.

(e) Any expenditures which have been reimbursed by fees collected as required by this chapter.

(f) Any costs of caseworkers as described in § 303.20(e) of this Part.

§ 304.24 Federal financial participation in non-expendable personal property.

(a) *Conditions for Federal financial participation.* Federal financial participation is available at the 75 percent rate in amounts expended by the IV–D agency for a unit of non-expendable personal property which has a useful life of more than one year only to the extent of the depreciation expense (or annual use allowance of 6⅔ percent of acquisition cost) applicable to the period for which the property was used under a Federal program or activity; except that:

(1) Amounts expended for non-expendable personal property costing less than $5,000 may be subject to Federal financial participation for the full cost at the 75 percent rate at the time of acquisition at the option of the IV–D agency, except as provided in paragraphs (a) (2) and (3) of this section.

(2) Non-expendable personal property acquired under cost reimbursement contracts with the IV–D agency or for use under contracts with other agencies or providers shall be capitalized and depreciated (or subject to a use allowance) when it has an acquisition cost of $300 or more.

(3) Non-expendable personal property acquired and assigned for use to organizational elements of the IV–D agency, or of the department in which the IV–D agency is located, which are treated as indirect costs centers or pools in a Departmental Indirect Cost Rate or in a department wide cost allocation plan, shall be capitalized and depreciated (or subject to a use allowance) when it has an acquisition cost of $300 or more.

(b) *Definitions.* (1) Acquisition cost is the amount expended by a IV–D agency for the property (excluding interest) plus, in the case of property acquired with a trade-in, the book value (acquisition cost less amount depreciated through the date of trade in) of the property traded in. Property which was expensed when acquired which is traded in has a book value of zero.

(2) Depreciation expense for any time period is the portion of the acquisition cost of property which is assignable to that time period. The acquisition cost of the property shall be divided by the number of years of estimated useful service life of the property to arrive at the depreciation expense per year. This method shall be used unless a State obtains approval from the Regional Child Support Office to use another method, which must be demonstrated to be more consistent with the using up of the asset.

(3) The number of years of estimated useful service life of property shall be based on the Department of Treasury, Internal Revenue Service policies on depreciation for tax purposes. However, the Regional Child Support Office will approve a shorter period, if the IV–D agency can document that such period is justified.

(c) *Other administrative requirements*—(1) *Distribution of costs.* Amounts expended by the IV–D agency for non-expendable personal property may be directly charged to the Child Support Enforcement Program, if the property is being exclusively used for the program or activity at the time of the expenditures for the property. Amounts expended for such property not exclusively used for the Child Support Enforcement Program shall be allocated to such program and to other programs or activities by using one of the following methods:

(i) Using cost centers or pools and allocation bases which will distribute the costs consistent with program or activity usage of the property at the time of the expenditures. Any credits for property sold or retained for agency use in non-Federal programs (see § 74.134 of this title) shall be distributed to programs or activities consistent with the distribution methods used for such property expenditures at the time of acquisition; or

(ii) Using a common distribution factor for all property or for classifications of property (e.g., desks distributed based on number of staff employed in each program or activity). Credits for property sold or retained for use in non-Federal programs shall be distributed to programs or activities using the same distribution factors which are applied to expenditures for property acquired in the quarter in which such credits occurred.

(2) *Accountability and management of non-expendable property.* The provision in § 304.24(a)(1) does not affect the requirements on the IV–D agency to account for and manage non-expendable personal property as defined in § 74.132 of this title, in accordance with the provisions in § 74.134 through 136 of this title.

(3) *Disposition of Certain Property.* The IV–D agency shall not request disposition instructions for property with an acquisition cost of over $1,000 per unit as specified in § 74.134(c)(2) of this title, but rather shall sell the property and account for it as specified in § 74.134(c)(1) of this title.

§ 304.25 Deadline for submission of claims for Federal financial participation.

(a) *Treatment of expenditures.* Expenditures are considered to be made on the date on which the cash disbursements occur or the date to which allocated in accordance with Part 74 of this title. In the case of local administration, the date of disbursements by the local agency governs. In the case of purchase of services from another public agency, the date of disbursements by such other public agency governs. Different rules may be applied with respect to a State, either generally or for particular classes of expenditures only upon justification by the State to the Office of Child Support Enforcement and approval by the Office.

(b) *Due date for expenditure statements.* The due date for the submission of the quarterly statement of expenditures under § 301.15 of this chapter is 30 days after the end of the quarter.

(c) *Deadline for the submission of claims.* The deadline for the submission of claims for Federal financial participation in expenditures incurred in any Federal fiscal year is the due date of the quarterly statement of expenditures for the second quarter subsequent to the end of the fiscal year.

§ 304.26 Treatment of collections.

(a) In the determination of the amount of reimbursement to the Federal Government of amounts retained by the State to reimburse it for assistance payments under § 302.51(b)(2) and (4) of this chapter, if in the computation of the Federal share of assistance payments the State uses:

(1) The Federal medical assistance percentage under section 1118 of the Act, this percentage shall be used in the computation of the Federal reimbursement of retained child support payments.

(2) The computations in section 403(a), the Federal reimbursement of amounts retained by the State to reimburse it for an assistance payment shall be to the extent of the Federal participation in the financing of

(i) the individual assistance payment; or

(ii) all of the assistance payments in the same month.

(b) If an incentive payment is made to a jurisdiction under § 302.52 of this chapter for the enforcement and collection of support obligations, such payment shall be made from the amounts computed in paragraph (a) or (b) of this section which would otherwise constitute the Federal share.

§ 304.30 Public sources of State's share.

(a) Public funds, other than those derived from private resources, used by the IV–D agency for its child support enforcement program may be considered as

the State's share in claiming Federal reimbursement where such funds are:

(1) Appropriated directly to the IV–D agency; or

(2) Funds of another public agency which are transferred to the IV–D agency and are under its administrative control.

(b) Public funds used by the IV–D agency for its child support enforcement program may not be considered as the State's share in claiming Federal reimbursement where such funds are:

(1) Federal funds, unless authorized by Federal law to be used to match other Federal funds;

(2) Used to match other Federal funds.

Effective date: The regulations in these parts shall be effective on July 1, 1975.

Dated: June 12, 1975.

JOHN A. SVAHN,
Acting Director, Office of Child Support Enforcement.

Approved: June 20, 1975.

CASPAR W. WEINBERGER,
Secretary.

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PART III

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

■

ADVISORY CIRCULAR CHECKLIST AND STATUS OF FEDERAL AVIATION REGULATIONS

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[AC 00-2EE—Effective May 15, 1975]

ADVISORY CIRCULAR CHECKLIST AND STATUS OF FEDERAL AVIATION REGULATIONS

1. *Purpose.* This notice contains the revised checklist of current FAA advisory circulars and the status of Federal Aviation Regulations as of May 15, 1975.

2. *Explanation.* The FAA issues advisory circulars to inform the aviation public in a systematic way of nonregulatory material of interest. Unless incorporated into a regulation by reference, the contents of an advisory circular are not binding on the public. Advisory circulars are issued in a numbered-subject system corresponding to the subject areas of the Federal Aviation Regulations (14 CFR Ch. I). This checklist is issued triannually to list all current advisory circulars and also includes a checklist showing the status of the Federal Aviation Regulations.

3. *The Circular Numbering System.*

a. *General.* The advisory circular numbers relate to the FAR subchapter titles and correspond to the Parts, and when appropriate, to the specific sections of the Federal Aviation Regulations. Circulars of a general nature bear a number corresponding to the number of the general subject (subchapter) in the FAR's. A general subject number is used *only* when a circular covers more than one Part.

b. *Subject numbers.* The general subject matter areas and related numbers are as follows:

Subject Number	*and Subject Matter*
00	General.
10	Procedural.
20	Aircraft.
60	Airmen.
70	Airspace.
90	Air Traffic Control and General Operations.
120	Air Carrier and Commercial Operators and Helicopters.
140	Schools and Other Certified Agencies.
150	Airports.
170	Air Navigational Facilities.
180	Administrative.
210	Flight Information.

c. *Breakdown of subject numbers.* When the volume of circulars in a general series warrants a subsubject breakdown, the general number is followed by a slash and a subsubject number. Material in the 150 series, Airports, is issued under the following subsubjects:

Number	*and Subject*
150/1900	Defense Readiness Program.
150/4000	Resource Management.
150/5000	Airport Planning.
150/5100	Federal-aid Airport Program.
150/5150	Surplus Airport Property Conveyance Programs.
150/5190	Airport Compliance Program.
150/5200	Airport Safety—General.
150/5210	Airport Safety Operations (Recommended Training, Standards, Manning).
150/5220	Airport Safety Equipment and Facilities.
150/5230	Airport Ground Safety System.
150/5240	Civil Airports Emergency Preparedness.
150/5300	Design, Construction, and Maintenance—General.
150/5320	Airport Design.
150/5325	Influence of Aircraft Performance on Aircraft Design.
150/5335	Runway, Taxiway, and Apron Characteristics.
150/5340	Airport Visual Aids.
150/5345	Airport Lighting Equipment.
150/5360	Airport Buildings.
150/5370	Airport Construction.
150/5380	Airport Maintenance.
150/5390	Heliports.
150/5900	Planning Grant for Airports.

d. *Individual circular identification numbers.* Each circular has a subject number followed by a dash and a sequential number identifying the individual circular. This sequential number is not used again in the same subject series. Revised circulars have a letter A, B, C, etc., after the sequential number to show complete revisions. Changes to circulars have CH 1, CH 2, CH 3, etc., after the identification number on pages that have been changed. The date on a revised page is changed to the effective date of the change.

4. *The Advisory Circular Checklist.*

a. *General.* Each circular issued is listed numerically within its subject-number breakdown. The identification number (AC 120-1), the change number of the latest change, if any, to the right of the identification number, the title, and the effective date for each circular are shown. A brief explanation of the contents is given for each listing.

b. *Omitted numbers.* In some series, sequential numbers are missing. These numbers were assigned to advisory circulars still in preparation which will be issued later or were assigned to advisory circulars that have been canceled.

c. *Free and sales circulars.* This checklist contains advisory circulars that are for sale as well as those distributed free of charge by the Federal Aviation Administration. A list of circulars sold by the Superintendent of Documents is shown at the end of the numerical list of AC's. Please use care when ordering circulars to ensure that they are ordered from the proper source.

d. *Internal directives for sale.* A list of certain internal directives sold by the Superintendent of Documents is shown at the end of the checklist. These documents are not identified by advisory circular numbers, but have their own directive numbers.

5. *How to get circulars.*

a. When a price is listed after the description of a circular, it means that this circular is for sale by the Superintendent of Documents. When (Sub.) is included with the price, the advisory circular is available on a subscription basis only. After your subscription has been entered by the Superintendent of Documents, supplements or changes to the basic document will be provided automatically at no additional charge until the subscription expires. When no price is given, the circular is distributed free of charge by FAA.

b. Request free advisory circulars shown without an indicated price from:

U.S. Department of Transportation, Publications Section TAD 443.1, Washington, D.C. 20590.

c. Persons who want to be placed on FAA's mailing list for future circulars should write to:

U.S. Department of Transportation, Distribution Unit, TAD 482.3, Washington, D.C. 20590.

NOTE: Be sure to identify the subject matter numbers and titles shown in paragraph 3b because separate mailing lists are maintained for each advisory circular subject series. Checklists and circulars issued in the General series will be distributed to every addressee on each of the subject series lists. Persons requesting more than one subject classification may receive more than one copy of related circulars and this checklist because they will be included on more than one mailing list. Persons already on the distribution list for AC's will automatically receive related circulars.

d. Order advisory circulars and internal directives with purchase price given from:

Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402;

or from any of the following bookstores located throughout the United States:

GPO Bookstore, Room 102A, 2121 Building, 2121 Eighth Avenue North, Birmingham, AL 35203.

GPO Bookstore, Federal Building, Room 1015, 300 North Los Angeles Street, Los Angeles, CA 90012.

GPO Bookstore, Federal Building, Room 1023, 450 Golden Gate Avenue, San Francisco, CA 94102.

GPO Bookstore, Federal Building, U.S. Courthouse, Room 1421, 1961 Stout Street, Denver, CO 80202.

GPO Bookstore, P.O. Box 713, Pueblo, CO 81002.

GPO Bookstore, Federal Building, Room 158, 400 West Bay Street, Jacksonville, FLA 32202.

GPO Bookstore, Room 100, Federal Building, 275 Peachtree Street NE., Atlanta, GA 30303.

GPO Bookstore, Everett McKinley Dirksen Building, Room 1463, 14th Floor, 219 South Dearborn Street, Chicago, IL 60604.

GPO Bookstore, Room G25, John F. Kennedy Federal Building, Sudbury Street, Boston, MA 02203.

GPO Bookstore, Federal Office Building, Room 229, 231 W. Lafayette Blvd., Detroit, MI 48226.

GPO Bookstore, Federal Building, Room 144, 601 East 12th Street, Kansas City, MO 64106.

GPO Bookstore, Room 1356, 26 Federal Plaza, New York, NY 10007.

GPO Bookstore, Federal Office Building, 201 Cleveland Avenue SW., Canton, OH 44702.

GPO Bookstore, Federal Office Building, Room 171, 1240 East Ninth Street, Cleveland, OH 44199.

GPO Bookstore, Federal Office Bldg., Room 1214, 600 Arch St. Philadelphia, PA 19106.

GPO Bookstore, Room 1C46, Federal Building, U.S. Courthouse, 1100 Commerce Street, Dallas, TX 75202.

GPO Bookstore, Federal Building, Room 190, 915 Second Ave., Seattle, WA 98174.

GPO Bookstore, Federal Building, Room 190, 517 E. Wisconsin Avenue, Milwaukee, WI 53202.

GPO Bookstore, 710 North Capitol Street NW., Washington, D.C. 20402.
GPO Bookstore (U.S. Department of Commerce), 14th and Constitution Avenue NW., Washington, D.C. 20230.
GPO Bookstore (USIA), 1776 Pennsylvania Avenue NW., Washington, D.C. 20547.
GPO Bookstore (U.S. Department of State), 21st and C Streets NW., Washington, D.C. 20520.
GPO Bookstore (Pentagon), Main Concourse, south end, Washington, D.C. 20310.
GPO Bookstore, James Forrestal Building, Room 1-J-001, 1000 Independence Avenue SW., Washington, D.C. 20407.

Send check or money order with your order to the Superintendent of Documents. Make the check or money order payable to the Superintendent of Documents in the amounts indicated in the list. Orders for mailing to foreign countries should include an additional 25 percent of the total price to cover handling. No c.o.d. orders are accepted.

6. *Reproduction of Advisory Circulars.* Advisory circulars may be reproduced in their entirety or in part without permission from the Federal Aviation Administration.

7. *Cancellations.* The following advisory circulars are canceled:

AC 00-2DD Advisory Circular Checklist, 1-15-75. Cancelled by AC 00-2EE Advisory Circular Checklist, 5-15-75.

AC 00-23C Near Midair Collision Reporting, 1-20-72. Cancelled by AC 00-23D Near Midair Collision Reporting, 5-19-75.

AC 00-42 Deferment of Aviation Maintenance Symposium and an Invitation to Attend Airworthiness Review Conference, 5-24-74. Cancelled.

AC 00-44 Status of Federal Aviation Regulations, 11-14-74. Cancelled by AC 00-44A Status of the Federal Aviation Regulations, 3-12-75.

AC 20-5B Plane Sense, 2-19-70. Cancelled by AC 20-5C Plane Sense, 10-3-74.

AC 20-33 Technical Information Regarding Civil Aeronautics Manuals 1, 3, 4a, 4b, 5, 6, 7, 8, 9, 10, 13, and 14, 2-8-65. Cancelled by AC 20-33A Technical Information Regarding Civil Aeronautics Manuals 1, 3, 4a, 4b, 5, 6, 7, 9, 13, and 14, 3-7-75.

AC 20-36C Index of Materials, Parts, and Appliances Certified Under the Technical Standard Order System, 8-7-73. Cancelled by AC 20-36D Index of Materials, Parts, and Appliances Certified Under the Technical Standard Order System, 9-6-74.

AC 20-56 Marking of TSO-C72a Individual Flotation Devices, 1-19-68. Cancelled by AC 20-56A Marking of TSO-C72b Individual Flotation Devices, 4-1-75.

AC 20-68 Recommended Radiation Safety Precautions for Airborne Weather Radar, 3-11-70. Cancelled by AC 20-68A Recommended Radiation Safety Precautions for Airborne Weather Radar, 4-11-75.

AC 20-90 Address List for Engineering and Maufacturing District Offices, 6-17-74. Cancelled by AC 20-90A Address List for Engineering and Manufacturing District Offices, 3-5-75.

AC 37-3 Radio Technical Commission Aeronautics Document DO-138, 1-10-69. Cancelled by AC 37-3A Radio Technical Commission for Aeronautics Document DO-160, 3-20-75.

AC 60-2L Annual Aviation Mechanic Safety Awards Program, 3-29-74. Cancelled by AC 60-2M Annual Aviation Mechanic Safety Awards Program, 2-6-75.

AC 61-34A Federal Aviation Regulations Written Test Guide for Private, Commercial, and Military Pilots, 6-18-70. Cancelled by AC 61-34B Federal Aviation Regulations Written Test Guide for Private, Commercial, and Military Pilots, 2-10-75.

AC 70/7460-1C Obstruction Marking and Lighting, 12-11-73. Cancelled by AC 70/7460-1D Obstruction Marking and Lighting, 4-18-75.

AC 90-22C Automatic Terminal Information Service (ATIS), 2-2-71. Cancelled.

AC 90-41C Revised Standard Instrument Departure/Arrival Procedures, 4-13-72. Cancelled.

AC 90-45 Approval of Area Navigation Systems for Use in the U.S. National Airspace System, 8-18-69. Cancelled by AC 90-45A Approval of Area Navigation Systems for Use in the U.S. National Airspace System, 2-21-75.

AC 90-50 Air Traffic Control Radio Frequency Assignment Plan for VFR and IFR Communications, 9-29-70. Cancelled by AC 90-50A VHF Radio Frequency Assignment Plan for Aeronautical Operations, 2-7-75.

AC 91.83-1 Canceling or Closing Flight Plans, 3-12-64. Cancelled by AC 91.83-1A Canceling or Closing Flight Plans, 3-25-75.

AC 120-21 Aircraft Maintenance Time Limitations, 6-24-66. Cancelled by AC 121-1A Standard Operations Specifications—Aircraft Maintenance Handbook, 6-26-73.

AC 120-24A Establishment and Revision of Aircraft Engine Overhaul and Inspection Periods, 2-25-69. Cancelled by AC 121-1A Standard Operations Specifications—Aircraft Maintenance Handbook, 6-26-73.

AC 121-7 Use of Seat Belts by Passengers and Flight Attendants to Prevent Injuries, 7-4-66. Cancelled.

AC 135-3 Air Taxi Operators of Small Aircraft 2-17-70. Cancelled by AC 135-3A Air Taxi Operators and Commercial Operators of Small Aircraft, 1-16-75.

AC 150/5040-1A Announcement of Report—Aviation Demand . . . Hubs Through 1980, 3-27-69. Cancelled.

AC 150/5040-2 Announcement of Report—Aviation Demand . . . Medium Hubs Through 1980, 5-22-69. Cancelled.

AC 150/5040-3 Announcement of Report—A Suggested Action . . . Congestion at Selected Airports 6-19-69. Cancelled.

AC 150/5040-4 Announcement of Supplementary Report—A Suggested Action . . . Congestion at Selected Airports, 3-31-70. Cancelled.

AC 150/5070-1 Rapid Transit Service for Metropolitan Airports, 8-26-75. Cancelled.

AC 150/5070-2 Planning the Metropolitan Airport, 9-17-65. Cancelled.

AC 150/5325-2B Airport Design Standards—Air Carrier Airports—Surface Gradient and Line-of-Sight, 2-18-70. Cancelled by AC 150/5325-2C Airport Design Standards—Airports Serviced by Air Carriers—Surface Gradient and Line-of-Sight, 2-6-75.

AC 150/5370-1A Standard Specifications for Construction of Airports, 5-28-68. Cancelled by AC 150/5370-10, Standards for Specifying Construction of Airports, 10-24-74.

AC 150/5370-5 Offshore Airports, 12-15-69. Cancelled by AC 150/5370-5A Offshore Airports, 2-21-75.

8. *Additions.* The following advisory circulars are added to the list:

AC 00-2EE Advisory Circular Checklist (5-15-75).
AC 00-23D Near Midair Collision Reporting, 5-19-75.
AC 00-44A Status of the Federal Aviation Regulations (3-4-75).
AC 00-46 Aviation Safety Reporting Program (5-9-75).
AC 20-5C Plane Sense (10-3-74).
AC 20-7L General Aviation Inspection Aids, Supplement 6 (Feb. 1975). Supplement 7 (March 1975). Supplement 8 (April 1975).
AC 20-33A Technical Information Regarding Civil Aeronautics Manuals, 1, 3, 4a, 4b, 5, 6, 7, 9, 13, and 14 (3-7-75).
AC 20-36D Index of Materials, Parts, and Appliances Certified Under the Technical Standard Order System (9-6-74).
AC 20-56A Marking of TSO-C72b Individual Flotation Devices (4-1-75).
AC 20-68A Recommended Radiation Safety Precautions for Airborne Weather Radar (4-11-75).
AC 20-83 Chg. 2 Maintenance Inspection Notes for Boeing B-737 Series Aircraft (1-31-75).
AC 20-84 Chg. 2. Maintenance Inspection Notes for Boeing B-727 Series Aircraft (1-31-75).
AC 20-90A Address List for Engineering and Manufacturing District Offices (3-5-75).
AC 20-91 Lithium Batteries Used in Emergency Locator Transmitters (4-11-75).
AC 25-6 Ground Proximity Warning Systems (GPWS), (12-31-74).
AC 37-3A Radio Technical Commission for Aeronautics Document DO-160 (3-20-75).
AC 43-7 Ultrasonic Testing for Aircraft (9-24-74).
AC 43-9 Maintenance Records: General Aviation Aircraft (2-19-75).
AC 60-2M 1975 Annual Aviation Mechanic Safety Awards Program (2-6-75).
AC 61-34B Federal Aviation Regulations Written Test Guide for Military, Commercial, and Private Pilots (2-10-75).
AC 61-74 Flight Instructor Rotorcraft—Helicopter, Written Test Guide (5-8-74).
AC 61-75 Flight Instructor—Glider—Written Test Guide (9-18-74).
AC 70/7460-1D Obstruction Marking and Lighting (4-18-75).
AC 90-45A Approval of Area Navigation Systems for Use in the U.S. National Airspace System (2-21-75).
AC 90-50A VHF Radio Frequency Assignment Plan for Aeronautical Operations (2-7-75).
AC 90-66 Recommended Standard Traffic Patterns for Airplane Operations at Uncontrolled Airports (2-27-75).
AC 91.83-1A Canceling or Closing Flight Plans (3-25-75).
AC 121-1A CHG. 1 Standard Operations Specifications—Aircraft Maintenance Handbook (1-23-75).
AC 135-3A Air Taxi Operators and Commercial Operators of Small Aircraft (1-16-75).
AC 135-4 Security Measures and Passenger Screening for Scheduled Air Taxi Commercial Operators (1-22-75).
AC 139.12-1 Airport Operations Specifications (2-3-75).
AC 150/5000-3B CHG. 1 Address List for Regional Airports Divisions and Airport District Offices (10-26-73).
AC 150/5100-11 Land Acquisition & Relocation Assistance Under the Airport Development Aid Program (2-10-75).
AC 150/5300-6 CHG. 2 Airport Design Standards, General Aviation Airports, Basic and General Transport (4-21-75).
AC 150/5300-8 CHG. 1 Planning and Design Criteria for Metropolitan STOL Ports (4-3-75).
AC 150/5320-10 CHG. 1 Environmental Enhancement at Airports—Industrial Waste Treatment (11-18-74).

AC 150/5325-2C Airport Design Standards—Airports Served by Air Carriers—Surface Gradient and Line-of-Sight (2-6-75).
AC 150/5325-2C CHG. 1 Airport Design Standards—Airports Served by Air Carriers—Surface Gradient and Line-of-Sight (4-21-75).
AC 150/5340-14B CHG. 2 Economy Approach Lighting Aids (2-11-75).
AC 150/5370-5A Offshore Airports (2-21-75).
AC 150/5370-10 Standards for Specifying Construction of Airports (10-24-74).

ADVISORY CIRCULAR CHECKLIST

Notice

Superintendent of Documents catalogue numbers have been included to aid Superintendent of Documents personnel in processing orders. Please use them when ordering—along with the title and FAA number. To avoid unnecessary delays, do not order single-sales material and subscription-sales material on the same order form, as orders are separated for processing by different departments when they arrive at Superintendent of Documents. Be sure your name and address appears on each list.

NOTICE

Prices shown are those in effect as of May 15, 1975. Prices are subject to change without notice and the prices that will be charged on your order will be those in effect as of the date your order is processed.

General

SUBJECT No. 00

00-1 The Advisory Circular System (12-4-62).

Describes the FAA Advisory Circular System.

00-2EE Advisory Circular Checklist (5-15-75).

Transmits the revised checklist of current FAA advisory circulars and the status of the Federal Aviation Regulations as of 5-15-75.

00-6 Aviation Weather (5-20-65).

Provides an up-to-date and expanded text for pilots and other flight operations personnel whose interest in meteorology is primarily in its application to flying. Reprinted 1969. ($4 GPO.) FAA 5.8/2: W 37.

00-7A State and Regional Disaster Airlift (SARDA) Planning (6-3-74).

Provides guidance for the development and implementation of State and Regional Disaster Airlift plans governing the use of general aviation aircraft during national emergencies and natural disasters.

00-17 Turbulence in Clear Air (12-16-65).

Provides information on atmospheric turbulence and wind shear, emphasizing important points pertaining to the common causes of turbulence, the hazards associated with it, and the conditions under which it is most likely to be encountered.

00-21 Shoulder Harness (10-5-66).

Provides information concerning the instaNation and use of shoulder harnesses by pilots in general aviation aircraft.

AC 00-23D Near Midair Collision Reporting, 5-19-75.

Outlines the Aviation Safety Reporting Program which became effective after April 30, 1975 as covered by AC 00-46.

00-24 Thunderstorms (6-12-68).

Contains information concerning flights in or near thunderstorms.

00-25 Forming and Operating a Flying Club (3-24-69).

Provides preliminary information that will assist anyone or any group of people interested in forming and operating a flying club ($0.75 GPO.) TD 4.8:F 67.

00-26 Definitions of "U.S. National Aviation Standards" (1-22-69).

Informs the aviation community of the approval by the FAA Administrator of a definition of U.S. National Aviation Standards, the need for such standards, and their relationship to the Federal Aviation Regulations.

00-28 Communications Interference Caused by Sticking Microphone Buttons (8-6-69).

Alerts the industry of communications interference from undesired radiofrequency transmissions.

00-30 Rules of Thumb for Avoiding or Minimizing Encounters with Clear Air Turbulence (3-5-70).

Brings to the attention of pilots and other interested personnel, the "Rule of Thumb" for avoiding or minimizing encounters with clear air turbulence (CAT).

00-31 U.S. National Aviation Standard for the VORTAC System (6-10-70).

Informs the aviation community of the establishment and content of the U.S. National Aviation Standard for the VORTAC (VOR-TACAN-DME) System.

00-32 Civil Air Patrol and State and Regional Defense Airlift Relationships (7-2-70).

Advises interested persons of the Memorandum of Understanding between CAP and FAA, and provides additional guidance to further improve the use of non-air carrier aircraft in time of national emergency.

00-33A Nickel-Cadmium Battery Operational, Maintenance, and Overhaul Practices (2-14-73).

Provides guidelines for more reliable nickel-cadmium battery operation through proper operational and maintenance practices, and has been reissued to include reconditioning information.

00-34A Aircraft Ground Handling and Servicing (7-29-74).

Contains information and guidance for the servicing and ground handling of aircraft.

00-35A Emergency Locator Transmitters-Operational and Maintenance Practices (9-28-73).

Provides guidelines relative to the licensing, installation, maintenance, and testing of emergency locator transmitters (ELT).

00-35A CH 1 (4-18-74).

Paragraph 4 of this Advisory Circular deals with the interpretation of FAA licensing requirements and in some instances has been misunderstood. Because this paragraph is subject to misinterpretation and does not concern ELT operational or maintenance practices, it is therefore deleted.

00-36 Inadvertent Transmissions from Emergency Locator Transmitters (ELT) (3-15-73).

Urges pilots and maintenance personnel to make sure emergency locator transmitters are switched off when aircraft are parked.

00-38 Address List for Federal Aviation Administration Air Transportation Security Divisions, Air Transportation Security Field Offices, and Security Specialist Post of Duty (8-28-73).

Transmits the address list for all FAA Air Transportation Security Divisions, Air Transportation Security Field Offices, and Security Specialist Posts of Duty.

00-40 Emergency Locator Transmitter Regulations in FAR 91.52(a)(2) (10-3-73).

Discusses the relationship between FAR 91.52(a)(2) and Section 601(d) of the Federal Aviation Act of 1958 (as amended) and how that relationship affects those who might wish to petition the FAA for an exemption from FAR 91.52(a)(2).

00-41 FAA Quality System Certification Program (1-31-74).

Provides information concerning the Federal Aviation Administration (FAA) Quality System Certification Program and sets forth acceptable means of compliance with its requirements.

00-41 CH 1 (5-20-74).

Clarifies the requirement for the prime manufacturer's Quality Control System Plan to be a self-contained document independent of detailed operating procedures.

Adds paragraphs 2.5 and 3.1 to Appendix 1.

00-44A Status of the Federal Aviation Regulations (3-4-75).

Summarizes the current status of the conversion program, lists FAR prices, and provides ordering instructions for purchasing the regulations.

00-46 Aviation Safety Reporting Program (5-9-75).

Advises that the FAA will make an evaluation study of the National Air Transportation System; will provide reporting procedures; and invites pilots, controllers, and other users of the airspace system or any other person to report discrepancies or deficiencies noted in the system to the FAA.

Procedural

SUBJECT NO. 10

11–1A Airspace Rule-Making Proposals and Changes to Air Traffic Control Procedures (12–21–72).

Emphasizes the need for the early submission of proposal involving airspace rule-making activity or changes to existing procedures for the control of air traffic.

Aircraft

SUBJECT NO. 20

20–3C Status and Availability of Military Handbooks and ANC Bulletins for Aircraft (6–1–73).

Announces the status and availability of Military Handbooks and ANC Bulletins prepared jointly with FAA, Navy and Air Force.

20–5C Plane Sense (1974).

Provides general aviation information for the private aircraft owner.

20–6W U.S. Civil Aircraft Register (2-Volume set) (June 1974).

Lists all active U.S. civil aircraft by registration number. ($21.00 GPO.) TD 4.18/2:974–2/v. 1, 2.

20–7L General Aviation Inspection Aids, Summary (August 1974).

Provides the aviation community with a uniform means for interchanging service experience that may improve the durability and safety of aeronautical products. Of value to mechanics, operators of repair stations, and others engaged in the inspection, maintenance, and operation of aircraft in general. ($10.05, $12.60 foreign—Sub. GPO.) TD 4.409:973.

20–7L Supplement 1 (September 1974).

20–7L Supplement 2 (October 1974).

20–7L Supplement 3 (November 1974).

20–7L Supplement 4 (December 1974).

20–7L Supplement 5 (January 1975).

20–7L Supplement 6 (February 1975).

20–7L Supplement 7 (March 1975).

20–7L Supplement 8 (April 1975).

20–9 Personal Aircraft Inspection Handbook (12–2–64).

Provides a general guide, in simple, nontechnical language, for the inspection of aircraft. Reprinted 1972. ($1.60 GPO.) FAA 5.8/2:A1 7/2.

20–10 Approved Airplane Flight Manuals for Transport Category Airplanes (7–30–63).

Calls attention to the regulatory requirements relating to FAA Approved Airplane Flight Manuals.

20–13A Surface-Effect Vehicles (8–28–64).

States FAA policy on surface-effect vehicles (vehicles supported by a cushion of compressed air).

20–17B Surplus Aircraft of the Armed Forces (10–11–72).

Sets forth the method of obtaining copies of Federal Aviation Regulations which might be required for certification of surplus military aircraft.

20–18A Qualification Testing of Turbojet Engine Thrust Reversers (3–16–66).

Discusses the requirements for the qualification of thrust reversers and sets forth an acceptable means of compliance with the tests prescribed in Federal Aviation Regulations, Part 33, when run under nonstandard ambient air conditions.

20–23D Interchange of Service Experience—Mechanical Difficulties (2–12–71).

Provides information on the voluntary exchange service experience data used in improving durability and safety of aeronautical products.

20–24A Qualification of Fuels, Lubricants, and Additives (4–1–67).

Establishes procedures for the approval of the use of subject materials in certificated aircraft.

20–27B Certification and Operation of Amateur-Built Aircraft (4–20–72).

Provides information and guidance concerning certification and operation of amateur-built aircraft, including gliders, free balloons, helicopters, and gyroplanes, and sets forth an acceptable means, not the sole means, of compliance with FAR Part 21 and FAR Part 91.

20–28A Nationally Advertised Construction Kits, Amateur-Built Aircraft (12–29–72).

Advises persons contemplating the use of nationally advertised kits for the construction of an aircraft, that certain kits when used could render the aircraft ineligible for the issuance of an experimental certificate as an amateur-built aircraft.

20–29B Use of Aircraft Fuel Anti-icing additives (1–18–72).

Provides information on the use of anti-icing additives PFA–55MB and Mil–I–27686 as an acceptable means of compliance with the FARs that require assurance of continuous fuel flow under conditions where ice may occur in tubbine aircraft fuel systems.

20–30A Airplane Position Lights and Supplementary Lights (4–18–68).

Provides an acceptable means for complying with the position light requirements for airplane airworthiness and acceptable criteria for the installation of supplementary lights on airplanes.

20–32B Carbon Monoxide (CO) Contamination in Aircraft—Detection and Prevention (11–24–72).

Provides information on the potential dangers of carbon monoxide contamination from faulty engine exhaust systems or cabin heaters of the exhaust gas heat exchanger type.

20–33A Technical Information Regarding Civil Aeronautics Manuals 1, 3, 4a, 4b, 5, 6, 7, 9, 13 and 14 (3–7–75).

Advises the public that policy information contained in the subject Civil Aeronautics Manuals may be used in conjunction with specific sections of the Federal Aviation Regulations.

20–34A Prevention of Retractable Landing Gear Failures (4–21–69).

Provides information and suggested procedures to minimize landing accidents involving aircraft having retractable landing gear.

20–35B Tie-Down Sense (4–19–71).

Provides information of general use on aircraft tie-down techniques and procedures.

20–36D Index of Materials, Parts, and Appliances Certified Under the Technical Standard Order System—August 1, 1974 (9–6–74).

Lists the materials, parts, and appliances for which the Administrator has received statements of conformance under the Technical Standard Order system as of August 1, 1974. Such products are deemed to have met the requirements for FAA approval as provided in Part 37 of the Federal Aviation Regulations.

20–37B Aircraft Metal Propeller Blade Failure (9–12–74).

Provides information and suggested procedures to increase service life and to minimize blade failures of metal propellers.

20–38A Measurement of Cabin Interior Emergency Illumination in Transport Airplanes (2–8–66).

Outlines acceptable methods, but not the only methods, for measuring the cabin interior emergency illumination on transport airplanes, and provides information as to suitable measuring instruments.

20–39 Installation Approval of Entertainment Type Television Equipment in Aircraft (7–15–65).

Presents an acceptable method (but not the only method) by which compliance may be shown with Federal Aviation Regulations 23.1431, FAR 25.1309(b), FAR 27.1309(b), or FAR 29.1309(b), as applicable.

20–40 Placards for Battery-Excited Alternators Installed in Light Aircraft (8–11–65).

Sets forth an acceptable means of complying with placarding rules in Federal Aviation Regulations 23 and 27 with respect to battery-excited alternator installations.

20–41 Replacement TSO Radio Equipment in Transport Aircraft (8–30–65).

Sets forth an acceptable means for complying with rules governing transport category aircraft installations in cases

involving the substitution of technical standard order radio equipment for functionally similar radio equipment.

20–42 Hand Fire Extinguishers in Transport Category Airplanes and Rotorcraft (9–1–65).

Sets forth acceptable means (but not the sole means) of compliance with certain hand fire extinguisher regulations in FAR 25 and FAR 29, and provides related general information.

20–43B Aircraft Fuel Control (6–8–71).

Alerts the aviation community to the potential hazards of inadvertent mixing or contamination of turbine and piston fuels, and provides recommended fuel control and servicing procedures.

20–44 Glass Fiber Fabric for Aircraft Covering (9–3–65).

Provides a means, but not the sole means, for acceptance of glass fiber fabric for external covering of aircraft structure.

20–45 Safetying of Turnbuckles on Civil Aircraft (9–17–65).

Provides information on turnbuckle safetying methods that have been found acceptable by the FAA during past aircraft type certification programs.

20–46 Suggested Equipment for Gliders Operating Under IFR (9–23–65.)

Provides guidance to glider operators on how to equip their gliders for operation under instrument flight rules (IFR), including flight through clouds.

20–47 Exterior Colored Band Around Exits on Transport Airplanes (2–8–66).

Sets forth an acceptable means, but not the only means, of complying with the requirement for a 2-inch colored band outlining exits required to be openable from the outside on transport airplanes.

20–48 Practice Guide for Decontaminating Aircraft (5–5–66).

The title is self-explanatory.

20–51 Procedures for Obtaining FAA Approval of Major Alterations to Type Certificated Products (4–12–67).

Provides assistance to persons who desire to obtain FAA approval of major alterations to type certificate products.

20–52 Maintenance Inspection Notes for Douglas DC–6/7 Series Aircraft (8–24–67). (Consolidated Reprint—January 1974, includes Change 1.)

Describes maintenance inspection notes which can be used for the maintenance support of certain structural parts of DC–6 6/7 series aircraft.

20–53 Protection of Aircraft Fuel System Against Lightning (10–6–67).

Sets forth acceptable means, not the sole means, by which compliance may be shown with fuel system lightning protection airworthiness regulations.

20–54 Hazards of Radium-Activated Luminous Compounds Used on Aircraft Instruments (10–24–67).

Provides information concerning health hazards associated with the repair and maintenance of instruments containing luminous markings activated with radium-226 or radium-228 (mesothorium).

20–55 Turbine Engine Overhaul Standard Practices Manual—Maintenance of Fluorescent Penetrant Inspection Equipment (1–22–68).

Advises operators of the necessity for periodic checking of black light lamps and filters used during fluorescent penetrant inspection of engine parts.

20–56A Marking of TSO–C72b Individual Flotation Devices (4–1–75).

Outlines acceptable methods for marking individual flotation devices which also serve as seat cushions.

20–57A Automatic Landing Systems (ALS) (1–12–71).

Sets forth an acceptable means of compliance, but not the only means, for the installation approval of automatic landing systems in transport category aircraft which may be used initially in Category II operations. Approval of these aircraft for use under such conditions will permit the accumulation of data for systems which may be approved for Category IIIa in the future.

20–59 Maintenance Inspection Notes for Convair 240, 340/440, 240T, and 340T Series Aircraft (2–19–68).

Describes maintenance inspection notes which can be used for the maintenance support of certain structural parts of Convair 240, 340/440, 240T, and 340T series aircraft.

20–59 CH 1 (8–24–72).

Provides additional material for Convair Models 240 and 600/240D; Models 340/440 and 640/340D/440D series aircraft Maintenance inspection programs.

20–60 Accessibility to Excess Emergency Exits (7–18–68).

Sets forth acceptable means of compliance with the "readily accessible" provisions in the Federal Aviation Regulations dealing with excess emergency exits.

20–62B Eligibility, Quality, and Identification of Approved Aeronautical Replacement Parts (9–13–74).

Provides information relative to the determination of the eligibility of aeronautical parts and materials for installation on certificated aircraft.

20–63 Airborne Automatic Direction Finder Installations (Low and Medium Frequency) (7–7–69).

Sets forth one means, but not the only means, of demonstrating compliance with the airworthiness rules governing the functioning of airborne automatic direction finders. It does not pertain to installations previously approved.

20–64 Maintenance Inspection Notes for Lockheed L–188 Series Aircraft (8–1–69).

Describes maintenance inspection notes which can be used for the maintenance support of certain structural parts of Lockheed L–188 series aircraft.

20–64 CH 1 (10–26–73).

20–65 U.S. Airworthiness Certificates and Authorizations for Operation of Domestic and Foreign Aircraft (8–11–69).

Provides general information and guidance concerning issuance of airworthiness certificates for U.S. registered aircraft, and issuance of special flight authorizations for operation in the United States of foreign aircraft not having standard airworthiness certificates issued by the country of registry.

20–66 Vibration Evaluation of Aircraft Propellers (1–29–70).

Outlines acceptable means, but not the sole means, for showing compliance with the requirements of the FARs concerning propeller vibration.

20–67A Airborne VHF Communication System Installations (10–17–72).

Sets forth one means, but not the only means of demonstrating compliance with the airworthiness rules governing the functioning of airborne VHF communication systems.

20–68A Recommended Radiation Safety Precautions for Airborne Weather Radar (4–11–75).

Sets forth recommended radiation safety precautions for ground operation of airborne weather radar.

20–69 Conspicuity of Aircraft Instrument Malfunction Indicators (5–14–70).

Provides design guidance information on methods of improving conspicuity of malfunction indication devices.

20–71 Dual Locking Devices on Fasteners (12–8–70).

Provides guidance and acceptable means, not the sole means, by which compliance may be shown with the requirements for dual locking devices on removable fasteners installed in rotorcraft and transport category airplanes.

20–72 Restricted Category Helicopter Maximum Weight Increases (3–11–71).

Provides assistance to persons who desire to obtain FAA approval of overmaximum certificated takeoff weight condition for restricted category helicopter operations.

20–73 Aircraft Ice Protection (4–21–71).

Provides information relating to the substantiation of ice protection systems on aircraft.

20–74 Aircraft Position and Anticollision Light Measurements (7–29–71).

Contains useful information concerning measurements for intensity, covering,

and color of aircraft position and anti-collision lights.

20–76 Maintenance Inspection Notes for Boeing B–707/720 Series Aircraft (10–21–71).

Provides maintenance inspection notes which can be used for the maintenance support program for certain structural parts of the B–707/720 series aircraft.

20–77 Use of Manufacturers' Maintenance Manuals (3–22–72).

Informs owners and operators about the usefulness of manufacturers' maintenance manuals for servicing, repairing, and maintaining aircraft, engines, and propellers.

20–78 Maintenance Inspection Notes for McDonnell Douglas DC–8 Series Aircraft (7–11–72).

Provides maintenance inspection notes which can be used for the maintenance support program for certain structural parts of the DC–8 series aircraft.

20–81 Accidental or Unauthorized Activation of Emergency Locator Transmitters (ELT) (10–10–72).

Alerts the general aviation community to the harmful effects of accidental or unauthorized activation of emergency locator transmitters.

20–82 Maintenance Inspection Notes for Fairchild Hiller F–27/FH–227 Series Aircraft (12–5–72).

Provides maintenance inspection notes which can be used for the maintenance support program for certain structural parts of Fairchild Hiller F–27/FH–227 series aircraft.

20–82 CH 1 (7–12–73).

Provides additional material for subject advisory circular.

20–83 Maintenance Inspection Notes for Boeing B–737 Series Aircraft (1–17–73).

Provides maintenance inspection notes which can be used for the maintenance support program for certain structural parts of the B–737 series aircraft.

20–83 CH 1 (8–8–74).

Provides updating of material for the B–737 series aircraft maintenance inspection program. Inspection of selected areas of the wing, fuselage, empennage and landing gear of B–737 series aircraft are presented supplementing information currently in AC 20–83.

20–83 CH 2 (1–31–75).

20–84 Maintenance Inspection Notes for Boeing B–727 Series Aircraft (1–22–73).

Provides inspection notes which can be used for the maintenance support program for certain structural parts of the B–727 series aircraft.

20–84 CH 1 (8–8–74).

Updates material for the B–727 series aircraft maintenance inspection program. Inspection of selected areas of the wing, fuselage, empennage and landing gear of the B–727 series aircraft are presented supplementing information currently available in AC 20–84.

20–84 CH 2 (1–31–75).

20–85 Emergency Locator Transmitters and Receivers (3–16–73).

Provides information concerning the design, installation, and utilization of emergency locator transmitters.

20–86 Aviation Education through Building an Airplane (5–11–73).

Provides information to high schools about the available assistance, resources, methods, and opportunities for attaining basic educational goals by building an airplane.

20–87 Airborne Homing and Alerting Equipment for use with Emergency Locator Transmitters (5–7–23).

Sets forth the availability of recommended basic characteristics for airborne homing and alerting equipment for use with emergency locator transmitters (ELT).

20–88 Guidelines on the Marking of Power-Plant Instruments (12–11–73).

Provides guidelines on the marking of aircraft powerplant instruments.

20–89 Communication Interference Caused by Unintentional Radio Transmissions (3–22–74).

Alerts the aviation community to the potential hazards created by unintentional radio transmissions from airborne, mobile, and ground based radio transmitters and gives guidance on alleviating ensuing hazards.

20–90A Address List for Engineering and Manufacturing District Offices (3–5–75).

Transmits the address list for all Engineering and Manufacturing District Offices.

20–91 Lithium Batteries Used in Emergency Locator Transmitters (4–11–75).

Warns of potential hazards associated with accidental release of sulfur-dioxide gas from lithium-sulfur batteries.

21–1A Production Certificates (7–9–71).

Provides information concerning Subpart G of Federal Aviation Regulations (FAR) Part 21, and sets forth acceptable means of compliance with its requirements.

21–2B Export Airworthiness Approval Procedures (10–2–69).

Announces the adoption of new regulations and provides guidance to the public regarding the issuance of export airworthiness approvals for aeronautical products to be exported from the United States.

21–2B CH 1 (11–13–70).

21–2B CH 2 (2–8–71).

21–3 Basic Glider Criteria Handbook (1962).

Provides individual glider designers, the glider industry, and glider operating organizations with guidance material that augments the glider airworthiness certification requirements of the Federal Aviation Regulations. Reprinted 1973. ($1.75 GPO). FAA 5.8/2:G49/962.

21–4B Special Flight Permits for Operation of Overweight Aircraft (7–30–69).

Furnishes guidance concerning special flight permits necessary to operate an aircraft in excess of its usual maximum certificated takeoff weight.

21–5C Summary of Supplemental Type Certificates (Announcement of Availability) (1–19–73).

Announces the availability to the public of the new price of the Summary of Supplemental Type Certificates (SSTC), dated January 1971.

21–6 Production Under Type Certificate Only (5–26–67).

Provides information concerning Subpart F of FAR Part 21, and sets forth examples, when necessary, of acceptable means of compliance with its requirements.

21–7A Certification and Approval of Import Products (11–24–69).

Provides guidance and information relative to U.S. certification and approval of import aircraft, aircraft engines and propellers that are manufactured in a foreign country with which the United States has an agreement for the acceptance of those products for export and import.

21–8 Aircraft Airworthiness; Restricted Category: Certification of Aircraft With Uncertificated or Altered Engines or Propellers (5–21–69).

Sets forth acceptable means of substantiating that uncertificated or altered engines and propellers have no unsafe features for type certification of aircraft in the restricted category.

21–9 Manufacturers Reporting Failures, Malfunctions, or Defects (12–30–70).

Provides information to assist manufacturers of aeronautical products (aircraft, aircraft engines, propellers, appliances, and parts) in notifying the Federal Aviation Administration of certain failures, malfunctions, or defects, resulting from design or quality control problems, in the products which they manufacture.

21–10 Flight Recorder Underwater Locating Device (5–20–71).

Provides one acceptable means (not the only means) of showing compliance with the underwater locating device requirements of FAR 25.1459 and FAR 121.343.

21–11 Quality Assurance Systems Analysis Review (QASAR) Program Manufacturers/Suppliers (5–26–72).

Explains the objectives and concept of the FAA's subject program.

21–12 Application for U.S. Airworthiness Certificate, FAA Form 8130–6 (OMB 04–R0058) (1–17–73).

Provides instructions on the preparation and submittal of subject form.

21–13 Standard Airworthiness Certification of Surplus Military Aircraft and Aircraft Built from Spare and Surplus Parts (4–5–73).

Provides guidance and instructions on establishing eligibility and submitting application for civil airworthiness certification of surplus military aircraft and aircraft assembled from spare and surplus parts, under FAR 21.183(d) when an FAA Type Certificate has been issued under FAR 21.21 or FAR 21.27.

21.25–1 Use of Restricted Category Airplanes for Glider Towing (4–20–65).

Announces that glider towing is now considered to be a special purpose for type and airworthiness certification in the restricted category.

21.303–1A Certification Procedures for Products and Parts (8–10–72).

Provides information concerning section 21.303 of Federal Aviation Regulations, Part 21, and to set forth examples, as necessary, of acceptable means of compliance with its requirements.

23.1329–1 Automatic Pilot Systems Approval (Non-Transport) (12–23–65).

Sets forth an acceptable means by which compliance with the automatic pilot installation requirements of FAR 23.1329 may be shown.

25–2 Extrapolation of Takeoff and Landing Distance Data Over a Range of Altitude for Turbine-Powered Transport Aircraft (7–9–64).

Sets forth acceptable means by which compliance may be shown with the requirements in CAR 4b and SR–422B.

25–4 Inertial Navigation Systems (INS) (2–18–66).

Sets forth an acceptable means for complying with rules governing the installation of inertial navigation systems in transport category aircraft.

25–5 Installation Approval on Transport Category Airplanes of Cargo Unit Load Devices Approved as Meeting the Criteria in NAS 3610 (6–3–70).

Set forth an acceptable means, but not the sole means, of complying with the requirements of the Federal Aviation Regulations (FAR's) applicable to the installation on transport category airplanes of cargo unit load devices approved as meeting the criteria in NAS 3610.

25–6 Ground Proximity Warning Systems (GPWS) (12–31–74).

Outlines acceptable ground proximity warning system performance. System performance, other than that described, may also be acceptable when adequately substantiated.

25.253–1 High-Speed Characteristics (11–24–65).

Sets forth an acceptable means by which compliance may be shown with FAR 25.253 during certification flight tests.

25.253–1 CH 1 (1–10–66).

Provides amended information for the basic advisory circular.

25.981–1A Guidelines for Substantiating Compliance With the Fuel Tank Temperature Requirements (1–20–71).

Sets forth some general guidelines for substantiating compliance with fuel tank temperature airworthiness standards, section 25.981.

25.1329–1A Automatic Pilot System Approval (7–8–68).

Sets forth an acceptable means by which compliance with the automatic pilot installation requirements of FAR 25.1329 may be shown.

25.1457—1A Cockpit Voice Recorder Installations (11–3–69).

Sets forth one acceptable means of compliance with provisions of FAR 25.1457 (b), (e), and (f) pertaining to area microphones, cockpit voice recorder location, and erasure features.

29–1 Approval Basis for Automatic Stabilization Equipment (ASE) Installations in Rotorcraft (12–26–63).

Gives means for compliance with flight requirements in various CAR's.

29–1 CH1 (3–26–64).

Transmits revised information about the time delay of automatic stabilization equipment.

29.773–1 Pilot Compartment View (1–19–66).

Sets forth acceptable means, not the sole means, by which compliance with FAR 29.773(a)(1), may be shown.

33–1B Turbine-Engine Foreign Object Ingestion and Rotor Blade Containment Type Certification Procedures (4–22–70).

Provides guidance and acceptable means, not the sole means, by which compliance may be shown with the design and construction requirements, of Part 33 of the Federal Aviation Regulations.

33–2A Aircraft Engine Type Certification Handbook (6–5–72).

Contains guidance relating to type certification of aircraft engines which will constitute acceptable means, although not the sole means, of compliance with the Federal Aviation Regulations.

33–3 Turbine and Compressor Rotors Type Certification Substantiation Procedures (9–9–68).

Sets forth guidance and acceptable means, not the sole means, by which compliance may be shown with the turbine and compressor rotor substantiation requirements in FAR Part 33.

36–1 Airplane Noise Levels (5–31–73).

Provides noise level data for turbine powered airplanes.

37–2A Test Procedures for Maximum Allowable Airspeed Indicators (10–22–74).

Provides guidance concerning test procedures which may be used in showing compliance with the standards in FAR 37.145 (TSO–C46a).

37–3A Radio Technical Commission for Aeronautics Document DO–160 (3–20–75).

This circular announces RTCA Document DO–160 and discusses how it may be used in connection with technical standard order authorizations.

39–1A Jig Fixtures; Replacement of Wing Attach Angles and Doublers on Douglas Model DC–3 Series Aircraft Airworthiness Directive 66–18–2 (3–5–70).

Describes methods of determining that jig fixtures used in the replacement of the subject attached angles and doublers meet the requirements of Airworthiness Directive 66–18–2.

39–6D Summary of Airworthiness Directives (2–11–74).

Announces the availability of Summary of Airworthiness Directives dated January 1, 1974 from the FAA in Oklahoma City and how to obtain them.

43–1 Matching VHF Navigation Receiver Outputs With Display Indicators (8–2–65).

Alerts industry to the possibility of mismatching outputs, both guidance and flag alarm, of certain VHF navigation receivers when used with some types of display indicators causing the receiver to fail without providing a flag alarm.

43–2A Minimum Barometry for Calibration and Test of Atmospheric Pressure Instruments (8–22–74).

Sets forth guidance material which may be used to determine the adequacy of barometers used in the calibration of aircraft static instruments and presents information concerning the general operation, calibration, and maintenance of such barometers.

43–3 Nondestructive Testing in Aircraft (5–11–73).

Reviews the basic principles underlying nondestructive testing. ($0.75 GPO.) TD 4.8:T28/973.

43–4 Corrosion Control for Aircraft (5–15–73).

Summarizes current available data regarding identification and treatment of corrosive attack on aircraft structure and engine materials.

43–4 CH 1 (3–1–74).

Provides additional information on identification and treatment of corrosion attack on aircraft structures. Adds a new Chapter 14—Corrosion control of aircraft used in agricultural cropdusting operations.

43–4 CH 2 (10–8–74).

Clarifies the discussion on the removal of corrosion and treatment of corroded areas.

43–5 Airworthiness Directives for General Aviation Aircraft (8–13–74).

Points areas of misunderstanding regarding: (1) Aircraft owners and operators' responsibility for complying with AD's; (2) maintenance personnel responsibilities with regards to performance of AD's; and (3) maintenance records entries for AD's required by FAR 91.173(a)(2)(v) and FAR 43.9.

43–6 Automatic Pressure Altitude Encoding Systems and Transponder Maintenance and Inspection Practices (9–19–74).

Provides information on the installation of encoding altimeters based upon recently acquired operating experience and on the maintenance of ATC transponders.

43–7 Ultrasonic Testing for Aircraft (9–24–74).

Describes methods used in ultrasonic nondestructive testing, discusses the many advantages, and points out the simplicity of the tests. Contains many illustrations. ($1 GPO.) TD 4.402:UL 8.

AC 43–9 Maintenance Records: General Aviation Aircraft (2–19–75).

Provides information to assist maintenance personnel in fulfilling their responsibility under FAR Section 43.9.

43.9–1C Instruction for Completion of FAA Form 337 (12–20–73).

Provides instructions for completing revised FAA Form 337, Major Repair and Alteration (Airframe, Powerplant, Propeller, or Appliance).

43.13–1A Acceptable Methods, Techniques and Practices—Aircraft Inspection and Repair (4–17–72).

Contains methods, techniques, and practices acceptable to the Administrator for inspection and repair to civil aircraft. Published in 1973. ($3.70—GPO.) TD 4.28/2:972.

43.13–2 Acceptable Methods, Techniques, and Practices—Aircraft Alterations (4–19–66).

Contains methods, techniques, and practices acceptable to the Administrator in altering civil aircraft. Published in 1965. ($3.60–$4.50 foreign Sub.—GPO.) TD 4.28:973.

Subscription now includes: Changes 1 thru 14 Consolidated Reprint in 1973, Change 15 dated 1–15–74, and Change 16 dated 8–12–74.

43–202 Maintenance of Weather Radar Radomes (6–11–65).

Provides guidance material useful to repair facilities in the maintenance of weather radar radomes.

43–203A Altimeter and Static System Tests and Inspections (6–6–67).

Specifies acceptable methods for testing altimeter and static system. Also, provides general information on test equipment used and precautions to be taken.

45–2 Identification and Registration Marking (7–7–72).

Provides guidance and information concerning the identification and marking requirements of Federal Aviation Regulations (FAR) Parts 21 and 45, and where considered helpful, to provide an acceptable means, but not the sole means, of compliance with the regulations.

47–1A Aircraft Registration, Eligibility, Identification and Activity Report (6–7–73).

Advises owners and operators of U.S. civil aircraft of requirement for annual submission of current information related to aircraft registration eligibility, requests similar submission of information related to identification and activity of aircraft; and to call attention to the availability of the reporting form to be used.

Airmen

SUBJECT No. 60

60–2M Annual Aviation Mechanic Safety Awards Program (2–6–75).

Provides the details of the annual Aviation Mechanic Safety Awards Program.

60–4 Pilot's Spatial Disorientation (2–9–65).

Acquaints pilots flying under visual flight rules with the hazards of disorientation caused by the loss of reference with the natural horizon.

60–6 FAA Approved Airplane Flight Manuals, Placards, Listings, Instrument Markings—Small Airplanes (12–13–68).

Alerts pilots to the regulatory requirements relating to the subject and provides information to aid pilots to comply with the provisions of FAR section 91.31.

60–7 Statement of Additional Instruction for Retest (1–27–72).

Announces a new procedure for the use of a computer printed "statement of Additional Instruction" on each Airman Written Test Report that has an unsatisfactory grade for any section. It explains the statement and strongly recommends its use.

60–9 Induction Icing—Pilot Precautions and Procedures (2–28–73).

Provides the pilot with information on the causes and results of induction icing in reciprocating aircraft engines, and the precautions he should take to reduce the likelihood of icing, and the means available to him in controlling icing when it is encountered.

60–10 Recommended Safety Parameters for Operation of Hang Gliders (5–16–74).

Suggests safety parameters for the operation of "hang gliders" and to present the current FAA intent with respect to the regulation and operation of those vehicles.

60–11 Aids Authorized for Use by Airman Written Test Applicants (8–27–74).

Clarifies FAA policy concerning aids that applicants may use when taking airman written tests.

61–1D Aircraft Type Ratings (5–15–72).

Provides designators adopted by the Federal Aviation Administration for aircraft type ratings issued with pilot certificates.

61–2A Private Pilot (Airplane) Flight Training Guide (9–1–64).

Contains a complete private pilot flight training syllabus which consists of 30 lessons. Reprinted in 1972. ($2.60 GPO.) FAA 5.8/2:P 64/4/964.

61–3B Flight Test Guide—Private Pilot—Airplane—Single Engine (4–2–68).

Assists the private pilot applicant in preparing for his certification flight test. Reprinted in 1969. ($0.55 GPO.) TD 4.408:P 64/2.

61–4C Multiengine Airplane Class or Type Rating—Flight Test Guide (2–1–71).

Assists the private pilot applicant in preparing for certification or rating flight tests. Reprinted in 1972. ($0.55 GPO.) TD 4.408:M 91/971.

61–5A Helicopter Pilot Written Test Guide—Private—Commercial (8–14–67).

Gives guidance to applicants preparing for the aeronautical knowledge requirements for a private or commercial pilot certificate with a helicopter rating.

61–8C—Instrument Rating (Airplane) Written Test Guide (5–31–72).

Reflects the current operating procedures and techniques in a background setting appropriate for applicants preparing for the subject test. ($1.45 GPO.) TD 4.8:In 7/4/972.

61–9B Pilot Transition Courses for Complex Single-Engine and Light, Twin-engine Airplanes (1–15–74).

A guide to the procedures and standards to be followed for a thorough and comprehensive checkout in modern single- and twin-engine aircraft. ($0.35 GPO.) TD 4.8:P 64/6/974.

61–10A Private and Commercial Pilots Refresher Courses (9–27–72).

Provides a syllabus of study requirements and describes the areas of training that should be emphasized. ($0.40 GPO.) TD 4.408:P64/6.

61–11B Airplane Flight Instructor Written Test Guide (9–12–72).

Provides information to prospective airplane flight instructors about certification requirements, application procedures, and reference study materials; a sample examination is presented with explanations of the correct answers. ($0.95 GPO.) TD 4.408: In 7/972.

61–12F Student Pilot Guide (1–25–74).

Provides guidance for student pilots and those already in primary flight training. Updated to include requirements covered in the revised Part 61. ($0.55 GPO.) TD 4.8:P64/3/974.

61–13A Basic Helicopter Handbook (4–5–73).

Provides detailed information to applicants preparing for private, commercial, and flight instructor pilot certificates with a helicopter rating about helicopter aerodynamics, performance, and flight maneuvers. It will also be useful to certificated helicopter flight instructors as an aid in training students. ($1.90 GPO.) TD 4.408:H 36/2.

61–14A Flight Instructor Practical Test Guide (10–23–69).

Provides assistance to the certificated pilot in preparing for the practical demonstration required for the issuance of the flight instructor certificate. Reprinted in 1973. ($0.35 GPO.) TD 4.408: In 7/4.

61–16A Flight Instructor's Handbook (10–14–69).

Gives guidance and information to pilots preparing to apply for flight instructor certificates and for use as a reference by flight instructors. ($2 GPO.) Reprinted in 1972. TD 4.408:In 7/3.

61–17B Flight Test Guide—Instrument Pilot Airplane (1–12–72).

Provides assistance for the instrument pilot applicant in preparing for his instrument rating flight test. Reprinted in 1973. ($0.40 GPO.) TD 4.408:In 7/2/972.

61–18C Airline Transport Pilot (Airplane) Written Test Guide (4–19–71).

Reflects current operating procedures and techniques in a background setting appropriate for applicants preparing for the Airline Transport Pilot (Airplane) Written Test. ($1.75 GPO.) Reprinted in 1972. TD 4.8:P 64/5/971.

61–19 Safety Hazard Associated With Simulated Instrument Flights (12–4–64).

Emphasizes the need for care in the use of any device restricting visibility while conducting simulated instrument flights that may also restrict the view of the safety pilot.

61–21 Flight Training Handbook (1–11–66).

Provide information and direction in the introduction and performance of training maneuvers for student pilots, pilots requalifying or preparing for additional ratings, and flight instructors. Reprinted in 1969. ($2.10 GPO.) FAA 1.8:F 64/4.

61–23A Pilot's Handbook of Aeronautical Knowledge (7–10–70).

Contains essential, authoritative information used in training and guiding applicants for private pilot certification, flight instructors, and flying school staffs. ($5.30 GPO.) TD 4.408:P 64/5.

61–25 Flight Test Guide—Helicopter Private and Commercial Pilot (12–7–65).

Assists the helicopter pilot applicant in preparing for the certification flight tests; provides information concerning applicable procedures and standards. Published in 1965. ($0.35 GPO.) FAA 1.8:H 36/2.

61–27B Instrument Flying Handbook (9–22–70).

Provides the pilot with basic information needed to acquire an FAA instrument rating. It is designed for the reader who holds at least a private pilot certificate and is knowledgeable in all areas covered in the "Pilot's Handbook of Aeronautical Knowledge." ($3.35 GPO.) TD 4.8:In 7/2/971.

61–28A Commercial Pilot Written Test Guide (4–28–70).

Reflects current operating procedures and techniques for the use of applicants in preparing for the Commercial Pilot-Airplane Written Test. ($2.00 GPO.) TD 4.408:P 64/4.

61–29A Instrument Flight Instructor Written Test Guide (10–16–70).

Reflects current operating procedures, regulations, and techniques for the use of applicants in preparing for the Flight Instructor Instrument Written Test ($1.00 GPO.) TD 4.8:In 7/5.

61–30A Flight Test Guide—Gyroplane, Private and Commercial (3–23–72).

Assist the commercial and private pilot applicant in preparing for his gyroplane test ($0.75 GPO.) TD 4.408:G99.

61–31A Gyroplane Pilot Written Test Guide, Private and Commercial (6–9–72).

Provides guidance and assistance to applicants who are preparing for the Private or Commercial Pilot Gyroplane Written Test. Covers the basic aeronautical knowledge that the prospective gyroplane pilot must know.

61–32A Private Pilot Written Test Guide (12–1–71).

Provides information, guidelines, and sample test items to assist applicants for the Private Pilot Certificate in attaining necessary aeronautical knowledge ($2.50 GPO.) TD 4.408:P 64/971.

61–33 Gyroplane Flight Instructor Examination Guide (3–25–66).

Assists applicants who are preparing for the Flight Instructor Rotorcraft Gyroplane Written Examination. Revised in 1966.

61–34B Federal Aviation Regulations Written Test Guide for Private, Commercial and Military Pilots (2–10–75).

Outlines the scope of the basic knowledge required of civilian or military pilots who are studying FARs as they pertain to the Regulations terminology; to the certification of private and commercial pilots; to the operation of aircraft in the national airspace; and to the requirements of the National Transportation Safety Board. For use as a guide in preparing for the FAR Written Test. ($0.70 GPO.) TD 4.8P:64/970.

61–38 Rotorcraft Helicopter Written Test Guide (8–16–67).

Gives guidance to applicants preparing for the aeronautical knowledge requirement for a flight instructor certificate with a helicopter rating.

61–39A Flight Test Guide, Private and Commercial Pilot—Glider (10–19–72).

Assists applicants for private and commercial pilot flight tests in gliders.

61–41A Glider Flight Instructor Written Test Guide (1–12–72).

Provides information, guidelines, and sample test items, to assist applicants for the Glider Flight Instructor rating in attaining necessary aeronautical knowledge.

61–42A Airline Transport Pilot (Helicopter) Written Test Guide (1–20–72).

Describes the type and scope of required aeronautical knowledge covered in the written tests, lists reference materials available from GPO bookstores, and presents sample test items with answers and explanations. ($0.70 GPO). TD 4.408:H 36/972.

61–43A Glider Pilot Written Test Guide—Private and Commercial (1–12–72).

Provides information, guidelines, and sample test items, to assist applicants for the Glider Pilot certificate in attaining necessary aeronautical knowledge.

61–45 Instrument Rating (Helicopter) Written Test Guide (1–24–68).

Assists applicants who are preparing for the helicopter instrument rating. Presents a study outline, study materials and a sample test with answers.

61–46 Flight Instructor Procedures (6–4–69).

Informs flight instructors of the procedures involved in the renewal of reinstatement of Flight Instructor Certificates, qualification for "Gold Seal" certificates, and endorsing student pilot logbooks for various operations.

61–47 Use of Approach Slope Indicators for Pilot Training (9–16–70).

Informs pilot schools, flight instructors and student pilots of the recommendation of the Federal Aviation Administration on the use of approach slope indicator systems for pilot training.

61–49 Airline Transport Pilot—Airplane Practical Test Guide (8–9–71).

Describes the practical test requirements for Airline Transport Pilot Certificates (Airplane) and associated class and type ratings. ($0.45 GPO.) TD 4.408: Ai 7/4.

61–50 Aerial Applicator Aerodynamics Review of "Region of Reversed Command" (2–7–72).

Provided for the purpose of increasing pilot awareness of the aerodynamic limitations pertinent to aerial applicator operations.

61–51 Reporting Flight Time on Pilot Applications, FAA Form 8420–3 (6–26–72).

Advises applicants of the importance of entering their pilot flight time on subject form. (OBM No. 04–R0064.)

61–52B Flight Instructor of the Year Award Program (1–5–74).

Provides the details of the Flight Instructor of the Year Award Program.

61–54 Flight Test Guide (Part 61 revised)—Private Pilot Airplane (4–2–73).

Establishes a new concept of pilot training and certification requirements. ($0.65 GPO.) TD 4.408:P64/2/973.

61–55 Commercial Pilot Airplane Flight Test Guide (4–13–73).

Assist the applicant and his instructor in preparing for the flight test for the Commercial Pilot Certificate with Airplane Rating under Part 61 (revised). See also AC 61–78 and AC 61–79. ($0.60 GPO.) TD 4.408:AI7/7.

61–56 Flight Test Guide (Part 61 revised) Instrument Pilot Airplane (5–1–73).

Assists the applicant and his instructor in preparing for the flight test for the Instrument Pilot Airplane Rating under Part 61 (revised). ($0.55 GPO.) TD 4.408:IN/7/2/973.

61–57 Multiengine Airplane Class and Type Ratings, Flight Test Guide (4–13–73).

Contains information and guidance concerning the pilot operations, procedures, and maneuvers relevant to the flight test required for the Multiengine Class and Type Rating under Part 61 (revised). See also AC 61–79. ($0.85 GPO.) TD 4.408:M91/973.

61–58 Flight Instructor Practical Test Guide (5–1–73).

Outlines new requirements based on changes to FAR Part 61, Certification of Pilots and Flight Instructors. ($0.50 GPO.) TD 4.408:In 7/5.

61–59 Private and Commercial Pilot, Flight Test Guide (5–24–73).

Assist the applicant and his instructor in preparing for the flight test for the Private or Commercial Pilot Rotorcraft Certificate with Helicopter Rating under Part 61 (revised). ($0.75 GPO.) TD 4.408:H36/3.

61–60 Private and Commercial Pilot Gyroplane, Flight Test Guide (May 1973).

Outlines appropriate pilot operations and the minimum standards for the performance of each procedure or maneuver which will be accepted by the examiner as evidence of the pilot's competency, under Part 61 (revised). ($0.65 GPO.) TD 4.408:G99/973.

61–61 Private and Commercial Pilot Glider, Flight Test Guide (4–27–73).

Assist the applicant and his instructor in preparing for the flight test for the Private and the Commercial Pilot Certificate with Glider Rating under Part 61 (revised). ($0.50 GPO.) TD 4.408:G49.

61–62 Private and Commercial Pilot Free Balloon . . . , Flight Test Guide (June 1973).

Assists the applicant and his instructor in preparing for the flight test for the Private Pilot or Commercial Pilot Certificate with a lighter-than-air category and free balloon class rating under Part 61 (revised).

61–63 Flight Test Guide, Private and Commercial Pilot—Lighter-Than-Air Airship (5–23–74).

Establishes a new concept of pilot training and certification requirements. To provide a transition to these revised requirements, Part 61 (revised) permits the applicant, for a period of 1 year after the effective date, to meet either the previous requirements for the Private Pilot Certificate as outlined in Part 61, prior to November 1, 1973.

61–64 Flight Test Guide—Instrument Pilot Helicopter (7–23–73).

Assists the applicant and his instructor in preparing for the flight test for the Instrument Pilot Helicopter Rating under the revised Part 61 ($0.55 GPO.) TD 408:H36/4.

61–65 Part 61 (Revised) Certification: Pilot and Flight Instructors (9–5–73).

Informs pilots and flight instructors of the changes in Part 61, revised January 23, 1973, their effects, and the standards and procedures which will be used in implementing them.

61–66 Annual Pilot in Command Proficiency Checks (11–2–73).

Presents material relating to annual proficiency checks required for pilots-in-command of civil aircraft type certificated for more than one required pilot crewmember, other than those operating under Parts 121, 123, 127, 133, 135, and 137.

61–67 Hazards Associated with Spins in Airplanes Prohibited from Intentional Spinning (2–1–74).

Informs pilots of the airworthiness standards for the type certification of small airplanes prescribed in Section 23.221 of the Federal Aviation Regulations concerning spin maneuvers.

61–68 Flight Instructor Refresher Clinics—Scheduling, Attendance, Facilities, and Equipment (2–27–74).

Provides guidance to sponsors regarding scheduling, required facilities and equipment, and attendance control at Flight Instructor Refresher Clinics in which the Flight Instructor Refresher Unit (FIRU) participates.

61–70 Flight Instructor Instrument—Airplane—Written Test Guide (3–29–74).

Provides guidance for the applicant by outlining the scope of knowledge required for the Flight Instructor Certificate with an Instrument Airplane Rating. ($1.65 GPO.) TD 4.8:In 7/6.

61–71 Commercial Pilot—Airplane—Written Test Guide (4–9–74).

Assist applicants who are preparing for the Commercial Pilot-Airplane-Written Test based on the requirements of FAR Part 61 (revised) which became effective Nov. 1, 1973. ($0.85 GPO.) TD 4.408:P64/4/974.

61–72 Flight Instructor—Airplane—Written Test Guide (4–9–74).

Assists applicants who are preparing for the Flight Instructor certificate with Airplane Rating based on the revised provisions of FAR Part 61 which became effective Nov. 1, 1973. ($1.45 GPO.) TD 4.408:In 7/974.

61–73 Private and Commercial Pilot Rotorcraft—Helicopter Written Test Guide (8–8–74).

Assists applicants who are preparing for the Private or Commercial Pilot certificate with a Rotorcraft—Helicopter rating under the provisions of FAR Part 61 (revised). ($0.80 GPO.) TD 4.408: P64/7.

AC 61–74 Flight Instructor Rotorcraft—Helicopter Written Test Guide (5–8–74).

Assists applicants who are preparing for the Flight Instructor Certificate with a Rotorcraft—Helicopter Rating. ($1.45 GPO.) TD 4.408:R74.

AC 61–75 Flight Instructor—Glider—Written Test Guide (9–18–74).

Assists applicants who are preparing for the Flight Instructor—Glider Written Test. ($1.10 GPO.) TD 4.408:G 49/2.

61–78 Substitute "Acceptable Performance Guidelines" Applicable to AC 61–55, Commercial Pilot—Airplane—Flight Test Guide (10–10–74).

This supplementary AC is to be used in conjunction with AC 61–55, in conducting flight tests of applicants seeking a single engine sea class rating at the commercial pilot skill level. (See AC 61–55).

61–79 Substitute "Acceptable Performance Guidelines" Applicable to AC 61–57, Multiengine Airplane Class and Type Ratings Flight Test Guide (10–10–74).

This supplementary AC is to be used in conjunction with AC 61–55 and section 1 of AC 61–57, in conducting the flight test

of an individual who is applying for a multiengine airplane land or sea class rating at the commercial pilot skill level. (See AC 61-55 and AC 61-57).

61-80 List of Flight Test Guides and Supplementary Advisory Circulars To Be Used for Private and Commercial Flight Tests (10-10-74).

Provides guidance in determining the appropriate Flight Test Guides and supplementary material to be used when administering private and commercial flight tests for initial certification or an additional class rating in airplanes.

61.117-1D Flight Test Guide—Commercial Pilot, Airplane (2-14-72).

Assists the commercial applicant in preparing for his certification flight test. Reprinted in 1973 ($0.60 GPO.) TD 4.8:P 64/2/972.

63-1B Flight Engineer Written Test Guide (10-22-70).

Provides information to prospective flight engineers and others interested in this certification area. Contains information about certification requirements and describes the type and scope of the written test. Lists appropriate study and reference material and presents sample questions similar to those found in the official written tests. ($0.85 GPO.) TD 4.8:En 3/971.

63-2A Flight Navigator Written Test Guide (4-4-69).

Defines the scope and narrows the field of study to the basic knowledge required for the Flight Navigator Certificate. Published in 1969. ($0.70 GPO.) TD 4.8:F 64/2.

65-2C Airframe and Powerplant Mechanics Certification Guide (3-15-73).

Provides information to prospective airframe and powerplant mechanics and other persons interested in FAA certification of aviation mechanics. ($1.10 GPO.) TD 4.8Ai 7/6/973.

65-4B Aircraft Dispatcher Written Test Guide (7-25-72).

Describes the type and scope of aeronautical knowledge covered by the aircraft dispatcher written examination, lists reference materials, and presents sample questions. ($1.40 GPO.) TD 408:Ai 7/6.

65-5 Parachute Rigger Certification Guide (6-19-67).

Provides information on how to apply for a parachute rigger certificate or rating and assists the applicant in preparing for the written, oral, and practical tests. Reprint in 1970. ($0.25 GPO.) TD 4.8:P 21.

65-9 Airframe and Powerplant Mechanics—General Handbook (8-26-70).

Designed as a study manual for persons preparing for a mechanic certificate with airframe or powerplant ratings. Emphasis in this volume is on theory and methods of application, and is intended to provide basic information on principles, fundamentals, and airframe and powerplant ratings. Reprinted in 1973. ($6 GPO.) TD 4.408:Ai 7/2.

65-11A Airframe and Powerplant Mechanics Certification Information (4-21-71).

Provides answers to questions most frequently asked about Federal Aviation Administration certification of aviation mechanics. ($0.40 GPO.) TD 4.8:Ai:7/21/971.

65-12 Airframe and Powerplant Mechanics Powerplant Handbook (9-25-70).

Designed to familiarize student mechanics with the construction, theory of operation, and maintenance of aircraft powerplants. Reprinted in 1973. ($6.05 GPO.) TD 4.408:Ai 7/3.

65-13A FAA Inspection Authorization Directory (4-18-74).

Provides a new directory of all FAA certificated mechanics who hold an inspection authorization as of March 1, 1974.

65-15 Airframe and Powerplant Mechanics Airframe Handbook (9-18-72).

Designed to familiarize student mechanics with airframe construction, repair, and the operating theory of airframe systems. Reprinted in 1973. ($5.05 GPO.) TD 4.408:Ai 7/5.

65-17 Annual Renewal Meeting of Holders of the Inspection Authorization (1-15-73).

Initiates an annual renewal meeting for the holders of the inspection authorization.

65-18 Report Availability on a Survey of the Aviation Mechanics Occupation (9-4-74).

Announces the public availability of the 1974 report on a Survey of the Aviation Mechanics Occupation.

65.95-2B Handbook and Study Guide for Aviation Mechanics Inspection Authorization (10-9-70).

This handbook gives guidance to persons conducting annual and progressive inspections and approving major repairs or alterations of aircraft. While the handbook is primarily intended for mechanics holding or preparing for an Inspection Authorization, it may be useful to aircraft manufacturers and certificated repair stations who have these privileges.

67-1 Medical Information for Air Ambulance Operators (3-4-74).

Provides persons or groups interested or involved in civil air ambulance activities with information governing the transport of patients by air.

67-2 Medical Handbook for Pilots (5-15-74).

An aviation medicine handbook written in pilots language that provides guidance on when, and when not, to fly. Emphasizes the fact that, to be a good pilot, you must be physically fit, psychologically sound, and well trained. Designed to complement the Pilots Handbook of Aeronautical Knowledge. ($1.45 GPO.) TD 4.8:M46/3.

Airspace

SUBJECT NO. 70

70-2 Airspace Utilization Considerations in the Proposed Construction, Alteration, Activation and Deactivation of Airports (7-23-73).

Advises those persons proposing to construct, alter, activate or deactivate a civil or joint-use (civil/military) airport, for which Federal aid has not been requested of the Federal Aviation Administration.

70/7460-1D Obstruction Marking and Lighting (4-18-75).

Describes FAA standards on obstruction marking and lighting and establishes the methods, procedures, and equipment types for both aviation red and high-intensity white obstruction lights.

70/7460-2E Proposed Construction or Alteration of Objects that may Affect the Navigable Airspace (7-5-73).

Advises those persons proposing to erect or alter an object that may affect the navigable airspace of the requirement to submit a notice to the Administrator of the Federal Aviation Administration (FAA).

70/7460-3 Petitioning the Administrator for Discretionary Review; Section 77.37, FAR (8-8-68).

Revises and updates information concerning the submission of petitions to the Administrator for review, extension, or revision of determinations issued by regional directors or their designees.

73-1 Establishment of Alert Areas (3-11-68).

Announces the establishment of alert areas and sets forth the procedures which FAA will follow in establishing such areas.

Air Traffic Control and General Operations

SUBJECT NO. 90

90-1A Civil Use of U.S. Government Produced Instrument Approach Charts (4-10-68).

Clarifies landing minimums requirements and revises instrument approach charts.

90-5 Coordination of Air Traffic Control Procedures and Criteria (6-13-63).

States Air Traffic Service policy respecting coordination of air traffic procedures and criteria with outside agencies and/or organizations.

90-12A Severe Weather Avoidance (2-21-73).

Warns all pilots concerning flight in the vicinity of known or forecasted severe weather, severe turbulence and hail and advises them that air traffic control facilities, even though equipped with radar, might not always have the capability nor be in a position to provide assistance for circumnavigation of areas of severe weather.

90–14A Altitude—Temperature Effect on Aircraft Performance (1–26–68).

Introduces the Denalt Performance Computer and reemphasizes the hazardous effects density altitude can have on aircraft.

90–20 Weather Radar Radomes (11–12–64).

Highlights some important points to consider in the selection and maintenance of weather radar radomes.

90–23D Wake Turbulence (12–15–72).

Alerts pilots to the hazards of aircraft trailing vortex wake turbulence and recommends related operational procedures.

90–34 Accidents Resulting from Wheelbarrowing in Tricycle Gear Equipped Aircraft (2–27–68).

Explains "wheelbarrowing", the circumstances under which it is likely to occur, and recommended corrective action.

90–38A Use of Preferred IFR Routes (12–29–69).

Outlines the background, intent, and requested actions pertaining to the use of preferred IFR routes.

90–42A Traffic Advisory Practices at Nontower Airports (8–16–72).

Establishes, as good operating practices, procedures for pilots to be apprised of or exchange traffic information, when approaching or departing uncontrolled airports.

90–43C Operations Reservations for High-Density Traffic Airports (11–14–71).

Advises the aviation community of the means for all aircraft operators, except helicopters, scheduled and supplemental air carriers and scheduled air taxis, to obtain a reservation to operate to and/or from designated high-density traffic airports.

AC 90–45A Approval of Area Navigation Systems for Use in the U.S. National Airspace System (2–21–75).

Provides guidelines for implementation of two-dimensional area navigation (2D RNAV) within the U.S. National Airspace System (NAS). Provides for both VOR/DME dependent systems and self-contained systems such as Inertial Navigation Systems (INS).

90–47 Abbreviated Instrument Flight Rules Departure Clearance (3–18–70).

Provides guidance to pilots and operators for participation in the Abbreviated IFR Departure Clearance Program.

90–48 Pilots' Role in Collision Avoidance (3–20–70).

Alerts all pilots to the midair collision and near midair collision hazard and to emphasize those basic problem areas of concern, as related to the human casual factors, where improvements in pilot education, operating practices, procedures, and techniques are needed to reduce midair conflicts.

AC 90–50A VHF Radio Frequency Assignment Plan for Aeronautical Operations (2–7–75).

Describes the civil air traffic control assignment of frequencies in the very high frequency (118–136 MHz) band.

90–51 FAA Motion Picture—"Caution—Wake Turbulence" (11–17–70).

Announces the availability of a new wake turbulence film and encourages its viewing.

90–54A Cruise Clearances (11–27–73).

Provides the aviation community guidance when operating under a "cruise" clearance.

90–58B VOR Course Errors Resulting from 50kHz Channel Selection (9–12–74).

Provides information concerning a potentially hazardous situation when a 200 channel receiver is inadvertently mistuned 50kHz from the frequency of a 100kHz ground station.

90–59 Arrival and Departure Handling of High-Performance Aircraft (2–28–72).

Describes ATC handling of high-performance aircraft in terminal areas.

90–60 Weather Observation Reporting Obscured or Partially Obscured Sky Condition (3–31–72).

Provides pilots with information concerning weather conditions reported by weather observers as obscuration or partial obscuration.

90–62 Flying DME Arcs (1–23–73).

Describes the procedures and techniques for intercepting DME arcs from radials, maintaining DME arcs, and intercepting radials and localizers from DME arcs.

90–63 ATC Procedures for Random Area Navigation Routes (5–8–73).

Provides guidelines and procedures for obtaining approval of random IFR area navigation routes in the U.S. National Airspace System.

90–64 Automated Radar Terminal System (ARTS) III (6–22–73).

Advises the aviation community of the capabilities of the Automated Radar Terminal System and the associated services provided by ARTS III equipped air traffic control facilities.

90–65 Air Traffic Fuel Economy Program (1–18–74).

Advises the aviation community of flow control procedures that will be utilized to conserve aviation fuel during periods when the normal movement of aircraft is disrupted. Also describes actions required of user groups to ensure efficient flow control planning.

AC 90–66 Recommended Standard Traffic Patterns for Airplane Operations at Uncontrolled Airports (2–27–75).

Calls attention to regulatory requirements for the operations of airplanes at uncontrolled airports. Recommends voluntary use of standard traffic pattern flight procedures.

91–5B Waivers of Subpart B, Part 91 of the Federal Aviation Regulations (FARs) (1–28–72).

Provides information concerning the submission of applications for and the issuance of waivers of Subpart B, FAR Part 91.

91–6 Water, Slush, and Snow on the Runway (1–21–65).

Provides background and guidelines concerning the operation of turbojet aircraft with water, slush, and/or snow on the runway.

91–7 Hazards Associated With In-Flight Use of "Visible-Fluid" Type Cigarette Lighters (3–16–65).

Discusses the potential hazards associated with in-flight use of "visible-fluid" type cigarette lighters.

91–8A Use of Oxygen by General Aviation Pilots/Passengers (8–11–70).

Provides general aviation personnel with information concerning the use of oxygen.

91–9 Potential Hazards Associated With Turbojet Ground Operations (6–19–65).

Alerts turbojet operators and flight crews to potential hazards involving turbojet operations at airports.

91–10A Suggestions for Use of ILS Minima by General Aviation Operators of Turbojet Airplanes (10–8–65).

Provides general aviation operators of turbojet airplanes with information on practices and procedures to be considered before utilizing the lowest published IFR minima prescribed by FAR Part 97 and provides informtion on pilot-in-command experience, initial and recurrent pilot proficiency, and airborne airplane equipment.

91–11A Annual Inspection Reminder (12–3–69).

Provides the aviation community with a uniform visual reminder of the date an annual inspection becomes due. (Reference section 91.169(a) (1) of the FAR's.)

91.11–1 Guide to Drug Hazards in Aviation Medicine (7–19–63).

Lists all commonly used drugs by pharmacological effect on airmen with side effects and recommendations. Reprinted 1970. ($1.15 GPO.) FAA 7.9:D 84.

91–12B Required Inspection for Aircraft Operating Under FAR Parts 121, 123, 127, or 135 and Reverting to General Operation Under FAR Part 91 (12 9–70).

Describes acceptable methods for complying with the required inspections set forth in FAR Part 91.

91–13A Cold weather Operation of Aircraft (1–2–70).

Provides background and guidelines relating to operation of aircraft in the colder climates where wide temperature changes may occur.

91–14B Altimeter Setting Sources (10–1–71).

Provides the aviation public, industry, and FAA filed personnel with guidelines for setting up reliable altimeter setting sources.

91–15 Terrain Flying (2–2–67).

A pocket-size booklet designed as a tool for the average private pilot. Contains a composite picture of the observations, opinions, warnings, and advice from veteran pilots who have flown this vast land of ours that can help to make flying more pleasant and safer. Tips on flying into Mexico, Canada, and Alaska. ($1.40 GOP.) TD 4.2:T27.

9–16 Category II Operations—General Aviation Airplanes (8–7–67).

Sets forth acceptable means by which Category II operations may be approved in accordance with FAR Parts 23, 25, 61, 91, 97, and 135.

91–17 The Use of View Limiting Devices on Aircraft (2–20–68).

Alerts pilots to the continuing need to make judicious and cautious use of all view limiting devices on aircraft.

91–21 Inspection Schedule—for Handley-Page Model HP–137 (4–24–69).

Provides information for use by persons planning to develop an inspection schedule for the Handley-Page Model HP–137 aircraft.

91–22A Altitude Alerting Devices/Systems (12–23–71).

Provides guidelines for designing, installing, and evaluating altitude alerting systems.

91–23 Pilot's Weight and Balance Handbook (5–6–69).

Provides an easily understood text on aircraft weight and balance for pilots who need to appreciate the importance of weight and balance control for safety of flight. Progresses from an explanation of basic fundamentals to the complete application of weight and balance principles in large aircraft operations. Reprinted in 1972 ($1.25 GPO.) TD 4.408:P 64/3.

91–24 Aircraft Hydroplaning or Aquaplanning on Wet Runways (9–1–69).

Provides information to the problem of aircraft tires hydroplaning on wet runways.

91–25A Los of Visual Cues During Low Visibility Landings (6–22–72).

Provides information concerning the importance of maintaining adequate visual cues during the descent below MDA or DA.

91–26 Maintenance and Handling of Air-Driven Gyroscopic Instruments (10–29–69).

Advises operators of general aviation aircraft of the need for proper maintenance of air-driven gyroscopic instruments and associated air filters.

91–27A Systemsworthiness Analysis Program—General Aviation (12–16–70).

Explains the purpose and applicability of the Systems Worthiness Analysis Program (SWAP) to certificated air taxis, repair stations, pilot and aviation maintenance technician schools that are operated under the privileges of certificates issued by the Federal Aviation Administration.

91–28 Unexpected Opening of Cabin Doors (12–23–69).

Outlines the importance of assuring that cabin doors are properly closed prior to takeoff.

91–32 Safety in and Around Helicopters (5–7–71).

Provides suggestions to improve helicopter safety by means of acquainting nonflight crew personnel and passengers with the precautions and procedures necessary to avoid undue hazards.

91–33 Use of Alternate Grades of Aviation Gasoline for Grade 80/87 (10–6–71).

Provides information relating to the use of alternate grades of aviation gasoline when grade 80/87 is not available, and the resultant effects of the use of the alternate fuels which may have higher TEL (tetraethyl lead) content.

91–34 Model Aircraft Operating Standards (7–1–72).

Outlines safety standards for operators of model aircraft, and encourages voluntary compliance with these standards.

91–35 Noise, Hearing Damage, and Fatigue in General Aviation Pilots (3–28–72).

Aquaints pilots with the hazards of regular exposure to cockpit noise. Especially pertinent are piston-engine, fixed-wing, and rotary-wing aircraft.

91–36A VFR Flight Near Noise-Sensitive Areas (7–9–74).

Encourages pilots making VFR flights near noise-sensitive areas to fly at altitudes higher than the minimum permitted by regulation. National Park areas now included.

91–37 Truth in Leasing (11–9–72).

Provides information and guidance for leasees and conditional buyers of U.S. registered large civil aircraft.

91–38 Large and Turbine-Powered Multiengine Airplanes, Part 91, Subpart D (12–13–72).

Sets forth guidelines and procedures to assist operators of large and turbine-powered multiengine airplanes in meeting the safety requirements of FAR, Part 91, Subpart D.

91–39 Recommended Noise Abatement Takeoff and Departure Procedure for Civil Turbojet Powered Airplanes (1–18–74).

Illustrates the recommended noise abatement takeoff and departure procedure for civil turbojet powered airplanes.

91–40 Terminal Control Area (TCA) Radar Outage (1–17–74).

Explains the service that will be provided by Air Traffic Control to aircraft in a terminal control area when a radar outage occurs.

91–41 Ground Operational Procedures for Aircraft Engine Emission Reduction and Fuel Conservation (3–12–74).

Recommends ground operational procedures that will minimize air pollution from aircraft ground operations and conserve fuel.

91.29–1 Special Structural Inspections (1–8–68).

Discusses occurrences which may cause structural damage affecting the airworthiness of aircraft.

91.83–1A Canceling or Closing Flight Plans (3–25–75).

Outlines the need for canceling or closing flight plans promptly to avoid costly search and rescue operations.

91.83–2 IFR Flight Plan Route Information (2–16–66).

Clarifies the air traffic control needs for the filing of route information in an IFR (Instrument Flight Rules) flight plan.

95–1 Airway and Route Obstruction Clearance (6–17–65).

Advises all interested persons of the airspace areas within which obstruction clearance is considered in the establishment of Minimum En Route Instrument Altitudes (MEA's) for publication in FAR Part 95.

99–1 Security Control of Air Traffic (1–12–72).

Provides civil aviation with recommended practices for operating aircraft within or penetrating an Air Defense Identification Zone (ADIZ).

101–1 Waivers of Part 101, Federal Aviation Regulations (1–13–64).

Provides information on submission of applications and issuances of waivers to FAR Part 101.

103–2 Information Guide for Air Carrier Handling of Radioactive Materials (7–23–70).

Acquaints air carrier industry and in particular, air freight handling personnel, with the essential requirements and practical application of the various regulations pertaining to the handling and transportation of radioactive materials.

103–3 Information Guide for Training Programs and Manual Requirements in the Air Transportation of Dangerous Articles and Magnetized Materials (10–10–73).

Provides air carriers and air taxi/commercial operators with information concerning recent revisions to FAR Parts 103, 121, and 135 requiring the establishment of manuals and training of personnel in the air transportation of dangerous articles and magnetized materials.

103–4 Hazard Associated with Sublimation of Solid Carbon Dioxide (Dry Ice) Aboard Aircraft (5–1–74).

Discusses the potential hazard associated with the sublimation of dry ice aboard aircraft. Precautionary measures and simple rules of thumb are indicated in order to preclude environmentally hazardous conditions affecting crews and passengers aboard aircraft.

103–5 Preparation and Loading of Magnetron Tubes and Magnetic Materials for Air Shipments (7–16–74).

Provides information relevant to the preparation and loading of magnetron tubes and magnetic materials for shipment in civil aircraft.

105–2 Sport Parachute Jumping (9–6–68).

Provides suggestions to improve sport parachuting safety; information to assist parachutists in complying with FAR Part 105; and a list of aircraft which may be operated with one cabin door removed, including the procedures for obtaining FAA authorization for door removal.

107–1 Aviation Security—Airports (5–19–72).

Furnishes guidance to those individuals and organizations having responsibilities under Part 107 of the Federal Aviation Regulations. It also provides recommendations for establishing and improving security for restricted or critical facilities and areas the security of which is not dealt with in Part 107.

Air Carrier and Commercial Operators and Helicopters

SUBJECT No. 120

120–2A Precautionary Propeller Feathering To Prevent Runaway Propellers (8–20–63).

Emphasizes the need for prompt feathering when there is an indication of internal engine failure.

120–5 High Altitude Operations in Areas of Turbulence (8–26–63).

Recommends procedures for use by jet pilots when penetrating areas of severe turbulence.

120–7A Minimum Altitudes for Conducting Certain Emergency Flight Training Maneuvers and Procedures (7–27–70).

Issued to emphasize to all air carriers and other operators of large aircraft the necessity for establishing minimum altitudes above the terrain or water when conducting certain simulated emergency flight training maneuvers.

120–12 Private Carriage Versus Common Carriage by Commercial Operators Using Large Aircraft (6–24–64).

Provides guidelines for determining whether current or proposed transportation operations by air constitute private or common carriage.

120–13 Jet Transport Aircraft Altitude Instrument Systems (6–26–64).

Provides information about the characteristics of some attitude instrument systems presently installed in some jet transport aircraft.

120–16A Continuous Airworthiness Program (9–11–69).

Provides air carriers and commercial operators with guidance and information pertinent to certain provisions of Federal Aviation Regulations Parts 121 and 127.

120–17 Handbook for Maintenance Control by Reliability Methods (12–31–64).

Provides information and guidance materials which may be used to design or develop maintenance reliability programs which include a standard for determining the time limitations.

120–17 CH1 (6–24–66).

120–17 CH2 (5–6–68).

120–26C Civil Aircraft Operator Designators (9–28–72).

Revises the criteria and states the procedures for the assignment of a designator and a corresponding air/ground call sign to civil aircraft operators engaged in domestic services on a repetitive basis.

120–27 Aircraft Weight and Balance Control (10–15–68).

Provides a method and procedures for weight and balance control.

120–27 CH 1 (11–20–73).

Adds Part 123 to subject circular.

120–28A Criteria for Approval of Category IIIa Landing Weather Minima (12–14–71).

States an acceptable means, not the only means, for obtaining approval of Category IIIa minima and the installation approval of the associated airborne systems.

120–28A CH 1 (1–18–73).

Revises the CAT IIIa Landing Weather Minima maintenance requirements of paragraph 8 to make them consistent with the requirements for CAT IIa.

120–29 Criteria for Approving Category I and Category II Landing Minima for FAR 121 Operators (9–25–70).

Sets forth criteria used by FAA in approving turbojet landing minima of less than 300–¾ or RVR 4,000 (Category I) and Category II minima for all aircraft.

120–29 CH 1 (12–15–71).

Revises Appendix 1 and deletes statement in Appendix 2 regarding 19-foot criteria (does not apply when using an approved automatic landing system).

120–29 CH 2 (7–26–72).

Clarifies the airborne system evaluation by stressing the necessity for meeting maintenance program requirements.

120–29 CH 3 (12–3–74).

Outlines the recent change in FAR Part 121 wherein both initial and recurrent pilot qualification for both Category I and II proficiency checks may be performed in a visual simulator.

121–1A Standard Operations Specifications—Aircraft Maintenance Handbook (6–26–73).

Provides procedures acceptable to the Federal Aviation Administration which may be used by operators when establishing inspection intervals and overhaul times.

121–1A CH 1 (1–23–75).

Updates the overhaul and inspection/check period of selected airframes, powerplants, propellers, and appliances in relation to current industry standards.

121–3N Maintenance Review Board Reports (6–7–73).

Revises the list of Maintenance Review Board Reports that are currently in effect.

121–6 Portable Battery-Powered Megaphones (1–5–66).

Sets forth an acceptable means for complying with rules (applicable to various persons operating under Part 121 of the Federal Aviation Regulations) that prescribe the installation of approved megaphones.

121–12 Wet or Slippery Runways (8–17–67).

Provides uniform guidelines in the application of the "wet runway" rule by certificate holders operating under FAR 121.

121–13 Self-Contained Navigation Systems (Long Range) (10–14–69).

States an acceptable means, not the only means, of compliance with the referenced sections of the FAR as they apply to persons operating under Parts 121 or 123 who desire approval of Doppler RADAR navigation systems or Inertial Navigation Systems (INS) for use in their operations.

121–13 CH 1 (7–31–70).

Assures standardization of the Minimum Equipment List (MEL) with respect to Inertial Navigation Systems (INS) through the appropriate Flight Operations Evaluation Board (FOEB).

121–13 CH 2 (12–21–70).

Permits all flight training for Doppler and INS qualification, to be completed in a simulator or training device approved for conducting the required pilot training and qualifications in the use of these systems.

121–14 Aircraft Simulator Evaluation and Approval (12–19–69).

Sets forth one means that would be acceptable to the Administrator for approval of aircraft simulators or other training devices requiring approval under section 121.407.

121–16 Maintenance Certification Procedures (11–9–70).

Provides guidance for the preparation of an Operations Specification—Preface Page which will afford nominal and

reasonable relief from approved service and overhaul time limits when a part is borrowed from another operator.

121–17 Aviation Security: Certain Air Carriers and Commercial Operators—Security Programs and Other Requirements (3–14–72).

Provides general information regarding the requirements of FAR Amdt. 121–85.

121.195(d)–1 Alternate Operational Landing Distances for Wet Runways; Turbojet Powered Transport Category Airplanes (11–19–65).

Sets forth an acceptable means, but not the only means, by which the alternate provision of section 121.195(d) may be met.

123–1 Air Travel Clubs (10–17–68).

Sets forth guidelines and procedures to assist air travel clubs using large aircraft in meeting safety requirements of FAR Part 123.

135.144–1 Small Propeller-Driven Air Taxi Airplanes That Meet Section 135.144 (4–13–72).

Provides a summary of and information on small propeller-driven air taxi airplanes that comply with section 135.144 and may continue operations under FAR Part 135 after May 31, 1972, with 10 or more passenger seats.

135.155–1 Alternate Static Source for Altimeters and Airspeed and Vertical Speed Indicators (2–16–65).

Sets forth an acceptable means of compliance with provision in FAR Part 135 and Part 23 dealing with alternate static courses.

135–1A Air Taxi Aircraft Weight and Balance Control (9–26–69).

Provides a method and procedures for developing a weight and balance control system for small aircraft operating in the air taxi fleet under FAR Part 135.

135–2A Air Taxi Operators of Large Aircraft (11–16–73).

Provides guidelines for use by air taxi operators or applicants who desire to obtain authorization to operate large aircraft (more than 12,500 pounds maximum certificated takeoff weight) in air taxi operations.

135–3A Air Taxi Operators and Commercial Operators of Small Aircraft (1–16–75).

Sets forth guidelines and procedures to assist persons in complying with the requirements of Federal Aviation Regulations, Part 135.

135–4 Security Measures and Passenger Screening for Scheduled Air Taxi Commercial Operators (1–22–75).

Advises interested ATCOs of the availability of operations specifications whereby they may implement security procedures to improve their security and facilitate passenger operation.

135.60–1 Aircraft Inspection Programs (5–1–70).

Provides information for use by air taxi operators and commercial operators of small aircraft developing an aircraft inspection program for FAA approval.

137–1 Agricultural Aircraft Operations (11–29–65).

Explains and clarifies the requirements of FAR Part 137 and provides additional information, not regulatory in nature, which will assist interested persons in understanding the operating privileges and limitations of this Part.

139.12–1 Airport Operations Specifications (2–3–75).

Presents guidelines to assist airport operators in developing airport operations specifications in compliance with the requirements of amended FAR Part 139.

139.49–1 Programs for Training of Fire Fighting and Rescue Personnel (11–12–74).

Outlines suggested training programs for airport fire fighting and rescue personnel involved in operating airport fire fighting and rescue equipment and the principles of aircraft fire fighting and rescue techniques.

Schools and Other Certificated Agencies

SUBJECT NO. 140

140–1G Consolidated Listing of FAA Certificated Repair Stations (2–27–74).

Provides a revised directory of all FAA certificated repair stations as of November 1973.

140–2I List of Certificated Pilot Flight and Ground Schools (7–12–74).

Provides a list of FAA certificated pilot flight and ground schools as of June 30, 1974.

140–3B Approval of Pilot Training Courses Under Subpart D of Part 141 of the FAR (1–8–70).

The title is self-explanatory.

140–5 Radio Maintenance Technician School Curriculum (8–11–71).

Provides information on curriculum subjects for persons desiring to establish radio maintenance technician training courses.

141–1 Pilot School Certification (8–29–74).

Sets forth guidelines to assist persons in obtaining a pilot school certificate and associated ratings under FAR Part 141 (revised).

141–2 Written Tests Prepared by Pilot Schools With Examining Authority Under Part 141 (Revised) of the Federal Aviation Regulations (9–18–74).

Provides guidance to FAR Part 141 Pilot Schools with examining authority in developing final written tests for FAA certificates and ratings which are equal in scope, depth, and difficulty to comparable written tests prescribed by the Administrator. Also prescribes procedures for administering, maintaining security of, and replacing those tests.

143–1D Ground Instructor Written Test Guide–Basic & Advanced (4–18–74).

Outlines the scope of basic knowledge requirements for a ground instructor; outlines source material to obtain this knowledge; presents a sample test with answers and explanations. ($2.25 GPO.) TD 4.408:G91.

143–2B Ground Instructor—Instrument—Written Test Guide (6–25–70).

Provides information to applicants for the instrument ground instructor rating about the subject areas covered in the examination and illustrated by a study outline, a list of study materials, and a sample examination with answers. ($1.30 GPO.) TD 4.8:G 91/971.

145.101–1A Application for Air Agency Certificate—Manufacturer's Maintenance Facility (3–10–69).

Explains how to obtain a repair station certificate.

147–2N Directory of FAA Certificated Aviation Maintenance Technician Schools (11–4–74).

Provides a revised directory of all FAA certificated aviation maintenance technician schools as of September 30, 1974.

147–3 Phase III, A National Study of the Aviation Mechanics Occupation (3–22–71).

Announces the availability for purchase by the public of a reprint of a report of Phase III, A National Study of the Aviation Mechanics Occupation.

147–4 Reports Availability of a Survey of Text Materials Used in Aviation Maintenance Technician Schools (9–3–74).

Announces the public availability of the 1974 report on A Survey of Test Materials Used in Aviation Maintenance Technician Schools.

149–2G Listing of Federal Aviation Administration Certificated Parachute Lofts (4–2–74).

Provides a revised listing of all FAA certificated parachute lofts as of March 1, 1974.

Airports

SUBJECT NO. 150

AIRPORT PLANNING

150/5000–1 Cancellation of Obsolete Publications Issued by Standards Division, Airports Service (4–17–70).

Cancels outstanding airport engineering data sheets, technical standard orders, airport engineering bulletins, and miscellaneous publications that are no longer current and to direct the reader ot a new source of information, where applicable.

150/5000–3B Address List for Regional Airports Divisions and Airport District Offices (10–26–73).

Transmits the address list for all regional Airports Divisions and Airport District Offices.

150/5000–3B CH 1 (10–31–74).

Transmits corrected addresses and telephone numbers for the subject AC.

150/5050–2 Compatible Land Use Planning in the Vicinity of Airports (4–13–67).

Advises Federal Aviation Administration personnel, local government officials and the public of the availability of the following two reports prepared under the auspices of the FAA by the firm of Transportation Consultants, Inc. *Compatible Land Use Planning On and Around Airports, and Aids Available for Compatible Land Use Planning Around Airports.*

150/5050–3A Planning the State Airport System (June 1972).

Provides general guidance in preparing a State airport system plan. ($2.50 GPO.) TD 4.8:Ai 7/29.

150/5060–1A Airport Capacity Criteria Used in Preparing the National Airport Plan (7–8–68).

Presents the method used by the Federal Aviation Administration for determining when additional runways, taxiways, and aprons should be recommended in the National Airport Plan. The material is also useful to sponsors and engineers in developing Airport Layout Plans and for determining when additional airport pavement facilities should be provided to increase aircraft accommodation capacity at airports.

150/5060–3A Airport Capacity Criteria Used in Long-Range Planning (12–21–69).

Describes the method used by the Federal Aviation Administration for determining the approximate practical hourly and practical annual capacities of various airport runway configurations and is used in long-range (10 years or more) planning for expansion of existing airports and construction of new airports to accommodate forecast demand.

150/5070–3 Planning the Airport Industrial Park (9–30–65).

Provides guidance to communities, airport boards, and industrial developers for the planning and development of Airport Industrial Parks.

150/5070–5 Planning the Metropolitan Airport System (5–22–70).

Gives guidance in developing airport-system plans for large metropolitan areas. It may be used by metropolitan planning agencies and their consultants in preparing such system plans and by the FAA in reviewing same. ($2.00 GPO.) TD 4.108:M56/2.

150/5070–6 Airport Master Plans (2–5–71).

Provides guidance for the preparation of individual airport master plans as provided for under the Airport Airway Development Act of 1970. ($2.00 GPO.) TD 4.108:P69.

150/5090–2 National Airport Classification System (Airport System Planning) (6–25–71).

Sets forth the new national airport classification system. The system is designed for use in the identification and classification of airports within the National System of Airports and for use as a planning tool in long-range airport system planning.

FEDERAL-AID AIRPORT PROGRAMS

150/5100–3A Federal-aid Airport Program-Procedures Guide for Sponsors (9–20–68).

Provides guidance to public agencies that sponsor or propose to sponsor projects under the Federal-aid Airport Program (FAAP) authorized by the Federal Airport Act.

150/5100–3A CH 1 (11–28–69).

Transmits revised pages to subject advisory circular.

150/5100–5 Land Acquisition in the Federal-aid Airport Program (1–30–69).

Provides general information to sponsors of airport development projects under the Federal-aid Airport Program on the eligibility of land acquisition and extent of Federal participation in land acquisition costs.

150/5100–6A Labor Requirements for Airport Development Aid Program (ADAP) Contracts (1–31–73).

Covers the basic labor requirements for the Airport Development Aid Program.

150/5100–6A CH 1 (3–16–73).

Transmits a revision to delete page 3–1 from subject Advisory Circular.

150/5100–7A Requirement for Public Hearing in the Airport Development Aid Program (2–25–72).

Provides guidance to sponsors of airport development projects under the Airport Development Aid Program (ADAP) on the necessity for and conduct of public hearings.

150/5100–8 Request for Aid; Displaced Persons; Public Hearings; Environmental Considerations; Opposition to the Project (1–19–71).

Provides general guidance on the information and coordination required in support of a request for aid for an airport development project under the Airport and Airway Development Act of 1970.

150/5100–9 Engineering Services Under the Airport Development Aid Program (ADAP) (7–1–72).

Provides guidance for airport sponsors and Federal Aviation Administration offices in the definition, selection, review, and approval of engineering services used under subject program.

150/5100–10 Accounting Records Guide for Airport Development Aid Program Sponsors (5–15–72).

Assists sponsors of Airport Development Aid Program (ADAP) projects in maintaining accounting records that will satisfy the recordkeeping and auditing requirements which are necessary to support claims for progress and final payments under the Airport and Airway Development Act of 1970 (Public Law 91–258).

150/5100–11 Land Acquisition and Relocation Assistance Under the Airport Development Aid Program (2–10–75).

Provides guidance to sponsors of airport development projects under the Airport Development Aid Program to meet the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (Public Law 91–646).

SURPLUS AIRPORT PROPERTY CONVEYANCE PROGRAMS

150/5150–2A Federal Surplus Personal Property for Public Airport Purposes (8–3–73).

Acquaints public airport owners and other interested parties with the Federal Surplus Personal Property Program for public airports and to outline procedures to be used in applying for and acquiring surplus personal property for this purpose.

150/5150–2A CH 1 (2–21–74).

Adds material to paragraph 24, Chapter 6, which was inadvertently omitted in the Advisory Circular during preparation.

AIRPORT COMPLIANCE PROGRAM

150/5190–1 Minimum Standards for Commercial Aeronautical Activities on Public Airports (8–18–66).

Gives to owners of public airports information helpful in the development and application of minimum standards for commercial aeronautical activities.

150/5190–2A Exclusive Rights at Airports (4–1–72).

Makes available to public airport owners, and to other interested persons, basic information and guidance on FAA's policy regarding exclusive rights at public airports on which Federal funds, administered by FAA, have been expended.

150/5190–2A CH 1 (10–2–72).

Deletes the reference to the sale of aeronautical charts by the National Ocean Survey (formerly the U.S. Coast Guard and Geodetic Survey) and to encourage airport owners to obtain UNICOM license in their own names and make these facilities available to all fixed base operators.

150/5190–3A Model Airport Hazard Zoning Ordinance (9–19–72).

Provides a model airport hazard zoning ordinance for airports. The model ordinance is intended merely as a guide to control manmade and natural hazards

to aircraft and will require modifications and revisions to meet the varying circumstances and the state and local laws.

AIRPORT SAFETY—GENERAL

150/5200–3A Bird Hazards to Aircraft (3–2–72).

Transmits to the aviation public the latest published information concerning the reduction of bird strike hazards to aircraft in flight and in the vicinity of airports.

150/5200–4 Foaming of Runways (12–21–66).

Discusses runway foaming and suggests procedures for providing this service.

150/5200–5 Considerations for the Improvement of Airport Safety (2–2–67).

Emphasizes that, in the interest of accident/incident prevention, airport management should conduct self-evaluations and operational safety inspections. An exchange of information and suggestions for the improvement of airport safety is also suggested.

150/5200–6A Security of Aircraft at Airports (6–28–68).

Directs attention to the problem of pilferage from aircraft on airports and suggests action to reduce pilferage and the hazards that may result therefrom.

150/5200–7 Safety on Airports During Maintenance of Runway Lighting (1–24–68).

Points out the possibility of an accident occurring to airport employees caused by electrocution.

150/5200–8 Use of Chemical Controls to Repel Flocks of Birds at Airports (5–2–68).

Acquaints airport operators with new recommendations on the use of chemical methods for dispersing flocks of birds.

150/5200–9 Bird Reactions and Scaring Devices (6–26–68).

Transmits a report on bird species and their responses and reactions to scaring devices.

150/5200–11 Airport Terminals and the Physically Handicapped (11–27–68).

Discusses the problems of the physically handicapped air traveler and suggests features that can be incorporated in modification or new construction of airport terminal buildings.

150/5200–12 Fire Department Responsibility in Protecting Evidence at the Scene of an Aircraft Accident (8–7–69).

Furnishes general guidance for employees of airport management and other personnel responsible for firefighting and rescue operations, at the scene of an aircraft accident, on the proper presentation of evidence.

150/5200–13 Removal of Disabled Aircraft (8–27–70).

Discusses the responsibility for disabled aircraft removal and emphasizes the need for prearranged agreements, plans, equipment, and improved coordination for the expeditious removal of disabled aircraft from airport operating areas. It also illustrates some of the various methods used, equipment employed, equipment available, and concepts for aircraft recovery.

150/5200–14 Results of 90-Day Trial Exercise on Fire Department Activity (9–8–70).

Transmits statistical data collected during a 90-day trial exercise conducted to determine the relationship between aircraft fire and rescue service activities and airport aeronautical operations.

150/5200–15 Availability of the International Fire Service Training Association's (IFSTA) Aircraft Fire Protection and Rescue Procedures Manual (9–11–70).

Announces the availability of the subject manual.

150/5200–16 Announcement of Report AS–71–1 "Minimum Needs for Airport Fire Fighting and Rescue Services" Dated January 1971 (4–13–71).

Announces the availability of the subject report and describes how to get it.

150/5200–17 Emergency Plan (2–5–72).

Contains guidance material for airport management to use in developing an emergency plan at civil airports.

150/5200–17 CH–1 (6–28–74).

Provides additional guidance on care and services for uninjured aircraft passengers.

150/5200–18 Airport Safety Self-Inspection (2–5–72).

Suggests functional responsibility, procedures, a checklist, and schedule for an airport safety self-inspection.

150/5200–19 Availability of Report No. FAA–RD–71–20 "An Analysis of Airport Snow Removal and Ice Control" dated March 1971 (11–23–71).

Announces the availability of subject report.

150/5200–21 Announcing the Availability of U.S. Air Force Technical Order (T.O. 00–105–9) Aircraft Emergency Rescue Information (5–23–73).

Explains the nature of the Technical Order and tells how it can be obtained by airport fire departments which are under the Airport Certification Program.

150/5210–2 Airport Emergency Medical Facilities and Services (9–3–64).

Provides information and advice so that airports may take specific voluntary preplanning actions to assure at least minimum first-aid and medical readiness appropriate to the size of the airport in terms of permanent and transient personnel.

150/5210–4 FAA Aircraft Fire and Rescue Training Film, "Blanket for Survival" (10–27–65).

Provides information on the purpose, content, and availability of the subject training film.

150/5210–5 Painting, Marking, and Lighting of Vehicles Used on an Airport (8–31–66).

Makes recommendations concerning safety, efficiency, and uniformity in the interest of vehicles used on the aircraft operational area of an airport.

150/5210–6B Aircraft Fire and Rescue Facilities and Extinguishing Agents (1–26–73).

Outlines scales of protection considered as the recommended level compared with the minimum level in Federal Aviation Regulation Part 139.49 and tells how these levels were established from test and experience data.

150/5210–6B CH 1 (8–22–73).

Issues new guidance under paragraph 9, and paragraph 12 of subject advisory circular.

150/5210–6B CH 2 (5–21–74).

Includes details on the basic purpose, care, and cleaning of proximity suits. Adds a new chapter 5—contains criteria intended for use in purchasing off-the-shelf design proximity suits.

150/5210–7A Aircraft Fire and Rescue Communications (3–16–72).

Provides guidance information for use by airport management in establishing communication and alarm facilities by which personnel required to respond to and function at aircraft ground emergencies may be alerted and supplied with necessary information.

150/5210–8 Aircraft Firefighting and Rescue Personnel and Personnel Clothing (1–13–67).

Provides guidance concerning the manning of aircraft fire and rescue trucks, the physical qualifications that personnel assigned to these trucks should meet, and the protective clothing with which they should be equipped.

150/5210–9 Airport Fire Department Operating Procedures During Periods of Low Visability (10–27–67).

Suggests training criteria which airport management may use in developing minimum response times for aircraft fire and rescue trucks during periods of low visibility.

150/5210–10 Airport Fire and Rescue Equipment Building Guide (12–7–67).

This title is self-explanatory.

150/5210–11 Response to Aircraft Emergencies (4–15–69).

Informs airport operators and others of an existing need for reducing aircraft firefighting response time, and outlines a uniform response time goal of 2 minutes within aircraft operational areas on airports.

150/5210–12 Fire and Rescue Service for Certificated Airports (3–2–72).

Furnishes guidance and explains to Federal Aviation Administration (FAA) airport inspectors and airport management the minimum criteria to be applied when evaluating the aircraft fire and rescue service required at an airport for its compliance with the requirements of FAR Part 139.

150/5210–13 Water Rescue Plans, Facilities, and Equipment (5–4–72).

Suggests planning procedures, facilities, and equipment to effectively perform rescue operations when an aircraft lands in a body of water, swamp, or tidal area where normal aircraft firefighting and rescue service vehicles are unable to reach the accident scene.

150/5220–1 Guide Specification for a Light-Weight Airport Fire and Rescue Truck (7–24–64).

Describes a vehicle with performance capabilities considered as minimum for an acceptable light rescue truck.

150/5220–4 Water Supply Systems for Aircraft Fire and Rescue Protection (12–7–67).

The title is self-explanatory.

150/5220–6 Guide Specification for 1,000-Gallon Tank Truck (4–10–68).

Assists airport management in the development of local procurement specifications.

150/5220–9 Aircraft Arresting System for Joint Civil/Military Airports (4–6–70).

Updates existing policy and describes and illustrates the various types of military aircraft emergency arresting systems that are now installed at various joint civil/military airports. It also informs users of criteria concerning installations of such systems at joint civil/military airports.

150/5220–10 Guide Specification for Water/Foam Type Aircraft Fire and Rescue Trucks (5–26–72).

Assists airport management in the development of local procurement specifications.

150/5220–10 CH 1 (12–4–72).

Replaces information on weight distribution and fire pump engines which was omitted when the subject circular was developed, consolidating information from four other circulars.

150/5220–10 CH 2 (8–22–73).

Expands the guidance under paragraph 14 of subject AC to permit the design of engine systems to operate in freezing temperatures for prolonged periods and to provide devices, insulation materials, etc., to prevent the truck fire fighting system from freezing.

150/5230–3 Fire Prevention During Aircraft Fueling Operations (4–8–69).

This advisory circular provides information on fire preventive measures which aircraft servicing personnel should observe during fueling operations.

150/5240–7 A Fuel/Energy Conservation Guide for Airport Operators (2–19–74).

Identifies potential areas where fuel and energy usage can be conserved to assist airport operators in their voluntary actions in reducing fuel and energy consumption.

150/5280–1 Airport Operations Manual (6–16–72).

Sets forth guidelines to assist airport operators in developing an Airport Operations Manual in compliance with the requirements of FAR Part 139.

150/5280–2 Guidance for Airport Operators-Use of Notices to Airmen as Related to FAR Part 139 (2–12–74).

Provides the airport operator with guidance on Notices to Airmen and assists him in understanding the system in relation to the requirements of FAR Part 139.

DESIGN, CONSTRUCTION, AND MAINTENANCE—GENERAL

150/5300–2C Airport Designs Standards—Site Requirements for Terminal Navigational Facilities (9–21–73).

Provides information regarding the relative location and siting requirements for the terminal navigation facilities located on or close to an airport.

150/5300–2C CH 1 (3–1–74).

Transits a revised Fig. 2–12 correcting the guidance for the location of the ILS Middle Marker Beacon.

150/5300–4A Utility Airports—Air Access to National Transportation (5–6–69).

Presents recommendations of the Federal Aviation Administrator for the design of utility airports. These airports are developed for general aviation operations and this guide has been prepared to encourage and guide persons interested in their development. ($3.15 GPO.) TD 4.8:Al 7/968.

150/5300–4A CH 1 (9–13–73).

Transmits new transverse grade criteria and informs the user of airport design standards of a change in terminology.

150/5300–5 Airport Reference Point (9–26–68).

Defines and presents the method for calculating an airport reference point.

150/5300–6 Airport Design Standards, General Aviation Airports, Basic and General Transport (7–14–69).

Provides recommended design criteria for the development of larger than general utility airports.

150/5300–6 CH 1 (4–13–72).

150/5300–6 CH 2 (4–21–75).

150/5300–7B FAA Policy on Facility Relocations Occasioned by Airport Improvements or Changes (11–8–72).

Reaffirms the aviation community of the FAA policy governing responsibility for funding relocation, replacement and modification to air traffic control and air navigation facilities that are made necessary by improvements or changes to the airport.

150/5300–8 Planning and Design Criteria for Metropolitan STOL Ports (11–5–70).

Provides the criteria recommended for the planning and design of STOL ports in metropolitan areas.

150/5300–8 CH 1 (4–3–75).

Transmits revised requirements for color coding of threshold and runway end lights on STOL runways.

150/5300–9 Predesign and Preconstruction Conferences (ADAP) Projects (9–10–73).

Emphasizes the need for, and encourages the use of, predesign and preconstruction conferences as valuable tools in the administration of construction contracts funded under the ADAP.

150/5320–5B Airport Drainage (7–1–70).

Provides guidance for engineers, airport managers, and the public in the design and maintenance of airport drainage systems. ($1.30 GPO.) TD 4.8:D78/970.

150/5320–6B Airport Pavement Design and Evaluation (5–28–74).

Provides guidance to the public for the design and evaluation of pavements at civil airports.

150/5320–6B CH 1 (11–18–74).

Transmits several changes to the basic advisory circular.

150/5320–9 Use of a Friction Measuring Device in Engineering and Maintenance of Airport Pavement Surfaces (9–19–72).

Describes a method for obtaining a rapid, continuous graphic record of airport pavement characteristics, including relative friction values from which the presence of contaminants such as water, snow or ice, reverted rubber, paint and fuel spillage effects can be detected.

150/5320–10 Environmental Enhancement at Airports—Industrial Waste Treatment (4–16–73).

Provides basic information on the nature and treatment of industrial wastes produced at airports.

150/5320–10 CH 1 (11–18–74).

150/5320–11 Runway Categorization—Aeronautical Studies—Airport Owners' Responsibilities (9–21–73).

Emphasizes the need for airport owners to maintain runway and approach zone categories and locations on file with FAA so they may be given consideration under the regulations of FAR Part 77.

150/5325–2C Airport Design Standards—Air Carrier Airports—Surface Gradient and Line-of-Sight (2–6–75).

Establishes design standards for airports served by certificated air carriers to assist engineers in (1) designing the gradients of airports surface areas used to accommodate the landing, takeoff, and other ground movement requirement of airplanes while (2) providing adequate line of sight between airplanes operating on airports.

150/5325–2C CH 1 (4–21–75).

Transmits revised criteria for unobstructed line-of-sight along individual runways and between intersecting runways.

150/5325–3 Background Information on the Aircraft Performance Curves for Large Airplanes (1–26–65). Consolidated Reprint May 1974. Includes Change 1.

Provides airport designers with information on aircraft performance curves for design which will assist them in an objective interpretation of the data used for runway length determination.

150/5325–4 Runway Length Requirements for Airport Design (4–5–65). Consolidated Reprint August 1974. Includes Changes 1 through 8.

Presents aircraft performance curves and sets forth standards for the determination of runway lengths to be provided at airports. The use of these standards is required for project activity under the Federal-Aid Airport Program when a specific critical aircraft is considered as the basis for the design of a runway.

150/5325–5A Aircraft data (1–12–68).

Presents a listing of principal dimensions of aircraft affecting airport design for guidance in aircraft development.

150/5325–6A Airport Design Standards—Effects and Treatment of Jet Blast (7–13–72).

Presents criteria on the jet engine blast velocities associated with aircraft in common use in air carrier service, the effects of these blast velocities during ground operations, and suggested means to counteract or minimize these effects.

150/5325–8 Compass Calibration Pad (5–8–69).

Provides guidelines for the design, location on the airport, and construction of a compass calibration pad, and basic information concerning its use in determining the deviation error in an aircraft magnetic compass.

150/5330–2A Runway/Taxiway Widths and Clearances for Airline Airports (7–26–68).

Presents the Federal Aviation Administration recommendations for landing strip, runway, and taxiway widths and clearances at airports served by certificated air carriers.

150–5330–3 Wind Effect on Runway Orientation (5–5–66).

Provides guidance for evaluating wind conditions and determining their effect on the orientation of runways.

150/5335–1A Airport Design Standards—Airports Serviced by Air Carriers—Taxiways (5–15–70).

Provides criteria on taxiway design for airports served by certificated route air carriers with present airplanes and those anticipated in the near future.

150/5335–1A CH 1 (10–4–73).

Transmits revised pages to the subject advisory circular.

150/5335–2 Aiport Aprons (1–27–65).

Provides the criteria for airport aprons which are acceptable in accomplishing a project meeting the eligibility requirements of the Federal-aid Airport Program.

150/5335–3 Airport Design Standards—Airports Served by Air Carriers—Bridges and Tunnels on Airports (4–19–71).

Provides general guidance to those contemplating the construction of a bridge-type structure to allow aircraft to cross over an essential surface transportation mode.

150/5335–3 CH 1 (3–30–73).

Transmits revised pages.

150/5340–1D Marking of Paved Areas on Airports (1–19–73).

Describes standards for marking serviceable runways and taxiways as well as deceptive, closed, and hazardous areas on airports.

150/5340–4B Installation Details for Runway Centerline and Touchdown Zone Lighting Systems (5–6–69).

Describes standards for the design and installation of runway centerline and touchdown zone lighting systems.

150/5340–5A Segmented Circle Airport Marker System (9–10–71).

Sets forth standards for a system of airport marking consisting of certain pilot aids and traffic control devices.

150/5340–8 Airport 51-foot Tubular Beacon Tower (6–11–64).

Provides design and installation details on the subject tower.

150/5340–9 Prefabricated Metal Housing for Electrical Equipment (8–18–64).

Provides design and installation details on the subject metal housing.

150/3540–13B High Intensity Runway Lighting System (3–24–73).

Describes standards for the design, installation, and maintenance of high intensity runway lighting systems.

150/5340–14B Economy Approach Lighting Aids (6–19–70).

Describes standards for the design, selection, sitting, and maintenance of economy approach lighting aids.

150/5340–14B CH 1 (6–24–73).

Transmits equipment specifications for an omnidirectional lead in approach light system.

150/5340–14B CH 2 (2–11–75).

Provides equipment specifications for an omnidirectional runway end identifier light system (REIL).

150/5340–15B Taxiway Edge Lighting System (4–4–72).

Describes the recommended standards for the design, installation, and maintenance of a taxiway edge lighting system.

150/5340–16B Medium Intensity Runway Lighting System and Visual Approach Slope Indicators for Utility Airports (10–26–70).

Describes standards for the design, installation, and maintenance of medium intensity runway lighting system (MIRL), and visual approach slope indicators for utility airports.

150/5340–16B CH 1 (8–2–74).

Adds the requirement for split red/green lens on the threshold lights and split white/yellow lens on the edge lights in the caution zone. Appendix I was deleted.

150/5340–17A Standby Power for Non-FAA Airport Lighting Systems (3–19–71).

Describes standards for the design, installation, and maintenance of standby power for nonagency owned airport visual aids associated with the National Airspace System (NAS).

150/5340–18 Taxiway Guidance System (9–27–68).

Describes the recommended standards for design, installation, and maintenance of a taxiway guidance sign system.

150/5340–19 Taxiway Centerline Lighting System (11–14–68).

Describes the recommended standards for design, installation, and maintenance of a taxiway centerline lighting system.

150/5340–20 Installation Details and Maintenance Standards for Reflective Markers for Airport Runway and Taxiway Centerlines (2–17–69).

Describes standards for the installation and maintenance of reflective markers for airport runway and taxiway centerlines.

150/5340–21 Airport Miscellaneous Lighting Visual Aids (3–25–71).

Describes standards for the system design, installation, inspection, testing, and maintenance of airport miscellaneous visual aids; i.e., airport beacons, beacon towers, wind cones, wind tees, and obstruction lights.

150/5340–22 Maintenance Guide for Determining Degradation and Cleaning of Centerline and Touchdown Zone Lights (4–20–71).

Contains maintenance recommendations for determining degradation and cleaning of centerline and touchdown zone lights installed in airport pavement.

150/5340–22 CH 1 (6–23–71).

Transmits a page change to subject advisory circular.

150/5340–23 Guide for Location of Supplemental Wind Cones (8–24–71).

Describes standards for the performance and location of supplemental wind cones.

150/5345–1D Approved Airport Lighting Equipment (4–11–73).

Contains lists of approved airport lighting equipment and manufacturers qualified to supply their product in accordance with the indicated specification requirements.

150/5345–1D CH 1 (11–1–73).

Transmits additions and revisions to the lists of approved equipment and manufacturers.

150/5345–2 Specification for L–810 Obstruction Light (11–4–63).

Required for FAAP project activity.

150/5345–2 CH 1 (10–28–66).

Transmits page changes to the subject advisory circular. This change provides for a new Alloy 360 in the die casting process.

150/5345–3B Specification for L–821 Airport Lighting Panel for Remote Control of Airport Lighting (4–21–72).

Describes the specification requirements for an airport lighting control panel for the remote control of airport lighting circuits and is published by the Federal Aviation Administration for the guidance of the public.

150/5345–4 Specification for L–892 Internally Lighted Airport Taxi Guidance Sign (10–15–63).

Required for FAAP project activity.

150/5345–4 CH 1 (10–28–66).

Transmits page changes to the subject advisory circular. This change provides for a new Alloy 360 in the die casting process.,

150/5345–5 Specification for L–847 Circuit Selector Switch, 5,000 Volt 20 Ampere (9–3–63).

Required for FAAP project activity.

150/5345–7B Specification for L–824 Underground Electrical Cables for Airport Lighting Circuits (3–18–71).

Describes the specification requirements for underground electrical cables for airport lighting circuits. Published by the FAA for the guidance of the public.

150/5345–9C Specification for L–819 Fixed Focus Bidirectional High Intensity Runway Lights (12–23–69).

Describes the subject specification requirements and is published by the Federal Aviation Administration for the guidance of the public.

150/5345–10C Specification for L–828 Constant Current Regulators (10–22–71).

Describes the subject specification requirements and is published by the Federal Aviation Administration for the guidance of the public.

150/5345–11 Specification for L–812 Static Indoor Type Constant Current Regulator Assembly, 4 Kw and 7½ Kw, With Brightness Control for Remote Operations (3–2–64).

Required for FAAP project activity.

150/5345–12A Specification for L–801 Beacon (5–12–67). Consolidated Reprint November 1974. Includes Change 1.

Describes the subject specification requirements.

150/5345–13 Specification for L–841 Auxiliary Relay Cabinet Assembly for Pilot Control of Airport Lighting Circuits (1–6–64).

Required for FAAP project activity.

150/5345–15 Specification for L–842 Airport Centerline Light (1–6–64).

Required for FAAP project activity.

150/5345–16 Specification for L–843 Airport In-Runway Touchdown Zone Light (1–20–64).

Required for FAAP project activity.

150/5345–17 Specification for L–845 Semiflush Inset Prismatic Airport Light (3–3–64).

Describes the subject specification requirements.

150/5345–18 Specification for L–811 Static Indoor Type Constant Current Regulator Assembly, 4 Kw; With Brightness Control and Runway Selection for Direct Operation (3–3–64).

Required for FAAP project activity.

150/5345–18 CH 1 (5–28–64).

Advises that a detail requirement is not applicable to the circular.

150/5345–19 Specification for L–838 Semiflush Prismatic Airport Light (5–11–64).

Describes the subject specification requirements.

150/5345–20 Specification for L–802 Runway and Strip Light (6–24–64). Consolidated reprint September 1974. Includes Changes 1 through 4.

Describes the subject specification requirements.

150/5345–21 Specification for L813 Static Indoor Type Constant Current Regulator Assembly; 4 Kw and 7½ Kw; for Remote Operation of Taxiway Lights (7–28–64).

Describes the subject specification requirements.

150/5345–22 Specification for L–834 Individual Lamp Series-to-Series Type Insulating Transformer for 5,000 Volt Series Circuit (10–8–64).

Describes the subject specification requirements.

150/5345–23 Specification for L–822 Taxiway Edge Light (10–13–64). Consolidated reprint December 1974. Includes Changes I through 3.

Describes the subject specification requirements.

150/5345–26A Specification for L–823 Plug and Receptacle, Cable Connectors (5–4–71).

Describes the subject specification requirements.

150/5345–27A Specification for L–807 Eight-foot and Twelve-foot Unlighted or Externally Lighted Wind Cone Assemblies (6–16–69).

Describes the subject specification requirement for a hinged steel pole support, an anodized tapered aluminum hinged base pole support, and an "A" frame fixed support with a pivoted center pipe support.

150/5345–28B Specification for L–851 Visual Approach Sope Indicators and Accessories (2–16–72).

Describes the specification requirements for visual approach slope indicator (VASI) and simple abbreviated visual approach slope indicator (SAVASI) equipment and accessories.

150/5345–29A FAA Specification L–852, Light Assembly, Airport Taxiway Centerline (4–28–71).

Describes FAA Specification L–852, Light Assembly, Airport Taxiway Centerline, for the guidance of the public.

150/5345–30A Specification for L–846 Electrical Wire for Lighting Circuits To Be Installed in Airport Pavements (2–3–67).

Describes, for the guidance of the public, subject specification requirements for electrical wire.

150/5345–31A Specification for L–833 Individual Lamp Series-to-Series Type Insulating Transformer for 600-Volt or 5,000-Volt Series Circuits (4–24–70).

Describes the subject specification requirements and is published by the FAA for the guidance of the public.

150/5345–33 Specification for L–844 Individual Lamp Series-to-Series Type Insulating Transformer for 5,000 Volt Series Circuit 6.6/20 Amperes 200 Watt (1–13–65).

Describes the subject specification requirements.

150/5345–34 Specification for L–839 Individual Lamp Series-to-Series Type Insulating Transformer for 5,000 Volt Series Circuit 6.6/20 Amperes 300 Watt (1–13–65).

Describes the subject specification requirements.

150/5345–36 Specification for L–808 Lighted Wind Tee (2–3–65).

Describes the subject specification requirements.

150/6345–37C FAA Specification L–850, Light Assembly Airport Runway Centerline and Touchdown Zone (6–27–72).

Describes subject light assembly for the guidance of the public.

150/5345–38 Changes to Airport Lighting Equipment (3–23–67).

The title is self-explanatory.

150/5345–39A FAA Specification L–853, Runway and Taxiway Centerline Retroreflective Markers (9–17–71).

Describes specification requirements for L–853 Runway and Taxiway Retroreflective markers, for the guidance of the public.

150/5345–41 Specification for L–855, Individual Lamp, Series-to-Series Type Insulating Transformer for 5,000-Volt Series Circuit, 6.6/6.6 Amperes, 65 Watts (4–24–70).

Describes the subject specification and is published by the FAA for the guidance of the public.

150/5345–42A FAA Specification L–857, Airport Light Bases, Transformer Housing and Junction Boxes (10–4–73).

Describes specification requirements for airport light bases, transformer housing and junction boxes for the guidance of the public.

150/5345–43B FAA/DOD Specification L–856, High Intensity Obstruction Lighting Systems (11–1–73).

Contains equipment specifications for high intensity obstruction lighting systems.

150/5345–44A Specification for L–858 Retroreflective Taxiway Guidance Signs (7–20–71).

Describes the specification for retroreflective taxiway guidance signs.

150/5345–45 Lightweight Approach Light Structure (5–10–73).

Presents the specifications for lightweight structures for supporting lights as used in visual navigational aid systems.

150/5355–1A International Signs to Facilitate Passengers Using Airports (11–3–71).

Informs airport authorities of the desirability to provide international signs and diagrammatic maps within terminal buildings and of the need for clearly marked road signs for airports.

150/5355–2 Fallout Shelters in Terminal Buildings (4–1–69).

Furnishes guidance for the planning and design of fallout shelters in airport terminal buildings.

150/5360–1 Airport Service Equipment Buildings (4–6–64).

Provides guidance on design of buildings for housing equipment used in maintaining and repairing operational areas.

150/5360–2 Airport Cargo Facilities (4–6–64).

Provides guidance material on air cargo facilities.

150/5360–3 Federal Inspection Service Facilities at International Airports (4–1–66).

Describes and illustrates recommended facilities for inspection of passengers, baggage, and cargo entering the United States through international airport terminals. The material is for the guidance of architect-engineers and others interested in the planning and design of these airport facilities.

150/5370–2 Safety on Airports During Construction Activity (4–22–64).

Provides guidelines concerning safety at airports during periods of construction activity.

150/5370–4 Procedures Guide for Using the Standard Specifications for Construction of Airports (5–29–69).

Provides guidance to the public in the use and application of the Standard Specifications for Construction of Airports.

150/5370–5A Offshore Airports (2–21–75).

Announces to the public the availability of a two-volume report on offshore airport planning and construction methods and how to obtain the report.

150/5370–6 Construction Progress and Inspection Report—Federal-Aid Airport Program (3–16–70).

Provides for a report on construction progress and inspection of Federal-aid Airport Program (FAAP) projects, suggests a form for the report, and recommends use of the form unless other arrangements exist to obtain the type of information provided by the form.

150/5370–7 Airport Construction Controls To Prevent Air and Water Pollution (4–26–71).

Supplies guidance material on compliance with air and water standards during construction of airports developed under the Airport and Airway Development Act of 1970.

150/5370–8 Grooving of Runway Pavements (3–16–71).

Provides guidance for the design, installation, and maintenance of grooves in runway pavements.

150/5370–9 Slip-Form Paving—Portland Cement Concrete (6–7–73).

Transmits guidance for the construction of Portland Cement Concrete pavements by the slip-form method.

150/5370–10 Standards for Specifying Construction of Airports (10–24–74).

Provides construction standards usually used to specify grading, drainage, paving, lighting, fencing, and turfing items of work on civil airports. ($7.25 GPO) TD 4.24:974.

150/5380–1 Airport Maintenance (4–14–63).

Provides a basic checklist and suggestions for an effective airport maintenance program.

150/5380–2A Snow Removal Techniques Where In-Pavement Lighting Systems Are Installed (12–24–64).

Provides information on damage to in-pavement lighting fixtures by snow removal equipment and recommends procedures to avoid such damage.

150/5380–3A Removal of Contaminants from Pavement Surfaces (10–27–70).

Provides information to the aviation industry relative to cleaning rubber deposits, oil, grease, and jet aircraft exhaust deposits from runway surfaces.

150/5380–4 Ramp Operations During Periods of Snow and Ice Accumulation (9–11–63).

Directs attention to an increased accident potential when snow or ice accumulates on the surfaces of ramps and aircraft parking and holding areas and suggests some measures to reduce this potential.

150/5380–5 Debris Hazards at Civil Airports (3–8–71).

Discusses problems of debris at airports, gives information on foreign objects, and tells how to eliminate such objects from operational areas.

150/5390–1A Heliport Design Guide (11–5–69).

Contains design guidance material for the development of heliports, both surface and elevated. ($1.50 GPO.) TD 4.108:H36.

PLANNING GRANT PROGRAM

150/5900–1A The Planning Grant Program for Airports (9–26–74).

Offers guidance to the sponsors of airport system plans and airport master plans on how to participate in the FAA's Planning Grant Program. It describes the application process and the administrative procedures to be followed in performing planning projects.

Air Navigational Facilities

SUBJECT NO. 170

170–3B Distance Measuring Equipment (DME) (11–8–65).

Presents information on DME and some of its uses to pilots unfamiliar with this navigational aid.

170–6A Use of Radio Navigation Test Generators (3–30–66).

Gives information received from the Federal Communications Commission as to the frequencies on which the FCC will license test generators (used to radiate a radio navigation signal) within the scope of its regulations and gives additional information to assist the user when checking aircraft navigation receivers.

170–8 Use of Common Frequencies for Instrument Landing Systems Located on Opposite Ends of the Same Runway (11–7–66).

In the future, common frequencies may be assigned to like components of two instrument landing systems serving opposite ends of the same runway. This will include the localizers, glide slopes, and associated outer and middle marker compass locators (LOM and LMM).

170–9 Criteria for Acceptance of Ownership and Servicing of Civil Aviation Interest(s) Navigational and Air Traffic Control Systems and Equipment (11–26–68).

Contains a revised FAA policy under which the FAA accepts conditional ownership of equipment and systems from civil aviation interests, without the use of Federal funds, and operates, maintains, and provides the logistic support of such equipment.

170–10 FAA Recommendations to FCC on Licensing of Non-Federal Radio Navigation Aids (10–17–69).

Gives background information and describes the basis for recommendations to be made by the FAA to the Federal Communications Commission (FCC) regarding licensing of radio navigation aids.

170–11 Amendment of Federal Aviation Regulation Part 171 (FAR–171)—Cost of Flight and Ground Inspections (9–17–70).

Alerts the public to the amendment to FAR Part 171 pertaining to the payment of ground and flight inspection charges prior to the issuance of an approved IFR procedure.

170–12 Implementatoin of 50 KHz/Y Channels for ILS/VOR/DME (10–7–70).

Advises aircraft owners, operators and radio equipment manufacturers of plans for future implementation of split channel assignments in the aeronautical radio navigation bands.

Administrative

SUBJECT NO. 180

183–30A FAA Designated Mechanic Examiners Directory (4–10–74).

Provides a revised directory of all FAA designated mechanic examiners as of March 1, 1974.

183–31B FAA Designated Parachute Rigger Examiner Directory (4–2–74).

Provides a new directory of all FAA designated parachute rigger examiners as of March 1, 1974.

183.29–1C Designated Engineering Representatives (7–1–74).

Lists FAA-approved Designated Engineering Representatives who are available for consulting work.

Flight Information

SUBJECT NO. 210

210–1 National Notice to Airmen System (2–8–64).

Announces FAA policy for the preparation and issuance of essential flight information to pilots and other aviation interests.

210–3 National Notice to Airmen System—Elimination of NOTAM Code (5–22–70).

Announces changes in criteria and procedures for the Notice to Airmen System required to accommodate the transmission of all domestic Notice to Airmen data in clear contracted language and eliminate use of the NOTAM code on the domestic service A circuits.

211–2 Recommended Standards for IFR Aeronautical Charts (3–20–67).

Sets forth standards recommended by the Federal Aviation Administration for the guidance of the public in the issuance of IFR aeronautical charts for use in the National Airspace System (NAS).

Advisory Circulars For Sale

This List contains those circulars that are sold by the Superintendent of Documents. (See numerical index for appropriate price, sequential lettering, if any, and date, etc.)

Acceptable Methods, Techniques, and Practices—Aircraft Alterations, AC 43.13–2.
Acceptable Methods, Techniques, and Practices—Aircraft Inspection and Repair, AC 43.13–1.
Aircraft Dispatcher Written Test Guide, AC 65–4.
Airframe and Powerplant Mechanics Airframe Handbook, AC 65–15.
Airframe and Powerplant Mechanics Certification Guide, AC 65–2.
Airframe and Powerplant Mechanics Certification Information, AC 65–11.
Airframe and Powerplant Mechanics—General Handbook, AC 65–9.
Airframe and Powerplant Mechanics Powerplant Handbook, AC 65–12.
Airline Transport Pilot—Airplane Practical Test Guide, AC 61–49.
Airline Transport Pilot (Airplane) Written Test Guide, AC 61–18.
Airline Transport Pilot (Helicopter) Written Test Guide, AC 61–42.
Airplane Flight Instructor Written Test Guide, AC 61–11.
Airport Drainage, AC 150/5320–5.
Airport Master Plans, AC 150/5070–6.
Aviation Weather, AC 00–6.
Basic Glider Criteria Handbook, AC 21–3.
Basic Helicopter Handbook, AC 61–13.
Commercial Pilot Airplane Flight Test Guide, AC 61–55.
Commercial Pilot Written Test Guide, AC 61–28.
Commercial Pilot Airplane Written Test Guide, AC 61–71.
Federal Aviation Regulations Written Test Guide for Private, Commercial, and Military Pilots, AC 61–34.
Flight Engineer Written Test Guide, AC 63–1.
Flight Instructor Instrument—Airplane—Written Test Guide, AC 61–70.
Flight Instructor Practical Test Guide, AC 61–14.
Flight Instructor Practical Test Guide, AC 61–58.
Flight Instructor Airplane Written Test Guide, AC 61–72.
Flight Instructor's Handbook, AC 61–16.
Flight Test Guide—Commercial Pilot, Airplane, AC 61.117–1.
Flight Test Guide—Gyroplane, Private and Commercial, AC 61–30.
Flight Test Guide—Helicopter, Private and Commercial Pilot, AC 61–25.
Flight Test Guide—Instrument Pilot Airplane, AC 61–17.
Flight Test Guide (Part 61 revised)—Instrument Pilot Airplane, AC 61–56.
Flight Test Guide—Instrument Pilot Helicopter, AC 61–64.
Flight Test Guide (Part 61 revised)—Private Airplane, AC 61–54.
Flight Test Guide—Private Pilot—Airplane—Single Engine, AC 61–3.
Flight Navigator Written Test Guide, AC 63–2.
Flight Training Handbook, AC 61–21.
Forming and Operating a Flying Club, AC 00–25.
General Aviation Inspection Aids, Summary, AC 20–7.
Ground Instructor—Instrument—Written Test Guide, AC 143–2.
Ground Instructor Written Test Guide—Basic and Advanced, AC 143–1.
Guide to Drug Hazards in Aviation Medicine, AC 91.11–1.
Heliport Design Guide, AC 150/5390–1.
Instrument Flight Instructor Written Test Guide, AC 61–29.
Instrument Flying Handbook, AC 61–27.
Instrument Rating (Airplane) Written Test Guide, AC 61–8.
Medical Handbook for Pilots, AC 67–2.
Multiengine Airplane Class and Type Rating, AC 61–57.
Multiengine Airplane Class and Type Rating—Flight Test Guide, AC 61–4.
Nondestructive Testing in Aircraft, AC 43–3.
Parachute Rigger Certification Guide, AC 65–5.
Personal Aircraft Inspection Handbook, AC 20–9.
Pilot Transition Courses for Complex Single-engine and Light, Twin-engine Airplanes, AC 61–9.
Pilot's Handbook of Aeronautical Knowledge, AC 61–23.
Pilot's Weight and Balance Handbook, AC 91–23.
Planning the Metropolitan Airport System, AC 150/5070–5.
Planning the State Airport System, AC 150/5050–3.
Private and Commercial Pilot, Flight Test Guide, AC 61–59.
Private and Commercial Pilot Glider, Flight Test Guide, AC 61–61.
Private and Commercial Pilot Gyroplane, Flight Test Guide, AC 61–60.
Private and Commercial Pilots Refresher Courses, AC 61–10.
Private Pilot (Airplane) Flight Training Guide, AC 61–2.
Private Pilot Written Test Guide, AC 61–32.
Standards for Specifying Construction of Airports, AC 150/5370–10.
Student Pilot Guide, AC 61–12.
Terrain Flying, AC 91–15.
Ultrasonic Nondestructive Testing for Aircraft, AC 43–7.
U.S. Civil Aircraft Register, AC 20–6.
Utility Airports—Air Access to National Transportation, AC 150/5300–4.
Written Test Guide, Flight Instructor—Glider, AC 61–75.
Written Test Guide, Flight Instructor—Rotorcraft-Helicopter, AC 61–74.

Internal Publications

Contractions Handbook, 7340.1D (10–1–73).

Gives approved word and phrase contractions used by personnel connected with air traffic control, communications, weather, charting, and associated services. ($8.40—$10.50 foreign Sub.—GPO.) TD 4.308:C76/97.

Location Identifiers, 7350.4D (5–1–75).

Incorporates all authorized 3-letter location identifiers for special use in United States, worldwide, and Canadian assignments. ($11.70—$14.65 foreign Sub.—GPO.) TD 4.310:.

En Route Air Traffic Control Handbook, 7110.9D (1–1–75).

Prescribes air traffic control procedures and phraseology for use by personnel providing en route air traffic control service. ($11.75—$14.70 foreign Sub.—GPO.) TD 4.308: En1/97.

Terminal Air Traffic Control Handbook, 7110.8D (1–1–75).

Prescribes air traffic control procedures and phraseology for use by personnel providing terminal air traffic control services. ($15.35—$19.20 foreign Sub.—GPO.) TD 4.308: T27/97.

Flight Services, 7110.10C (1–1–75).

This handbook consists of two parts. Part I, the basic, prescribes procedures and phraseology for use by personnel providing flight assistance and communications services. Part II, the teletypewriter portion, includes Services A and B teletypewriter operating procedures, pertinent International Teletypewriter Procedures, and the conterminous U.S. Service A Weather Schedules. ($18.30—$22.90 foreign Sub.—GPO.) TD 4.308: F 64/97.

International Flight Information Manual, Vol. 23 (April 1975).

This Manual is primarily designed as a preflight and planning guide for use by U.S. nonscheduled operators, business and private aviators contemplating flights outside of the United States.

The Manual, which is complemented by the International Notams publication, contains foreign entry requirements, a directory of aerodromes of entry including operational data, and pertinent regulations, and restrictions. It also contains passport, visa, and health requirements for each country. Published annually with quarterly amendments. ($8.75—$10.95 foreign—Annual Sub. GPO.) TD 4.309: 21.

International Notams.

Covers notices on navigational facilities and information on associated aeronautical data generally classified as "Special Notices." Acts as a notice-to-airmen service only. Published weekly, ($28.10 domestic—$35.15 foreign—Annual Sub. GPO.) TD 4.11:.

Airman's Information Manual:

Part 1—Basic Flight Manual and ATC Procedures.

This part is issued quarterly and contains basic fundamentals required to fly in the National Airspace System; adverse factors affecting Safety of Flight; Health and Medical Facts of interest to pilots; ATC information affecting rules, regulations, and procedures; a Glossary of Aeronautical Terms; U.S. Entry and Departure Procedures, including Airports of Entry and Landing Rights Airports; Air Defense Identification Zones (ADIZ); Designated Mountainous Areas, Scatana, and Emergency Procedures. (Annual Sub. $7.60, Foreign mailing—$1.90 additional. GPO.) TD 4.12: pt. 1/.

Part 2—Airport Directory.

This part is issued semiannually and contains a Directory of all Airports, Seaplane Bases, and Heliports in the conterminous United States, Puerto Rico, and the Virgin Islands which are available for transient civil use. It includes all of their facilities and services, except communications, in codified form. Those airports with communications are also listed in Part 3 which reflects their radio facilities. A list of new and permanently closed airports which updates this part is contained in Part 3.

Included, also, is a list of selected Commercial Broadcast Stations of 100 watts or more of power and Flight Service Stations and National Weather Service telephone numbers. (Annual Sub. $7, Foreign mailing—$1.75 additional. GPO.) TD 4.12: pt. 2/.

SPECIAL NOTICE

Parts 3 and 3A are now sold as separate subscriptions to enable the public to purchase only the information they require.

Part 3—Operational Data.

Part 3 is issued every 90 days and contains an Airport-Facility Directory of all major airports with control towers and/or instrument landing systems; a tabulation of Air Navigation Radio Aids; Special, General, Area Notices; a tabulation of New and Permanently Closed Airports (which updates Part 2), and supplemental data to Part 4. (Annual subscription $12.85; $16.10 foreign mailing. GPO.) TD 4.12: pt. 3.

Part 3A—Notices to Airmen.

Part 3A is issued every 14 days and contains current Notices to Airmen considered essential to the safety of flight as well as supplemental data to Parts 3 and 4. (Annual subscription $20.55; $25.70 foreign mailing. GPO.) TD 4.12: pt. 3A.

Part 4—Graphic Notices—Supplemental Data.

Part 4 is issued quarterly and contains abbreviations used in all parts of AIM; Parachute Jump Areas; VOR Receiver Check Points; Special Notice Area Graphics; and Heavy Wagon and Oil Burner Routes.

Future editions will be expanded to include Special Terminal Area Charts and data not subject to frequent change. (Annual Sub. $14.40, Foreign Mailing—$3.60 additional. GPO.) TD 4.12: pt 4/.

Aircraft Type Certificate Data Sheets and Specifications (January 1974).

Contains all current aircraft specifications and type certificate data sheets. Subscription service includes the reprint which incorporates effective material previously issued by the FAA through December 1973, and monthly supplements for an indefinite period. ($84.55—Sub., Foreign mailing—$21.15 additional. GPO.) TD 4.15: 974.

Aircraft Engine and Propeller Type Certificate Data Sheets and Specifications (January 1974).

Contains all current aircraft engine and propeller type certificate data sheets and specifications. Subscription service includes the reprint which incorporates effective material previously issued by the FAA through December 1973, and monthly supplements for an indefinite period. ($35.10—Sub., Foreign mailing—$8.80 additional. GPO.) TD 4.15/2:974.

Summary of Supplemental Type Certificates.

Contains all supplemental type certificates issued by FAA regarding design changes in aircraft, engines, or propellers. List includes description of change, the model and type certificate number, the supplemental type certificate number, and the holder of the change. Quarterly supplements provided. ($41.75—Sub., Foreign mailing—$10.45 additional. GPO.) TD 4.36:974.

NOTICE

Commencing with the January 1974 issues, the Summary of Airworthiness Directives—Volumes I and II, will be sold and distributed for the Superintendent of Documents by the Federal Aviation Administration from Oklahoma City, Oklahoma. Requests for subscriptions to either of these publications should be sent to:

U.S. Department of Transportation, Federal Aviation Administration, P.O. Box 25461, Attn: AAC-23, Oklahoma City, Okla. 73125.

Subscription service will consist of the summary and automatic biweekly updates to each summary for a 2-year period. Make certified checks or money orders payable to Federal Aviation Administration.

Summary of Airworthiness Directives for Small Aircraft (1–1–74) Volume I.

Presents, in volume form, all the Airworthiness Directives for small aircraft issued through December 31, 1973. AD's for engines, propeller, and equipment are included in each volume. Each volume is aranged alphabetically by product manufacturer. ($6.95 plus $1.75 additional for foreign mailing.)

Summary of Airworthiness Directives for Large Aircraft (1–1–74) Volume II.

Presents, in volume form, all the Airworthiness Directives for large aircraft (over 12,500 pounds maximum certificated takeoff weight) issued through December 31, 1973. AD's for engines, propellers, and equipment are included in each volume. ($7.50 plus $1.90 additional for foreign mailing.)

STATUS OF THE FEDERAL AVIATION REGULATIONS AS OF MAY 15, 1975

Notice

The Federal Aviation Administration has finished the conversion of the Federal Aviation Regulations from a Volume issuance system to an individual Part issuance system.

As each Volume's subscription expired, the Superintendent of Documents sent subscribers an expiration notice with instructions and order forms for ordering the individual Parts formerly contained in that Volume.

The more frequently amended Parts will be sold on subscription service (that is, subscribers will receive Changes automatically as issued), while the less active Parts will be sold on a single-sale basis. Changes to single-sale Parts will be sold separately as issued. Information concerning these Changes will be furnished by FAA through its "Status of the Federal Aviation Regulations, AC 00-44." Instructions for ordering this free status list are given in the front of each single-sale Part.

The following list indicates the breakdown of the single-sale Parts and the subscription Parts. Check or money order made payable to the Superintendent of Documents should be included with each order. Submit orders for single-sales and subscription Parts on different order forms. No COD orders are accepted. All FAR Parts should be ordered from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

PARTS SOLD ON SUBSCRIPTION SERVICE

Part	Title	Catalog number	Publication date	Price		
				Domestic	Additional for foreign mailing	Changes issued to date
1	Definitions and abbreviations	TD 4.6:1	June 1974	$3.00	$0.75	2
21	Certification procedures for products and parts.	TD 4.6:21	May 1974	3.75	.95	4
23	Airworthiness standards: Normal, utility, and acrobatic category airplanes.	TD 4.6:23	June 1974	3.55	.90	2
25	Airworthiness standards: Transport category airplanes.	TD 4.6:25	do	6.60	1.65	2
33	Airworthiness standards: Aircraft engines.	TD 4.6:33	August 1974	3.00	.75	1
36	Noise standards: Aircraft type certification.	TD 4.6:36	June 1974	3.00	.75	3
37	Technical standard order authorizations.	TD 4.6:37	May 1974	5.65	1.45	
43	Maintenance, preventive maintenance rebuilding, and alteration.	TD 4.6:43	January 1974	2.50	.65	
47	Aircraft registration	TD 4.6:47	May 1974	2.50	.65	
61	Certification: Pilots and fight instructors.	TD 4.6:61	November 1974	5.05	1.30	
63	Certification: Flight crewmembers other than pilots.	TD 4.6:63	Sept. 1974	3.00	.75	
65	Certification: Airmen other than flight crewmembers.	TD 4.6:65	do	3.00	.75	
91	General operating and flight rules	TD 4.6:91	March 1974	11.30	2.85	4
93	Special air traffic rules and airport traffic patterns	TD 4.6:93	do	2.45	.65	1
103	Transportation of dangerous articles and magnetized materials.	TD 4.6:103	do	2.20	.55	3
105	Parachute jumping	TD 4.6:105	do	2.00	.50	
121	Certification and Operations: Domestic, flag, and supplemental air carriers and commercial operators of large aircraft.	TD 4.6:121	April 1974	9.20	2.30	6
123	Certification and operations: Air travel clubs using large airplanes.	TD 4.6:123	do	2.00	.50	1
127	Certification and operations of scheduled air carriers with helicopters.	TD 4.6:127	do	4.25	1.10	1
133	Rotorcraft external-load operations	TD 4.6:133	November 1974	3.00	.75	
135	Air taxi operators and commercial operators of small aircraft.	TD 4.6:135	do	6.20	1.55	1
139	Certification and operations: Land airports serving CAB-certificated scheduled air carriers operating large aircraft (other than helicopters).	TD 4.6:139	December 1974	3.00	.75	2
141	Pilot schools	TD 4.6:141	November 1974	3.00	.75	
152	Airport aid program	TD 4.6:152	December 1974	3.00	.75	

PARTS SOLD ON SINGLE-SALE BASIS

Part	Title	Catalog No.	Publication date	Price [1]
11	General rulemaking procedures	TD 4.6:11	May 1974	$0.55
	Change 1	TD 4.6:11/Ch 1	Feb. 1, 1974 and Jan. 1, 1975.	.45
13	Enforcement procedures	TD 4.6:13	do	.70
27	Airworthiness standards: Normal category rotorcraft	TD 4.6:27	August 1974	1.40
	Change 1	TD 4.6:27/Ch 1	Oct. 31, 1974	.75
29	Airworthiness standards: Transport category rotorcraft	TD 4.6:29	August 1974	1.70
	Change 1	TD 4.6:29/Ch 1	Oct. 31, 1974	.70
31	Airworthiness standards: Manned free balloons	TD 4.6:31	August 1974	.40
35	Airworthiness standards: Propellers	TD 4.6:35	do	.35
[2] 39	Airworthiness directives	TD 4.6:39	May 1974	.35
45	Identification and registration marking	TD 4.6:45	do	.65
49	Recording of aircraft titles and security documents	TD 4.6:49	do	.45
67	Medical standards and certification	TD 4.6:67	September 1974	$0.50
[3] 71	Designation of Federal airways, area low routes, controlled airspace, and reporting points.	TD 4.6:71	January 1975	.85
[3] 73	Special use airspace	TD 4.6:73	do	.40
[3] 75	Establishment of jet routes and high area routes	TD 4.6:75	do	.40
77	Objects affecting navigable airspace	TD 4.6:77	do	1.10
[3] 95	IFR altitudes	TD 4.6:95	do	.50
	Change 1	TD 4.6:95/Ch 1	Feb. 13, 1975	.35
[4] 97	Standard instrument approach procedures	TD 4.6:97	January 1975	.45
99	Security control of air traffic	TD 4.6:99	March 1974	.70
101	Moored ballons, kites, unmanned rockets, and unmanned free balloons.	TD 4.6:101	do	.65
	Change 1	TD 4.6:101/Ch 1	Aug. 30, 1974	.30
107	Airport security	TD 4.6:107	March 1974	.40
129	Operations of foreign air carriers	TD 4.6:129	April 1974	.45
137	Agricultural aircraft operations	TD 4.6:137	November 1974	.50
143	Ground instructors	TD 4.6:143	September 1974	.35
145	Repair stations	TD 4.6:145	January 1974	.75
147	Aviation maintenance technician schools	TD 4.6:147	September 1974	.55
149	Parachute lofts	TD 4.6:149	January 1974	.35
151	Federal aid to airports	TD 4.6:151	December 1974	1.55
153	Acquisition of U.S. land for public airports	TD 4.6:153	do	.50
154	Acquisition of U.S. land for public airports under the Airports and Airway Act of 1970.	TD 4.6:154	do	.40
155	Release of Airport property from surplus property disposal	TD 4.6:155	do	.40
157	Notice of construction, alteration, activation, and deactivation of airports.	TD 4.6:157	January 1975	.40
159	National Capital airports	TD 4.6:159	December 1974	1.00
169	Expenditure of Federal funds for noumilitary airports or air navigational facilities thereon.	TD 4.6:169	January 1975	.35
171	Non-Federal navigation facilities	TD 4.6:171	do	1.10
183	Representatives of the Administrator	TD 4.6:183	May 1974	.45
185	Testimony by employees and production of records in legal proceedings and service of legal process and pleadings.	TD 4.6:185	do	.30
187	Fees	TD 4.6:187	do	.40
189	Use of Federal Aviation Administration communication system.	TD 4.6:189	do	.35

[1] Add 25% for foreign mailing.

[2] Due to their length, complexity, and frequency of issuance, individual Airworthiness Directives are published separately in the FEDERAL REGISTER. Copies of Airworthiness Directives that have been issued are for sale in summary form by DOT, FAA Aeronautical Center (Consigned agent for Superintendent of Documents), P.O. Box 25461, Oklahoma City, Okla. 73125, Attn: AAC-23.

[3] Due to their length, complexity, and frequency of issuance, individual airspace designations, airways descriptions, restricted areas, jet route descriptions, and en route IFR altitudes are not included in the publication of these basic parts. Such descriptions are published in the FEDERAL REGISTER and depicted on appropriate aeronautical charts. Aeronautical charts can be obtained from the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Distribution Division (C-44), National Ocean Survey, Riverdale, Md. 20840.

[4] Standard instrument approach procedures are published in the FEDERAL REGISTER by reference to FAA documents which are available for examination in the Rules Docket (AGC-24) and the National Flight Data Center, FAA Headquarters, Washington, D.C., and at the appropriate FAA Regional Offices and Flight Inspection District Offices. These approach procedures can be obtained from the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Distribution Division (C-44), National Ocean Survey, Riverdale, Md. 20840.

E. NOOTENBOOM,
Acting Director, Management Systems.

[FR Doc.75-16454 Filed 6-25-75;8:45 am]

federal register

THURSDAY, JUNE 26, 1975
WASHINGTON, D.C.
Volume 40 ■ Number 124

PART IV

FEDERAL ENERGY ADMINISTRATION

■

NATIONAL UTILITY RESIDUAL FUEL OIL ALLOCATION

Supplier Percentage Notice for July 1975

FEDERAL ENERGY ADMINISTRATION

NATIONAL UTILITY RESIDUAL FUEL OIL ALLOCATION

Supplier Percentage Notice for July 1975

Pursuant to the provisions of 10 CFR 211.163(b)(2), 211.165 and 211.166(d)(2), the Federal Energy Administration (FEA) hereby provides notice of the volumes of residual fuel oil allocated to each utility and the percentage of such volumes required to be supplied by each supplier for delivery in July 1975. This information is set forth in the Appendix to this notice. Adjustments of certain supplier base period percentages have been made at the request of affected utilities and suppliers, pursuant to the criteria of 10 CFR 205.25 and are reflected in the appendix.

The utility allocations were determined after review of the relative availability of supplies of residual fuel oil for allocation to both utility and non-utility uses. In calculating the allocation level for each utility the FEA considered all of the factors enumerated in 10 CFR 211.163(b)(2) and also the following other factors:

1. The data contained in the Federal Power Commission (FPC) Forms 23 and 23A submitted by utilities;

2. Natural gas curtailments;

3. FEA's prediction that the supply level of residual fuel oil is expected to generally equate to the total demand.

The amounts shown in the Appendix are the quantities of residual fuel oil to be delivered to the utilities listed during the month of July 1975. Some utilities will not receive any allocation for this month for various reasons including the fact that these utilities burn other fuels primarily and use residual fuel oil only for standby purposes.

The Appendix provides the names of the suppliers obligated to supply each utility and each supplier's percentage and volume of each month's allocation to a utility. The first column of the Appendix lists each utility with its suppliers. The second column sets forth the recommended FEA burn level. The third and fourth columns provide each supplier's respective percentage and volume share of a utility's allocated volume of residual fuel oil. The fifth column provides the total volume of residual fuel oil for each utility from all suppliers. Following the name of certain suppliers, an additional supplier is shown in parentheses. The supplier in parentheses is presumed, on the basis of the best information available, to be the supplier of the utility's supplier. This information is provided for the convenience of such suppliers and the FEA requests that any additions or corrections in this regard be forwarded to FEA Electrical Utilities Reports, Code 47, Washington, D.C. 20461.

It is contemplated that corrections or adjustments to delivery levels for certain utilities may be required during the month of July to avoid undue hardship. FEA will consider special circumstances such as unexpected outages which may cause fuel consumption to exceed FEA burn levels in any month. Such corrections or adjustments shall be made pursuant to Subparts B and C of 10 CFR Part 205.

FEA expects the utilities to consume supplies at or below FEA burn levels, which are based on the utilities' proposed burn levels.

The utility residual fuel oil allocation program is based in part on the data derived from utilities' filings of FPC Forms 23 and 23A. Thus, the timely submission of these forms will be a necessary prerequisite to receiving future allocations.

Reports should be addressed to FEA Electrical Utilities Reports, Code 47, Washington, D.C. 20461.

Issued in Washington, D.C., June 18, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel.

APPENDIX

RESIDUAL FUEL ALLOCATIONS TO UTILITIES FOR JULY 1975

	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BY SUPPLIER BARRELS	TOTAL (BARRELS)
1. NORTHEAST POWER COORDINATING COUNCIL AREA (NPCC)				
CONNECTICUT				
UNITED ILLUMINATING CO	527,000			527,000
WYATT INC (EXXON)		13.00	68,510	
TEXACO		87.00	458,490	
NORTHEAST UTILITIES	1,405,000			1,405,000
TAD JONES CO (GULF)		21.00	295,050	
WYATT INC (EXXON)		10.00	140,500	
H N HARTWELL&SON INC		1.00	14,050	
AMERADA HESS CORP		68.00	955,400	
MAINE				
BANGOR HYDRO ELEC. CO.	18,124			18,124
SPRAGUE		100.00	18,124	
CENTRAL MAINE POWER CO.	154,000			154,000
TEXACO		100.00	154,000	
MAINE PUBLIC SERVICE CO.	95			95
DEAD RIV.O.(SPRAGUE)		100.00	95	
MASSACHUSETTS				
BOSTON EDISON CO.	968,062			968,062
SPRAGUE		12.00	116,167	
WHITE FUEL (TEXACO)		46.00	445,308	
EXXON		42.00	406,586	
FITCHBURG GAS & EL.	2,000			2,000
NORTHEAST PETROLEUM		100.00	2,000	
E.UTIL.ASSOC.(MONTAUP&BL	135,000			135,000
TEXACO		100.00	135,000	
BRAINTREE ELEC. LT. DEPT	16,817			16,817
CK SMITH(GOLD.EAGLE)		100.00	16,817	
HOLYOKE GAS AND ELECTRIC	10,667			10,667
WYATT INC (EXXON)		100.00	10,667	

	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
PEABODY ELECTRIC LT DEPT	0			0
TAUNTON MUN. LT.	109,744			109,744
QUINCY OIL CO (EXXON		100.00	109,744	
NEW ENG. G & E	629,577			629,577
NEW ENGLAND PETRO		84.80	533,881	
WHITE FUEL(TEXACO)		15.20	95,695	
NEW ENG. ELEC	1,564,000			1,564,000
ASIATIC PETRO CORP		60.00	938,400	
PRULEASE		.10	1,564	
GOLD,EAGLE		39.90	624,036	
NEW HAMPSHIRE				
PUB SER OF N.H.	59,000			59,000
SPRAGUE		26.30	15,517	
CONOCO		73.70	43,483	
NEW YORK				
CENTRAL HUDSON GAS & ELE	1,319,195			1,319,195
AMERADA HESS CORP		100.00	1,319,195	
CONSOL EDISON OF NY	4,548,000			4,548,000
NEW ENGLAND PETRO		45.50	2,069,340	
AMERADA HESS CORP		22.30	1,014,204	
EXXON		20.80	945,984	
TEXACO		11.40	518,472	
LONG ISLAND LIGHT CO.	1,581,000			1,581,000
NEW ENGLAND PETRO		100.00	1,581,000	
ORANGE & ROCKLAND UTILIT	1,071,045			1,071,045
NEW ENGLAND PETRO		51.50	551,588	
HOWARD FUEL CORP		11.20	119,957	
AMERADA HESS CORP		29.90	320,242	
ASIATIC PETRO		7.40	79,257	
ROCHESTER GAS & ELECTRIC	56,583			56,583
ALLIED O		29.70	16,805	
MONOCO OIL COMPANY		70.30	39,777	
FREEPORT, VILLAGE OF	25,500			25,500
BURNS BROS O.(NEPCO)		100.00	25,500	

	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
NIAGARA MOHAWK POWER CO,	688,692			688,692
NEW ENGLAND PETRO		100,00	688,692	
RHODE ISLAND				
NEWPORT ELECTRIC CORP	4,710			4,710
CK SMITH		100,00	4,710	
2, MID-ATLANTIC AREA COORDINATION AGREEMENT (MAAC)				
DELAWARE				
DELMARVA PWR & LT	707,000			707,000
GULF		8,00	56,560	
STEUART PETROLEUM CO		22,00	155,540	
CONOCO		65,00	459,550	
TEXACO		5,00	35,350	
DOVER, CITY OF	85,600			85,600
TEXACO		100,00	85,600	
DISTRICT OF COLUMBIA				
POTOMAC ELEC, PWR,	1,328,000			1,328,000
STEUART PETROLEUM CO		21,00	278,880	
ASIATIC PETRO CORP		79,00	1,049,120	
MARYLAND				
BALTIMORE GAS & ELECTRIC	1,021,168			1,021,168
AMERADA HESS CORP		52,70	538,155	
EXXON		47,30	483,012	
NEW JERSEY				
PUBLIC SERVICE ELECTRIC	1,632,000			1,632,000
AMERADA HESS CORP		78,00	1,272,960	
EXXON		22,00	359,040	
VINELAND,CITY OF ELEC,	57,043			57,043
BRITISH PETROLEUM		100,00	57,043	

	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
ATLANTIC CITY ELECTRIC C	266,000			266,000
AMERADA HESS CORP		60.00	159,600	
CONOCO		40.00	106,400	
GPU INTEGRATED SYSTEM	443,014			443,014
SHIPLEY-HUMBLE		1.00	4,430	
AMERADA HESS CORP		94.00	416,433	
SWANN OIL INC		5.00	22,150	
PENNSYLVANIA				
PENNSYLVANIA PWR & LT	425,000			425,000
AMERADA HESS CORP		100.00	425,000	
PHILADELPHIA ELECTRIC CO	1,103,900			1,103,900
NEW ENGLAND PETRO		2.10	23,181	
AMERADA HESS CORP		21.50	237,338	
ARCO		28.50	314,611	
GULF		9.00	99,351	
CONOCO		14.90	164,481	
TEXACO		24.00	264,936	
3. SOUTHEASTERN ELECTRIC RELIABILITY COUNCIL (SERC)				
FLORIDA				
FLORIDA P & L	2,963,000			2,963,000
EXXON		15.00	444,450	
BELCHER OIL(EXXON)		85.00	2,518,550	
FLORIDA POWER CORPORATIO	1,936,400			1,936,400
AMERADA HESS CORP		40.00	774,560	
EXXON		60.00	1,161,840	
GULF POWER CO.	53,160			53,160
BAKER SERVICE(EXXON)		100.00	53,160	
TAMPA ELECTRIC CO.	172,094			172,094
WESTERN (NEW ENG PET		100.00	172,094	
FORT PIERCE, CITY OF	58,600			58,600
BELCHER OIL(EXXON)		100.00	58,600	
GAINESVILLE, CITY OF	104,268			104,268
EASTERN SEABOARD		100.00	104,268	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
JACKSONVILLE ELEC. AUTH.	858,300			858,300
VEN FUEL INC		82.60	708,955	
NEW ENGLAND PETRO		8.70	74,672	
AMERADA HESS CORP		8.70	74,672	
KEY WEST UTILITIES	69,564			69,564
STD.OIL-KY		100.00	69,564	
LAKE WORTH UTIL AUTHORIT	0			0
LAKELAND LIGHT & WTR DEP	143,800			143,800
BELCHER(STD.OIL-KY)		100.00	143,800	
NEW SMYRNA BEACH	0			0
ORLANDO UTILITIES COMM.	331,000			331,000
BELCHER OIL(EXXON)		100.00	331,000	
SEBRING UTILITIES COMM.	6,484			6,484
UNION OIL OF CA		100.00	6,484	
TALLAHASSEE, CITY OF	82,026			82,026
UNION OIL OF CA		100.00	82,026	
VERO BEACH MUNICIPAL POW	37,273			37,273
BELCHER OIL(EXXON)		100.00	37,273	
FLORIDA KEYS ELEC COOP	0			0
GEORGIA				
GEORGIA POWER COMPANY	91,404			91,404
NEW ENGLAND PETRO		100.00	91,404	
SAVANNAH ELECTRIC & POWE	251,137			251,137
COLONIAL OIL(EXXON)		100.00	251,137	
MISSISSIPPI				
MISSISSIPPI POWER CO.	68,370			68,370
BAKER SERVICE(EXXON)		55.00	37,603	
ERGON(INTL TRADING)		45.00	30,766	
SOUTH MISSISSIPPI ELEC	92,581			92,581
SOUTHLND OIL		83.00	76,842	
AMERADA HESS CORP		17.00	15,738	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BY SUPPLIER BARRELS	TOTAL (BARRELS)
NORTH CAROLINA				
CAROLINA POWER & LT.	0			0
SOUTH CAROLINA				
S.CAROLINA PUB SERV AUTH	12,722			12,722
AMERADA HESS CORP		100.00	12,722	
S.CAROLINA ELEC & GAS CO	500,000			500,000
EXXON		100.00	500,000	
VIRGINIA				
VIRGINIA ELECTRIC POWER	2,747,100			2,747,100
AMERADA HESS CORP		16.60	456,018	
EXXON		47.30	1,299,378	
AMOCO		20.50	563,155	
NEW ENGLAND PETRO		15.60	428,547	
4. SOUTHWEST POWER POOL COORDINATION COUNCIL (SPP)				
ARKANSAS				
JONESBORO WATER AND LIGH	16,576			16,576
E L BRIDE(MIDLAND)		17.00	2,817	
DELTA REFINING CO		83.00	13,758	
ARKANSAS ELEC COOP	200,187			200,187
LOGICON INC (SHELL)		80.00	160,149	
E L BRIDE(TEXACO)		20.00	40,037	
COLORADO				
CT&U, S.COLO PWR DIV.	0			0
KANSAS				
CENTRAL KANSAS PWR	27,500			27,500
GR.PLS(CRA-FARMLAND)		100.00	27,500	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
KANSAS GAS & ELEC	400,000			400,000
ASPH&PETRO INDUST		84.70	338,800	
FRONTIER PRODUCTION		15.30	61,200	
KANSAS POWER & LIGHT	300,000			300,000
GR.PLS		38.40	115,200	
NTL COOP REFINERY		15.50	46,500	
PHILLIPS PETROLEUM		46.10	138,300	
CT&U, WESTERN PWR DIV	82,280			82,280
CARTER WTR		4.00	3,291	
AMOCO		73.00	60,064	
NORTH AMER PETRO		23.00	18,924	
CHANUTE,CITY OF	6,563			6,563
MID AMER.REFINING		100.00	6,563	
CLAY CENTER LT&WTR	0			0
COFFEYVILLE LT & PWR	4,215			4,215
CRA-FARMLAND		100.00	4,215	
LARNED WTR & ELEC	261			261
CARTER WTR		100.00	261	
MCPHERSON BD OF PUB UTIL	4,600			4,600
NTL COOP REFINERY		100.00	4,600	
OTTAWA WTR & LT	0			0
LOUISIANA				
CENTRAL LOUISIANA ELECTR	0			0
JONESBORO POWER & LIGHT	0			0
SOUTHWESTERN ELECTRIC PO	103,000			103,000
FALCO		100.00	103,000	
MIDDLE SOUTH SERVICES	2,097,000			2,097,000
E L BRIDE(OKC REF.)		1.70	35,649	
TAUBER OIL CO		20.50	429,885	
ERGON INC (EXXON)		3.80	79,686	
REESE OIL(SUN OIL)		.30	6,291	
SHELL		21.30	446,661	
EXXON		12.90	270,513	
TEXACO		9.50	199,215	
MURPHY OIL CORP		30.00	629,100	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
MISSISSIPPI				
CLARKSDALE WTR & LT	9,981			9,981
SOUTHLND OIL		100.00	9,981	
YAZOO CITY PUB SERV	0			0
MISSOURI				
ST JOSEPH LT & PWR	0			0
EMPIRE DIST ELEC	0			0
OKLAHOMA				
OKLAHOMA GAS & ELEC	0			0
BLACKWELL WTR & LT	0			0
WESTERN FARMERS ELEC COO	20,609			20,609
MCPHERSON BROS		100.00	20,609	
TEXAS				
GULF STATES UTILITIES	0			0
5. ELECTRIC RELIABILITY COUNCIL OF TEXAS (ERCOT)				
DALLAS POWER &LT.	3,333			3,333
WINSTON REF CO		18.20	606	
BEE OIL&REFINING		15.60	519	
KERR MCGEE OIL CO		18.90	629	
J&W REFINING		47.20	1,573	
HOUSTON LIGHT & PWR	0			0
TEXAS ELEC SERV	0			0
TEXAS PWR & LT	0			0
WEST TEXAS UTIL	100,200			100,200
PRIDE REFINING INC		100.00	100,200	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
AUSTIN CITY ELEC DEPT	10,280			10,280
TESORO		100.00	10,280	
BRYAN, CITY OF	0			0
GARLAND,CITY OF	0			0
LOWER COLORADO RIVER AUT	0			0
SAN ANTONIO PUB SERV	0			0
BRAZOS ELEC COOP	0			0
MEDINA ELEC COOP	0			0
6. MID-AMERICA INTERPOOL NETWORK (MAIN)				
ILLINOIS				
COMMONWEALTH EDISON CO,	460,000			460,000
ALLIED O,		98.00	450,800	
CLARK OIL&REF,CORP		2.00	9,200	
ILLINOIS POWER CO	34,000			34,000
ALLIED O,		100.00	34,000	
MISSOURI				
UNION ELECTRIC	36,750			36,750
APEX OIL CO		100.00	36,750	
WISCONSIN				
SUPERIOR WTR & LT	10,715			10,715
MURPHY OIL CORP		100.00	10,715	
WISCONSIN ELEC PWR	7,724			7,724
INDUST FUEL&ASPHALT		100.00	7,724	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BY SUPPLIER BARRELS	TOTAL (BARRELS)
7. MID-CONTINENT AREA RELIABILITY COORDINATION AGREEMENT (MARCA)				
IOWA				
ATLANTIC MUNICIPAL UTILI	0			0
LAMONI MUNIC	0			0
INTERSTATE POWER	16,950			16,950
NORTHWESTERN REF		100.00	16,950	
MINNESOTA				
MINNESOTA PWR & LT	30,700			30,700
MURPHY OIL		100.00	30,700	
AUSTIN UTILITIES	0			0
FAIRMONT WTR & LT	0			0
MARSHALL MUNICIPAL UTIL	0			0
OWATONNA MUN UTIL	0			0
WORTHINGTON, CITY OF	0			0
NORTHERN STATES PWR	0			0
NEBRASKA				
CENTRAL NEBRASKA PUBLIC	65,016			65,016
FARMLAND INDUSTRIES		100.00	65,016	
FAIRBURY LT & WTR	5,100			5,100
CARTER WTR(TEXACO)		100.00	5,100	
GRAND ISLAND ELEC	39,927			39,927
E L BRIDE		100.00	39,927	
HASTINGS UTILITIES DEPT	6,363			6,363
CARTER WTR		100.00	6,363	
LINCOLN ELECTRIC SYSTEM	0			0

	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
NEBRASKA PUBLIC POWER DI	0			0
OMAHA PUB PWR DIST	0			0
WISCONSIN				
LAKE SUPERIOR DIST PWR	0			0
8. EAST CENTRAL AREA RELIABILITY COORDINATION AGREEMENT (ECAR)				
MICHIGAN				
CLINTON LT & WTR	572			572
CRYSTAL REFINING CO		100,00	572	
GRAND HAVEN BD PUB	564			564
OSCEOLA REF		100,00	564	
HILLSDALE BD OF PUB WORK	0			0
CONSUMERS POWER	588,149			588,149
MURPHY MI.DIV.AMOCO		6,00	35,288	
ENTERPRISE OIL CO		6,00	35,288	
INDUST FUEL&ASPHALT		2,00	11,762	
RUPP OIL COMPANY		2,00	11,762	
CONSUMERS PWR-CRUDE		54,00	317,600	
BORON OIL(STANDARD)		3,00	17,644	
GLADIEUX REF		1,00	5,881	
LAKESIDE REFINING CO		14,00	82,340	
TOTAL LEONARD INC		4,00	23,525	
OSCEOLA REFINING CO		8,00	47,051	
DETROIT EDISON CO.	606,565			606,565
ENTERPRISE OIL CO		4,80	29,115	
CANADIAN FUEL MKTRS		9,90	60,049	
PETRO PRODUCTS		5,40	32,754	
SUN OIL LTD		70,00	424,595	
MARATHON OIL		9,90	60,049	
OHIO				
CLEVELAND ELEC ILLUMIN	117,190			117,190
ALLIED O.(ASHLAND)		100,00	117,190	

	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
TOLEDO EDISON	2,811			2,811
SUN OIL		100.00	2,811	
PENNSYLVANIA				
ALLEGHENY POWER SERVICE	83,271			83,271
ALLIED O.(NEPCO)		100.00	83,271	

9. WESTERN SYSTEMS COORDINATING COUNCIL (WSCC)

ARIZONA				
TUCSON GAS & ELEC	241,291			241,291
GOLDEN GATE PETRO		22.00	53,084	
TOSCO		43.00	103,755	
HOLLAND OIL(TOSCO)		5.00	12,064	
UNION OIL OF CA		25.00	60,322	
NAVAJO REFINING		5.00	12,064	
SALT RIVER PROJECT	334,000			334,000
GUSTAFSON OIL CO		.90	3,006	
DOUGLAS OIL CO		2.80	9,352	
LITTLE AMERICA		19.70	65,798	
TESORO		12.40	41,416	
MACMILLAN		17.00	56,780	
POWERINE OIL CO		18.10	60,454	
SAN JOAQUIN REF		29.10	97,194	
ARIZONA PUBLIC SERVICE C	292,024			292,024
PACIFIC SOUTHWEST		16.50	48,183	
BASIN FUELS		4.00	11,680	
UNION OIL OF CAL		63.00	183,975	
SAN JOAQUIN REF		16.50	48,183	
CALIFORNIA				
PACIFIC GAS & ELECTRIC C	291,000			291,000
ARCO		71.30	207,483	
PHILLIPS PETROLEUM		24.00	69,840	
UNION OIL OF CA		4.70	13,677	
SAN DIEGO GAS & ELECTRIC	201,027			201,027
HIRI		16.20	32,566	
TESORO		32.70	65,735	
UNION OIL OF CA		29.80	59,906	
EDGINGTON OIL CO		21.30	42,818	

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
BURBANK CITY PUBLIC SER,	45,800			45,800
ATLANTIC RICHFIELD		100.00	45,800	
GLENDALE PUBLIC SERVICES	123,324			123,324
POWERINE OIL CO		100.00	123,324	
IMPERIAL IRRIGATION DIST	58,400			58,400
CRESCENT REF&O(GULF)		100.00	58,400	
LOS ANGELES DEPT OF WATE	1,354,607			1,354,607
PETROBAY		7.60	102,950	
ARCO		59.80	810,054	
EDGINGTON OIL CO		20.90	283,112	
NEWHALL REFINING CO		5.00	67,730	
POWERINE OIL CO		3.20	43,347	
SAN JOAQUIN REF		3.50	47,411	
SOUTHERN CALIF EDISON	3,530,000			3,530,000
EXXON		20.40	720,120	
ARCO		7.80	275,340	
CONOCO		2.20	77,660	
TEXACO		9.70	342,410	
STD,OIL=CAL		50.10	1,768,530	
MACMILLAN R,F,OIL		3.00	105,900	
PACIFIC RESOURCES		6.80	240,040	
PASADENA POWER CO,	120,019			120,019
GOLD,EAGLE		100.00	120,019	
COLORADO				
PUB SERV COLORADO	14,872			14,872
CONOCO		36.40	5,413	
REF,CORP		43.50	6,469	
PLATEAU INC		20.10	2,989	
COLORADO SPRINGS LT & PW	0			0
LAMAR LT & PWR	0			0
MONTANA				
MONTANA POWER	0			0

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	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
NEVADA				
NEVADA POWER COMPANY	178,479			178,479
GUSTAFSON OIL CO		54.00	96,378	
HUSKY OIL COMPANY		46.00	82,100	
SIERRA PACIFIC POWER	20,273			20,273
GOLDEN GATE PETRO		100.00	20,273	
NEW MEXICO				
PUB SERV NEW MEXICO	0			0
PLAINS ELEC GEN & TRANSM	0			0
OREGON				
PACIFIC POWER & LIGHT CO	204			204
STD.OIL(IND)		100.00	204	
TEXAS				
COMMUNITY PUB SERV	10,284			10,284
STD.OIL-TEXAS		100.00	10,284	
EL PASO ELECTRIC	57,340			57,340
SOUTHERN UNION		74.50	42,718	
TESORO		25.50	14,621	
UTAH				
UTAH POWER &LIGHT CO.	0			0
WASHINGTON				
PUGET SOUND POWER &LIGHT	0			0
SEATTLE DEPT OF LI	0			0
TACOMA DEPT OF PUBLIC UT	0			0

	RECOMMENDED FEA BURN	BY SUPPLIER PCT	BARRELS	TOTAL (BARRELS)
10. ALASKA SYSTEMS COORDINATING COUNCIL (ASCC)				
ALASKA				
CORDOVA, TOWN OF	0			0
HAWAII				
HAWAIIAN ELECTRIC COMPAN	739,377			739,377
STD.OIL-CA		100.00	739,377	
HILO ELEC LT	31,688			31,688
STD.OIL-CA		100.00	31,688	
KAUAI ELECTRIC	1,851			1,851
STD.OIL--CA		100.00	1,851	
MAUI ELECTRIC	36,120			36,120
STD.OIL-CA		100.00	36,120	
11. NOT OTHERWISE CLASSIFIED (NOC)				
UNKNOWN				
GUAM PWR AUTH	159,490			159,490
U.S.NAVY		100.00	159,490	
UNKNOWN				
PUERTO RICO WATER RESOUR	1,986,069			1,986,069
COMMONWEALTH OIL		50.00	993,034	
PUERTO RICO SUN OIL		30.00	595,281	
CARIBBEAN GULF REF		20.00	397,214	
UNKNOWN				
ST CROIX, V.I. WTR PWR	47,718			47,718
AMERADA HESS CORP		100.00	47,718	
UNKNOWN				
ST THOMAS, V.I. WTR PWR	33,937			33,937
AMERADA HESS CORP		100.00	33,937	

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(Revised as of April 1, 1975)

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